



# OAKLAND POLICE COMMISSION MEETING TRANSCRIPT

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- Juanito Rus: To you all via email about 10 minutes ago from Mary Vail.
- Regina Jackson: Okay, when we receive comments in a few moments ahead, we cannot possibly read them.
- Juanito Rus: I understand. The deadline that we had was a half an hour, so it did come before the deadline.
- Juanito Rus: [inaudible 00:03:46].
- Regina Jackson: Official meeting of the Oakland Police Commission. This is Thursday, May 14th, 2020. Excuse me. As we shelter in place, I'd like for us to remember those struggling with COVID-19 and keep them in our prayers for recovery. Before we adjourn to close session, we will take ... excuse me ... we will take roll call, and on the roll call for today's meeting, please respond as present.
- Regina Jackson: Commissioner Harris.
- Ginale Harris: Present.
- Regina Jackson: Thank you. Commissioner Prather.
- Edwin Prather: I'm here Chair, thank you.
- Regina Jackson: Thank you. Commissioner Dorado.
- Jose Dorado: [Spanish 00:05:37].
- Regina Jackson: Mr. Dorado?
- Jose Dorado: [Spanish 00:05:37]. Can you hear me?
- Regina Jackson: I see you. I've unmuted you.
- Thomas Lloyd Smith: He said he's present.
- Regina Jackson: Okay. I could not hear him. Thank you. Commissioner Anderson.
- Tara Anderson: Present.
- Regina Jackson: And Commissioner Smith.



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Thomas Lloyd Smith: I am present.

Regina Jackson: Okay. Commissioner Gage is excused and I do not see the alternate commissioners, but we do have a quorum. Before we adjourn to close session, I would like to turn over the speaking role to be managed by Mr. Rouse. For the purpose of the meeting though, public comment will be two minutes. There's a timer embedded in our platform. And at the end of that time, you'll be muted so that the next speaker may proceed. There will be no ceding of time.

Regina Jackson: Please do not raise your hand before the invitation to speak. The host, Mr. Rouse will lower the hands of those who have raised before the invitation. Members of the public will have the opportunity to comment on action items before the action is taken. Go ahead, Mr. Rouse.

Juanito Rus: Good evening Chair. As of now we have one commenter. If you have a public comment, please raise your hand and I will call you as your hands are raised.

Juanito Rus: Our first commenter is Miss Assata Olugbala. Miss Olugbala, can you hear me?

Assata Olugbala: Yes, I can. Can I have a point of clarification, please?

Juanito Rus: Sure.

Assata Olugbala: Is this intended to be public comment related to closed session?

Juanito Rus: That's correct.

Assata Olugbala: Okay. Then I will not need to speak. I'll return to public comment during the regular meeting. Thank you so much.

Juanito Rus: Very well.

Thomas Lloyd Smith: [inaudible 00:00:07:53], Commissioner Dorado, you need to mute.

Juanito Rus: Our next speaker is Miss Rashidah Grinage. Miss Grinage, can you hear us?

Rashidah Grinage: Yes. Can you hear me?

Juanito Rus: I can hear you. Your two minutes will start whenever you're ready.

Rashidah Grinage: Thank you. I'm not clear on whether this means I can't speak during open forum or not. Can you clarify that?



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- Juanito Rus: You can. This is specifically for the closed session.
- Rashidah Grinage: Okay. Then in that case, I'll wave right now and I'll speak later. Thank you.
- Juanito Rus: Thank you. That looks to be the only hands that were raised during this comment period. Madame Chair, I'll pass the meeting back to you.
- Regina Jackson: Okay. Thank you very much. Excuse me. So the Commission will now adjourn to closed session. It will be our intention to return by our 6:30 start and we will do the welcome at that time. Thank you very much for your patience and we will be back as soon as we conclude our business. Thank you.
- Regina Jackson: (silence).
- Regina Jackson: the report out on closed session is that there is nothing to report. I want to recall the roll call for our meeting of Thursday, May 14th, 2020. For our roll call for today's meeting, please respond as present. Commissioner Harris?
- Ginale Harris: Present.
- Regina Jackson: Thank you. Commissioner Anderson.
- Tara Anderson: Present.
- Regina Jackson: Thank you. Commissioner Smith. Sorry, this thing keeps moving. Just one moment. Commissioner Smith?
- Thomas Lloyd Smith: Yes. I'm present.
- Regina Jackson: Excellent. Thank you. Commissioner Prather.
- Edwin Prather: Yes, I'm here, chair. Thank you.
- Regina Jackson: Terrific. Thank you. Alternate Commissioner Jordan.
- David Jordan: Yeah. I'm here.
- Regina Jackson: Okay, thank you. Let's see. It looks like we are missing Commissioner Dorado. Hopefully he'll be able to join us again. And we are missing Alternate Commissioner Brown, but we do have a quorum, and Commissioner Gage is excused, and I will chair this meeting. So item six is the welcome, and we will be happy to take open forum comments, questions, and I will turn this meeting



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back over to Commissioner Dorado. I mean, excuse me, Mr. Rus to identify comments and questions.

Juanito Rus: Thank you, chair. At this time, if a member of the public would like to make a comment, please raise your hand in the Zoom container. At this time, I'm showing five hands raised. We will take them in order. I will start the clock when you begin your comments. The first hand belongs to Lorelei Bosserman. Hello, Ms. Bosserman, are you there?

Lorelei Bosserman: Yes, I'm here. Can you hear me?

Regina Jackson: Mr. Rus, would you remind them how long they have to speak?

Juanito Rus: There are two minutes to speak Ms. Bosserman, are you there?

Lorelei Bosserman: Yes, I'm here. First, I want to say thank you to all of you for hanging in there during all of this and holding your meetings and conducting business. This is Lorelei Bosserman I'm with the Coalition for Police Accountability. I want to talk about the police action that happened over in the parking lot of the East Oakland Collective. I find it disturbing because they pulled a gun on someone and they pulled someone out of a car, all because they supposedly fit the description of someone who is violent.

Lorelei Bosserman: And we all know, this is nothing new, we all know that saying that someone fits the description of someone is used to terrorize black communities. And I don't know if there's a policy, an OPD policy, that governs what you can do. Just based on the fact that you say someone fits the description. Can you pull a gun on someone because they fit the description of someone who's dangerous? When someone asked if it was appropriate to be aiming a gun at someone, the defense that I heard a police officer make was, "Well, person we're looking for is really dangerous," but they didn't know if this person was really dangerous. And I guess I would ask you, when you have the time, to look at whatever policies would govern what police officers can do.

Lorelei Bosserman: What police officers can do based on someone fitting a description. Can they actually pull their gun and aim it at someone for fitting a description? Thank you. Oh, that's all.

Juanito Rus: Thank you, Ms. Bosserman. I will disable you. And the next speaker that I have is Assata Olugbala. Ms. Olugbala, can you hear me?

Assata Olugbala.: Yes, sir. Thank you. I can hear you.



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- Juanito Rus: Your time will begin whenever you're ready.
- Assata Olugbala: Thank you. Well, I just wanted to start off by saying thank you for your work. I'm very appreciative of what you're doing, and I'm very sorry for the large volume of misinformation that's going out related to the police commission. I am very much concerned about the failure of the police department to do any recognition of what has been happening related to the murder of Miesha Singleton, who was viciously hit and run on January 17th of 2020. The last time we heard from the police department was on January 20th of 2020, when they acknowledged that a vehicle had been found that was the vehicle used in the hit-and-run, that the owner, they were able to recognize the owner. They say the car was not stolen and that they had the ability to do some forensic work. That's the last time. It's almost two months ago.
- Assata Olugbala: Why are we not hearing anything about this murder? I know why we're not. It's a coverup. They're trying to throw it under the rug to protect a political entity, but at some point, you're going to have to say something. I was just listening to the meeting of the privacy commission, and they have an ordinance that allows them to dictate to the police department what they can do or cannot do related to working with ICE. The police department has never said anything about the operations, their daily operations, being interfered by the privacy commission, but they seem to have some reason to find it problematic that the police commission is working with policy and working with recommendations for creating things that need to be worked on. So what happened to Miesha Singleton, police department? Chief is there. You can speak to it anytime you want.
- Juanito Rus: Thank you, Ms. Olugbala. Your time is up. I'm going to lower your hand, and we will move on to the next commenter, who I show is Rashidah Grinage. Hello, Ms. Grinage, can you hear us?
- Rashidah Grinage: I can. Can you hear me?
- Juanito Rus: We can hear you. Your time will begin whenever you're ready.
- Rashidah Grinage: Thank you. I'd like to follow up on Lorelei's comments. The video of what transpired when the young man was thrown to the ground and had a gun pointed at him, and all of the testimony that I've read about this incident, is extremely disturbing. These folks are on the frontline of helping folks who are desperate in their need for assistance in East Oakland. And for them to be treated this way, with people telling them that they had the wrong person, that it was case of mistaken identity, but they were not taken seriously. They were not believed. And the entire experience requires a full and thorough explanation



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by the chief, the interim chief, I should say. And how she responds to this is going to be very telling in terms of the nature of the leadership that she's going to offer. So I'm looking forward to having that response.

Rashidah Grinage: On another point, I would like to request that for your next meeting, on the 28th, that in the CIPRA report, there is a section that provides data on the comparison of findings between the CIPRA investigators and internal affairs. I would like at least to go back six months and compare the percentage of times that there were agreements in the findings and disagreements in the findings. And I'm hoping that Mr. Alden will be able to accommodate that request. Thank you very much.

Juanito Rus: Thank you, Ms. Grinage, I will now lower your hand. And our next speaker, I have from a phone line, extension 0185. Hello, can you hear us?

Michele Lazaneo: Hi, this is Michelle Lazaneo, spokesperson for the Bandabaila family. And I want to give my list of reasons why this commission needs to stay. In 2016, Mayor Schaaf proclaimed to the community that she was here to run a police department and not a frat house. And in 2017, she chose Anne Kirkpatrick and hired her to be the "agent of change" and reformer of the Oakland police department. Yet that reform and change did not happen. Kirkpatrick promoted five supervisors who were involved in the Celeste Guap rape coverup. After three years as chief, 151 of OPD's departmental general orders are still extremely outdated. I checked today, 10 to 20 years old, including the missing persons policy. Oakland's antiquated 911 system falls short of state and national standards, with only 57.5% of 911 calls being answered within 15 seconds. The national standard is 95% of 911 calls answered within 15 seconds.

Michele Lazaneo: This commission has not been supported by the mayor, former city administrator, and there was no partnership with former chief Kirkpatrick. At their own volition, the Oakland police department has not addressed these serious issues and not corrected them. Oakland needs a police commission and 82% of Oakland residents voted in favor of this commission, but we need an independent commission that does not include members appointed by the mayor. We need a commission that has the power to affect change, the power to hold OPD accountable, and is not blocked and sabotaged at every turn.

Michele Lazaneo: I've been attending these meetings for a year as spokesperson for the Jonathan Bandabaila family. We have hope and faith in this commission, and we're afraid that former chief Kirkpatrick, Mayor Schaaf and particular city council members are misrepresenting things and trying to sway the public to get rid of this commission. Don't be fooled, Oakland. We need this commission. The one-year anniversary of Jonathan's disappearance was on May 3rd, and not one person,



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not one representative from the Oakland police department called to say anything to this family. That gives you an idea.

Juanito Rus: Thank you, ma'am. Your two minutes are up.

Michele Lazaneo: Thank you.

Juanito Rus: I will lower your hand. And our last commenter, I'm showing an Anne? Hello, Anne, can you hear us?

Anne Janks: Yes. Can you hear me? We can hear you your time starts whenever you're ready. Okay. My name is Anne Jenks with the Coalition for Police Accountability. And I hope that the commissioners got a chance to see some of the video of the police action in the East Oakland Collective parking lot. And I thought I'd start by highlighting something you may have missed.

Anne Janks: It was the one bright spot. And that was that one of the bystanders at the scene said that they would be in touch with the police commission. So your name's getting out there, but your name getting out there also means that you need to act, to advocate for the residents of Oakland. Residents need to get answers in these situations. OPD has offered only multiple conflicting of explanations, and residents also need to see change. We need not to have a situation where people are handcuffed who are not under arrest and who presenting no reason to handcuff them. We need to stop the OPD from speaking disrespectfully to bystanders and threatening to use force. An officer said to a bystander who was videoing that he would put them in cuffs. I really ... this is an important thing for the commission to do, is to help residents get answers and then ensure that change occurs. Thank you very much.

Juanito Rus: Okay. Thank you, Ms. Jenks. I will now lower your hand. I'm showing one additional member of the public who raised their hand. I have an Assata Bandabaila, and appears that it's out of Assata Bandabaila. It's using an older version of Zoom, so I will have to briefly promote them to a panelist to allow them to speak. So, one second while I do that. Hello? Assata Bandabaila. Are you there?

Assata Bandabaila: I am. Yes. Yep.

Juanito Rus: Your time starts. Two minutes. Whenever you're ready.

Assata Bandabaila: Thank you. I'm calling to say that this police commission ...

Ginale Harris: Mr. Rus?



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- Assata Bandabaila: [inaudible 01:18:50] they need nothing, [crosstalk 01:18:51] but the police commission took us in their hands. So we want this police commission to remain and more powers that they have, because I do not want to see somebody coming to attack the police commission or any one of the commissioners, because all of these commissioners have really, are doing a good job in Oakland. And secondly, they are elected by the people of Oakland. So I cannot see that. So I want to see that they have this commission and looking over some of us and be able to help us where my son wasn't [inaudible 01:19:35].
- Juanito Rus: Mr. Bandabaila, your audio appears to be cutting in and out. I don't know if you're trying to speak right now.
- Assata Bandabaila: I think right now and do everything they can to help poor people like me in Oakland. Thank you.
- Ginale Harris: We didn't hear any of that.
- Juanito Rus: Thank you, Mr. Bandabaila. We didn't hear large parts of that comment. It sounded like your audio cut out.
- Assata Bandabaila: That's the problem we're having here with my children. They were helping me. For 30 minutes, now they couldn't get in.
- Regina Jackson: Excuse me, Mr. Rus, can we give him one more minute to try and restate some of what we might've missed?
- Juanito Rus: We can add a minute to his time. Sure.
- Regina Jackson: Thank you.
- Juanito Rus: Mr. Bandabaila, I'm going to add a minute to your time, and if you have any additional comments, you're welcome to continue.
- Assata Bandabaila: I'm ready. What I was saying is, I understand that there is in fight or police trying to reduce the powers of the police commission. This should not happen. They're trying to shut down the police commission in Oakland.
- Juanito Rus: I'm not quite sure what is happening to the audio on Mr. Bandabaila's side.
- Assata Bandabaila: Yeah. Excellent work. Commissioner Harris being really targeted, and in particular, I don't like it. See, I know, especially Mr. Council member Gallo. Here's the leader that for that. And I'm against it. Unfortunately, the coronavirus [inaudible 00:13:27]. Otherwise I like to stand in front of the eye





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with my notes and really present myself and see that this does not happen. That's what I have to say. Thank you.

Juanito Rus: Thank you, Mr. Bandabaila. I will put you back in the attendee queue.

Assata Bandabaila: Thank you.

Ginale Harris: Yes, thank you, Mr. Bandabaila.

Juanito Rus: At this time, those are all the speakers that I have.

Regina Jackson: Thank you very much. I wanted to say that Commissioner Dorado rejoined the meeting just as we were going to open forum. So for the record, I wanted to make sure that he is listed as here and present. We will be moving to item seven. We heard from members of the community that they want updates on certain items, particularly from the police department. So we have created a special update that you will see reoccurring in each agenda from Interim Police Chief Manheimer.

Juanito Rus: Excuse me, [inaudible 01:22:32] chair. I forgot to mention, we did receive one written public comment. I just wanted to state that for the record, prior to this tonight's meeting from Mary Vale. That message has been distributed to the commissioners and it will appear in the transcript of this meeting.

Regina Jackson: Okay. Thank you. And it looks like you have a couple more hands in open forum. Is that correct? Or no?

Juanito Rus: There were two hands that were raised after you started the next item.

Regina Jackson: Okay. I'll tell you what we'll, we'll go back because open form is very important. So let us go ahead and identify those two folks, and then we will move forward.

Juanito Rus: Very well. The next person whose hand I have raised, then, is Needa Bee. Hello, Needa Bee. Can you hear us?

Needa Bee: Hello?

Juanito Rus: Hello? Can you hear us?

Needa Bee: Yes. Can you hear me?

Juanito Rus: We can hear you.



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- Needa Bee: All right. So it's not just me. There's myself. I'd like to speak. And the two people who are in the video that everyone is talking about are here too. So I hope that they can also get two minutes. I'm going to pass the mic onto them. So it would be two minutes for three of us here.
- Juanito Rus: And excuse me, Miss Needa Bee, the rules for public comments are that there are two minutes per attendee in the queue, unless council directs otherwise, we were only allowing two minutes per attendee.
- Needa Bee: Considering that this is very unorthodox that we have to meet about this very serious situation, and I have the two people here-
- Regina Jackson: Ms. Bee?
- Needa Bee: Yes? Can you hear me?
- Regina Jackson: Excuse me, Ms. Bee, this is Chair Jackson. Yes. I will direct Mr. Rus to allow all three of you to have your two minutes. Okay?
- Needa Bee: Thank you so much. [crosstalk 01:24:33]
- Aiyahna Johnson: Hi, my name is Aiyahna Johnson. I was the one in the video. I'm an essential worker for the East Oakland locations for unhoused residents. This was the incident that you saw on Facebook. Wasn't my first interaction with OPD. About four days prior to the incident, my car, my essential vehicle, was hit after the police were pursuing a stolen vehicle on San Leandro and 98th. Now they hit another, the stolen car that they were pursuing, hit another car and they hit my car and they ended up in the hospital, and those were other residents of Oakland that have nothing to do with the situation that happened days before.
- Aiyahna Johnson: The police basically told me that they weren't pursuing the vehicle, but they told me where the location, the last vehicle, the stolen vehicle was seen. There was nothing that came about that situation and I wasn't helped after that, after the sergeant gave me his information. Five days later, all I know is I was tailed on the way to have a meeting at East Oakland Collective by some officers who informed me that had did an illegal lane change in a single lane, which is very confusing to me because this is my second interaction.
- Aiyahna Johnson: The whole community seen what they did to the essential worker that was a partner in my passenger side. They told him basically that he was, he identified or looked like a murder suspect, and 15 officers and a helicopter accompanied us through this whole situation. Now, I'm a taxpayer and a voter, and this concerns me very greatly, very deeply. And I'm also a mother of two. I wanted



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to know if there's a possibility that something can be changed as far as policy, as far as just implementation on how they treat people of color in the community, because this is just an ongoing effort that I've been seeing. And it just seems like Oakland has become the Wild Wild West, and it's not the citizen. It's actually OPD. So I wanted to know what can we do as a unit to stop this? I'm done.

Juanito Rus: Thank you. The next two minutes, will start when you're ready.

Aki Young: Yes. Hello. My name is my name is Aki Young, and I am being the individual who was drug out of the vehicle, tackled to the ground, handcuffed, drove around in the police unit for several hours before I was taken to Santa Rita jail, where there is no arrest record, no record whatsoever that I was there, released the next morning with no explanation as to why I'd become a suspect, a murder suspect. How could I become a murder suspect when I had on a mask, I had a hat on, I was in a vehicle with the windows tinted. I don't understand that. And I can't understand that.

Aki Young: But I would like to know and see when and where policy will be changed for the procedures that was taken place against me. Everything was caught on tape. Everything. Actually, I'd like to rephrase that. Nothing was caught on tape. It was on tape intentionally. So it wasn't cold. It wasn't like it we had secret hidden cameras. They acted and carried themselves the way common street thugs would do. How do I know this? Because I've experienced that also. Anyway, but that being said, I have not admitted, submitted a formal complaint, but I will be submitting one. I would like to let you guys know this. And with that being said, have a wonderful day.

Regina Jackson: Thank you sir. Yes.

Juanito Rus: Thank you, I will. Two minutes for the next speaker.

Speaker 3: All right. Can you hear me?

Juanito Rus: We can hear you.

Needa Bee: All right. This is Needa Bee. I'm just really disheartened and outraged and frustrated that this continues to happen to our community members, particularly black folks. It is so clear that there is an epidemic of police officers targeting black folks. And I would also want to add that this is not something that has just happened to my friends here. Since the shelter in place, what I have noticed and witnessed throughout Oakland, particularly East Oakland and Deep East Oakland, is that the police are bored. And because everyone's in the house, and they are literally targeting people left and right. And when one



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police officer pulls over a vehicle, six or seven squad cars show up. So what I witnessed to happen to Aki and Aiyahna is happening all over Oakland during the shelter in place.

Needa Bee: And that needs to be, the police need to be held accountable for that. With this particular situation, with Aki and Aiyahna, I want to get all the names of the personnel that were involved with this, all the officers, the helicopter driver, the special ops. Why was special ops there? Why was there a helicopter, therefore, a basic traffic stop? How come Aiyahna was never even cited or ticketed for this alleged traffic violation she made?

Aiyahna Johnson: I never gave my ID, either. My driver's license or information.

Needa Bee: And have these officers been disciplined? And if so, what was that discipline? And I personally believe that they need to be fired what they did. I mean, what I witnessed, without any doubt in my mind, is they were going to kill Aki. There was absolutely no doubt in my mind that if we had not been there, myself and Candice Elder and other members, residents of that neighborhood, they would have killed this brother, without question. And it was the fact that we had cameras on them and when they realized that we are working with the Alameda County Public Health Department, the look on their eyes was like, "Oh shit." Excuse my language. But that was the look on their eyes. I want to understand too, why was Aki driven around for hours on the back of the paddy wagon, and why is there no record of [crosstalk 01:30:56].

Juanito Rus: Thank you, Bee, your two minutes are up.

Needa Bee: Thank you.

Juanito Rus: I'm going to lower your hand now. We have one remaining ... one remaining person in the queue. It's Cathy Leonard. Hello? Ms. Leonard, can you hear us?

Cathy Leonard: Yes, I can. This is Cathy Leonard, an Oakland native and on the steering committee of the Coalition For Police Accountability. Interim Chief, I'd like you to understand, and I hope you do understand now why the Oakland police department has been under federal monitor for the past 17 years, because they continue to racially profile black people. How could they possibly identify Mr. Aki as a suspect when he had on a mask and a hat and the windows were tinted? I saw the video. There was a gun placed to the head of this man with nothing but a suspicion that isn't even backed up by any facts, by any credible evidence. I'm outraged, as many community members are, at this continuing conduct by the Oakland police department. Are you now as interim chief going



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to do something about the culture of the Oakland police department, which continually racially profiles black people? This needs to stop.

Cathy Leonard: These volunteers were targeted. They were followed, they were harassed, racially profiled. And Mr. Aki had a gun to his head for an extended period of time. Imagining how frightening that is, what separates Oakland police department officers from what we saw in Georgia, when two men jumped in the back of a truck, or jumped in a truck, and chased a black man who was doing nothing but jogging down the street? The only thing that didn't happen in this case is Mr. Aki and the young lady were not murdered. And that's only because there were so many witnesses and a videotape was playing. This department needs to get under control. And if you can't do it, your head will be on the block too. Thank you very much. [inaudible 01:33:30]

Juanito Rus: And with that, I believe that we have heard from everyone who had their hands raised in the queue. I'll pass the meeting back to you, Chair Jackson.

Regina Jackson: Okay, thank you very much. And I appreciate your patience and flexibility. I think it was very important to listen to everybody's comment. So with that, we are moving to item seven, excuse me, item. Yeah. Item seven. As mentioned before, it is very important to help the residents here from the interim police chief, particularly around items that are happening current and provide updates in between commission meetings. So you will see the update for Interim Police Chief Manheimer on a regular basis on our agenda. With that, I would like to invite interim commissioner that Interim Police Chief Manheimer to give us her update. You've been unmuted.

Chief Manheimer: Thank you so much. Can you hear me okay, chair Jackson?

Regina Jackson: Yes.

Chief Manheimer: Great. Thank you. I appreciate both all the comments, the public comments, and I greatly appreciate this opportunity to have some time at the beginning of your meeting, and to be able to share with you some updates, items of importance. When I spoke with you on April 23rd, I said I would like to bring you policy changes, crime trends, our involvement in the community, and the opportunity to really speak directly with you and hear from the community on issues on their mind. And so I won't take too much time out of the three or four issues I really want to bring up to you, but again, I appreciate that. I want to let this community and every community who throughout this great city of Oakland know that I hear and listen. I was speaking a little bit with a commissioner just before we started. And he said, "You know, chief, the best thing you can do is listen." And I fully agree with that because it's giving me an incredible flavor for



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what's on the hearts and minds of our community and how to rebuild and refresh and reset relationships out of compassion and partnership.

Chief Manheimer: And so I'm here to do that. I pledge to do that. I'm not only transparent, but I'm pretty direct. And I very much appreciate that about the city of Oakland in general. I have four items I'd like to bring up with you, and then I'm going to turn it over to your liaison, Deputy Chief Armstrong, who will entertain a couple of questions about the MacArthur Boulevard issue. To the extent that we can discuss that, we want to discuss that, and with our community. So I'd like to go first and I want to let Miss Olugbala that what we are doing is listening. And I heard her loud and clear at the city council meeting the other night. And she was talking in fact about the fatal hit and run accident of my Miesha Singleton. And I came back to the department and I asked for a briefing and update about it and we round tabled it.

Chief Manheimer: And while I understand and greatly appreciate where the detectives were going with this, I will say that after recognizing that we did identify a vehicle and a subject based on community tips, it was time now to turn that warrant back over with the picture to the community and hope that they can assist us again. Our strategy when we got the warrant early in February, I believe, or actually late in January, a couple of days after the incident, was to work with the marshals. We believed he may have fled, and to try and use the element of surprise so that we could get the information we desperately needed on this case. We were compelled as this family and as the community was. And at that point, we entered into the shelter in place. And so I think we recognize now that we really just needed to pivot to getting that information out.

Chief Manheimer: And I want to let you all know, particularly that I heard that call to action from the community. And today, about half an hour ago, we put out a press release and a video message to our community for the fatal hit and run, for the killer of my Miesha Singleton, the mother of seven struck and killed by a car traveling northbound in East Oakland, a beloved member of the community. And we, I think, recognize that we hope the community can help us track him down and bring him to justice. So I just want to let the community know at no time would we ever want to either put this incident on hold or give it any less of what I know the community who was so troubled about traffic safety, especially around that school. We are compelled as you all are. And so we did release that tonight, and that was as really brought to me by your comments, Miss Olugbala, and I want to thank you for that.

Chief Manheimer: And I want to pledge to you that we hear you, and we want to hear more of this. And hopefully this commission is a really good forum to continue to do that. One of my primary three impetuses in the relationship with the police



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commission is to refresh and reset and use you all as that reflection and feedback mechanism and bring our challenges and our issues to you, as I know you will do to us with the community. We have been in constant contact, by the way, with the family. And they have been notified today, as well as several council members who have made it their personal cause. So that's number one on, and I, again, thank you for bringing that sort of back up the queue, and I appreciate where the detectives were going, but at this point, we just need to put it out and have the community be our eyes and ears.

Chief Manheimer: Topic number two that I'd like to address very briefly, and it pain me a little bit that I had hoped that I would bring first to you for your discussion before we released it publicly. I worked with Chair Jackson to see how we could do that. We were not ready to release this publicly last week.

Chief Manheimer: And so I'm just really going to give you a bit of a preview on this, but it's something I hope to bring to you if you'll allow me on May 28th, it's a vital interest I think to this department. And I think you all, as the commission, will help us as you have been part of the stakeholder group on this. And that is the disparity report put out by Hillard Heintze, this study, which has been overly way too long, but what happened when I got here and it was on my desk with the response is I felt that we needed to take that response and retool it, because I wanted everyone to understand that this report about discipline disparity within our own Oakland police department did identify racial disparities and that that's not acceptable to us, that procedural justice starts at home and that we are going to embrace this.

Chief Manheimer: And so I used that opportunity for me being the new kid on the block to put a call to action. I spoke with our director of race and equity, Darlene Flynn, and she is going to be leading our department and other stakeholders in a race and equity impact analysis, out of which we are going to ensure that we identify and mitigate any areas where there may be disparities. And that would include not just our disciplinary process, from input to discipline, and also our recruitment for the Academy and for training. So that's where we really wanted to get to with that. I'm sorry, I can't speak to it more, but we will be putting out a release likely tomorrow on it. And I would like to bring it back to you at the next commission meeting for a little bit more of a deeper dive-

Chief Manheimer: Next step permission meeting for a little bit more of a deeper dive and some assistance from you all. The third thing I'd like to share with you is the officer involved shooting that occurred in Richmond. And I just wanted, even though it was about three weeks ago, I wanted to make sure that you all understood that we are not doing the primary investigation on the case. It's with Richmond police department. They've been putting out all the information, but we are





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going to be issuing a release tomorrow because we think it's important for our community to hear from us directly the names of the officers and our process moving forward. As you know, these officer involved shootings involve no less than three independent investigations. The primary investigation will be done by the Contra Costa district attorney's office. It may be long in coming, it's a very thorough inquest process. And I think the other one will be by Richmond police and we will be doing an internal investigation on our policy, as well as our use of force. And also CPRA will be doing that.

Chief Manheimer: The thing that I wanted you to know as well, and that is that her SB 1421 and other legislation, we will be releasing all of the body worn camera video and other video within a specified amount of time. And we, in an effort to really be transparent, want to make sure that our community has the right to know what happened and include more than just the body worn camera footage, because it will be a very long time before the actual investigations have the light of day. So we are going to be providing a video with context by an outside transparency engagement independent video company. And you should look for that in the next several weeks.

Chief Manheimer: Regarding the very unfortunate issue about Jonathan Bandabaila. Thank you for Mr. Bandabaila's comments. I especially want to recognize commissioner Harris who did help us with and became the liaison for the family as we work to locate him. Deputy Chief Lindsey here really picked up the pace and we did issue a one year locate missing person, Jonathan Bandabaila release. The family was aware of that and we want to continue to let you know that that is a [inaudible 00:02:25]. The missing person's flyer will continue to be released and we will work hard on that. So, that is on the Bandabaila missing person.

Chief Manheimer: One more, and I know I'm taking long, I very much appreciate this opportunity to come before you all. We have noted... And before we get to the MacArthur Boulevard, which I think is the one that we really need to spend a little time on together, and I will turn it over to Deputy Chief Armstrong for that. We have noted, and I really need to just share with you that post COVID pandemic are shootings in the city of San Mateo have gone up 45%. Our problem in ess... In Oakland, I'm sorry, in the city of Oakland, I'm so distressed by this I lost my city for a second, my bearing. Our shootings in the city of Oakland have gone up 45% and I think what's really troubling is that even the ShotSpotter activations, which are not throughout the entire city have gone up about 35%. So one of the things we're looking to do is to partner with community based organizations and our director of violence prevention to try and get out there and to put some intervention in place and get ahead of some of what we are worried about, the continued violence.





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Chief Manheimer: And to that end, I wanted to bring to your attention, as I know that you are immediately aware of our policies and we have one that we are going to be revising based on the counties zero bail order from the judiciary and what that has done is, it's good in practice, but it has ended up with several individuals we have arrested for immediate violence, releasing them to our streets very quickly. I'll just bring to your attention that tragic case of an individual on Nay, who was killed after being terrorized by a suspect. That warrant was for a dollar-bail and we have been working with the rest of Alameda County to put in a temporary interim policy. Wherein we will be requesting for those specific cases in which we believe there will be a risk of continued violence, known threats or retaliation or danger to victims or the public by imminent release, a special order [inaudible 01:46:54] seven, which gives us an opportunity along with the other agencies in the county to modify temporarily the bail. So that we can appeal to the judge through a risk assessment and our jail and bail enhancement, the opportunity to keep an individual in, if we believe that he or she will be a danger for retaliation or other issues.

Chief Manheimer: That is the four items prior to our discussion on MacArthur Boulevard. Those are my updates. And now I want to share with you a little bit of focus on MacArthur Boulevard. I've spoken a lot, quickly. Do you have anything from the chair that you would like me to just pause with now or shall I just finish my final item?

Regina Jackson: I'm going to let Commissioner Harris ask a question.

Chief Manheimer: Great. Thank you.

Ginale Harris: Thank you. I have a question for you, Chief. You said that 45% of the shootings have gone up, which is interesting because I too track all of the shootings, especially the ones in East Oakland. So my question to you is, can you please share and identify the locations of all the shootings and the dates that they occurred? Cause I'm really interested to know when you started tracking these shootings and how you've identified the way that they've gone up. Because from my preview in my district, they have been consecutive, they have been ongoing before you got here and probably I don't know maybe after you leave too, but they've been ongoing and they've been consistent.

Ginale Harris: They have not peaked as far as I'm concerned. I know that we have many unreported shootings and what I mean by unreported means, they are not televised or they get no media coverage. Such as, the young woman who lost her life who was pregnant and her husband was shot as well, that went untelevised, or no city council people showed up, or we had no recognition of her death, and so that was not that long ago. So I'm very interested to know



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where you're getting your statistics from and if you can please share them with me or the commission? Thank you.

D.C. Armstrong: [inaudible 01:49:53] You'll have to mute.

Chief Manheimer: Okay. Go ahead.

D.C. Armstrong: Commissioner, are you able to hear me?

Ginale Harris: I am, but you're echoing really bad.

D.C. Armstrong: Okay. Is that better?

Ginale Harris: Yes, sir.

D.C. Armstrong: I'm sorry. Is that better now, commissioner?

Ginale Harris: Yes. Can you hear me?

D.C. Armstrong: Yes. This is Deputy Chief Armstrong. So I wanted to respond to your question. We initially started off the first quarter of 2020 of this year down in both homicides and shootings. Over the past 60 days, we have seen a 45% increase in shootings, citywide. This data is based on every crime report of a shooting that we take in the city of Oakland. Every report that we take, we obviously utilize that data to come up with these percentages, as well as, every single ShotSpotter activation is also counted. We do a weekly shooting review every Thursday, where we look at every single shooting that happened in the prior seven days. So for the past week, we will look at every single shooting and have a department-wide discussion about that shooting, looking obviously to prevent additional shootings from occurring.

D.C. Armstrong: So we stay current with every single shooting that's reported to the Oakland police department. We also have the mandate of every ShotSpotter activation that happens. We respond to those as well, and we take a report for every single ShotSpotter activation as well. So I think we do our best to capture almost every shooting. Obviously, there are things that go unreported, if there were someone that didn't report a shooting or the ShotSpotter activation did not occur, those would be the only ones that we wouldn't know of. But we feel confident that if somebody is shot in the city of Oakland and reports it, there is a police report that is completed as a result of that.

Ginale Harris: Right. That's understood. I understand that. But what I'm asking for is, I believe I've asked several occasions for this information and to be included on those



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emails but I have not received the information. And when you say citywide, can you be a little bit more specific on where you mean?

D.C. Armstrong: Yeah. So we can share the map of shootings citywide. When I say city wide, I mean, that encompasses all 35 beats in the city of Oakland and all five-

Ginale Harris: I understand Deputy Chief, but we have a really good working relationship and I do not appreciate the responses that I'm getting. So I would ask that you please just answer the question. Is it in East Oakland? Is it in West Oakland? I'm familiar with the map. Can you just... And really I wanted the chief to answer.

Chief Manheimer: Did you mute yours Chief? Can you hear me okay? Did you mute yours Chief Armstrong?

Regina Jackson: Interim Chief, I have unmuted you.

Chief Manheimer: Okay. Thank you. I'm not hearing you yet. I'm not hearing you. Hold on. Okay. Can you hear me all right?

Regina Jackson: Yes.

Chief Manheimer: Okay. I'm sorry. Can you hear me now?

Regina Jackson: Yes.

Chief Manheimer: Okay. So sorry about that. Commissioner Harris, I had my volume turned down. Ma'am could you ask the question again and I'll get you an answer.

Ginale Harris: Certainly, chief. Certainly. So I too listen, I record all of the shootings that we have here in East Oakland. And I heard you say 45% of the shootings have gone up. And now Deputy Chief Armstrong just clarified that you have only been tracking them for 60 days, is that correct?

Chief Manheimer: No. So we do track every single week. In fact, we have a shooting review every single week.

Ginale Harris: Right. But the 45% that you said is from the last 60 days, correct?

Chief Manheimer: It's from pre... Yes, pre and post COVID. So it started on March 16th when the shelter-in-place order went into effect and it's up to now. And it compares the period of the 60 days prior to these 60 days. We were going down in shootings and in homicides and we were pretty excited about it. And I hate to say that we are very alarmed now because since... And we do track every single one of



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these, every ShotSpotter, we went from 543 ShotSpotter incidents from January 20th to March 15th and then look now from March 16th to May 10th, it went up to 738. And so for our shootings, we are just talking to you now about what we've seen since the shelter-in-place. As I said, we were down somewhat, not huge, but we'll take all the victories we can get in the terms of gunplay and our streets. And so, yes, ma'am, this is for that period pre and post COVID.

- Ginale Harris: So what I'm asking chief, is you can please identify, I don't need the map, we only have East, West, and North. So where are these shootings occurring?
- Chief Manheimer: Well, I think they're in several places and primarily we could say area three, area five, and area [crosstalk 00:13:57].
- Ginale Harris: Is that East Oakland?
- Chief Manheimer: Three. Yes. Three, four, and five, are all in East Oakland, yes.
- Ginale Harris: Okay. So three, four and five are in East Oakland, correct?
- Chief Manheimer: Yes.
- Ginale Harris: So the shootings have gone up in East Oakland, correct?
- Chief Manheimer: Yes, that's exactly right.
- Ginale Harris: Okay, great. So what other area? Can you let me know what other area of that 45% of Oakland are shootings occurring?
- Chief Manheimer: For? I can. I don't have the map on me now, but you know what my pledge to you is to get back to you immediately with, as I can, with the information you're asking for. So, we do provide and our department of violence prevention also provides, sort of a snapshot of where our shootings are trending. And we'd be happy, in fact, I'd appreciate being able to share some of this with you all. I have actually spoken with Chair Jackson about whether or not we might utilize some kind of time with you to talk about how we might do a violence prevention summit with a call-to-action through our department of violence prevention before the summer hits.
- Chief Manheimer: And we don't know how long this shelter-in-place will go, but we've seen a specific uptick. And part of it, we think, is because we are see... I mean, there's many factors. And I don't want to take so much of our time right now, but I would be happy to share any of that information with you. It's not only is it not



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a secret, but I think it's so wonderful that the community's aware of what is going on out there.

Ginale Harris: Thank you, Chief. I just want to clarify why I'm asking these questions, it's because we know that most of the gunplay happens in East Oakland and West Oakland, right? Where majority of people who live there are black and Brown people. And so this is yet again, I'm asking a very straightforward question and I can't get an answer. And I appreciate you going back and looking at it and identifying the areas that this 45%. Since you're going to go back and look, I would ask that if you could please identify not only the areas, but the dates these shootings occurred, that would be helpful.

Regina Jackson: And Chief Manheimer, if you can just send that to all of us, that will be great. Commissioner Anderson also has her hand up. Go ahead, Commissioner Anderson.

Tara Anderson: Thank you, Chair Jackson. Chief, my questions are as a followup to commissioner Harris. And just in that response to the request for additional information, including year to date comparisons. Just that those that inform any crime decline can have seasonal effects and just really looking at the full picture, that would also be extremely helpful to be able to consider everything in context. Both the areas as Commissioner Harris pointed to as her question was directed towards understanding more than just the prior 60 days, all of that is extremely relevant. So any kind of year to date comparisons, I think would also get to the point that commissioner Harris was making. And that I also agree with it, and I appreciate you being responsive to that. Thank you.

Chief Manheimer: Thank you. We keep all of this data. We can parse it many different ways. If you wouldn't mind, I certainly have taken the notes on what you have so far. I'd be really interested in giving you an update every two weeks, either just an email packet to you all or whatever's appropriate for both the Brown Act and our communication. I would be delighted and really pleased if I could give you a bit of a snapshot of what we're concerned about what we are taking very seriously and owning ourselves in terms of some of the violence out there. There was about a 12% increase year to date 2020 to 2019, but that has really increased during the shelter-in-place. And we have parsed down the reasons we think it's happening.

Chief Manheimer: We're working with Chief Cespedes and I'm asking Chief Armstrong to start and initiative working with the community in East Oakland to try and get ahead of and interrupt some of this violence. And really plug into the community on the ground to work with them and really get ahead of what we can do. Recognizing that there's still a ways to go for trust with our police department based on past



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transgressions and hoping that we might work through and with the community and get a call-to-action on some of the needed work out there.

Chief Manheimer: So long story short, if you all have any other ideas, information maps, we are staff to you all. So please, let us know what would be helpful for you to have an understanding of what's going on in Oakland and what we're addressing and dealing with. And some of the reasons we might think, and you all might have some really on the ground ideas. So I appreciate that.

Regina Jackson: Thank you, Chief. I really appreciate this long conversation. What I would suggest is that perhaps you parse out the 60 days as well as the year to date that Sherry Anderson suggested and hopefully we will back in to the document that will be most helpful. But you send us what you have and then we can take a look at it and give feedback. And hopefully that can be something that is updated every two weeks so that we and the community at large are able to follow. We do recognize that East Oakland is typically the biggest hotspot for homicide period in the entire city of Oakland and you know obviously very concerned about it. I know that you were getting ready to, I believe, refer to Deputy Chief Armstrong to discuss the challenge at the East Oakland collective parking lot.

Chief Manheimer: Yes. Do you want to...

Regina Jackson: Okay, great. Thank you.

Chief Manheimer: Okay. Thank you. Did you want to have the description of it first or can you? [inaudible 02:02:32] Okay. If I could, I'm just going to read you the sort of short description of it so that you'll have sort of what it is I shared with Anne Janks and others. I want to thank Anne Janks for her email. And then I'll turn it over and it's fairly brief, but I want to give you the bird's eye view of what our outline and perspective on this is. And then have chief Armstrong answer questions, comments, and we are happy to address this and discuss it.

Chief Manheimer: So on April 24th, community concerns surrounding this incident were brought to my attention. I felt it was really important to have communication. I communicated with community members and we had Chief Armstrong going out that very weekend, talking with the East Oakland collective and others on the ground. Just after 7:00 PM the incident begins in the 7800 block of MacArthur Boulevard. As officers detained an individual at gunpoint, who at that time believed that they matched the description of a person wanted in connection with a prior shooting. The reason the helicopter and other items were out there was really, we were on a shooting detail, given the uptick in the



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shootings. And we are looking to not have to pursue individuals, which is why the helicopter comes in so handy.

Chief Manheimer: It was determined after further investigation that as they detained the individual, the individual was not the shooting suspect. It was determined that this individual who I know is on the call tonight, sir, thank you for your feedback and input, had a no-bail warrant for his arrest in connection with other charges and was transported to Dublin, Santa Rita jail. And we've noted his other concerns too tonight. I am in a listening mode and he's subsequently been released. Note that the department is working closely with Alameda County sheriffs who have assured us that we've taken significant reductions in the jail population. In fact, they do screening every single day. They quarantine any individuals that come in for the first two weeks and they have everyone who has the precautions and so they isolate and sanitize the areas.

Chief Manheimer: So after concerns were raised about this arrest immediately, immediately after the video, I received that email and I want to thank Anne Janks because I believe she is also as well as Rashida [inaudible 02:05:04] and others on this call, it's very important to hear these concerns. We went into a mode of taking a complaint we opened ourselves. So for the individual who's on the phone tonight, we have already started that complaint. We started it that night and we actually had investigators take that complaint that night, as well as notified John Alden of the CPRA, who I believe is also on this call. And I believe he could say later that he's also investigating it. So all of that is being investigated. We can't get too much more to some of the details in that, but to everything we can discuss, we want to discuss with you tonight.

Chief Manheimer: Safety is paramount. It was so unfortunate that I think there had already been a narrative in the community that we were enforcing the shelter-in-place laws and the mask laws and that we were not, and which we are not and have not. And that really these individuals were targeted because of the work that the East Oakland collective is doing, which is so important out there. I'm going to turn it over in the interest of time now to Deputy Chief Armstrong, he is the chief in charge of that district. He went into action that night and I know that he has more information and will respond to questions that we have already heard from the community and be available to the commission after that. Chief Armstrong.

D.C. Armstrong: Good evening, commissioners. Just like the chief mentioned, on the 24th when we were notified about this incident, Chief Manheimer and I both began to make contact with individuals involved in this incident, as well as doing followup with our staff to see what happened as a result of the video. So we immediately opened up an internal affairs investigation. That information is also shared with





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the CPRA as well regarding any open ID investigation. I'll address some of the questions that we've received regarding the investigation, from the perspective of things that I can answer, but other things that per policy, I can't speak to specifically around certain things because they're a part of the investigation. And we'll have to go through the investigative process in order to vet some things out.

D.C. Armstrong: So a couple of questions that came forward was, "Why and when did the officers begin following the car?" I think we are not sure at this point from the information that we have when that occurred. I think that'll be something that will be brought out in the internal investigation and so that will take the investigators to follow up in those areas. The other question was, "Why were people told that the driver changed lanes improperly? Was that the reason why the squad cars were following the cars?" Again, I think the evidence that we have from the investigation, which includes the body worn camera footage, as well as witness statements, will help us better understand what comments were made and to who and also will inform us as to why our officers made the stop.

D.C. Armstrong: Another question that came up was, "What was the description of the suspect which caused the officers to identify the residents as resembling the suspects?" I think during the investigation, that will be vetted out to determine what led the officers to focus in on this particular vehicle and this particular person and understanding why they believe that this was a suspect wanted for the shooting offense. "How and when did the officers identify the resonance?" I think again, the process will vet those things out. The next question is, "What is the policy which caused the driver to be handcuffed?" So our handcuffing policy is very clear regarding if officers believe that there's an officer safety risk and they have reasonable suspicion to believe that the person is involved in a crime or threat to safety, they can handcuff. They have to document that in a report and have to actually give reason why it was appropriate to handcuff. Again, these will be questions that will be asked in the investigative process around what led to the decision to actually place the individual in handcuffs.

D.C. Armstrong: "Why did the officers attempt to put the driver in a squad car?" Our practice is once we have detained someone, and if the officers determined that is safer to put the individual inside the vehicle, they're allowed to do that. Legally, that person is detained by law for lawful reason. That detention can lead to that person being placed in the rear of the vehicle. Again, these will be specific details will come in investigation as to what led the officers to make that decision to place the individual inside of the vehicle.

D.C. Armstrong: The next question was, "Did the pointing of a weapon at the man follow policy? Is there an expectation to holster weapons as quickly as possible when there is





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no immediate threat?" Based on the nature of the stop and what appeared to be a call of a violent person related to a firearm. Officers would conduct what we call, a felony car stop, which would include in some cases if they're dealing with somebody that possibly has a weapon or they believe have a weapon, they would use their firearms there. They would use their firearms to prevent any particular action that might occur against them or with a weapon that might be in a car. So in this instance the officers did have their weapons out, we'll examine again, the reason why the officers believed that this was the car and individual. All those things will be vetted out in the investigation. OPD policy does require deescalation. It requires that once an officer has safely and secured the scene or believe that no weapon or threat is still there, that they are to then deescalate, which includes putting their weapons away. So we'll examine also the deescalation related to this particular event, as well as who pointed weapons, why they pointed weapons. All those justifications will be borne out in the investigation.

D.C. Armstrong:

"What training are the officers or instruction are officers given to determine the appropriate distance for bystanders?" Officers are trained to keep bystanders at a safe distance. This is often not accomplished during the first stages of an arrest or detention. As the officers are focused on taking the subject into custody or detaining them. Once effective in detention then officers can create a distance typically far enough to allow the officers to safely do his or her job, not allowing the bystanders to interfere with the officer's investigation or compromise their safety or the safety of the detained person or any other officer's safety. When we're dealing with a crime scene, this may include to prevent bystanders from contaminating the scene from retrieving evidence or interfering in an investigation. So those are the reasons why we would ask bystanders to stand back.

D.C. Armstrong:

"Is threatening bystanders with handcuffs or arrest an acceptable practice without first, attempt an instruction in a courteous tone and clearly relaying the police objectives?" Officers are trained in procedural justice and I expect it to remain respectful at all times. Officers should not be making threats of any kind towards community members. These behaviors are also taken in the context of exigency or dangers of the scene, depending on what's happened at the scene, the likelihood of resistance or obstruction to the officer's duties. Bystanders that refuse to follow the officer's directives or challenged the officer's actions that such could be perceived as some obstruction of an investigation or obstruction of justice, this might be an arrestable crime. So we expect that officers will communicate with community members or people who are at the crime scene, be respectful why they do so and give clear direction. And so these things will be examined also in an investigation. We'll look at the officer's



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professionalism, why they're on a scene to make sure that their behavior was in line with a department policy.

D.C. Armstrong: "What is the decision point for how many squad cars are sent to a scene?" Additional officers will continue to respond to a scene where an officer has requested assistance until there's sufficient staff to manage that particular scene. In these instances, a supervisor will also respond to the scene and determine how many officers need to remain at that scene. And so, as long as officers deem the scene to be in their minds unsafe, they'll continue to ask for additional officers, but a supervisor is mandated to respond and the supervisor should be determining what the need is. And if there's no need for additional officers, the supervisors should be releasing those officers to go back into service and not keep more officers than are necessary at that particular scene. So we also, in any investigation, internal investigation, we also examine the supervisors culpability and the supervisor's management of a particular incident.

D.C. Armstrong: And then the final question that was asked was, "What is the decision point for sending a helicopter to a scene?" The helicopter is an important element, which provides situational awareness for the officers on the scene and for respondent officers. So it's a tool that allows the helicopter to get there much faster than the police car could get there and get an overhead view of what's happening and give us a status of what's occurring at that particular location. It usually assists the community in providing that overhead perspective. It allows officers to not need to pursue a vehicle or go after a suspect into a yard. That overhead view allows us to see what officers can't see in yards. It allows us to not have to pursue cars and put the public at risk. Let the helicopter follow it and officers can be guided to where that car stops. And that also helps to counsel additional pursuits or officers drive in and-

D.C. Armstrong: ... Additional pursuits or officers driving a code three status trying to get to a scene. The helicopter can be canceled by officers on scene. It also can be canceled by a supervisor at any time. Those were all the-

Regina Jackson: Deputy Chief, this is Commissioner Jackson. First off, I appreciate you going through all of the questions. Those questions were sent to us by a member of the community. I know that it was laborious, but it's obviously very important, and just appreciate the flexibility and making sure that you could go through all those questions. I do have a followup question from Commissioner Harris, and we want to keep this brief so that we can move on to the rest of the agenda. But I want to thank you, both Chief Manheimer and Deputy Chief Armstrong. Go ahead, Commissioner Harris.



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- Ginale Harris: Thank you. I just wanted to bring something to your attention, Chief. This is for you, because this is your database. I just opened and looked at the weekly crime report citywide from May 4th to May 10th, and you reported that the shootings have gone up 45%. But the information on this report that is ending May 10th doesn't reflect that. What it does reflect is that for the past three years, the shootings have gone up 10% year over year, and 11% over the three year average.
- Ginale Harris: What you're saying, 45%, this is where I think you didn't understand what I was saying. I'm interested to know how you came to this 45%. Because in reading the data that is being put out to the public, it doesn't reflect that. I just wanted to bring that to your attention so when you're looking at it, you will see what I see.
- D.C. Armstrong: [crosstalk 02:18:05] One second.
- Chief Manheimer: Can you hear me all right now, Ms. Harris?
- Ginale Harris: Yes, I can.
- Chief Manheimer: Great. Thank you so much. Yes, exactly. As I said, we were excited that the citywide crime stats were down for shootings. We were down significantly through March 15th for shootings and for homicides. What happened is, we started, and remember I said earlier, this was the post shelter in place statistics from March 16th through May 10th. We were down before that in shootings, down. We were very delighted. Not much, but we were pretty delighted. I think it was 11% overall.
- Chief Manheimer: What happened from March 16th to May 10th, and honestly, the first two weeks or so, we were down a lot more. I think people were really staying inside, or they were just concerned, or whatever it was. But the last three weeks, we have been on a huge escalation. When I speak about the 45%, and I do have these numbers, and believe me, we keep them, and every single shooting is both mapped and really sliced to try and understand how to interrupt the violence.
- Chief Manheimer: That 45% is simply from the 16th of March to May 10th as compared to the six weeks earlier, 20th of January to March 15th. That's a before and after eight week comparison of what's happening out there. Before shelter in place for those eight weeks, and after shelter in place for those eight weeks. That's the 45%.



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- Chief Manheimer: We've also compared the ShotSpotter, which as you know, is again, not all over the city. But the ShotSpotter was recording 36% more in the eight weeks, and that's eight weeks year to date, and eight weeks comparison of last year. These are good stats for the shelter in place COVID time, and they've spiked dramatically.
- Chief Manheimer: There are reasons for it. I would not presume to take any more of your time, but we have some fairly good ideas as we convene a crime summit every week with partners, and those who are keeping track of the stats. We can share that another time if you're interested.
- Regina Jackson: Thank you very much, Interim Chief Manheimer. I think that most of the commissioners will probably agree that this opportunity for an update is very well rounded, and is teaching us more of what's happening on the ground. We'll be looking forward to receiving the documentation, and then obviously taking a look at the information that Commissioner Harris is also referencing so that we can get a handle on what the documentation is telling us when we're hearing the gunshots, too.
- Regina Jackson: Are there any other questions from any other commissioners before we move on to the rest of the agenda?
- Regina Jackson: Okay. Seeing no hands, I want to thank you very much, both Deputy Chief and Interim Chief Manheimer. Hopefully you'll be hanging out if some other questions come up through other presentations.
- Chief Manheimer: If I could just say that it's my aim to be at all of these, and that we'd like to invite you to one of our comstat meetings, you and any of the commissioners who would like to attend that. I'd like to, if I could work, a little bit offline with Chair Harris to make sure that we get the exact information she's wanting.
- Regina Jackson: That sounds great. I'm sure that Commissioner Harris, well, you have her email, so you all can work on that together. If I can be of support in any way, I'm happy to.
- Chief Manheimer: Thank you.
- Regina Jackson: Then just send me the dates of the comstat hearings, and then I'll try to make sure that I can attend.
- Chief Manheimer: Thank you.



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- Regina Jackson: Thank you very much, again. We're going to move on to item number eight, which is a police commission and CPRA budget update. Mr. Alden, I think you have the floor.
- John Alden: Thank you very much, Madam Chair. I have a little bit more information as compared to our last meeting. I've provided the commissioners with some written material in preparation for tonight. I have also obtained some new information since I submitted that report. I'll brief the commission on that as well. I think there are a couple of decisions for the commission to consider this evening.
- John Alden: Let me first start by talking a little bit about process here. As I believe I may have mentioned a little bit in the past, it is generally the practice in the city of Oakland that budget proposals come from each department or agency into the mayor's office, the city administration, and budget and finance, usually from a department head. Now here at CPRA and the commission, our situation's a little bit different in my opinion. While I think some in the city would probably bring such questions directly to the executive director at CPRA, it is clear that the charter provides the commission with the ability to organize and reorganize CPRA and the inspector general's office.
- John Alden: I think it's important that over time, we developed some understandings, at least as between myself as the Executive Director, and the commission about what sorts of budget decisions the commission would like me to just resolve on your behalf for you, and which ones we should talk about. Clearly if we needed to move \$500 from paper supplies over to computer supplies, I think you would not want me to bring that to you and take up your time on that.
- John Alden: But the questions we're talking about today are a very substantial and clearly should include your involvement. I asked you about them now in part, because the current budget process is moving so quickly, due to the COVID financial crisis, that it's possible that some of these decisions you might need to make in between commission meetings. And I would like to make sure that you and I are on the same page about what the commission's priorities are, so if I am asked to provide the commission's opinion about some of these issues to others in the city with shorter notice, I can do that in a way that I think is going to responsibly present your position.
- John Alden: As we discussed at our last meeting, the city's budget is not looking so great because of COVID. They have a very, very substantial budget deficit, both in the end of the current fiscal year and into the next fiscal year.



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John Alden: Since I talked to you last, and since I've submitted the materials that you've seen before you for this item, the city's continued to try to do its best to minimize expenses and figure out budget saving moves that wouldn't require cutting into existing services too harshly. One thing that the city has been working on is hiring freezes. And also, as you may have seen at the most recent city council meeting, freeing up reserves, set asides, commitments to longterm projects and the like that could be used to fund operations over the next year or so.

John Alden: And so far, that process has gone well in that those kinds of savings have actually improved the deficit that the city is looking at. It's not gone away, it's still substantial, but it has improved. And so in part, because of that, we did get news since I talked to you last that the hiring freezes that the city had previously asked CPRA to consider, have resulted in budget and finance seeking to freeze our administrative assistant position the one formerly held by Brideen Klasse, and not our complaint investigator three position. That's a real positive in that operationally the complaint investigator three position is really essential. It is vacant right now, but we're interviewing for it. And so having that confirmation from the city that budget and finance is not seeking to freeze that position is, from my perspective at least given the magnitude of the financial issues we have, a really substantial positive. And we're looking forward to filling that position very soon because it's just operationally critical to us in our investigations.

John Alden: That said, some of the other decisions that remain in the materials I sent to you are still things we should be talking about. As I mentioned in the written materials, you've seen the likely ask to our combined CPRA commission and inspector general budget could be somewhere in the low hundreds of thousands of dollars.

John Alden: We don't know exactly how much that's going to be yet, but we should still be thinking now about how we might make changes to our budget that will allow us to save money in that range. I laid out in the memo that I sent you in attachment eight, some options there. As I mentioned, we have around a million dollars in contracting predominantly, but also other discretionary spending, coming from carry over from the previous fiscal year, budgeted funds for contract contingencies at CPRA, budgeted funds for contract contingencies at the police commission, and the unspent inspector general salary funds that the city council approved be freed up for the commission to use for contracting and other expenses.

John Alden: That's actually a pretty good place for us to be in coming up on a deficit because it gives us some flexibility. And as you know, we still in the upcoming fiscal year, fiscal year, 2020-2021, we still have the inspector general positions in our



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budget. That money has been set aside and allocated to hire inspector general and one staffer. Obviously it does not look like we'd have those individuals identified soon. It might be possible to achieve some savings there if we agree not to hire those individuals for some period of time in fiscal year 2021.

John Alden: The good news that we got here is that so far, the city has managed to save enough money through these other maneuvers that I talked about, like freezing positions and the like, that at this point, the city has notified the unions here and in the city that we're now looking for a relatively, compared to some past estimates, relatively modest amount of financial concessions from the employee unions.

John Alden: That might be somewhere in the 10 to \$15 million range. That is probably equivalent to one to 2% of the total wage and salary costs of all employees in the city of Oakland, at least within those bargaining units. That process of discussing a potential savings there with the city's unions has only just begun this week. We will not know how that resolves. Resolution of that issue will almost certainly be the main driver in setting a final figure for us to provide further concession out of our budget, if any, if that went particularly.

John Alden: If that process were such that it resulted in the level of concessions that the budget and finance folks think we need to close our gap, then it could be that there might not be any cuts beyond the freezing of the administrative assistant position I described earlier. If that conversation does not result in savings of that level, then it could be that budget and finance comes back to us for an additional ask to give up some discretionary spending, or maybe some salary savings with respect to delaying the hiring of the inspector general. That's all a lot of information. There are a couple other things we should talk about, but now that I've provided that background, I'm wondering if the commissioners have questions about what I've said so far.

Regina Jackson: I don't see any hands just yet. One hand popped up Commissioner Harris.

Ginale Harris: Thank you, Chair. I heard you say in the roundabout number of 14 million. Was that right Mr. Alden?

John Alden: Well, I do understand that the level of concessions that the city is asking our labor union partners to consider are in the range of 10 to \$15 million.

Ginale Harris: But what does that look like for the city employees? Does that mean that there will be layoffs coming? Do you know any of this, or are they just asking everybody to voluntarily try to do some budget cutting? And does that include us?





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- John Alden: That's a great question. The purpose of that process is for the city and the unions to talk together about whether they can reach some agreement about what that savings might look like. It really depends on whether or not the city and our labor union partners can reach some agreement. They have some flexibility in that regard.
- John Alden: That is a negotiated process that involves both of them making an agreement. And it could take a little bit of time. There are some state laws around how that conversation happens, and that process has only just begun. It's not one that I would be at the table to participate in. Other folks in the city would be. And that process would probably go on over time. Historically, I don't know exactly how that conversation is going to resolve. And I don't want to say anything here that might bias, or alter that negotiation.
- John Alden: But I think historically, if we look at what's happened in the past and other cities that are similarly situated, sometimes an agreement will be reached that there will be a modest reduction in wages or salaries across the board. Sometimes there will be an agreement to take some days off without pay, which ends up having the same result financially, but at least gets the employee a little bit more time off. Sometimes those are called furloughs or unpaid holidays.
- John Alden: Sometimes there are agreements to forgo a raise that might otherwise be scheduled, either cancel it or put it off for a period of time. Sometimes there can be layoffs, but I think it's important to remember that the way that those options are selected is through a negotiated cooperative process between the city and the unions. We won't know what that will look like yet, but historically I've seen all of those options in different cities. Theoretically, those could be options that might be discussed in that conversation.
- Ginale Harris: Well, I have been thinking about budget costs and effect, and I would ask the commissioners and yourself, John, to think about how we are thinking of reorganizing the CPRA. I think we're at a crucial time right now, and I think that this is something that we should have in the back of our minds, and continue to plan as we have prior to the COVID stay in place, stay in shelter order. But I think it's a really immediate need to really start discussing what that will look like. I just want to put it out there.
- Regina Jackson: Yeah. Thank you. Commissioner Harris. We had been talking about that and timing might present itself well. So maybe we can... I know you have some thoughts on that, Mr. Alden, and perhaps we can talk about that between now and the next commission meeting and see what you're thinking about recommending.





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- John Alden: Sure. I think that'd be fine. In the short term, what I'd like the commission to consider would be if in the next week or two, these labor negotiations resulted in us collectively as the city of Oakland, realizing that we could save some money through some of those concessions, but not quite enough. Would the commission be open to me on your behalf telling budget and finance, and the city administration, that we would be willing to create some savings in our budget by putting a freeze in place on hiring the inspector general for some period of months at the beginning of the fiscal year? I recommend that particular move because I think many in the city would suggest that the hiring of the inspector general probably will not happen in the first few months of the fiscal year. That would be July, August, September of 2020.
- John Alden: And as a result, giving up some of that money in order to balance the budget, if needed, would not result in any actual operational cost for us, or impair the commission's ability to enter into new contracts in the future. In other words, it's money that we're probably not going to be able to spend anyways, so I think that might be the best contingency plan for us if we need to come up with additional savings beyond the freezing of the administrative assistant position I described earlier.
- John Alden: I would be curious to field any questions that commissioners might have about that idea, and see where the commission might stand on that concept, or if the commission would like to provide some other guidance.
- Regina Jackson: I'm not that interested in making a decision very quickly, but obviously we haven't spoken with all of the commissioners. I think your recommendation after a couple more weeks seeing as though this seems to continue to be a bouncing ball, might inform us very well. But we have several commissioners whose hands are raised, Commissioner Prathur, Commissioner Smith. Okay. Commissioner Prathur, and then Commissioner Smith.
- Edwin Prather: Thank you. Thank you, Madam Chair. Thanks Mr. Alden for that summary on the budget, and I do want to respond and give you my knee jerk reaction to the thought of pausing hiring of the inspector general to create budget relief. I'd like you to speak to... I'm a legal guy. My devil's in the details elsewhere. I'm not necessarily a budget guy. But my concern would be the optics of suddenly taking a position that we fought so hard to get, and to move forward. To press pause on that, I think sends the wrong message.
- Edwin Prather: And so I would be very careful in doing that, especially in a time where part of how we interact with the inspector general, and all that we've been fighting for with the inspector general, it's subject to ballot measures and edits to ballot measures and has been much bandied about around what we do.



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- Edwin Prather: And so while I think it... Obviously it makes sense from a numbers perspective and from a purely on paper perspective, but I do have concerns that we're sending the wrong message by taking such action. I'm going to go back on mute, and I'm going to let you respond to my comment and see if I can... Please edify me on this, John.
- John Alden: Sure. The reason I recommend that particular to move is that it does appear to me that the conversation in the city right now seems to be around putting a ballot measure on the fall that would, among other things, change who within the city had the ability to hire the inspector general. Over the last year that question has remained unresolved, and so no one has taken action to hire the inspector general. Even though those funds are budgeted for the last year.
- John Alden: And so in this fiscal year that we're just closing right now, we've already asked the city council to move the funding originally set aside for hiring that inspector general over to discretionary spending. That frees up a lot of money for us for contracting. But that seems to be an acknowledgement we've already made that and the inspector general wasn't going to come on in the current fiscal year, meaning not between now and July 1st of 2020.
- John Alden: I think in that regard, we've already taken the move of saying, "It's clear that the inspector general won't be hired in the next couple of months." Now clearly, if the commission is of the belief that the inspector general might be hired in say August or September of 2020, before that ballot measure is actually implemented, then absolutely the commission, I would say, should leave that inspector general funding intact, and not freeze that position for a period of time.
- John Alden: If on the other hand, the commission thinks that that position is one that wouldn't be filled until after the ballot measure is passed. Then clearly that salary money won't be spent between now and the time the ballot measure is passed. And I think in that regard, it is not at all inconsistent with the commission's current position that the commission ought to be able to hire the inspector general directly for us to say, "Hey, we all recognize that until we get the charter amended to so reflect that we're going to have a little bit of salary savings there."
- John Alden: Now, in that regard, I'd point out another administrative detail here. If we were asked to provide a little bit more money towards closing the deficit. And so far, I should note, we've been asked to provide very little because none of our discretionary phone funding has yet been tapped in order to close this deficit. And that's pretty remarkable compared to, I think, the experience some other departments are having. And I'm grateful for that. But that said, if a few months



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from now, say in November or December, we still didn't have the inspector general on board and we wanted to use the money that had been set aside for paying the inspector general in August, September, October, current city rules would allow us to spend that money on overtime that was incurred by other people in the agency. But it wouldn't allow us to move that money to any other purpose unless we got city council approval.

John Alden: So one advantage of saying, "Hey, that first few of inspector general salary we're okay with freezing is that that's money that's very hard to move around otherwise." The freeze of the position is one easy way to do that. So that's another reason why I think it's worth considering. But that said, I think this is ultimately a decision for the commission. And if the commission would prefer to keep all the inspector general funding intact, certainly another way that money could be made available if needed would be through the existing discretionary funding we have, which is pretty ample right now compared to the needs that we've identified so far.

Regina Jackson: Okay. Thank you, Mr. Alden. Commissioner Smith had his hand raised. You've been unmuted.

Thomas Lloyd Smith: Thank you Chair. And thanks for your report, Mr. Alden. There are a couple of points that I had. One point is, I too am not really in favor of pushing off the inspector general position any longer than necessary, because we waited so long for it. And it's been so difficult to get to the place where we could have it, that to impose the delay on our own of that position is something that I would not support. I think it's a critical position that we know is needed.

Thomas Lloyd Smith: I heard you speak of discretionary funding. And then I was also just curious if you could give a little bit of clarity about what discretion... I mean, are we to assume that, for example, all of the existing employees that are in CPRA are protected except to the degree that the union negotiates some sort of furlough, or unpaid holidays, or something like that? Is that the situation that we're in, in terms of all of our existing employees within CPRA. Are they all protected so that the only thing that would happen to them is what is essentially negotiated by the union, or are they at risk as well?

John Alden: There are a couple parts to that. I would say, first of all, it depends on what one means by protected. I want to briefly go over a couple of protections that exist there. But first and foremost, I think it's important to understand that when we have an established position, and there's actually someone in that position in CPRA or any other agency in the city of Oakland, the only way that position goes away is if either there is a series of layoffs. Right now, CPRA is definitely not



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suggesting to the city that any of our employees to be laid off. We clearly do not want that to happen.

John Alden:                   Secondarily, there is a process in the budget by which the, the mayor could propose a budget, and the city council could adopt a budget that would alter the number of employees at CPRA, just like they could do it any other agency. Now, the charter does provide that there's a mandatory minimum number of investigators that have to be employed at CPRA. Very long story short, we believe the current application of that process would require us to have eight investigators. That's the number of positions we currently have. And so I think that those positions are fairly well protected by the charter.

John Alden:                   We have three intake technicians that is not a classification that's spelled out in the charter. So there is not charter protection necessarily for those positions, but I have no specific reason to think that anyone's been thinking about cutting any of those positions. I think that the short version of the answer is, while the city could always make changes at the city council level, at the city council's initiative to staffing in almost any department, I don't think we have any reason to believe that anyone in the city have suggested that at CPRA. And in fact, several of our employees are in charter mandated positions that would be extremely difficult to alter given the way the charter is written. I'm sure if that entirely answers your question. I hope it does.

Thomas Lloyd Smith:       Almost all. Was that all the employee... You mentioned three intake technicians, and then investigators. Does that cover all of your employees?

John Alden:                   Well, we also have the policy analyst, Mr. Ruse. He is not a charter mandate. His position is not a charter mandated position. The only other position that was not managed by mandated by charter was the administrative assistant position that's currently frozen. And so when budget improves, hopefully we'd be able to fill that again. But for now we can't. And there was no incumbent in that position on a permanent basis. We had a temporary employee in there for a little while, but no one permanent.

John Alden:                   Another position the commission has, although it is not a CPRA position, is your administrative analysts, Ms. Love. And so the position that she's in is, I think that is arguably a charter mandated position in that the charter does call for the commission having at least some staff. I think the language there is a little bit looser than it is for the complaint investigators, who have a very specific ratio of complaint investigators to police officers need to be hired. So there's some protection for her position.



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Thomas Lloyd Smith: So I guess Mr. Alden, what I would suggest, and I think is just necessary in terms of us preparing to make sure that we're ready for any outcome. I would suggest that for the positions that are not protected positions, that you rank them and know what are the positions that are most crucial? And I would also suggest that in that analysis, that you consider the importance of the inspector general positions. I think that that is the way to determine if a position needs to become victim, unfortunately, to the circumstances that we're in with the budget. I would not go directly to the inspector general position. Instead, what I would do is I would include that position in your analysis of the unprotected positions and then ask yourself, "Okay, where does that rank?" And then it should be the case that I would assume after you conduct that analysis that you would look and say, "Okay, well, if a position has to be sacrificed that it would be a least-"

Thomas Lloyd Smith: If a position has to be sacrificed, that it would be the least important, non-protected position that would be sacrificed because that seems to be what would yield the greatest overall good for the commission and for your agency, for CPRA. That would be my suggestion.

John Alden: Well, I think I have an answer for you about that right now, which is that within the inspector general funding-

Thomas Lloyd Smith: I don't necessarily want to have you answer what position that would be now, because I feel like that would be ... these are personnel matters and everything, but I think that exercise is helpful if it comes to the place where a position needs to be sacrificed.

Regina Jackson: So why don't we, Mr. Alden, just have you continue to think about the perspective given the feedback that the commissioners have provided, and in two weeks, hopefully we can hear more about your thoughts.

John Alden: Let me share one other thought that, I think, maybe I haven't communicated accurately, which is that within the inspector general section of our budget, there are actually two positions that are currently funded. One is the inspector general him or herself, and then the other is a staff or junior inspector general who would presumably be hired by the inspector general.

John Alden: So if I were to pick a position that were vulnerable right now, I'd say it would be the person who reports to the inspector general because we don't even have an inspector general yet to make that selection.

John Alden: And I should also point out that I am definitely not suggesting that any of these positions be deleted. That's a much more arduous process. What I am suggesting is that you consider freezing the hiring for those positions for a short



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period of a few months, as opposed to deleting them. I have to say, I think, right now it's very clear to me that I would not propose eliminating any positions in our budget. We very much need another half dozen positions or so.

John Alden: I think that said, that I don't see any clear path to hiring a subordinate to the inspector general any time in July, August, or September. I can't imagine a scenario in which we are going to be able to spend that money as it's currently allocated. So I think that perhaps might shortcut me needing to come back in a couple of weeks and tell you more about that. I'm very clear about the fact that that's where I am right now.

Regina Jackson: I have another hand, Commissioner Anderson. You are unmuted.

Tara Anderson: Thank you, Chair Jackson. This, I think, speaks to what you were just closing with, Director Alden. Forgive me if this was covered in some other part of the presentation, but I guess I have clarifying comments and questions relative to the terminology being used around freeze a position. Because even if we had the posting, go live today in the way that we intended and the voters intended, and we had candidates be responsive to that posting, on a generous expedited timeline, we wouldn't see an offer take place for like three months from now, I think is realistically speaking.

Tara Anderson: So to your point of in the near term that due to hiring processes it will take some time to have people in these roles that are currently vacant that we're discussing, my question is, when you initiate a freeze relative to a particular classification and you have acknowledged that will take place for a period of some time, does that freeze also prohibit one from engaging in the recruitment process associated with that classification? That would be a huge concern for me, and it may just be a simple terminology clarification that could easily be resolved.

John Alden: Got it. The freeze would not prohibit recruiting or selecting a position. It would only affect the earliest possible hire date. So if, for example, the commission concluded that it would be acceptable to freeze the position that is subordinate to the inspector general and freeze that through, say the end of the calendar year, that would mean that the earliest that individual could start work would be January one of 2021. But one could still publicize for the position, recruit for the position, attempt to fill the position as their earliest start date would be January one.

John Alden: It's also not permanent. It is a freeze of whatever duration the commission or the agency chooses to use. So it could be one month, two months, three months, four months. In that regard, it's a common tool that's used to recognize



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the reality that certain positions might not be filled immediately. For example, in a lot of other cities, when they create a new position in the beginning of a July one fiscal year, they'll often include funding only as from October one forward for that position, because they'll assume that once the position is created through the budget process in June, it'll take a few months for the agency to actually find someone to make an offer and bring on board. That's the reality I think we're looking at here.

John Alden: At this point, we don't have agreement as to a job classification for the inspector general, much less inspector general subordinate. There's many months of work to do before we actually have an individual in the door, so I cannot imagine how that money would be spent. But that said, sometimes appearances are important. And to the point some of the other commissioners are making, perhaps the commission would rather not have a freeze on that position at all, even though we don't see a path to actually filling it in the next couple of months. And maybe there's some other budget related concession that we might want to consider, like freeing up a little bit of the discretionary contract money we have, which is probably beyond the needs we've allocated so far, at least for contracting.

Regina Jackson: Well, thank you very much, Mr. Alden. I think we all have a lot to think about, and hopefully, like I said, you'll be able to vet those recommendations and thoughts based upon Commissioner Smith's clarifying comments. So, if we are finished on the subject, and are we, Mr. Alden?

John Alden: That was everything I had, so I think the only other issue would be whether commissioners have questions or want to take any action.

Regina Jackson: I see no more questions. I think that we probably need to have some discussion between now and the next commission meeting with your recommendations, so that we can make a decision at that point. You don't think that we're going to need to make a decision right now, right?

John Alden: Well, I do think that the city is going to have to figure out a way to balance this budget between now and the next commission meeting.

Regina Jackson: Yes, so I think we have.

John Alden: This may be the commission's last opportunity to weigh in on this issue before the city council actually takes a look at a budget. We are expecting that the city administration will be presenting to the city council budget on May 26th, which is between now and our next commission meeting. But that said, the council approval wouldn't happen until June. So there would be a meeting between the





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presentation of the administration's budget and the city council's approval of the budget, at which the commission could discuss the matter a little further.

John Alden: So at that junction, the city administration's presentation of a budget is going to happen between now and the next commission meeting. But that's not necessarily a decision point that this commission needs to weigh in on, but it is one decision point that will have passed between now and the next meeting.

Regina Jackson: My thought is that again, you make some recommendations to us for the next time. I think you've gotten some fairly clear indications that freezing the IG position is not one up for discussion, but that there obviously, may be some other flexibilities that you want to think about with this new frame. We can talk some more on Friday about what you're thinking about. Okay?

John Alden: Okay.

Regina Jackson: All right. Terrific. So we're going to move ahead to item nine, which is the review of the impact for revised OPD policy R02, which is supervised released search policy. I think that that would be Deputy Chief Armstrong.

D.C. Armstrong: Yes. Can you hear me here?

Regina Jackson: Yes.

D.C. Armstrong: Okay. Chair, you guys asked for a review of the impact to date of the revised OPD R02 supervise release policy. So, what I did today was I prepared the PowerPoint and provided you the training documents. They're included in today's packet. What we looked at in terms of data was that we only had a small set of data so far since we didn't fully get implementation into the department until mid October of this year. So we didn't have a true snapshot of a comparison from year to year. So we really didn't have a year worth of data to compare it to, or a six month period that we can compare it to. But we will come back because we're currently collecting it in that format.

D.C. Armstrong: But one of the things you also asked for previously was for OPD to provide you with the training that we provided to the department. Our training, I don't have control. Maybe, Juanito, if you can scroll through the actual packet or PowerPoint, I don't have control of that, but what we put in the packet is that after R02 was implemented, we immediately begin. Captain [Joshi 03:01:00] was prepared with the PowerPoint and training documentation to train the entire department. It took about six weeks to get the entire over 750 officers trained in the new policy.





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- D.C. Armstrong: We've been collecting the data now for about six and a half months with the new change. We feel probably around the September mark would be a good time for us to look at the data again and have a minimum 10 month period of time where we've been collecting that data. And then that will give us something to compare it to. Our data researchers said it would be good to have six months of clean data to compare it to, but because the policy was new, it was the first time we was collecting the data in this way. So we will be comparing it in the future.
- D.C. Armstrong: Juanito, if you could just scroll forward, and commissioners, if there's any specific questions you have related to the training that was provided, or the way in which we're capturing that, I'm prepared to answer that as well as we'll be providing when we come back, a comparison of our 2019 searches versus our 2018 searches. So I think we'll try to figure out the best way to parse out the change to meet your, or late year change in policy, and then what the effect that policy had on if our numbers went up or went down related to with probation and parole searches.
- Juanito Rus: This is the PowerPoint here?
- D.C. Armstrong: Yes.
- Regina Jackson: Can you get rid of the gray blocks, Mr. Rus?
- Juanito Rus: Sorry, I have all of these windows open on my laptop at the same time, and I think that's an artifact that Zoom puts up when windows overlap. So I'm trying to find the beginning of this PowerPoint for the chief. The beginning of attachment nine, chief? Or the beginning of the PowerPoint?
- D.C. Armstrong: Attachment nine is the training outline document. It also shows a flow chart. And then one, Juanito, we can just scroll up to the PowerPoint, and then I'll pass it back to the chair for any questions. As you can see, this is what we prepared for the officers. This is how we took the policy that the police commission approved and moved it forward into the department, and now, how we're collecting the data. Then I think in the future, we'll be able to provide you with some comparisons as to whether the searches are going up or going down. Also, look at the recovery rates for those searches.
- D.C. Armstrong: So Chair, if there is any specific question, we're prepared to answer your questions. And also, I have Sergeant Turner. He's in the queue too if there are some specific questions that our policymakers will need to answer. Juanito, if you can unmute him.



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- Juanito Rus: I'll promote him to the panel in sec.
- Regina Jackson: So deputy chief, a couple of questions. I heard you say that six months is really the better timeframe to make an analysis. I'd like to know, given COVID, is that a real six months? Or are you really thinking it's more like seven or eight months? I'm just wondering. Then I also have Commissioner Prather's hand up, and I will unmute you Commissioner Prather.
- D.C. Armstrong: Yes, chair, I'll say that we'll have to look at the month to month data when we have the ability to pull it and look specifically at that, the probation and parole data. So the month to month will help us understand if we're seeing a substantial decline in the COVID months, and then we might be able to attribute that to the fact that maybe officers weren't making as many stops because of the COVID safe distance requirements.
- D.C. Armstrong: I'm sure that has an impact, but we won't know until we get all of the data collected and do some analysis. But I assume we will have some data, but we will probably see some dips in data during those particular months. And so we'll be able to look at the average over a several month period to see where our average was prior to COVID. And then hopefully, look at a couple of months after COVID and see if that number increases.
- Regina Jackson: Very good. Commissioner Prather?
- Edwin Prather: Thank you, madam chair, and thank you, deputy chief, for these training materials. When I look at materials like this, it makes me think it's not just in the message that's being conveyed, but also how it's being conveyed and how it's being received. I know that we've seen policies implemented in the past new DGOs and other things that are well-intentioned in writing that rank and file and patrol officers have a reaction to.
- Edwin Prather: Just based on our prior experience with that, I guess I'm left wondering, how are officers, how are rank and file, how our patrol officers receiving the parole and probation search policy? How is it affecting their jobs? If you know, do you have a sense of what the response has been in terms of its implementation and use?
- D.C. Armstrong: Great question, Commissioner Prather. What we're seeing with the probation and parole policy is that we haven't gotten any negative feedback from our officers. We haven't heard officers say that it was having an impact on their ability to go out and still conduct probation and parole searches when appropriate. I do think we had already begun to prime them on this coming by increasing the level of documentation that we expected when they conducted these searches. And so different than 91, 96, I think, which we've seen when we



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had the original use of force policy, there was an immediate impact, and they made it loud and clear to us that the policy was having an adverse impact within the department.

D.C. Armstrong: In this case, we didn't get that. So we haven't had officers say that it was slowing them down or preventing them from doing anything. And I think that really goes to the due diligence that we all took to come to what we thought was the best approach to not shutting down officers' ability to still go out and conduct the searches that needed to be conducted, but also taking into mind that we wanted to make sure that we were not impacting people inappropriately. So I think from all of what we see, there hasn't been any pushback from our rank and file about the policy.

Edwin Prather: Similar to, and you said the numbers, it was in 91, 96, which created a real burden from a report writing standpoint when implemented that we had to address right away, this policy also creates additional writing requirement. So I'm wondering if you have heard, or maybe Sergeant Turner has heard anything about the added burden created by the policy.

Edwin Prather: And I'll just tell you where I'm going with all of this is that, a great policy is a great policy that we create and you create, and we create together. But it's got to be a great policy in training, it's got to be a great policy in its implementation. So all of these topics that I'm talking about go to buy in, and so I'm referring to our rank and file. Do our patrol officers buy into this policy? Do they find it not to be an additional burden? Do they find it to be doable? Because only then are we going to see the change that's necessary, that addresses what this policy was meant to address, and stop the ...

Edwin Prather: This goes a long way, we feel as a commission to addressing our racial profiling issue. And so that's where I'm going. So if either of you have comments on that, I'd love to hear it. It may take just spending some time down at 7th Street and talking to folks and seeing what the pulse of the line folks is. But I'd love to hear your opinions on that, to the extent that you're able to [crosstalk 03:10:48].

D.C. Armstrong: I'll pull it off and then I'll pass it over to Sergeant Turner. Obviously, people may not express their dislikes for policies to a deputy chief, but I will say that, one of the things Captain Joshi did when he was preparing this training was making sure that officers understood why the changes were being implemented and what we were seeking to accomplish by making those changes.

D.C. Armstrong: So I think that was the important part of the training is not just to say, "Hey, police commissioners have changed this particular practice," but also saying that here's how we want it to be more respectful of our community. Here's how we



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want it to make sure that when we conduct these searches, that we have the proper documentation to support that this search was needed and appropriate, so that we didn't impact those. That we're doing the right thing and probably shouldn't have been searched at all.

D.C. Armstrong: So I'll start off by saying that Captain Joshi did a fine job of making sure that the training incumbents, the background behind what the department and the police commission was trying to accomplish by making those changes to the policy. So then I'll pass it to Sergeant Turner to see if he can speak to those specifics around feedback that he's gotten, because he was actually doing the training.

Juanito Rus: Excuse me, deputy chief. I am not seeing Sergeant Turner in the queue anymore.

D.C. Armstrong: Okay. He was on earlier. He may have stepped off, but one of the things we did, just like we did the use of force policy, was not trying to give them the entire policy at one time, make them digest it all at one time. What we've been doing lately is introducing policies like this that have a huge change, it's a huge change to department practice by doing it in steps.

D.C. Armstrong: So step one, we'll go through one portion of the policy. Step two, we'll go through another portion of the policy. And in step three, we'll go through the final portion, and then we'll bring it all together and walk them all the way through the policy so they understand it. So I think that helps us to compartmentalize certain areas of the policy, so that we get clear understanding before we move to the next step.

D.C. Armstrong: I think that's a new way that Captain Joshi and his team have been trained in. It's not just saying, "Here's the policy, let's go over it, and now you've got to do it this way." So we're going step by step, and I think that process has been helpful to creating a greater understanding of all the dynamics of why we make these policy changes like this.

D.C. Armstrong: But I will say to your point, Commissioner Prather, is that when it comes to the racial bias and who we stop or who we search, I think that's not new for us, I think. That's not new for our staff when they hear that we're implementing policy to reduce the number of people of African Americans or minorities that we end up searching. So when policy changes come out to help reduce those disparities, I think they understand that because that's something that we've done in multiple areas like car stops and handcuffing, and several other areas where we've been looking to reduce disparity.



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- Edwin Prather: I can't thank you and Sergeant Turner enough for your early support of this policy and the work that we jointly put into it. And I think it does serve as an example of when we can do something together, even though we do not always agree on every single point and we had our share of debates about it, and really trust the OPD to implement, to train. That's how we're going to truly see this policy succeed out in stops, and so I just wanted to thank you for that very much.
- Regina Jackson: I want to echo Commissioner Prather's compliments. Just walking through this training with you all and hearing really the enthusiasm to implement this straight off of the gate, was very, very enjoyable, quite frankly. And I am hoping that when we get that six months worth of data, that we'll see a significant reduction impact. Commissioner Harris, I see your hand up. You are unmuted.
- Ginale Harris: Thank you. I too want to echo that deputy chief, first, I want to recognize from the beginning, your willingness to assist this commission in becoming the liaison, and really supporting our efforts and our work, you and your staff. I want to make sure that you heard it from my mouth to your ears. We really appreciate all that you've done. I know that you are over East Oakland, and I really want to thank you for the support and your response to when the community calls for police action. You really put your feet on the ground and you do something that is ancient, and we call that community policing. You actually put your feet to the pavement, and I've seen that. I just want to recognize that and thank you for that.
- D.C. Armstrong: I appreciate that, commissioner. I think the ad hoc process has been helpful, not only, I think, for the commission to have a chance to sit down with our staff and share ideas, I think is also an opportunity for us all to have this collaborative process where we, as credible messengers within the organization, can go to our staff and say that this was, to Commissioner Prather's point, was times that sometimes we didn't always agree on things. But we agreed to sit at the table and come to some consensus about what was in the best interest of the city, the community, as well as the department.
- D.C. Armstrong: So I thank all of you that participated in this process. And I think for the community members that have had questions about whether the department had truly implemented it, I think I wanted to share tonight the training that all the officers receive so that they understand all the training is documented. All the training is in these officers' record. It is now a policy and they're held accountable to this policy. That accountability point is also there to make sure that officers are following what they're required to do.



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- D.C. Armstrong: So I just want to reassure you that we're committed to continuing to move forward in this collaborative way, and so I appreciate all of you, for taking the time to help us develop this really comprehensive policy.
- Ginale Harris: Thank you for your leadership.
- Regina Jackson: Yep, pretty outstanding. I think that we are ready to move forward to item 10, which is the Peace Officers Standards and Training or POST. And this training, I'm really, really excited, this training for us as commissioners. So take it away, deputy chief.
- D.C. Armstrong: I will say that this initiated with a conversation between Commissioner Harris and I about Commissioner Harris wanting me to look into if there was an opportunity to have a POST certified training for police commissioners or civilian oversight. So I brought the team together, which included Captain Joshi and Lieutenant Hubbard from our training division, and we began to work on this project.
- D.C. Armstrong: We began to do research throughout the state to see if there was any other oversight training that was being provided. We specifically were looking for post certified. And for those that don't know what that means, that's Peace Officers and Standardized Training commission. They govern law enforcement within the State of California, and they also represent a certifying body for police law enforcement training in State of California.
- D.C. Armstrong: So for us to get a POST certified training, it would make that training a training that would be certified statewide. And so we began to research and look around the state and see that every large city in the State of California has some form of civilian oversight, but there was no certified training program, or a certification for those that were sitting on oversight boards. So what we did was work with Commissioner Harris, as well as Commissioner Jackson, to come up with a curriculum of courses that we all collectively came together would help meet the need for us to get a certified course.
- D.C. Armstrong: We came up with those classes, we shared those with the commissioners, and that course has been submitted to POST for evaluation. POST evaluates the course. Particularly, the first thing that they look for is, is there another course similar to this already in their curriculum? Fortunately for us, there is no other course like this in the state, so we believe that is in our benefit. Hopefully, it will play in our favor in terms of getting our course certified.
- D.C. Armstrong: We also believe that the second thing they look for is, is there a need for this course? And we believe that based on a number of civilian and police



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commission oversight boards that exist in the state, that there's clearly a need for this certification. So we are now standing by and waiting to hear from POST about our hopefully approval, or if they're asking for any additional work from us. We did course outlines on all the courses that you see included in this document, and I brought this forward tonight to the commission to say, this is what we've been working on. It's been a lot of work, and a lot of time.

D.C. Armstrong: I give a tremendous amount of credit to Lieutenant Brian Hubbard. He's been the point person on this, along with Commissioner Harris, who was definitely been following up with us to make sure that we're continuing to move forward. So I just wanted tonight to bring offer to you that this is not a finished product, that if there's any additional suggestions that you would like included in the course, we can also include that as well. So, what you have in the packet tonight is our course outline.

Regina Jackson: So deputy chief, just in terms of commentary, it is clear to us that Commissioner Harris has all kinds of vision, and I commend her for bringing this opportunity to you. But it sounds like the dream team includes you, Captain Joshi and Lieutenant Hubbard, and that this POST training, when certified, I won't say if certified, will be groundbreaking in that there is no other anywhere in the state. And if there is no other anywhere in the state, does that also mean that there is no other anywhere in the nation?

D.C. Armstrong: We haven't found one throughout the country. We know that there isn't one in the State of California, and we believe once it's a POST certified course, we can offer that course to anybody else in the State of California. So we could open it up for other commissions and oversight bodies throughout the State of California.

Regina Jackson: This is incredible. Are there any pieces of the outline that you want to highlight, or do you have any narration too? And do you have any sense of when they might get back to you? Next two, three, six months?

D.C. Armstrong: Originally, they told us it's about an eight week process, an eight to 12 week process to get a course certified. Obviously, with COVID and people working from home, obviously, we haven't been updated on if that has delayed the timeline. I would assume that it does have some impact, but our staff continue to try to reach out to POST to see if there was any-

D.C. Armstrong: To try to reach out, to POST, to see if there was any updates and we haven't gotten any as of yet. So we'll continue to try to reach out to POST on a weekly basis to see if we can get any update. But I know that COVID is definitely having an impact.





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- Regina Jackson: Yes. Commissioners. Oh, Commissioner Anderson has her hand up. You've been un-muted.
- Tara Anderson: Thank you, Chair Jackson. I want to appreciate the collective vision and truly thinking outside the box. I also want to call a question that I think is important just in the juxtaposition that we find ourselves in of exploring the peace officer standards training process as an endorsement of a way a citizen oversight body should be trained, especially when the post certification usually oversees how officers are trained, deputies, investigators, detectives, and other disciplines, right, dispatch and other areas. But so I'm wondering too, if just that strikes me as a bit odd that we're having the state organization that certifies training for police officers certify a training for police officer oversight. So just calling the questionnaire, if that strikes anyone else is a bit challenging. And then I guess to that point, should it not instead be a training for officers and officer leadership about how to engage around community and citizen oversight?
- Regina Jackson: Deputy chief?
- D.C. Armstrong: So, I think our intent when we set out on this training was really looking at the amount of information that exists around being an oversight body for a law enforcement department, right? The technical issues that come along with that. Right? And so really, it was our effort to work with the commissioners to try to offer up all of those areas, to train in all of those areas, right? Whether we're talking about [inaudible 00:02:53], right, so that as policy makers, they're informed about all of these different laws, the way force is evaluated or the legal, the regulations behind use of force, the specific understanding of [inaudible 00:02:53].
- D.C. Armstrong: Now the instructors and who we decide as instructors, I think that's the important point. And what we wanted to do is make sure that instructors were not necessarily OPD or City of Oakland-centric, that we wanted to reach out and get some of the best practice attorneys. And I think we're open to that discussion about who provides the instruction. And I think if the instruction is provided from attorneys selected by the group, I think then we can make sure that is not law enforcement-centric, but it also covers all the things that you guys are going to be dealing with when it comes to policy development.
- Regina Jackson: Deputy Chief, I also see that Commissioner Harris has her hand. I think she can provide some additional context. Commissioner Harris.
- Ginale Harris: Thank you, chair. Yes, I can. I actually was thinking real long and hard about this because I attend lots of city council meetings. And during this shelter in place, I keep hearing the reference to, civilian volunteers who know nothing about law



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enforcement when that's not the case. I've been doing law enforcement work for all of my career, which is 35 years. Just because I am not a police officer does not mean I do not know what I'm doing. That was stated at the last city council meeting. And this is the very reason why I feel like we need to set standards for the police, so therefore we should set standards for ourself. I find it really odd that someone can just walk in off the street and become a police commissioner without any kind of knowledge or know-how of what they deal with on a daily basis. I think it's extremely important to understand the responsibility that we hold and, not only to our community, but to the officers who police our community as well.

Ginale Harris:

We want to hold them at a very high standard, which we should. However, we should hold ourselves at a higher standard too. And we have to have the knowledge. I mean, people are devastated by some of the things that they see, that the interactions with police officers and community, and in a perfect world, it wouldn't be like that. But there are some situations that are understandable. And, again, I come from the hard side of the railroad tracks, so I've seen it all. And so I believe that doing a POST training falsifies and certified that yes, we are qualified. We are qualified to make these decisions. We are qualified because we know exactly what you're dealing with. And we are qualified because we have put in the effort and the time to take these courses, just like police officers do, to get a better understanding of their training, of what they deal with and how we make decisions.

Ginale Harris:

So I think it's important. I mean, I thought this is where the idea came from. And I think that we would be setting a standard for all oversight bodies that you can't, this is something you need to think about when you're applying to do this. This is not, just because we're in volunteer capacity, doesn't mean we don't do the work. I think I spend more time doing this than I do at my job that pays me. So, this is way more than people think. And I think there has to be some credibility to it. We coming off the, from the public, yes, we have knowledge and people pick us and appoint us and do all that. But there are no requirements, other than the small standards that we have to become a police commissioner. And I think we would get more quality applicants if they knew that they had to do this. I mean, this is not easy.

Regina Jackson:

Thank you. Commissioner Harris. I see two hands, Commissioner Smith and then commissioner Prather. Commissioner Smith, you've been un-muted.

Thomas Lloyd Smith:

Yes. So my hand, I think I raised my hand before Commissioner Harris started speaking, and she made so many really important points. I agree with what she said. I think this training is a great opportunity for us, and I'll leave it at that



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because I really think, wow. I think she really made some great points and I'll leave it at that. I'm in total support of the training.

Regina Jackson: Terrific. Unmuting Commissioner Prather.

Edwin Prather: Thank you, madam chair. Yeah. So, I think I want to offer a different view for this body's consideration in that I don't know that POST gives the type of ultimate credibility that I think is being talked about here. I think that no matter what, folks will always question a commissioner's, dedication and training and time commitment and qualifications. That's the nature of being a volunteer appointee. We're never going to be above criticism. We're always going to be criticized. So if we're looking to be trained in peace officer standards, that's not the right reason to do this. What I heard were a lot of arguments for training, general training. We need to come together as commissioners to be trained. And that's all very true. We are trained by the city attorney and OPD, but we're never going to be able to stand in the shoes of officers, and I think we need to understand that.

Edwin Prather: Officers go through the Police Academy. They spend time in the field. They do a lot of other things that we will never be accepted as someone who walks in the shoes because we don't walk in the shoes. We are an oversight body. And I think I really was moved by Commissioner Anderson's comment that is POST the standard bearer for training for oversight? And I haven't heard anything that it is. I don't see, if I heard NACOL was recommending posts or had done studies, or there were something along those lines where they were recommending posts for our body, then I think it would be worth looking into. But I will say, for example, and this is, I don't mean this to be a criticism, but I guess it can only be a criticism.

Edwin Prather: We have the ability to go on ride alongs. And to be honest, I mean, how many of us have gone on multiple ride alongs? More than one? I don't think hardly any. And, that's a real problem is that we're talking about going through POST certification, but yet, we have commissioners who won't do multiple ride alongs.

Edwin Prather: I sort of shudder at the thought that we're talking about POST and the commitment and monetary commitment that POST would take, as opposed to just focusing on the training schedule that's been laid at our feet on doing ride alongs on, on going to the department and talking to officers, on understanding it on that front. Now, if we wanted to learn how investigations were being done, we wanted to better understand, from a discipline committee standpoint, what our CPRA investigators were doing that, okay, then that's different because then you want to walk in the shoes of the investigator. You want to see what they



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see. That that's a different goal here, but I don't know that, I've yet to hear anything to convince me that POST is the standard that we should be striving for. And I would want to see more information and more research on that before we make any kind of decision.

Regina Jackson:

Well, to your point, Commissioner Prather, there I know that POST is lifted up quite a bit through the officers. And when we talk about all those things that we are charged to do, I'm one of those people that's done all the training that has been offered to us thus far. I've done multiple ride alongs. That's just me. And I realize that there are a lot of people that still need to do training, but I think that it sounds like it's something that deputy chief and his team are excited about. It certainly seems like a great certification process around oversight, for which there doesn't seem to be a whole lot. So I think it's a great move in the right direction. And if there are other opportunities that shine a light on other training certifications, we should be looking at them all. But I think this is a great effort forward. Unmuting Commissioner Dorado.

Jose Dorado:

Yeah. Thank you, madam chair. Well, I'm really excited about this prospect. I think it's really important that we get the perspective that this offers through a POST certification because we get that view from the other side, so to speak. Certainly, ride alongs are part of that process. But obviously, this course would be far more than just the view we would get from sitting in the passenger side of a patrol car, not to belittle that because that's really important. And the ones that have gone on have been a real eye opener. But the point is, I think that it really gives us an important perspective from the other side that I think not only would be hugely helpful in our making decisions, but also give us that credibility to go along with it. Not that that should be the end goal of being necessarily credible, that you would take these courses just to be credible in some person's eyes nor to avoid criticism.

Jose Dorado:

Those would be minor points, in my opinion. I think what, what is the real value of this is actually to have these courses, these perspectives, being presented to us so that it would make us better commissioners, better decision makers. And I really liked the comment That Deputy Chief Armstrong late about the instructors are really important part of this, that it wouldn't necessarily be people from a law enforcement background. So I think that's an important component, and I may sound like a broken record, but I don't see anything relating to community policing there, but I think that's part and parcel of a subject that would need to be explored in these lists of subject matters. So thank you.

Regina Jackson:

Thank you. Commissioner Prather, you're unmuted.



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Edwin Prather: Thank you, madam chair. I think I would just like to respond that if there was a plan, if I saw a plan in place that talked about, "Here are your training modules that are going to be under POSTs. Here's that both the cost and time and money and what it's going to take and what it's going to add additionally, to, to the plates of commissioners," then I think that you have all the information in front of you. But without that, what we have is just the sort of 40,000 foot view or the pie in the sky view of "Yeah, it sounds like a great idea."

Edwin Prather: There are other options. There's the Citizens Police Academy, there's actual Police Academy. I mean, there are things which we could be doing to better ourselves. And I don't think there's any argument amongst any of us that we, of course, we could better ourselves better. We could get better training. We could get more training, but there are lots of avenues to do it. And I think to weigh into accepting POST without more facts and more analysis, I just think it's premature.

Regina Jackson: Thank you, Commissioner Prather. Okay. I see no more hands. Maybe I do. Okay. Commissioner Anderson. You're on muted.

Tara Anderson: Thank you, Chair Jackson. I just wanted to reiterate that my commentary is not against in any way having a more formalized process through which we can meet all of the trainings that were outlined through city charter, that we are required as commissioners to complete, that that roll out of those trainings has been fraught for many different reasons, and that we absolutely have a standard that we need to meet as we're appointed to serve in this crucial role. And it's absolutely important for us to be hearing from law enforcement about how they do their job every day. And I think that the topics that have been identified in the topic sheet, there's clear crossover to what is already legislatively and through city charter required for us to do. So it's absolutely in line with our objectives. And I do not mean my commentary in any way to diminish the hard, important work that has gone into this.

Tara Anderson: I still am calling the question about whether or not POST, an institution that certifies training for police, is the appropriate place to certify the very bodies, the very citizens, that will go about overseeing their conduct and creating policy. And to me, that there's just a very strong stroke of irony in that that complicates what I do hear within this dialogue is an incredibly important value that can come from having an endorsement by such an agency, which then leads me back into the perversion of potentially needing POST certification to engage as a citizen and calling upon our police department to serve us appropriately. So I think I so appreciate all the work that has gone into this, but to me, I'm stuck with this question about whether or not per POST certification is appropriate. I think that the way forward that was outlined by Commissioner Prather presents



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an opportunity, see all of this together and understand the cost associated with POST certification.

Tara Anderson: And it inspires yet another idea that I kind of loosely spoke to in my original question and comment about. I am more inclined to see a POST certification for a training that trains executive police leadership and how you engage with a police citizen oversight body. I do agree that we need to have training in a formalized way and be far more accessible to have the engagement with serving on the commission to be more accessible. So I'm excited about the recommendation by Commissioner Prather. I am so appreciative of Commissioner Harris for thinking out of the box and bringing this idea forward. And to me, it just comes back to this juxtaposition of the irony of a body that certifies police training to then certify the people overseeing and creating that police training.

Regina Jackson: Thank you very much, Commissioner Anderson. I think it's been a splendid work, Deputy Chief Armstrong, by you and your team. Clearly there are some additional thoughts around what other training tools might be accessed in other places. But I do think that it's an outstanding move forward, and very much appreciate the vision that Commissioner Harris gave and the work that you all so diligently put in place already. If there aren't any other questions or comments, we will move forward to item 11. Deputy Chief, anything you want to say before we move forward?

D.C. Armstrong: No, madam chair. Thank you. I think it was our effort to [inaudible 03:45:49] were asked to take on a task and we thought it was an important task to take on. And so we'll stand by and wait for [inaudible 03:45:58] to tell us how they want to move forward.

Regina Jackson: Thank you very much. Mr. Rus, if you could advance to item 11, please. Okay. We have brought back the annual report a couple of times and have implemented the recommendations that had been made. I'm interested in knowing if there are any additional recommendations, or if we can go ahead and send the report to Public Safety. That's where it was first requested. If there are any comments or questions, happy to call on you. If there are no questions, are we ready to make a motion that it is finally final? Anybody hear me out there? Okay. Commissioner Dorado. I have unmuted you.

Jose Dorado: I approve this report and forward it to the Public Safety Committee.

Regina Jackson: Thank you very much. Is there a second?

Ginale Harris: Second.



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- Regina Jackson: Okay. Commissioner Harris. It's been seconded. It has been properly moved and seconded. Can we take a vote to finalize this annual report please? So I have Commissioner Dorado.
- Jose Dorado: Aye.
- Regina Jackson: Great. Commissioner Harris?
- Ginale Harris: Aye.
- Regina Jackson: Great. Commissioner Prather?
- Edwin Prather: Yes.
- Regina Jackson: Where'd we go?
- Edwin Prather: Yes. Yes.
- Regina Jackson: I got you. Thank you.
- Edwin Prather: Okay.
- Regina Jackson: It reshuffles every time I unmute somebody, so it just takes a minute. Thank you. Commissioner Anderson.
- Tara Anderson: Yes.
- Regina Jackson: Thank you. Commissioner Smith.
- Thomas Lloyd Smith: Yes.
- Regina Jackson: Terrific. That is a unanimous approval of the annual report for 2019. And we will forward that in the morning to the Public Safety Committee. Thank you very much. Appreciate that. So moving ahead to item 12 on our agenda, Bey case update, contract update. I believe this goes to you, Mr. Alden, or shall I be asking someone else to provide the contract update?
- John Alden: No, I'd be happy to do that. Thank you.
- Regina Jackson: Thank you.
- Ginale Harris: Excuse me.





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Regina Jackson: One second.

John Alden: Yes. Sure.

Ginale Harris: Oh. Sorry.

Regina Jackson: Commissioner-

Ginale Harris: I would ask, as the ad hoc lead, that our counsel give us an update.

Regina Jackson: Our counsel may not...

Ginale Harris: Is he not here?

Conor Kennedy: Hi, this is Conor. Can you hear me?

Regina Jackson: Oh, yeah. Connor's here.

Ginale Harris: Thank you.

Conor Kennedy: I do want to sort of flag also, Commissioner Harris, that Director Alden does have a, a very important update with respect to the agendized item, but I am also happy to provide an update on the related matter about the subpoena for informational sake. We can take those, chair, in any order you want, or as the the ad hoc committee, Commissioner Harris, just let us know.

Regina Jackson: It might make sense to start with the contract and then address any other attachments and connections to it.

Ginale Harris: Very good.

Regina Jackson: Okay. Thank you.

John Alden: Okay. This is John Alden again. If I'm following correctly, I should start?

Regina Jackson: Yes, sir. You should.

John Alden: I will do that. So the good news here is that I did receive word from the city attorney's office today that this contract has been finalized. So we now do have an executed contract, I am told, with the Knox and Ross group to investigate this matter, which is great progress. We expect that some work on this case will start as early as next week. And I've already had some conversations with the



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firm about how to make sure we get them all the information they need to get started and get to work.

John Alden: I did want to thank a few people who were extraordinarily helpful in making this happen as a team effort. So there's a lot of people involved in making it happen. And I think some of them are known to the commission as being helpful in this regard. And some might not be. Obviously, Commissioner Harris has been the lead on making this happen.

John Alden: And I think, but for her, it probably wouldn't have. She's been instrumental in making and getting this across the finish line to get the contract going. I know the chair and I have talked a few times as well about ways to make sure this moves forward, and I have appreciated her help and assistance in that regard. Jason Ross is the lead attorney at Knox and Ross that I've been talking to about this case, and this is a novel kind of contract. And he was very flexible and thoughtful about trying to approach how we would make it happen. When his firm reached the conclusion that we were going to need to do this as a contract for legal services, as opposed to just for investigations, as we've discussed here at the commission, that triggered the need to have the city attorney's office sign off on this.

John Alden: I know historically, there have been moments where the city attorney's office and the commission weren't exactly on the same page about certain issues. But in this regard, I appreciated that Ryan Richardson at the state attorney's office put a lot of work and thought into creating a contract that would meet the concerns of the Knox and Ross firm and the needs of the commission, and make sure we're doing right by the Bey family in this case. And of course, the final signatory on contracts of this sort is that the city attorney, Barbara Parker. And so we appreciate her executing this as well.

John Alden: I am looking forward to getting this moving forward, and I also want to hope it's appropriate, say thank you to the Bey family, for their patience in us getting this contract together. I know these things take a long time, and without question, it must be incredibly frustrated to have to then wait for this contract to also get executed on top of all of the patience that the Bey family's already had. And I am really pleased that we are moving forward on getting this contract going, so that we can get a fresh set of eyes on this case. I think that was the commission's goal. I think we're finally bringing that to fruition.

Regina Jackson: Thank you, Mr. Bey. I mean, thank you, Mr. Alden. Whoops, sorry.

Ginale Harris: Thank you, Mr. Alden.



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- John Alden: You're welcome. Thank you.
- Regina Jackson: So, Mr. Alden, I am very glad that you pushed and pushed and pushed. As I was telling Commissioner Harris, it was going to be a real sad day if we didn't get to this commission meeting and be able to announce that this contract had finally happened. So all the work that you did, all the conversations you had, the pushing or massaging or begging, pleading, I don't know what you did, but to get Ryan Richardson and Barbara Parker to sign off, I mean, it is way overdue and we are glad that this train is finally going to pull out of the station. So thank you.
- Ginale Harris: Thank you again, Mr. Alden. Counsel, can we have an update on the subpoenas?
- Conor Kennedy: Absolutely, Commissioner Harris, and thanks for recognizing me, chair. So the idea is as a matter of right, just as a baseline courtesy that, in my experience as a litigator who's done a ton of civil discovery, a 30-day baseline extension from a deadline is granted as a courtesy. when we set the initial deadline, we identified what response we would expect and also identified if there was a request for an extension, please submit that to us. The department's special counsel got back in touch with us, did activate that request for the extension for a deadline through to June 9th, which I have granted on behalf of commission, again, as a matter of courtesy. it is particularly relevant here, of course, that we are in a pandemic, but just as a baseline standard practice, from my experience in litigation, which I guess I should note, this isn't litigation, but it is still a subpoena, you just, as a matter of, of standard protocol, you grant that 30-day extension as most lawyers will tell you. So we've done that.
- Conor Kennedy: The response deadline is going to officially toll on June 9th. Now In terms of in the near term, in terms of next steps, that does not prevent in any way the department from producing on what I will call here a rolling basis, the documents on categories of documents, that it contends are responsive to the categories of what we asked for in the subpoena. And those will all be going on a forthcoming basis, on a rolling basis. We don't need to wait until necessarily June 9th to the ultimate destination of the Knox and Ross law group, including now, because it's our understanding that that contract for services has been executed. That's my update on that point. And I'm going to hand it back over to Commissioner Harris and the chair for any questions for me.
- Regina Jackson: Thank you very much. Commissioner Harris, did you have any more follow up that you were requesting?
- Ginale Harris: No. Other than, again, Mr. Alden, thank you so much for your efforts. I'm extremely pleased. And I do not know if Mr. Bey is on the line or in the queue. I



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can't see who's here, but I'm happy for this family. This is the start of stopping to kick the can down the road.

PART 7 OF 8 ENDS [03:58:04]

- Ginale Harris: This is the start of stopping to kick the can down the road, so to speak, as Commissioner Prather would say. So thank you again.
- John Alden: You're welcome. Thank you.
- Regina Jackson: Wonderful. So looks like we can move ahead to item 13, which is the next commission retreat. So the conversation that I was hoping to have, if most of you all can think back to our last commission retreat, which was in October, it was an outstanding engagement, lots of good work, inspiration, connection, and hopefully we can still have it in person, but even if we have to have it in Zoom, it will be a concentrated, focused, structured time for us to get through some of our work plans and goals. We rarely have the opportunity to do the planning because we're so busy reacting and going to meetings and working on these special ad hocs, and all of that.
- Regina Jackson: So initially, I had promoted that June might be good for us, and we're almost at June, we're still sheltering in place. I don't know if people have thoughts about whether they would still like to move forward with June or if it's July or September. I'm a little behind on getting recommendations for facilitators. I do have two people that are submitting something, but they were also interested in knowing what our timing was going to look like. And I could not give them guidance without discussing this with you. So I'm interested in hearing from whomever, what their pleasure is? Anybody want to have a retreat?
- Ginale Harris: Feel my heart race.
- Regina Jackson: Okay, Commissioner Harris?
- Ginale Harris: I mean, I'm all for a retreat, but I'm unclear on the timing. We have so many fires going on right now. I'm really not clear on what our retreat would be focusing on. I mean, I know we're supposed to be doing some strategic planning, but I just think that we're dealing with Measure LL coming up, and what we'll be able to do, what we won't be able to do. I don't know that it's really a good time for a retreat. That's just my opinion though.
- Regina Jackson: Well, I appreciate that. And again, because we don't typically have the opportunity to plan and make goals, perhaps prioritize policies that we want to



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look at, tighten up some of our own rules of order, things like that. But I will go ahead and recognize Commissioner Smith. You have been unmuted.

Thomas Lloyd Smith: Yeah. So I too, I don't think now is a... I don't think June is the time... I don't... I agree with what Commissioner Harris said. I think with COVID-19 and the risk that's still out there and going to be out there, quite frankly, for quite a period of time, I don't see doing a retreat in person. And then I think that there are just a substantial number of things we need to be concerned about running all the way through the election with the ballot. And so, I also don't think it's a good time for a retreat. That being said, I enjoyed the other retreat thoroughly, and I do think it was a great opportunity for us to all connect with each other on a more informal basis, enjoy each other's company and learn. And so in general, I support the concept of a retreat, but I agree with Commissioner Harris. I don't think the timing is right now.

Regina Jackson: Well, and that's fine. I just want to know when. Initially, we had said June as an interest point, and if we need to push it to September or October, that's fine. I just would like for us to draw a line in the sand so that we can look forward to some planning. There is...

Thomas Lloyd Smith: I think we should...

Regina Jackson: ... wait...

Thomas Lloyd Smith: ... [crosstalk 04:02:57] after... I think it should be after the election.

Regina Jackson: Okay. But the problem with that is that some of our commissioners term out, and so then we've got brand new people who don't know as much as we've all learned, but I see Commissioner Anderson in the queue, so I will unmute her. Yes, Commissioner Anderson.

Tara Anderson: Thank you, Chair Jackson. I agree with what's been said about just the challenges associated with COVID and timing and Commissioner Harris's point, wanting to understand a little bit more about what objectives we would cover if we were to convene virtually. And I do think that a retreat and the way we experienced and all had really positive real good work came out of that. It made us stronger as a commission. That a late November retreat makes the most sense to me. And with, to your point, Chair Jackson, the commitment of current commissioners, who would potentially term out, on participating, making a commitment to come back and participate in that retreat, being extremely important. And I do think there's probably space in the near term, either having a focused either commissioned meeting half agenda focused to some key prioritization for the remainder of the pre-election cycle of our calendar year as



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a commission, just so that we can make sure that we have a deliberate plan that we are following and prioritizing work until the new class comes in service on the commission.

Tara Anderson: What I'm offering is a hybrid, hopefully getting a collective commitment from current serving commissioners who, if are not still serving in late November, would return for a more comprehensive retreat assuming public health officials allow us and circumstances allow us to do so. And maybe in the near term we'd devote either half agenda or a special meeting to a really targeted planning session for how we're going to focus our time through November.

Regina Jackson: Thank you. I appreciate that very much. And I'm hoping that, like yourself, who would be one of the folks to turn out, everybody could make that commitment. The experience that we have had together is going to be exceptionally informative. Commissioner Harris, you've been unmuted.

Ginale Harris: Thank you, Chair. One more thing I'd like to say. During this shelter in place, it's been extremely difficult to do these meetings on line or on Zoom. Our meetings take five or six hours at a time, and we're sitting here in our homes on the computer and we're stationary, and it's just... I cannot imagine doing a retreat like this. So I just want to keep that in mind too, is that they are extremely hard, and then we work all day too. And if we're shelter in place, we're working on Zoom all day too. So, I mean, it's one thing to get up and move and go somewhere and go to another place, but it's another thing to really stay stationary at your table in front of a computer, literally for 12 hours. I don't think I could do that. So I wouldn't want to do that for a retreat. So I'm just putting that out there.

Regina Jackson: And I hear you, and I appreciate that. I just know that if we don't draw a line in the sand and try to protect the space, I mean, we can always decide that we don't want to do it if we can only do it virtually. But what I recognize is that when we finally did the retreat in October, most of us thought, "Gee, I wish we had done it a year ago, a year earlier." It made our productivity that much better. So I'm only pushing for an opportunity for us to plan together. If we have the commitment of folks that are going to term off to contribute to those conversations in order to help those that are coming on fast track. I think it would be helpful to the commission all the way around. Are there any thoughts from folks that anticipate terming off that they might be willing to come back if we identify a date in October, November, or December? Okay. I saw a hand and it disappeared. Okay. Commissioner Anderson.

Tara Anderson: I'm committed to returning if should I not still be on the commission to participate in a retreat.



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- Regina Jackson: Thank you very much. I appreciate that. Let's see, that hand popped up. Yes, Commissioner Dorado, I've just unmuted you.
- Jose Dorado: Yes, thank you Madam Chair. I had raised my hand and then lowered it because I would still be on for another year or so.
- Regina Jackson: Oh, okay. Very good. Okay. Thank you. There's a moving hand here. So I just try to track it down. I see Commissioner Harris's hand. You are unmuted.
- Ginale Harris: So I would not be comfortable making that commitment so far out, especially with COVID-19. I don't know where I'll be. I don't know if I'll have a job. I don't know where I'll be in November. So I don't want to make that commitment until I know what's going to happen with the shelter in place and COVID-19, and how I've been playing it is just listening to the government officials and their what we can do, what we can't do, that kind of thing. So, I'm just playing it by ear. I would feel more comfortable making a commitment if we weren't under COVID-19.
- Regina Jackson: Okay. Very good. Thank you. Commissioner Harris, I mean, Anderson, you're unmuted.
- Tara Anderson: Just in case, thank you Chair, if there was any confusion about my commitment, obviously it's in consideration of any public health order that would be issued relative to being able to meet in person and the comfort and safety of doing so.
- Regina Jackson: Absolutely. I value my life too. I would not want any of us to be reckless. Like I said, just trying to protect the space or the idea of a planning opportunity since it is so rarely available to us. I think, that I've not seen any more hands, so maybe we can continue this conversation. I will try to get some more facilitators and some more thoughts around what we might do. I think what I'm hearing though is that most people would want to do face to face. I too would enjoy that. And that perhaps if we couldn't, maybe we wouldn't do something. Is that... I think that's what I heard. So I'm going to move forward, trying to figure out how best to imagine a planning opportunity for us late into the year. Okay. And with that, we will move on to item 14, which is committee reports. And anyone raise your hand if you'd like to make a report. Okay. Commissioner Dorado.
- Jose Dorado: Yeah, just a real quick report. And it does relate to outreach. And that is that there was a Zoom meeting last night where all three beats were represented. That is 27, 28 and 29. They go around Mills College. There had been in 28, I'm sorry, 27X four murders in six weeks. And so that was just another impetus for all of us in those three beats to get together and discuss the recent rash of





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violence. We were fortunate enough to have Guillermo Cespedes as our "guest speaker." So we had about a hundred people in the meeting where we took questions. Mr. Cespedes was very astute in his observations. One of the things that was very interesting, to me around community policing, was his experience with the Nickerson Gardens Public Housing Project and the type of community policing has been done down in L.A. that he was familiar with.

Jose Dorado: So that may well provide some serious lessons for us up here. And we'll certainly be continuing the conversation with Mr. Cespedes around any number of issues, including how that community policing works down there. One of which he is not just familiar with, but supports. So I just wanted to just do a report on that very quickly, and I'll bring back any relevant information on our continuing efforts to not just bring together neighborhood councils, but also how that relates to the Department of Violence Prevention that Mr. Cespedes heads, but also the city in general and certainly OPD and their approach with community policing that I'm so interested in. Thank you.

Regina Jackson: Thank you very much, Commissioner Dorado. I see two hands, Commissioner Harris and then Commissioner Anderson. Commissioner Harris, you have been unmuted.

Ginale Harris: No, I'm sorry. My hand was up mistake.

Regina Jackson: Okay. All right. No problem. Commissioner Anderson, you have been unmuted.

Tara Anderson: Thank you, Chair Jackson. And I know that Commissioner Harris will join me if I've forgotten anything. The Use of Force ad hoc met two times since we last convened as a larger commission. We met on April the 30th, and then subsequently on May the 7th. We reviewed content over the course of those two separate meetings, which totaled over four hours. The outstanding questions on use of force, general considerations and policy. Levels of resistance, levels of force, less than lethal force, and all the relationship between tactical detail that are included in use of force department general orders, and then training bulletins that are challenge of distinguishing between the two and the need for what significant level of detail within a use of force general order. We also reviewed sections from model policies from the District of Columbia and Metro Division. And we are scheduled to meet again next Thursday and are drawing near the end of our first phase revision process. And I invite Commissioner Harris, who has led our ad hoc, to add anything else that she thinks should be a part of our ad hoc report.

Regina Jackson: Thank you, Commissioner Anderson. Commissioner Harris, you've been unmuted if you'd like to add anything.



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- Ginale Harris: No. Thank you, Chair. I think Commissioner Anderson summed it up, but I will like to say that we are almost complete revealing it and we are going to be moving to the next stages very, very soon.
- Regina Jackson: Outstanding. This work has demonstrated a lot of diligence and discipline on your part. Glad to hear that it will be able to move to the next step. Let's see. I will go ahead and add that I have added an ad hoc on [inaudible 04:16:36] litigation and it will consist of Commissioner Prather, Commissioner Anderson, and myself. We are all aware that the police chief has filed a claim. And so that's something that we'll be working on and addressing. In addition, Commissioners Harris, Smith and myself have been working on the recruitment or search and we should have a updated job description soon. There will be more to report in the next commission meeting. I think that's it for me. Does anyone else have anything else to report? I know the hour is getting late or got late. Are we ready to move on? Okay. See no hands. Item 15, meeting minutes approval. And if everybody is comfortable with the minutes, I'm happy to receive a motion to accept. Anybody? Okay. I see Commissioner Dorado's hand. You are unmuted.
- Jose Dorado: I move that we approve the minutes of April 23rd.
- Regina Jackson: Thank you very much. Is there a...
- Edwin Prather: Second.
- Regina Jackson: Okay. Commissioner Prather. It has been properly moved and seconded. Can we take a vote? Commissioner Dorado?
- Jose Dorado: Aye.
- Regina Jackson: Right. Commissioner Prather?
- Edwin Prather: Yes.
- Regina Jackson: Excellent. Commissioner Harris?
- Ginale Harris: Aye.
- Regina Jackson: Thank you. Commissioner Anderson?
- Tara Anderson: Aye.
- Regina Jackson: Thank you. Commissioner Smith?



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- Thomas Lloyd Smith: Yes.
- Regina Jackson: Excellent. It has passed unanimously. Oh, and aye for myself. The approval of the minutes, woo, it's late, has unanimously passed. Thank you. So item 16, agenda setting prioritization of upcoming agenda items.
- Juanito Rus: Excuse me, through the Chair.
- Regina Jackson: Oh, yes, Mr. Rus?
- Juanito Rus: That was a motion for the minutes of April 23rd. There's still the minutes for April 27th which need to be approved.
- Regina Jackson: Okay. Thank you very much. So minutes of April 27th. Commissioner Dorado?
- Jose Dorado: I vote that we approve the minutes of April 27th.
- Regina Jackson: Excellent. Is there a second?
- Edwin Prather: Second.
- Regina Jackson: Thank you, Commissioner Prather. It has been properly moved and seconded. Can we take a vote? Commissioner Dorado?
- Jose Dorado: Aye.
- Regina Jackson: Commissioner Harris?
- Ginale Harris: Aye.
- Regina Jackson: Commissioner Prather?
- Edwin Prather: Yes.
- Regina Jackson: Commissioner Smith?
- Thomas Lloyd Smith: Yes.
- Regina Jackson: Commissioner Anderson?
- Tara Anderson: Aye.



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- Regina Jackson: And aye for myself. It is unanimous that the minutes from April 27th have been passed. So now we move to item 16, agenda setting and prioritization of upcoming agenda items. I'd like to add on the heels of Interim Chief Manheimer that we will have the disparity report, finally, as a part of our commission agenda. Based upon the conversations and the different versions of the ballot measure floating around, we are also going to put that on our agenda. Are there other suggestions? Oh, Commissioner Harris, you have been unmuted.
- Ginale Harris: Thank you, Chair. I was in attendance at the city council meeting that we had on Tuesday. And some of the comments that I heard were very disturbing and I'm going to go back, way back, to some comments that I heard one of our city councilman make, and not only to the count people that were in the meeting, but in the public on TV. I would ask this commission to support requesting that Councilman [Guile 04:21:50] recuse himself from anything involving decision-making that has to do with the police commission. Clearly he's biased to the police commission. He's made several comments, one on February 21st, I quoted him, and on March 5th, 2020, talking to the press with bias towards the police commission. Mr. Guile publicly presented his views of the police commission. He appeared to be in agreement with the announcement when the ex-Chief Kirkpatrick filed a lawsuit against the City of Oakland.
- Ginale Harris: He went so far as to fly to Washington to ask the Department of Justice to remove the federal monitor. This was not at the will of the people, but based on a personal bias and decision of the police commission made to fire ex-Chief Police Anne Kirkpatrick. As he stated in an ABC News Report, she was doing a good job. As far as he saw it, the relationship was going well.
- Ginale Harris: And so there's more comments, but I'm going to ask that he recuse himself or ask this commission to ask that he recuse himself that has to do with any decision making that has to do with this commission, because clearly he's biased towards this commission, and he's made more than one statement, and it concerns me.
- Regina Jackson: Thank you very much, Commissioner Harris. I agree with you. His actions have been disconcerting. Commissioner Anderson, you are unmuted.
- Tara Anderson: In relation to future agenda items, my comment is to make sure that we include a revision of the meeting minutes from the September 2018 meeting, where the rules on policy making were set, making sure that absolutely gets agendized for our next meeting, as we want to ensure that we are following those rules as we continue with the use of force revision process.



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- Regina Jackson: Excellent. Thank you. We've got that down. Are there any other items? Certainly you can email them to me if we don't have them tonight. We will need to have our agenda firm by May 21st given the holiday. Okay. So if there are no other comments, we can move to adjournment. Would somebody like to move to adjournment? And the hands...
- Ginale Harris: I move we move to adjournment.
- Regina Jackson: Okay. I will second. We have been properly moved and seconded. Can we all say aye that we are out of here?
- Ginale Harris: Aye.
- Audience: Aye.
- Regina Jackson: Aye. You all be safe. Thank you very much. [crosstalk 04:24:56].
- Jose Dorado: Good night everybody.
- Regina Jackson: Good night.
- Ginale Harris: Good night.
- Edwin Prather: Good night everybody.
- Regina Jackson: Good night.

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**From:** Mary Vail

**Sent:** Thursday, May 14, 2020 5:06 PM

**To:** Rus, Juanito; Regina Jackson

**Cc:** grinage, rashidah; White, Larry; Paula Hawthorn; Israel, Debra; Mariano Contreras; pamelaadrake

**Subject:** My public comment, 5/14/20 Police Commission meeting

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I am speaking as an individual and to only one item on tonight's Agenda, *the proposal that Commissioners receive comprehensive training by POST*. (Agenda Item # XV?).

I wish to share with you my deep contextual and fiscal concerns with this proposal.

As to context, during both the public dialogue following the Commission's and the Mayor's discharge of the former OPD Chief and proposed Measure LL amendments, there has been some very untrue and misleading claims that your Commission is comprised mostly of uninformed and biased members. I hope that this proposal is not a direct product of that false narrative or an initiative by OPD to "educate" you.

I am also deeply concerned with the potential breadth, scope, time commitment required and cost of this proposal.----Also that comprehensive POST courses would duplicate the training already provided by the City Attorney, OPD, attendance of the Commissioners at portions of the Citizen's Police Academy.

A consideration of POST course offering on subjects such as changes in use of force laws, curriculum related to work of Commission Discipline hearings might serve to be useful. Anything more looks to me to be a huge budget drain and possibly an effort to "jam up" the Commission with such a heavy POST training obligation that the body would not have the time and energy to oversee OPD.

Mary Vail  
District 5 resident.