



OAKLAND POLICE COMMISSION

MEETING AGENDA

April 22, 2021

6:30 PM

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's (OPD) policies, practices, and customs to meet or exceed national standards of constitutional policing, and to oversee the Community Police Review Agency (CPRA) which investigates police misconduct and recommends discipline.

Pursuant to the Governor's Executive Order N-29-20, members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.



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PUBLIC PARTICIPATION

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

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/82932782922> at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193>, which is a webpage entitled "Joining a Meeting"
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):

+1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
Webinar ID: 829 3278 2922

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

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

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

If you have any questions about these protocols, please e-mail clove@oaklandca.gov.



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I. Call to Order, Welcome, Roll Call and Determination of Quorum
Chair Regina Jackson

Roll Call: Vice Chair José Dorado; Commissioner Henry Gage, III; Commissioner Sergio Garcia; Commissioner Brenda Harbin-Forte; Chair Regina Jackson; Commissioner David Jordan; Commissioner Tyfahra Singleton; Alternate Commissioner Marsha Peterson

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

After ascertaining how many members of the public wish to speak, Vice Chair José Dorado will invite the public to speak on any items not on the agenda but may be of interest to the public, and that are within the subject matter jurisdiction of the Commission. Comments on specific agenda items will not be heard during Open Forum but must be reserved until the agenda item is called. The Vice Chair has the right to reduce speaking time to 1 minute if the number of speakers would cause this Open Forum to extend beyond 15 minutes. Any speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2, at the end of the agenda.

III. Commission Retreat Follow Up

The Commission will discuss follow up items from the retreat on January 30th. ***This item was discussed on 2.25.21 and is continued from 3.25.21 and 4.8.21. (Attachment 3).***

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

IV. Memoranda of Understanding with Oakland Police Officers Association and Other Represented Employees and Discussion on Sloan Report

City of Oakland Human Resources Director Ian Appleyard will deliver a training on Memoranda of Understanding with the Oakland Police Officers Association (OPOA) and other represented employees as mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190. He will also discuss the OPOA contract and how it applied to the Step 3 grievance report in the Sloan/Pawlik situation. ***This is a new item. (Attachment 4).***

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

V. OPD Policies for Review

The Commission will discuss the recommendations for policy development and implementation that were discussed at the retreat on January 30, 2021. ***This item was discussed on 1.30.21. (Attachment 5).***

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

VI. Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities and Presentation on Proposal of Moving Certain Internal Affairs Division (IAD) Functions from OPD to CPRA

To the extent permitted by state and local law, Executive Director John Alden will report on the Agency's pending cases, completed investigations, staffing, and recent activities. He will also discuss his proposal to move certain IAD functions from OPD to CPRA. ***This is a recurring item. (Attachment 6).***

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

VII. Commission Letters of Support for Police Accountability State Legislation

The Commission will present the letters of support which were approved at the March 25, 2021 meeting and sent shortly thereafter. ***This item was discussed on 3.25.21. (Attachment 7).***

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

VIII. Update from Police Chief

OPD Chief Armstrong will provide an update on the Department. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. ***This is a recurring item. (Attachment 8).***

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

IX. Meeting Minutes Approval

The Commission will vote to approve minutes from April 8, 2021. ***This is a recurring item. (Attachment 9).***

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

X. Committee Reports

Representatives from Standing and Ad Hoc Committees will provide updates on their work. *This is a recurring item. (Attachment 10).*

Missing Persons Policy

(Commissioners Harbin-Forte, Jackson, Jordan)

Tasks: The Missing Persons Ad Hoc Committee is tasked with reviewing and updating the OPDs missing persons policy, to ensure that it is in line with the standards of constitutional policing and evolving community values. The resulting policy will be presented for review and approval to the full Police Commission, with the intent that it be formally adopted as the guiding policy for the investigations of missing persons by the OPD.

OBOA Allegations Investigation

(Commissioners Harbin-Forte, Jackson)

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

Rules of Procedure

(Commissioners Gage, Garcia, Harbin-Forte)

Tasks: The Rules Committee has been formed to examine the organization and operation of the Commission, make recommendations designed to strengthen the Commission, improve the Commission's relationships with governmental partners, and better enable the Commission to fulfill its Charter-mandated oversight duties.

White Supremacists and Other Extremist Groups

(Commissioners Dorado, Harbin-Forte, Jackson)

Tasks: The purpose of the Oakland Police Commission Ad Hoc Committee on White Supremacy is to ensure the Commission's oversight of the Oakland Police Department and the Chief of Police is properly focused on identifying and eradicating white supremacist infiltration of local law enforcement agencies, including in Oakland.

The ad hoc's charge is to elevate the visibility of this issue, which is long overdue, and to ensure the Department is prepared, informed, and proactive about identifying and eradicating any links to white supremacy within our Department.

Because a police department shapes a city's culture in countless ways, the ad hoc's long term goal is to root out the evil of White Supremacy in both our Police Department and all across our City for the safety of all Oakland residents and Police Officers.

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

XI. Open Forum Part 2 (2 minutes per speaker)

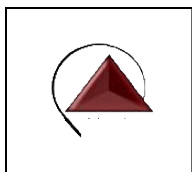
Vice Chair José Dorado will invite public speakers to speak on items that were not on the agenda, and that are within the subject matter jurisdiction of the Commission, with priority given to speakers who were unable to address the Commission during Open Forum at the beginning of the meeting. Speakers who made comments during Open Forum Part 1 will not be permitted to make comments during this Open Forum. Comments previously made during public comment on agenda items may not be repeated during this Open Forum. The Vice Chair has the right to reduce speaking time to 1 minute for reasons the Vice Chair will state on the record. ***This is a recurring item.***

XII. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. ***This is a recurring item.*** ([Attachment 12](#)).

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

XIII. Adjournment



LEADERSHIP INCORPORATED

**OAKLAND POLICE COMMISSION
PROJECT CLOSE-OUT REPORT
MARCH 11, 2021**

Frank J. Omowale Satterwhite, PH.D. President, Leadership Incorporated
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**OAKLAND POLICE COMMISSION
PROJECT CLOSE-OUT REPORT
MARCH 11, 2021**

Project Description

In September 2020, Leadership Incorporated was engaged by the Oakland Police Commission (OPC) to co-design and facilitate a one-day planning retreat. The work scope consisted of: (1) conducting police commission research and preparing a report; (2) interviewing OPC Commissioners and other affiliated individuals and preparing a report; (3) developing an agenda, facilitating the OPC retreat and preparing a report; and (4) developing a 2021 Action Plan. The contract period was September 2020 to March 2021.

| SCOPE OF SERVICES | PROJECT OUTPUTS/OUTCOMES |
|--|--|
| <ul style="list-style-type: none"> Attend orientation/briefing meetings with the OPC Chair and complete follow-up tasks | Attended informative orientation/briefing meetings with the OPC Chair |
| <ul style="list-style-type: none"> Review background information and other relevant documents to prepare for carrying out the approved work scope | Reviewed relevant documents and other informational materials provided by OPC including: (1) Performance Audit of the Oakland Police Commission and the Community Police Review Agency by the City Auditor; (2) Joint Rebuttal Submission to City Auditor by the Oakland Police Commission and Community Police Review Agency; (3) Minutes of Oakland Police Commission meetings; (4) Correspondence to Oakland City Council by the Oakland Police Commission and Community Police Review Agency; and (5) Published articles on Oakland Police Commission meetings. |
| <ul style="list-style-type: none"> Conduct research on best practices of police commissions in other jurisdictions | Conducted an Internet search and drafted a research report entitled "Report on Police Boards/Commissions in Five U.S. Cities". The cities were: (1) Chicago, Illinois (<i>Chicago Police Board</i>); (2) Denver, Colorado (<i>Citizens Oversight Board</i>); (3) New York, New York (<i>Civilian Complaint Review Board</i>); (4) San Francisco, California (<i>San Francisco Police Commission</i>); and (5) Seattle, Washington (<i>Community Police Commission</i>). The research topics were: (1) Purpose/Mission; (2) Roles and Responsibilities; (3) Membership and Meetings; and (4) Process for filing, investigating and adjudicating Complaints. |

| SCOPE OF SERVICES | PROJECT OUTPUTS/OUTCOMES |
|--|---|
| <ul style="list-style-type: none"> Conduct individual interviews with OPC Commissioners and other affiliated individuals and draft summary report | <p>Conducted interviews with 13 individuals and drafted an interview report entitled “Oakland Police Commission Pre-Retreat Interview Report, January 30, 2021.</p> <p>Interviewees were current OPC Commissioners (7), former OPC Commissioners (3), an Alternate OPC Commissioner, the CPRA Executive Director and the OPC Attorney.</p> <p>Findings were reported in the following areas:</p> <ul style="list-style-type: none"> <i>Assessment:</i> OPC strengths, weaknesses, opportunities and Threats <i>Vision:</i> OPC vision <i>2021 Planning:</i> OPC strategic priorities and target dates in Q1, Q2, Q3 and Q4 <i>Retreat:</i> Desired retreat outcomes |
| <ul style="list-style-type: none"> Develop agenda, resource packets and facilitation strategy for Oakland Police Commission retreat | <p>Co-designed agenda with OPC Chair, formulated an interactive facilitation strategy and compiled various documents for distribution to retreat participants</p> |
| <ul style="list-style-type: none"> Facilitate the Oakland Police Commission retreat | <p>Facilitated a one-day OPC retreat</p> |
| <ul style="list-style-type: none"> Prepare report on the Oakland Police Commission retreat | <p>Drafted a “Retreat Report” with a summary of the proceedings and major outcomes</p> |
| <ul style="list-style-type: none"> Draft 2021 action plan for the Oakland Police Commission | <p>Worked with the OPC Chair to draft an OPC 2021 Action Plan</p> |
| <ul style="list-style-type: none"> Attend Oakland Police Commission meeting to debrief retreat and review the 2021 action plan | <p>Attended OPC meeting on March 11, 2021 to review the retreat report and 2021 Action Plan</p> |
| <ul style="list-style-type: none"> Prepare summary report on the Oakland Police Commission project | <p>Drafted a summary report highlighting the main activities and outcomes of the OPC project.</p> |

Looking Forward

The lead consultant offers the following recommendations for consideration by the OPC:

Internal Operations

- Finalize and adopt internal policy and procedure protocols in the following areas: (1) OPD Policy Review Process, (2) Code of Conduct, (3) Chief of Police Evaluation Criteria, (4) OPC Orientation Program; and (5) Rules of Order.
- Address key personnel matters in a timely way including (1) setting goals and evaluation criteria for the Police Chief, (2) hiring an Inspector General and (3) hiring OPC staff.
- Continue to be a high performing, self-critical public body that delivers on its promise.

Planning

- Implement the strategic priorities stated in the 2021 Action Plan, which are grouped into the following categories: (1) Planning, (2) Personnel, (3) Policy Development and Implementation, (4) City Budget, (5) Community Engagement, (6) City Auditor and (7) Negotiated Settlement Agreement.

Founding Commissioners

- Present 2020 citations for outstanding leadership and service to the founding Commissioners.

Community Engagement

- Develop formal community engagement process
- Convene unity meetings to develop a common public safety agenda for the City of Oakland.

Field Leadership

- Be bold and imaginative in re-envisioning public safety in Oakland.
- Document OPC's story and share it with the broader community and the field.



City of Oakland

Police Recruitment and Promotional Process

Police Commission

April 22, 2021

Human Resources Management Department



Agenda

- I. Civil Service Overview
- II. Police Officer Trainee Recruitment Process
- III. Police Promotional Process
- IV. Probationary Periods



Police Officer Trainee recruitment process

- Part time employees – Exempt from Civil Service
- Recruitment Process (HRM and OPD)
 - Standardized Written exam
 - POST Pellet B
 - National Testing Network (NTN)
 - Accept scores from regional training centers
 - Standardized Physical Agility Test
 - Standardized Oral exam – Oral Boards
 - Robust Assessor Training
 - Board Composition
- All successful candidates referred to Department



Police Officer Trainee recruitment process

- OPD Background process – POST regulated
 - Personal History Statement
 - Comprehensive Background Investigation
 - Chief's Panel
 - Psychological testing
 - Polygraph examination
 - Medical exam
- Offers of employment:
 - Conditional (pre psych and medical)
 - Final



Police Officer Trainee recruitment process

- Academy process – 6 months
 - Standardized POST learning domains
 - Community and constitutional policing
 - Crisis intervention training
 - Tactical communication (de-escalation)
 - Firearms
 - Defensive tactics
 - Weaponless defense
 - Laws of arrest
 - Criminal law
 - Emergency vehicle operations
 - Cultural diversity
 - Etc.
- Academy scores inform shift draw ranking



Police Promotional Process

- Active Eligible Lists are required
- Timelines for announcement:
 - 30 days before expiration
 - Stage 1 – Within 90 days of list exhaustion
- Minimum Qualifications:
 - Sergeant of PD – 5 years as Police Officer
 - Lieutenant of PD – 3 years as Sergeant
 - Captain of PD – 1 year as Lieutenant



Police Promotional Process

- Examination stages and weights:
 - Weights determined by current job analysis (Time and Criticality)
 - Announcement contains:
 - Timeline
 - Reading list
 - Weights
 - Stage 1 – Written: Based on required reading
 - Stage 2 – Assessment Center:
 - Outside panel
 - Includes role-play, in-box exercises, interview, etc.



Police Promotional Process

- Observer:
 - Selected by Chief of Police, HR Director and President of the Association
 - Rank above that being tested
 - Can be from an outside agency
 - Can be active or retired
 - Can raise issues of discrimination or testing irregularity
 - Present at training and all exam stages
 - Confidential and cannot disclose exam material



Police Promotional Process

- Conduct of Examinations:
 - Objective – written exam (item analysis)
 - Anonymity – all participants are assigned ID numbers
 - Confidentiality agreement
 - Pass point established by HRM
 - Seniority points for Sergeant:
 - 1 year FTO = 1 point
 - 2 years FTO = 2 points



Police Promotional Process

- Eligible Lists:
 - 12 months
 - Can be extended by 30 days
- Certification:
 - 4 names for 1st vacancy
 - 1 additional name for additional vacancy
- Disputes follow the grievance procedure



Police Probationary Periods

- Probation is an extension of the exam process
- Police Officer – 12 months
- Promotional appointment – 6 months

Release subject to appeal to the Civil Service Board on narrow basis:

- Discrimination
- Timeliness of evaluations

To: Regina Jackson, Oakland Police Commission Chair
From: Tara Anderson, Former Oakland Police Commissioner
Date: January 12, 2021
RE: Recommendations for Policy Development and Implementation

BACKGROUND

On November 8, 2016, City of Oakland residents voted to approve Measure LL thereby creating a civilian Police Commission to oversee Oakland Police Department policies and practices and CPRA's investigations of police misconduct complaints. CPRA replaced the Community Police Review Board (CPRB). On November 3, 2020 voters approved Measure S1, which further amends the Oakland City Charter strengthening the Oakland Police Commission and expressly permitting the Commission to hire the Inspector General position. The Inspector General will have the authority to review, analyze and make recommendations on policies and procedures relating to police misconduct and use of force.

This memorandum is based my experience participating in the development and approval of five Oakland Police Department (OPD) Policies during my 2019-2020 term as an Oakland Police Commissioner.

- Departmental General Order R-02: Searches of Individuals on Probation, Parole, Mandatory Supervision and PRCS (Post-Release Community Supervision)-July 2019
- Special Order 9196: Documentation of the Use of Force-August 2019
- Special Order 9202: Documentation of the Use of Force- Feb 2020
- Department General Order K-03: Use of Force-October 2020
- Special Order 9205: Banning Carotid Restraint and All Forms of Asphyxia- October 2020

Policies for the purpose of this memo are intended to include but are not limited to OPD Special Orders, Department General Orders and Training Bulletins. This memo was prepared upon request of Chair Jackson with the intent to inform discussion at the January 30, 2021 Commission retreat. The following nine recommendations are submitted with the greatest respect toward those currently serving on the Commission and the public.

RECOMMENDATIONS

1. Publish a Priority Policy List. Make public a list of Oakland Police Department Policies identified as a priority for the Commission and Inspector General to review. This Priority Policy List should be generated annually by the Commission as a whole and updated throughout the course of the year as priorities shift. When formal requests are made by the public, OPD, CPRA or Inspector General to review or update a specific policy this should be acknowledged by the chair on the record during the next Police Commission meeting and logged on the publicly posted policy priority list. The Policy Priority List should be posted on the Oakland Policy Commission website under the Projects tab. This can serve as the 'initial intent to review or draft' outlined in the Commission Process for editing or drafting policy.

2. Create a memo for each Policy at the onset of the development process. Each policy revision process should have a formal memo defining the policy issue to be addressed. The description should include data, public testimony, Federal Monitor Reports, CPRA reports, or other

source material used to identify the specific policy as a priority for review. This memo should include the intent of the policy revision or development of the new policy, and workplan including deadlines for deliverables. Each policy memo must also include the plan for public engagement. The Policy memo should be made available to the public and placed on the agenda as a part of the regular Commission meetings to solicit feedback.

3. Set clear expectations about public engagement from the onset of each policy revision process. There are various reasons that may compel the Commission to convene an open or closed ad hoc policy committee meeting. Reasons can include but not be limited to time sensitive or urgent nature of the change in policy, and exigent circumstances. The reason for the determination that a policy specific ad hoc committee is open or closed should be stated on the record at a regular Commission meeting during the creation of the ad hoc or at the next meeting immediately following and included in the publicly Priority Policy List.

4. Establish policy specific ad hoc committees. Multiple policy specific ad hoc committees can function simultaneously and leverage the time and expertise of multiple Commissioners. City Council approval is not required for creating temporary or ad hoc committees. The Commission does not have the staffing capacity to support the creation of a Standing Policy Committee. In addition, the Commission must obtain City Council approval prior to the creation of any standing committee. A proposal to create a standing committee of the Commission must include information regarding the costs associated with staffing the standing committee, if any, and the costs of complying with noticing and reporting requirements resulting from its establishment.

5. Leverage tools that solicit community feedback outside of regular Commission or ad hoc meetings. These can include but not be limited to town halls, targeted community street outreach, and web-based applications, like Konveio. Konveio is a platform that supports an interactive public engagement on written policy. Regardless of how comfortable any real or virtual meeting space is made people will not feel comfortable coming forward and speaking out against police violence. It is the Commission's responsibility to, as best as reasonably possible, reach those voices and incorporate feedback into the development of policy.

In addition, I highly recommend using the Spectrum of Public Participation to set clear expectations, which was developed by the International Association of Public Participation (IAP2) to help clarify the role of the public (or community) in planning and decision-making, and how much influence the community has over planning or decision-making processes. It identifies five levels of public participation (or community engagement). The levels range from inform to empower. An example of an application of this method can be found in the [meeting materials for July 9, 2020](#).

6. Incorporate the Racial Equity Toolkit into the development of all policies. In consultation with the Department of Race and Equity, Commission policy ad hocs should apply a racial equity tool to draft policy. According to the Government Alliance on Race and Equity (GARE), racial equity tools are designed to integrate explicit consideration of racial equity in decisions, including policies, practices, programs, and budgets. It is both a product and a process. Use of a racial equity tool can help to develop strategies and actions that reduce racial inequities and improve success for all groups. Too often, policies and programs are developed and implemented without thoughtful consideration of racial equity. When racial equity is not explicitly brought into operations and

decision-making, racial inequities are likely to be perpetuated. Racial equity tools provide a structure for institutionalizing the consideration of racial equity.

7. Maintain Individual Project Commission web pages for each policy ad hoc. All policy related materials, including the initial policy memo, research reports, and policy drafts should be posted on the project specific pages. This will ease public review of the specific policy providing a single project file with related materials rather than requiring that people navigate through meeting agenda packets.

8. Revise the Commission Process for editing or drafting policy. The process outlined in the proposal as voted on by the Commission in Fall 2018 includes specific tasks to be completed by the Director of the CPRA. I would recommend revisiting this language and expanding the list of individuals that can be called upon by the Chair to draft documents and materials. At a minimum this should include the CPRA Director or a designee, Inspector General or a designee, Commission staff and subject matter experts. I would further recommend that the notice timeline be discussed amongst Commissioners and Commission staff. In my experience 4-6 weeks is not a realistic timeline for advanced notice, unless a priority policy list is generated on an annual basis (see Recommendation 1). In practice meeting public disclosure responsibilities for the meeting notice was the most achievable timeline.

9. Create standing item on the regular Commission agenda for policy implementation. Once a policy is approved by the Commission there can be several steps before the policy is implemented. Having a regular report out at least once a month on implementation status of all policies approved by the Commission, will keep both the commission and public informed about, the development of training, the meet and confer process (when initiated), and impact of the policy. As an alternative to a standing agenda item the Commission could choose to have the Chief report include these updates.

CONCLUSION

The Oakland Police Commission is one of the strongest civilian police oversight bodies in the country. The Commission has the responsibility to oversee OPD policies and practices, and hundreds of those policies are decades old. The Commission must set a plan of action for addressing the priority policies for review in a way that is consistent and prioritizes transparency and successful implementation. These nine recommendations are a step toward realizing that goal.

OPD Policies for Review

Canine: DGO K-09

Current Policy: [DGO K-9, Department Canine Program](#)

Year Developed: 2006

Status: Review of policy has been requested, but no current drafting status.

Brief Definition: The mission of the Department Canine Program is to train, maintain and deploy Canine Teams to search for and locate criminal suspects and evidence in order to safeguard our community and police officers. The law enforcement industry has recognized that the appropriate deployment of police canines enhances the safety of citizens and officers by increasing an agency’s ability to capture criminals and locate items of evidence. A dog bite is an intermediate use of force that may inflict serious injury. Therefore, this policy only allows Patrol Canine deployments for violent forcible crimes, burglary and weapons related offenses.

CPRA Report Recommendations: 2020 – [April 23](#) - The CPRA recommends that the Department provide training to all OPD members on utilizing interpreters/translators in the field, and that the Canine Program integrate the use of interpreters/translators in regular training scenarios. DGO K-9 and DGO K-4 presumptively categorize canine bites as Level 2 uses of force. Due to the potential for canine bites to cause severe bodily injury, the CPRA recommends eliminating the presumption that a canine bite is automatically a Level 2 use of force. Updating the policy to indicate that a canine bite shall be at least a Level 2 or above, followed by the criteria for both Level 2 and Level 1 cases, would provide clarity to officers in incidents such as these.

[Federal Monitor Report](#) **Task Number:** no defined task number

Commission Work Plan

| Ad Hoc Committee | Deadline for Final Draft | Date to Present at Meeting |
|------------------|--------------------------|----------------------------|
| | | |

Community Engagement

Current Policy: [DGO B-7 Public Appearances](#) and [BFO 11-01 Problem Solving Officer Deployment and Responsibilities](#)

Year Developed: DGO B-7, 2005 and BFO 11-01, 2011

Status: No work at this time on new policy iteration.

Brief Definition: DGO B-7: The purpose of this order is to set forth Departmental policy and procedures for providing and authorizing qualified personnel to make public appearances, to set forth policy on public appearance tracking responsibility and to provide a centralized file for public appearance information.

BFO 11-01: The purpose of this directive is to set forth bureau policy and procedures regarding deployment, responsibilities and standards for Departmental Problem Solving Officers (PSOs). These objectives and standards are designed not only to meet legal mandates but also to improve police community relations, enhance City-wide problem-solving efforts, reduce violent crime, and diminish citizens' perception of crime.

CPRA Report Recommendations: 2020 – [October 22](#) - The CPRA recommends that Field Training Officers receive additional training related to communication with the public and trainees during an incident. The CPRA recommends additional training related to communications with detainees during an incident.

[Federal Monitor Report](#) Task Number: no defined task number

Commission Work Plan

| Ad Hoc Committee | Deadline for Final Draft | Date to Present at Meeting |
|------------------|--------------------------|----------------------------|
| | | |

Community Policing: Bureau of Field Operations (BFO) 15-01

Current Policy: [Training Bulletin III-A.05, Community-Oriented Policing](#) and [SO 9112 Revision of TB III-A.05](#)

Year Developed: 2008

Status: [Draft of 15-01](#) has been submitted to Police Commission

Brief Definition: Community Policing is the affirmed public safety policy and philosophy of the City of Oakland and Oakland Police Department and its purpose is to reduce crime, enhance public safety and to improve quality of life through police and community partnerships. The purpose of this directive is to set forth bureau procedures regarding expectations and responsibilities for Neighborhood Service Coordinators (NSCs), Community Resource Officers (CROs), Foot Patrol Officers, Crime Reduction Team (CRT) Officers, and Community Meetings. This policy is designed to improve police community relations, enhance Citywide problem-solving efforts, reduce serious and violent crime, and address public safety issues through the community policing philosophy.

[Federal Monitor Report](#) **Task Number: 47 Community Policing Plan**

Commission Work Plan

| Ad Hoc Committee | Deadline for Final Draft | Date to Present at Meeting |
|-------------------------|---------------------------------|-----------------------------------|
| | | |

Handcuffing: (Lexipol 302)

Current Policy: [Handcuffing and Restraints](#)

Year Developed: This is a Lexipol policy. Policy says printed date is 2017.

Status: Request has been made to move this to the current DGO format, but still in the drafting phase.

Brief Definition: The use of handcuffs and other restraints is intrusive and can impact the community’s trust in the police. As courts put it, the use of handcuffs “substantially aggravates the intrusiveness of an otherwise routine investigatory detention and is not part of a typical Terry (investigative) stop.” The application of restraints shall never be considered a part of standard operating procedure. This policy sets forth guidelines for the use of handcuffs and other restraints during arrests and detentions.

CPRA Report Recommendations: [2019 Policy and Training Recommendations](#) page 3, number 13 - The CPRA recommends that the Department provide additional training on when officers can handcuff or pat search detainees; towing procedures and explaining Fourth Amendment justifications for handcuffing and pat searching under Terry.; 2020 – [May 28](#), - The CPRA recommends that OPD consider instituting more specific policies and/or training regarding the handcuffing of pregnant women. In particular, CPRA staff recommend that OPD: consider training officers on the specific risks associated with handcuffing pregnant women, so that officers are better positioned to evaluate the totality of the circumstances when presented with a pregnant detainee/arrestee; consider training officers on modified restraint methods that would alleviate these risks, so that officers are better positioned to determine whether modified restraints would be appropriate in a given situation; and consider developing more specific standards to inform officer discretion when presented with the choice of whether and how to handcuff pregnant detainees/arrestees, along the lines of the more specific instruction officers receive related to using certain types of force on pregnant women. [November 12](#) - The CPRA recommends that officers receive additional training related to the proper positioning of handcuffs.

[Federal Monitor Report](#) **Task Number: no defined task number**

Commission Work Plan

| Ad Hoc Committee | Deadline for Final Draft | Date to Present at Meeting |
|------------------|--------------------------|----------------------------|
| | | |

IAD Manual

Current Policy: Draft of a manual has been completed.
Year Developed: 2020
Status: Draft completed. Expected request for Commission ad hoc forthcoming.
Brief Definition: A document that sets forth roles and responsibilities for Internal Affairs Division Personnel.

Federal Monitor Report **Task Numbers: 1-17, 29, 37**

| Task | Name |
|-------------|--|
| 1 | IAD Staffing and Resources |
| 2 | Timeliness Standards and Compliance with IAD Investigations |
| 3 | IAD Integrity Tests |
| 4 | Complaint Control System for IAD and Informal Complaint Resolution Process |
| 5 | Complaint Procedures for IAD |
| 6 | Refusal to Accept or Refer Citizen Complaints |
| 7 | Methods for Receiving Citizen Complaints |
| 8 | Classifications of Citizen Complaints |
| 9 | Contact of Citizen Complainants |
| 10 | Procedure Manual for Investigations of Citizen Complaints |
| 11 | Summary of Citizen Complaints Provided to OPD Personnel |
| 12 | Disclosure of Possible Investigator Bias |
| 13 | Documentation of Pitchess Responses |
| 14 | Investigation of Allegations of MoR Violations |
| 15 | Reviewing Findings and Disciplinary Recommendations |
| 16 | Supporting IAD Process – Supervisor/Managerial Accountability |
| 17 | Audit, Review, and Evaluation of Functions |
| 29 | IAD Investigation Priority |
| 37 | Internal Investigations – Retaliation Against Witness |

Commission Work Plan

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|-------------------------|---------------------------------|-----------------------------------|
| | | |

Missing Persons: DGO O-06

Current Policy: [DGO-O-06 Missing and Abducted Persons](#)

Year Developed: 2009

Status: Drafting in progress.

Brief Definition: A missing person is any juvenile or adult who is missing voluntarily or involuntarily under circumstances not conforming to his or her ordinary habits or behavior and who may be in need of assistance. Penal Code Section 14295(a) states, all local police and sheriffs’ departments shall accept any report, including any telephonic report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports related to crimes involving property.

CPRA Report Recommendations: 2020 – [June 25](#) - The CPRA recommends that OPD work with the proper legal advisers to bring DGO O-6 – Missing Persons up to date as quickly as is practicable, including the following specific edits: a) The DGO references Penal Code section 14213 for the definition of an “at risk” individual; in 2017, the Legislature renumbered that section and the definition is now contained in Penal Code section 14215. b) The DGO references Penal Code section 14205, and talks about steps to take when a missing person is under the age of 16 or “at risk”. That section was renumbered in 2015, and also revised to include persons under the age of 21, not 16. Additionally, the department should independently double-check the DGO against current law, and consult with current subject matter experts for recent changes in best practices.

[Federal Monitor Report](#) **Task Number:** no defined task number

Commission Work Plan

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| | | |

OIS Policy: Criminal Investigations Division (CID) 19-01

Current Policy: No current policy, drafting in progress.
Year Developed: N/A
Status: Drafting in progress.
Brief Definition: A policy regarding investigation by the Criminal Investigation Division of officer involved shootings and other serious uses of force.

[Federal Monitor Report](#) **Task Number: 31 Officer-Involved Shooting Investigation**

Commission Work Plan

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| | | |

Racial Profiling: DGO M-19

Current Policy: [DGO M-19 Prohibitions Regarding Racial Profiling and Other Bias-Based Policing](#)
Year Developed: 2004
Status: Department recognizes need for revision, no draft as of yet.
Brief Definition: The Department recognizes that there has been a growing national perception that law enforcement action is too often based on racial stereotypes (“racial profiling”) or other bias-based policing – whether it is against African Americans, Latinos, Asians, Middle Easterners, South Asians, or any other race, ethnicity, national origin, gender, age, religion, sexual orientation, or disability. In Oakland, there is concern within our communities that some members may engage in this behavior. Whether individual members agree or not, we, as an organization, must recognize that this concern exists and be responsive to it. The purpose of this policy is to reaffirm the Oakland Police Department’s commitment to providing service and enforcing laws in a fair and equitable manner, and to establish a relationship with the community based on trust and respect. Whenever our practices are, or are perceived to be, biased, unfair, or disrespectful, we lose public trust and support and diminish our effectiveness.

[Federal Monitor Report](#) **Task Number: no defined task number**

Commission Work Plan

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| | | |

Social Media

Current Policy: No current policy specific to the Department and its members.

Year Developed: N/A

Status: Policy on Department (official) social media is in the drafting phase. Policy on member (personal) use of social media is in the drafting phase.

Brief Definition: A policy on the use of social media Department-wide and as a member of the Department.

CPRA Report Recommendations: 2020 – [June 25](#) - The CPRA recommends that the Department continue to review its social media policy and make recommendations for appropriate revisions. Those should include: a) Comparing OPD policy to that of other jurisdictions for best practices; b) Creating specific guidance in missing persons cases as to when social media should and should not be used, including consultation with family members of the missing person; c) Having a central mid-level member (likely professional, not sworn) designated to monitor the overall use of the Department’s social media platforms with an eye towards ensuring consistent messaging to the community about the Department’s priorities.

[Federal Monitor Report](#) **Task Number: no defined task number**

Commission Work Plan

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| | | |

SWAT: Tactical Operations Team DGO K-05

Current Policy: [Tactical Operations Team \(DGO K-05\)](#)

Year Developed: 2000

Status: No work at this time on new policy iteration.

Brief Definition: Recognizing that the use of specially trained and equipped police tactical operations teams during critical incidents has been shown to substantially reduce the risk of injury or loss of life to citizens, law enforcement personnel and suspects; and recognizing that a well-managed team response usually results in the successful resolution of such incidents, the Department will utilize the Tactical Operations Team as a resource for the handling of appropriate critical incidents as described in this order. The purpose of this order is to set forth Departmental policy regarding the Tactical Operations Team, consisting of Tactical Commanders, the Entry Team, Sniper Team and Hostage Negotiation Team, and to establish policy for deployment during high risk operations.

[Federal Monitor Report](#) **Task Number: no defined task number**

Commission Work Plan

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CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Recently Completed Investigations
(Allegations in bold were discovered by CPRA investigators)

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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|--|-------------------|
| JS | 20-1147 | 9/6/20 | 3/20/21 | 9/6/21 | Subject Officer 1 | Use of Force (Level 3) | <i>Unfounded</i> |
| AL | 20-0546 | 5/5/20 | 3/24/21 | 5/11/21 | Subject Officer 1 | Use of Force (Level 2) | <i>Sustained</i> |
| | | | | | | Performance of Duty – General | <i>Sustained</i> |
| | | | | | | Performance of Duty – Care of Property | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Conduct Toward Others – Demeanor | <i>Sustained</i> |
| | | | | | | Performance of Duty – Care of Property | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 2) | <i>Unfounded</i> |
| ED | 20-0466 | 4/24/20 | 3/25/21 | 4/23/21 | Subject Officer 1 | Performance of Duty – General | <i>Sustained</i> |
| | | | | | | Conduct Toward Others – Harassment and Discrimination | <i>Unfounded</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure, or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | | Use of Force (multiple levels) | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure, or Arrest | <i>Exonerated</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|--------|---------------|-----------------|-------------|-------------------|--|-------------------|
| | | | | | Subject Officer 2 | Performance of Duty – General | <i>Sustained</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Unfounded</i> |
| | | | | | Subject Officer 3 | Performance of Duty – General | <i>Sustained</i> |
| | | | | | | Conduct Toward Others – Harassment and Discrimination | <i>Unfounded</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Use of Force (multiple levels) | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 4 | Conduct Toward Others – Demeanor | <i>Sustained</i> |
| | | | | | | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | Subject Officer 5 | Conduct Toward Others – Harassment and Discrimination | <i>Unfounded</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|---|-------------------------|
| | | | | | Subject Officer 6 | Conduct Toward Others – Harassment and Discrimination | <i>Unfounded</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper | <i>Exonerated</i> |
| | | | | | No Officer | No MOR Violation | <i>No MOR Violation</i> |
| | | | | | | No MOR Violation | <i>No MOR Violation</i> |
| | | | | | | No MOR Violation | <i>No MOR Violation</i> |
| MB | 20-1517 | 11/30/20 | 3/18/21 | 11/29/21 | Subject Officer 1 | Conduct Toward Others – Harassment and Discrimination (Race) | <i>Unfounded</i> |
| | | | | | | Conduct Toward Others – Demeanor | <i>Unfounded</i> |
| | | | | | Subject Officer 2 | Conduct Toward Others – Harassment and Discrimination (Race) | <i>Unfounded</i> |
| | | | | | | Conduct Toward Others – Demeanor | <i>Unfounded</i> |
| MB | 20-1483 | 11/20/20 | 3/19/21 | 11/19/21 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Unfounded</i> |
| | | | | | | Use of Force | <i>Exonerated</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|---|-------------------------|
| | | | | | Unknown Officer | No MOR Violation | <i>No MOR Violation</i> |
| | | | | | | No MOR Violation | <i>No MOR Violation</i> |
| RM | 21-0073 | 1/19/21 | 4/8/21 | 1/18/22 | Subject Officer 1 | Conduct Toward Others – Harassment and Discrimination (Race) | <i>Unfounded</i> |
| MB | 21-0006 | 1/2/21 | 4/2/21 | 1/3/22 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Unfounded</i> |
| | | | | | | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Unfounded</i> |
| | | | | | | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | Subject Officer 3 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Unfounded</i> |
| | | | | | | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | Subject Officer 4 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Unfounded</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|---|-------------------------|
| | | | | | | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | Subject Officer 5 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Unfounded</i> |
| | | | | | | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | No Officer | Service Related | <i>Service Related</i> |
| MB | 21-0029 | 10/14/20 | 4/1/21 | 1/7/22 | Subject Officer 1 | Performance of Duty – General | <i>No MOR Violation</i> |
| MB | 21-0087 | 1/21/21 | 4/1/21 | 1/20/22 | Subject Officer 1 | Conduct Toward Others – Harassment and Discrimination (General) | <i>Unfounded</i> |
| | | | | | | Conduct Toward Others – Harassment and Discrimination (Disability) | <i>Unfounded</i> |
| | | | | | | Conduct Toward Others – Harassment and Discrimination (Race) | <i>Unfounded</i> |
| | | | | | | No MOR Violation | <i>No MOR Violation</i> |
| | | | | | | No MOR Violation | <i>No MOR Violation</i> |
| | | | | | | No MOR Violation | <i>No MOR Violation</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|--|-----------------------------------|
| MB | 21-0063 | 1/18/21 | 3/25/21 | 1/17/22 | Officer Unknown | Use of Force | <i>Unfounded</i> |
| MB | 20-1580 | 12/17/20 | 3/25/21 | 12/16/21 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 3 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Unfounded</i> |
| | | | | | Subject Officer 4 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| RM | 21-0073 | 1/19/21 | 4/8/21 | 1/18/22 | Subject Officer 1 | Conduct Toward Others – Harassment and Discrimination (Race) | <i>Unfounded</i> |
| RM | 21-0050 | 1/9/21 | 4/8/21 | 1/13/22 | Subject Officer 1 | Performance of Duty – General | <i>Exonerated</i> |
| RM | 21-0023 | 12/29/20 | 4/8/21 | 12/30/21 | Unknown Officer | Performance of Duty – General | <i>Unable to identify officer</i> |
| RM | 20-1327 | 10/14/20 | 4/6/21 | 10/14/21 | Subject Officer 1 | Conduct Toward Others – Demeanor | <i>Unfounded</i> |
| | | | | | | Use of Force | <i>Exonerated</i> |
| RM | 20-1596 | 12/12/20 | 4/2/21 | 12/16/21 | No Officer | Service Related | <i>Service Related</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|----------------------|---------------|-----------------|-------------|-------------------|--|-------------------|
| KT | 20-0258 | 3/3/20 | 2/25/20 | 3/3/20 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure, or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | | Custody of Prisoner – Treatment | <i>Sustained</i> |
| | | | | | | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | Subject Officer 2 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | | Custody of Prisoner – Treatment | <i>Sustained</i> |
| | | | | | | Performance of Duty – General | <i>Unfounded</i> |
| - | PROTEST CASES | | | | | - | |
| KT | 20-0662 | 6/1/20 | 3/25/21 | 6/1/21 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Sustained</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---|-------------------|---------------|-----------------|-------------|-------------------|--|-------------------|
| KT | 20-1380 | 5/30/20 | 4/1/21 | 10/26/21 | Subject Officer 1 | Conduct Toward Others – Demeanor | <i>Sustained</i> |
| KT | 20-0685 | 6/1/20 | 4/2/21 | 6/4/21 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Care of Property | <i>Sustained</i> |
| | | | | | | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Performance of Duty – Unintentional/ Improper Arrest | <i>Exonerated</i> |
| | | | | | | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | Subject Officer 3 | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | Subject Officer 4 | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | KT | 20-0197 | 6/1/20 |
| Performance of Duty – General | <i>Unfounded</i> | | | | | | |
| Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> | | | | | | |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|--|----------------------|
| KT | 20-1378 | 5/30/20 | 4/5/21 | 10/28/21 | Subject Officer 1 | Use of Force – Level 4 | <i>Not Sustained</i> |
| | | | | | | Performance of Duty – General | <i>Not Sustained</i> |
| KT | 20-1157 | 5/29/20 | 4/8/21 | 9/8/21 | Subject Officer 1 | General Conduct | <i>Sustained</i> |
| KT | 20-0667 | 6/1/20 | 4/9/21 | 6/1/21 | Subject Officer 1 | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | Subject Officer 2 | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | Subject Officer 3 | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | Subject Officer 4 | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | Subject Officer 5 | Performance of Duty – General | <i>Unfounded</i> |
| | | | | | Unknown Officer | Conduct Toward Others – Demeanor | <i>Unfounded</i> |
| KT | 20-0661 | 6/1/20 | 4/9/21 | 6/1/21 | Subject Officer 1 | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 2) | <i>Unfounded</i> |
| | | | | | | Use of Force (Level 4) | <i>Unfounded</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|--|----------------------|
| | | | | | | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Performance of Duty – Unintentional/ Improper Search, Seizure, or Arrest | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 2) | <i>Unfounded</i> |
| | | | | | | Use of Force (Level 4) | <i>Unfounded</i> |
| KT | 20-0961 | 6/1/20 | 4/2/21 | 6/1/21 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| KT | 20-0988 | 6/1/20 | 4/2/21 | 6/2/21 | Unknown Officer | Use of Force (Level 2) | <i>No Officer</i> |
| KT | 20-1568 | 5/30/20 | 4/2/21 | 11/25/21 | Unknown Officer | Use of Force (Level 2) | <i>No Officer</i> |
| KT | 20-1579 | 5/29/20 | 4/6/21 | 11/25/21 | Subject Officer 1 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| KT | 20-0705 | 5/29/20 | 4/6/21 | 6/12/21 | Unknown Officer | Use of Force (Level 2) | <i>Unfounded</i> |
| KT | 20-0853 | 5/29/20 | 4/6/21 | 7/6/21 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 2) | <i>Not Sustained</i> |
| | | | | | | Use of Force (Level 3) | <i>Not Sustained</i> |



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| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|--|-------------------|
| | | | | | Subject Officer 2 | Use of Force (Level 3) | <i>Unfounded</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 3 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 4 | Use of Force (Level 3) | <i>Unfounded</i> |
| | | | | | Subject Officer 5 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 3) | <i>Unfounded</i> |
| | | | | | Subject Officer 6 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| KT | 20-1575 | 5/29/20 | 4/6/21 | 11/25/21 | Subject Officer 1 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 2) | <i>Unfounded</i> |
| | | | | | Subject Officer 2 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 2) | <i>Unfounded</i> |
| | | | | | Subject Officer 3 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 2) | <i>Unfounded</i> |



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Recently Completed Investigations
(Allegations in bold were discovered by CPRA investigators)

4/14/21
Page 12 of 15
 (Total Completed = 43)

| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|------------------------|-------------------|
| | | | | | Subject Officer 4 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 2) | <i>Unfounded</i> |
| KT | 20-0644 | 5/30/20 | 4/2/21 | 5/31/21 | Unknown Officer | Use of Force (Level 2) | <i>Unfounded</i> |
| KT | 20-0652 | 5/30/20 | 4/2/21 | 5/31/21 | Subject Officer 1 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | Subject Officer 3 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | Subject Officer 4 | Use of Force (Level 3) | <i>Exonerated</i> |
| | | | | | Subject Officer 5 | Use of Force (Level 3) | <i>Exonerated</i> |
| KT | 20-0871 | 5/29/20 | 4/2/21 | 6/10/21 | Subject Officer 1 | Use of Force (Level 3) | <i>Unfounded</i> |
| | | | | | Subject Officer 2 | Use of Force (Any) | <i>Unfounded</i> |
| KT | 20-0648 | 6/1/20 | 3/23/21 | 5/31/21 | Subject Officer 1 | Use of Force (Level 1) | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 4) | <i>Unfounded</i> |



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Recently Completed Investigations
(Allegations in bold were discovered by CPRA investigators)

4/14/21
Page 13 of 15
 (Total Completed = 43)

| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|--|----------------------|
| | | | | | | Use of Force (Level 4) | <i>Unfounded</i> |
| KT | 20-0643 | 5/31/20 | 3/20/21 | 6/1/21 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | Subject Officer 3 | Performance of Duty – PDRD | <i>Exonerated</i> |
| | | | | | | Failure to Accept or Refer a Complaint (Unintentional) | <i>Not Sustained</i> |
| | | | | | Subject Officer 4 | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | | Conduct Toward Others – Demeanor | <i>Unfounded</i> |
| | | | | | Subject Officer 5 | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 6 | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure, or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 7 | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | Subject Officer 8 | Use of Force (Level 4) | <i>Exonerated</i> |



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Recently Completed Investigations
(Allegations in bold were discovered by CPRA investigators)

4/14/21
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 (Total Completed = 43)

| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|---|-------------------|
| KT | 20-0648 | 6/1/20 | 3/20/21 | 6/1/21 | Subject Officer 1 | Use of Force (Level 1) | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Use of Force (Level 4) | <i>Exonerated</i> |
| | | | | | | Use of Force (Level 4) | <i>Unfounded</i> |
| | | | | | Subject Officer 3 | Use of Force (Level 4) | <i>Unfounded</i> |
| KT | 20-0658 | 6/1/20 | 3/20/21 | 6/1/21 | Subject Officer 1 | Use of Force (Level 4) | <i>Unfounded</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Conduct Toward Others – Profiling by Race or Ethnicity | <i>Unfounded</i> |
| | | | | | | Conduct Toward Others – Demeanor | <i>Unfounded</i> |
| | | | | | | Refusal to Provide Name or Serial Number | <i>Unfounded</i> |
| KT | 20-0660 | 6/1/20 | 3/21/21 | 6/1/21 | Subject Officer 1 | Conduct Toward Others – Identity Profiling by Race or Ethnicity | <i>Unfounded</i> |
| | | | | | | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | Subject Officer 2 | Conduct Toward Others – Demeanor | <i>Unfounded</i> |
| KT | 20-0666 | 5/31/20 | 3/21/21 | 5/30/21 | Subject Officer 1 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Recently Completed Investigations
(Allegations in bold were discovered by CPRA investigators)

4/14/21
Page 15 of 15
 (Total Completed = 43)

| Assigned Inv. | Case # | Incident Date | Completion Date | 1-year goal | Officer | Allegation | Finding |
|---------------|---------|---------------|-----------------|-------------|-------------------|---|----------------------|
| | | | | | Subject Officer 2 | Performance of Duty – Unintentional/ Improper Search, Seizure or Arrest | <i>Exonerated</i> |
| | | | | | | Conduct Toward Others – Demeanor | <i>Unfounded</i> |
| | | | | | Subject Officer 3 | Performance of Duty – General | <i>Exonerated</i> |
| | | | | | Subject Officer 4 | Performance of Duty – General | <i>Exonerated</i> |
| KT | 20-0787 | 5/29/20 | 3/21/21 | 5/29/21 | Subject Officer 1 | Failure to Provide a Serial Number | <i>Not Sustained</i> |
| KT | 20-1379 | 5/31/20 | 3/21/21 | 10/26/21 | Subject Officer 1 | Conduct Toward Others – Demeanor | <i>Sustained</i> |

CPRA Made the following Training Recommendations with Respect to Investigations in this Report

| | |
|----------------------------|--|
| Training Recommendation(s) | The CPRA recommends that an Officer be retrained on the words, language and de-escalation tactics taught and trained by the Training Division that can be used while giving commands in order to gain compliance |
|----------------------------|--|

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY

Cases Associated with Public Demonstrations 5/29/20 – 6/1/20 (32 Cases Total)

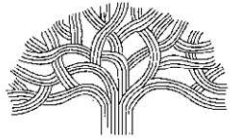
| Case # | Incident Date | Assigned Staff | 180-day Goal | 1-year Goal | Type* (604(f)(1) or Other) | Allegation(s) |
|---------|---------------|----------------|--------------|-------------|--|---|
| 20-0638 | 5/29/2020 | N/A | 11/25/2020 | 5/28/2021 | Use of Force, 1 st Amendment Assembly | Use of Force, Performance of Duty, Unintentional/Improper Search Seizure Arrest |
| 20-0639 | 5/30/2020 | N/A | 11/26/2020 | 5/29/2021 | Use of Force, 1 st Amendment Assembly | Use of Force |
| 20-0640 | 5/30/2020 | N/A | 11/26/2020 | 5/29/2021 | 1 st Amendment Assembly | Performance of Duty, Service Related |
| 20-0641 | 5/31/2020 | N/A | 11/27/2020 | 5/30/2021 | 1 st Amendment Assembly | Performance of Duty, Service Related |
| 20-0642 | 5/30/2020 | N/A | 11/26/2020 | 5/29/2021 | Use of Force, 1 st Amendment Assembly | Use of Force, Crowd Control |
| 20-0645 | 5/31/2020 | JW | 11/27/2020 | 5/30/2021 | Use of Force, 1 st Amendment Assembly | Use of Force, Harassment and Discrimination, Care of Property, Unintentional/Improper Search Seizure Arrest |
| 20-0646 | 6/1/2020 | ED | 11/28/2020 | 5/31/2021 | Use of Force, 1 st Amendment Assembly | Use of Force, Failure to Provide Serial Number, Performance of Duty |
| 20-0659 | 6/1/2020 | N/A | 11/28/2020 | 5/31/2021 | 1 st Amendment Assembly | Crowd Control, Service Related |
| 20-0668 | 6/1/2020 | N/A | 11/28/2020 | 5/31/2021 | 1 st Amendment Assembly | Demeanor |
| 20-0669 | 6/1/2020 | N/A | 11/28/2020 | 5/31/2021 | 1 st Amendment Assembly | Conduct Toward Others, Demeanor |
| 20-0670 | 5/20/2020 | N/A | 11/16/2020 | 5/19/2021 | 1 st Amendment Assembly | Service Related |
| 20-0675 | 6/3/2020 | N/A | 11/30/2020 | 6/2/2021 | 1 st Amendment Assembly of Duty | Performance of Duty, Service Related |
| 20-0677 | 6/2/2020 | N/A | 11/29/2020 | 6/1/2021 | 1 st Amendment Assembly | Crowd Control, Service Related |
| 20-0682 | 5/30/2020 | N/A | 11/26/2020 | 5/29/2021 | 1 st Amendment Assembly | Service Related, Failure to Act |
| 20-0683 | 5/30/2020 | N/A | 11/26/2020 | 5/29/2021 | 1 st Amendment Assembly | Performance of Duty, Service Related |
| 20-0685 | 6/1/2020 | N/A | 11/28/2020 | 5/31/2021 | Use of Force, 1 st Amendment Assembly | Use of Force, Crowd Control, Unintentional/Improper Search Seizure Arrest, Care of Property |
| 20-0686 | 6/7/2020 | N/A | 12/4/2020 | 6/6/2021 | 1 st Amendment Assembly | Care of Property, Obedience to Laws, Performance of Duty |

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY

Cases Associated with Public Demonstrations 5/29/20 – 6/1/20 (32 Cases Total)

| Case # | Incident Date | Assigned Staff | 180-day Goal | 1-year Goal | Type* (604(f)(1) or Other) | Allegation(s) |
|---------|---------------|----------------|--------------|-------------|--------------------------------------|--|
| 20-0711 | 5/29/2020 | N/A | 11/25/2020 | 5/28/2021 | Use of Force, 1st Amendment Assembly | Use of Force |
| 20-0938 | 5/29/2020 | JW | 11/25/2020 | 5/28/2021 | Use of Force, 1st Amendment Assembly | Use of Force, Performance of Duty, Service Related |
| 20-0957 | 6/1/2020 | N/A | 11/28/2020 | 5/29/2021 | Use of Force, 1st Amendment Assembly | Use of Force, Crowd Control |
| 20-0958 | 6/1/2020 | N/A | 11/28/2020 | 5/29/2021 | Use of Force, 1st Amendment Assembly | Use of Force |
| 20-0959 | 6/1/2020 | N/A | 11/28/2020 | 5/29/2021 | Use of Force, 1st Amendment Assembly | Use of Force |
| 20-0960 | 6/1/2020 | N/A | 11/28/2020 | 5/29/2021 | Use of Force, 1st Amendment Assembly | Use of Force, Performance of Duty, Unintentional/ Improper Search Seizure Arrest |
| 20-0962 | 6/1/2020 | N/A | 11/28/2020 | 5/29/2021 | Use of Force, 1st Amendment Assembly | Use of Force, Performance of Duty |
| 20-1086 | 5/29/2020 | N/A | 9/14/2021 | 8/20/2021 | Use of Force, 1st Amendment Assembly | Use of Force |
| 20-1099 | 5/30/2020 | N/A | 11/25/2020 | 6/9/2021 | Use of Force, 1st Amendment Assembly | Use of Force |
| 20-1157 | 5/29/2020 | N/A | 10/02/2021 | 9/7/2021 | Use of Force, 1st Amendment Assembly | Use of Force |
| 20-1178 | 5/29/2020 | N/A | 5/24/2020 | 5/29/2021 | Use of Force, 1st Amendment Assembly | Use of Force, Performance of Duty, Unintentional/ Improper Search Seizure Arrest |
| 20-1323 | 6/1/2020 | N/A | 4/14/21 | 10/13/21 | 1st Amendment Assembly, Profiling | Profiling, Failure to Accept or Refer Complaint |
| 20-1378 | 5/31/2020 | N/A | 4/26/21 | 10/26/21 | 1st Amendment Assembly, Use of Force | Use of Force |
| 20-1380 | 5/30/2020 | N/A | 11/26/20 | 5/30/21 | 1st Amendment Assembly | Conduct Toward Others |
| 20-1554 | 6/1/2020 | N/A | 12/5/20 | 6/7/21 | 1st Amendment Assembly, Use of Force | Performance of Duty, Use of Force |

* The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by Assigned Staff)

Attachment 6
4/14/2021
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 (Total Pending = 59)

| Case # | Incident Date | Rcv'd CPRA | Rcv'd IAD | Intake or Investigator | Assigned Staff | 180-day Goal | 1-year Goal | Type (604(f)(1) or Other) | Class | Subject Officers | Allegation Count | Allegation(s) |
|---------|---------------|------------|-----------|------------------------|----------------|--------------|-------------|--|-------|------------------|------------------|--|
| 20-1000 | 8/4/20 | 8/6/20 | 8/4/20 | Investigator | AL | 2/2/21 | 8/3/21 | Use of Force | 1 | 2 | 3 | Use of Force, Performance of Duty |
| 20-1058 | 8/15/20 | 8/19/20 | 8/15/20 | Investigator | AL | 2/15/21 | 8/14/21 | Use of Force | 1 | 3 | 8 | Use of Force, Service Complaint |
| 20-1129 | 9/1/2020 | 9/2/2020 | 9/1/2020 | Investigator | AL | 3/1/2021 | 8/31/2021 | Use of Force, Performance of Duty | 2 | 12 | 23 | Other, Unintentional/Improper Search, Use of Force, Failure to Accept, Performance of Duty |
| 20-1164 | 9/6/20 | 9/16/20 | 9/10/20 | Investigator | AL | 3/15/21 | 9/9/21 | Use of Force | 1 | 2 | 5 | Use of Force, Performance of Duty; |
| 21-0217 | 2/23/21 | 3/4/21 | 3/4/21 | Investigator | AL | 8/22/21 | 2/23/22 | Use of Force | 1 | 2 | 2 | Use of Force |
| 20-0045 | 1/29/19 | 2/8/19 | 1/29/19 | Investigator | AN | 8/7/19 | 6/17/21 | Other | 1 | 1 | 3 | Performance of Duty, Truthfulness |
| 20-1282 | 9/28/20 | 10/8/20 | 10/6/20 | Investigator | AN | 3/27/21 | 9/28/21 | Other | 2 | 10 | 10 | Demeanor, Unintentional/Improper Search |
| 20-1542 | 11/15/20 | 12/9/20 | 12/6/20 | Investigator | AN | 6/7/21 | 12/5/21 | Use of Force | 1 | 2 | 4 | Use of Force, Unlawful Arrest |
| 21-0238 | 3/2/21 | 3/2/21 | 3/2/21 | Investigator | AN | 8/29/21 | 3/2/22 | Use of Force | 1 | 1 | 1 | Use of Force |
| 20-0438 | 4/16/20 | 4/16/20 | 4/16/20 | Investigator | AN | 10/13/20 | Tolled | Use of Force | 1 | 22 | 33 | Use of Force (Level 1, Level 4), Performance of Duty |
| 20-1406 | 11/3/20 | 11/3/20 | 11/3/20 | Investigator | AN | 5/2/21 | Tolled | Use of Force | 1 | 2 | 2 | Use of Force |
| 20-0646 | 5/31/20 | 6/2/20 | 6/1/20 | Investigator | ED | 11/29/20 | 5/31/21 | Use of Force, Truthfulness | 1 | 9 | 34 | Use of force, failure to provide name and serial number, supervision, performance of duty, Miranda violation, interfering with investigations, obstructing internal affairs process, truthfulness, custody of prisoners. |
| 20-0800 | 6/27/20 | 7/1/20 | 6/28/20 | Investigator | ED | 12/28/20 | 6/27/21 | Use of Force | 1 | 4 | 4 | Use of Force |
| 20-0971 | 7/29/20 | 8/30/20 | 7/29/20 | Investigator | ED | 2/26/21 | 7/28/21 | Use of Force, Profiling/Discrimination | 1 | 5 | 11 | Discrimination, Use of Physical Force |
| 20-1083 | 8/20/20 | 8/26/20 | 8/20/20 | Investigator | ED | 2/22/21 | 8/19/21 | Use of Force | 1 | 1 | 2 | Use of Force, Demeanor |
| 20-1085 | 8/20/20 | 8/26/20 | 8/20/20 | Investigator | ED | 2/16/21 | 8/20/21 | Profiling/Discrimination | 1 | 2 | 6 | Profiling/discrimination; unlawful Search; false arrest |
| 20-1524 | 11/28/20 | 12/2/20 | 12/1/20 | Investigator | ED | 5/31/21 | 11/30/21 | Profiling/Discrimination | 1 | 2 | 5 | Profiling/Discrimination, Performance of Duty, Conduct Toward Others, Performance of Duty |
| 19-1169 | 10/17/19 | 10/22/19 | 10/17/19 | Investigator | ED | 4/19/20 | Tolled | Use of Force, Profiling/Discrimination | 1 | 2 | 7 | Bifurcated - use of force, false arrest, discrimination |
| 20-0507 | 5/4/20 | 5/7/20 | 5/4/20 | Investigator | JS | 11/1/20 | 5/3/21 | Other | 2 | 1 | 3 | Conduct towards others/bias/ failure to take a report |
| 20-0799 | 6/28/20 | 7/1/20 | 6/28/20 | Investigator | JS | 12/28/20 | 6/27/21 | Other | 1 | 1 | 2 | Conduct towards others |
| 20-0880 | 7/11/20 | 7/21/20 | 7/11/20 | Investigator | JS | 1/11/21 | 7/10/21 | Other | 2 | 1 | 1 | Demeanor |
| 20-1113 | 8/28/20 | 9/2/20 | 8/28/20 | Investigator | JS | 3/1/21 | 8/28/21 | Use of Force | 1 | 3 | 6 | Use of Force, unlawful arrest |
| 20-1417 | 11/1/20 | 11/2/20 | 11/1/20 | Investigator | JS | | 10/31/21 | Other | 1 | 1 | 1 | Preventable Collision |
| 20-1441 | 11/10/20 | 11/13/20 | 11/10/20 | Investigator | JS | 5/12/21 | 11/9/21 | Other | 1 | 2 | 2 | Profiling |
| 20-1551 | 12/7/20 | 12/16/20 | 12/16/20 | Investigator | JS | 6/14/21 | 12/15/21 | Use of Force | 1 | 2 | 3 | Performance of Duty, Use of Force, Care of Property |
| 20-0879 | 7/11/20 | 7/15/20 | 7/11/20 | Investigator | MM | 1/11/21 | 7/10/21 | Use of Force | 1 | 2 | 3 | Performance of Duty, Use of Force; Improper/Unlawful Search & Seizure |
| 20-0978 | 7/30/20 | 8/5/20 | 7/30/20 | Investigator | MM | 1/26/21 | 7/30/21 | Profiling/Discrimination | 1 | 2 | 6 | Profiling/Discrimination, Performance of Duty, Unlawful Search & Seizure |
| 20-1092 | 8/21/20 | 8/26/20 | 8/21/20 | Investigator | MM | 2/22/21 | 8/20/21 | Use of Force | 1 | 1 | 1 | Use of Force |
| 20-1116 | 8/29/20 | 9/2/20 | 8/29/20 | Investigator | MM | 3/1/21 | 8/28/21 | Use of Force | 1 | 8 | 19 | Use of Force |
| 21-0025 | 1/7/21 | 1/7/21 | | Investigator | MM | 7/6/21 | 1/6/22 | Performance of Duty; Racial Discrimination | 1 | 3 | 3 | Performance of Duty |
| 21-0028 | 1/8/21 | 1/14/21 | 1/8/21 | Investigator | MM | 7/13/22 | 1/7/22 | Performance of Duty | 1 | 2 | 1 | Performance of Duty |
| 21-0117 | 1/29/21 | 1/29/21 | | Investigator | MM | 7/28/21 | 1/28/22 | Performance of Duty | 2 | | 1 | Performance of Duty |
| 20-1005 | 8/5/20 | 8/7/20 | 8/5/20 | Investigator | JS | 1/30/21 | 8/4/21 | Discrimination/Unlawful arrest | 1 | 3 | 6 | Discrimination and Unlawful Arrest |
| 20-1283 | 10/6/20 | 10/8/20 | 10/6/20 | Investigator | JS | 4/6/21 | 10/5/21 | Racial Discrimination/Demeanor | 1 | 3 | 6 | Conduct Toward Others |
| 21-0070 | 1/1/21 | 1/21/21 | 1/19/21 | Intake | MB | 7/20/21 | 1/19/22 | Use of Force | 1 | 1 | 1 | Use of Force |
| 21-0145 | 2/5/21 | 2/10/21 | 2/5/21 | Intake | MB | 8/9/21 | 2/5/22 | Use of Force | 1 | 1 | 1 | Use of Force |
| 21-0161 | 1/4/21 | 2/10/21 | 2/8/21 | Intake | MB | 8/9/21 | 2/8/22 | Racial Discrimination | 1 | 1 | 1 | Racial Discrimination |
| 21-0167 | 2/9/21 | 2/9/21 | 2/9/21 | Intake | MB | 8/8/21 | 2/10/22 | Use of Force | 1 | 1 | 1 | Use of Force |
| 21-0188 | 2/16/21 | 2/18/21 | 2/16/21 | Intake | MB | 8/17/21 | 2/16/22 | Use of Force | 1 | 1 | 1 | Use of Force |
| 21-0193 | 2/16/21 | 2/18/21 | 2/17/21 | Intake | MB | 8/17/21 | 2/17/22 | Other | 2 | 1 | 2 | Performance of Duty |
| 21-0251 | 2/26/21 | 3/11/21 | 2/26/21 | Intake | MB | 9/21/21 | 2/26/22 | Racial Discrimination | 1 | 1 | 1 | Racial Discrimination |
| 21-0248 | 3/3/21 | 3/5/21 | 3/3/21 | Intake | MB | 9/1/21 | 3/3/22 | Force | 1 | 3 | 3 | Performance of Duty |
| 21-0250 | 3/5/21 | 3/11/21 | 3/4/21 | Intake | MB | 9/7/21 | 3/3/22 | Force | 1 | 1 | 2 | Use of Force |
| 21-0245 | 3/3/21 | 3/5/21 | 3/4/21 | Intake | MB | 9/1/21 | 3/4/22 | Other | 2 | 1 | 2 | Performance of Duty |
| 21-0254 | 3/2/21 | 3/11/21 | 3/5/21 | Intake | MB | 9/7/21 | 3/5/22 | Other | 2 | 1 | 5 | Performance of Duty |
| 21-0291 | 3/12/21 | 3/17/21 | 3/12/21 | Intake | MB | 9/13/21 | 3/13/22 | Force | 1 | 1 | 2 | Use of Force |
| 21-0292 | 3/14/21 | 3/17/21 | 3/14/21 | Intake | MB | 9/13/21 | 3/14/22 | Other | 2 | 1 | 3 | Performance of Duty |
| 20-1252 | 9/25/20 | 10/1/20 | 9/25/20 | Intake | RM | 3/30/21 | 9/24/21 | Profiling/Discrimination | 1 | 1 | 3 | Profiling/Discrimination, Performance of Duty |
| 20-1484 | 11/20/20 | 1/22/21 | 11/20/20 | Intake | RM | 7/20/21 | 11/20/21 | Racial Discrimination | 1 | 3 | 8 | Racial Discrimination, Performance of Duty, |
| 20-1596 | 12/12/20 | 12/16/20 | 12/17/20 | Intake | RM | 6/14/21 | 12/16/21 | Other | 2 | 1 | 1 | Performance of Duty |
| 21-0128 | 2/1/21 | 2/3/21 | 2/1/21 | Intake | RM | 8/2/21 | 1/31/22 | Use of Force | 1 | 1 | 1 | Use of Force |
| 21-0138 | 2/4/21 | 2/10/21 | 2/4/21 | Intake | RM | 8/9/21 | 2/3/22 | Racial Discrimination | 1 | 1 | 1 | Racial Discrimination |
| 21-0151 | 2/6/21 | 2/10/21 | 2/6/21 | Intake | RM | 8/9/21 | 2/5/22 | Use of Force | 1 | 2 | 2 | Use of Force |
| 21-0164 | 2/7/21 | 2/10/21 | 2/8/21 | Intake | RM | 8/9/21 | 2/7/22 | Racial Discrimination | 1 | 11 | 11 | Racial Discrimination |
| 21-0179 | 2/15/21 | 2/17/21 | 2/15/21 | Intake | RM | 8/16/21 | 2/14/22 | Racial Discrimination | 1 | 1 | 1 | Racial Discrimination |
| 21-0233 | 2/27/21 | 3/3/21 | 2/27/21 | Intake | RM | 8/30/21 | 2/26/22 | Racial Discrimination | 1 | 1 | 1 | Racial Discrimination |
| 21-0252 | 3/1/21 | 3/11/21 | 3/5/21 | Intake | RM | 9/7/21 | 3/4/22 | Use of Force | 1 | 5 | 6 | Use of Force |
| 21-0262 | 3/6/21 | 3/11/21 | 3/6/21 | Intake | RM | 9/7/21 | 3/6/22 | Racial Discrimination | 1 | 1 | 1 | Racial Discrimination |
| 21-0270 | 3/7/21 | 3/8/21 | 3/8/21 | Intake | RM | 9/4/21 | 3/7/22 | Racial Discrimination, Use of Force | 1 | 7 | 16 | Racial Discrimination, Conduct toward others, Performance of Duty, Use of Force |

* The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.

How Does CPRA Add Value to Complaint Investigations?

Overview

Long-term training for staff, instead of 2 year rotations at IAD

Better rapport with complainants and community

Three specific process improvements:

- Better at correctly identifying the public's complaints
- Better at catching allegations missed by public and/or IAD
- Better at sustaining misconduct when appropriate, and in imposing discipline

Anecdotally, we find all three of these improvements have strong equity effects, because the individuals effected by the misconduct involved are disproportionately Black. We're working on measuring these equity effects; this presentation is a start.

Intake of Complaints

Roughly 85% of complaints are made to police officers

- IAD handles the intake on these cases, and shares that material with CPRA
- IAD generally has not tracked race at intake in the past

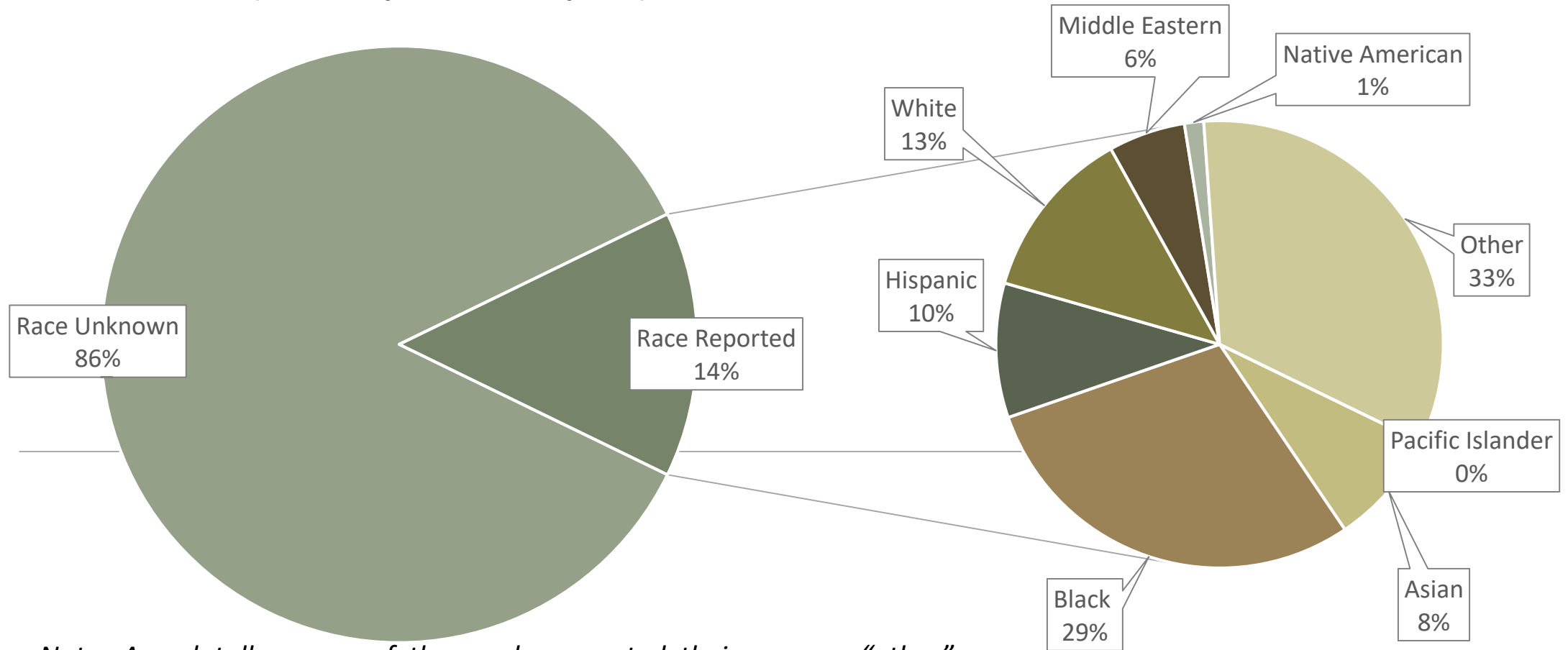
Roughly 15% of complaints are made to CPRA

- CPRA handles the intake on these cases, and shares that material with IAD as required by Charter
- CPRA tracks race at intake if the complainant chooses to share it

Some of these complaints are about the same case

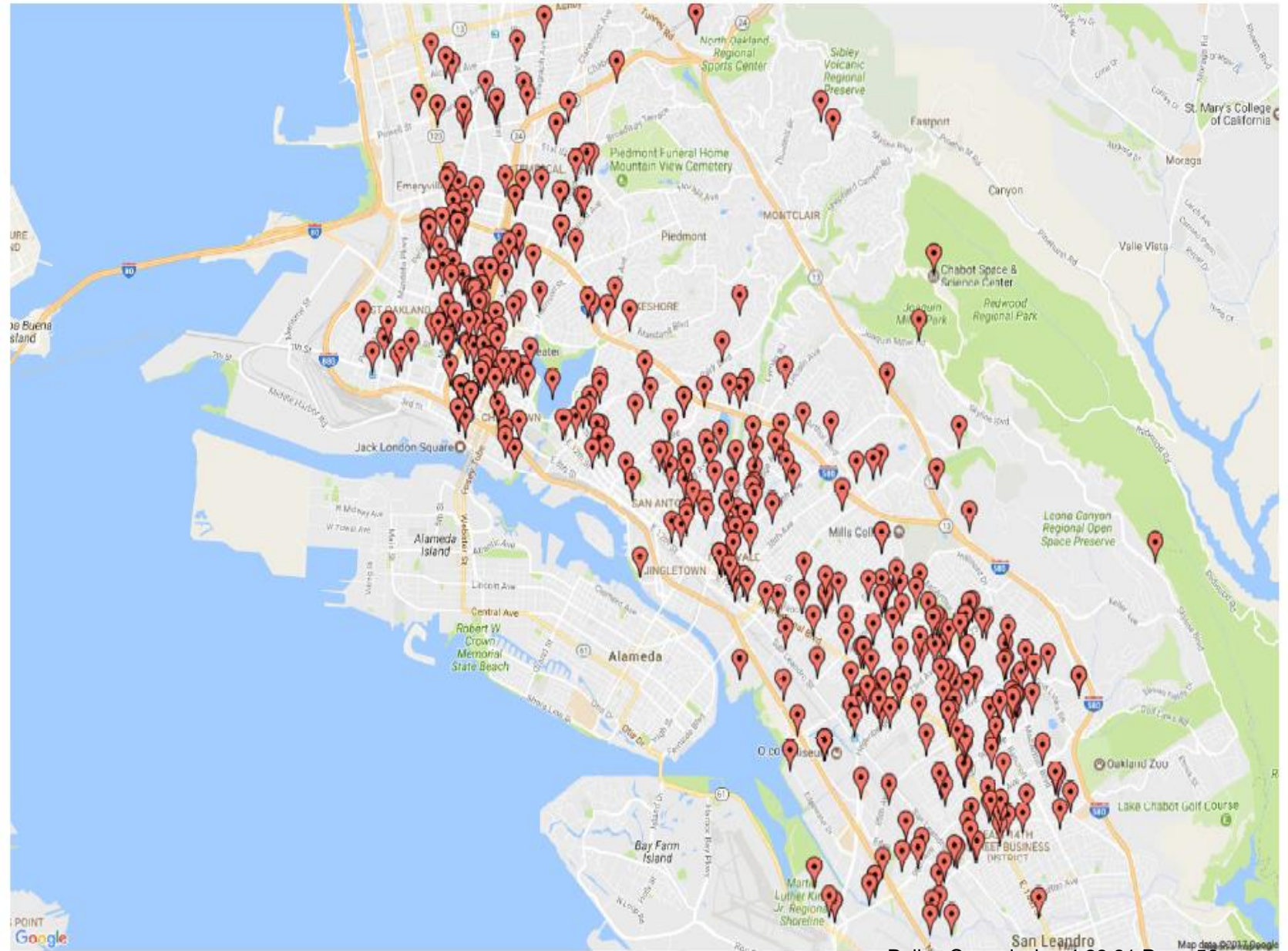
- For example, one person complains to OPD in the field, another to CPRA later

2019 CPRA Complaints by Complainant Race (as Self-Reported in Complaint)



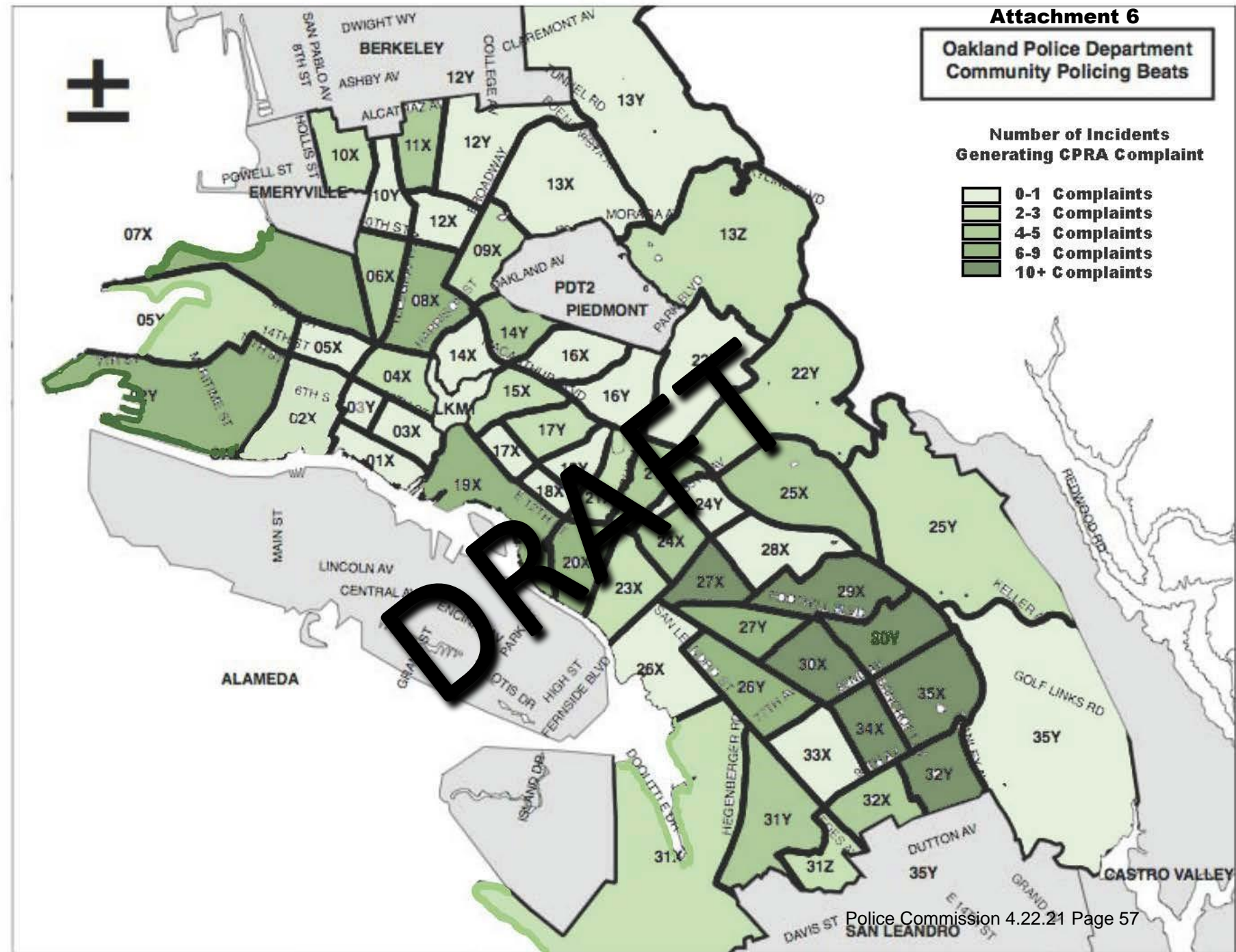
Note: Anecdotally, many of those who reported their race as “other” on a complaint form would have reported multiple categories if that were an option. 85% are unknown here largely because OPD didn’t track race at Intake in 2019.

Map of incidents that were the subject of a complaint in 2019 for which location data exists in the CPRA database.



Oakland Police Department
Community Policing Beats

Number of Incidents
Generating CPRA Complaint



Map of incidents that were the subject of a complaint in 2020 for which location data exists in the CPRA database.

(Not including the protest cases of 2020.)

How Does CPRA Add Value to Investigations?

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Ways that CPRA Adds Allegations

At Intake – CPRA Intake Technicians notice that OPD missed allegations.

- Common Examples: Racial Profiling; Body Worn Camera activation
- Not historically tracked, so our evidence here is anecdotal

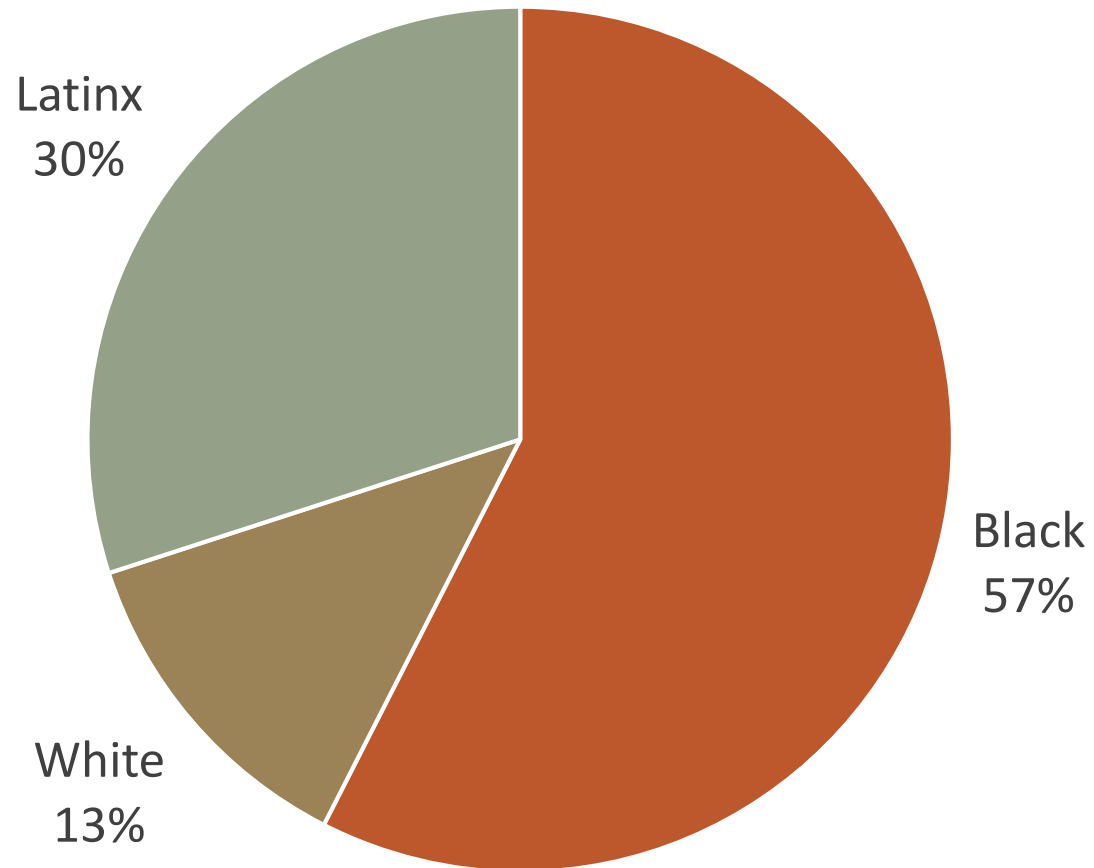
During Investigation – CPRA Investigator sees a new allegation.

- Common Examples: Search and Seizure; Use of Force
- Not historically tracked, either, if IAD agrees with CPRA's addition of the allegation early in the case

At end of case, CPRA adds an allegation that IAD doesn't add, and CPRA sustains it.

- We made a good faith hand-count of these for 2020: 39 allegations added AND sustained over 19 cases; only about 1 in every 10 cases assigned to an Investigator
- We used these allegations to check the equity impact of our work

2020 Sustained CPRA **Added** Allegations by Effectuated Person's Race



How Does CPRA Add Value to Investigations?

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Sustaining Cases

In both 2019 and 2020, CPRA sustained allegations of Excessive Force, Search and Seizure, Failure to Activate Body Worn Cameras, Reporting Failures, and other kinds of misconduct.

In both 2019 and 2020, CPRA sustained allegations more often than IAD, and persuaded the Chief to overrule IAD in these cases.

In both 2019 and 2020, CPRA identified allegations that either members of the public and/or IAD did not at an early stage in the case, and these allegations were later sustained by IAD also. The City Charter requires CPRA share these with IAD. These cases are in addition to the cases in which the Chief overruled IAD at CPRA's request.

Sustained Rates

Sustained Rates are never a measure of Quality Investigations. Why?

1. IAD and CPRA have no control over the cases that come in.
2. Complaints are just as much about dissatisfaction with staffing and policy as they are about individual misconduct. But Sustained findings are only about individual misconduct.
3. Quality investigations examine all the officers involved in incidents in which there may have been misconduct, but usually only a small number of the officers present commit the misconduct. So low sustained rates per allegation are expected.

We measure quality of planning, interviews, and writing as key performance indicators, not sustained rates.

CPRA Sustained Rates

Statewide, sustained rates at police departments are generally lower than in community-led oversight systems:

- Statewide averages have been dropping from 12% to 8% in California
- DPA in San Francisco had a 19% sustained rate in 2019

These are hard to compare to CPRA sustained rates because CPRA only takes on Charter Mandated cases (Excessive Force, Racial Profiling, etc.....), whereas these statewide statistics are for all cases.

CPRA sustained rates per case investigated have been similar:

- 2019: Of 227 cases closed, 28 had sustained findings (12.3%)
- 2020: Of 187 cases closed, 27 had sustained findings (14.4%)

Dog Bite Case - Comparison of Findings (As Reported by Federal Monitor)

IAD FINDINGS

- First Dog Bite – Dog Bite was In Policy
- Second Dog Bite – Dog Bite was In Policy

CPRA FINDINGS

- First Dog Bite – Dog Bite was not In Policy
- Second Dog Bite – Dog Bite was not In Policy

FY 2021-23 Reassignment of Work from IAD to CPRA

Overview

Consolidating the investigation of public complaints against police at CPRA has these benefits:

- * Eliminate Duplication of Work at IAD; cost savings
- * Increase Public Trust, Transparency, Accountability
- * Resolve NSA Tasks re: Investigations

Generally this proposal eliminates duplication, rather than assigning new tasks to CPRA. CPRA is already doing this work; this proposal increases the quantity of such work for CPRA.

No Charter Changes Required

CPRA: * Fairly investigate alleged police misconduct.

* Create transparency and accountability in the police discipline system.

* Help successfully complete the NSA Tasks re: discipline and oversight.

IAD: * No Charter requirement to have IAD investigate public complaints

Thus, No Charter changes are needed.

NSA Requirements

Some NSA Requirements have to do with complaints. Presumably CPRA would have to meet these same requirements, for example:

Task 2: Requires 85% of cases to be completed in 180 days.

- CPRA compliance here would require more staff and direct access to more records
- This proposal accomplishes both

Task 5: Describes findings and processes for specific complaints.

- In line with current CPRA processes.

Meet & Confer

This proposal triggers Meet and Confer –work, personnel

Unions Involved:

OPOA – Police Officers

Local 21; IFTPE – Intake Technicians; Complaint Investigators

SEIU – Police Records Clerks

Staging the transition to allow time for Meet and Confer is best

Positions Moved by this Proposal

Intake Unit:

- Replace 3.0 Police Officer positions with 2.0 Intake Technicians and 1.0 Complaint Investigator II, and transfer those positions to CPRA;
- Replace 1.0 Police Sergeant position with 1.0 Complaint Investigator III, and transfer that position to CPRA;
- Delete 1.0 Police Officer position outright; no backfill.

DLI - Estimated to save 2.0 FTE of Police Sergeant time by moving work to CPRA;

Half the IAD Investigative Team:

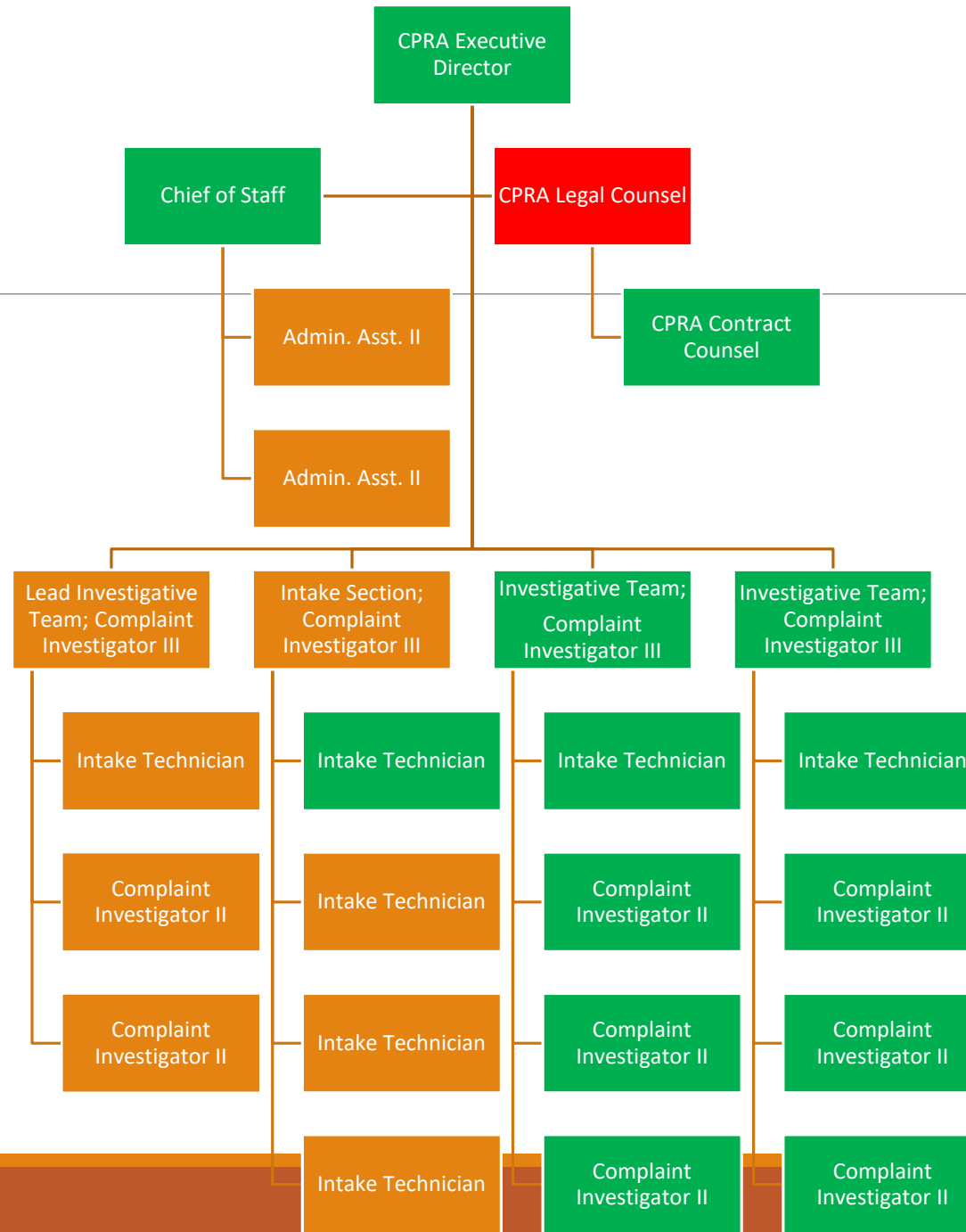
- Replace 2.0 Police Sergeants with 1.0 Complaint Investigator II and 1.0 Complaint Investigator III; transfer those positions to CPRA;
- Transfer 2.0 Intake Technicians to CPRA
- Reclassify 2.0 Police Records Specialists to Administrative Assistant IIs; transfer to CPRA
- Delete 1.0 Police Lieutenant position and 1.0 Police Records Supervisor; no backfill

CPRA Organizational Chart

RED = charter
mandated position

Green = Current
Staffing

Gold = New Staff
added in this
proposal



Caseload Changes

IAD reviews ~500 public complaints against police officers annually

CPRA already reviews ~250 of those same cases annually

- Per Charter, these are Use of Force, First Amendment, In-Custody Deaths, Untruthfulness & Racial Profiling Cases
- Thus, CPRA is already investigating the most complex and serious cases
- Moving forward, the additional cases moving from IAD to CPRA are generally less complex and less serious

The Caseload change is thus just a change to the quantity of cases CPRA investigates – CPRA procedures, training, reports, and kinds of staff remain the same.

Chronological Steps in this Proposal

1. At outset, work with counsel to add CPRA to NSA language
2. Immediately begin Meet and Confer over moving IAD Intake to CPRA
3. At 6 months, Move IAD Intake to CPRA. CPRA takes on all intake.
4. Complete Meet and Confer over moving a portion of IAD resources to CPRA to prepare for all public complaints moving to CPRA.
5. At 12 months, Wind Down DLI program and reduce IAD staffing to match shifting public complaints to CPRA.
6. After 12 months, CPRA investigates all public complaints; IAD only investigates internal complaints. Both investigate Level I UoF.

What Remains at IAD?

1. Investigation of all the internally generated complaints, such as supervisors complaining about subordinates, professional staff complaining about sworn, and internal EEO issues. These are cases CPRA does not currently investigate, and aren't assigned to CPRA under the Charter.
2. Parallel investigations to CPRA's investigation of Level 1 Uses of Force, such as Officer Involved Shootings. This is considered a best practice in other strong civilian oversight systems.
3. An investigative team for the above cases, roughly half the size of the existing IAD investigative team, led by a Lieutenant.



CITY OF OAKLAND | POLICE COMMISSION

250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

March 26, 2021

The Honorable Reginald B. Jones Sawyer Sr.
Chair, Assembly Committee on Public Safety
California State Capitol, Room 111
Sacramento, CA 95814

RE: Letter of SUPPORT for AB 127 (Kamlager) Arrest Warrants: Declaration of Probable Cause

Dear Assemblymember Jones-Sawyer:

On behalf of the Oakland Police Commission, I am writing in strong support of AB 127(Kamlager), to amend the California State Penal Code to permit persons other than peace officers to present a probable cause determination to a judge in seeking an arrest warrant in cases when the suspect is a peace officer. The aim is to reduce procedural barriers to police accountability and eliminate one of the barriers for district attorneys in initiating prosecutions against members of law enforcement.

Across the nation, in the wake of the killing of George Floyd and many others at the hands of police, public outrage has led to calls for greater accountability for police violence. It remains rare for district attorneys to initiate prosecutions against police officers who violate the law while on duty.

One obstacle to prosecution of police officers is the unwillingness of law enforcement officers to assist in the prosecution of one of their own. This can lead to law enforcement officers refusing to provide the necessary information to support an arrest warrant.

An arrest warrant requires that a judge find probable cause to arrest. The California Penal Code requires a peace officer to establish probable cause to support an arrest warrant, but not a search warrant. This differs from the broader requirements for who can swear to an affidavit for a search warrant.

For these reasons, the Oakland Police Commission supports AB 127. We look forward to working with you and your staff on advancing this proposal and respectfully request your “Aye” vote. Thank you for your consideration.

Respectfully,

Regina Jackson

Regina Jackson
Chair, Oakland Police Commission

CC: Howard Quan, Legislative Director for Assemblymember Kamlager:
howard.quan@asm.ca.gov



CITY OF OAKLAND | POLICE COMMISSION

250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

March 26, 2021

The Honorable Reginald Byron Jones-Sawyer, Sr.
 Chair, Assembly Public Safety Committee
 1020 N. Street, Room 111
 Sacramento, CA 95814

RE: AB 481 (Chiu) – SUPPORT

Dear Assemblymember Jones-Sawyer, Sr.:

The Oakland Police Commission is pleased to support AB 481, which seeks to regulate the use of military equipment by local law enforcement by requiring agencies to get approval from their local governing body prior to applying for and using such equipment, and to provide a public impact statement that outlines the intended use and cost of such equipment.

Regulating police acquisition of military equipment is critical because the militarization of police departments leads to increased civilian deaths, and militarized policing teams are more often deployed in communities of color.¹ In addition, police militarization fails to keep officers safe or prevent violence or harm in communities.² When police forces are militarized, they are seen as an occupying force rather than a public safety service.³ The lack of a public forum to discuss the acquisition of military equipment further strains the relationship police have with the community. This bill would provide crucial local government oversight and allow the public to have a voice in determining the military grade weapons and equipment that are brought into their communities.

State and local law enforcement agencies in California may acquire military equipment from two sources: the federal government and private companies. Through the 1033 Program, the U.S. Department of Defense (DoD) allows direct transfer of surplus U.S. military equipment to police departments, free of charge. Over 8,000 federal and state law enforcement agencies from all 50 states and the U.S. territories currently participate in the program.⁴ Police agencies may also purchase military equipment from private companies using the federal discount via the 1122

¹ [Delehanty et al., 2017](#)

² [Lowande, 2020](#)

³ [Mummolo, 2018](#)

⁴ [Law Enforcement Support Office - Public Information](#)

Program, or using federal dollars through grant programs such as the State Homeland Security Program and the Urban Areas Security Initiative.^{5,6}

In recent decades, as the acquisition of military equipment by law enforcement agencies has become more common, local government officials and the public have little to no information about such acquisitions. For example, in 2014, the Los Angeles Unified School District received sixty one M16 assault rifles, three M79 grenade launchers, and one mine-resistant ambush protected (MRAP) vehicle through the 1033 Program.⁷ In 2020, San Diego local law enforcement agencies spent over \$200 million on tactical equipment in violation of public disclosure laws. San Diego County law enforcement agencies have also purchased at least ten armored vehicles since 2003 using federal grant funding, without public discussion.⁸ Over \$11 million worth of military equipment is currently in the hands of local police forces across the Bay Area, including Armored Rescue Vehicles (ARVs) acquired by the Petaluma Police Department and MRAPs by the Antioch police, which require regular maintenance fees which cost the city thousands of dollars.⁹

Recent events have raised questions about when and how police choose to deploy military equipment. In 2020, peaceful protests in California and across the country were met with increasingly militarized responses by local law enforcement. This past year, law enforcement in Walnut Creek, CA and Orange, CA used military vehicles including Lenco BearCats to disperse peaceful protestors.¹⁰ The decision of how and when to deploy the vehicles was left up to the individual officers at the scene, with no uniform protocol. In Sacramento, CA last summer, police donned riot helmets, and aimed assault rifles from armored vehicles at peaceful demonstrators to clear an assembled crowd.

This legislation is necessary to begin the process of holding law enforcement agencies accountable through increased oversight and transparency of military equipment acquisition.

For these reasons, the Oakland Police Commission respectfully requests your support of AB 481 (Chiu).

Respectfully,

Regina Jackson

Regina Jackson
Chair, Oakland Police Commission

cc:

Nicole Restmeyer, Legislative Aid for Assemblymember Chiu: nicole.restmeyer@asm.ca.gov
Ellie Virrueta, Youth Justice Coalition: elizeth@youth4justice.org

⁵ [General Services Administration - 1122 Program Information](#)

⁶ [FEMA - Homeland Security Grant Program](#)

⁷ [California School Cops Received Military Rifles, Grenade Launchers, Armored Vehicles](#)

⁸ [Local Law Enforcement Agencies Have Spent Over \\$200 Million on Tactical Equipment In Violation of Public Disclosure Laws](#)

⁹ [Petaluma police receive more than \\$1.3 million in military surplus equipment over past decade](#)

¹⁰ [Floyd protests renew debate about police use of armored vehicles, other military gear](#)



CITY OF OAKLAND | POLICE COMMISSION

250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

March 26, 2021

Honorable Ash Kalra
California State Assembly
State Capitol, Room 2196
Sacramento, California 95814

RE: AB 655 (Kalra) – California Law Enforcement Accountability Reform Act (CLEAR Act)

Dear Assemblymember Kalra:

On behalf of the Oakland Police Commission, I write in support for Assembly Bill (AB) 655, the CLEAR Act, a bill to combat the infiltration of extremists in our law enforcement agencies.

The Oakland Police Commission was established in 2016 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.

After the insurrection we witnessed on January 6, 2021 at the U.S. Capitol building by right wing extremists with the apparent cooperation, participation, and support of some law enforcement and military personnel, the threat that extremist infiltration poses to equal justice and the rule of law is more evident than ever before. Continued failure to address extremism, racism, and bias among peace officers contributes to the erosion of public confidence in the legitimacy and fairness of our justice system.

The CLEAR Act would ensure all peace officers in the state of California applying for employment undergo a background check that includes screening whether the officer holds official membership in a hate group or participated in public expressions of hate or violence. Additionally, discovery of these expressions, membership, or participation with hate groups can become grounds for disciplinary review and termination.

The Oakland Police Commission supports AB 655 because it will increase public trust in law enforcement as it roots out those who would jeopardize public safety with extremist and violent behavior.

Respectfully,

Regina Jackson

Regina Jackson
Chair, Oakland Police Commission



CITY OF OAKLAND | POLICE COMMISSION

250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

March 26, 2021

Senator Connie M. Leyva
California State Capitol, Room 4061
Sacramento, CA 95814

RE: SB 299 (Leyva), Victim Compensation - SUPPORT

Dear Senator Leyva,

The Oakland Police Commission strongly supports SB 299. This measure makes necessary changes to expand access to victim compensation, and to remove barriers faced by victims and witnesses of police violence and other violent crimes. SB 299 is critically important, as it ensures equal access to support services and resources for survivors of police violence.

The Oakland Police Commission was established in 2016 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.

Victim compensation is an important pathway for survivors to access support – covering specific expenses such as medical bills, funeral and burial expenses, and counseling. Compensation is available only when a survivor has no other avenue for covering these costs (e.g. insurance or Medi-Cal). There are also limits on how much can be paid for each expense, and expenses must result directly from the crime. But eligibility restrictions can lock survivors out of compensation, and victims of police violence and their families typically cannot access victim compensation.

The California Victim Compensation Board (CalVCB), which administers the reimbursement program, can deny applications if it finds the victim was involved in the events that gave rise to the application, or if it finds that the survivor did not cooperate with police. These restrictions apply even when the victim is killed, compounding trauma for family members who are left without support. For most victims, CalVCB cannot approve a claim without a police report. Yet data collected by the U.S. Department of Justice in 2019 found that 6 in 10 violent victimizations are never reported to police. Victims of violent crime face a complex series of issues as they navigate the justice system, the healing process, and even everyday life. Acknowledging these complex needs and barriers to reporting, the state legislature has taken action to allow for other forms of evidence. CalVCB may use other evidence to establish eligibility for victims of sexual assault, domestic violence, and human trafficking, but other victims are not afforded the same flexibility.

For survivors of police violence and loved ones of those killed by police, these restrictions are especially perverse. A police report documenting the victimization is often elusive. Survivors may not want to speak

with officers, resulting in exclusion for noncooperation. And, state regulation encourages giving “significant weight...to the conclusions of a law enforcement agency” when assessing “involvement.” The very people responsible for the victimization are tasked with assigning blame, and denying the victim or their family access to needed resources.

These policies also entrench racist perceptions of survivors as “deserving” or “undeserving”, and disproportionately deny survivors of color compensation. Analyses of compensation denials in other states have found that states apply subjective “contributory misconduct” exclusions to deny Black victims and families at disproportionate rates.¹

For decades, survivors of color who are directly impacted and disproportionately excluded from victim compensation have been leading calls for changes that would remove barriers to accessing compensation, and that would ensure survivors of police violence can receive compensation.

Driven by calls from survivors to remove unjust barriers to compensation, the bill would:

- Recognize victims who are seriously injured or killed by police and their loved ones as victims eligible for compensation, regardless of whether the officer is arrested or charged.
- Allow survivors of police use of force to provide documentation other than a police report that verify eligibility, extending flexibility already available to domestic violence, sexual assault, and human trafficking survivors. Bar denial based solely on the contents of a police report in cases of police violence.
- In cases involving police use of force and in homicide cases, bar exclusions based on a victim’s actions allegedly leading to the injury, or based on whether the victim or their family cooperated with police following the crime. SB 299 would also make sure that no survivor is denied coverage for counseling based on these restrictions.
- Clarify that CalVCB’s decisions regarding compensation eligibility are not admissible in any other civil or criminal proceeding, or, for cases of police use of force, in related employment proceedings.

With SB 299, California has an opportunity to demonstrate that we value healing regardless of the type of victimization, that we value the experiences of victims, and particularly that we value the experiences of Black and Brown victims of police violence. For these reasons, the Oakland Police Commission is proud to support SB 299.

Respectfully,

Regina Jackson

Regina Jackson
Chair, Oakland Police Commission

¹Adcock, C. (2019, July 9). Uncompensated Loss: Black families of murder victims more likely to be denied aid from state program.



OAKLAND POLICE DEPARTMENT

455 7TH ST., OAKLAND, CA 94607 | OPDCRIMEANALYSIS@OAKLANDNET.COM

CRIME ANALYSIS

Weekly Crime Report — Citywide 12 Apr. – 18 Apr., 2021

| Part 1 Crimes <i>All totals include attempts except homicides.</i> | Weekly Total | YTD 2019 | YTD 2020 | YTD 2021 | YTD % Change 2020 vs. 2021 | 3-Year YTD Average | YTD 2021 vs. 3-Year YTD Average |
|--|-------------------------|---------------------|---------------------|---------------------|---|-----------------------------------|--|
| Violent Crime Index (homicide, aggravated assault, rape, robbery) | 95 | 1,634 | 1,705 | 1,950 | 14% | 1,763 | 11% |
| Homicide – 187(a)PC | 5 | 22 | 15 | 45 | 200% | 27 | 65% |
| Homicide – All Other * | - | 2 | 1 | 2 | 100% | 2 | 20% |
| Aggravated Assault | 55 | 770 | 826 | 991 | 20% | 862 | 15% |
| Assault with a firearm – 245(a)(2)PC | 12 | 82 | 85 | 173 | 104% | 113 | 53% |
| Subtotal - Homicides + Firearm Assault | 17 | 106 | 101 | 220 | 118% | 142 | 55% |
| Shooting occupied home or vehicle – 246PC | 8 | 73 | 90 | 175 | 94% | 113 | 55% |
| Shooting unoccupied home or vehicle – 247(b)PC | 4 | 30 | 37 | 87 | 135% | 51 | 69% |
| Non-firearm aggravated assaults | 31 | 585 | 614 | 556 | -9% | 585 | -5% |
| Rape | 2 | 65 | 74 | 27 | -64% | 55 | -51% |
| Robbery | 33 | 777 | 790 | 887 | 12% | 818 | 8% |
| Firearm | 14 | 273 | 233 | 356 | 53% | 287 | 24% |
| Knife | 1 | 36 | 73 | 45 | -38% | 51 | -12% |
| Strong-arm | 10 | 349 | 377 | 271 | -28% | 332 | -18% |
| Other dangerous weapon | 1 | 23 | 20 | 22 | 10% | 22 | 2% |
| Residential robbery – 212.5(a)PC | 1 | 27 | 27 | 32 | 19% | 29 | 12% |
| Carjacking – 215(a) PC | 6 | 69 | 60 | 161 | 168% | 97 | 67% |
| Burglary | 70 | 3,846 | 3,935 | 2,055 | -48% | 3,279 | -37% |
| Auto | 47 | 3,100 | 3,228 | 1,589 | -51% | 2,639 | -40% |
| Residential | 10 | 501 | 412 | 265 | -36% | 393 | -33% |
| Commercial | 4 | 202 | 226 | 125 | -45% | 184 | -32% |
| Other (Includes boats, aircraft, and so on) | 2 | 37 | 55 | 47 | -15% | 46 | 1% |
| Unknown | 7 | 6 | 14 | 29 | 107% | 16 | 78% |
| Motor Vehicle Theft | 96 | 1,913 | 2,379 | 2,448 | 3% | 2,247 | 9% |
| Larceny | 52 | 2,023 | 2,231 | 1,427 | -36% | 1,894 | -25% |
| Arson | 4 | 34 | 44 | 61 | 39% | 46 | 32% |
| Total | 317 | 9,452 | 10,295 | 7,943 | -23% | 9,230 | -14% |

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

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

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



OAKLAND POLICE DEPARTMENT

455 7TH ST., OAKLAND, CA 94607 | OPDCRIMEANALYSIS@OAKLANDNET.COM

CRIME ANALYSIS

2021 Year-to-Date Recovered Guns

Recoveries through 18 Apr., 2021

Grand Total 318

| Crime Recoveries | |
|------------------|------------|
| Felony | 169 |
| Felony - Violent | 72 |
| Homicide | 9 |
| Infraction | |
| Misdemeanor | 8 |
| Total | 258 |

| Crime Gun Types | Felony | Felony - Violent | Homicide | Infraction | Misdemeanor | Total |
|------------------|------------|------------------|----------|------------|-------------|------------|
| Machine Gun | | 1 | | | | 1 |
| Other | 1 | | | | | 1 |
| Pistol | 138 | 59 | 6 | | | 203 |
| Revolver | 5 | 4 | 1 | | 6 | 16 |
| Rifle | 18 | 8 | 1 | | 1 | 28 |
| Sawed Off | 2 | | | | | 2 |
| Shotgun | 5 | | | | | 5 |
| Sub-Machinegun | | | | | | 0 |
| Unknown/Unstated | | | 1 | | 1 | 2 |
| Total | 169 | 72 | 9 | 0 | 8 | 258 |

| Non-Criminal Recoveries | |
|-------------------------|-----------|
| Death Investigation | 9 |
| Found Property | 33 |
| SafeKeeping | 18 |
| Total | 60 |

| Non-Criminal Gun Types | Death Investigation | Found Property | SafeKeeping | Total |
|------------------------|---------------------|----------------|-------------|-----------|
| Machine Gun | | | | 0 |
| Other | | | | 0 |
| Pistol | 5 | 13 | 7 | 25 |
| Revolver | 3 | 6 | 6 | 15 |
| Rifle | | 4 | 3 | 7 |
| Sawed Off | | 1 | | 1 |
| Shotgun | 1 | 5 | 2 | 8 |
| Sub-Machinegun | | | | 0 |
| Unknown/Unstated | | 4 | | 4 |
| Total | 9 | 33 | 18 | 60 |



OAKLAND POLICE DEPARTMENT

455 7TH ST., OAKLAND, CA 94607 | OPDCRIMEANALYSIS@OAKLANDNET.COM

CRIME ANALYSIS

Week: 12 Apr. to 18 Apr., 2021

Weekly Total 16

| Crime Recoveries | This Week | Last Week | +/- Change | % Change |
|------------------|-----------|-----------|------------|-------------|
| Felony | 9 | 15 | -6 | -40% |
| Felony - Violent | 2 | 1 | 1 | 100% |
| Homicide | 0 | 5 | -5 | -100% |
| Infraction | 0 | 0 | 0 | PNC |
| Misdemeanor | 0 | 0 | 0 | PNC |
| Total | 11 | 21 | -10 | -48% |

| Other Recoveries | This Week | Last Week | +/- Change | % Change |
|---------------------|-----------|-----------|------------|-------------|
| Death Investigation | 0 | 1 | -1 | -100% |
| Found Property | 4 | 2 | 2 | 100% |
| Safekeeping | 1 | 4 | -3 | -75% |
| Total | 5 | 7 | -2 | -29% |

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


2021 vs. 2020 — Year-to-Date Recovered Guns

Recoveries through 18 Apr.

| Gun Recoveries | 2020 | 2021 | Difference | YTD % Change 2019 vs. 2020 |
|--------------------|------------|------------|------------|-------------------------------|
| Grand Total | 287 | 318 | 31 | 11% |

| Crime Recoveries | 2020 | 2021 | Difference | YTD % Change 2019 vs. 2020 |
|------------------|------------|------------|------------|-------------------------------|
| Felony | 141 | 169 | 28 | 20% |
| Felony - Violent | 50 | 72 | 22 | 44% |
| Homicide | 4 | 9 | 5 | 125% |
| Infraction | 0 | 0 | 0 | PNC |
| Misdemeanor | 11 | 8 | -3 | -27% |
| Total | 206 | 258 | 52 | 25% |

| Non-Criminal Recoveries | 2020 | 2021 | Difference | YTD % Change 2019 vs. 2020 |
|-------------------------|-----------|-----------|------------|-------------------------------|
| Death Investigation | 9 | 9 | 0 | 0% |
| Found Property | 26 | 33 | 7 | 27% |
| SafeKeeping | 46 | 18 | -28 | -61% |
| Total | 81 | 60 | -21 | -26% |

PNC = Percentage not calculated

[Percentage cannot be calculated.](#)

Antioch, Oakland Police Announce Arrests In Series Of Shootings Blamed On Gang War

April 15, 2021 at 4:38 pm

ANTIOCH (CBS SF) — Police in Oakland and Antioch announced on Thursday the arrests of suspected gang members involved in a feud that authorities say is fueling much of the gun violence plaguing both cities.

The gang sweep was the result of an investigation that began with a probe into the [execution-style slaying of 20-year-old Daunzhay Young](#) on the 1800 block of Tioga Pass Way in Antioch on Aug. 29 last year.

Antioch police said Young, a member of Oakland's Case Gang, was gunned down by a member of the rival Oakland ENT Gang.

"This initial homicide led to a long-term investigation into the violence surrounding this gang feud," said Antioch Police Chief Tammany Brooks at a Thursday news conference. "Detectives quickly realized Young's murder introduced a larger narrative between the ENT and Case criminal street gang rivalry, and this was just the tip of the iceberg."

Brooks said the investigation led to detectives linking several other gang-related homicides, attempted homicides, and shootings in the months before and after Young's murder as shootings and reprisal shootings were linked to the gang feud.

During the investigation, dubbed Operation Windstar, detectives with the Oakland and Antioch police departments, along with other Bay Area law enforcement agencies, combined resources to arrest seven people and recover nearly 50 firearms, 15 of which were ghost guns.

Three men were charged in the Young murder case: Charles Bolden Sr., 42; Charles Bolden Jr., 19; and D'Marco Lindsey, 19. The murder charges against the three include enhancements of lying in wait, making them eligible for life without the possibility of parole or the death sentence, police said.

Two other attempted murders, not associated with the Young murder, were linked to the Case/ENT gang rivalry. On Feb. 27, a man was [gunned down in broad daylight with a semiautomatic firearm at an Antioch gas station on Lone Tree Way](#). On March 9, [a targeted, drive-by shooting on Aspen Way in Antioch](#) left two men in critical condition and their vehicle riddled with bullets. Four men were arrested for the Aspen Way shooting: Trent Allen, 20; Keyshawn McGee, 22; Terryonn Pugh, 20; and Eric Windom, 21. Pugh was also charged in the Lone Tree Way shooting, which led to reprisal shootings in Oakland later that night, police said.

Operation Windstar eventually involved 27 agencies from throughout the state and Nevada, Brooks said. It's believed the lengthy investigation and arrests will have an effect on reducing violent crime in both cities.

"We believe it's going to have a significant impact on violent crime the city of Oakland," said Oakland Police Chief LaRonne Armstrong. "I must also say, that I owe this city an apology that the group in gang violence that started in Oakland has now found itself in the city of Antioch."

Earlier this week, Armstrong pleaded publicly Monday for an increase in resources for his department following seven new homicides in the past week, including three on Saturday alone. The Oakland City Council voted to fund police programs cut during the pandemic, including Operation Ceasefire, a community-based approach to fighting gun violence in cooperation with police.

Oakland has seen 41 homicides so far in 2021, compared with 13 homicides at this time last year.

Sideshow enforcement returns: Oakland police prepare to tackle illegal activity

by: [Haaziq Madyun](#)

Posted: Apr 14, 2021 / 06:43 PM PDT / Updated: Apr 14, 2021 / 06:43 PM PDT

OAKLAND, Calif. (KRON) – If a sideshow appears on the street in Oakland this weekend, police say they will be ready for them.

Last weekend sideshows were a major problem for officers but OPD tells KRON4 why that won't be the case this weekend.

“You will see this weekend additional officers on the street,” Officer Johnna Watson said.

Video from Citizen app captured the scene last weekend in Oakland.

However, Oakland police say when it comes to enforcement this weekend things will be different.

“The chief has just authorized the full deployment of our sideshow detail enforcement. This really goes back to resources. We need the resources to be able to continue to keep the city of Oakland safe,” Watson said.

A unanimous vote from the city council has given OPD the funding they say is needed to better handle the sideshow problem.

It is not like the city council approves money and all of the sudden more OPD officers start falling out of the sky and you have got more officers on the street.

“It is the funds for overtime that we can bring additional officers in. I will be out there this weekend,” Watson said.

OPD officials say the return of sideshow enforcement means the return of citations, vehicles being towed and, participants being arrested

“And if we don't get you this weekend or we didn't get you last weekend, we have seizure warrants and, we will come after you with our seizure warrants. That's a 30-day impound of your vehicle. It will cost you thousands of dollars. We don't have limits on how far we will travel. We will travel there and take that car,” Watson said.



OAKLAND POLICE COMMISSION MEETING MINUTES - DRAFT

April 8, 2021
6:30 PM

I. Call to Order

Vice Chair José Dorado

II. Roll Call and Determination of Quorum

Vice Chair José Dorado

Commissioners Present: José Dorado, Henry Gage, III, Brenda Harbin-Forte, Regina Jackson (*arrived during item IV*), and David Jordan. Quorum was met.

Alternate Commissioners Present: Marsha Peterson

Commissioners Excused: Tyfahra Singleton

Counsel for this meeting: Conor Kennedy

III. Welcome, Purpose, and Open Forum

Comments were provided by the following public speakers:

Gene Hazzard

Bruce Schmiechen

Saleem Bey

Assata Olugbala

Reisa Jaffe

Kevin Cantú

IV. Update from Police Chief

OPD Chief Armstrong provided an update on the Department including the newly created Violent Crimes Operations Center and the statistic that gun recoveries are up 31% over last year.

Comments were provided by the following public speakers:

Bruce Schmiechen

Reisa Jaffe

Saleem Bey

Assata Olugbala

John Bey

Gene Hazzard

No action was taken on this item.

V. Commission Retreat Follow Up (*this item was rescheduled to a future agenda*)

No public comments were provided on this item.

VI. Revisions to Meeting Agenda Format

The Rules Committee proposed a revised meeting agenda format that will give the public advance notice of what will happen at the meetings. The Commission voted to accept the revised agenda format.

Comments were provided by the following public speakers:

Kevin Cantú
Rachel Beck
Gene Hazzard
Assata Olugbala
Reisa Jaffe
Saleem Bey
Rashidah Grinage

A motion was made by Henry Gage, III, seconded by Sergio Garcia, to adopt the revised meeting agenda format. The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, and Jordan
No: Jackson

VII. Police Commission Code of Conduct Policy

The Commission reviewed a new Code of Conduct presented by the Rules Committee.

Comments were provided by the following public speakers:

Reisa Jaffe
Speaker did not identify themselves
Assata Olugbala
Saleem Bey

No action was taken on this item.

VIII. Resolution to Support City Council Signed Ordinance Amending Anti-Nepotism Ordinance OMC Chapter 2.40 Exception for OPD and OFD

The Commission discussed a resolution to support a City Council ordinance amending an anti-nepotism ordinance.

Comments were provided by the following public speakers:

Assata Olugbala
Saleem Bey

No action was taken on this item.

IX. Meeting Minutes Approval

The Commission voted to approve minutes from March 11 and 25, 2021.

No public comments were provided on this item.

A motion was made by Sergio Garcia, seconded by Henry Gage, III, to approve the March 11, 2021 minutes. The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, Jackson, and Jordan
No: 0

A motion was made by José Dorado, seconded by Marsha Peterson, to approve the March 25, 2021 minutes. The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, Jackson, and Jordan
No: 0

X. Committee Reports

Representatives from Standing and Ad Hoc Committees provided updates on their work. **Internal Affairs Manual** – has discussed the draft manual and intend to hold a community forum on it on April 19th; **Police Chief Goals and Evaluation** – met on March 18th to consider important elements and met with Chief Armstrong on March 23rd to solicit input; a new Ad Hoc Committee was formed – **Inspector General Search** (Jackson, Peterson, Singleton) and the tasks will be to review applications, conduct interviews and background checks, and make recommendations; to date 10 applications have been submitted.

Comments were provided by the following public speakers:
Rashidah Grinage
Assata Olugbala
Saleem Bey

No action was taken on this item.

XI. Open Forum

Comments were provided by the following public speakers:
Michele Lazaneo

XII. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission engaged in a working session to discuss and determine agenda items for upcoming Commission meetings: Sloan report; presentation from John Alden on the proposed move of IAD to CPRA; letters of support for police accountability State legislation; and a report from the Missing Persons Policy Ad Hoc Committee.

Comments were provided by the following public speakers:
Saleem Bey
John Bey
Anne Janks
Michele Lazaneo

No action was taken on this item.

XIII. Adjournment

A motion was made by José Dorado, seconded by Marsha Peterson, to adjourn the meeting at 9:30 pm in memory of Tatiana Sunshine Dugger. The motion carried by the following vote:

Aye: Dorado, Gage, Garcia, Harbin-Forte, Jackson, and Jordan

No: 0



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

Current Committees

| Standing Committee | Commissioners |
|--------------------|----------------|
| Outreach | Dorado, Jordan |
| Personnel | Jackson |

| Ad Hoc Committee | Commissioners |
|---|-------------------------------|
| Annual Report | Jackson |
| Budget | Dorado, Jackson |
| Community Policing OPD 15-01 | Dorado, Harbin-Forte, Jackson |
| IAD Manual | Gage, Jackson, Jordan |
| Inspector General Search | Jackson, Peterson, Singleton |
| Mental Health Model | Dorado |
| Militarized Police Equipment | Gage, Jackson, Jordan |
| Missing Persons Policy | Harbin-Forte, Jackson, Jordan |
| OBOA Allegations Investigation | Harbin-Forte, Jackson |
| Police Chief Goals and Evaluation | Garcia, Peterson, Singleton |
| Rules of Procedure | Gage, Garcia, Harbin-Forte |
| White Supremacists and Other Extremist Groups | Dorado, Harbin-Forte, Jackson |

Police Commission Pending Agenda Matters List

| | A | B | C | D | E | F | G | H |
|---|--|---------------------|---|--|----------------|-------------------|-----------|------------------------------|
| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/Deadline | Scheduled | Lead Commissioner(s), if any |
| 2 | Commissioner Trainings | 1/1/2018 | <p>Complete trainings mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190</p> <p>Some trainings have deadlines for when they should be completed (within 3 months, 6 months, etc.)</p> <p>Several trainings were delivered in open session and have been recorded for future use</p> | <p>The following trainings must be done in Open Session:</p> <ol style="list-style-type: none"> 1. California's Meyers Milias Brown Act (MMBA) and Public Employment Relations Board's Administration of MMBA (done 3.12.20) 2. Civil Service Board and Other Relevant City Personnel Policies and Procedures (done 2.27.20) 3. Memoranda of Understanding with Oakland Police Officers Association and Other Represented Employees (scheduled for 4.22.21) 4. Police Officers Bill of Rights (done 12.12.19) | High | Ongoing | | |
| 3 | Confirming the Process to Hire Staff for the Office of Inspector General | 5/17/2019 | <p>Per the Enabling Ordinance: The City shall allocate a sufficient budget for the OIG to perform its functions and duties as set forth in section 2.45.120, including budgeting one (1) full-time staff position comparable to the position of Police Program and Audit Supervisor. Within thirty (30) days after the first Inspector General is hired, the Policy Analyst position and funding then budgeted to the Agency shall be reallocated to the OIG. All OIG staff, including the Inspector General, shall be civil service employees in accordance with Article IX of the City Charter.</p> | <p>This will require information presented from the City Administrator's Office.</p> | High | | | |

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| 4 | Finalize Bylaws and Rules | 1/24/2019 | | | High | | | Gage |
| 5 | Hire Inspector General (IG) | 1/14/2019 | Hire IG once the job is officially posted | Pending Measure LL revisions to be included in the November 2020 ballot. Recruitment and job posting in process. | High | | | Personnel Committee |
| 6 | Notification of OPD Chief Regarding Requirements of Annual Report | 1/1/2018 | Commission must notify the Chief regarding what information will be required in the Chief's annual report | <p>The Chief's report shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> 1. The number of complaints submitted to the Department's Internal Affairs Division (IAD) together with a brief description of the nature of the complaints; 2. The number of pending investigations in IAD, and the types of Misconduct that are being investigated; 3. The number of investigations completed by IAD, and the results of the investigations; 4. The number of training sessions provided to Department sworn employees, and the subject matter of the training sessions; 5. Revisions made to Department policies; 6. The number and location of Department sworn employee-involved shootings; 7. The number of Executive Force Review Board or Force Review Board hearings and the results; 8. A summary of the Department's monthly Use of Force Reports; 9. The number of Department sworn employees disciplined and the level of discipline imposed; and 10. The number of closed investigations which did not result in discipline of the Subject Officer. <p>The Chief's annual report shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code section 832.7</p> | High | June 14, 2018 and June 14 of each subsequent year | | Dorado |
| 7 | OPD to Provide a 30 Day Snapshot on the Effectiveness of SO 9202 | 2/27/2020 | | On 2.27.20, at the request of OPD the Commission considered and approved SO 9202 which amends the section in SO 9196 regarding Type 32 reportable force | High | | | |

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| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/Deadline | Scheduled | Lead Commissioner(s), if any |
| 8 | Performance Reviews of CPRA Director and OPD Chief | 1/1/2018 | Conduct performance reviews of the Agency Director and the Chief | The Commission must determine the performance criteria for evaluating the Chief and the Agency Director, and communicate those criteria to the Chief and the Agency Director one full year before conducting the evaluation. The Commission may, in its discretion decide to solicit and consider, as part of its evaluation, comments and observations from the City Administrator and other City staff who are familiar with the Agency Director's or the Chiefs job performance. Responses to the Commission's requests for comments and observations shall be strictly voluntary. | High | Annually; Criteria for evaluation due 1 year prior to review | | |
| 9 | Recommendations for Increasing Communication Between CPRA and IAD | 10/6/2018 | | Review of existing communication practices and information sharing protocols between departments, need recommendations from stakeholders about whether a policy is needed. Ensure prompt forwarding of complaints from IAD to CPRA and prompt data sharing. | High | | | |
| 10 | Reports from OPD | 10/6/2018 | Commission to decide on what reports are needed prior to receiving them. | Receive reports from OPD on issues such as: response times; murder case closure rates; hiring and discipline status report (general number for public hearing); any comp stat data they are using; privacy issues; human trafficking work; use of force stats; homelessness issues; towing cars of people who sleep in their vehicles. | High | Ongoing as appropriate | | |
| 11 | Request City Attorney Reports | 1/1/2018 | Request the City Attorney submit semi-annual reports to the Commission and the City Council | Request the City Attorney submit semi-annual reports to the Commission and City Council which shall include a listing and summary of: 1. To the extent permitted by applicable law, the discipline decisions that were appealed to arbitration; 2. Arbitration decisions or other related results; 3. The ways in which it has supported the police discipline process; and 4. Significant recent developments in police discipline. The City Attorney's semi-annual reports shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code 832.7 | High | Semi-annually First one done 10.22.20 Next one should be April, 2021 | | Smith |
| 12 | Community Policing Task Force/Summit | 1/24/2019 | | | Medium | | | Dorado |

Police Commission Pending Agenda Matters List

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| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/Deadline | Scheduled | Lead Commissioner(s), if any |
| 13 | CPAB Report | | | Receive any and all reports prepared by the Community Policing Advisory Board (hereinafter referred to as "CPAB") and consider acting upon any of the CPAB's recommendations for promoting community policing efforts and developing solutions for promoting and sustaining a relationship of trust and cooperation between the Department and the community. | Medium | | | |
| 14 | Determine Outstanding Issues in Meet and Confer and the Status of M&C on Disciplinary Reports | 10/6/2018 | | Need report from police chief and city attorney. Also need status report about collective bargaining process that is expected to begin soon. | Medium | | | |
| 15 | Develop Plan for Quarterly Reports in Relation to Annual Report that is Due April 17th of Each Year | 12/6/2019 | | The Commission is required to submit an annual report each year to the Mayor, City Council and the public. Preparing quarterly reports will help with the coordination and preparation of an annual report. | Medium | | | |
| 16 | Free Gun Trace Service | 1/27/2020 | | This service was mentioned at a meeting in 2019. | Medium | | | Dorado |
| 17 | Modify Code of Conduct from Public Ethics Commission for Police Commission | 10/2/2018 | | On code of conduct for Commissioners there is currently a code that was developed by the Public Ethics Commission. | Medium | | | |
| 18 | Offsite Meetings | 1/1/2018 | Meet in locations other than City Hall | The offsite meetings must include an agenda item titled "Community Roundtable" or something similar, and the Commission must consider inviting individuals and groups familiar with the issues involved in building and maintaining trust between the community and the Department. | Medium | Annually; at least twice each year | | Dorado, Harris, Jackson |
| 19 | OPD Supervision Policies | 10/2/2018 | | Review existing policy (if any) and take testimony/evidence from experts and community about best practices for supervisory accountability. Draft policy changes as needed. In addition, IG should conduct study of supervisor discipline practices. In other words, how often are supervisors held accountable for the misconduct of their subordinates. | Medium | | | |

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| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/Deadline | Scheduled | Lead Commissioner(s), if any |
| 20 | Public Hearing on OPD Budget | 1/1/2018 | Conduct at least one public hearing on the Police Department's budget | Tentative release date of Mayor's proposed budget is May 1st of each year. | Medium | Spring, 2021 | | |
| 21 | Receive a Report from the Ad Hoc Committee on CPRA Appellate Process | 6/13/2019 | Once the Commission has an outside counsel, work with them on determining an appellate process | When a draft process is determined, bring to the Commission for a vote. | Medium | | | Brown, Gage, Prather |
| 22 | Report from OPD Regarding Found/Confiscated Items | 7/12/2019 | OPD will report on the Department's policy for disposition of found/confiscated items. | This came about through a question from Nino Parker. The Chief offered to present a report at a future meeting. | Medium | | | |
| 23 | Report Regarding OPD Chief's Report | 1/1/2018 | Submit a report to the Mayor, City Council and the public regarding the Chief's report in addition to other matters relevant to the functions and duties of the Commission | The Chief's report needs to be completed first. | Medium | Annually; once per year | | |
| 24 | Review Budget and Resources of IAD | 10/10/2018 | | In Discipline Training it was noted that many "lower level" investigations are outsourced to direct supervisors and sergeants. Leaders in IAD have agreed that it would be helpful to double investigators and stop outsourcing to Supervisors/Sgts. Commissioners have also wondered about an increase civilian investigators. Does the Commission have jurisdiction over this? | Medium | | | |
| 25 | Review Commission's Outreach Policy | 4/25/2019 | | | Medium | | | Dorado |
| 26 | Revise Contracts with CPRA and Commission Legal Counsels | 10/10/2018 | | The contract posted on the Commission's website does not comport with the specifications of the Ordinance. As it stands, the Commission counsel reports directly to the City Attorney's Office, not the Commission. The Commission has yet to see the CPRA attorney's contract, but it, too, may be problematic. | Medium | | | |

Police Commission Pending Agenda Matters List

| | A | B | C | D | E | F | G | H |
|----|--|---------------------|--|--|----------------|-------------------|-----------|------------------------------|
| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/Deadline | Scheduled | Lead Commissioner(s), if any |
| 27 | Amendment of DGO C-1 (Grooming & Appearance Policy) | 10/10/2018 | | DGO C-1 is an OPD policy that outlines standards for personal appearance. This policy should be amended to use more inclusive language, and to avoid promoting appearance requirements that are merely aesthetic concerns, rather than defensible business needs of the police department. | Low | | | |
| 28 | Annual Report | 1/1/2018 | Submit an annual report each year to the Mayor, City Council and the public | | Low | Spring, 2022 | | Prather, Smith |
| 29 | Assessing Responsiveness Capabilities | 10/6/2018 | | Review OPD policies or training regarding how to assess if an individual whom police encounter may have a disability that impairs the ability to respond to their commands. | Low | | | |
| 30 | CPRA Report on App Usage | 10/10/2018 | | Report from staff on usage of app. | Low | | | |
| 31 | Creation of Form Regarding Inspector General's Job Performance | 1/1/2018 | Create a form for Commissioners to use in providing annual comments, observations and assessments to the City Administrator regarding the Inspector General's job performance. Each Commissioner shall complete the form individually and submit his or her completed form to the City Administrator confidentially. | To be done once Inspector General position is filled. | Low | | | |
| 32 | Discipline: Based on Review of MOU | 10/6/2018 | | How often is Civil Service used v. arbitration? How long does each process take? What are the contributing factors for the length of the process? How often are timelines not met at every level? How often is conflict resolution process used? How long is it taking to get through it? Is there a permanent arbitration list? What is contemplated if there's no permanent list? How often are settlement discussions held at step 5? How many cases settle? Is there a panel for Immediate dispute resolution? How many Caloca appeals? How many are granted? What happened to the recommendations in the Second Swanson report? | Low | | | |

Police Commission Pending Agenda Matters List

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|----|---|---------------------|---------------------|---|----------------|-------------------|-----------|------------------------------|
| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/Deadline | Scheduled | Lead Commissioner(s), if any |
| 33 | Discipline: Second Swanson Report Recommendations – Have These Been Implemented? | 10/6/2018 | | Supervisor discipline Process for recommending improvements to policies, procedures and training, and to track and implement recommendations Tracking officer training and the content of training Comparable discipline imposed – database of discipline imposed, demonstrate following guidelines IAD civilian oversight for continuity in IAD Improved discovery processes Permanent arbitration panel implemented from MOU OPD internal counsel Two attorneys in OCA that support OPD disciplines and arbitration Reports on how OCA is supporting OPD in discipline matters and reports on arbitration Public report on police discipline from Mayor’s office OIG audit includes key metrics on standards of discipline | Low | | | |
| 34 | Feedback from Youth on CPRA App | 10/10/2018 | | Get some feedback from youth as to what ideas, concerns, questions they have about its usability. | Low | | | |
| 35 | OPD Data and Reporting | | | Review and comment on the Department’s police and/or practice of publishing Department data sets and reports regarding various Department activities, submit its comments to the Chief, and request the Chief to consider its recommendations and respond to the comments in writing. | Low | | | |
| 36 | Outreach Committee: Work with Mayor's Office and City Admin to Publicize CPRA App | 10/10/2018 | | | Low | | | |
| 37 | Overtime Usage by OPD - Cost and Impact on Personal Health; Moonlighting for AC Transit | 1/1/2018 | | Request Office of Inspector General conduct study of overtime usage and "moonlighting" practices. | Low | | | |

Police Commission Pending Agenda Matters List

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|----|--|---------------------|---|--|----------------|----------------------------------|-----------|------------------------------|
| 1 | Pending Agenda Matter | Date Placed on List | Duties/Deliverables | Additional Information/Details | Priority Level | Timeline/Deadline | Scheduled | Lead Commissioner(s), if any |
| 38 | Process to Review Allegations of Misconduct by a Commissioner | 10/2/2018 | | Maureen Benson named concerns/allegations about a sitting Commissioner early in 2018, but no process exists which allows for transparency or a way to have those concerns reviewed. It was suggested to hold a hearing where anyone making allegations presents evidence, the person named has an opportunity to respond and then the Commission decides if there's sanctions or not. *Suggestion from Regina Jackson: we should design a form...check box for the allegation...provide narrative to explain..hearing within 4 weeks? | Low | | | Jackson |
| 39 | Proposed Budget re: OPD Training and Education for Sworn Employees on Management of Job-Related Stress | 1/1/2018 | Prepare for submission to the Mayor a proposed budget regarding training and education for Department sworn employees regarding management of job-related stress. (See Trauma Informed Policing Plan) | Review and comment on the education and training the Department provides its sworn employees regarding the management of job-related stress, and regarding the signs and symptoms of posttraumatic stress disorder, drug and alcohol abuse, and other job-related mental and emotional health issues. The Commission shall provide any recommendations for more or different education and training to the Chief who shall respond in writing consistent with section 604(b)(6) of the Oakland City Charter. Prepare and deliver to the Mayor, the City Administrator and the Chief by April 15 of each year, or such other date as set by the Mayor, a proposed budget for providing the education and training identified in subsection (C) above. | Low | 4/15/2021 | | |
| 40 | Public Hearings on OPD Policies, Rules, Practices, Customs, General Orders | 1/1/2018 | Conduct public hearings on Department policies, rules, practices, customs, and General Orders; CPRA suggests reviewing Body Camera Policy | | Low | Annually; at least once per year | | Dorado |
| 41 | Revisit Standing and Ad Hoc Committee Assignments | 10/29/2019 | | | Low | | | |
| 42 | Social Media Communication Responsibilities, Coordination, and Policy | 7/30/2019 | | Decide on social media guidelines regarding responsibilities and coordination. | Low | | | |