



OAKLAND POLICE COMMISSION SPECIAL MEETING MINUTES - FINAL

May 28, 2020
5:30 PM

I. Call to Order

Chair Regina Jackson

The meeting started at 5:33 pm.

II. Roll Call and Determination of Quorum

Chair Regina Jackson

Commissioners Present: Tara Anderson, José Dorado, Henry Gage, III, Ginale Harris, Regina Jackson, and Thomas Lloyd Smith. Quorum was met.

Alternate Commissioners Present: Chris Brown and David Jordan (*arrived during item VI*)

Commissioners Excused: Edwin Prather (*participated in closed session*)

Counsel for this meeting: Conor Kennedy and Nitasha Sawhney

III. Public Comment on Closed Session Items

Comments were provided by the following public speakers:

Assata Olugbala

Jocelyn Ryder

The Commission adjourned to closed session. The open session section of the meeting commenced at 6:36 pm.

IV. Closed Session Closed Session

CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION: 1 CASE - Govt. Code § 54956.9(d)(2)

V. Report out of Closed Session

CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION: 1 CASE - Govt. Code § 54956.9(d)(2)

There were no reportable actions on this item.

VI. Welcome, Purpose, and Open Forum/Public Comment

Comments were provided by the following public speakers:

Mariano Contreras

Michele Lazaneo

Jim Chanin

Gene Hazzard

Pamela Price

Larry White
Iris Starr
Rashidah Grinage
Anne Janks
Laura Redmond
Lorelei Bosserman
Reisa Jaffe
Angie Noel
Assata Olugbala
Terri McWilliams
Jean Moses
Carla Pena
John Lindsay-Poland
Melanie Davis
Ayanna Akagawa
Neela Miri
Lasandra Owens

VII. Update from Interim Police Chief

OPD Interim Chief Manheimer provided an update on Department activities including crime statistics.

Comments were provided by the following public speakers:

Anne Janks
Laura Redmond
Michele Lazaneo
Assata Olugbala
Reisa Jaffe
Gene Hazzard
John Lindsay-Poland

No action was taken on this item.

VIII. Update on City Auditor's Commission and CPRA Audits

The Commission provided an update on the status of the Police Commission and CPRA audits that are being conducted by the City Auditor's office.

Comments were provided by the following public speakers:

Reisa Jaffe
Gene Hazzard
Assata Olugbala
Rashidah Grinage
Larry White

No action was taken on this item.

IX. Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities

Executive Director John Alden reported on the Agency's pending cases, completed investigations, staffing, and recent activities.

No public comments were provided on this item.

No action was taken on this item.

X. Commission Discussion of, and Possible Action On, City Administration's Proposed Budget of May 26, 2020

The Commission discussed the proposed City budget that was released on May 26, 2020.

Comments were provided by the following public speakers:

Reisa Jaffe

Assata Olugbala

Manuel (no last name given)

No action was taken on this item.

XI. OPD Discipline Disparity Report

The Commission discussed the recent OPD Discipline Disparity Report and status of the RFP for the Oakland Black Officers Association (OBOA) investigation contract.

Comments were provided by the following public speakers:

Jocelyn Ryder

Reisa Jaffe

Assata Olugbala

No action was taken on this item.

XII. Measure LL Ballot Measure Initiative

The Commission provided an update on the status of the ballot measure regarding changes to Measure LL.

Comments were provided by the following public speakers:

Jim Chanin

Rashidah Grinage

Assata Olugbala

Larry White

A motion was made by Ginale Harris, seconded by Tara Anderson, to strike the text that was added in the first version of a draft resolution amending City Charter section 604(b)(5) in the Supplemental Attachment to the meeting agenda which states "The Chief of Police may, on a temporary basis and without Commission approval, make changes to policies, procedures, customs, or General Orders of the Department that are necessary to

respond to exigent circumstances related to public safety. If such unilateral changes otherwise require Commission approval under this section 604(b)(5), the Department shall provide notice to the Chair of the Commission within forty-eight (48) hours of making such changes and such changes shall expire sixty (60) days from when they take effect unless approved by the Commission or the City Council.” The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, and Smith

No: 0

A motion was made by Henry Gage, III, seconded by Regina Jackson, to extend the meeting to 11:00 pm. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, and Jackson

No: Smith

A second motion was made by José Dorado, seconded by Regina Jackson, to extend the meeting by 30 minutes. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, and Smith

No: 0

A third motion was made by Henry Gage, III, seconded by Regina Jackson, to extend the meeting by 15 minutes. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, and Smith

No: 0

A fourth motion was made by Thomas Lloyd Smith, seconded by Henry Gage, III, to extend the meeting by 15 minutes. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, and Smith

No: 0

A second motion was made by Thomas Lloyd Smith, seconded by José Dorado, to affirm the following changes in the first version of a draft resolution amending City Charter section 604 included in the Supplemental Attachment that were collected by Henry Gage, III:

Section 604(a)(5)

Suggested language: “The City Administration shall not exercise any managerial authority over Commissioners or their designated staff, and shall not initiate an investigation of a Commissioner unless required by law or collective bargaining agreement.”

Section 604(c)(1)

Delete the following phrase: "Commissioners shall ... not be issued and shall not display, wear, or carry badges that identify themselves as Commissioners."

The language setting forth eligibility requirements for Commissioners should remain as it is in the Charter.

Section 604(e)(4)

Change the first sentence to read: "The staff of the Agency shall consist of no fewer than one line investigator for every seventy (70) sworn officers in the Department."

Section 604(e)(6)

The Commission believes that the Inspector General (OIG) should be an at-will employee, similar to the Executive Director of the CPRA. Therefore, delete the sentence "The Commission may remove the Inspector General only after adopting a finding or findings of cause, which may be defined by City Ordinance."

Section 604(g)(5)

Change the section to read: "The Commission on its own motion may convene a Discipline Committee for cases when either or both the Agency Director or the Department have not completed an investigation within two hundred and fifty (250) days of the filing of a complaint or when the evidence upon which the findings of either the Department or CPRA do not include required body worn camera footage of the incident in question. The Commission shall adopt additional qualifying criteria for convening a Discipline Committee within its own bylaws. The Discipline Committee may require the Agency to further investigate the complaint by notifying the Agency Director, in writing, of the specific issues that need further investigation. The Commission may convene such a Discipline Committee by a vote of no fewer than five (5) affirmative votes."

The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, and Smith

No: 0

A motion was made by Tara Anderson, seconded by Thomas Lloyd Smith, to table items XIII, XIV, and XV to a future agenda. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, and Smith

No: 0

XIII. Committee Reports (*this item was tabled to a future agenda*)

Comments were provided by the following public speakers:

Rashidah Grinage

XIV. Meeting Minutes Approval (*this item was tabled to a future agenda*)

No public comments were provided on this item.

XV. Agenda Setting and Prioritization of Upcoming Agenda Items (*this item was tabled to a future agenda*)

No public comments were provided on this item.

XVI. Adjournment

A motion was made by Thomas Lloyd Smith, seconded by Henry Gage, III, to adjourn the meeting at 11:58 pm. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Jackson, and Smith

No: 0