



OAKLAND POLICE COMMISSION

AGENDA

November 8, 2018

6:30 PM

City Council Chamber, 3rd Floor
1 Frank H. Ogawa Plaza, Oakland California

I. Call to Order

Thomas Lloyd Smith

II. Roll Call and Determination of Quorum

Thomas Lloyd Smith

III. Welcome, Purpose and Open Forum (2 minutes per speaker)

Thomas Lloyd Smith will welcome and call public speakers.

The purpose of the Oakland 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 that investigates police misconduct and recommends discipline.

IV. Approval of Draft Commission Meeting Minutes

for [October 25, 2018](#) and [October 11, 2018](#)

Thomas Lloyd Smith will offer the draft minutes for approval by the Commission.

- a. Discussion
- b. Public Comment
- c. Action

V. [Oakland Police Department Report](#)

Chief Anne Kirkpatrick will report on the 57th Report of the Independent Monitor and OPD policies and actions relevant to Task 34 General Order M-19, *Prohibitions Regarding Racial Profiling and Other Bias-Based Policing*.

- a. Discussion
- b. Public Comment

VI. [Community Policing Advisory Board \("CPAB"\) Annual Report](#)

The CPAB will present their 2018 Annual Report. The CPAB was established in 1996 to monitor and report on the implementation of community policing, provide recommendations on steps to improve community policing, advise OPD on community policing matters, maintain communication between the OPD and the neighborhood Crime Prevention Councils and Neighborhood Watch groups and Merchants Watch groups, assist in educating and informing the public about community policing, its current progress and its direction, and authorize Neighborhood Crime Prevention Councils and mediate disputes.

- a. Discussion
- b. Public Comment

VII. Amendment to Enabling Ordinance for CPRA File Review

Commission will discuss and consider approving a request to the City Council to amend the enabling ordinance to address the Commission's authority to review Community Police Review Agency files for the purpose of performing the Commission's duties. The Commission's request would be sent to City Council members willing to sponsor legislation to make these changes.

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

VIII. Legal Opinion from City Attorney's Office

The Commission will discuss whether to maintain or waive the client-attorney privilege for a legal opinion drafted by the Oakland City Attorney's Office and sent to the Commission on Thursday, October 25, 2018 concerning the Commission's authority to review the CPRA's investigative files.

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

IX. Request for Qualifications for Outside Counsel

The City Attorney's Office is preparing an Request for Qualifications (RFQ) for a non-City Attorney legal advisor for the Commission. The Commission is awaiting a draft of the RFQ.

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

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION IN CITY HALL BUILDING BRIDGES ROOM, 3RD FLOOR AND WILL REPORT ON ANY FINAL DECISIONS IN THE CITY COUNCIL CHAMBER DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

X. Closed Session

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Govt. Code § 54957

- a. Action – Report out of closed session
- b. Public Comment

XI. Oral Report of Disclosable Final Decisions Made During Closed Session

- a. Report of disclosable final decisions, if any
- b. Public Comment

XII. Working Session for the Agenda Prioritization

The Commission will discuss and prioritize a list of agenda items for future meetings.

- a. Discussion
- b. Public Comment

- c. Action, if any

XIII. November Commission Meeting Schedule

The Commission shall take a vote to determine whether to approve one monthly meeting for November. Measure LL states, “The Commission shall meet at least twice each month *unless it determines that one meeting is sufficient* in a particular month.”

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

XIV. Review of Agency’s Administrative Closures or Dismissals ([Item 14a](#) and [Item 14b](#))

Mr. Finnell will report on the CPRA’s proposed dismissal or closure of complaints of misconduct involving Class I offenses. The Commission will consider whether to close the case(s) or direct CPRA to continue or reopen the case(s) and investigate the complaint in accordance with Oakland Police Commission Enabling Ordinance § 2.45.070(M).

- a. Discussion
- b. Public Comment
- c. Action to approve CPRA recommendation for dismissal or closure of cases or reopen the investigation, if any

XV. [Agenda Setting and Prioritization of Upcoming Agenda Items](#)

Thomas Lloyd Smith will engage the Commission in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas.

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

XVI. Adjournment



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