



OAKLAND POLICE COMMISSION SPECIAL MEETING RETREAT TRANSCRIPT

January 30, 2021

- Regina Jackson: Good morning. Welcome to the Oakland Police Commission's, Second Commission Retreat. Today is Saturday, January 29th and it's 10:02. I am calling the meeting to order. Next up, we want to do a roll call. So if those of you can hear me, please confirm when I call your name as present. Commissioner Dorado.
- Jose Dorado: Present.
- Regina Jackson: Thank you. Commissioner Gage.
- Henry Gage, III: Present.
- Regina Jackson: Thank you. Commissioner Garcia.
- Sergio Garcia: Present.
- Regina Jackson: Thank you. Commissioner Harbin-Forte.
- Brenda Harbin-Forte: Present.
- Regina Jackson: Thank you. Commissioner Singleton.
- Tyfahra Singleton: Present.
- Regina Jackson: Thank you. Alternate Commissioner, David Jordan.
- David Jordan: Present.
- Regina Jackson: Excellent. Thank you. And I am present and we do have a quorum. At this time, we're going to do the welcome and public comment. I said, actually in private something that I'd like to repeat in public. This commission retreat has been a long time coming. We first started talking about it back in June. The goal of it was not only to address some issues that were raised by the city auditor and her remarks but also to create a toolkit and processes for our own efficiency moving forward. For three years, the Police Commission has been on a roller coaster, none of its own doing. We have been responding to the urgencies that are the reason that the commission was put into place. And so this commission retreat is well timed for creating those policies, excuse me, those protocols and processes. I want to especially think former commissioner, several who will join us during the day.
- Regina Jackson: Commissioner Harris, I believe is on now. And we will look to also hear from commissioner Tara Anderson, as well as commissioner Edwin Prather. While none of us had the benefit of experience coming into the commission, the capacity that's been built by our former commissioners experience, I think will be of extraordinary support, especially to our newest commissioners. Many of which like the last three just joined since August and then October. So without further



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ado, I would like to go on to ask Mr. Rus to go onto the public comment section so that we can then launch into the retreat.

Juanito Rus: Thank you, Madam Chair. Good morning members of the public. If anybody wishes to speak on the public comment portion of this meeting, please raise your hand in the zoom queue and you will be called in the order in which your hands are raised. At this time, I see one hand in the queue. Ms. Assata Olugbala. Good morning, Ms. Olugbala. Can you hear us?

Assata Olugbala: Good morning. I would like to respond to what the person just said, that you're about addressing issues. And that's not true because I continue to bring before the Police Commission, the issue of the process and you say you deal with process. You say you deal with protocol, but the process and protocol that was used by the selection commission to eliminate Ms. Ginale Harris, whether that was done in a fair, appropriate and ethical way has to be dealt with.

Assata Olugbala: I take the position, it was not fair. I take that position because I was there. I was there for every one of the meetings. The 10th, the 12th particularly of August. You have to, at some point admit that you are willing to avoid issues. That you are willing to not follow a process. If one doesn't exist, you need to create one. And you have that ability today. A process to respond to. It's unreal that the issue is one of your own. A person who is with you today to assist you in doing your duties. And nobody will have the courage to step up and say, I want to see evidence whether this is true or not. To continue to avoid this issue makes you lack credibility but I will pursue it, I will not stop until we deal with the issue of the wrongdoing to Ms. Ginale Harris.

Juanito Rus: Thank you, Ms. Olugbala.

Juanito Rus: There are no other hands in the queue this morning Madam Chair. I return it to you.

Regina Jackson: Okay. Thank you very much. And I will address that item again at another time. So now moving forward to the retreat agenda that was published, I want to thank our facilitator for this project, Dr. Omowale Satterwhite, and he is going to provide us some overview of the work. I know that our Legal Counsel, Nitasha Sawhney is going to want to provide us some cadence around how we engage today. Retreat style is a little bit different, but we still must be reminded to comport to a certain set of rules and standards. And Mr. Rus, if you could put our agenda back up on the screen, that would be great.

Regina Jackson: We are now at the Police Commission Retreat number four, and I wanted to... I kind of already stated the purposes but what I will do is I welcome Mr. Omowale Satterwhite. And if you would like to provide an overview of what you have done your process thus far and then we can have our attorney review the Brown Acting Commission Protocols, or if you'd like to do that the other way around just let me know. Mr. Satterwhite.

Omowale Satterwhite: Actually, at your discretion, I will simply say that once the commission selected our firm to support the planning and facilitation of the retreat, we did three or four main things. We did an internet search of five cities and developed a brief report on the various factors that describe the



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police boards or commissions in those five cities and you have that report. Now I'll share some of the highlights today. Secondly, I interviewed 13 people, including current commissioners, alternate commissioners, former commissioners, CPRA, staff and the attorney to get their views about three things.

Omowale Satterwhite: One the state of the commission, their vision for the commission and then their thoughts about what the annual work plan ought to be for 2021. And then of course, a fourth thing I asked everyone, what would you like to see the outcomes for the retreat? And then the third main thing that I did with that information with the support and guidance of the chair, proposed an agenda, reflected on it, refined it and now it's here for the commission's consideration in terms of what we do today. And the elements of that agenda are probably three main things.

Omowale Satterwhite: One to do the legal requirements for the meetings and review what those requirements are so that we're all operating in accordance with the Brown Act and other legal requirements. Secondly, to highlight the two reports that I prepared. The interview search of [inaudible 00:14:52] police boards commissions and also the interview report that I prepared. And then thirdly, to support the commission in its dialogue about a series of key topics where individual commissioners or former commissioners have drafted and are proposing recommendations for addressing specific issues and those are enumerated within the agenda itself. Followed by then after those discussions, some commission review and feedback on what year 2021 action plan will be.

Omowale Satterwhite: So Madam Chair, that's what I've done. That's how that has been incorporated into the agenda for today and a general summary of the main things that we will do. I'm prepared to respond to questions.

Regina Jackson: Thank you very much. I think your overview is excellent. And if there are any questions about the documents that you provided or your learnings, I would welcome the commissioners to ask questions. Commissioner Singleton, excuse me.

Tyfahra Singleton: Thank you, Chair. I just had a question about the attachment C2. The version that I have, I was wondering if it includes our interview which took place a little bit later than the others?

Omowale Satterwhite: Yeah. My apologies. The document that you received, it accurately reflects what was a very thoughtful and informative interview that we had on January 20th. I sent the wrong document essentially. I failed to correct the participation list and I was going to note that and acknowledge our interview once I got to the presentation of the report. But yes, it does include the range of very informative and thoughtful ideas that you shared when we talked.

Tyfahra Singleton: Thank you.

Regina Jackson: Thank you, Commissioner Singleton. I neglected to catch that before it had to be published. So my apologies on that behalf as well. Do you have any other questions on that subject or others? Commissioner Singleton does that answer your query?



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- Tyfahra Singleton: Answers my question. Thank you.
- Regina Jackson: Okay. Thank you. And again, my apologies for that oversight. Okay. If there aren't any more questions, I think at this point, I would like to call on our Legal Counsel Nitasha Sawhney to provide some direction and guidance around our Brown Act and Commission Protocols.
- Nitasha Sawhney: Thank you chair Jackson. Good morning, commissioners, Executive Director Alden. The retreat function is intended to provide you a space to do a deeper dive on areas outlined in the agenda. Give you all an opportunity to do some icebreaking, some team building. Typically this would be an in-person session where you're breaking bread together and you're getting to know each other and building a strong team as a commission.
- Nitasha Sawhney: Your goal today is in many ways to replicate that yet on a zoom without being able to see each other. So you have to use extra energy today as you come to each of these agenda items. In terms of the Brown Act and your compliance with the Brown Act, it all remains the same as when you are in a regularly agendized meeting. You were doing the work of the public and so you will be going through each of these items in a slightly less formal way and that you get to have deeper discussions and share thoughts and brainstorm and be a bit vulnerable.
- Nitasha Sawhney: I ask that you please stay very conscientious of anything that would be considered a closed session item. Those still cannot be discussed in a public session. Anything that might relate to personnel in particular. I will be on the retreat with you for the day so if you have a question about whether you can share something in public, please don't hesitate to ping me privately before those comments. And we obviously allowed for public comment at the beginning of the retreat. So you have met your obligations for public comment. You do not have any action items, except for at the very end of the session today. So during all of this, we'll be recording your thoughts and ideas and bringing back action items for another regularly agendas meeting when and if appropriate. Chair Jackson, was there anything else specifically wanted me to address?
- Regina Jackson: Thank you very much. I'm sorry I had to sit down and exuberance son watching a soccer game so that we didn't have to hear the overflow. Okay. My apologies. Thank you very much, Ms. Sawhney. Appreciate that. I wonder if there are any questions from the commissioners based upon that overview? I see no hands. Okay, great. So the next piece is to provide an overview which most of you are already aware of so I'm going to try and be as efficient as possible so that we can really get to the heart of the matter. I know that we are asking a lot of you to commit pretty much to a full day of hard, intensive, thoughtful work. So for those that are listening, the purpose of the Police Commission is to oversee the Oakland Police Department's policies, practices and customs to meet national standards of constitutional policing and to oversee the Community Police Review Agency which investigates police misconduct and recommends discipline. Over the last three years, we have had quite a few extraordinary accomplishments.
- Regina Jackson: I will start by identifying our policy accomplishments and they have been several midi-policies. And the first was the Probation and Parole Policy, which was a first of its kind. The second was the voluminous Use of Force Policy. And then we have the Carotid Hold Policy. And then more



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recently in December, excuse me, in January, we approved the Armed and Unresponsive Policy along with the DAT Teams Policy, excuse me, DAT Teams Training Bulletin. We are in the process of revising the militarized equipment, training bulletin as well.

Regina Jackson: And later on this afternoon, we will have an opportunity. There's an attachment that recommends about 10 or 11 policies for us to consider. It is not a full list. I actually received some recommendations after the publishing date to add munitions and other things. We don't need to finalize decisions on what policies we want to do or how we prioritize. But I did want to, after we walked through an approach to policy preparation and planning for us to take a look so that we can begin to think about how we feel about the prioritization. There are still about 150 policies that may be 10 years or older. And so trying to grab those that most impact our community or provide a strong cleanup for policing will probably be our best moves. And since we recently had two policies that kind of interact with the whole concept of munitions and tear gas and all that, those that are not included, we can consider in another follow up meeting.

Regina Jackson: As a part of our way forward, we are taking public comment at the beginning and the end, but we are not taking action on the individual items. The goal of this retreat is really to have comprehensive conversation, to align some of our thoughts and our comfortable steps forward for efficiency and effectiveness. And then we will bring forward one by one future commission meetings to finalize, discuss and then perhaps act.

Regina Jackson: In addition to the policies we have both hired the new CPRA director, Alden, who is not so new anymore. He's about a year and a half old and we have terminated the former police chief Kirkpatrick. We have completed a process first of its kind for the commission to interview select and do due diligence for four candidates to forward to the mayor. Well, the commission approved the forwarding of the four names on January 7th, and we did send those names to the mayor along with the background information. I understand that she completed her interviews in a panel setting with all four candidates yesterday, that is Friday. And so I am hopeful that we will be receiving some news fairly soon to identify the way forward for our new leadership in the Oakland Police Department.

Regina Jackson: In addition to the policies and some of the personnel scenarios, we will be ramping up for the investigator general position. We are down the road quite a bit on the proposed reorganization for CPRA. Many of these things have been like a year or more in the making. We have also taken stands and created resolutions, whether that is to make supportive recommendations to the state or locally or in conjunction with. Let's say Bart like we did for the recent Oscar Grant resolution. So on policies, protocols and personnel, I think that we have done some extraordinary work. So without further ado, unless there are some questions or comments, I was trying to do a soft overview. I would like to have us move forward to the reports.

Brenda Harbin-Forte: I'm trying to raise my hand.

Regina Jackson: Okay commissioner Harbin-Forte.



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- Brenda Harbin-Forte: I just wonder if this might not be a good time to mention to the public, the limitations on the Police Commission's jurisdiction to investigate various matters. There seems to be a perception on the part of members of the public that we have authority to investigate anything that we choose to investigate. And I think it's important for the public to understand that measure [inaudible 00:27:58] and measure as on grants jurisdiction to the Police Commission, to do certain things. None of those things include investigating the selection process. Either selections made by the governor, I'm sorry, by the mayor or the city council or by the selection committee. And I think it's important for the public to understand that so that they understand that we have no more jurisdiction to investigate decisions made by those persons with appointing authority. And we have to investigate whether former president Trump committed tax fraud. We just simply have no jurisdiction over those issues.
- Brenda Harbin-Forte: And perhaps if we can educate the public about that, that might help us as well to have more efficient meetings. So we just don't have it. You can either try to put another measure before the public to grant us some expanded authority. Issues can be taken to the appointing authority or to the city council and city council ultimately approves all appointments to the Police Commission. But I think it's important that everybody understand that we just can't start to take on things that are outside of our jurisdiction and it would be entirely inappropriate for us to do that. We have no authority, no control, no reason to do anything. It's outside of our hands.
- Regina Jackson: Thank you.
- Brenda Harbin-Forte: I just think it would be good to inform the public of that.
- Regina Jackson: I appreciate that, Commissioner Harbin-Forte. I know that it has been stated many times and probably most publicly stated that we don't have the kind of capacity to respond to many of the expectations of the public, which was done in the city audit report. But we have stated that over and over again. I think the challenge for all of us is that the Police Commission and it's setting is long overdue. So there is a mountain of things that need fixing and we all want to get as much done as possible. And you're right. There are some things that we cannot consider and we've got to be able to try to manage as well as possible the things that are most important while being nimble and flexible to deal with very important things as they come up that we cannot anticipate.
- Brenda Harbin-Forte: Excuse me, let me share a second. My point was a bit more nuanced than that, I think. Even if we had 30 people on the commission, we do not have jurisdiction to investigate other entities and components. The purpose of the Police Commission is to oversee the Oakland Police Department's policies, practices and customs, to meet or exceed national standards of constitutional policing and to oversee the community police review agency. So we have no jurisdiction over the mayor's office. To investigate the mayor's office or any decisions the mayor makes, any appointments of the mayor makes. We have no jurisdiction to oversee any appointments made by the selection committee. We have no jurisdiction to oversee any appointments or investigate any appointments made by the city council because they can also appoint to the police commission.



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- Brenda Harbin-Forte: So, no matter how many people we have, it doesn't have anything to do with priority. My point is that it doesn't have anything to do with priorities. It's just that we simply do not have the jurisdiction. And until that jurisdiction is granted to us, by another measure, then we just cannot do anything about it. And the proper entities to address those two would be the city council, because ultimately they confirm new appointments to the commission.
- Regina Jackson: Okay.
- Brenda Harbin-Forte: Yeah. That was my point. I just didn't want it to suggest that somehow we could do it if we wanted to, but we just haven't done it. We cannot do it.
- Regina Jackson: No, I appreciate your clarification on the particular subject matter. Thank you. So with that, Commissioner Singleton's hand is up.
- Tyfahra Singleton: I just want to back up what Commissioner Harbin-Forte is saying that I believe that lack of jurisdiction is by design so that there are different bodies and that we aren't in a position to make those kinds of decisions and have those kinds of influences over the selection. So I doubt that it will become a part of a measure because I believe that separation is thereby designed to eliminate the possibility for us to have undue influence over that selection.
- Regina Jackson: Okay. Thank you very much for your comment as well. If there are no other comments from the commissioners on that subject, we can move forward to the report from the consultant.
- Omowale Satterwhite: Madam Chair, with your permission, I actually would like to do a brief icebreaker [crosstalk 00:33:40] and that would be to ask each of the commissioners to briefly state what they value about the Oakland Police Commission, to set a context for a forward thinking dialogue where the commission can get through today's agenda with a grounded in a spirit of connectedness and accomplishment. So, yes. And if with your assistance, would you do a roll call? I'm not sure what your protocols are for this.
- Regina Jackson: So, did everybody understand the charge matter fact well? Why don't I have you restate it?
- Omowale Satterwhite: The question to the individual commissioners, what do you value about the Oakland Police Commission?
- Regina Jackson: Thank you. Very clear. So, Commissioner Dorado, I would like to go down the alphabetical roll call and that will put you up first.
- Jose Dorado: Okay. Thank you, Chair Jackson. What I value about the police commission is the overwhelming support when LL was passed and when S1 was passed. And the support we've gotten from the community, at various levels and at various times. It speaks to our credibility. And the support we've gotten from the council. And it has to be said that we've earned the grudging respect of OPD and OPOA. And I say that smiling. The value I see beyond that is that we have some real teeth and we have some real muscle that we've flexed in appropriate times. And I think that that



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speaks to the support we've gotten from the community. It speaks to the fact that the community passed LL to begin with, again overwhelmingly as well as S1.

Jose Dorado:

And so we have the kind of muscle thanks to the community and particularly thanks to a number of people in the community that really pushed hard for many years to have this commission have this kind of power. So those are the things that I really value. And in terms of looking forward, it's really a question of our, as I see it, really building on that credibility. That is reaching deep into the community to see to it that we stay grounded, particularly among the people that are in Oakland that are most effected by any misconduct by OPD. And that we build that foundation of credibility and support by actually earning it. That is earning the respect and the trust of the community by always reaching deep into the community and making sure that we're reflecting the needs and wants of the community that created us.

Jose Dorado:

So the other thing of that, that I value is that we have a real working relationship. Obviously, it has its ups and downs but I think for the most part, we've accomplished what we have accomplished due to the fact that we can come together and make some tough decisions. And make those in light of one of my favorite analogies and that is that, you take two dull knives and you rub them together and you get a lot of heat and sparks but you come out with two sharp knives. And I've seen that any number of times in our three years in our discussions. And I see that going forward, but again, you end up with sharp knives, sharp opinions by rubbing those opinions against each other regardless of the heat and the sparks. And I think that's what we need to continue to do. So I'll leave it at that. Thank you.

Regina Jackson:

Terrific. Thank you very much. Next up would be Commissioner Gage.

Henry Gage, III:

Thank you, chair. Oh, and value of the Oakland Police Commission. I think the thing I value most about this commission is the opportunity that it presents. The support we've received from the electorate [inaudible 00:39:12] Oakland, has given us a real opportunity to establish meaningful oversight over our public safety agency.

Henry Gage, III:

I think a lot about how our republic was founded on these lofty ideals. These promises were made about people being created equal and how democracy can be a force for good and how justice for all is a guiding light of our government. Since those founding documents were written and even at the time they were written, those promises were never really kept. It's been a long fight to even get closer to the kind of country that keeps those kinds of promises. So what we have is an opportunity to push our city and perhaps as a consequence, push the country back in that direction again. And I'm grateful for the opportunity to serve on the commission and work towards those goals. That might sound a bit idealistic but I'm very much here for the justice and we can start now.

Regina Jackson:

Thank you very much Commissioner Gage. Next up is commissioner Garcia.

Sergio Garcia:

Thank you, chair Jackson. It's a pleasure being here at my first retreat as a newer member of the commission. I'd like to emphasize how privileged I feel to be part of this effort. This is an effort as



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our consultant has mentioned several times is one that is still quite unique considering the broad authority that we have as compared to other Police Review Commissions or Police Commissions throughout the country. I think the value that I see this commission serving is that we can facilitate conversations between the OPD, our city government, and the community. How we could do that with strong credibility, strong credibility that is well deserved. Its well-deserved because our founding commissioners have successfully managed to take what the community has provided, which is overwhelming support and approval of the two ballot measures, LL and S1 and try to facilitate an understanding with the community about what that means.

Sergio Garcia:

And that's heavy lifting that has already occurred. There's a lot of heavy lifting that still needs to be embraced and addressed. I think the biggest piece is what Commissioner Gage is just referring to which is, what does meaningful oversight mean. In Oakland, we have a chance to shape policing culture. We have an opportunity based on what's happening at a national level to become a leading force for police reform in this country. We know that to be true because we have momentum that I've never seen in my lifetime. Momentum around racial equity. And we have a president speaking about racial equity considering what we've been living through the past four years of white supremacy and xenophobia and anti-immigrant sentiment, anti-Muslim sentiment and violence against all people of color from El Paso, to Charlottesville, to DC, to LA, and even here in Oakland, everywhere. We have targets on our back.

Sergio Garcia:

So, our commission here with the strong community support that we've received. Has the ability in 2021 and beyond to tread through more uncharted territory. Even more uncharted than what we'd been through. And for that, I am prepared to be true for the oath of office that I took when I decided to make this commitment to this commission and that oath of office declares that, "I will support the Constitution of the United States, the Constitution of the State of California and the Charter of the City of Oakland. And what's truly into the best of my ability to perform the duties as a member of this Oakland Police Commission." So thank you for the opportunity to share the spirit of comradery and collaborative work, hard work, but collaborative work that I come to this retreat with. Thank you.

Regina Jackson:

Thank you very much. Commissioner Garcia. Commissioner Harbin-Forte please.

Brenda Harbin-Forte:

Thank you, madam chair. What I like most about the commission, and what I really like is that I get the opportunity to effect change in the City of Oakland in terms of law enforcement, in terms of the police department's relationship with the Oakland community and in particular the relationship between the department and African-Americans and other people of color. I also like about the commission that I get the opportunity to bring to bear on our decisions my experience as a retired judge. I spent almost 28 years on the bench, handled a lot of criminal cases, heard a lot of police officers testify, saw the many problems that were in the Oakland Police Department based upon a culture that existed. And that basically said, "It's okay to make misrepresentations." And if your testimony in court after you've taken an oath to tell the truth, that it's okay to make misrepresentations in search warrants so that you can go and execute them wrongfully. I have seen lack of credibility among many officers that affected the lives, the freedom of many people who were accused of crime.



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Brenda Harbin-Forte: I have my own family members that've had interactions with Oakland Police Department and with other law enforcement agencies where their constitutional rights were violated and they were treated and appropriately. So I bring those experiences to bear because I'd like to see the process improved. We have some wonderful police officers, no I don't paint everybody with a broad brush, but we can do better here in Oakland. I've seen police brutality. One of my first experiences when I first came to Oakland 1970, was seeing a police officer beat a man near the Oakland Police Department. And it stayed with me and I just I've always wondered, well, how can that happen? So I am happy that we are getting the opportunity to address policies and procedures that we are making things so much better.

Brenda Harbin-Forte: We need our police. I have members of my family who have been in law enforcement as well. So I have the greatest amount of respect for people in law enforcement, but there's a balance that can be struck. And I'm just excited to be in a position to make Oakland a model for other cities to follow in terms of active and in terms of fair policing and in terms of constitutional policing. So I'm excited, I've been excited about [inaudible 00:48:47] since July. And I keep saying that because it is just remarkable and amazing thing to me that I have had this opportunity. And I thank the mayor for having selected me, having appointed me to this position. But I'm looking forward to rolling up my sleeves, getting to work and making a difference. That's all, we should all make a difference, make the world a little bit better once we leave it than it was before we came in. And we have the opportunity to do that. So thank you.

Regina Jackson: Thank you very much. I guess in alphabetical order, I'm next.

Regina Jackson: So my appreciation for the police commission and what I value is pretty simple. For 28 years, I have been in charge of young people. Developing youth as young as five. And I have been loath to answer their questions. When they say, "Ms. Regina, why did the police shoot my daddy?" Or, "I heard this youth leader who works with me every day got arrested. I don't understand. I don't know why. What can you do about it?" I have like Commissioner Harbin-Forte lived through many unconstitutional arrests, charges and homicides. And what the Police Commission opportunity creates may not be a way to go back, but it's certainly a way to go forward. And when thinking about the commission before it was even a thing, before it got on the measure, looking at San Francisco, looking at some other examples of how oversight can and should be done.

Regina Jackson: It brought to mind that in fact I could be part of the change. That I could show to my young people, to the community I serve and to the parents that I engage with, that one voice can make a difference. And that although this is an ominous responsibility that takes dozens and dozens of hours sometimes inside one week, that if we want to have impact, if we want to make change, we have to get on the team where the plays are made. So that you can in fact change the place. I harken back to the comments of Commissioner Gage who talked about the constitution, because again, I am reminded that back then we were considered three fifths of a person. So they weren't even thinking about us. So it's not, I mean it's disappointing, but it is not surprising that none of these systems were designed to serve us.



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- Regina Jackson: As we look forward with the more recent racial justice lens that has been provided on the backs of other black men and women who have been killed unnecessarily by police. I look forward to the opportunity that... and the work that this commission has already done and will only be fortified because of the ground that was laid by the initial public servants. The ground that has been supported by many organizations in the community, Coalition for Police Accountability and others, as well as individuals. I have young people who 20 years ago joined the force. And since then, almost nobody wanted to. I'm hoping that the value in the commission work is that we're able to lift up the examples of excellence. Then there are some inside the Oakland Police, but that we will have the opportunity to facilitate chance formation, wealth in the quality of the execution of their work, the quality of the policies and the quality of the culture.
- Regina Jackson: So that young people and older folks want to be a part of truly protecting and serving the community. It's not always easy but nothing worth doing ever is. So as I enter my fourth year of service, I am so incredibly proud of the work that's been done of the quality by the quality individuals that did it. And as we have seen a significant addition, more than half of the new commissioners are bringing to the work credibility and strong and hard work ethic. I am looking forward to their development of knowledge and their confidence in the dearth of information out there. And it's one of the reasons that I'm so pleased that we could be in retreat today. So youth voices is exceedingly important and we've also been able to elevate that during the commission process as a part of hiring, as a part of the re-imagining. And I'm just glad that we are valuing our future right now. With that Commissioner Singleton.
- Tyfahra Singleton: Thank you chair. I believe that it's alphabetical order and you go last so then I don't have to follow statements like that.
- Regina Jackson: Oh, my apologies. Maybe I should have taken... I'm sorry about that.
- Tyfahra Singleton: That was wonderful. I will be brief. I am new to the commission. I'm very proud and excited to be a part of it. What I value about the commission, I would say is the compassion of our leadership, our dedicated membership, our independence, our historic accomplishments, our unparalleled potential. And I will say also responsibility as this is Oakland to lead, not just the country, but a global community that is presently revisiting its cultural policing. Here in Oakland, we stand on the shoulders of giants of civil and human rights and we can and will lead the entire world in transforming cultures of police. And that's all I have to say.
- Regina Jackson: Short but impactful. Thank you. Commissioner Singleton. Our Alternate Commissioner Jordan, I don't want to leave out although my alphabetized scenario who's typically relegated to the regular commissioner. So my apologies, I would definitely love to have you contribute to this conversation.
- David Jordan: Thank you. I mean, there's not a ton left to be said, so I will try and keep it short as well. What do I appreciate about the commission? I think that I appreciate that though the impetus of the commission is as much about the writers and Oscar Grant as it is about Eric Garner and Mike Brown and Sandra Bland and Joseph Finley Jr. We are part of a much larger community including



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the world. The world is... we're seeing issues around police oversight and police abuse in countries all over the world. And as a jurisdiction and a group with the most extensive legislative mandate to make change, positive change, it's a huge responsibility for us to be that guiding light. That said, I think it's no surprise that this community is the one to apply that legislative mandate. That Oakland has historically been a place where those kinds of concerns are at the forefront for better for worse.

David Jordan: We have a challenging history of police abuse, but we also have an amazing history of community activism. And those things sort of the activism is fueled by that the abuse of power sometimes often. And I think that's one of the dynamics that exists here that really makes it an amazing test bed for creating lots of long term progressive policies around how we approach the idea of policing and what the culture of policing is. And I think that's a huge responsibility for us and it also means that we have to be careful to be cognizant of the sort of details and nuts and bolts of each piece of policy that we write.

David Jordan: But it also means that we have to be cognizant of the sort of the expansiveness of our duties. And as a person who has experienced some amount of police violence and as a person of color who's part of a often overlooked population, Native American population. And as a person who is experienced incarceration and as a person who is been one of those in the street committing violence and engaging in things in my youth that is the sort of opposite of part of the equation around policing that we're so concerned with. And that sort of the community is so concerned with.

David Jordan: I'm thankful to have an opportunity and maybe a slightly more limited opportunity than some other commissioners to take part and I'm always enthusiastic, attempt to be always enthusiastic about showing up the ad hoc and helping sort of craft a vision for the future. Thanks.

Regina Jackson: Thank you very much. Very well stated. At this point, I'd like to turn it back to Mr. Satterwhite, to give us our... well to provide [crosstalk 01:01:07] whatever [inaudible 01:01:10].

Omowale Satterwhite: Absolutely. I do want to invite the commission to just reflect for just a moment on what's been said and some of the highlights of what was shared included the following thoughts reviews. The LPC is valued because of the overwhelming community support with the passage of the ballot measures, which gave you real teeth and muscle to get things done. And you can build on that credibility and be intentional about engaging and then being responsive and accountable to the community. Then you have the opportunity to have meaningful oversight of the Oakland Police Department and to enable as model and a light for the country to get back to its fine founding ideals. That you can be a leading force for police reform in the country, though you still must trend through uncharted territory. But you could make this happen because of your comradery and your collaborative work.

Omowale Satterwhite: That it's an opportunity to change law enforcement in Oakland, particularly as it relates to the African American community and other communities of color. And it allows you individually and collectively to bring your experience to bear on addressing this really, really important set of



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issues. And the opportunity to make Oakland a model for the country. That it creates the opportunity to move things forward, to be a part of the change, to be an example of excellence and facilitate transformation both with regards to policies, the nature of the work and the culture of the police department. That the leadership, the dedication, the roles, the independence, the accomplishments, and the opportunity, if you will, responsibility to lead a national and global community in this work. And then lastly, there's this legislative mandate that allows you to be a guiding light and have pursued the opportunity of enacting long-term policies with regards to changing policing and the culture of policing in the City of Oakland.

Omowale Satterwhite: Of course, that's my synthesis of what was heard. And sometimes a synthesist doesn't get it exactly right. But I'm hopeful that I captured both the essence and the spirit of what people are sharing and I think that's an incredible, an excellent foundation for us to begin today's work. So could you please put up the PowerPoint titled Report on police Boards/Commissions in five us cities. And on the next slide you'll see that we did a web search only and looked at the Police Boards or Commissions in five cities, Chicago, Denver, New York, San Francisco, and Seattle. Next slide, we focused on four main characteristics or qualities in those cities, their purpose or mission statement, their roles and responsibilities, their membership meetings and community engagement process. How people got selected or appointed is what we mean by membership. And then the meeting, process and protocols, and the ways that as stated on the website, "They were charged with regards to their community engagement obligations."

Omowale Satterwhite: And then finally looked at the process and protocols that each of them use for filing, investigating and adjudicating complaints of police misconduct. And all of our information came from websites. And of course you know the limitations of using that as your primary data source. And so while what we're sharing probably has some great deal of both relevance and validity. We caution that this is information from websites and there may be some inaccuracies in what we report. Next slide, please. So with regards to the purpose and mission, in all five cities, the boards or commissions were formed as a result of a legal mandate based on a city charter, a ballot measure, or a local ordinance. And there's an overlap between what people or what the website's stated was the purpose mission and the roles.

Omowale Satterwhite: And so you'll see some interplay between this slide and the next. But in the actual purpose or mission statements, two talked about providing oversight or setting policy for police department, two talked about investigating, conducting hearings and deciding disciplinary cases, and one it's purpose or mission was engaging with and being a liaison to the community. And I note that in Seattle, they too are dealing with a Negotiated Settlement Agreement and that body in Seattle is playing a role in helping the city to work through that issue. Next slide, please. With regards to the roles and responsibilities, all five had the responsibility of recommending and/or approving police department policies, conducting investigations of alleged police misconduct in four, recommending or deciding disciplinary action for police misconduct in four, doing community outreach and responding to community concerns all five. Doing community outreach and responding to community concerns (5). Overseeing the police department (1). But if you go back to the mission statement to others, in their mission and purpose statements also said that they had an oversight role. And then assessing the effectiveness of the independent police monitoring



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agency (1) stated that in its role statement and then nominated candidates for the Chief of Police (1) stated that. And then those latter two points it was Denver that has in its role statement the monitoring of the independent police agency or monitoring agency to review assessing. And then it was Chicago that also has the capacity to nominate candidates for the Chief of Police.

Omowale Satterwhite: With regards to membership and meetings, commissions have the number of members on these various commissions range from 5 to 21 members. They tend to get appointed by a combination of the mayor, the city council and from time to time other entities. The terms of office range from one year to four years. And then in each case, those terms are renewable sometimes up to a maximum, sometimes in determined it and across those five cities, some hold regular... No one holds a regular weekly meeting to hold twice a month meetings and to hold monthly meetings in terms of the regular public Lee involved and engaged commissioned meetings. And then all of them have procedures and protocols for how the public can participate and communicate with the commission, both in meetings and beyond. And what's not shown here is that a couple of them stipend cited their roles, the requirement that they hold forms outside of the regular meeting process so that they have the opportunity to engage with the public in different, in other ways as cited in their documents.

Omowale Satterwhite: I didn't detail here, but in the report, you can see that all of them have a procedure and a protocol for filing investigating and adjudicating police misconduct. And you go back to the role statement of most of them, four of the five indicate that they have some function in making a determination or recommending action about what happens with police. Alleged police conduct is confirmed as a result of an investigation.

Omowale Satterwhite: I am perfectly willing to answer any questions about this really overall summary report that commissioners might have. I will say that in this meeting and in my interviews, a number of you reaffirm that... And I'm summarizing that the Oakland police commission has more power and authority perhaps than any other comparable body in the country. This is a narrow slice of evidence, but I think that's true. None of these had the breadth of authority or role and responsibility that you are mandated to do that you are mandated to fulfill through the passage of those two ballot measures, questions, comments.

Regina Jackson: I certainly appreciate your giving us that overview. There are oftentimes best practices that we have to look to and there are a couple that hadn't come up with regularity. So I'll be reaching out to them. Commissioner Dorado has a question.

Jose Dorado: Yes. Thank you, professor Satterwhite, Dr. Satterwhite, did you get in your research around these five police commissions, any sense that any of them had made any real progress in terms of addressing... A let's call it an inappropriate culture within their respective police departments?

Omowale Satterwhite: No. I only review the information on the websites, but inherent in that was four of the five, have a mandate or have the authority to where there's oversight to make the decision where there's not oversight to recommend changes in the policies and procedures in police departments, but the



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particularity of what might be happening in any jurisdiction. You know, I don't have that information.

Jose Dorado: Okay. Thank you. If at any time in the future you do come across any of that, you come across any of that type of information. We would very much appreciate if you pass that along to us.

Omowale Satterwhite: Absolutely. And I don't want to speak for one of your commissioners, but commissioner Singleton is actually... Did parallel research as she shared and I apologize, commissioner Singleton to actually step into her new role. And it's really possible that she may have some thoughts on that question because she's been doing a lot of independent research on our own commissioner Singleton, any or feedback?

Singleton: I guess I can definitely share a commissioner as a research. I have, it includes Hawaii and some of the commissions that are closer and sides to ours. So I'm definitely happy to share that research.

Omowale Satterwhite: Thank you. So are there any other questions or comments? Then can we go with the chair's permission to the next report.

Regina Jackson: Please, this is your show right now. Thank you.

Omowale Satterwhite: Our show. Thank you. Ma'am.

Regina Jackson: Thank you.

Omowale Satterwhite: And we'll get through these as quickly as we can. So the goal of the interviews was to identify commissioners and then those other participants views about the current operations and future direction of the Oakland police commission. And the process consisted of, and this slide, as you can see, is updated of the interviews for most of you between the 29th and 31st of December. And the final interview on January 20th. As I said earlier, with commissioner Singleton. And the interview was structured to look at four themes assessment, we asked, "What do you view as the strengths, weaknesses or challenges?" And then the opportunities and threats for the Oakland police commission. What's your vision? What do you see or think should be the strategic priorities in 2021 and the reasonable target dates for completing those tasks at Q1 Q2 Q3 or Q4 or March, June, September or December. And then what outcomes do you want for the retreat?

Omowale Satterwhite: And these were the people who were interviewed and commissioner Singleton. You can see that in the PowerPoint. We got it right. We apologize.

Omowale Satterwhite: So, in terms of what was the feedback about the strengths? The five main themes were your public mandate, the ballot measure approval by, well, actually a war in four-fifths of the electorate, the legal authority that includes selection of the police chief or at least making the nominations, the approval of the police department policies, the disciplining of police officers, the oversight of CPRA and other functions. And it's the combination of those functions that make you make it credible for you to say that you may be the most powerful police commission in the



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country, if not at certainly among handful of most powerful that the commissioners themselves are a strength. You got a common name, diverse backgrounds, brought knowledge and experience outstanding leadership. And the new members will bring new energy and perspectives.

Omowale Satterwhite: That policy work that you've done in terms of adopting groundbreaking policies that chair reviewed earlier in this meeting and that you credibility and the language that the sentences that the language around that was that you treaded uncharted water, you've navigated the city politics. You found your voice, you've taken decisive action and you gain credibility with the community city council city administration. Though, well, there's still interest in building on that credibility as you go forward in the future.

Omowale Satterwhite: In terms of the weaknesses or challenges, I actually prefer to word challenges, the lack of internal organization with regards to a policies and procedure manual, the absence of strategic priorities that you by consensus agree on and focus on in your work, the lengthy public meetings and the heavy workload among before the commission. And a couple of people said that it's not evenly distributed in terms of what the individual commissioners do and Lack of City Support, or need for more city support.

Omowale Satterwhite: I mean, you could frame it either way, but more budget and staffing and more support from the mayor and city ministration would be helpful. It's a challenge. The fact that you have transitioning members, founding members who have moved on or moving on. And then the whole fact that you're onboarding the onboarding process for new commissioners can be strengthened, I think was the spirit of what people were saying that with regards to community relations and that's always a benefit and a challenge, but the need for more black ground commissioners, as it was stated, who have the actual lived experience of dealing with police and community and building stronger relationships with Black and Brown communities. And then the last thing that got mentioned several times was this negotiated settlement agreement in terms of getting beyond that relationship with the government.

Omowale Satterwhite: With Regards to your opportunities. And there you will see overlaps between yeah, but you might be what is cited in some of the other findings, but yeah, improving your internal operations, being more strategic. And by that people were saying, we need to establish some strategic priorities. We need to have a policies and procedure manual that not for our own work and operations. And we need to move forward with the hiring of the IG and own administrative staff. All of these become opportunities for being more effective as a commission, working collaboratively with the OPD, you've got an opportunity to build a relationship with the new police chief implement a community policing program as recommended by one of your own committees, giving input into the labor negotiations, actually giving their attention to removing white supremacists from the police department and then implementing, especially the oppor the policies that you've already adopted and giving attention to making that happen as an opportunity, engaging the community, ensuring that there's meaningful community input and stronger relationships with black brown and certainly other communities of color.



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- Omowale Satterwhite: But I think the spirit here, the opportunity is to be more intentional and structured about your community engagement process. And then lastly playing a stronger leadership role and these call them challenging times or volatile times or in around the world that the commission has the opportunity to be really bold and imaginative, to collaborate more with other city departments who are interfacing with this policing issue and to demonstrate through your own work, how this commission can change, how cleaning is done to the city of Oakland. And as others have said around the state, the nation and around the world.
- Omowale Satterwhite: And then what other potential threats willingness again, the lack of organization not being bold and imaginative on the one hand in terms of setting strategic priorities and then not improving the internal operations or the two buckets to here. And then with regards to the relationship with the OPD, if you're not able or for some reason there is a collaborative relationship with the new police chief doesn't unfold in a way as imagined. And there's not the ability or the working relationship with the Oakland police officer's association, doesn't evolve in a most constructive way, or you are not able to forthrightly address this problem of white supremacy within the police department. All of those become potential threats to the commission and its work. And then with regards to your relationship with the city of Oakland, not getting adequate resources or support and then with regards to the budget and staffing, and then of course, responding to the various issues raised by the city auditor and then maintaining the community.
- Omowale Satterwhite: Trust was another area of possible threat. Again, over if it's deemed that police officers are not being held accountable, that you're not responding to community concerns, those become potential threats to your ultimate impact and effectiveness. And if we're not able to promote more Black, Brown unity around police and policing issues, or deal with the racism with the Oakland police department and, or educate, especially the public about this issue of police reform, what it is and how we're going about it and why it's important. And it's someone talked about yet and changing the narrative around defunding the police. I mean, that was the spirit of... To click your own messaging out and communicate who you are and what your work is and how it will transform the community.
- Omowale Satterwhite: The vision fell into two big buckets. One was being a national leader in police reform and a model of constitutional policing broadly recognized as a pioneer in the field of public safety and then having an impeccable record of success and full respect by city officials, the community and I should have added also then the state and the country and around the world.
- Omowale Satterwhite: And the other big part of your vision, I synthesize under the notion of being a high performing OPC. And what aspect of that has to do with your role enacting new policies, effectively communicating your vision advocacy for state legislation, hiring of more police officers who live in the city and more female police officers, more collaboration with key stakeholder groups, both inside and out of city government. And being ready, willing and able to hold the police department and the city accountable for your pursuit of constitutional policing. So in terms of your role being a high performing OPC, focusing on these areas.



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- Omowale Satterwhite: And then in terms of your operation being proficient, professional, proficient, compassionate, serving other people, having the resources and staffing to carry out your mission, having a strong consensus within the OPC itself about your future direction, your strategic priorities and your plan of action. And then one or two people talked about the importance of figuring out how to compensate commissioners so that there are no financial barriers to serving on the commission.
- Omowale Satterwhite: And then I apologize. And then the third aspect of the being high performing was with regards to your community engagement, having an intentional strategy and plan for systematic, be engaging the community, being a place where the disempowered have a voice and can be heard and then through your work being an authentic voice of the community.
- Omowale Satterwhite: So, when I asked the question about what should be the strategic priorities and the target dates? The feedback I synthesize and summarize under headings, personnel, budgeting, operations, police reform, community engagement, the negotiated settlement agreement, visioning and planning, communication, the city auditor and documenting oath. PC story at the last item on today's agenda is to walk through and get feedback on the body of recommendations about the 2021 action plan. And so what I've done is in the report that you've gotten stated every idea that people shared. And so what you've got are not my recommendations.
- Omowale Satterwhite: It's just a compilation of the views of the people that I interviewed when you go to slide. I think now 21, because the next several slides are about the plan itself. Yeah. Right there. And so when my last question was, what do you want to happen at the retreat? And there were both process outcomes and then let's call them content outcomes, but orientation and team building with new commissioners, a review of the history and main accomplishments, stronger working relationships and more comradery, alignment on issues and agreement that you will be speaking with one voice, and some culture building to eliminate as perceived. So the hierarchical culture within the OPC itself.
- Omowale Satterwhite: And then with regards to outcomes or outputs or content, if you will, that you have some consensus or clarity about your strategic priorities, your 2021 action plan, your process for reviewing OPD policies of what the content says of a policy and procedures manual would be for the commission itself, your community engagement, strategy, issue, strategy and issues to address issues raised by the city auditor and a process and protocol for holding more effective meetings.
- Omowale Satterwhite: Madam chair, available to respond to any questions.
- Regina Jackson: Thank you. Very comprehensive record out. Are there any questions from the commissioners, please? Again, I want to thank everybody for being available to share their voice current past commissioners CPRA and our attorney. Commissioner Gage.
- Henry Gage, III: Thank you, chair, Dr. Satterwhite curious if you... During the course of your interviews, did you come across any comments or any themes that you found were surprising?



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Omowale Satterwhite: No, for two reasons. One is that I've worked with so many organizations over last three decades. I think I've shared probably 1200 or 1300 or something on terms of one-on-one contracts. And so every organization or circumstance is unique, but I'm not often surprised because I've just traded that water so long. But the other thing is, I've also shared with you that of all the groups that I've worked with, the plurality of groups that I've worked with, I worked with more groups in Oakland than any place else.

Omowale Satterwhite: And I mean, when Oakland... What happens in Oakland, it does affect the region and the country. And Oakland has this history of engagement activism, and you know what that history is much better than I, so that to think that you can change the world, that's the Oakland way. And so I wasn't surprised because people were thinking big and bold and broad and really bad, I mean, bad, positive. And that's what I find happens all the time in Oakland. So now I wasn't surprised I appreciated the uniqueness in particular parity of who you are as a commission. I wasn't surprised because of my broader experience in the field. And I certainly wasn't surprised because when Oakland takes a giant step is giant there. I have respond to your question, sir?

Henry Gage, III: Yes. Thank you much. Appreciate it. And I don't have any further questions.

Regina Jackson: Thank you. Are there any other questions? I'm very appreciative that you identified the research that was done by commissioner Singleton. I'll look forward to speaking with you commissioner to see if you are able to share it, or if you don't need to put it in some other kind of format in order to share, be very interested to see what it says. And as I mentioned with respect to the cities that were identified, I will... If we don't already have contact with them, I will be reaching out. So that we can at least have a little bit more dialogue in a direct way when we need to get best practice information or experiential learnings shared.

Omowale Satterwhite: And I do have a process point. I know we're running a little late, but I actually think it was valuable for the commissioners to have the opportunity to share what they value. And so we'll be managing the time a little differently than what you see on the agenda so that we can get through all of the topics, back to you madam chair.

Regina Jackson: Sounds great. So since we have no questions, I think we should go ahead and move forward. Commissioner Anderson has been with us from the beginning of the meeting and was very appreciative. She has been the policy expert among us commissioners because that is her day job. And so when I asked her to put something together for us to consider our own policy process, I was very pleased that she willingly agreed for those of you, especially new to the commission. Each time we've approached a policy, we've done it a slightly different way. And that's because we did not have a template to follow. So this was the idea in terms of having this presentation so that we could begin to figure out what our approach would be and then make it concrete and then have it be our way forward. So without further ado, I will-

Regina Jackson: (silence)



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- Tara Anderson: Thank you, chair Jackson, the audio dropped off for a moment. So, didn't hear the opening to begin speaking. This is Tara Anderson, former commissioner and also thank you to Dr. Satterwhite for your facilitation today. And welcome to the new commissioners, commissioner Garcia and Singleton. This is more than a conversation about policy review as chair Jackson stated. It's about developing, approving and overseeing implementation of policy. So it really is a conversation of so much more. Having a plan allows the commission to be primarily proactive versus reactive and truly exert the independence of the Oakland police commission. We have many mechanisms at our disposal or the commission does department general orders, bulletins resolutions of these have spanned from the most recent about compelling the district attorney's office and Alameda County to reopen the Oscar grant case, the civil service resolution that we passed late spring of 2020, the joining in the city council, as it moves forward with ordinances around restrictions about the types of equipment that we allow our police department to purchase and the process for doing so also through resolution making recommendations about state legislation.
- Tara Anderson: Last year, we moved in support of SB-776 transparency and accountability bill from Senator Skinner. We also have the opportunity in this next legislative cycle to have opportunity to the new version of that bill, SB-16. And also other legislation around expanding victim compensation to include those who are victimized by police. All of these need a blueprint. While not being overly restrictive, because it's important for the commission to be nimble and creative. And some of this can actually result in administrative changes. Something that we saw as we continue to get reports from CPRA about instances where allegations could not be sustained. The letters that went out to community were cold and we thought we could do better. And so worked with the CPR, a director, John Alden, to modify some of the language in those letters. So the policy work of the commission and the tools, the mechanisms by which it can exercise its authority are vast, but again, to be proactive rather than reactive, solely to the agenda of the department, you need a plan.
- Tara Anderson: And so I appreciate having had the invitation to put my thoughts to paper about what that possibly could look like and some guiding points. I submit this document as stated within it with the utmost respect, for those who are currently serving on the commission for my former fellow commissioners and the community at large. Each have voices and important contributions that should be considered as you react to and process what's recommended here in the document. I thought it was important to outline the specific policies that I was kind of drawing from those kind of experiences when coming to make these recommendations. And so you see them enumerated here within the memo. And I think it's also important to see how policy is iterative, meaning you can return and to redevelop it, even once it's passed by the commission as a whole, you see that with the special orders 9196 and 9202. Which both were around documentation of the use of force.
- Tara Anderson: You see the span of time between those two policies, August the commission as a whole voted to approve the policy. Then when it finally reached implementation, which was February of the following year, we were informed that within days there were implementation problems on the street and we revisited the language of the implementation, revise that policy came back to the commission and voted as a whole on that new language. So again, it's iterative, it's a long process



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and it requires continued focus and attention. And my hope is that these learnings and these recommendations can help the commission as it moves forward, do just that. The nine recommendations are not necessarily ordinal, meaning they have to happen in a particular order or one can't happen with the other. And they truly are just recommendations. But to have a plan, you have to have a list. And so, and setting a priority, especially as former commissioner Harris would repeat again and again, the huge volume of policies that are decades old and need our attention.

Tara Anderson: That can be overwhelming. So you need a plan and have to prioritize, which comes first. And how also do you make space for those that maybe weren't identified as coming to come first, but need an urgent response from the commission. So publishing that list publishing the attention. So it's not a surprise to the public when a particular policy matter is addressed as best as possible. This should be accessible in an easy way on the website. And I say that knowing the frustrations that are shared both amongst the public and commissioners on the antiquated format of the website, but I do feel as we moved towards the final stages of the use of force policy revision process, we found a way to work within that platform and direct people towards the most pertinent and recent documents. And so that is essential that having a memo outline the policy at the onset of the development process so that you can return to the intention, returned to the research and not get distracted by the talking points of an obstinate police department.

Tara Anderson: Moving to recommendation (3). Is setting clear expectations about public engagement from the onset of each policy revision pot process. There may be reasons why closed meetings would happen and there... But all should be thought with the intention of having as much transparency as possible. And that's why I recommend when those meetings are going to go private that the commission state on the record, why that's the case? Again, I'm on the page two of the document within the materials.

Tara Anderson: Recommendation (4). Establishing policy specific ad hoc committees. This hopefully will help distribute the work amongst many commissioners allow for the development of subject matter expertise, create space. Again, in the past, there have been recommendations to create a standing committee of the commission and I just... The staffing capacity, isn't there for a standing committee and to go to the council to approve a standing committee, I would recommend that the commission continue to operate with an ad hoc structure for those convening, those conversations.

Tara Anderson: Recommendation (5). Is leveraging tools that solicit community feedback outside of regular commission or ad hoc meetings. Again, regardless of how safe a virtual or real space has made people will continue to not feel safe coming forward, expressing their concerns, opinions. And because of that, we lose valuable feedback. There must be targeted ways to engage-with community and incorporate their feedback. Some of this is through other virtual platforms. Some of it is through direct street outreach and leveraging an amazing network of strong and subject matter experts within themselves, community organizations that continue to show up and engage in commission meetings. Six is incorporate racial equity toolkit into the development of all policies. I know that a presentation, I believe it was in the December meeting was made by the



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office of racial equity. I mean, they are a key partner in meeting this intention that could move forward with a policy directive around accountability that adversely impacts officers of color. So there is very important that through an equity toolkit, the checklist is gone through and can mitigate for unintended consequences around a particular policy. Again, maintaining individual project commission webpages for each policy ad hoc is important. Having to scroll through agenda after agenda to figure out what happened in the meeting minutes, the policy work gets embedded in those spaces and we need to pull it out and give it its own space.

Tara Anderson: Recommendation number eight. Revise the commission process for editing or drafting policy. This was initially established by former commissioner Benson and former commissioner Harris and voted on by the commission in fall of 2018. They included important specific task timelines to ensure transparency and accountability. I think the meet of this document is implementable but certain portions of it need to be revisited because of our recent reauthorization or amendment rather to the city charter around the reemphasizing. What many of us already knew to be true around the role of the inspector general, but also creates the opportunity for us to more proactively include in our drafting policy process, the recognition that that role plays a, has a responsibility relative to policy and being intentional about how recommendations may come from the CPRA director or the inspector general to the commission to take action on.

Tara Anderson: And that we want to emphasize that not just those two actors, but others, their designees, commission staff and subject matter experts outside of the commission and the city infrastructure should also be tasked with, and we should receive work product form to help inform the direction that we take with editing or drafting policy. Recommendation number nine is to create standing item on the regular commission agenda for policy implementation. All too often, a vote is approved and I believe nearly all policies had a unanimous vote during my term on the police commission. We moved together but then it enters a black box, sometimes of meet and confer, sometimes training and then not knowing what's actually being trained on. So having a standing agenda item where this is revisited I think is essential. It could also be incorporated as an expectation from the chief's report out, which all too often became just a PSA for the police department rather than speaking to the work of accountability and transparency.

Tara Anderson: So being intentional about the talking points that the commission expects to be covered by the chief in particular. Just want to again, appreciate the commission, the community that made it possible. It is truly the strongest civilian police oversight body in the country. It has a responsibility to oversee policies and practices and as we said before, and has been said time and again by former commissioner Harris, those policies are decades old and need to be addressed. The volume of that is daunting, the responsibility is great. With a plan that's well thought out and can be iterative that more likely the body will be to achieving that goal. In doing so, a plan also prioritizes transparency and accountability to community. These recommendations are one small step towards realizing that goal. I think it's important to also think about the resources that are needed to carry forward this intentions.

Tara Anderson: The community organizations as I stated before, that show up time and again and the individuals who do, who some of which are reader's digest to every other policy body that convenes in the



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city of Oakland. They are your assets. They are incredible servants to the goal of making sure that the Oakland police commission is successful. They need to be included. There needs to be intentional space beyond public comment that incorporates them into the policy process. We also need liaison to the city council, not just in name, but in practice. I do not think it's fair that those responsibilities largely and almost exclusively fall on the chair or vice chair of the commission. Having an identified commissioner who regularly liaises with the city council is important. Also having staff level liaison. So those staff to staff relationships matter and you get a heads up.

Tara Anderson:

I think had we had that resource in the fall, we may have been able to mitigate some of the shenanigans of the interim chief, representing the commission and conversations with council. I should say, misrepresenting the commission and engagement with council, having our own individual, or you having your own individual relationships with the council is essential and designating staff and a commissioner to do so will carry forward that goal. Specific policies that could be addressed are also included in the materials and were solicited and organized by Chrissie and chair Jackson. I just also want to emphasize and I can imagine these came in after the agenda materials were published, but in the use of force revision process, there were many training bulletins and additional department general orders that were identified as also needing to be revised. Those included persons with mental illness and how officers respond to 5150s, the handcuffing of individuals and executing an arrest.

Tara Anderson:

And I also want to point out things that sometimes aren't thought of as policy documents, but very much are. And that is the bargaining agreement. The labor agreement for the police department dictates so much that is possible when it comes to accountability and day-to-day reform of the practices of the department. And also emphasizing while the commission is required to have at least one hearing a year on the budget, that we've missed the mark there and there's more that we can be engaging in and the conversation around one of the biggest policy documents of the city of Oakland, the budget, how we have or how our commission has a voice in that process around the values of where our funds our tax dollars are extended and in whose name. So thank you for the opportunity to share my perspective as a commissioner, former commissioner, doing that policy work and I know that many commissioners have lots of perspective on this matter.

Tara Anderson:

So I humbly put forward these recommendations and look forward to hearing what plans the commission decides to move forward with.

Regina Jackson:

Former commissioner Anderson. You never disappoint. This was an extraordinarily well thought out and highly referenced document. I want to thank you for taking the time to put that together. Our first question is from commissioner Gage.

Henry Gage, III:

Thank you, Chair. I guess this would be more of a statement and less of a question. I particularly wanted to point out two themes in this document that I know I would like to pay particular attention to and I hope that my fellow commissioners on the rules committee will as well. One of the themes I'm picking up on is the need to create an accessible record when we take action on any given item. Things like webpage updates and pre review memoranda, they can be



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administratively challenging to create and to post but they are really necessary documents. Commissioner Anderson pointed out and she's absolutely correct that anyone who wants to recreate the work we've done has to undertake a really herculean task. It requires digging through old agendas, which are voluminous. It requires looking through audio recordings or video recordings of our meetings which run for hours.

Henry Gage, III: It's not a sustainable task and we can the scenario, we can definitely approve. Additionally, I also want to support the need to create an effective feedback loop when we do take action. The issue surrounding what happened with, I think it was special order 9196, please stop me if I'm wrong on that one commissioner Anderson. The process of bringing that policy back on an emergency basis needed to happen but I'd love to see that process become much more regularized as well. I share the concerns with how the chief has engaged in reporting during the early parts of our meetings.

Henry Gage, III: And I often questioned, trying to figure out what information would truly be most useful to us, the police commission, as opposed to more general public safety statements. I agree it would be nice to have the chief instead report on the implementation of various policies or training bulletins or to report on upcoming or pending requests for commission action. I think that's an area of our agenda where we can certainly be more discriminating with respect to the kinds of reports we want to receive from the department. And I'd love to hear from the fellow commissioners about what they'd like to hear from the chief, because the information we're getting right now, frankly, isn't as useful as I'd like it to be.

Regina Jackson: [inaudible 01:54:06] and what we want reported out on. And as I had stated several times, it needs to be in [inaudible 01:54:17].

Henry Gage, III: Chair Jackson, I don't know if you can hear me but I think it's your connection maybe breaking up. I'm I the only one?

Brenda Harbin-Forte: No, you're not.

Regina Jackson: Okay [inaudible 01:54:29]. There are two hands up, commissioner Harbin Forte and Dorado and forgive me, the system has been kicking me out so I keep kind of coming back in. So commissioner Harbin Forte followed by commissioner Dorado.

Brenda Harbin-Forte: Thank you. I want to thank former commissioner Anderson for this memo and basically for a roadmap for the kinds of things that need to be done. I'm co-chairing the rules committee with the commissioner Gage. And as we look through the rules, we realized that the process regarding the orders would have to be cleaned up and made better. And you have provided many of the missing links in your memo. It provides many of the missing links that we need in order to create a fair process and understandable process and a process that we can actually follow. So our proposals just took that rule out all together with the idea that we go back to the drawing board and come up with a rule that had some specific deadlines, guidelines and some clear expectations for both the commission and members of the public. So I want to thank you for this, it's an



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excellent, excellent memo and we will be able to incorporate that in the rule that we finally propose to the commission.

Regina Jackson: Thank you, commissioner Harbin-Forte. Commissioner Dorado.

Jose Dorado: Thank you Chair Jackson. Tara, I'm just going to call you today. Thank you so much for this wonderful document. One of the things that I'd like you to speak real briefly on is the citation of the international association of public participation. I just see the, I was figuring out how to stay grounded is just absolutely essential to building our credibility in the community. And a critical part of that of course is that we have a process by which we get regular feedback from again those that are most affected by misconduct by the Oakland police department. So that is a process that we really have to figure out and of course implement. But I want you to speak if you're familiar with this, the process over planning the community, having influence over planning and decision-making that is a particular interest, particularly since I'm in an ad hoc with Regina and Brenda working on the 15-01 policy that relates directly to community policing. So it's something we're in the process of doing now. So I'd like to hear your thoughts briefly on that and also ask you if we can use you as a resource that you are in our moving forward in the development of this policy.

Tara Anderson: Thank you, commissioner Dorado. And yes, I will always continue to be a resource to the commission. As any former commissioner knows, you never quite walk away nor do you ever really want to. So, absolutely continue to reach out and even when you don't I'm sure I'll be happy to provide my opinion about things. As it relates to the spectrum of public participation. There are many people who are more expert than I am, but how I've seen this as a tool during my service as a commissioner was really being able to emphasize both the promise that's being made to the public. So clearly communicating to set expectations and then what is our public participation goals? What are we... That's Hayden, he has some things to say too. So with that in mind, we have on that spectrum, from inform, consult, involve, collaborate and empowers the full scale of the spectrum.

Tara Anderson: And at each stage, depending on the type of engagement that's happening, you're having a promise to the public and a goal related to that. And so really depends on the policy, whether or not it may just be consulting the public to get feedback about, a kind of an analysis or an alternative and this also may, it be iterative as well. It might be a certain stage of the policy development you're consulting or involving and collaborating but ultimately the decision sits on the commission. So in terms of looking at the spectrum of public participation, there's a way to, from my perspective to find the fit relative to what is the policy that's being worked on, what are the goals of the policy and then this being used as a tool to help set expectations around what public involvement will look like, beyond just hearing a voice in public comment. And so it sets intentionality behind that public engagement. But I would also advise the commission that there are individuals that could be consulted with, that are truly expert in this area. I'm just a practitioner who's used it as a tool.

Jose Dorado: Thank you so much, Tara.



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- Regina Jackson: Thank you commissioner, Anderson. I see hands from commissioner Jordan Garcia and Singleton.
- David Jordan: I guess I'm going first then.
- Regina Jackson: Yeah, of course.
- David Jordan: It's commissioner Jordan. So I appreciate this call out around, keeping the process in a more sort of flexible and malleable ad hoc system as opposed to standing committee. I think that being able to work on multiple policies, training [inaudible 02:01:25] so forth. Concurrently is vital to us being able to sort of tackle the mountain of sheer work that we have in front of us. Some of those things are going to influence each other. One of the things that we've seen recently in working in ad-hocs is that the philosophies and principles that inform, an often language that's been established really have a tendency to inform the next piece of policy making. And there's a lot of intersectionality in the way these policies and training bulletins work together. I mean they're often referring back to each other within the document.
- David Jordan: And so, though, having a sort of a linear process might be more helpful in sort of maintaining that continuity of language. I do think that given the amount of work needed I think to address that concern, those ad hocs are just going to have to sort of be in communication with each other. And maybe that's just that ad hocs are more consistently presenting sort of new drafts iteratively as they work through them in a sort of standing agenda item during commission meetings so that people can sort of see, discuss and digest what those principles, philosophies, and language are.
- David Jordan: I also professionally work in policy. So I definitely have some perspectives going into this conversation about what that looks like. I also think that when looking at the community engagement aspect of this, which is vital. And I do appreciate the initiative of being an element in there talking about what role community engagement has in the policy-making process and understanding that there is the commission's role and ad hocs role really is somewhere, and it's going to be a sort of moving needle but it really is a process of finding compromise at times. What we're often seeing is that the department or, should have established status quo perspective on a previous policy or previous ways of doing things and previous thinking around even how language is perceived in these policies and the community sort of having a very different perspective and commissioners in between varying between the two or maybe fully on one side or the other.
- David Jordan: And just in the same way that we shouldn't be beholden to the department and just assume that what they're telling us in their professional capacity is correct in the most effective way to approach a thing. We also have to be careful about being too reactive to a small amount of community input and really do our diligence around seeking as much community input as possible in very forms, electronic, in-person and otherwise community forums, individual interviews, so forth, and also having subject experts and community stakeholders involved in that conversation a long term. And to that end, I think that we should engage the standing community engagement committee to really help. In the times before COVID, community engagement I think was a thing that we kind of struggled with and it struggled to sort of gain direction and focus. And I think that



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really linking it, dovetailing it with the ad hocs is an excellent way to provide that focus. Thank you.

Regina Jackson: Thank you, commissioner Jordan. Next up is Garcia and then Singleton.

Sergio Garcia: Thank you Chair Jackson and thank you commissioner Anderson for your very thoughtful and comprehensive memo that as a new commissioner, I found it extremely valuable and understanding what has preceded me on the commission and how we can engage going forward. There's one area that doesn't have to do with policy. Commissioner Jordan referenced community engagement. And I was struck by the very specific recommendations that you have on how this commission can leverage tools to engage the community, solicit community feedback. And as you've referenced outside of the regular commission or ad hoc meetings, we have a mandated community meeting, right? There's no question about that. What your recommendations are speaking to my mind are how to implement a community engagement strategy that goes beyond the mandated community meeting and builds more community engagement at the street level at the neighborhood level, at the very targeted. You mentioned web-based applications and platforms that could facilitate or support an interactive public engagement strategy.

Sergio Garcia: And I'm wondering if you have any, you can speak to any other commission or public agency or body that has incorporated some of these recommendations that you have. There's specificity here, so I'm wondering if you have any insights on how to, firstly how to implement this and B how successful has it been? Is there anyone who has experienced leveraging these platforms. We are in COVID, and one of the frustrating things about COVID is that we cannot physically engage in that targeted community street outreach effort that I would like to see but maybe these platforms can help. So that's one question. I have another question but I want to address that one first.

Tara Anderson: Thank you, commissioner Garcia through the chair I'll respond. So the conveo, I think I'm pronouncing it incorrectly in this moment that that platform is available through a city contract and we were able to get, I think there's a certain number of documents that you can sign up to use this platform for and what it is, is a live kind of interface, almost like a shared Google doc public, shared Google doc where individuals can put live comment in response to a print policy. So, in some respects that creates more accessibility for individuals who would be interested or willing to provide commentary or line edits and that way. So it is only like a subset of that outreach goal that you would be trying to achieve. And so there are other kind of methods that kind of, you have to look to in order to, especially as you point out during COVID get additional voices as a part of the use of force kind of process.

Tara Anderson: There was an advisory group that was convened, that provided perspective from a number of different community-based organizations and individuals with lived experience. There was a component of that that included actual street outreach during COVID. I think we have to keep in mind, there are many frontline service providers that are actively out in the community currently and those partnerships will be really important to us as we have key perspectives that we want to get, that absent, having the opportunity to have our own wide net of it and outreach, being able



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to leverage those partnerships, to hear from voices on the ground in community because there are people as we know on the front lines each day actively right now. And so thinking creatively about how to leverage those interactions and partnerships to inform any sort of policy development process I think is important.

Sergio Garcia: Great. Thank you for that. That's very interesting and something that I'd like to follow up on in the future. The other question I had relates to something you said that I don't think is in your report but it's about the role of the police union. And there's a symposium that I attended yesterday with speakers on reforming policing through change in labor relations and the role of the police union and the whole structure there that contributes to police violence, to misconduct. And, it really is, it's something that's in dire need of change. One of my heroes and mentors justice, judge Delton Henderson spoke very poignantly on the whole history in Oakland of the NSA and how disappointed he was that the NSA is not history. It's still alive and well and he thought that it would be history by the time his retirement.

Sergio Garcia: And he attributed a lot of the failure around that to in terms of accountability or lack there out. And that accountability is in large part lacking because of the police union, because there's very little that anyone can do, the police union search the rights of the police officer to the detriment of the community. So when police violence occurs, the officer is very rarely disciplined and when there's discipline or when there's any kind of monetary settlement, it so predictable that we as residents of Oakland and taxpayers have to pay for that and the police unit does not have to pay for that. That police officer does not have to pay for that. We are accountable as residents of Oakland and as taxpayers that the police ultimately are not accountable.

Sergio Garcia: You referenced the police union and I think that that's an area that is sorely in need of reform and the speakers of the symposium yesterday talked about this at length. I for one, I'm still a bit pessimistic about how that's going to come about but I wanted to hear your thoughts since you referenced it in your remarks, your thoughts about strategies that we as a police commission might be able to at least look at in the near term to try to address some of the problems associated with the lack of reform around the police union.

Tara Anderson: Thank you, commissioner Garcia and through the chair. I think the first is putting eyes on, I think many people don't realize all of the privileges that are afforded officers that sit within the bargaining agreement, and that there are decisions that are made through that agreement that impact staffing patterns, days of the week on, how advancement and promotion happens and how that can work against accountability. The negotiation process happens behind closed doors. And then in some cases is secretly pushed forward without the commission's knowledge, without the public's knowledge, until it shows up on a city council agenda. And so their convening power of the police commission presents the opportunity to provide orientation to what is in a bargaining agreement, how that impacts the CPRAs and internal affairs within OPD.

Tara Anderson: Their abilities to hold individuals accountable, how that interacts with POBA and other rights that are afforded officers. I think there's a real opportunity for level setting and education around what the document is, how powerful it is, and then being able to appropriately organize when



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those agreements are coming forward again for decision-making. And I do, this type of work needs to happen years in advance, especially as you're undoing protections for a particular class of employee that have existed for a long time. And I also, I say this as a labor advocate, as someone who's always joined any union in my public service, but I think we all are all too familiar with the gross protections that are in place for our law enforcement and how opaque the decision-making around those privileges is. And so I would say first and foremost, is a widespread education around these documents. And then again, this interacts with the other recommendation I shared around liaison with the City Council, because then you can get ahead of when decisions are being made at the council and help inform them. Obviously the bargaining agreement within itself is not something that sits under the decision-making authority of the commission, but absolutely every other mandated authority that sits under the Commission influences that document, should influence the decision by City Council and the Mayor. So those would be my recommendations.

Regina Jackson: Thank you.

Omowale Satterwhite: Just want to call your attention to the time. I know you have one or two more speakers, but a process point, we will be taking lunch after you wrap up this round of conversation.

Regina Jackson: Thank you, Mr. Satterwhite. So we have Commissioner Singleton followed by Commissioner Gage, and then we'll wrap up for lunch. Thank you.

Tyfahra Singleton: Thank you Chair. My question is about sort of before recommendation one, and I apologize if this is because I'm new and don't understand yet, but it says, make a public list of Oakland department policies identified as a priority for the Commission and Inspector General to review. And I was wondering is, if part of this process, are we going to discuss or be able to make recommendations as to how they are identified and what that process is and when those discussions may happen, or if that was at all a part of the process of making this document

Tyfahra Singleton: And that question is for Former Commissioner Anderson and or Chair Jackson.

Regina Jackson: I'll defer to Tara and then try to chime in based upon what my thinking was.

Tara Anderson: Thank you, Commissioner Singleton for the question and Chair for your deference. The intention was to have kind of some rails, with some tracks to set the work forward. I think that's the question before you as a commission, as there's the years of implementation of the Oakland Police Commission to date. There have been several matters that have been brought before us. An inventory was created around all of the kind of outstanding policies. There are also, as I stated before, specific policies that were identified through the use of force revision process that also required review. And that's the hard work that's before you now, as the current commission, is figuring out how to prioritize those, in addition to those that may have been explicitly called out by the most recent negotiated settlement agreement reports.



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- Tara Anderson: So those are all of the source materials for the what of the policy that might be prioritized for the next year. And that was kind of the frame of mind that I had not to presuppose what this commission would want to tackle. Call forward, obviously from my own experience, what I think deserves a priority. But that is now to you to determine.
- Tyfahra Singleton: Thank you for that. I guess I'm wondering about us developing a process for determining those priorities over time.
- Regina Jackson: Yes. So we're going to have to identify what that is and what that looks like. There is a rules committee that is working on some components, but those are more general. So, that recommendation will come from us. What was most important was to get these fabulous rails so that we kind of know which way to turn and how we can pivot. Obviously, there's a lot of really informative information in here, but we're all a different kind of experience and expertise spaces. So even this rich conversation may need to be kind of called over and mold over and then we'll think about, or talk about how to move forward so that we can do the application and decide in what bite size pieces that we can take it on. So, I've got three more hands. I am going to presume that we're really not going to finish this until about 12:30 so that we can get these other questions or statements answered. Appreciate your time with us Tara. Commissioner Gage, then Harbin-Forte, then Alden.
- Henry Gage, III: Thank you, Chair. I want to return briefly to the conversation about the labor agreement to provide some additional context and proposal for the commission. So the MOU, pardon me, the memorandum of understanding between the city and the Oakland Police Officers Association, it expires in June of 2024. And the implementation of that document itself was controversial because it was enacted well before the prior MOU expired, and it was enacted by a lame duck council and by lame duck I mean, council members who were outgoing or being replaced, establish this new MOU that would govern the year, their successors, as well as the city at large.
- Henry Gage, III: It was problematic what had happened. And now we have to sit with it until 2024. The good news is that because we have this time, we now have a long-term goal and we have a target because, unlike some of the changes in the state law, which we have no jurisdiction over, we absolutely have authority to ask questions and demand answers, but how the MOU is negotiated and drafted moving forward. We can educate the public, we can ensure that people understand what issues are a statewide issue we can't touch and what issues are MOU issues that we can, and we can build support for specific changes. We can then propose amendments, we can monitor future negotiations. It's going to be a long-term project and hopefully we can get our own mechanisms in order well before this comes back up for council deliberation, because what I don't want to happen is a repeat of what happened in 2016, when an MOU was random by a council, right before a new one came into power.
- Regina Jackson: So I think that if you all can hear me, because I'm going in and out, that John Alden and then Brenda Harbin-Forte.
- Henry Gage, III: Director Alden, I believe that chair was calling for you. If you can hear me.



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- Regina Jackson: Well maybe he's having some struggles too. Why don't we move forward to Commissioner Harbin-Forte and then we'll go back.
- Brenda Harbin-Forte: Thank you, Chair. I just wanted to follow up regarding the question about where we go in terms of the policy, for amending policies and drafting them. There is already in our rules, a rule about the process. So my suggestion was made, that would be that it'd be referred to the rules committee for us to revise that policy which is what we were going to do anyway and bring back a proposal that would include all of the steps in the process and what we do to implement it.
- Regina Jackson: Okay, excellent. So I think that's specifically to you Commissioner Singleton, but clarification, thank you. I'm sorry, Commissioner Harbin-Forte is your hand back up or no?
- Brenda Harbin-Forte: No, I'm trying to lower it. I'm sorry, I'm sorry.
- Regina Jackson: That's okay. Let's see if we can get Director Alden on.
- John Alden: Hey, can you hear me better this time?
- Regina Jackson: Yes.
- John Alden: Wonderful, sorry about that. Thanks for coming back to me. So I was raising my hand in order to give some appreciation to the question that Commissioner Singleton was asking you about how to identify which policies would be priorities in the future. I think that's a... This is my question in a... I regret to say, I'm not sure I completely already answered that, but I think one piece of the answer would be to make sure that we're incorporating the work of the Inspector General in that process, once we have Inspector General onboard and as the commission is looking to hire an Inspector General, I might recommend that, as you're looking at different candidates, you might ask them what sort of experience and perspective they have about how to balance competing priorities among policy revisions like that. I think that's something that this commission and that Inspector General will be working on for a long, long time. And making sure we have a candidate who at least has a thoughtful approach to the answer to Commissioner Singleton's question would really be a big help in making sure you have an effective Inspector General.
- Regina Jackson: That's excellent. Thank you very much for that addition. Anticipating that position, I mean, we've been anticipating that now it's almost here, so thank you. So if we are now at 12:25, I want to allow Former Commissioner Anderson to go with our exceptional thanks recognizing that there are rules committee folks I'm really chomping at the bit to have some more support from you. So I will talk to you about that offline, but you continue to be a rock star. I'm just appreciate that you carved out your time for us today.
- Regina Jackson: Commissioner Hartman-Forte is the hand back up? Okay, maybe not then. Thank you. So Former Commissioner Anderson. Thank you, thank you, thank you. And I think Dr. Satterwhite said that we were breaking for lunch. Instead of the 30 minutes, can we go to 20? I don't know if people



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want to fight for that extra 10 minutes or not. And I'm seeing your hand back up, Commissioner Harbin-Forte.

Brenda Harbin-Forte: Yes, I'm sorry. I was speaking and was muted. I just wanted to let everybody know in terms of the rules review, I want to make sure that all of the commissioners will be referring to the set of attachment H, the draft attachment eight, that Chrissie said out about three o'clock yesterday afternoon. That is the most current attachment H. So ignore the others that you have, including the version that is attached to the retreat agenda.

Regina Jackson: Thank you very much for that.

Regina Jackson: Are folks inclined to start back at 12:50 or one o'clock?

David Jordan: Works for me.

Regina Jackson: Okay. Anybody else? I mean 12:50, is that okay guys?

Jose Dorado: Yeah.

Regina Jackson: Okay, fabulous. Thank you for your flexibility. We'll be back at 12:50 and then the next subject will be code of conduct. Mr. Satterwhite. Is there any other direction?

Omowale Satterwhite: No, thank you.

Regina Jackson: Okay, fabulous. See you all, thank you. 12:50, 20 minutes.

Regina Jackson: Hello. It is 12:50 and we are back from lunch. I see... Thank you all the commissioners for being right on time. Appreciate that. I believe... Let's see. So straight up, excuse me... After our lunch... Had to get my glasses here, is our conversation on the code of conduct. Just want to... I don't see former Commissioner Prather in the room, so Mr. Rus, can you take a look and see if he needs to be promoted? Oh, there he is.

Regina Jackson: Thank you very much. So welcome former Commissioner Prather, thank you for taking the time with us while you have been involved in policy development on so many subjects. Thank you. I wanted to have you share your work on the code of conduct, if you could provide some context about it because I know that... I think it was done some time ago and we just haven't brought it back to the commission. So to you and thank you very much for your time today.

Edwin Prather: Yeah. Thank you, Chair Jackson. Can you hear me okay?

Regina Jackson: Yes, you are fine.

Edwin Prather: Okay, great. Well thank you to all my friends, all my fellow former commiss... Or commissioners, and to welcome to new commissioners, thank you for your service and thank you for spending



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your Saturday here, learning more about the commission and working on vitally important matters. It's a thankless job, but you nevertheless have my thanks. I am been asked to walk you through this document, this code of conduct. It is a document along with other documents that I had a hand in authoring, like the rules of order and other policy documents. This document was born out of necessity as many of our things were, and when questions came up during our service, "Hey, we don't really have anything that." The thought process was to have a document that did encompass some of those issues... Included some of those issues.

Edwin Prather:

And so, if I could just take you through a couple of things, which I think are key points of discussion in this document. And it starts out with a premise of... I think we always struggled with the treatment of commissioner and commissioner alternates. It was something that's not well-defined, continues not to be well-defined, should an alternate be required to be at every meeting. That is a question that I think we really wrestled with because commissioner alternates are there to make sure we have a quorum when there's not enough commissioners and to make sure we can still function when we don't have enough commissioners to do so. But should we require alternates be at every meeting? There is an argument, that alternate should be, so that they are ready to go and know all of the issues, but it's also a very difficult job to... And I always... And maybe the lawyers and Judge Hartman Forte will appreciate, it's kind of like being the alternate juror.

Edwin Prather:

You listen to the whole case, but you never get to vote on guilty or not guilty or in civil cases, on what the damages are. And so it's a very difficult job to be an alternate. And so, we really struggled with that and I think that, that's not entirely clear. And so, you'll see that as you get into the document. For example, section A requires attendance. We've really, again, struggled with what an excused absence should be and what is a work emergency and what is leave and what is a personal emergency. And so you'll see in the document, that these aren't greatly defined or well-defined areas, but we don't have anything right now. And it has been, and it continues to be with COVID in the health crisis, something that has been always pushed to the back burner.

Edwin Prather:

And I'll tell you that we've had issues in the past, in what I'll call normal times. We've had issues with commissioners, not making meanings. And I know for some of you who are new, or new in your terms, or brand new, you think, "Oh, well, I would never miss a meeting." But we have had in the past, commissioners who would miss meetings and it gets difficult to do our job, when commissioners aren't present and also engaged.

Edwin Prather:

And again, so like for bullet point A2, the thought there to have commissioners who fully participate, is a nod to having commissioners who are prepared, who are ready to discuss an issue so that, then we can move things forward. Because it's not so much that certain commissioners don't participate in the discussion and maybe they don't want to, but it's the lack of preparedness that leads to things being... One of my favorite phrases, is, to kick a can down the road. If everyone's ready to debate and to discuss, you can get things done in a meeting or two meetings, but if not everyone is ready and suddenly you're delaying a vote and pushing things further down the line, then four weeks becomes four months and justice delayed is justice denied in many respects on the police commission.



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- Edwin Prather: And so there are things like that, I think, that are important discussion points for you. There are other things in here that have come up during our tenure, such as conflict of interest, statement, we have had commissioners not have a good sense of how to deal with media, of how to deal with other elected officials and comments and things of that nature. And so this document was drafted to serve as a guideline for that and whatnot. It's also, in section B, meant to both define what the chair's role would be and to give the chair guidelines in which to follow. Being the chair and vice chair, are very difficult positions. The running of meeting, it's very difficult. Maintaining of order and decorum is not always easy.
- Edwin Prather: It's a little easier now with Zoom, because we're in confined spaces, we're in confined buckets. But when there's a shooting, when there's a scandal that's rocking the police department. When the meeting room is packed with 150 people, it's not so easy. And so, making sure that the chair and vice-chair have guidelines in which to follow, and rules that they can point to and say, "Look, the rules tell me to do this and tell me to do that." Because right now, there's enough vagueness in the process, that I think does leave something to be desired when the chair or vice chair needs to maintain order and decorum and isn't necessarily or it doesn't feel bolstered to do.
- Edwin Prather: I mean, the rest of it is frankly generalized, interactions during meeting, section C. We're talking about civility and decorum. Hopefully you won't have issues of that nature. I mean, in my time, from the inception of the commission to the day I left, there were always issues that would pop up here there. They're more speed bumps than any kind of obstruction to what you're able to get done. But this document as a whole, is meant less to be about rules that need to be followed and if broken their censure, or you can be removed. This is meant to be a guideline, it's meant to allow commissioners to have something to inform them and to have discussions about it. And it's meant to be something that commissioners would read and hopefully sign and abide by and adopted by all or majority of the commission.
- Edwin Prather: There are other sections that I'm happy to take questions about this, because I think I'm only slotted for 15 minutes here. I think the one issue that I would raise where I think that there still is some debate and discussion necessary, is section E, how it deals with social media. Some of us, I think, are very active on social media and others are not so active on social media and that can be Twitter, Facebook, Instagram, or any of the social platforms. There is a issue with messaging and making sure that when you speak, you're speaking as an individual, unless you are speaking to reaffirm or to bolster the commission's position. And so just making sure that folks understand their role as a public official when you are a police commissioner, making sure that commissioners understand the ramifications of taking something to social media is important.
- Edwin Prather: But none of this should be intended to prohibit or to, in any way, chill the speech, chill first amendment speech. There's a balancing act, I think, that needs to be done between your voice as a commissioner and also your voice as an individual. And so making sure the commissioners just understand that there's a line. And where that line is drawn, is up to each and every commissioner, I think, and up to the commission as a whole. But I think that still needs some debate and discussion. So, generally speaking, this document is something that I drafted using



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models from other police commissions, from other investigative agencies, other public agencies, not all of it is original to me.

Edwin Prather: But something that I felt addressed some of the issues that we had over the three plus years since our inception. So with that, I'll give it back to you, Chair Jackson, happy to take any questions about the document, but again, I just encourage robust discussion about this. If this is something that you feel like you want to pick up now at this point and discuss, and perhaps implement or frankly, there's plenty of really intelligent people on this commission who can red line this thing to... And get you a even better version of this. So I'll leave it at that chair.

Regina Jackson: Thank you very much Commissioner Prather, appreciate your time. Especially when you're identifying the social media piece, given our current scandal with OPD, I think it's obviously extremely important. And I'm even aware of some current challenges on social media, like right now. So I will, rather than going there, I'd rather ask the commissioners if they have any questions. I appreciate that, what you worked on, gave us a starting point, even if people want to further red line, as you suggested. Are there any questions coming up for folks? And I do recognize that our first year was a lot more tumultuous, just getting our sea legs period so... Commissioner Dorado, your hand is up.

Jose Dorado: Thank you, Chair Jackson. So good to see Edwin, it really is.

Edwin Prather: Hey my friend, how are you?

Jose Dorado: Doing well.

Edwin Prather: Excellent.

Jose Dorado: Thank you so much for doing this. Yeah, this is a really good starting point. So I'm going to give it some real thought and come back with some suggestions. But I just wanted to emphasize that, as the chair said, we went through what I'm hoping to be the most tumultuous part of our... Let's call it the period, of the commission in our starting. I hope that doesn't continue, but more importantly, especially for the new members, this is really an important process document, whatever you want to call it, for us, because... For a number of reasons, one, we have to... We're going to go back at some point, to regular meetings, physical meetings, let's call it.

Jose Dorado: And we do have some meetings that are more controversial, let's say, than others. And we'll have to be very solid in terms of maintaining the decorum of the meeting, so we can get our work done. So this is really important work that we need to do around what Edwin's put together. Because in fact, if we're going to not only be the focal point for the state and maybe the country, in terms of what we do, we're going to have to be able to do our work. And in order to do our work, we're going to have to make sure that we move forward and we move forward consistently and strongly. And that speaks to how we run our meetings.



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- Jose Dorado: So again, I want to thank you Edwin, and I'm going to leave it there because I've got some real thinking to do and I want to talk to some folks about what my response would be, but again, good to see you and thank you so much for your work, not just on this, but in the past, you've really done the heavy lifting in a number of really, really important areas. And I just want you to know how much we appreciate it.
- Edwin Prather: I miss you Jose. Thank you, man.
- Jose Dorado: Miss you too, man.
- Regina Jackson: Don't go anywhere Edwin, I've got several more hands coming up. Commissioner Jordan followed by Gage.
- David Jordan: Hey, Edwin, welcome back. Thanks for joining us. Thanks for putting this together, delayed as the presentation might be. Actually, I feel like back early on when I first joined in 2019, I asked you about some of these things and you shared this with me at that time. Because what I was seeing, in my period before actually being appointed or being sworn in and quickly after being sworn in, was a lot of elements about internal culture and direction and procedure that that seemed to be missing, that had been superseded by the need to really get into the work of the commission as defined by LL at the time. And I think that there were a lot of gaps left in the legislation about what the commission does and how it does it.
- David Jordan: Maybe not so much what it does, but the specifics of how it does it, that were not there, and maybe best left to internal decision-making, which this is a great example of. I do have some thoughts on some potential language changes, but for the most part, I really do appreciate highlighting the responsibility of commissioners and what that means and addressing some of the things that I had concerns of and wasn't able to find an answer around, especially things like social media and contact with the press and those types of things. So I presume that, where we go next with this, is, maybe through the rules committee, to further flesh this out and formalize it. I do think that this is not the only document we need to be working on as far as internal policy and procedure that defines, not just the function of the commission, but the culture and how that function works on a really granular, nuts and bolts level. So thank you.
- Edwin Prather: Thanks Commissioner Jordan.
- Regina Jackson: Okay. We've got Henry and then Commissioner Harbin-Forte. Excuse me, Commissioner Gage and then Commissioner Harbin-Forte.
- Henry Gage, III: Thank you chair and Former Commissioner Prather, thank you for putting this document together, thank you for coming back to present it. I know this is something that's been on your mind for quite some time, and it's nice to have this come up for discussion at this retreat. When I read this document, I see a lot of value here, and it sounds like my fellow commissioners see the value as well. And we are all trying to establish a culture of real accountability in the Oakland Police Department, but we can't do that until we first establish a culture of real accountability within the



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Oakland Police Commission. It's a very fair critique that I've heard, that we haven't set up those kinds of rules that we need to hold each other accountable. And this document is an excellent step forward in that direction and it's much appreciated to have this as a resource.

- Henry Gage, III: I believe we have discussed these rules and I'm starting to incorporate these rules into the rules committees, discussions of draft rules of procedure, and a policy manual. Thank you for providing this template to work off of, and I would strongly encourage commissioners, if you have anything from a specific red lines, to general suggestions, to please contact myself, Commissioner Harbin-Forte, or Commissioner Garcia. We do need your input, the sooner the better, and we will be coming back to commission with further amendments moving forward.
- Regina Jackson: Great. Thank you Commissioner Gage. And Commissioner Harbin-Forte? Commissioner Harbin-Forte, did you have a comment? I saw your hand raised.
- Brenda Harbin-Forte: Yes, I was muted. So let me start all over again. Hello, hi Edwin. Thank you for coming.
- Edwin Prather: Hey judge, how you doing?
- Brenda Harbin-Forte: I'm doing excellent. Good to see you. I want to thank you for this product. Commissioner Gage has already said what I was going to say, which is that this is a wonderful start and that this matter be referred over to the rules committee, because this too, is something that we were going to try to include in our rules and in our policies and procedures manual. I will also say that we've been looking at, and I've been looking at the ethics commissions rules and the publication that the ethics commission puts out for all of the cities, boards and commissions, to make sure that we are in compliance with those requirements and to make sure that nothing that we recommend is in conflict with those.
- Brenda Harbin-Forte: But that this is very good, and I think that I'm sending it over. And I agree with Commissioner Gage, if you would just send some... Perhaps, yeah, if you can send any proposals for red lining to the two of us, that should be fine. And then we'll get it to our third member. Commissioner Gage and I are co-chairs. So if it goes to the co-chairs and probably to me because I'll be the scrivener anyway, and I'll be doing all of the master red lining and revisions. But this is really, really good. And we already have, I think, a rule at one point about [commissioner conduct 03:15:31]. Some of the other things as well, can be included in some of the other rules. And S1, for example, made it clear and provided that alternate commissioners can serve on ad hoc, some things like that. So some of those kinds of issues are already taken care of, but we might wish to flesh them out, even in another rule, rather than in the code of conduct. So there's a lot to do, but thank you. This is great.
- Edwin Prather: Thank you.
- Regina Jackson: Mr. Prather, you have been a stalwart on so many areas of both policy and personnel and discipline committee. I just appreciate your always taking the time when I ask you to. Thank you



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so much for your service. I'll be in touch and I think that's it for today, unless you want to hang on, but I see the sun out and you probably got some other things to do.

Edwin Prather:

Thanks for having me, appreciate everybody's hard work on this. I do think what Commissioner Gates said about having... It's hard to tell OPD what to do when, I think, sometimes the commission is perceived as not having and following its own rules and whether it be these rules or other rules or a variant of these rules, I think it's just important to know that sometimes our meetings serve as the town hall for all things' law enforcement. I mean, you remember that when there were protests in Oakland, that involved bad acts by CHP or BART police or the Sheriff's office or other law enforcement that wasn't OPD, there's no forum for that. And so sometimes those emotions spill over into our meetings in the public comment and having rules which are clear and defined, to help all of us deal with those situations, where we want to be that, we want to be the place where people can feel free to come out and speak either for an issue, against an issue, for a person, against a person.

Edwin Prather:

I remember when... And I'm sorry, I wasn't going to carry on, but now I feel like I'm going along. But I remember when, at the time, Chief Kirkpatrick had a lot of people come and speak against her. And then there was a couple of people who tried to speak for her and were treated rudely and shouted down. And I don't think we're that kind of... We encourage debate, we encourage folks to come with their opinions and we don't want our meetings to become a place of intimidation or bullyism... Believe me, I don't got... Henry help me, what's the word I'm looking for... Anyway, these rules are a start, do with them what you will. I don't feel any pride of authorship as I never do about anything I write, but good luck. And Miss Regina, thanks for having me. See you guys.

Regina Jackson:

Absolutely. Thank you. Okay. So now that we have had our code of conduct discussion, I think we need to go to the next... Yes. And this is... If you can advance, thank you. The chief of police evaluation. Let me see if former Commissioner Harris is on. No, she isn't. Let me text her quickly to see if she can join. What I will do, is give some background. So when we first began looking at the evaluation of the police chief, we started out by identifying goals. And what ended up happening, was that this document around the chief goals was going to be used to create a rubric and a template for evaluation. Before we were able to complete this document inside the personnel committee, the mayor joined us in terminating the police chief. And because we had a myriad of other things that were popping up, we hadn't moved forward on this.

Regina Jackson:

So I thought that it was timely given the fact that we will be welcoming a new police chief soon, to have chief goals in order and have a conversation about what those chief goals would be. And then again, move forward to having an evaluation template. The way things work inside the rules for us, is that we are supposed to provide our goals expectation a year in advance of doing the actual evaluation. So it would be paramount for us to finalize something within the next month or so, in order to deliver it to the police chief so that they know right up front, what our expectations are and then we are not delayed in providing the evaluative feedback. So I was hoping that former Commissioner Harris was going to be able to join us. She did mention early on that, not unlike



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myself, was having some challenges with wifi. So perhaps she was unable to rejoin. That said, let me see... I'm trying to go back to the document. I wonder if I can field any questions.

Brenda Harbin-Forte: Let me try rai... This is Commissioner Harbin Harbin-Forte, let me get to the hand raise thing so I can do this properly, or you can go ahead and recognize me chair.

Regina Jackson: Oh, no, go ahead Commissioner Harbin-Forte.

Brenda Harbin-Forte: Thank you. I just want to say that when Commissioner Harris was on earlier this morning, she indicated that she might not be able to present today, but I don't know if she changed her mind, but I did want to pass that information on.

Regina Jackson: Oh, sure. Yeah. We had, had a text exchange early this morning. She said she hadn't gotten the retreat package, I sent it to her. And I also told her since she, primarily came up with the chief goals, that this document had remained unchanged, but it's fine. Much like the other former commissioners that I asked to join us, this has been six, seven, eight months in the coming. So we'll chalk it up to wifi challenges, what have you. It's fine. So what I wanted to do is, one, I think that some of his document will need to be updated a little bit, but the spirit of it, is still quite apropos.

Regina Jackson: And the reason that I say updated a little bit, is because obviously we have a new social media scandal to deal with, that basically lifts up the fact that there is still toxicity in the culture of the OPD and that we will be wanting to, I guess, maybe in some part, due to the racial disparities report and those updates. But I think, probably more specific to, how we're expecting him or her to create measurements in order to be able to report out the transformation or the bend in the culture. Because the scandal that we've been alerted about, was actually a private social media account. So it was quote, unquote being attempted in secrecy. And sometimes you can't know what's in the dark, right? But anyway, as it relates to this current document, I'm certain that there are going to be some questions perhaps or identification of some gaps that need to be addressed. So I'm happy to respond to any questions if I can or take any suggestions. I am still currently on the personnel committee, which is where this went to. We have not stood back up the personnel committee because we immediately went into a series of ad hocs around policy. So, Now I see three hands up, but I'm not sure that they ever went down from the conversation with commissioner Prather. I see commissioner Dorado, Jordan and Gage. Okay. So, commissioner Jordan.

David Jordan: Sorry, forgot to put my hand down.

Regina Jackson: Oh, okay. So, well that's good then. Okay. So, commissioner Singleton.

Tyfahra Singleton: Thank you chair. So, I'm just curious, are we giving feedback on these goals or is this the time to discuss them? I just... What are we able to offer regarding this document?



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- Regina Jackson: So, the goal of it, as with the others was to review it, to perhaps ask questions, identify suggestions, share what your concerns. We have never, as a Police Commission actually had a document in place for the chief. As you may not be aware quite frankly. When we first came, when we were first seated as a commission, the chief was already in place. We were obviously trying to get to know the work and know what the important lanes of information are. And we've discussed that a little bit, in terms of the assertion around the interim chief and what we want her to report on or them to report on. So, if you have suggestions, even if you want to scrap it and start over, I mean, that's fine too. I just believe that we want to make sure that we communicate our expectations to the next chief of police as soon as humanly possible. Because we are not allowed to provide an evaluation until a year after we have delivered those goals.
- Tyfahra Singleton: Well, I guess my concern off tops is the crime reduction goal. I wonder if that is a rabbit hole that... I've seen some of the report outs from chiefs that goal is not exactly the point of why the commission was pulled together and that it could take up a lion's share of efforts and some of the rest of the goals feel more in line with what the commission is here to do. And if there was some way in which we at least my prioritize the goals and might change the priority of that one in particular. Because it just seems like, at least so far, what I've heard is that takes up a lot of time and space. When we need to talk about culture, we need to talk about NSA compliance, public trust and fiscal responsibility.
- Tyfahra Singleton: So that is one concern. And then another is identifying, as personally, my experience of being an executive director and high school principal, having managed a lot of people, is being really clear how we're able to hold people accountable to the goals that we have. And in particular, I would imagine that with professionals who work in a very hierarchical structure, that a chain of command is really important. And what is our ability to make direct orders or have expectations? And what is our relationship with the administrator about asking for certain things? We can ask a lot of questions, but I wonder, are we able to say something like, "We expect a report, or we expect a plan for a particular issue as it arises within a particular amount of time?" And questions like that, about what is our exact authority to see that our goals are met?
- Regina Jackson: So to clarify, the Oakland Police Commission is one of several supervisors of the police chief. The police chief must report to us. And the sooner that we can provide what our goals and expectations are, the quicker they can begin to pull together a plan that creates some accountability to those goals. We can ask for reports, but as we found out... I want to say this, last summer, after we did a community forum on public protests and demonstrations, it oftentimes takes several months to collect the data and then report back out. So, we need to actually, in some instances, defer to the chief around when we can expect them, as opposed to just having a due date and not knowing what the processes of data capturing and recommendations can come back to us. In terms of reduction of crime, that is one of the essential responsibilities of the police chief. It certainly has been identified in the job description for which we just completed our interviews.
- Regina Jackson: And again, the sooner that the goals are clarified, then it's incumbent on that then, the police chief and/or the police chief and perhaps the chair or anybody that wants to work on it with the



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chief to identify what supports will indicate the measurable outcomes. And like with any other manager, right? You don't want to just set goals to be setting goals. You want to identify them, communicate them, and then find out what ways in which you can support them in adhering to those goals. And to the extent that we are able to redesign how we want the police chief to report out to us on a regular basis, perhaps many of those components are part of the goals. So, that we're hearing about them fairly regularly, we know when there is a significant challenge and we can then offer whatever support we can provide.

Regina Jackson: To your question, as it relates to the city administrator. I'll just clarify that the police chief actually reports to the mayor, the City Administrator, the Chief Compliance Officer, and the Police Commission. Tough job, to the extent that we all have some similar expectations. And I have not in fact ever seen the expectations outlined by the mayor or the City Administrator. I do believe that we've come a long way from four years ago, to the extent that we define goals. I or whomever the chair might be in the next election, I would suggest that they talk with the City Administrator and the mayor about having a dual or a tri document. What happens oftentimes with the executives in city government is that there is no real evaluation. They are basically serving at the pleasure of, and if there is some displeasure, then sometimes they are terminated and that's the evaluation. Now, hopefully I've responded to all your questions. And if my responses created more questions, I'm happy to hear them.

Tyfahra Singleton: I was just that I have wondering about the communication between the four bodies that are overseeing, and, on a day-to-day basis, I did have a conversation with John Alden about this, that there is definitely a more operational relationship with the administrator. So, who's giving commands for the chain of command might be that person. And so, developing a deeper relationship with the administrator to be on the same page and to deliver a unified set of expectations and also operational expectation as well. [crosstalk 03:34:11].

Regina Jackson: I think that your point is a good one. I will say to you that in the early years of the Police Commission, the City Administrator and the Commission had no such communication. It wasn't until I think I became chair that I had meetings with her once every six months, just to go down a list of what we needed. I, in the last, I want to say two months, have had regularly scheduled meetings with the mayor, primarily around the police chief nomination process, but as well with other focused entities. What I think that... And so to that point to back up. Since the new City Administrator has come on board, I've had several conversations with him, primarily around how to support processes or get insight for the benefit of the commission. Now that we had the mayor join us in the effort to terminate Kirkpatrick.

Regina Jackson: She and I have had some conversations around mutuality of expectations. But given all of the other distractions, we haven't moved down the road. So, this would not be a brand new conversation. And what I think I would like to do is actually set up an ad hoc for this purpose. And then we will, I think it will do us good service to engage those other entities. Now, again, they don't have to necessarily align with us, but to the extent that we are delineating very specific goals. I'm not saying they don't have any, I'm just saying I've never seen them. It may actually be helpful to them to identify the areas of measurement that are most interesting to all of us. If



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that's an okay response for you Tyfahra, I have another hand up, but I just want to make sure I've addressed it?

Tyfahra Singleton: Yes. Thank you. I really want to set our new chief up for success. So thank you so much that does address my concerns.

Regina Jackson: No, no. And that makes really, really good sense. And we can also have an offline conversation around how to move forward. Thank you. Commissioner Harbin-Forte?

Brenda Harbin-Forte: One other aspect of it, is that S1 also requires that if the Commission is going to remove the Chief, and I think it may require the same thing for the mayor, that we follow the notice and opportunity to be heard due process as defined by city ordinance. And I don't think that ordinance defining the process has been enacted yet. So that's another thing I bring it up because we'll want to make sure that whatever's in there, that we comply with that in our procedures and make sure we put in place everything that might be required, if we ever get to the point of having to terminate the Chief on our own. And second, that it may be cause for some additional delay. It may result in some additional delay until that city ordinance is actually inactive.

Regina Jackson: Very good points. I know that we just heard the elements of S1 are still beginning to unpeel what those changes mean to our process. And of course, since this was not a process previously in place, we could begin by having that conversation with the two of them to seek, to understand. One, if they're interested in working together on this delineation, but then having, I guess, either our council or the city attorney, as it relates to the city's responsibility to make sure that we've crossed all the I's and dotted the T's. So thank you very much for that commissioner Harbin-Forte. If there are no additional comments, we can probably move on to the next agenda item.

Omowale Satterwhite: I do have a process point, manager.

Regina Jackson: Yes.

Omowale Satterwhite: In each of the first two discussions, the locus of was identified as the rules committee, and they have some sense of how they're moving forward. And you mentioned that potential for doing an ad hoc committee, perhaps as the vehicle going forward, I just wanted to ask if there was a... Just a little more about your thinking about how the responsibility will be aside? Because this will be a very quick priority issue for the commission.

Regina Jackson: Yes, absolutely. So the goal of the ad hoc on the chief's goals and evaluation will be to design and define what the goals are, what the reportable actions are, the measurable outcomes. But what I am responding to as it relates to commissioner Harbin-Forte, is that we can go down the line to get those things identify, but we will still then have to refer back to either our council or the city attorney's office for the S1 compliance language, to make sure that we are moving with that input. And so that we can have a document that is in alignment with S1 and serves the things that we want to make sure that are in place. I don't know how quickly they're going to be able to get their part moving, but I do know that I could probably coordinate a conversation with the city



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administrator and the mayor to get a sense of whether or not they would like to partner in this process and then to plant the seed around, making sure that we have the S1 alignment as soon as possible.

Omowale Satterwhite: Thank you for that clarification.

Regina Jackson: Certainly. Thank you. So I guess that we can move to the next subject, which is the... Oh, we have a break. Do we need a break? Do we need a bio break or anything guys? Or can we move forward?

David Jordan: I'm happy to move forward.

Regina Jackson: Okay.

Brenda Harbin-Forte: I can move forward.

Regina Jackson: Okay. So, I'm hearing two. Does anybody have a problem with not having a break?

Tyfahra Singleton: I can move forward, but we'll need another one before four.

Regina Jackson: Okay. No problem. All right. Thank you very much for your flexibility. So the next item is actually the Police Commission Orientation Program. And I want to say that this is a really, really important item we had not previously had a coordinated, documented orientation in place typically or historically, at least since I've been chair. I have had a fairly lengthy conversation with new commissioners, sending them either annual reports or getting Chrissie to organize the training processes and providing the highlights of the commission and a little bit around our culture, how we work together as a team. And then providing, for lack of a better word, mentoring opportunities if they needed any, just to reach out. So, with the city auditor's recommendation for an orientation separate and apart from the... We did a cloud library of reference documents. I was really excited to have commissioner Jordan lay out some of the most important pieces or recommendations based upon his experience.

Regina Jackson: And then commissioner Singleton made some suggestions to that document. So what I'm going to do at this point is push this over to commissioner Jordan and let him walk you through it and then I can jump in and answer any questions that may come up. Does that work for everybody?

Regina Jackson: Okay, great commissioner Jordan.

David Jordan: Thank you chair. So as you can see, the attachment G here is it's really just a straightforward outline. A lot of these documents, as I see have not necessarily been created. Some of them are going to have to be put together through the rules committee. Some of them do exist and I'll touch on those when I get to them. And some of them I think are probably need a little bit of editing or pairing down in some ways. So I am looking at... So I presume all of you, even the newer members have had their check-in with CPRA, and maybe has or given probably not physical



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copies, but at least virtual copies of the, what are we calling this? The Oakland Police Commissioner and New Impact binder, which is, I think that's heavy enough to kill somebody with.

David Jordan: It's a significant thing. It's probably a couple hundred pages long. Within that, under section seven, there is a checklist of orientation activities. And a lot of those things are very functional, such as take your oath, file your 700 form, do your ethics training and so forth. Very little that has to do with getting a commissioner prepared to make effective decisions, maybe being thrown in a person into the process. And there's a lot of jargon. There's a lot of pre-existing conversations that may be challenging for people to get up to speed on. Even if you've been attending meetings before coming on board. I attended meetings for months and months before coming on board and watched a bunch of previous meetings online before that. And I still felt like there were times were I was struggling to stay on top of exactly what was happening and trying to learn from context.

David Jordan: So, my suggestion is that we develop a very tight and concise commissioned description and mission statement, which if it exists, I haven't necessarily seen it in that form. I know that there is a lot of defining language in this binder around LL and inciting ordinance, but nothing that is that concise and readable in a way that is what I imagined it would be helpful for somebody coming on board. Probably not a history of the commission, meaning stepping back to the NSA, the CPRB, which existed before the CPRA, measure LL and so forth, legislative mandate pieces in a very bite-sized way. And I, as the chair did earlier, maybe a highlight reel of some of the things that have been accomplished by the commission or potentially successes and/or challenges so that there can be a narrative timeline developed. Again, a very digestible, concise legislative description of a legislative mandate. The training matrix does exist in this very, very large binder.

David Jordan: So, that exists already. We can just bring that right over. Thank you, Chrissie. But also, maybe that suggested order of online trainings. This is helpful. That's why I see here. A primer on exactly what CPRA does and how it does it. And talking and having that conversation with Juanito, when I first came on board, that I learned a lot of things about the separation of powers between the commission and CPRA. Those elements and their limitations. And yes, we may be looking at expanding their powers in the near future, but for the time being, I think it would be helpful to have a very clear and concise description of what it does. I was not able to find anything. There's stuff on the website that is helpful and maybe something closer to that.

David Jordan: Meeting procedures, we are discussing some of these rules of order today. Again, bite-sized version of Brown and Sunshine, the section of Brown and Sunshine in this binder is fairly massive. And the one on the Robert's rules is... It looks like it's 150 pages long, which is nuts. I personally have a small one sheet primer on Robert's rules that gives you much of what you need to know, that would be much more helpful to a new commissioner coming online. Standing committee descriptions, now that's a thing that it does not exist as far as I know, and that may be, again, work for the rules committee or something else. But I think that we need to more tightly described and define what each of these committees do and including a description and mission



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statement of each committee, that should be included. Also selected policy procedure highlights, like we heard earlier discussing.

David Jordan: Use of force the search policy that we worked on, including maybe the specialized equipment ordinance that hopefully will be come to fruition soon. Things of that nature so that, again, working on that timeline. A very brief explanation of the conflict of interest and 700 forms. Yes, that material does exist, but it is also pages and pages long filled with legal ease, there's a way to do it in a way that is not going to cause this orientation for people who aren't used to reading that material. And last contact information for your fellow commissioners and CPRA and other city staff, that would be helpful. And by that, I mean, not just your email, everybody's emails in your commission email. But, if people feel comfortable giving their personally phone numbers and things like that. So, we sometimes have to engage with each other via text because it was just the fastest and most effective way to have a conversation, especially now that we don't actually ever see each other in person.

David Jordan: So, this is my thought process. For my day job, one of my responsibilities is the onboarding and orientation training of members coming into a policy planning body. Similar to this but not quite the same scope. And what we provide is something very similar to this. Oh, additionally, in that commission contact information, I think it would be really helpful to have not just contacts for fellow commissioners, but also bios. One of the things I found myself having to do was Googling everyone and trying to figure out who they were and looking at everyone's LinkedIn page and so forth. That stuff is not always readily apparent. And yeah, maybe we just don't have it thought about it in the past, but it goes a long way towards introducing ourselves and just making it clear who we are and what we represent. And even your LinkedIn may be not the same thing you want to represent as a commissioner.

David Jordan: So, I think that those elements would be very helpful. I personally found my coming online stress-inducing and a little disorienting, and I'd like to avoid that in the future. So, that's my suggestion. I do think that this still needs a significant amount of work because many of these documents still need to be developed.

Regina Jackson: Thank you, David, appreciate that. I neglected to mention the binder. It was the thing that I actually created because in that first year, we didn't have much of anything to go on either. And so what we... That binder is now obsolete is commissioner Jordan has recommended. It was great when you could just bring it with you and flip it back and forth. But as it grew, it just became a beast of its own. But inside that, things like commission contact information were included so that your personal contact was only exposed to your fellow commissioners and not anywhere else. If you wanted to keep that private. So, what we can do is really ask some questions about amongst this list, are there any other additional things that people would like to see? I know that when we're looking at like the CPRA primer, Mr. Alden, just put a document together for the orientation of city council members.

Regina Jackson: So, this may, work as introduction, but to commissioner Jordan's point, we almost need cheat sheets for everything. So, that these are very brief and digestible as he mentioned. But in terms of



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backing our way into some of this, because some of it does exist. I'd love to get any additional suggestions. And I see a hand raise from Henry Gage, commissioner Gage.

Henry Gage, III:

Thank you chair. So, the items I'm seeing on the screen right now, I wanted to pull out training to talk a bit. Because training has been one of the persistent challenges for this commission and an area that could really use some more professionalization moving forward. The current structure of requiring volunteer commissioners to continually follow up with either agency staff or city staff to schedule and reschedule and reschedule and reschedule trainings is not sustainable. And it's a serious problem, because we need to ensure that commissioners can be trained timely. And it's a jurisdictional issue, because we need to ensure that commissioners are properly trained in the event we need to participate in a disciplinary committee. I really urge that if... I'm not sure if an ad hoc is being created to flesh out this document, but I would seriously urge that if one is created that a professionalization and formalization of conditioner training be a serious consideration of that ad hoc, because the current system just isn't working well on that.

Regina Jackson:

So to your point, commissioner Gage, I believe that we may have... We may need to do an ad hoc. Like I said, we will need to give this to Chrissie because I know that there are few things that are already checked off and figure out how we make it more digestible so that this virtual library, that people know how to navigate it and have that compendium before they look at the bigger thing. But to the point of training, I know that the city attorney's office was not real flexible when we went to the shelter in place. I mean, not unlike all of us, I think we were shaken and it took more than a minute for them to make the adjustment. I know when commissioner Dorado and Benson and I, we just set up time and made back to back to back training schedules and we kept them. We could potentially use our admin as a coordinator, but because the city attorney's office prefers. And I recognize that it was perhaps a better use of their time to make sure that they had at least three commissioners each time.

Regina Jackson:

The onus, I don't know, I mean, I tend to disagree. I tend to sign up for my trainings and handle the business. But if there are people who feel like they need to have, a secretarial support to make it happen, then that should definitely be communicated. I always thought that it should be on the onus of the commissioner to ensure that they handled the business of the requirements, so that they could do the work. Having said that. Now I understand that there are quite a few videos that commissioners can watch on their own, as a checkpoint for certain trainings. And we did not have that flexibility just a year ago. So, I want to... I see a few hands, Mr. Alden and commissioner Singleton.

John Alden:

Thank you, Madam chair. I'm hoping you can hear me better this time.

Regina Jackson:

I can hear you.

John Alden:

Lovely. Thank you. I was going to suggest around the training that, I think I am hearing from the commissioners as I believe I have heard before, a feeling that it's been in particularly challenging to schedule the trainings that are conducted by the city attorney's office? And if that is the case, I might suggest maybe having counsel open up a conversation with the City Attorney's Office about



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whether that training really has to be done by the City Attorney's Office or not. I mean, I certainly always appreciate their insight, but if we are finding that they are unable to staff the training in the way that we need, and that's the impediment to getting commissioners trained up adequately, then perhaps we need to look for some other solutions.

Regina Jackson: Thank you very much. I think some of it's that, but I think some of it's, that people aren't attending their trainings when there're scheduled. Commissioner Singleton, followed by Commissioner Harbin-Forte.

Tyfahra Singleton: Thank you, chair. I actually had a opposite experience. I think because enough people before me had complained about needing three commissioners, I made a request to get training and that it just be scheduled and recorded just like the rest of the videos. And Ms. Dibley was very eager to help, and set up the training and recorded it. And then, we all showed up anyway. So, I think that some of those past experiences might have been heard, because I actually found it pretty quick and easy to get training scheduled, and those videos will be made available for future commissioners as well.

Regina Jackson: Excellent. Thank you for that update. Commissioner Harbin-Forte.

Brenda Harbin-Forte: Yes. Thank you chair. I want to echo what Commissioner Singleton said. I've not had a problem with getting the training scheduled. City Attorney's Office has been very flexible. And, when training is scheduled, it has happened. They've also asked for two or three different dates that they've offered up, and they asked people to sign up for the most convenient date. And, when we get at least three commissioners ready to go on that date, the date is scheduled. What I have seen is that sometimes people don't always show up even though three are scheduled, that some commissioners just don't show up on the assigned date. And, I think that, that is probably more of a problem than the unavailability of the City Attorney's Office. In addition, Chrissie does give us our training schedule basically, and what we need and what our deadlines are.

Brenda Harbin-Forte: Although she doesn't give us exact dates, so we can do the math and figure out what our deadlines are for getting the training done. She also does provide a list of our recorded trainings with a link, so you can go directly to that link, watch the training and send her the attestation form and your training is done. You can watch the training anytime of the day or night, whatever's convenient to you. If you're up at three o'clock in the morning and want to get the training in. So, I've found it very, very easy to do.

Regina Jackson: Thank you very much, Commissioner Harbin-Forte. So, it sounds like one, the days of old are gone, commissioners still need to prioritize getting trained. I know that I made that statement directly to all the new folks, all the folks that came on a year ago. And for the most part, it seems like people really have been trying to prioritize it. I would continue... I had Chrissie redesign the training schedule so that I could keep track of who was tracking well toward being able to be on a discipline committee. And, there are more people getting close to that.



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- Regina Jackson: And then, I just really encourage you to finish that up. That is one of the primary responsibilities, granted, you all have hundreds, I get it. And, it makes things a lot more challenging, even though you have a tape to watch, I know that we kept Ms. Dibley, I want to say, probably for an extra hour than a regular training, because we had so many follow-up questions, and I don't know how your follow-up questions get addressed. But that said, I'm glad that they have made themselves far more flexible. I am not certain if these are new hands or old hands. Commissioner Singleton, Commissioner Gage. So, Commissioner Gage, is yours a current hand?
- Henry Gage, III: Thank you, chair. Yes. At the outset. I think I should state that I agree that training should be commissioners responsibilities. My issue, and the distinction I'm trying to make is that at least in my experience for the last year or so, these administrative burdens are really frustrating, and it makes it very difficult to complete all trainings.
- Henry Gage, III: The video library that's new and now exists, it's a good step. I wish we had it earlier. Some of the requirements for minimum attendance are things that I'm still hearing when I've reached out for trainings from either the city attorney, or from the police department on different topics. And similarly, one of the most frustrating issues has been when the trainings themselves are offered, because many times the training providers will offer dates and times for trainings that are in the middle of the workday which is, in many cases, it's just completely infeasible.
- Henry Gage, III: I'm more than willing to take a day off on occasion if necessary, to stack trainings. But as you can see, these sorts of barriers build up. I recognize the individual responsibility, but even well-meaning individuals could easily be frustrated by some of these administrative burdens.
- Regina Jackson: Can you identify more clearly what you're calling an administrative burden? Because, I'm just trying to clarify if there are videos that are not currently available for your watching at your own discretion, what trainings need to be coordinated, and then I can follow up while making sure that those get done.
- Henry Gage, III: Sure. At present, I believe the only training that I'm still pending is module D, and that's been scheduled. The problem is less than an individual immediate need and more of an attempt to ensure that no one else has to deal with this issue. It sounds like some of the newer commissioners are having a much easier time accessing the video library. It sounds like some of the newer commissioners are having an easier time getting around the minimum commissioner attendance requirements that were previously in existence. I'm hopeful that will continue to be the practice of the City Attorney's Office and other training providers. But, I'm reticent to say that this is a non-issue given that it has been an issue as recently as a few months ago.
- Regina Jackson: Okay. Well thank you for clarifying. And I think it took, unfortunately a long time for folks to get nimble and flexible for us. I do believe that even though the majority of trainings are offered by the City Attorney's Office and our OPD, there are still some outstanding trainings from community, orgs, or on the subject of different things that I haven't even attempted to schedule over and above from vision, from race and equity.



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- Regina Jackson: I keep trying to schedule trainings that we can make a part of our meetings with reason. So, I will take a look back at that and I welcome any feedback for my trying to help navigate on behalf of the entire commission. So, please follow up with me via email or phone call to let me know if there's a particular problem that you're having, so that we can try to create a positive flow for the entire system.
- Regina Jackson: Are there any other comments, suggestions? Okay. Again, I think that this was a awesome document. Commissioner Jordan, I appreciate your early feedback. Commissioner Singleton, and then all of the additional commentary. It's likely that I will be putting together an ad hoc that should be able to move fairly quickly through how we package this. Unfortunately, I remember that we were going to have a contract with somebody, I think through CPRA, which is going to help with brochure and document delineation, which would be real helpful in terms of reducing the phraseology that is so impacted. At this point, we'll just have to do it ourselves and, or I know that the Public Ethics Commission has some really outstanding documents that we may reference to help us get there a little quicker. So, more to follow-up with later. Let's see, next on the agenda. And wow, we're moving through pretty well.
- Regina Jackson: So rules of order, this is been a fairly recently reconnected ad hoc. This started out two and a half years ago. And most recently, Commissioner's Gage, Harbin-Forte, and Garcia have picked it back up. So, I'm not sure if it was Commissioner Harbin-Forte that wanted to take a lead on providing the overview or the updates, however you all choose to handle it. Just go for it.
- Brenda Harbin-Forte: Yes, madam chair, I was going to take the lead. I was just going to suggest, we have been allotted 30 minutes on the agenda for this, I wonder if now might be the better time to take a break. I know some people wanted to make sure we do it, but I just throw that out there, leave it up to you.
- Regina Jackson: Oh, that's probably... I think it's very thoughtful. So, are people opposed? Do you want to go through at least one more, or would you like to take a break now?
- Henry Gage, III: I vote in favor of a brief break now.
- Regina Jackson: Okay. Terrific. So it is, right now 2:06. We will be back at 2:15. Is that okay with everyone?
- Jose Dorado: Sounds good.
- Brenda Harbin-Forte: Sounds good.
- Regina Jackson: Excellent, thank you very much for your support. See you shortly.
- Brenda Harbin-Forte: And Mr. Rus, if you would put up the red line version of the rules. The final revised, all right. Thank you. (silence).



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- Regina Jackson: Let's start back to the meeting. Okay, its now 2:16. Thanks everybody for coming back so diligently. Back to you Commissioner Harbin-Forte.
- Brenda Harbin-Forte: Thank you chair. For the commissioners, what we're going to do is I'm going to put, have the red line version on the screen. I'm going to ask you though, it's probably easier for you to refer to the clean copy, which starts at page 10 of attachment H, so that you can see what the actual text of the rule looks like.
- Brenda Harbin-Forte: I'll show you the additions, the amendments on the screen. And first again, I'm presenting on behalf of the ad hoc, which is co-chaired by me and Commissioner Gage, and Commissioner Garcia was also a member of that. We've gone through the rules and we already have rules in place. We've gone through them to try to improve some of them. We've added a few rules. And, one rule that we did recommend deletion for right now is the rule regarding the procedure for drafting and revising our policies. That's going to need a lot of work, and that is going to be taken up separately.
- Brenda Harbin-Forte: The long-term goal of the Rules Committee is to eventually have policies manual, procedures manual, sort of like a commissioner binder, a commissioner manual for many of these things. But I think in the meantime, we need rules that need to be published so that members of the public understand what we're about and understand what the expectations are, particularly regarding the meetings and the conduct at the meetings. Not that these rules don't already exist, they do, but we think that republishing them would be good.
- Brenda Harbin-Forte: So, we can go through, some of the non-substantive things I won't spend a lot of time with, but with respect to the first paragraph, the first whereas, we inserted the word collaborative to talk about the fact that we really want our meetings to be collaborative, to ensure that the community feels that they can come in and speak, and we will all collaborate on trying to make sure that we address the issues and have good discussions in a collaborative fashion as well. The other amendments, again, was just shortening some language, those are not substantive in the next whereas, just that we want to conclude the meetings in a timely fashion.
- Brenda Harbin-Forte: I think we can move over to the next page for discussion of any kind of substantive change. The definition of terms that was amended to add some additional terms that we were referring to, and to clean up some of the language, but not many substantive changes. The last parts of them were at the bottom, [QRST 04:21:32], I think those were added, CPRA, police commissioner, sitting commissioner, as sitting commissioners referred to in Measure LL, Measure S1. And, we refer to it sometimes in our rules as well as defining alternate commissioner.
- Brenda Harbin-Forte: Next screen, please. And, if anyone has any questions on anything, I think we'll take them as we discuss each specific rule, so let's move on then. Chapter two, the organization and meetings, you'll see that we've left those in place. We can go to the next screen. Next page rather, yes.
- Brenda Harbin-Forte: We cleaned up the terms of the officers, because it was a little unclear to specify. It begins on the date of the first regular meeting held in the month of February, or following year, or until the



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election of a new chair or vice chair. That is when the term ends. Because, it just said one year. So, it's kind of like, "Well, let's just be clear, what is one year?" Is going to be 365 days of the... Let's tie it to a meeting since the term begins at a meeting, let's tie the termination to a meeting as well. In the event, there is no first meeting in February for whatever reason, then it would go over to the election of a new chair, whichever occurs later. Not much changed in Rule 2.4, the meeting rules and procedures. Rule 2.5, an alternate meeting place, that was added in because it's in Measure LL, or the enabling ordinance or someplace.

Brenda Harbin-Forte: So, we've just put it in our rules, it's already required, but we just added it. Rule 2.6, special meeting of the commission, is there as well. In fact, some of these rules were moved from other locations just to keep them in place where they seem to logically fit. And, we have special meetings of the commission that we have actually moved to 2.5 and 2.6, alternate and special meetings, they were moved from another place. Rule 2.7, parliamentary procedure. And, we defined parliamentarian as well. We refer to Robert's Rules of Order Newly Revised for small boards, because there are special and many less complicated rules for small boards such as ours. And I think that, that should probably be the controlling one. And again, it's except as modified by our own rules.

Brenda Harbin-Forte: But for example, Robert Rules of Order for small boards wouldn't even require a second on a motion before discussion can began. We do require a second on any motion, and that's fine. But again, the Robert's Rules of Orders for small boards is a much more informal process for conducting meetings of a few people such as ourselves, where we have only seven members. I think as well, that on the Rules of Order for small boards, I think in general, a chair would not be able to make a motion in a big board, but we can certainly have a chair make motions on things. So, those are some things that we can consider.

Brenda Harbin-Forte: And, we define that the commission's legal counsel would be our parliamentarian. With respect to... I think we need to go back up to the next to.. Go back up, please Juanito. The speaking time limits, I think we should discuss that. Okay. And now, we can move to the next page. The speaking time limits, we played with a little bit, because in the past we said 10 minutes and we changed it to no commissioner shall speak for more than five minutes on any matter without the consent of the chair.

Brenda Harbin-Forte: One of the reasons we decided that maybe we ought to do five as a default is to keep the meetings moving quickly, and not everyone go on and on, at least the commissioners. But obviously, if you have a lot to say, the chair is going to let you talk. But, a lot of times we can generally get what we need to say out in five minutes or so. This might be a rule that we might want to talk about right now. If anybody... Or chair, what do you suggest, that we go through everything, or should we take some discussion on rules as they kind of come up that may...

Regina Jackson: I actually appreciate you're asking. I think that the items that are probably not going to need much discussion should be dormant, and the higher profile items, the items that we may need to work on should be the select first.



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Brenda Harbin-Forte: Okay.

Regina Jackson: Does that work?

Brenda Harbin-Forte: That works.

Regina Jackson: Okay.

Brenda Harbin-Forte: So, let's talk about the speaking time for the commissioners. Anybody think they need 10 minutes?

Regina Jackson: I see Commissioner Dorado's hand.

Brenda Harbin-Forte: Okay.

Jose Dorado: Well thank you, Chair Jackson. No, I agree. I think five minutes should be plenty. And, given the discretion of the chair to extend that, I think that should cover just about all foreseeable circumstances.

Regina Jackson: I agree with you Commissioner Dorado and the Rules Committee.

Brenda Harbin-Forte: All right. Very good. All right. One of the things in Rule 2.1 to 2.12 was the order of voting. I think that may also help us keep organized. The change is that the commissioners will vote in alpha order according to their surnames and that they chair votes last. So, we get everybody else's vote out of the way, and then the chair votes last.

Regina Jackson: I love that. That has helped me get better organized. But the voting last, makes it real easy.

Brenda Harbin-Forte: Let's see, let's move then to a Rule 2.14 the commission chair, and let's go through some of the changes we made there. We put in, specifically that the chair shall represent the commission in meetings or communications with public officials and the public. That way, we're sort of memorializing that the chair is our spokesperson for the commission. And, the other commissioners should not purport to speak on behalf of the commission. And, we've also clarified in there that the chair has authority to exercise discretion, to appoint a former commissioner to an ad hoc committee. And, we recommend that if the former commissioner has subject matter expertise or has something to bring. And, we also recognize that the this ex-officio member of the ad hoc would not have voting authority. So that basically, there would be three members of the ad hoc committee, three commissioners max.

Brenda Harbin-Forte: That way, we don't have to end up with a 2-2 tie, there will be three commissioners, and let the three commissioners basically break the tie, whoever gets the majority on... So, that we don't get stuck in discussions. The former commissioner would be expected to participate fully. Everybody would respect their input. They would also be bound by rules of confidentiality. Sometimes, particularly when we haven't ad hoc that relates to personnel matters, hiring or firing or



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something. Particularly with respect to hiring, we want to make sure that we preserve the confidentiality, and that any person on an ad hoc that receives confidential information understands that it cannot be disclosed.

Regina Jackson: These are really great additions. I wonder if anybody has any questions or comments.

Brenda Harbin-Forte: And, the other thing we did was to give the chair authority to exercise discretion, to appoint non-voting members of the public as well.

Regina Jackson: Okay. Thank you. I see hands from Commissioner Gage and Commissioner Jordan.

Henry Gage, III: Thank you chair. To members of the commission, these rules regarding ad hoc committee voting are of particular interest, because it is really only a matter of time before ad hoc committees have more disagreements as our subject matter, as the subject matters we wish to address, become more extensive.

Henry Gage, III: So, I very much appreciate feedback from members of the commission about this proposal in particular, because it's important that we all have and agreed upon understanding about what the composition of ad hoc looks like, and how the voting power is allocated within those ad hoc's.

Regina Jackson: I see Commissioner Jordan's hand, and that's the only other hand.

David Jordan: Thank you, chair. So I mean, because this actually did just come up in an ad hoc this past week. It's clearly been something that Commissioner Gage and I have been thinking about, because we were both in that ad hoc. And first off, I want to point out that, in that language, it doesn't seem to acknowledge that alternate commissioners might be part of an ad hoc. And under that logic of needing, wanting to avoid a tie, you need to ensure that alternates have voting privileges within a sort of less formal environment of an ad hoc sort of in my own self-interest in some ways, but it also makes a logical sense.

Brenda Harbin-Forte: I can respond. I'm sorry, I didn't mean to interrupt. When we go there was a provision on alternate members and we've added in the language that's in S1, which says that you can serve on ad hoc committees.

David Jordan: Sure.

Brenda Harbin-Forte: So, that is there. And if you get appointed to an ad hoc committee, and I guess that's a question for the chair, I think that person would be part of the three commissioners that we are limited to.

Regina Jackson: Yes. That happens that they should have a voting [crosstalk 04:32:53]

Brenda Harbin-Forte: Absolutely. So, commissioners could vote. Let's say you've got a four-member ad hoc or five-member of whatever, the three commissioners who are appointed to the ad hoc would basically be the voting members.



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- David Jordan: Judge, I do understand that. What I'm suggesting is that we should formalize that language because in the ad hoc, I brought this up in some ways recently, it was stated that only voting members of the commission could be considered voting members in the ad hoc and maybe that was a sort of a slip of the tongue or unintentional but it did bring up the question.
- Regina Jackson: I think it was an opinion and so this will clarify that. Yeah.
- David Jordan: So, I would like that to be formally built into the language there, whether it's here or further back, that is the official process.
- Brenda Harbin-Forte: Okay.
- David Jordan: Further... Sorry, can I finish my thought?
- Brenda Harbin-Forte: Okay, sure. I didn't mean to interrupt. I apologize.
- David Jordan: I do think that, and this has come up a few times at ad hocs that I've been part of so far, is that what we're doing in that process is showing up to have a good faith conversation with community stakeholders and the departments and other members of the ad hoc who are sort of... Whether they be considered ex officio members of the commission or not, I think that it is important that it is clear that we are there with an open mind in good faith to have a negotiation about everybody's priorities as we attempt to compromise in the best form of consensus that is available given the topic and the people involved.
- David Jordan: I've experienced this. That there are times where we cannot come to a consensus and it's been pretty clearly stated that if we can't come to a consensus those commissioners on the ad hoc do have the sort of power of final decision. That's how it's worked in the past so far. I think formalizing it here is great, but I do think it needs to be sort of laid out clearly when beginning an ad hoc so that everybody's expectations are met to level set. I don't think that's always the case. We very much have to be careful that maybe when developing official policies about how ad hoc... Because I feel like there's more beyond just what's said here about how ad hocs are running voting and decision-making is done in ad hoc. That needs to be fleshed out with them. Thank you.
- Brenda Harbin-Forte: Okay. Shall I respond Madam Chair? I will say is that this particular rule has nothing to do with alternate commissioners. I mean, it generally says that the chair can appoint ad hocs, which the chair already has. And if you get appointed as a commissioner to the ad hoc, you're not ex-officio, you are a full voting member because that's what S1 says. You can be appointed to the ad hocs. So this just gives the chair permission to add a former commissioner if the chair chooses and to add community members. And we can clarify, I appreciate it, that you're saying that it's not clear whether the commissioners would be the ones to make the final call. And certainly we can do that in this rule and to say on the ad hoc, that the three commissioners or whatever, the actual commissioners appointed by the chair will be the ones to make the final call.



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- Brenda Harbin-Forte: And we can also clarify in the rule that relates to alternate commissioners, that you are a full voting member if you think that that needs to be stated, but if the chair of points you and two other people to the committee or points any alternate and to other commissioners, then those are the three commissioners on that ad hoc. And the rules already limit our ad hoc to basically a temporary committee or an ad hoc committee that consists of fewer than a majority of the commission. So it's always going to be a max of three except that the chair has said that legal counsel says yes, other people can be appointed. And that a former commissioner can be appointed to an ad hoc.
- Regina Jackson: Commissioner Harbin-Forte, I think that what I'm hearing from Commissioner Jordan is that, although he's an alternate commissioner, if he were appointed to an ad hoc he would take the place of kind of like a regular commissioner because you can only have a total of three on it. Okay. And so as such, alternate or not, as the third commissioner, he would have voting rights on the ad hoc. Okay. I just want to make sure that I was following, because I know there's a lot of information. You also [crosstalk 04:38:47]
- Brenda Harbin-Forte: That was the intent but if it's not clear-
- Regina Jackson: No. I think it's clear now. I think I got it. Hopefully everybody else did, but there is a question from Commissioner Gage.
- Henry Gage, III: Thank you, Chair. The intent with this section was absolutely to ensure that the commission representatives have a vote on ad hoc committees whether or not those commission representatives are ad hoc or regular commissioners. That said, well, I do agree and I think all members of the rules committee agree that alternate commissioners exercise voting authority. And listening to this conversation, I would appreciate an opinion from counsel brief now or perhaps later, if research is required, into whether there is any jurisdictional issue with having alternate commissioners act as voting members in an ad hoc. The way I've been thinking about it is that, the alternate commissioners who serve on an ad hoc are exercising a similar role as when there was a lack of quorum. So essentially the three commissioners in ad hoc is the quorum and the alternate would slip into one of those slots. But if that understanding doesn't have support, that would be an important factor because it's something to consider if our decision making is challenged in the future.
- Nitasha Sawhney: Thank you, Commissioner Gage. No, I don't think there would be a problem providing a vote to an alternate commissioner in a ad hoc committee setting. And the reason for that actually just goes back to the Brown Act. I know a lot of the work is done in an ad hoc committee, but I have to say this and not intend to any disrespect, but ad hoc committees ultimately have no power to do anything on behalf of the commission other than to make recommendations to the commission. So the votes to actually implement whatever it is that the ad hoc committee is working on, have to happen in an agenda as commission meeting where the voting members of the commission vote. And so therefore, however, the work is done at the ad hoc level, whoever you deem to be voting or not voting that process is going to ultimately have to come to the commission and it is in



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the commission setting that the Brown Act would apply and therefore the ad hocs work is okay. And they're kind of however, you decide to designate voting and non-voting.

Brenda Harbin-Forte: Okay. And Section 604 as admitted by S1 under 604 D10. I'm sorry, 604 C it's A1 says, and this is new language that was added, alternate commissioner shall be eligible to serve on any commission standing or ad hoc committee including any discipline committee. So, I think in terms of jurisdiction to put your honor as an alternate member, but I do agree that we can clarify that it will be the three commissioners so that you don't have to feel out voted even if this turns out to be an ad hoc committee that has a number of community members on it or former commissioners on it. So we can clean that up.

Regina Jackson: Great.

Brenda Harbin-Forte: If there's nothing further on that, let us go to rule 2.17 agenda matters submission list. And I will say that... Actually it's 2.17, 18, I think to 21. You can look at them later. We were a little confused about exactly the agenda setting process. We didn't change much substantively in the rules, but there was some confusion or lack of clarity about how our agendas get set of the pending matters, less how that operates, who pulls them up and how they do it. But we have left in place, essentially all of those rules, 2.17 2.18, except for cleaning up some of the language and giving some paragraphs some titles and giving them a rule number because they were sort of all together in one rule.

Regina Jackson: If I might offer for some context, I believe that these rules were developed in the first year and they were developed, I don't know about the each month reference there but they were developed to try and keep another eye on matters that perhaps needed airing or highlighting but sometimes we'll get pushed down because of other more important prioritized things. But they also allowed people from the community to submit things that they would like to hear. Now, since that time we've done some agenda setting as a part of our regular agenda, but having that pending agenda matters list, as we have grown, it's really been an opportunity for anyone to submit something that they'd like to see on the agenda. And it's been separated into high priority, medium priority and low priority. Not unlike triage in a hospital, sometimes the low priority just stays there forever and ever and ever.

Brenda Harbin-Forte: Okay. All right. So, what we've done again, we've left it in place that the language changes are willing to try to clarify things but I think that's it. In terms of the creation of the meeting agenda rule 2.20, we have that... Can you scroll up a little bit please? So we get on 2.20. I'm sorry scroll down. So we get out of 2.20. There. Okay. So really again, we've added that each agenda shall include status reports from the chairs of at least two ad hoc committees. We started that for this past meeting and it was a suggestion made by a member of the community at our last regular commission meeting that we have reports from the ad hocs.

Brenda Harbin-Forte: What we probably don't want to do is to have all ad hoc reports at both the monthly meetings. So one thought could be just maybe half of the ad hoc. One question would be policy. Do you want at least a monthly report from each ad hoc? Do you want a report like every other month on each



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ad hoc? If you do want to report monthly, then you could have half of a ad hoc to report at the first meeting of the month and the other half of the ad hoc report at the second meeting, but not require every ad hoc report twice a month. So we would suggest that.

- Regina Jackson: Yeah, I like that idea because sometimes we create ad hocs and the information isn't timely. For example, the community policing. I know were beginning to get started, but there were other things that were more pressing and so it hadn't really gotten started and according to this, then you'd be reporting and there'd be no report. So you might have every month and or as necessary because you may have some items that need updating on a regular basis.
- Brenda Harbin-Forte: Correct. Okay. And then the public list of pending [inaudible 04:47:23] 2.21 that clean up language there, just to say any person designated by the chair. Is Chrissie, our executive assistant? And in the event we lose the executive assistant for some reason or another, we just added language that an executive assistant or any person designated by the chair.
- Regina Jackson: That will cover it.
- Brenda Harbin-Forte: Yeah.
- Regina Jackson: Thank you.
- Brenda Harbin-Forte: All right. Let's see. In terms of substantive changes, we left in the consent calendar rule. We were going to take it out but we left it in. I haven't seen a consent calendar since I've been on the commission, but maybe they will exist at some point.
- Regina Jackson: I don't think we've ever had a consent character.
- Brenda Harbin-Forte: As I said, we almost took it out, but I guess it's no harm leaving them in the event there's a consent item.
- Regina Jackson: I guess so. Thank you.
- Brenda Harbin-Forte: Let's see, let's move to a rule 2.25. And that is a rule on alternate commissioners. And let's just talk about that. And we have said that the old rules within the alternate commissioners will be allowed to attend meetings, accommodated to the same seating and everything about to participate in discussions, but they do not vote unless designated by the chair. So it's discretion to establish a quorum. In which case alternate commissioners temporarily cast a vote.
- Brenda Harbin-Forte: Alternate commissioners shall be eligible to serve on any commission standing or ad hoc committee that's from measure S-1. And we could add language in there that when they're serving on an ad hoc or standing committee, and it's unlikely that we'll ever have a standing committee for the reasons that Commissioner Anderson talked about. That we can add language and that when they are there as a commissioner that they'll have all the rights of a regular sitting commissioner on that ad hoc. Whatever language we need to put in to clarify that they will be a



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voting member of the ad hoc. Or we can just say, I'm sitting on an ad hoc, they will have a vote. But we know what is what is needed so we can come up with language and commissioner Jordan, if you have a sentence or something that you want to send us to put in this rule to clarify, we can certainly do that.

Regina Jackson: Commissioner Harbin. Excuse me. I'm sorry. Commissioner Harbin-Forte, I see a hand up from Commissioner Singleton.

Brenda Harbin-Forte: Okay.

Tyfahra Singleton: Thank you Chair. It was just about the consent calendar. I just wanted to throw in there that we should consider that. An example we could have done is sort of approving both minutes as one consent item. So when we have multiple minutes to approve, that we try to make our meetings more efficient and look at the agenda for routine items that can be grouped together into one vote.

Brenda Harbin-Forte: That's great.

Tyfahra Singleton: Excellent suggestion. Thank you.

Brenda Harbin-Forte: Yeah. Okay, great. So we have that rule in and that's great that would be application. I'll also check and I should tell everyone as well, that one of the things that we've done, if I didn't mention it, there a look at the public ethics commission, which has an excellent set of procedures and we've sort of looked at how they are doing things and how they've been doing things and some of their older agendas as well, which are very organized and it's real. Can be a model for us as well.

Brenda Harbin-Forte: So, let us move on to the rule for police commission drafting and editing policies. Again, we've just eliminated that for right now with the idea that we are going to get a full and complete process done. Let's move on, please Juanito. The next biggest change proclamations, we didn't do anything. But we did add in the proclamation section is that rule 3.1 is that they be agendized that they give it to the chair so that the chair can put it on the agenda, but commission approval is not required for the issuance of a commissioner proclamation. I don't think I've seen a commissioner proclamation since I've been on, but we do have authority to issue a commissioner proclamations.

Regina Jackson: I appreciate your adding that because I actually had been thinking about how we could recognize some of the organizations or individuals or champion efforts. So thank you for putting it there.

Brenda Harbin-Forte: All right. And I will say that the proclamations rule was already any fact that we just tried to clean it up so that nobody comes on the day of the meeting and say, I have a proclamation that I want to issue. And so that everybody gets a little bit notice of it. Again, we don't have veto power it's commissioner prerogative, but at least get it to us early enough so that it can be agendized in case the public has something to say about it as well.

Regina Jackson: It makes good sense. Thank you.



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- Brenda Harbin-Forte: All right, great. Let's move on. Keep going Juanito. Chapter four is the chief of police full course assessment and removal. Again, we sort of left a lot of this rule in place but we did change it to talk about the removal pursuant that the commission will follow the process for notification, substantiation and documentation as defined by ordinance. And that comes from S2 that I think is C or maybe D. It's C-10. No. I think its D-10.
- Brenda Harbin-Forte: Sorry. A minute to... That is D-10 of S1. And it talks about... The changes that it made there is to add language that the commission must make its finding of just caused by no fewer than five affirmative votes and then its languages added and must follow a process from notification, substantiation and documentation, which shall be defined by ordinance. So we've just basically put in our rules and that may circumscribe what we can actually say in our rules until we know exactly what that process is, because we want to make sure that we follow it. So we took up some language there. Yes.
- Regina Jackson: Thank you. I just wanted to check Commissioner Singleton, did you have your hand up new or was it still up from the last comment? Oh, she took it down. Okay. Thank you.
- Brenda Harbin-Forte: Okay. So we left in all the language but just put in that removal would follow the process that the city ordinance tells us to follow. And what happened on that as well, is that the language that was added in 10 says notwithstanding any other provision of this charter or any provision of the open municipal code and acting that language is new, separately or jointly with the mayor that we can remove the chief of police. So it basically said I think that whatever was in the charter before or an open municipal code about approval doesn't apply anymore. So we actually may need legal counsel at some point to kind of weigh in on exactly what we could or couldn't do or what might've been required previously under the charter or under the open municipal code that it doesn't apply anymore. So we may be relieved of some requirements as well. Okay.
- Brenda Harbin-Forte: Next let's move on to chapter five, the commissioner's removal of a commissioner. S1 also basically reaffirmed that a commissioner can be removed by the commission and that is in 604 C-10. It already had language about the city council can remove a commissioner for cause. And new language says after here or the city council may also suspend any commissioner for cause by an affirmative vote of at least six members of the council or resend such a suspension by the affirmative vote of at least five members of the council. A commissioner who was suspended shall be ineligible to conduct commission business and the commission shall select one of the alternate commissioners to replace the suspended commissioner for the duration of the suspension. And so that's the new language that was added there but then they stopped after that.
- Brenda Harbin-Forte: Then the next paragraph goes into how any commissioner may also be removed by a majority vote of the commission. Most of the language is old language there, but what was added it specifies the reasons. Can be removed by majority vote of the commission only for conviction of a felony, conviction of a misdemeanor involving moral turpitude, the material act of dishonesty, fraud or other act of moral turpitude, substantial neglect of duty, gross misconduct in office, inability to discharge the powers and duties of the office, absence from three consecutive regular



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commission meetings or five regular meetings in a calendar year, except on account of illness or one after by permission.

Brenda Harbin-Forte: And then the new language says the public ethics commission shall have the authority to investigate all allegations, which if true could be cause for a removal of a commissioner under Section 601 of the Charter, and to refer the findings to the city council. So the process that we've basically put in place here, and this deserves some discussion, is basically saying, okay, we're going to give the chair sort of sole authority to remove if the only issue is really missing meetings or something like that. If it's something else we're saying, basically, that it should be referred over to the public ethics commission for the public ethics commission to do an investigation. But so that the commission didn't get into the position of trying to figure out whether there is a felony conviction or whether there's an act of moral turpitude or dishonesty or fraud, we'd probably have to have all kinds of hearings and everything else.

Brenda Harbin-Forte: So, we kind of punted on that. So ours is just saying, okay, the chair is going to know whether you've been coming to meetings. And so we've said the chair shall provide with notice to the commissioner sought to be removed. I'm looking at rule 5.2. Stating all bases upon which removal appears to be warranted. If the proposed removal is based only on the ground of absences from commission meetings, the chair shall have sole authority to determine if removal is appropriate but shall make that determination only after considering the commissioner's written response to the removal notice. And then if the proposed removal is based on any ground other than absences from commission meetings, then the chair should advise the commissioner in the removal notice that pursuant to Section 604 C-10, the matters being referred to the public ethics commission to investigate all allegations which if true would be cause for removal.

Brenda Harbin-Forte: So that's kind of a proposal for how we could exercise our authority to remove a commissioner. Which hopefully we will never have to do, but this may warrant some discussion Madam Chair.

Regina Jackson: Yes. Thank you. I hope we never had to do it either, but to the extent that anybody is, like you said, either derelict of duty or abusing their office, it's an important provision to have. Are there any comments or questions on this particular item? Because it is worth discussing. I see no hands so you can continue Commissioner Harbin-Forte.

Brenda Harbin-Forte: All right. And again, Chair, we said that you could remove based on absences from commission meetings. Do you want that expanded to dereliction of duties or do you want to bump that to the public ethic commission?

Regina Jackson: It's interesting when we have had to refer things to the public ethics commission, we really gotten much traction there. I'm sorry, I'm thinking out loud. And every board I've ever been on, if anybody missed three meetings, they were out period. So that makes really good sense. Dereliction of duty probably would need to be... I mean, I think that you captured it in terms of not being prepared. And the other thing would be misrepresentation of the commissioner role outside of the commission. Right? So, you know what? Let me give this some thought and I think I saw a hand from our legal counsel who will help protect us always. Nitasha.



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- Nitasha Sawhney: Thank you, Chair Jackson. Yeah. I think maybe we could maybe council can also provide a comment on the proposed rule. Well, I understand there is a benefit in having a body other than this body consider an investigation to determine the level of cause. You also want where you've been granted a specific authority under the measure, you have both a right and a responsibility to kind of engage in that act. So there might be some balance to be reached in that. And then the other just brief comment on the absentees, to leave that in the sole authority of the chair would actually leave out the chair from removal. And you don't want to do that because if you did, I mean, I know it's impossible to imagine because you've had such an awesome [inaudible 05:03:34] but you could be in a situation where it is actually the chair that's failing to come and that would really handicap the commission very quickly. And so you don't want to not have the ability to take action where necessary there either.
- Brenda Harbin-Forte: Okay. Well that makes sense. That makes sense. So maybe it'd be by majority of vote of the commission after the chair or the chair designee gives notice. And obviously with expecting that if the subject is a chair, the chair would delegate that to the vice chair, which is someone else.
- Regina Jackson: That actually feels better. Yeah, that's good.
- Brenda Harbin-Forte: Yeah. So we can clean that up. And let me say this too, with respect to measure S1, when it says the public ethics commission shall have the authority to investigate all allegations which is true, could be cause for removal of a commissioner under Section 601. So we should find out specifically what Section 601 of the Charter spells out as causes for removal of a commissioner. S1 is sort of unclear that Section 10, because it talks about the authority of the city council to remove and the authority of the commission to remove. But it does say that the public ethics commission has authority to investigate certain allegations and it would seem to me that that means that they have exclusive authority to investigate certain allegations. So we would need to try to figure out specifically what that is. But we know we'll need a little bit more work on rule 5.2 to clarify things. Okay. That's great. Any other comments on 5.2?
- Brenda Harbin-Forte: The other big thing to talk about, I guess, and maybe we should have started with this, is chapter six. Keep going. Rules of conduct governing commission meetings. So this issue relates to open forum and we have rule 6.1 where there has been discussion about when open forum should be and whether we do like the city council and move it to the end of the meeting. And so this rule 6.1 recommends that it go to the end of the meeting and that way people basically can talk to their heart's content about anything that's not on the agenda, but at least we can get our work done, our agenda items. And so we've tried to spell out, we've said, let our default be two minutes and then the Chair can cut it down to one minute but let the default be two minutes. And that people will have an opportunity during Open Forum to talk about anything that's on the agenda and we've talked about it. Hopefully they will keep it to agenda items and that the comments fall within the jurisdiction of the commission and the speaker must not have already made the desired comment during discussion. That was in there to try to steer people away from making public comment on things that we can't do anything about.



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- Brenda Harbin-Forte: It's going to be hard to enforce, but at least if we give notice to people that yes, you should use your public comment period, open forum period, rather than not public comment, your open forum period, to talk about things that may be of interest to the commission, to the community, but things that at least reasonably are under the jurisdiction of the commission to do something about. It may be fine as well, just for people to vent sometimes. I don't think anybody's going to be cut off if they're going to just vent but to the extent it gets redundant, we do have some authority there. And again, we've said two minutes on that.
- Regina Jackson: Excuse me.
- Brenda Harbin-Forte: So that's Open Forum. Yes.
- Regina Jackson: Excuse me Commissioner. Did you think about potentially copying the Language Of Commission Behavior during public comment? I know that one instance when people are cursing up a storm, that there is a statement, I've had it and had to repeat it a couple of times, but I'm not sure that I see it.
- Brenda Harbin-Forte: Yeah, it's farther down in the rule about-
- Regina Jackson: Oh, I'm sorry I got ahead of myself, All right. Thank you.
- Brenda Harbin-Forte: Okay, fine. Okay. So, we do try to address that. So Rule 6.2 Public Comment On Agenda Items. One of the issues with respect to this is whether we should, and our recommendation is that, and I will say it's not unanimous, that we do the public comment at the beginning and let them comment on any item on the agenda, rather than doing a public comment on each agenda item. So that when you make your public comment that you do, if you can say, I'm going to comment on agenda item number five and number seven and number 10 and we give them the opportunity to make their public comment on agendized items. And we're saying that the commission values and encourages public comment and participation so at the beginning of the meeting, you can do it. Now, we have in the past always done public comment before action on a specific item, but I don't think that we have to do it that way. As long as the public is given an opportunity to comment before we take action, that public comment can be placed at the beginning of the agenda.
- Brenda Harbin-Forte: Some boards do that and the City Council, basically it gives you public comment on agenda items at the beginning, and then there's Open Forum at the end of the City Council meetings. But that may deserve some discussion as to whether or not. But what pros and cons of taking the time to do public comment on each agenda item? I think that makes our meetings go longer, particularly when there's some redundancy and particularly when sometimes a public comment has absolutely nothing to do with the agenda item or to do with anything under the jurisdiction of the commission. But again, we can try to take care of those kinds of things in terms of the authority to remove or to at least warn people about disruption in the meeting. But I think what are the views in terms of when we have public comment, the pros and cons. I think Henry was of the view that maybe we ought to keep it at after each agenda item.



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- Brenda Harbin-Forte: Again, I think Sergio thought that it ought to be one time. Sort of one and done.
- Regina Jackson: I see a hand from Commissioner Gage.
- Henry Gage, III: Thank you Chair. So fellow commissioners, as Commissioner Harbin-Forte noted, this is an area where we'd very much appreciate your feedback. The pros, I'll say, of changing the public comment procedure to have it happen at the beginning of our meetings would certainly be an increase in efficiency. It would allow for public comment to be taken all at once and then we would have those comments to consider during the balance of the meeting. The con would be the current level of interactivity in our meetings, whereby members of the public can listen to presentations in the back and forth between commissioners and speakers and chip in or weigh in during the public comment period. The elimination of that would be a con of the proposed change and we can go either way. Perhaps changing public comment to start at the beginning of the agenda may encourage more members of the public to file written comments instead of making what sometimes can be repetitive, oral comments or comments that aren't really targeted to commission action itself. Again, this is an area that we don't have consensus on yet, and certainly appreciate feedback on.
- Regina Jackson: So let me jump in and give some feedback. I know that it has been deemed that our meetings are, "not efficient," because they go on so long. The part of the reason they go on so long is because the public cannot know what is going to be presented through the course of the agenda. Yes, they can see the agenda, but they wouldn't be privy to the discussion. So them making comments at the beginning does not allow them to think about, ponder or respond later. And again, maybe it's just me, but I'm a community leader, I think that we ought to be flexible to encourage and invite as much engagement from the community as possible. Now, I totally hear you on the redundancy factor. I think that is inefficient. But we don't always know until members speak that it's going to be redundant. So while it sometimes may take 30, 45, sometimes even an hour of public comment, I think that if that is one of the ways that community members have to participate, that we should not take it from them.
- Brenda Harbin-Forte: The Rules Committee, I think can go either way as Commissioner Gage said. So if the consensus is that they value on taking public comment on each agenda item, then Rule 6.2 will certainly be shortened to say that public comment will be taken before there's action on the item.
- Regina Jackson: I see several hands and before I recognize the hands, I think there is value to the community and hearing what people have to say. Sometimes that informs the decisions that we're going to make. First, Nitasha Sawhney, then Commissioner Jordan, then Commissioner Singleton.
- Nitasha Sawhney: Thank you Chair. I just wanted to highlight, the Brown Act requirement is that you hear public comment before you make a decision. Whether you choose to allow public comment for each and every agenda item or at the top of the meeting, either way does fulfill your legal obligation under the Brown Act to consider public comment prior to a vote on an item. I represent a number of public agencies, most public agencies that I've served do hold a public comment period at the top of the meeting, which is where the public is invited to make comments on specific agenda items.



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That takes away then the ability that Chair Jackson was highlighting to have the level of engagement that you currently have with the public being almost part of the discussion as things are being discussed. But it also does allow the meetings to move in a way that they don't generally take six hours twice a month.

Nitasha Sawhney: The other thing that some public agencies do for your consideration is, where they know they have some items specifically that would benefit more greatly by that discussion, that interaction, they can be agendized differently. They could be agendized as Study Sessions. And then you can specifically agendize public comment and discussion within the Study Session. They could be agendized as a Public Hearing. And then again, Public Hearing specifically call for public comment on the item that is being debated before the vote is taken.

Nitasha Sawhney: So you could still follow the recommendation of Commissioner Harbin-Forte and have public comment on agenda items and then have some items where and when you feel you need additional input or you have a speaker that you'd like the public to be able to engage in. Just one note of caution is, as was noted in the auditor's report, there have been times where the commission, following the lead of the public comment, have engaged in levels of back and forth or have subjected speakers to an engagement where it does take you outside of your agendized item. And that's where some caution really needs to be laid in terms of not... You have to stay strict to following what's agendized because anything that's outside of that then is a violation. Thank you.

Brenda Harbin-Forte: We have some other hands up, please Chair.

Regina Jackson: Commissioner Jordan and Commissioner Singleton.

David Jordan: Thank you, Chair. As one of the commissioners who lived through this past summer of protest and experienced that historic level of community engagement, the hour plus of public comment at the top of the meeting was fairly punishing and sometimes it felt like we were being personally accused. And there were times where we were individually called out by name by members in public comments for things that were maybe not totally fair. All that said, I do think it is as pointed by the community advocates and members of this body, it's our responsibility to bear that. I'm not in favor of moving additional public comments. Whether we wanted to move an open forum section to the end of the agenda, I'm open to but do you think it's vital that we have agenda item specific public comment before we make decision-making?

David Jordan: And I do agree with counsel that not only does it ride the line of allowing us to be pulled into conversation that is not agendized and runs the risk of it becoming a Brown violation but I also think that we just need to be careful about how we display our reactionary nature to public comments, and maybe are a little bit more careful, especially in that element where receiving public comments on a specific agenda item. Being careful not to have a conversation with that member of the public and maybe seeking to address their concerns offline. Because it's doing a disservice to other people who are waiting to speak. Sometimes I think it's really appropriate and



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we get good answers but other times we do get pulled down a rabbit hole and we have to be very careful. That said, I do understand that facilitating that is also very challenging, but thank you.

Regina Jackson: Commissioner Singleton.

Tyfahra Singleton: Thank you, Chair. I'm in favor of differentiating a little bit. So when we have agenda items that we're taking action, that public comment so that it watches every take, but if we are not [inaudible 05:20:44] because it won't be an informal particular decision or both.

Henry Gage, III: Commissioner Singleton, I apologize for the interruption. Someone's mic is open and I'm having a very hard time hearing you. If one [crosstalk 05:21:07] that would be appreciated.

Tyfahra Singleton: I can also speak up. Well, I was just saying that I liked the idea of some differentiation, like what the counsel was saying, that if we are going to take action or make a vote, getting that public comment before our vote in real time with what is happening. But if we have items where we're not making any decisions, having those in the beginning might be a nice compromise so that we can move through our meetings more efficiently.

Regina Jackson: Thank you. I see Commissioner Garcia.

Sergio Garcia: Thank you, Chair Jackson. Yes. I was going to make a suggestion that is in line with what our counsel has suggested and also what Commissioner Singleton has just referenced and that is finding some middle ground. I don't think we're taking anything away from the public if we agendize our public comment items differently than we're doing today. Today, public comment comes in no matter what the agenda item happens to be, whether it's some update or adjournment or anything in between. I think that counsel has suggested that we can have some items that can represent items of substance, items where we are taking a vote, where we would like to solicit additional comments from the public and then we could make those an exception to the general rule that public comment period is at the top of the meeting.

Sergio Garcia: I think it is a disservice to people who want to speak, who show up at our meetings, who do not have the opportunity to speak because we allow redundancy and because we allow comments that have nothing to do with the agenda item being discussed at the moment. So I think the status quo needs to be revisited in my view. I think Commissioner Harbin-Forte has provided an alternative.

Sergio Garcia: I'm in favor of either that alternative or some middle ground that has been referenced by our counsel. I also take note of our counsel's statement that she represents many public agencies and most public agencies take public comments at the top of the agenda. So I don't think we're doing anything unusual. I don't think we're doing anything out of the ordinary. I think we're moving towards something that remains consistent with the Brown Act, remains consistent with our public service responsibilities but also has a much more, I wouldn't even call it more efficient because it's not efficiency for efficiency's sake. We're human beings and whenever you have five, six, seven hour meetings, the law of diminishing returns sets in and we are not as productive as



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we might otherwise be if we stuck to the agenda, stuck to the public comment that is consistent with the Brown Act. Thank you. Back to you, Chair Jackson.

Regina Jackson: Thank you. Commissioner Dorado. I see Commissioner Dorado but I also want to point out a time check. We're at 3:23. We're going to leave time to wrap up. Okay. Thank you, Commissioner Dorado.

Jose Dorado: Thank you, Chair Jackson. A couple of things. One, I think that on balance, that we should limit the public comment at the beginning of the meeting to one minute and encourage people, and maybe there should be something that we do on a consistent basis in our website, in our meetings, et cetera, we encourage people to write written comments. And I'm saying cut it to one minute to increase our efficiency, to encourage people to write their comments, because if you eliminate it or rather push it to the end of the meeting, well, we're talking in some cases of midnight. So that's not practical for the vast majority of the people that attend our meetings or hopefully will attend our meetings in the future. So that's one. And then go with the two minutes for each agenda item, which gives the public a chance to comment, which I think is exactly what should happen, but I'll leave it there.

Jose Dorado: I think we need to do the best we can to encourage people to comment, written, if in fact they cannot stay for the entire meeting or they cannot stay till their agenda item comes up. But they can say something for one minute if they want to do it at the beginning of the meeting. I've done that in a number of times at the beginning of council meetings because I'm not going to be there until one o'clock in the morning. So that gives people the opportunity in two ways, written as well as verbal, to have input on a particular agenda item. And the other thing is, as we well know, we need to be more strict about making sure that the speakers, public speakers, whenever they speak on an agenda item, that they stay within the parameters of what that agenda item is addressing. Thank you.

Regina Jackson: Thank you.

Brenda Harbin-Forte: Madam Chair, we're distinguishing between open forum and public comment. So what I'm hearing, at least with respect to public comment, if we can reorganize the agenda that might address some of the concerns for public comment.

Brenda Harbin-Forte: For example, you all remember that an agenda item was whether we move our December meeting from Christmas Eve to earlier in the month. And that provided for public comment and people got up and talked about everything, but whether or not we should move that meeting. So something like that could go on a consent calendar, perhaps with no public comment at all. And anything else that could perhaps go on a consent calendar at the beginning of the meeting would cut down on the opportunity to raise irrelevant issues. The other thing, in terms of the two minutes, I'm not sure. I think I heard people saying do open forum at the end, that there's not a problem with just doing open forums where people can bring up things. And that's what the city council does, where they do it at the end. And I think they set it 15 minutes and we've said also that we should not exceed 15 minutes at the end.



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- Brenda Harbin-Forte: In terms of public comment on agenda items. Again, I'm with counsel. I've been on boards where we have had study groups that's been agendized so that people can have an opportunity to talk about it. So that maybe one way.
- Regina Jackson: I'm sorry, excuse me, Commissioner Harbin-Forte. Since we're not actually making a decision about this today, but having good conversation, perhaps we can think about it. I am more inclined to support the one minute that we have done for the most part so that everybody gets to say something, but I definitely don't want to rob us of our action plan time.
- Brenda Harbin-Forte: Okay. All right. And then the other thing is that you have heard people complain about, we only give people one minute. And then we do that whether there are only two people on there who want to speak or one person, and then we have to go through a request to extend it to two minutes. So my thought would be, again, we can talk about it. Give them two minutes, let them say what they want to so that we don't have to hear the complaint and then take any extended discussion. And then if there are 10 people who want to speak, then cut it down to one minute. That maybe one way to do it. But if only two people want to speak, give them two minutes, that's my thoughts.
- Regina Jackson: Well, I think flexibility makes total sense.
- Brenda Harbin-Forte: Yep. And with respect to the time, a lot of it we recommend too, but I think the other thing that we go... If you can go down, Juanito. I just want to bring up one other thing, Chair, and then we're done. And that relates to... Keep going back up. I'm sorry. Back up. Keep going back up please. The power to remove... Come down now in the same rule. Rules of conduct, keep going down to going to the next page.
- Brenda Harbin-Forte: And that is about the power to remove basically disruptive people. It addresses Rule 6.4. If you can stop right there. It addresses, it reminds all of us and I've been guilty of it that we don't engage members of the public, but it also says that they not scream or holler or anything of the sort. 6.5 addresses audience conduct and we've added language in order to foster an atmosphere of collaboration. The commission expects that your criticism will be delivered in a respectful fashion and the criticism be directed toward matters that are within the jurisdiction of the commission. So we would try to make that clear.
- Brenda Harbin-Forte: And then the power and duty to remove disruptive persons in 6.6. Again, in order to ensure efficient and collaborative meetings, we can remove people for being rude or disrespectful toward other participants or violating the rules. And I think if we exercise that authority more often, perhaps. Because my concern are the poor people who get victimized by some bullying conduct by attacks, by accusations, not members of the commission. We're expected to take that and 99% of the time we do. But when other people in the meeting get called liars and everything, and they're trying to defend themselves. "No, I didn't say this and yes you did and I understand..." So that kind of stuff really needs to be eschewed.
- Regina Jackson: Okay. That makes sense.



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Brenda Harbin-Forte: All right. And then I'm done.

Regina Jackson: Outstanding work. Obviously we got lots more to do, but I think we've had some outstanding discussion that will give you some opportunity to go back and clean up even more things right.

Brenda Harbin-Forte: Yes, absolutely. We shall do so.

Regina Jackson: And we're all here for our committee, maybe the end of February with maybe some recommendations.

Brenda Harbin-Forte: No, question about it.

Regina Jackson: Okay. That sounds excellent. Thank you.

Brenda Harbin-Forte: Sorry. It took so long.

Regina Jackson: That's okay. It was important.

Brenda Harbin-Forte: Okay.

Regina Jackson: Juanito, if you can put up the agenda, I think we are at the Action Plan now.

Omowale Satterwhite: And if you could go back to the PowerPoint with the interview report, slides 15 through 20, I think. The listing of all the ideas that got generated, beginning there. Back further one more slide, I think. Yeah. That's the first one. So let me... Madam Chair, just a couple points. I didn't call time or suggest the calling of time on that topic because of its central importance. And it was an issue that everybody just about raised when I did the interviews. But the balancing point was that you've had such rich and informed discussions that a great deal of what's called this Draft 2021 Action Plan was covered and I am assuming that you need much, much less time on this topic. And so let me just highlight what's here and then I'm going to have three suggestions and of course respond to any questions or additional feedback. But then I do have a couple of suggestions to get us to an Action Plan building up what happened in today's meeting.

Omowale Satterwhite: So you can see that the first... And what I did was I took all the ideas obviously and clustered them under themes, Personnel. And so the first item there in terms of submitting the nominations you've done. And then the items around the police chief, the inspector general, adding other staff, all of those are underway or under consideration as the budget process flows forward. And then the notion of how the police department gets staffed is again, contingent on budget. And then this last item got lifted up a couple of times in the interviews, but I don't have enough knowledge myself or understand your protocols or your procedures for how you operationalize that activity. So that's, I just want to call that out. Let's go to the next page.

Omowale Satterwhite: A couple of issues got raised around the budget and both around advocacy of the commission with the city council for increasing your own budget. And then making recommendations about



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how to reallocate parts of the police department budget to other departments and then shift those functions, certain functions to other departments away from the police department through the budgeting process. And so that's what the two main ideas where they came up there.

Omowale Satterwhite: Next slide please. And they've shown the quarter's warning to the last task because that's when all those conversations about budget will happen. And then on operations, the policies procedures manual, the protocols for effecting more effective meetings, the performance expectations of commission members. You have not talked about your communication strategy. You have agreed that the spokesperson would be the chairperson. The leadership pipeline within the commission, the completion of the trainings. You did have a conversation about the trainings, the hierarchical culture within OPC and the documenting and sharing of your story, which is another topic related to the communication. There's not been any real conversation there, except that when you talked about the voting authority of alternates in ad hoc meetings that balanced the hierarchy more in that space. Let's continue.

Omowale Satterwhite: Under Policy Reform, you haven't discussed today. It was actually referenced, but there was no discussion about a community policing program and the recommendations to the city council. There was no reference to the letter that you will be responding to from the Oakland Black Police Officer's Association as I recall. The commissioner Anderson's conversations about policy and her report and recommendations actually is the next item in this area of Policy Reform. And then something you haven't talked about, which is almost an imperative it seems, for you to consider is defining and implementing a state legislative policy agenda advocacy strategy, focusing on constitutional policing. So beginning to broaden your authority through doing state legislative advocacy so that you have a broader mandate and legislative authority to move forward in your work. Next slide, please. And on the Community Engagement, you didn't talk about this, although I don't think the authority or responsibility was assigned as I recall, but this notion of being intentional about a formalized community engagement strategy, and then this other issue about Black Brown Unity and creating forms for those conversations to happen under your authority. That was something that wasn't raised in today's meeting.

Omowale Satterwhite: Keep going, next slide please. And then the negotiated settlement agreement. One or two people who said that we need to be intentional about bringing closure on this circumstance with the federal government. Next slide, and the city auditor's report, we need to be intentional about responding to those issues that we think are deemed appropriate to respond to.

Omowale Satterwhite: And I think that's the last, well, maybe one more, please. So one can see that many of those items were discussed today and an existing committee or an ad hoc committee has been delegated that authority. Go back to the first slide, please. On the work plan, back. Probably 15, probably is. Yeah. So let me just stop there and ask if there are any questions or feedback or additional thoughts that people have about what should be in the work plan. That would be question one so that we populate it with all the ideas. And then secondly, I'm inclined to want to amend it to conform... So that the task that you show on your work plan conform with the discussion that you had today and the consensus that you reached about how you would move forward. And that's second. And then thirdly, Madam Chair, I'm going to recommend then that you and I meet and



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confer it, recreate this document. And you can bring it back to the Commission and I will join that next meeting.

Omowale Satterwhite: Or whatever meeting you bring it back to a regular Commission meeting, I will participate and be a resource if needed in that discussion. So three things, one open form, any additional things that you'd like to see in the work plan, two the issue of framing or refining anything that you see here. And then finally just going forward, next steps, authorizing us, if such authorization is needed to refine or edit or modify this draft into a form and a recommendation from U.S. Chair to the Commission based on today's proceedings.

Regina Jackson: Thank you very much for synthesizing all that we've done and all that still needs to be done. Before I call on Commissioners Dorado and Garcia, whose hands I see up, I want to make a couple of comments about a few of these action plans. So can you go to the page where we're talking about state-advised constitutional-

Omowale Satterwhite: It's called Policy Reform, keep going,

Regina Jackson: Thank you, Policy Reform.

Omowale Satterwhite: There you go, it's the last item.

Regina Jackson: Thank you. So I just want to share with the Commission that following Tara Anderson's presentation, she agreed to come to the Commission in March with a few different state agendas to both give us background. Because they're related to our police Commission business and possibly for letters of support or endorsement. So I think that what I can do is talk with her about her ideas to kind of expand on that, and then March be a first step. With respect to the OBOA, the investigator was just selected by us at the last meeting. So I think we're going to have to move that to quarter three, because these investigations usually take at least six months or so. And I love the Black And Brown Forum and we can likely go ahead and we'll pull together an ad hoc for framing that forum. We did a few forums last year and I think we actually got quite good at it. So now I'll call on Commissioners Dorado and Garcia. Garcia's hand went down, but I'm not sure. So Commissioner Dorado, and I just want to say a time check. We have 20 minutes.

Jose Dorado: Thank you, Chair Jackson, real quick. One of the things I didn't see here on the list was our participation in the task force and the re-imagining public safety. Yes, we do have Ginale fortunately as our representative, but we really haven't spoken about what, how that will be used as a conduit between the Commission and the task force that... Or I should say Ginale and her representation of the Commission, what the process is going to be for that conduit of information going in both directions. That's one. The other is that in terms of the Black-Brown Unity, that's huge in my opinion. And fortunately we have a group called the African-American Latino Action Alliance, it's been around for three or four years. That would very much be interested in furthering that goal. Thank you.



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- Omowale Satterwhite: Thank you. On your first point about re-imagining public safety that got lifted up as an opportunity in the strengths, weaknesses, opportunities, threats. But it didn't get lifted up until you have now mentioned it as an action item for the plan. And so we'll add that point to the plan.
- Regina Jackson: And thank you, Dr. Satterwhite. The other thing is that the city auditor comments, many of those comments were built into our agenda. So we should be able to... As we finalize these things, that will be a movement forward.
- Omowale Satterwhite: Yeah, that's an example of, in terms of how you and I can probably put in place an action plan that has more clarity. The statement in the current plan is respond to key issues raised, that's generic. We can actually reframe that along the lines of what you just said, Chair Jackson. So that we're being really quite customized and particular in terms of what this plan state.
- Regina Jackson: That sounds great. And with the key activities on the community engagement strategy, we're going to be designing one related to the community policing, but there is also a policy. So perhaps it's a twofer.
- Omowale Satterwhite: Yeah. And I don't have any depth of knowledge, obviously I'm listening. I'm a pretty good listener, but I'm being responsive. And so with your knowledge and what I'm recording, I think we can bring back something to the Commission itself for consideration on whatever time table you deem appropriate.
- Regina Jackson: Yes. My thought is it's probably the second meeting in February. We're going to need to have our admin kind of pull together the notes from this meeting to ensure that we cover everything. And then perhaps we can do a draft and then hopefully that draft maybe finalize if nobody on the Commission has any additional comments. So I'm thinking a month to six weeks would be good.
- Omowale Satterwhite: Great. And then we're going to add a column. An action plan has to have a column that assigns the responsibility or the role or the leads. And so for each of the actions we'll identify or sections we'll identify the leads based on the various ad hoc committees or volunteers, by position who have stepped up.
- Regina Jackson: Absolutely. And that will give me enough time to set up the next two or three ad hocs that we talked about inside this meeting and figure out who's going to lead them.
- Omowale Satterwhite: If this approach is acceptable to the Commission. Then I'd like to proceed in that way.
- Regina Jackson: Commissioners. This is great by me. Do you all have any comments one way or the other?
- Jose Dorado: Sounds good to me.
- Regina Jackson: Excellent.
- Sergio Garcia: Fully supportive.



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Brenda Harbin-Forte: Supportive.

Regina Jackson: Terrific. Then the retreat has been successful on several ends, but just the working together conduit. I'm so impressed with the preparedness, the presentation, the good questions, the recommendations. That's why I love retreats, I tell you, we should really call them working sessions because we were not in any beautiful space, surrounded by water or woods or anything, but we got a lot of work done. And Dr. Satterwhite, thank you for your preparedness and kind of organizing us and helping to facilitate these moves forward.

Omowale Satterwhite: Can I make one closing comment?

Regina Jackson: Please, we're about to be ahead of agenda. When does that happen?

Omowale Satterwhite: So, at the beginning of the meeting, I think it was Commissioner Gage, asked me the question, if I had any surprises after I gave that original interview report. And I said, "No." Yeah, now that I think about it, I am surprised with one thing, a number of you... Remember I started this as a learner. I had very little background, but a number of you communicated some interest or concern about, let me just call it lack of internal organization and productivity for the OPC itself. And I just noted that, but I didn't judge it. And now that I've heard all the voices and read all the background materials for this meeting and participated in this meeting, that's my surprise.

Omowale Satterwhite: I think you're highly organized and focused and directional and intentional about... As someone said, you were treading uncharted territory, that'll enable you to continue to make that tread. So yeah, I was surprised. And it was the surprise that I think you underestimate where you've come as a team. You don't underestimate your potential, but I think you're quite overly critical about the journey that you've taken so far.

Regina Jackson: On behalf of the Commission. I think that your comment is right on the mark. I think that we have some incredible professionals who operate at very high levels of excellence. And so we all tend to be our strongest critics. So given that we are...

Brenda Harbin-Forte: Excuse me madam... I'm sorry.

Regina Jackson: I wanted to say that we are at the closing exercise, but I also wanted to make sure that we took some public comment if there was any on this session. But go ahead. Go ahead.

Brenda Harbin-Forte: I'm sorry. That was a point of order that I was going to ask about whether we needed to do public comment on it.

Regina Jackson: I think in light of our significant conversation around the importance of voice that we should, I only see a few hands raised and fortunately for us, we have time, so we're not even going over. So I think it makes really sense.



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- Brenda Harbin-Forte: I'm not... Sorry. I was not objecting. I was just going to say, point of order, that there is a space for public comment and let's not forget that.
- Regina Jackson: Yes, ma'am. Thank you. I appreciate you whispering in my ear out loud. Thank you. So if there aren't any more comments, why don't we take public comment and then we can wrap up what I consider to be a really productive day. Commissioner Dorado.
- Jose Dorado: Yeah. Thank you, Chair Jackson. I just wanted to say thank you so much to Tara and Edwin and Ginale for their contributions. And to appreciate immensely the work that Brenda, Henry, and David did. And also, the participation by our newest members. You guys really stepped up. So I just wanted to say thanks to everybody and to the chair for running a damn good meeting. Thanks.
- Regina Jackson: Thank you. Thank you very much. And I echo your appreciations. If we didn't have the additional capacity of our former Commissioners, we wouldn't have this kind of cascading mentoring going on that continues to give and give and give. So with that comment, I see the numbers have come up to five on public comment. So let's go over to Mr. Rus. Oh, before we do that, Dr. Satterwhite could not have done this work without you. Thank you so much. You are a prolific and prophetic facilitator and organizer of meetings. I appreciate that you know the depth of your subject, even if police commissioning is not it. Your transferable skills are awesome.
- Omowale Satterwhite: I appreciate the feedback. Thank you so, so much.
- Regina Jackson: Thank you. Thank you. So now we're going to go to Mr. Rus and public comment and hear what our community thought of this meeting.
- Juanito Rus: Thank you, Madam Chair, if any member of the public wishes to make comment at this time, please raise your hand in the Zoom queue and you will be called in the order in which your hand is raised. The first-hand in queue is Ms. Assata Olugbala. Good afternoon, Ms. Olugbala, can you hear us?
- Assata Olugbala: Okay. I think you got the wrong time on that. You're supposed to have one minute, right?
- Juanito Rus: I believe it was two minutes for this retreat, but I'm willing to defer to the chair.
- Assata Olugbala: Yeah. I'm used to one minute. I'm used to speaking in the beginning.
- Regina Jackson: Why don't we move with one minute then.
- Assata Olugbala: Yeah, go with one minute, so you can get out of here. Y'all been a long day.
- Regina Jackson: Thank you.



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- Assata Olugbala: I just want to respond to the jurisdiction issue. You have responded in several meetings to issues that are outside of your jurisdiction. You responded to the program for David Mohammed and written the letter to support it. You responded to the Oscar Grant and you know your jurisdiction has nothing to do with the DA of Alameda County, but you took a position on it. You responded for other things, which you have no jurisdiction. So if you have no jurisdiction to take action, you could at least write a letter to the City of Oakland Administration or council to look into the situation of the allegations of wrongdoing related to Ms. Ginale Harris. You can at least do that because you've done things outside of your jurisdiction related to recommendations in the form of writing letters. And I will continue to pursue this issue.
- Juanito Rus: Thank you, Ms. Olugbala. The next speaker in the queue is Reisa Jay. I believe that is Ms. Reisa Jaffe. Good afternoon, Ms. Jaffe. Can you hear us?
- Reisa Jaffe: Yes. Thank you very much. The action plan went by fast, but it looked like dealing with racist police in OPD was not till the fourth quarter. I hope you will reconsider getting that moved up. I want to really appreciate Commissioner Jackson for calling out that the police chief reports have been report backs have been PR. I've been calling that out at so many meetings and it's been beyond me to understand why that has not long ago been addressed. Concerning public comment, Chair Jackson did air the concern that I had, and that is there's real value in being able to comment after we've heard the discussion, and that would be a huge loss. I understand that people sometimes speak on things that aren't relevant to the item at hand. And I just think that's life, but please, that would be a huge loss. I hope you won't change that. Thank you.
- Juanito Rus: Thank you, Ms. Jaffe. And excuse the crying baby in the background. The next speaker in the queue belongs to Lorelei Bosserman. Good afternoon, Ms. Bosserman. Can you hear us?
- Lorelei Bosserman: Yes. Can you hear me?
- Juanito Rus: We can hear you, whenever you're ready.
- Lorelei Bosserman: Okay, great. I was really hoping you'd give me two minutes because I want to comment on three different things that you covered and we didn't get a chance to talk before. I'll try to fit it into one minute. The first thing I want to say is I appreciate all of you so much. I appreciate all the work you do. I appreciate you being here all day on a Saturday. And I was so impressed with so many things today. I want to remind you when it comes to... Sorry, you talked about procedures for rewriting policies for OPD, and I wanted to remind you that you do not have to compromise with OPD.
- Lorelei Bosserman: You can, you absolutely should talk to them. You should try to understand their points of view. They are the subject matter experts. You want to make sure you come up with something that works, but if you cannot agree on something, you don't have to make concessions. You don't have to get them to make concessions. You are the boss. Yes, it has to go to the city council, but the city council only has the power to... I don't have enough time to explain this. They would have needed a majority to block it.



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Juanito Rus: Thank you, Ms. Bosserman.

Regina Jackson: Why don't we go ahead and let her finish.

Lorelei Bosserman: Yeah. Great.

Juanito Rus: Okay. I have already muted her one second. Let me pull her back, Ms. Bosserman, if you raise your hand again, you'll pop to the top of my queue so I can find you. There you are. And an additional minute?

Regina Jackson: Yes, please.

Juanito Rus: You have the floor, Ms. Bosserman.

Brenda Harbin-Forte: Thank you so much. I really appreciate that. The city council does not need to approve what you send to them. If [inaudible 05:58:23] your policy goes through. If, let's see... If you can't get a majority to approve it, that's okay. They need a majority to block it. This is a philosophical difference and a matter of how many votes you need. I know it's a fine distinction, but I think it matters. And the worst they can do is send it back and say, "No, we're not going to approve this without OPDs buy-in," and I'm not sure they would do that. The public really would not like it. You are the boss, you get to make the decisions. So the comments that I hear about, well, we have to compromise. No, you don't. You might choose to, but you do not have to. I also want to say thank you for respecting public comment. Please don't move at all to the end of the meeting. And written comments, I don't know about other people, but I never feel like people read them. Thank you very much.

Juanito Rus: Thank you, Ms. Bosserman for the remaining comment, would you like one minute or two minutes, Madam Chair?

Regina Jackson: Let's try it. Let's try one minute and then we can make adjustments if we need more. Thank you.

Juanito Rus: Great. Very well. The next speaker in the queue is... Oh, excuse me. I just accidentally lowered Ms. Anne Janks's hand. If you could raise your hand again, I will call on you. It belongs to Ms. Anne Janks, I'm going to promote her to the panel. Good afternoon, Ms. Janks, can you hear us?

Anne Janks: Good afternoon, if I had two minutes, I'd thank everybody and say how wonderful you are, but I don't. Couple of things, first of all, let's be really clear about what limiting public comments to the end of the meeting or stopping it during agenda items does. You're creating barriers to engagement. Folks like me, Ms. Assata and Lorelei. We'll all be there at the end of the meeting, but one of the really valuable things about the Commission is the extent to which people are beginning to understand that it's a place to come and talk about policing in Oakland.

Anne Janks: Does that mean sometimes people come and talk to you about highway patrol? It does, but I think the value of being that place where people can come on such an issue, such an important



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issue and an issue that's impacted them for so long is vitally important. I would urge that whatever policies you make about how policies are developed leaves a lot of room for ongoing experimentation and very, very strongly limits, not doing things that are transparent. As we have learned the weakest policy with use of force in it came out of a non-transparent, non-collaborative, non-community engaged process.

Juanito Rus: Thank you, Ms. Janks. The next speaker in the queue is Mr. John Lindsay-Poland. Good afternoon, Mr. Lindsay-Poland can you hear us?

John Lindsay-Poland: Yes. Can you hear me?

Juanito Rus: We can hear you. You have the floor.

John Lindsay-Poland: Thank you. I caught part of the meeting today and I have two comments. I want to echo the importance of public comment per agenda item, because often you hear a report at the beginning of the agenda item, which can include distortions or issues, that require a comment that only the public really can give you input on. So that if you only have public comment at the beginning or after the decisions are made, it's a loss. The other thing I would say is about ad hoc committees. Now that I have the experience of being in one, I think one of the most important things is that they are not closed meetings with OPD. That apart from the community engagement piece of it, the presence and participation of the department, without eyes of the public or participation of the public, but especially eyes of the public, is really problematic. And I would hope that, that would be extremely restricted. So thanks again for the great work.

Juanito Rus: Thank you, Mr. Lindsay-Poland. The next speaker in the queue is Ms. Rashidah Grinage. Good afternoon, Ms. Grinage. I'm going to have to move Ms. Grinage to the panel. Good afternoon, Ms. Grinage, can you hear us? You are muted.

Rashidah Grinage: Thank you. I just wanted to agree with all our previous comments. I want to also appreciate the Commissioners for such great work. And I think that what you've done today will lay the groundwork for a very productive year and we look forward to working with you to accomplish the goals that you've set for yourself. Thank you so much.

Juanito Rus: Thank you, Ms. Grinage. The next speaker in the queue belongs to Ms. Cathy Leonard. Good afternoon, Ms. Leonard, can you hear us?

Cathy Leonard: Yes. Good afternoon. I'm really impressed with the tenor of the retreat today, a lot was accomplished. There was a lot of work that obviously went into it and I appreciate all of the Commissioners and everyone who worked on it. I might also ask that we not limit public comment and... Oh, there's just so much. I don't want to take up too much time because other people want to speak, but thank you so much for your hard work. And as a member of the Coalition for Police Accountability, I look forward to working with each and every one of you in the upcoming year. Thank you.



OAKLAND POLICE COMMISSION SPECIAL MEETING RETREAT TRANSCRIPT

January 30, 2021

- Juanito Rus: Thank you, Ms. Leonard. At this time, I see one hand in the queue, Madam Chair, but it's someone who has already spoken on this item. By rule that wouldn't normally get a second comment. So I will refer-
- Regina Jackson: Right. I see two. Oh, okay. So I see that one hand probably dropped as the... Oh, well it looked like both hands dropped. Thank you very much, Mr. Rus, appreciate your support throughout this retreat. As mentioned before, it gives me great pleasure as chair of the Oakland police Commission to look out and see that when we really need to buckle down, we do. This was an additional thing a whole day, and you all showed up with real solid recommendations and excellent questions. It gives me so much comfort as one of the two, four-year term people, particularly around the new folks. It means that we are also very important to have strong facilitation and planning.
- Regina Jackson: And so again, I want to thank Dr. Satterwhite for his help in crafting an outstanding agenda as well. Thanking the former Commissioners whose hard work in the early years, made them such incredible subject matter experts of the Commission and with outstanding recommendations to help us along. To all the Commissioners that presented, which was almost all of you or worked on a piece of the agenda because we really tried to make sure that it was all inclusive.
- Regina Jackson: Again. Bravo. Thank you, Mr. Rus, for running the meeting. Thank you for Ms. Sawhney for giving us great legal advice. And thank you Mr. Alden, for observing and supporting it all. I think that we are at time now and so enjoy the rest of your weekend. We will be working up on follow-up items. I will be reaching out, around standing up ad hocs. Yeah, this is great way to launch a happy new year. Thank you.
- Brenda Harbin-Forte: Chair Jackson, you've been awesome. Thank you again for your leadership.
- Regina Jackson: Thank you. Thank you. Okay. So if you could see me, I'd be saluting and saying, have a great weekend and we'll see you a couple of weeks.
- Brenda Harbin-Forte: All right.
- Regina Jackson: Bye-bye.