



**CITY OF OAKLAND
OAKLAND POLICE COMMISSION**

Meeting Transcript

Thursday, June 13, 2019

6:30 PM

City Hall, Council Chambers

1 Frank H. Ogawa Plaza, Oakland, California 94612

- Regina Jackson: If we can take our seats, we can start the meeting. Thank you.
- Regina Jackson: I'll try and be ready. One two, three, four, five. Okay, so I've got two more apologies so we're ... she's clear.
- Ginale Harris: That's good. I'm glad. I'm glad.
- Regina Jackson: Okay, so these are backwards.
- Ginale Harris: Order some of these?
- Regina Jackson: Sure. No problem, have Mike do it for us.
- Ginale Harris: Okay, I'm going to need some supplies.
- Regina Jackson: Mm-hmm (affirmative).
- Ginale Harris: Look at what I'm writing.
- Regina Jackson: Okay.
- Ginale Harris: Well we have to offer.
- Regina Jackson: Yes, I understand.
- Regina Jackson: If we can take our seats so we could start the meeting please, thank you. Thank you. Oh wait a minute. Oh so it's open forum, not a number, okay. Thank you.
- Regina Jackson: Yes please. Sorry. Thank you.
- Regina Jackson: Welcome everyone to the Oakland Police Commission Meeting of June 13th. It is 6:32 and I am calling the meeting to order. The next item is roll call and a determination of quorum.
- Regina Jackson: Commissioner Dorado?

Jose Dorado: Here.

Regina Jackson: Commissioner Anderson?

Tara Anderson: Here.

Regina Jackson: Commissioner ...

Ginale Harris: Here.

Regina Jackson: I for myself. And because Commissioner Thomas Smith and Commissioner Mubarrak Ahmad are absent, we will be elevating Alternate Commissioner Chris Brown to a voting position. Commissioner Brown?

Chris Brown: Present.

Regina Jackson: Very good. We have a quorum.

Regina Jackson: Welcome everyone. Thank you for being here in light of the fact that we have our NBA championship game going on. Thank you for the committedness, and go Warriors! The open forum, I have note cards for Bruce Schmiechen, Rashidah Grinage ...

Ginale Harris: That's it.

Regina Jackson: And I think that is it that far. No, Henry Gage I think was.

Ginale Harris: Okay, it's an open forum. Agenda, not an open forum.

Rashidah G: I am recording the game so please, if you are following on your phone, I don't want to know. The Rebecca Catlin ruined it for me on Monday by announcing the result while I was in Council Chambers. Don't ever do that. Also, I don't need two staff people to send me the agenda. Right hand, left hand, somebody steering the ship. That's about it for tonight.

Regina Jackson: Thank you very much, I will talk to Miss Chrissy and have her be the handler of the agendas. Thank you. Bruce?

Bruce S: Hi, Bruce Schmiechen, Coalition for Police Accountability, Faith in Action East Bay, formerly OCO. I just want to, for folks who are maybe watching on TV or something, I want to invite people to a community meeting on the evening of June 26, Wednesday at 6:00 p.m. at St. Columba Catholic Church on San Pablo. It is a discussion of bringing to Oakland ... Basically this leaflet says "Not all 911 calls need a police response, let's build an alternative in Oakland". And that is what this community meeting is about, finding some effective models so that there are 911 calls where somebody with a badge and a gun doesn't have to go there and deal with somebody who's like, the most common example, in a

mental health crisis. We want to make that happen. Wednesday, June 26 - St. Columba Church, come. 6:00 p.m. Thanks.

Regina Jackson: Thank you very much.

Regina Jackson: We have Miss Asada. I believe that I saw Henry's...

Ginale Harris: Nope that is it.

Regina Jackson: Are you sure? It is open forum, yeah. And Henry Gage, sorry we lost it.

Speaker 2: Henry, can you go next because I want to do some [inaudible 00:06:07].

Henry Gage III: Good evening, Henry Gage the Third. Quick FYI, an organization that I am now forgetting the name of recently released something called The Police Score Card, which is a great resource if you haven't come across it. They do an excellent job of compiling various statistics for departments throughout the state. And they have some pretty handy infographics that are useful for both people in your position, as well as people like me that just like to keep track of these sorts of things. So if you haven't had a chance to look at their website, I highly recommend that you do so. Thank you.

Regina Jackson: I am sorry, Henry can you restate? For some reason it is kind of going down a tunnel for me. You said something about police scorecards and checking a website?

Henry Gage III: The website is www.policesscorecard.org and they have some great infographics on there that are available for you to read.

Regina Jackson: Thank you.

Tara Anderson: Chair, may I? I would just like to add some information to that. Campaign Zero is the authors of the police score card. It was released on May 30th. Data comes from Open Justice, right from the Attorney Generals Office in addition to public record requests. Oakland got a grade of F and only 10 jurisdictions in California have a grade higher than F.

Regina Jackson: Very good, thank you.

Selene Bay: Thank you very much Commissioner, that is very good information.

Regina Jackson: Hi there, yes, so this is three. Selene Bay, Lorelei and John Bay.

Selene Bay: Yeah Selene Bay, Oakland California. I am so happy to see the commission and that this commission is in place, and that it is a vehicle for the community to come here and bring the grievances that they have to this commission to find some sort of justice that has not been in place in Oakland up until this time. I

mean I can speak directly to the fact that I have been to every single venue and person in Oakland, that has power in order to see our case. And there wasn't until the police commission that we brought our case and they sent a notice to the NSA Court which showed they were very serious about this case. So that we're very ... like I say we're appreciative. We said last year we would participate in this process as long as the process was going in the direction of justice.

Selene Bay: And so far, this has gone in the direction of justice especially after replacing the last chair, which we truly appreciate. But bottom line is, we have a long way to go and that there is a very serious thing that we have to take care of with this case and that we would appreciate if we do not pontificate, that we do not play a game that the Bay Case is here and it is based on documents that were provided by the City themselves.

Selene Bay: You don't have to believe us. Our ice freezes at the same level as everyone else's ice based on science but in the history of the United States, the black man's ice is never as cold as the white man's ice. We presented white man's ice to show that the police department has been involved in black on black murders in Oakland. And we have been sincere in how we come here and we are looking for justice. And we expect justice.

Regina Jackson: Thank you. John Bay and then Lorelei Bosserman.

John Bay: John Bay. It has been a few maybe months since I've been able to be here but I do just want to pick up from that point was I know there was an extreme displeasure at the performance of the current chief of police. I don't know anything that OPD has done should have changed the perception of the job of the current chief has done or has been doing. Under her leadership and guidance there have been no improvements in the ability to process racial profiling cases within the city of Oakland.

John Bay: They're looking for more expenditures for toys and weapons of violence to take over the community with and I would encourage you, as the commission, to strongly consider the weapons they are looking to use, as well as the money that they get and use, or misuse, because we're not being served as a community, yet people are making a wonderful life for themselves in overtime and just the salaries themselves, let alone the burden of the pension on the long term health of the city when we have children who need education, proper schooling, that if they don't get it for the money they're only serving to be victims of the police system later in life.

John Bay: So if they're under educated as fourth and fifth graders is where we know black males somehow fall off the radar in the country in the public education system, that by the time they're 17 they either graduate with an insufficient education or they don't graduate and yet they're on the streets without an education or

anything to sustain themselves in life, and they are fodder for the prison industrial complex in this country. Thank you.

Regina Jackson: Thank you.

Assata: Love life. There's been a number of things going on in the council at board meetings and at committee meetings. The family of this young man, Jonathan, can't say his last name, has been missing since May 3rd. They were questioning the policy or the procedures used by the police to find Jonathan. I've been requesting that something come to public safety related to the policy of the police department around missing persons.

Assata: This is not the first time. Two years ago we had a three year old child that was on the street for 30 hours before they put of out an alarm for that child. They have not responded to me around this issue of let's look at what's happening. It was almost two weeks before this kind of public acknowledgement of him being missing came out from the police department.

Assata: On Tuesday, there was a skirting of an issue. A cannabis report was being given, mostly related to business but somebody gave the report around the disparity of marijuana arrests. I asked afterwards if I could see the report. Just wanted to share with you that marijuana citations, African-Americans were 60% of the total number of citations for marijuana. They gave total numbers for arrests. 122 arrests, and this is in 2017, 112 were African-Americans. That's one thing.

Assata: The other thing that's been happening is the budget. The biggest thing about the budget, one of the biggest things, is the over time. The auditor has provided on Tuesday an audit report on overtime, I suggest you read it because it calls for a development of policies and procedures that the police department needs to implement around overtime. There's also a document of overtime audit that was in 2012, it had to do with cop procedures. This budget doesn't have that, but that's a big thing.

Assata: My time's up, and if you don't mind with your indulgence, there was, at the Public Safety Committee meeting, an emergency mental health issue involving the police. And when I say involving the police, one of our citizens had an issue with a representative with the police department. Sitting in the audience, she became uncomfortable with something he said. She got up and began to have a panic attack. The gentleman representing the police department decided to get up and come stand in her face. This pushed the situation out of control. It became verbal between other members of the audience, and I personally told him, "That was wrong. You should have pushed yourself away from this."

Assata: I'm saying all this to say, because there's other details, that it demonstrates that we do not truly understand in policing how to defuse things. We need to look at practices and training and ... because it's not there. That situation could have been very bad. Thanks to citizens, they dissolved. Procedures for the City

Council, the Public Safety Commission just went on with the meeting. They never stopped. Nobody said, "We need to see what's going on."

Assata: I'm just discombobulated about that. But anyway, thank you for your time.

Regina Jackson: Thank you.

Lorelei B: Good evening. I have a dear diary moment. I'm actually going to say something nice about the Oakland Police. I'm glad that Chief Kirkpatrick is here to hear it because I've certainly criticized them a lot. I was driving down last week Fruitvale Avenue, and I saw something strange on the left side of the street. I think the officer's car lights must have been going or I wouldn't have even looked over and noticed. But there was a group of maybe 15 or 20 people sort of circling each other and occasionally one would shout something, and occasionally one would reach out and slap someone else and then be pulled back. It was hard to tell what was going on.

Lorelei B: There was a single police officer there who was trying to keep people separated and trying to talk to them. I couldn't hear him, I was across the street filming but his body language seemed to indicate that he was trying to talk to people, trying to talk them down. It was a weird situation because on one hand nothing was happening, I mean it hadn't even gotten to the level of a slap fight. And on the other hand it felt like it could go very ugly, very quickly.

Lorelei B: That officer did not lose a school. He didn't escalate, even when a man walked up and shoved him hard with both hands. He didn't reach for his gun. He didn't reach for his taser. He didn't put anyone in a headlock. He didn't throw anyone on the ground or try to handcuff them. He just kept talking to people and try to keep them away from each other. I realize that this is damning by faint praise, because not escalating a situation should be the standard, but that is what we're asking for and I did see it so I wanted to call it out.

Lorelei B: Shortly after that, about 20 police officers arrived and then I have some issues with how they pushed back the people who were filming. But that one lone officer, I think did a good job of, if not de-escalating the situation, at least not escalating it. So you're doing something right. Thank you.

Regina Jackson: Thank you. Those are all the note cards, so I'd like to take this time to welcome in a new role our Interim Executive Director Michael Nisperos. He has taken on the ... Okay, yes we can clap. He has taken on the interim role for us and has been at work for almost two weeks now. Correct? Yes. So if you'd like to say something to us and/or the audience.

Mike Nisperos: Thank you Madam Chair, it's good to be back.

Regina Jackson: Short and sweet. Thank you.

Regina Jackson: Okay, so what I'd like to do just before we move on to item four is we have a series of items that need to be put over for a variety of different reasons. I wonder if maybe we could agree to those before we move on. With the OPD budget update, one of the staffers had a childcare issue so I said we could go ahead and have that put over. As I understand it there is no one from the City Attorney's Office to address the commission subpoenas and so I'd like to recommend that we put that over.

Regina Jackson: The OPD's policy of deployment of the BearCat and other militarized weapons, I'd actually like to get a little bit more information about what council expects, so I'd like to put that over, that came to us from Public Safety. Similarly from Public Safety, the OPD towing policy regarding victims of crime. I'd like to recommend that we put that item over.

Regina Jackson: Then, excuse me, item 13 outside council RFQ, because there's nobody-

Police Chief: Thank you.

Regina Jackson: Yes, Chief Kirkpatrick? You're having to go now?

Police Chief: I just want to say thank you, I'm going to let the staff go.

Regina Jackson: Okay, all right. Thank you very much. The outside council RFQ update. Again the same thing. There's nobody here from the city attorney's office. I was alerted to that fact. And so I'd like to recommend that we put that item over. The commission letter to City Council regarding the OPD contract, I made an effort to write a draft letter and our fellow psychologist, am I getting that right?

Speaker 1: [inaudible 00:20:44].

Regina Jackson: Marriage and family therapist, thinks that he can actually improve on my draft and so I'd like to give him an opportunity to do so before we look at it as a unit, so I'd like to recommend that we put that over. Is there any other item that someone feels like we might not be able to move forward expeditiously, thoughtfully? No? Okay.

Regina Jackson: I'd like to make a motion that we put over items five, six, seven, eight, 13 and 15. May I have a second?

Chris Brown: Second.

Regina Jackson: Okay, seconded by alternate but voting Commissioner Brown. May I have a vote. Wait do I need? I'm sorry, I still need to go to public comment, so let's do that then we'll come back on a vote. I'm operating on just a few hours sleep, sorry about that.

Regina Jackson: For the-

Ginale Harris: We're on agenda one.

Regina Jackson: We'll go back to number four, which is Pollock investigation update. This is actually the first time that we will be hearing in public since the CPA report findings were rejected and there was no one to be in that position. I'd like to know Interim Director Mike Nisperos if you have any updates to provide for us?

Mike Nisperos: Yes Madam Chair. I spoke this morning with Eric Mason of Mason Investigative Services. After we spoke I asked him if he would be able to perform the task at \$50,000 or less, and if so then I could ask for a waiver to the City Administrator for a contract for the services. He indicated to me that he thought he probably could. I contacted the City Administrator and they were very helpful. I then had to contact Contract Compliance and get a waiver form. I filled out the waiver form and have submitted it, so it's going through the bureaucracy.

Mike Nisperos: I'm assured by the City Administrator it will be expedited to go through the bureaucracy. Then I'm not really sure what's next. I think it's about drafting the contract, so I will work with someone from the City's Attorney's Office to draft the contract. The contract as I offered it would be to evaluate the investigations that are taking place and conduct any further investigations he feels are necessary after doing that evaluation.

Regina Jackson: Do you have any other updates?

Mike Nisperos: No ma'am.

Regina Jackson: Okay, are there any questions as to this contract for Mr. Mason evaluating the investigation that took place? Commissioner Harris?

Ginale Harris: Do we have the final contract in the packet?

Mike Nisperos: No, it hasn't been written.

Ginale Harris: Oh, okay.

Regina Jackson: Are there any other questions?

Tara Anderson: Are there any concerns even with the expedited commitment of the City Attorney and City Administrator about timelines given that we would like this to happen as soon as possible?

Mike Nisperos: I can't speak for the City Attorney, I can only say that I've been assured by the City Administrator that they will assist in expediting it. I would ask them to use whatever leverage they have to implore other facets of the city to do the same.

Regina Jackson: Okay. Mr. Nisperos, earlier this week when we talked, you had mentioned that you consider the Pollock Investigation complete, or over? Yeah, complete.

Mike Nisperos: I think CPRA had completed their investigation before I came onboard, yes.

Regina Jackson: Okay. What I'd like to do is call for public comment and ... Well no, what I'd like to do is make a motion. I move to close the Pollock investigation recognizing that by closing this investigation we are not approving the already rejected CPRA report. In so doing, it is a decide of the commission that they last recommendation from the police department, which is in this instance the findings and disciplinary determination of the compliance director will stand.

Regina Jackson: Is there a second?

Ginale Harris: Second.

Regina Jackson: Thank you. We'll take public comment and then we'll come back for a vote. John Bay, Selene Bay, Rashidah Grinage, Michael Tigges, Henry Gage. I have more but why don't we take those first?

John Bay: John Bay. My understanding was that the commission rejected the report from the CPRA and that based on what Mr. Nisperos just said is that they could probably do the investigation for under 50,000. So what is the probably contingent upon? Either can they or can they not? It's a concern that as long as this does not change the commission's stand that it's an approved report, as long as we move forward still scrutinizing this report. But if we can lock in that financial figure from a probably to 50,000, which means to get it started I'll say yeah, 50,000. But oh my gosh, after a couple of weeks it's going to cost more.

John Bay: If we can really lock in the financial figures, that would probably be more helpful.

Regina Jackson: Thank you.

Rashidah G: I would support the motion that the chair has just made. There is no time to do more investigation without forfeiting the ability to discipline the officers. It's that simple. I do endorse that motion. As far as the independent investigation that was just described, I would suggest that it be done in accordance with agenda item 13, which is the audit of CPRA investigations. That's what should happen. That's what you should be paying for, and that would include an audit of that particular investigation of the Pollock matter, as well as the others, as well as the timelines and other aspects of the investigations that have been completed.

Rashidah G: I would suggest that if you're going to award that contract to an independent investigator, that it be done as an audit rather than a separate investigation on a particular case. Thank you.

Regina Jackson: Thank you.

Michael Tigs: Michael Tigges, a member of the Coalition for Police Accountability and the Wellstone DRC. As Rashidah just said, I also concur that this part of the investigation into the case itself be closed. But as I remember from last time I was here, the discussion was not investigating the case itself but investigating how CPRA investigated the case. By the way, former council member Nisperos and now interim ED of the CPRA. Welcome, an adult in the room. Thank you.

Regina Jackson: Thank you. Selene Bay, Henry Gage.

Selene Bay: Selene Bay. So anyway, the Pollock case is a current indictment on the status of the CPRA and CPRA investigators, the same investigators that found that our case was not sustained at the exact same time as IED, who never admits to anything found our case sustained, says everything that you need to know about the current CPRA, which used to be the CPRB, but lets go to history and say that the same organizations, the FBI, the Alameda County DA, the OPD, all of the same organization that used to make COINTELPRO that attacked black people, they changed the name and it's now called the Joint Terrorism Task Force.

Selene Bay: If the exact same organizations are participating in the Joint Terrorism Task Force, that participated in the COINTELPRO, does that make COINTELPRO any different from the Joint Terrorism Task Force? No, it doesn't. The exact same thing applies to the CPRA versus the CPRB. You have the exact same people who were booting investigations, who were laying up in the Oakland Police Department, who were over all in their headquarters being friendly with them Joanne Sappay, Karen Tom-

PART 1 OF 6 ENDS [00:32:04]

Selene Bay: Being friendly with them. [Joan Sawpey 00:32:02] Karen Tom and all the other people. Anthony [Finnell] was, I mean, so just in case you, I need to speak specifically, these are exact same people that you kept trying to send our case to. Your credibility is tied directly to the people who do the investigations for you. So if you have a corrupt organization that does investigations for you, then the police commission's credibility is tied to the people who should have been replaced when the police commission was created. Because if the CPRB was doing its job, there would be no police commission. They would have been netting out justice to the public, but they didn't. So that's why the investigative arm of the police commission has to be recreated. Which LL allows you to reorganize the CPRA. So transfer all of them, or fire them, or do whatever you have to do, but get some new investigators.

Regina Jackson: Thank you. Mrs. [Sada 00:33:25].

Assata: Love life. I don't have details on everything, but my understanding was the judge had audit an investigation and re-opening of the case, and that's supposed to be finalized at what point? I think August, is that correct? I'm not

sure. Okay. The point I'm trying to make is this, the investigative process still has an arm of investigation and as through the courts. And I would not invest into any funding of further investigation until you see how that particular investigation comes out because it might come out exactly supporting what you think needs to be done.

Assata: So fiscally before you go in that direction, would you consider waiting to see how that investigation comes out? And I thought, I'm not sure, but I thought it was August. They go back to the courts.

Assata: [Rashida 00:00:34:39], do you know? You don't know? It's done. And have you seen-

Speaker 3: Yeah, it's published.

Assata: It's published. And do, do you want to address it because I thought it was still in place?

Speaker 3: No.

Assata: Is it something that we can be satisfied with?

Speaker 3: Yes.

Assata: Okay. So Rashida's saying it's something we can be satisfied with. So why would we need to put more money into a further investigation?

Speaker 4: That's what we're saying.

Assata: Okay.

Speaker 4: Yeah, we agree.

Assata: Okay. And then one more point.

Assata: I think there needs to be an uplifting of the Las Vegas incident. I'm really appreciative of the time and the thoroughness of the Pollock investigation, but the Las Vegas street incident needs to be brought up and thoroughly investigated as well.

Regina Jackson: Thank you.

Regina Jackson: That completes all the speakers. Excuse me. We, we have a motion that has been seconded and I'd like to take a vote. Commissioner Dorado.

Jose Dorado: I.

Regina Jackson: Commissioner Anderson.

Tara Anderson: I.

Regina Jackson: Commissioner Harris.

Ginale Harris: I

Regina Jackson: I for myself.

Regina Jackson: Commissioner Brown.

Chris Brown: I.

Regina Jackson: And the vote passes, and the motion passes.

Regina Jackson: Do we want to have some discussion to the points around the Eric Mason investigation? It sounds like what we approved months ago now doesn't really have the same bearing and this concept of having the Mason investigators actually take a look, you know, through an audited proposal through the quality of the investigations. It sounds like the scope might be changing, but I think that we, I'm not exactly certain, so Sergio, we voted for something that now sounds like it doesn't have productivity or appropriate bearings. Is it appropriate for us to restate a motion for an action changing the scope of the contract since it's not finalized?

Speaker 5: Yes, I think that it would be helpful for, for the commission to have a subsequent vote to change the scope of the contract. I would also recommend that we do that as a separate item since that's not been put on the agenda for tonight.

Regina Jackson: Okay. So we will put that, [inaudible] oh, okay.

Regina Jackson: So what we have is a circumstance, particularly around the delay in Mason becoming a vendor. It was a request that I made of Ms. Tom when she was the interim. It didn't quite happen. We see that the interim executive director is now trying to make it happen. So how would, since there hasn't been a scope, shall we present the new scope at the next meeting?

Speaker 5: I would recommend that you just direct staff to prepare the new scope and have it be presented at the next meeting for a vote.

Regina Jackson: Okay.

Speaker 5: And you know, you can certainly direct staff not to execute a contract in the interim.

Regina Jackson: Okay. So Mr. [Sparrows?] I think that what we are saying, and I want to make sure that I'm looking at the head nods, is that we want to change the scope of Mason investigators to include an audit of the investigations, not specifically Pollock, but of investigations.

Regina Jackson: Now I imagine that he's going to have to give a quote and he won't go over 50,000 because then we would be outside of the contractor space. And so he may have to define how many investigations he can audit for that amount of money. But we can leave that to you. Is that the commissions favor? Yes. Excuse me. Commissioner Harris.

Ginale Harris: So my question is, we have the funds to use for the audit, so why are we limiting it? Because if we don't use it, we lose it. So why are we keeping him as a vendor under \$50,000?

Regina Jackson: Well, I think that first off, the rules around vending, because he's not an approved vendor yet.

Ginale Harris: Okay.

Regina Jackson: So we have to honor that we can't go over 50,000 per issue. If what we want to do is change the scope, then it's like it's a new issue, and it's one, not two.

Ginale Harris: Okay.

Regina Jackson: And so that I think gets to what your concern was.

Ginale Harris: Well, if we do one, then I think we'll get less. Right? If we do two in two separate instances, it can be in the same... Maybe I'm not saying this right.

Regina Jackson: No, no, no. I think, I think I'm understanding what you're saying and I want to clarify, because the process that we went through to select Mason investigators, remember we had-

Ginale Harris: Three.

Regina Jackson: We actually asked for three bids. One person fell out. We heard presentations from two.

Ginale Harris: We selected one.

Regina Jackson: And then we selected one. If we were to do two contracts, I think we'd have to go through that second process again. Am I incorrect, Mr. Sparrows or?

Mr. Sparrows: I would defer to the city attorney. I'm not a contract specialist.

Speaker 5: And so it sounds like we're trying to figure out first how much work we need to have done. And the question is does it have to go back out for the bidding process? That's an interesting question. If, if the contract was already executed, I'd suspect the answer would be, it's a contract amendment which would need to be approved by the commission. I'll need to look into that issue. I can email you afterwards.

Regina Jackson: Okay.

Ginale Harris: I think my point in saying this is that the audit itself of the CPRA is going to be extensive, I'm sure. So I don't want to cram that into the Pollock investigation and the other CPRA cases investigation. The audit itself is of the whole agency total, not just of the investigations. Right? So I want to keep those two things separate and have two separate contracts.

Regina Jackson: Yes. And the, yes. Two separate contracts. So why don't we make a motion to be really clear about what it is that we're doing and then we will post the second scope of service in the next agenda.

Ginale Harris: Yes.

Regina Jackson: Is that correct. Okay.

Speaker 5: Yeah, I mean my recommendation would be that you guys vote to approve the second scope of service and the next [inaudible 00:09:56], once you guys have figured out what that is.

Regina Jackson: Okay. So I think that, okay, so we will wait until that item in the agenda. Thank you very much.

Regina Jackson: So we are finished with item four as we said we were going to put over items five, six, seven, eight, 13, and 15. Actually I made a recommendation that we do that. I'm not sure that we actually approved that we were going to do that. So I move that we put over items five, six, seven, eight, 13, and 15.

Regina Jackson: May I have a second?

Jose Dorado: Second.

Regina Jackson: Thank you. Commissioner Dorado.

Speaker 6: Yeah. One thing, I don't know. Public comment, do we take public comment for all of the items? I think we lost, right?

Speaker 5: I would just recommend you take public comment on those items all at once.

Speaker 6: Yeah. Okay.

Regina Jackson: Very good. All right, so we are going to call all of the people on all the items that are being put over. For number five I have Michael [Tigs, 00:43:14], John Bay, [Saline] Bay, Rashida [Granash] and that's for five and then we'll go to six.

Regina Jackson: Commissioner [inaudible 00:11:30]. Am I hearing something?

Michael Tigs: Michael Tigs. Am I on? Nope. Okay. There it goes

Michael Tigs: So what I wanted to speak to item five about was to say absolutely not, but before the chief and her deputies left, I would have hoped they'd set, been around long enough to hear what I've learned while listening to a podcast from the Center for investigator reporting about how tasers fail, and how the police chief in the People's Republic, Burlington, Vermont has essentially discovered that there's a better way to react to a crises where, especially where mental health is involved where they ended up killing a guy because when they shot him with the taser from four feet away, it didn't work.

Michael Tigs: So what I would suggest that they, instead of getting an armored vehicle, you get a crisis response van that, and it is described in this podcast, what they have in it. For example, they have a pole with a y at the end so that they can restrain people at a distance without risk to the people that are there. Maybe cost five bucks? I could make it for that. So in other words, before you deploy armored vehicles, think about deploying crisis response vehicles. Paint them white so that nobody gets scared. And I suspect they'd have, they'd be deployed more often and more successfully than any of the [bear cats 00:00:45:11] and they wouldn't be a platform for snipers.

Michael Tigs: Thank you.

Rashidah G: I'm a little confused. Are we speaking to just five right now?

Regina Jackson: Yeah, that's what I was trying to do. Just kind of have it in order because we have so many. So item five, forgive me if I was not clear. The speaker's for item five and then we'll do items six and so on.

Rashidah G: So all I can say to item five, since there's no report here, is that there's no report. So basically, even though the city attorney couldn't be here, what is the reason that the city attorney could not provide a report for this item? I'm not understanding that. So do we need to subpoena things from the city attorney? Perhaps we do.

Regina Jackson: Yeah.

Regina Jackson: I, the the bit of information that I have is that they didn't have enough time to create a analysis because they went to an outside attorney to investigate it and that outside attorney, who I do not know the name of, apparently has to come up to speed on both measure LL and everything else. I suggested that I was

going to ask the pleasure of the commission because I was asked to put it off for two more meetings and that I was going to ask the pleasure of the commission if they wanted to do one meeting or two meetings, but that's the information that I have.

Rashidah G: So like everything else related to that office, it's unacceptable.

Regina Jackson: Right.

Rashidah G: And I would say that you should use your subpoena power to the city attorney. There is no excuse for stonewalling, a legitimate request from this commission. You have the authority to issue subpoenas for in-person testimony as well as documents. Use it. That's why we gave it to you.

Regina Jackson: Thank you.

John Bay: John Bay. And I think that was a clear cut question which made this confusing. If they weren't able to be here or their representative, someone should have been here to say that so that the public comments could have been directed directly to a representative of the city attorney. And they could answer why, or they could have been on the hook, or the people who they contracted out to could come here to say in front of the public why they were incapable of producing what was needed to be produced in the appropriate time. So it is, again, it's one of those subtle yet consistent power plays from the city attorney's office. Again, not to take you people and the community seriously.

John Bay: It did not cost them anything other than what they would have normally done to have a representative, if not the city attorney herself, to be here to say to the citizens of Oakland, we could not be here and we were not able to produce this report because what can we speak on? The subpoenas will... Please subpoena everything you can. Of course we would say, but we need them. And if they designate a company that is not able to produce the information in time, they either need to be accountable enough to show up or they need to produce at the time.

Regina Jackson: Thank you.

John Bay: Demand what his do the citizens. Thank you.

Regina Jackson: Those are all the speaker cards I have for item number five. So for item number six, which is the OPD update, I have Rashida Granash, Saline Bay, [Rujsh Mikan 00:49:10], Michael Tigs.

Regina Jackson: Yes.

Rashidah G: I just wanted to note that there is a great deal of information in the report that they submitted that has nothing whatsoever to do with the police department. I

have no idea why it's included. It looks like a data dump. And we all know what data dumps mean. It means that you have a really difficult time finding the information that's actually valuable. The more they throw in, the harder it is to find what's important. So I think that's probably what is behind it.

Rashidah G: On the issue of over time, as Mrs. Sada said earlier, there are two reports, one by [Courtney Ruby 00:00:50:08], the auditor, and the other by an independent firm that was hired to analyze the overtime and overage. And I, it's, they're in the agenda packets for the budget meeting. So I would suggest that you look at the recommendations. It, the auditor claims or asserted, I should say, that OPB said that they agreed with 17 of her recommendations.

Rashidah G: If that is the case, then it falls to all of us to make sure that they are implemented. The fact is that independent firms have been recommending changes to policies since the 90s. And very often when you look back at the history, you find that there was no implementation of any of those recommendations. What we've seen over the last 17 years is that there has been no implementation of the NSA required reforms.

Rashidah G: So if they're not complying with what's required, I'm not sure we can have a lot of faith that they will comply with what's recommended. So I think we're going to have to look to make sure and keep track of whether or not and when those implementations are actually implemented. Thank you.

Regina Jackson: Thank you.

Selene Bay: Saline Bay, Oakland, California.

Selene Bay: Number one, defund OPD, number one, right? They don't deserve a penny. They've been in noncompliance with the NSA for all of these years and we keep paying them millions and millions of dollars. At the same time, we paying them to lock up our own people, our being black people, right? So we giving them hundreds of millions of dollars at the same time as we're cutting job programs, at the same time as we're cutting, you know, educational programs, at the same time, afterschool programs. Everything that you're talking about that is a social service has been cut.

Selene Bay: And the mayor in this budget is talking about trimming back social services, right? Who's talking about closing a library? Who would dare say close a library but give more money to OPD to be criminal in the same way that they've been criminal? It doesn't make any sense, right? Unless your goal is to lock up the people that you keep in poverty.

Selene Bay: That doesn't make any sense unless your goal is the lock up the people that you keep in poverty. So cut the programs that keep people on the street, cut the programs that keep the people without something to do. And then pay the police to have more police. And wait, let's double back.

Selene Bay: When the mayor ran for her first term, she said she wanted a thousand police officers so that she could deal with crime in Oakland. So at the same time she's saying, "I want a thousand police officers," She's saying cut the programs and cut the educational services to the people who are most affected by the police.

Selene Bay: We have to get to the point to where we invest more money in the communities than we do into police in the communities. Right?

Selene Bay: Last point, if you have a 40% dropout rate in your educational system in Oakland, and you consider that actually a successful rate. Am I lying? 40%, we're down to 40% right? So 40% of the people, 40% of the children who should be graduating every year go directly to the street. Every year 40% of the children go directly to the street. No high school education, no job training.

Selene Bay: Where are they going to go? So if they go to the street, 40% every year, every year, you're going to need more police every year, every year, unless you deal with the 40% that go to the street. Does that make sense?

Selene Bay: I mean this is common sense. Oakland Unified School District, 40% non graduation rate. That means 40% of the children every year, 17 to 18 years old, go directly to the street. You're going to need more police every year if that's your solution. You will never catch up. You need a thousand this year. You need 1500 year, 1500 police 10 years from now, if you never stop, 40% of the children going to the street.

Selene Bay: So let's stop paying the police and let's start paying ourself. Take half the money that you spend on the police and put it in, invest it in the community, and I guarantee you won't need the half that you spend on the police from this point on.

Regina Jackson: Thank you, Mr. Bay.

Assata: Six

Regina Jackson: No ma'am. We're, yes, we're on six. Sorry.

Assata: Okay. Love Life.

Assata: The audit, the independent audits report, that's this, said that the highest vacancy rate for all departments in the city is the police department, 10.6. He also said something I never realize, I forget the number of vacancies, but departments purposely leave vacancies in place so they can use the money for other things. So they don't hire people because they want to use the money for other things. The independent investigation said the overtime budget for the Police Department is \$26.9 million for 2017, 2018 are twice the proposed overtime budget of 13.9 million. And he was saying this to say that they didn't report the overtime budget, the city didn't report it correctly. It was being

reported by the city as \$20 million. But the independent budget reflected it was 26.9, okay? Having to do... The Police department developed a method, or policy, for reporting and monitoring over time, but the auditor find out that OPD management staff is not consistently using it.

Assata: Okay? The auditor also said that the OPD does not enforce its department voluntary overtime policy. They are not enforcing it.

Assata: Lastly, there's many, many things. I hope y'all get a copy of this. Lastly, it says that the department has not worked with human resources to develop a comprehensive training program to reduce officer injuries and that, the reason is the majority of overtime is because many officers go out on injuries. Okay? So I hope that you get a chance to reflect on the documents produced by the independent and the city auditor.

Regina Jackson: Thank you. We have a last card for item six from Mr. [Oscar Fuentes. 00:00:58:08]. [inaudible 00:58:08].

Oscar Fuentes: Hi there.

Oscar Fuentes: So I just want to, from my point of view, the, the work that the commission does, or should do, or would do, to look over the books of OPD is critical. The other night, [Sabrina Landreth 00:26:26], and you can look at this in the city council, a special meeting on the budget. Sabrina Landreth broke into a discussion to say that \$12.5 million of the overtime was special event reimbursable. The next day when the police did their over time presentation to the finance committee, they said it was 9 million and in fact the finance director was sitting there and she said, "Wasn't it 12 million?" And she said, "No, it's 9 million."

Oscar Fuentes: So it seems like there's a lot of fast and loose accounting going on over there. One of the other things that the rep from OPD said was, so if special event over time is reimbursed, it may be called revenue from the point of view of how the city looks at money coming in and out, but it's not [spendy] revenue. It's not profit.

Oscar Fuentes: But that's exactly how the OPD rep referred to it. She said, "We will be down the revenue from the warriors next year," which was a weird thing to say because it's not, it's revenue from the point of view that it's coming in. But it's not money in the bank that they will be down for their budget. It was a very odd thing to say that indicated there is a weird culture of money going on there. She also said that 15%, there's a 15% overhead that they charge for that special event revenue to cover central services costs. Right?

Oscar Fuentes: So they're making money up to special event revenue at the at the same time, while also taking services away from regular policing and taxing the police

officers who are doing this. So they need a lot of oversight. They're not getting it right now. They are just saying whatever they want and people are buying it.

Regina Jackson: Thank you.

Ginale Harris: Can I make a suggestion?

Regina Jackson: Go ahead, Harrison.

Ginale Harris: So I too thought about that. I've been sitting on that one for a while. And I remember that when we were doing the budget, we had, OPD had \$100,000 dedicated to an to a neighborhood service audit or something, survey. And I think that it'd be a good idea that we take that hundred thousand dollars from their budget and do an analysis, an audit, on spending of their budget.

Ginale Harris: Right? Yeah, but I mean, you know.

Regina Jackson: Anybody else have a comment on that? Okay, so we will go to the speakers for item number seven, which is OPD's policy on the deployment of the bear cat and other militarized with weapons. Speaker cards I have are for Rashida Granash, [Nino Parker 00:29:45], I have a blank one. Let's see here. Mrs. Sada, [Laurali Bosserman 01:02:00], [Ann Jenx. 00:30:03]. That's it.

Speaker 7: [inaudible 01:02:17].

Regina Jackson: I'm sorry? What's your name sir?

Speaker 7: John [inaudible] .

Regina Jackson: Oh, I do have a blank one.

Speaker 7: Oh, that might be me because I'm out of practice.

Regina Jackson: Okay, you're out of practice.

Speaker 7: I'm out of practice.

Regina Jackson: Okay.

Speaker 6: Here's another blank one.

Regina Jackson: We got two blank ones. What's going on?

Speaker 7: I'm one of those.

Regina Jackson: Okay. I will write your name.

Speaker 7: I don't think I used Roman numerals on that one.

Regina Jackson: And that's for item seven.

Speaker 8: May I make a, ask a question? So I was at the city council budget meeting on Monday and it was over 300 people in here and it wasn't this cold. I think this is purposeful, that they are freezing you guys, freezing us out at these meetings, because last point, last meeting, I made the same request as to why, the same comment. And it's colder today than it was at the last meeting. We need to get to the bottom of this. I'm about to go home in a minute. It's too cold.

Regina Jackson: Okay. I appreciate that. I did have the security people call the engineer whose voicemail was full. I said, text him, we're going to get this handled. And I think I will work with Mr. Sparrows to figure out if this is a public works issue, if this is a city administration issue. But, well I... We're going to get it handled, that's one thing I know because [crosstalk] okay, so we're going, we know we have a shorter agenda, so we'll just trying and move our way through it. So I also have on item seven, [Bruce Shmeecan 01:04:03] and-

PART 2 OF 6 ENDS [01:04:04]

Regina Jackson: So I also have on item seven, Bruce [Smeacon] and John Lindsay-Poland. Oh.

Speaker 9: Discuss seven and 16 on one card.

Regina Jackson: Okay, so hold on just one second, Miss Assata. So one point on the note cards, you can't write one card and identify two items. That's how you messed me up. Okay. Thank you very much.

Assata: I don't understand how this got to you because at the public safety committee meeting, this item became somewhat controversial because it was grant money for three items. They approved two and they rejected this item, the bearcat. And they instructed them to go back and I say them, the police department to come back with what they thought would be more acceptable pieces of items and I don't know how this conversation that you guys have to go back and create a policy based on that. It was just a decision that the equipment was considered inappropriate. It was not needed, that kind of equipment period.

Assata: But I would appreciate if they would consider grants when they get grants. There's a whole scope of things that you can consider and the police department makes their decision, but to come to the committee with a list of items that possibly could have been considered for them to reevaluate? No. Maybe this could be used because for instance, this grant I think could have been used for juvenile justice consideration, for youth, restorative justice and I brought that up. But anyway, I don't know how this got to you guys have to develop a policy. All they were told was go find some other equipment to purchase. Just giving you more work that you really don't need is my opinion.

Regina Jackson: Yeah, so the, the limited explanation I have is that this item and the next item were sent from Edwin Prather who is our liaison to public safety, that the City Council asked for us to weigh in on this.

Assata: Should right here.

Regina Jackson: My challenge is I want to be clear, which is why we're putting it over as to what it is that they really want and if we in fact have the bandwidth to handle it. I have been approached by not less than two commissioners who are saying, they're stretched and I know that's the case for me. So that's why I'm going to try and vice chair Harris and I are going to work a bit more diligently to identify what it is that we're being asked to do, what it is that we can in fact do and how quickly we need to be responsive to requests from City Council. I myself was concerned that if they were asking for our feedback it might have been based upon a budget situation so that we had to respond quickly. I have now thought otherwise of that so I want to just get more clarification.

Oscar Fuentes: This is about the bearcat. Do you mind if I just make a comment?

Regina Jackson: Go ahead Mr. Fuentes.

Oscar Fuentes: So I was at that meeting and I witnessed the back and forth. It was the last thing of the meeting. It was like two in the morning, but basically they said go back to the commission and basically you guys have the power to tell them no. That was what was said at that meeting. They have to give you a reason why and they have to present a policy of use of the bearcat and you definitely had the power to say you cannot have the bear cat. That's my interpretation. You should speak to probably the council president because she was the one directing that commentary.

Regina Jackson: Thank you very much. Appreciate the context.

John Lindsay: My name is John Lindsay-Poland, I'm with the American Friends Service Committee. I've worked on these issues quite a bit. It's my job at the American Friends Service Committee at the state level and in the region. So my understanding, I also, I didn't stay until two in the morning, but my, when I watched and I was in conversation with a council member Beth Fortunato, is that there is a request to not only to advise on the, the proposed acquisition of a second bearcat but also to address use policy in part because it doesn't make sense to obtain another bearcat when there isn't an even it use policy for the first bearcat.

John Lindsay: So this is an important issue and I hope that you find the bandwidth and I would be willing to support you in all ways possible, any member of the council who is working on this. On the issue of the acquisition of the second pair of bearcat, we oppose this because of the Josh Pawlik case and the way it was used there, the lack of a use policy right now, the absence of to date of full information about

deployments of the bearcat in the past and in what I've shared with you, there was a list of information that I understand you said Chairwoman Jackson, that you're seeking more information.

John Lindsay: This is a list of the things that we have requested in a public records act request that OPD has said they need months and months to respond to and I believe that if the commission asked for this information, it probably would be expedited in a better manner. As Ms. Assata said, there are also other ways that this grant could be used and other jurisdictions have used it including for youth program activities and animal control and other activities.

John Lindsay: On the use issue and I believe there's someone who's seating my time. Thank you. There is an excellent template at the state level, which is legislation that was proposed and passed through both the assembly and the Senate last year of A.B 31 31 which mimics a federal executive order on the control of federal grants of military equipment; that's equipment from the Department of Defense and ban some of that equipment and then control the other types of equipment.

John Lindsay: A.B 31 31 would have required that any local police department that wishes to acquire that equipment must obtain approval from its local city council as well as create a use policy and report on its use and impact in the community. So it doesn't totally rule out the acquisition, but it creates a process because right now the commission, the city council, the public is totally in the dark about all types of military grade equipment that OPD already has and is acquiring.

John Lindsay: So again, I would support you in, in creating a subcommittee on this if you were to do so tonight or another night. And I guess the one other thing that I want to say is that there without any kind of use policy, there's other types of equipment that also is being used that includes flash bang grenades, assault weapons, sonic weapons, other kinds of things that OPD may have and occasionally use that would be important to have some kind of use policy for. And again, we would support you in creating such a policy.

Regina Jackson: Thank you for this thorough report. Grinage.

Rashidah G: Rashidah Grinage. So I understand that there's a push and pull going on. The city council I think was trying to be respectful of the commission not to pile on more work. I think they were simply trying to be respectful that you have a role or should have a role. And so what might be helpful going forward is to try to get a process in place whereby before the OPD applies for grants, that they get pre-approval from the commission. Because that way they wouldn't have even ... That will also allow for public input on the front end, not after the fact. Because what happens is that they apply for whatever they want. They don't ask anybody for permission or for input. They just apply for whatever they want. And then when they get the grant, it comes to the council for approval to receive it.

Rashidah G: So the council is not going to say, no, don't bother. Right, so by then the horse is out of the barn. It's too late. Right. So I would suggest that we try to bring to public safety. I request that the council adopt a resolution requiring the Oakland Police Department to present to the commission maybe on a quarterly basis or a semiannual basis, a list of the grants that they intend to apply for and what the use of those funds are designated for and whatever policies are implicated in the use of those funds. That way you get to weigh in, the public gets to weigh in and if it's something that we don't believe are consistent with the values of our community, then we say, "No, we don't want you to apply for that." Thank you.

Regina Jackson: A suggestion. Thank you very much.

Bruce: So Bruce speaking, coalition and a Faith in Action, East Bay, OCO and yeah, I want to support the comments made about that. I think we were going to need to get you guys some more quality staff resources so all this stuff can happen because it needs to happen and we can't just throw it at you just unfiltered. So that's another issue. But in terms of moving forward, I think this is a good direction to get. As soon as these grant applications are on the table that you get to take a look at them. Some of them you may just pass on and say, "Well, that, you know, no big deal." Others really do need public input and I just want to say I want to really thank the American Friends Service Committee and John for coming forward because a couple of us met with them also and they really have some excellent resources so that a policy about these militarized equipment can be put in place and it's not reinventing the wheel.

Bruce: A lot of this work has been done on the state level as John said and looking at, and we need this because looking at the information on the use of the bearcat that was forwarded to the city council by the city administrator, there was a lot of discussion there about de-escalation. The bearcat is used for de-escalation. Well, that's nonsense because we've seen it used for anything but de-escalation. In the Pawlik case, we had one of our members also witnessed on her street the use of the bearcat in a case that was really mental distress and a neighbor deescalated and they had brought in the damn bearcat. It makes no sense.

Bruce: So there's something really wrong going on with that thing. And the other thing is that they talk about bringing it to public events and it's this real broad thing. The police do not need to show up at public events looking like the army. That goes against helping create public safety or like ... So anyway, I really think that you'll get some help in terms of policy piece and the American Friends Service Committee has done great work on this. So thank you.

Regina Jackson: Thank you.

John Bay: John Bay. I would just like to confirm my support for the last few speakers and then also of all the things that Oakland and OPD don't need, an additional bearcat is like got to be high on the list. And one thing I can also comment on is

just to go back to the occupied times, I was on the streets then because I worked downtown so I always knew what was going down at 14th Street after 10 o'clock at night. So I would post up by the, I think it was the Rite Aid down there by the banks on the corner just to see what was going to happen. And also a couple of the cops told me and showed me those sonic devices that they had in the back of their, what were they, their SUVs. So if you raised the trunk, it's a sonic boom, a noise filter or something that sends out a loud noise to pierce people's ears. And they loved it.

John Bay: So they have that type of thing, they had those flash bangs that they threw out at the people as well. So that was brutal enough. They posted up in vans and all the local parking garages long from 12th to 14th it'd be about eight or nine officers in white vans, multiple vans, ready to deploy. So they had plans with what they had from other agencies. And it seemed to me as a possible, I'll say a professional envy, that their other brotherhood agencies had toys they didn't have. So what better thing to get is a bearcat and then if you get one you might as well have two. So we need to really consider what they get and have access to one and I think one of the things that was what Rashidah she just said is prior to them even saying what they're going to get presented. And let's see if it's something that we want under your leadership to have in the city of Oakland.

Regina Jackson: Thank you.

Selene Bay: Saline Bay. It's nonsense to be talking about a second bearcat when you don't need one bearcat. Right? So why are we even talking about adding another bearcat when really you shouldn't have the first bearcat. Why is our community militarized? Right? When did the community become militarized? So less you have to deal with these issues before you start talking about let's add another bearcat. Right? You shouldn't have one in the first place. Why is there a military vehicle in our community? Right? Who are you rolling on? Right? How many families are equipped to fight off a bearcat? That doesn't even make any sense.

Selene Bay: I stand here representing the North Richmond Panthers, Little League Baseball team. We ran this whole league off of \$10000, 70 families participated. Okay. \$10000, all those children had to turn in their report card, had to commit to being socially conscious, cleaning up their own neighborhood. We got pictures of all this, \$10000. How much does it cost to get a bearcat? Huh? A second bearcat.

Selene Bay: So whatever money that you was going to spend on that bearcat, spend it on programs inside your community that intervene before the children become targets of OPD. Why are we spending on militarizing our community? Who are you attacking? What army do you need a bearcat to fight? That doesn't make any sense. So in our community we need a bearcat. I don't see them saying anything about Piedmont, rolling a bearcat up in Piedmont.

Regina Jackson: Thank you.

Nino Parker: Hello commissioner. Long time no see. Nino Parker, Homeless Green Team as well as I'm a black advocate, homeless advocate at Lake Merritt and hopefully to be on the Homeless Commission which will be developed soon. My number one concern with this bearcat folks is everyone's kind of missing this part of it. What about our kids? When the military, the vehicle comes into the neighborhoods of our kid. You were talking about mental distress. As a little kid and I see this thing coming in, no one is coming to get me or my family or my neighbor. Whoa, that's right. And Mr. Bay, I can tell you why they got the idea for these bearcats. If you do anything like a 10 year projection from now, this is how they do things. They're looking in the future. They know that that 40% of those kids that Mr. Bay was talking about getting out into the streets are going to be on the streets one day there.

Nino Parker: They need five or six bearcats for what's going to happen in the future with the homeless people coming in more and more of them. I see a bearcat, so I stepped out in the lobby that night at the commission meeting I saw three officers there. I said there's three of you. Give me three good reasons why we need a bearcat. A couple of them choked up and the one of the officers says, what's the guy that's always here that watches the door here? He says, "Because we're outgunned." That's what he told me. Because we're out gunned. What's that mean? You're outgunned? Seriously.

Nino Parker: Then he says, "Well, Livermore has one." But also the reason they're going to need things like bearcats because one of the new trends I'm seeing in the homeless community, not that I'm telling on my folks, we're starting to go into stores and say if the security guard is outside, they just take food now. If you look around the lake and see the car windows broken more and more car windows broken because people don't have anything, they're going to start taking it. What do you think happens when you have the have and the have nots living so close together. Sorry. That's what's going to happen. It's going to be more crime. We do not need any type of bearcat vehicle terrorizing our kids in our neighborhoods. Number one. Thank you.

Regina Jackson: So I'd like to do something really quick to benefit at least one commissioner, maybe more. We're going to call for a three minute break, bathroom break. Is that okay? I'd like to make a motion that we do a three minute bathroom break. Can I get a second?

Jose: Second.

Regina Jackson: Thank you Jose. Okay, so we're going to call the meeting back to order. I'm sorry that three minutes took a little longer. Yes. So for item number eight, I have speaker cards from Mr. Nino Parker, John Bay, Michael Tieg, and Rashidah Grinage.

Speaker 9: Anybody here? Anybody?

Regina Jackson: Nino Parker? Come on down. Michael Tiegs, what does that mean?

Speaker 9: That means pass.

Regina Jackson: No Pass. Okay. All right.

John Bay: Good evening, John Bay. Thank you. Several years ago, I was a victim of a crime and since I was in my vehicle at the time, the vehicle got shot up and then I was transported to a hospital and the vehicle was ended up at a, whatever the tow yard is that the city uses.

John Bay: So when I was released from the hospital, the decision I made at the time was before more people have to die over this issue, let me just take a few months and get out of town because if some harm comes to my children, it's all over and whatever happens, Oakland is not going to be a good place and I love the city. So we did that sacrifice, but the vehicle ended up, like I say in a tow yard and over time, and this happened in 2005 and in, I would say three months ago I received a letter from the finance company for the vehicle for the \$15000 vehicle at that time at some time with the change of address and me moving all over the country I lost track of whatever happened to the vehicle with the payments because I will shyster it out of an insurance, my auto insurance so it felt to me.

John Bay: But bottom-line is just a few months ago they are saying I'm still responsible for a judgment of \$70000 over that vehicle. And there was also, yes sir. There was also evidence in my case that was in my vehicle that I was telling the supposedly investigating officer to check because when I knew when I was shot, I left certain things in the car but they were personal items like the cell phone at that time and part of my wallet. So I said, "Can you get those items for me?" And he said that they were processed at the scene and there was nothing in the vehicle. But two days before he closed the case, which was two months after I was shot, he had another case which sent him off to the tow yard in East Oakland and he decided that while he was there, he would go take a look and he did find those items that he said were processed or didn't exist, but yet then so they were eventually returned to me.

John Bay: So I'm very sensitive to victims being charged for tows and any other fees like that. So I just wanted to share that personal story that I did have with this item. Otherwise it wouldn't matter to me. But it matters not only because of the credit hit over the judgment all these years, but the indignity of having your vehicle towed and your belongings taken or discounted as important. So that's where I am on this issue. So we need to definitely look into this and see what we can do too because there are a lot of vehicle related crime crimes where people are victimized, but yet they can't retain their items or other personal belongings. So thank you.

Regina Jackson: Thank you.

Rashidah G: This towing thing is a real rip off and it's basically like asset forfeiture because they can impound your car and not even arrest you. This happened to my son. That's how I know. They pull you out of the car, they make some allegations, they detain you, they take your car and then you have to pay the towing and the impound and then nobody ever charges you with anything and you're stuck with \$400.

PART 3 OF 6 ENDS [01:36:04]

Rashidah G: ... do with anything, and you're shocked with \$400 to get it out. It has to be unconstitutional, and frankly I don't understand how someone's property can be seized, absent a crime, absent something ... someone being charged with a crime, that they can just simply take your car. I think we need to look into it. I was outraged. I was absolutely outraged, and I frankly don't understand how this can happen. I think, if we can't prevent it from happening, then I think anyone whose car has been towed and impounded, and has not been charged by the district attorney, they need to have that money refunded. Period. That's it.

Nino Parker: Nino Parker, Homeless Green Team, Lake Merritt Black Advocate, as well as hopefully to be on the Homeless Commission one day. Towing cars, I think this thing should probably read, crime ... towing cars is a crime against the victims of neighborhoods. One of the things that used to happen in San Francisco, I'm going to tell you about towing cars, which is very uniquely into changing communities. In San Francisco, they used to come to a northern station there, and I would see like 15 tow trucks lined up. What they would do is, the Fillmore, the western edition, the Fillmore, they would go out into the Fillmore.

Nino Parker: They'd all lined up that morning about 10 o'clock, and they'd saturate the neighborhood and tow all the cars in the neighborhood, if you didn't have registration, it was sitting up on one wheel, whatever. Do you know what the devastation it is the families? You're one paycheck away from fixing your car so you can get back to work. But if you get the car taken totally, that's into your job if you living in Livermore, or if you're working a Livermore, if you live or you working out the area, they devastated that. By the way, only do it in the Fillmore and the Bayview.

Nino Parker: Let's watch out for towing. Towing can devastate you. It can really devastate a community because those get people to work, they get families to daycare, there's all kinds of ... we got to really watch out for towing because it doesn't happen fairly. It really doesn't. It happens in certain communities, and we know how that works, right? It's no different than getting pulled over. Certain people get pulled over and certain people don't.

Nino Parker: But police grabbing things, and let's just say at the hands of police, having things taken at the hands of police. The city council on Monday night was a special city council. I had some bicycles taken that from under the bridge that was

supposed to be posted, but it was not posted, so that means they were illegally taken by the police. The police cut the locks off my bike. I reported that the sixth floor, letting them know that the police had cut the locks, and I had a witness that saw them do that.

Nino Parker: As I went through their process outside law firm that the city hires, which is ridiculous, they denied my claim. I asked Mrs. Mary Paider why that happened. She says because of the [inaudible] of evidence that we got. That evidence was given to them by DPW, [inaudible 01:39:24], and the police department. The police department told them that they didn't cut the locks off. The other night at city council, I ... God works miracles, the work of the city worker that saw them cut the locks off, he was down here on an unrelated issue.

Nino Parker: I got someone from Rebecca Kaplan's office to go and talk to this guy, and he told him that he saw the police cut the locks off. I like that this whole thing to be revamped. Maybe you guys can help me with this, get back into this whole thing. I talked with the internal affairs officer today. They recorded the conversation. I gave him the whole gist of what happen, my witness, I do have ... How can you have a legal, fair legal representation and you don't have a chance to bring your witness. They just go by their witness. I don't take more time than I need to. But please let's investigate that. It's for all the homeless people. We need to get something back.

Regina Jackson: Thank you. Last card on item number eight is Saleem Bey.

Selene Bay: Saleem Bey. I just want to follow up on what my brother said about his vehicle being towed. As a matter of fact, [inaudible 01:40:46]. Just so happens I have a picture of my brother's vehicle that he was talking about. Right? This is the same vehicle that the police department closed the case in 63 days, two months, three days. This the same vehicle my brother survived this attack in. And then after surviving the attack, the police told his car in 2005, and here it is in 2019. He just got a bill that says \$70,000 for a \$15,000 car.

Selene Bay: We're just talking about towing cars. You're talking about this. I'm talking about the police being a part of the sham and the game where they know about the ... they work with the tow people. They've been towing cars all the time that OPD been here. How many poor people have lost their vehicle because they couldn't get it out of the tow yard? How many people lost their jobs because they couldn't get to the job because their car got towed? Right? That's economic terrorism on people who can't afford a tow. Right?

Selene Bay: If you're on a fixed income, do you think \$400 is something that you can absorb on any given month? Absolutely, positively not. But I will leave you with this. Looking at this vehicle, and all the weapons that were used against this vehicle, if you close this case in 63 days, you aren't looking for the weapons that shot this vehicle, you let these weapons go directly back to the street.

Regina Jackson: Thank you. We're going to take public comment on item number 13 now, and then item number 15.

Speaker 10: [inaudible 01:43:22].

Regina Jackson: I won't forget, sorry. Thank you. Thank you. I have Michael Tieg for item number 13, and that's the only one I have.

Speaker 10: [inaudible 01:43:34].

Regina Jackson: Yeah.

Michael Tieg: Michael Tieg. I'm going to be very brief. You have been stonewalled for two years now. You have exactly one staff person who is under the thumb of the administration. It's time to fight back. We're behind you, we'll stand behind you. Get it done, please.

Regina Jackson: Thank you. And then item number 15. The only card I have is [Miss Asada 01:44:16].

Speaker 10: Which one is that? Palmer [inaudible 01:44:25].

Regina Jackson: That's the letter to Dr. Palmertree ... about Dr. Palmertree.

Speaker 10: [inaudible 01:44:30].

Regina Jackson: I'm sorry.

Speaker 10: [inaudible 01:44:33].

Regina Jackson: We're going to delay it or put it over. One of the commissioners feels like he can do an improved draft that provides more succinct information.

Assata: Okay, I'm going to be brief. I think the sufficiency of you writing a letter because this is a very serious matter, based on the fact that your role has so many details to it, and I really feel that you've been over abundant of work. That's why I recommend it with this bear, what they call cat thing that all you need to do is write a letter, same thing, saying that we support that military weapons not be used in any form of fashion by the Oakland Police Department, period. Move on to deal with excessive force, racial profiling, the black police officers grievance, and the missing person.

Assata: Did you see the daddy back there, of this boy who was missing? Did he speak to you all? Remember the picture I showed you? The father was sitting back there.

Regina Jackson: I saw the picture. I didn't speak with him.

Assata: Yes, ma'am. I mean, missing person policy. I'm sorry. I think prioritization has to be the order of the day, the sufficiency of writing a letter about Palmertree is all you all needed to do. Not that you got to come up with a policy of how people are hired, and that they'd be creditable and blah, blah, blah, going into all that detail. You got too much to do. It's not fair. It's not fair. There are certain things where this is what we can do based on the fact that the higher prioritization of police officer misconduct, that's where you are, that's the center of your work, stays the focus. Until you get 25 more people on staff, then you can do all these other things.

Regina Jackson: Thank you. Okay. Now that we have made the motion, and it's been seconded, and we've heard public comment on all the items that we want to put over, I'd like to take a vote affirming that we are putting them over. Commissioner Dorado?

Jose Dorado: I.

Regina Jackson: Commissioner Anderson?

Tara Anderson: I.

Regina Jackson: Commissioner Harris?

Ginale Harris: I.

Regina Jackson: I, for myself. Commissioner Brown?

Chris Brown: I.

Regina Jackson: Their vote is unanimous. I need to return to an earlier item. There seemed to be some confusion about what vote we took earlier as it related to a motion that I made. If you all will bear, give me some indulgence. We're going to do it again.

Regina Jackson: The motion was that I move to close the Pollack investigation. Recognizing that by closing this investigation, we are not approving the already rejected CPRA report. In so doing, it is the decision of the commission that the last recommendation from the police department, which is in this instance, the finding and disciplinary determination of the compliance director will stand.

Regina Jackson: I'm going to say that last sentence again. In this instance, the findings and disciplinary determination of the compliance director will stand. I believe, Commissioner Dorado, May the second, would you do that again, please?

Jose Dorado: Second.

Regina Jackson: Great. We heard public comment. Now, we will take the vote. Commissioner Dorado?

Jose Dorado: I.

Regina Jackson: Commissioner Anderson?

Tara Anderson: I.

Regina Jackson: Commissioner Harris?

Ginale Harris: I.

Regina Jackson: Myself, I, and Commissioner Brown?

Chris Brown: I.

Regina Jackson: Okay, the motion passes unanimously.

Speaker 10: [inaudible 01:48:33].

Regina Jackson: Pardon me?

Speaker 10: [inaudible 01:48:43].

Regina Jackson: Well, he apparently has two. In one instance, he's the independent monitor. But in this particular instance, he's the compliance officer director. Yeah. Now we are on item nine, report from Ad Hoc Committee on CPRA Appellate Process. Who would like to speak to this?

Ginale Harris: That'll be Mr. Brown.

Regina Jackson: Commissioner Brown. Commissioner Brown.

Chris Brown: Yes.

Regina Jackson: Did you want to address this item?

Chris Brown: No.

Regina Jackson: No. Okay. Okay, so it sounds like we're not going to move on this item either. I move that we also delay item number nine.

Jose Dorado: Second.

Ginale Harris: May I make a comment?

Regina Jackson: Okay. It was seconded by Commissioner Dorado and comment by Commissioner Harris.

Ginale Harris: Again, I'm on this committee. But however, I want to make it very clear and transparent, that until we have legal counsel, we cannot come up with an appellate process. So would ask to do a friendly amendment to the motion to remove it off of the agenda and put it back on our prioritized list until we get proper legal counsel.

Regina Jackson: Okay, I accept that friendly amendment.

Jose Dorado: I can accept it.

Regina Jackson: And Commissioner Dorado seconds. Okay, so we will hear public comment on item number nine. Thank you. I have a blank one. One from Henry Gage, Michael Tiegs, and that's it for item nine.

Michael Tigs: I'll stand in for Henry for the next two minutes, I guess so he has the chance to also-

Regina Jackson: Excuse me. Can you lift the mic. I feel like you're down a tunnel.

Michael Tigs: Okay, yeah.

Regina Jackson: Much better, thank you.

Michael Tigs: Okay, there I am. I'm essentially reiterating why said. This is, and I agree with Commissioner Harris, that until you have a legitimate independent council, anything you do in terms of adjudication is going to be stymied by the city attorney's office. There's no point in loading up the agenda with these items until such time as you have the staff to be able to deal with them. Thank you.

Regina Jackson: Thank you. Now that we have heard from the community speakers, we're going to go ahead and vote to put this item number nine over and ... No, no, no. Excuse me. We're voting to actually put it back on the pending list until we receive attorney or, yeah, attorney county council from ... I'm tired. Sorry. Commissioner Dorado, how vote you ... how do you vote?

Jose Dorado: I.

Regina Jackson: Commissioner Anderson?

Tara Anderson: I.

Regina Jackson: Commissioner Harris?

Ginale Harris: I.

Regina Jackson: I for myself. Commissioner Brown?

Chris Brown: I.

Regina Jackson: The motion passes unanimously. This item will be put back on the pending list. Now, we're going to move to the Bey case review. Commissioner Harris.

Ginale Harris: Okay. Thank you. Chrissy prepared attachment 10 at my request through the chair, and the action requested was that the police commission review the names of several potential investigators to consider the Bey case. Henry Gage III, Amy, Oppenheimer, and Michael Thompson.

Ginale Harris: I requested this item to be added to the agenda. Below is the information by ... provided to me and Chair Jackson. I don't know if I need to read it. I'm sure everybody has it, but I can.

Regina Jackson: Why don't you?

Ginale Harris: The independent investigation job description. Potential new evidence of OPD department General Order DGO violations have been exposed by civil complaint discovery produced by the City of Oakland in Bey vs. Oakland currently in San Francisco, Northern California District federal court. 14-CV-01626-JSC. Relating to OBD, IED, and CD administration, CPRB complaints 07-0538, 13-1062, and 16-0147. As such, the Oakland Police Commission voted to retain the services of the business license to conduct an independent investigation of the above cases for said violations related to the complaints of racial and religious profiling as mandated in Measure LL.

Ginale Harris: The scope of work summary is the independently investigate OPD employees and supervision for manual overrules violations related to California Penal Code 13519.4E and DGOM-19, prohibitions against racial and religious profiling under color of law, investigate and document OPD employees and OPD management for all ... for any and all systemic workplace discrimination, and analyze its ramifications on border suspend ... systemic discrimination in profiled communities in past in part based upon OPD policy, culture, promotion, supervisor complicity related to systemic failures to resolve entrenched OPD discriminatory practices.

Ginale Harris: Based in part on lack of training, willful ignorance, racial and religious specific ... I'm sorry, animus, systemic, implicit and implicit bias based community policing practices and culturalized historic racism.

Speaker 11: [inaudible 01:55:53].

Ginale Harris: The investigator responsibilities are the lead investigator shall work with the ad hoc committee through the chair and report to chair ... vice chair, Ginale Harris to include updates preliminary findings and recommendations to be reported by the ad hoc chair to the commission as needed him ... as needed. Investigator will work with all ad hoc committee identified and approve resources to aid

investigator and producing a comprehensive living report on OPD racial and religious compliance with department general order M-19.

- Ginale Harris: This living report shall be used by the Oakland Police Commission to track, contribute, and enforce OPD M-19 and discrimination through compliance. Investigator shall detail any and all discovered systemic and culturalized profiling, discrimination of any type by OPD, make progress reports to the ad hoc on a schedule as agreed, and produce detailed findings, provide professional analysis, and produce detailed recommendations for the shortest path to department-wide DGO M-19 profiling, and racial, and religious discrimination compliance.
- Ginale Harris: Investigators recommendations should include but not limited to identifying immediate areas of attention and racial and religious department training needed to bring OPD into DGO M-19 anti-profiling compliance. Investigate and report on any related OPD DGO violations and workplace-related discrimination violations exposed by said independent investigators.
- Speaker 11: [inaudible 01:57:58].
- Regina Jackson: Are there questions from the commissioners? No. Okay. So then, the ... Commissioner Anderson.
- Tara Anderson: My two questions are, is the intention in the first paragraph of business licensed investigator was a word possibly omitted by-
- Ginale Harris: It was a typo.
- Tara Anderson: Yeah. I think the reference to chair was accurate, because it's referring to you as chair of the Ad Hoc Committee.
- Ginale Harris: I got it after.
- Tara Anderson: Yeah.
- Ginale Harris: Thank you.
- Tara Anderson: I'm assuming that we'll hear from the Bey family about just making sure that this is in line, won't compromise your open case in any way and making sure that protections are in place would build on the extra emphasis that could apply possibly be added. I'm curious about how we proceed with the actual selection.
- Regina Jackson: I'm not sure what the answer to that question is, so I'll give that back to [inaudible] Harris.
- Ginale Harris: Okay. I guess to the first question in regards to the protections, so I think we should allow Mr. Bey to speak a little bit more on this document, and maybe

that could be a discussion on how we can come up with a way contractually to make sure that there are safeguards in place. I'm sorry, your second question.

- Tara Anderson: The second is how do we move forward for the investigation selection.
- Ginale Harris: I believe the process we should follow is the one we already put in place. Exactly how we selected for Mr. What?
- Speaker 12: Pollack.
- Regina Jackson: Mason.
- Ginale Harris: Mr. Mason, I'm sorry-
- Regina Jackson: For the Pollack case.
- Ginale Harris: For the Pollack case, Mr. Mason, how we selected, we selected three. I think this is where I got the process from is just following the same exact one.
- Regina Jackson: Okay, so for the speakers on item 10 then, Mr. Bey, first, John Bey, Nino Parker, and Henry Gage.
- Selene Bay: Thank you very much. Saleem Bey. To answer your question, it won't affect our case, and actually it affects of our case positively because there's two tracks. There's actually a civil track that's independent of a criminal track. This track right here of an investigation will lead what we believe to as criminal indictments of the people who are involved in this case. And so one of the things that won't affect the commission is, normally the commission has a .. the committee that does the punishment for, but in this case, what happens is, before you get to the punishment side of the commission, it says within Measure LL that if there is evidence of criminal activity that could be associated with OPD, then it would then go out to the proper outside sources.
- Selene Bay: We're not really looking for the commission to actually adjudicate anything off of our case, because we know before it gets to commission adjudication, it's going to go to an outside case. It should go to the DA, according to the NSA, anytime that criminal activity is found in OPD personnel, then it's up to the defendant, City of Oakland, and all entities associated, which the commission is to notice the NSA as well as the DA, that potential criminal activity associated with OPD is happening.
- Selene Bay: What that does is then that sends it on a path that is outside of the commission. The commission could adjudicate a punishment, but then it would also then go back to the police department to then appeal it to do this to do that. But in this case right here, the actual language of LL, one of the few pieces of it that we actually agree with, says before you get to the commission adjudicating

anything on OPD personnel, if it's found that there's criminal activity than the commission actually has to defer to other law enforcement entities.

Selene Bay: That's what we're actually looking for. We're actually looking for this independent investigation to expose what we know is there based on discovery and everything, and result in indictments for people who are associated with creating murder and violence inside our community. Thank you.

Regina Jackson: Thank you. [inaudible 02:02:55], if you could do the clock.

John Bay: Oh, I thought you were asking him to speak. John Bey. Yeah. This is a separate issue going along with the commission, which is the importance of you having oversight powers. Again, this will help the commission with future policies on how to oversee certain types of cases that have certain type of egregious failings by the department. That's one of the things we also want to be in tune with the commission to help with the policy going forward. It is our belief that the key thing is it's an independent entity, and we believe that of the choices that have been presented, any of those would be adequate to look independently again, at the evidence, make recommendation, make suggestions, then the commission will have not necessarily, again independent, not what we say, not what the police differs.

John Bay: And then you could make recommendations based on that or request further action. Also, a part of this is because the ... your investigative arm is not fully staffed, and this has been such a long case that so many people are conflicted. Some people have promoted up through the process. Some people have signed certain documents years ago and now have promoted and many are retired. But there are still several people that are current OPD, and several that we believe that the current chief promoted, and some of their promotions are based on complicity in signing off on certain pieces of evidence that someone who just takes a look without a bias towards the police department, or even against the police department will be able to find out, and then give you a clear slate where you can make a decision based on what you believe, and it'll be accurate, do we believe. Thank you.

Regina Jackson: Nino Parker or Henry Gage.

Henry Gage III: I'll be very brief. I'm Henry Gage III. I'm humbled and appreciative of the opportunity to be considered for this position, and I'd like to state that if selected I'm happy to serve. I think we have many questions about what's happened to Mr. Bey. There's a lot that's shrouded, it'd be nice to have some kind of clarity at some point. I am somewhat confused as to whether this sort of interim hire is a good tactical maneuver in lieu of waiting for an inspector general or an interim inspector general with a more explicit legal authority to conduct this investigation.

Henry Gage III: But assuming that these types of questions can be answered, I'm sure that either myself or any number of investigators would be able to handle this matter. Thank you.

Regina Jackson: Thank you.

Nino Parker: Nino Parker, Homeless Green Team, Lake Merritt Black Advocate, and hopefully to be on the Homeless Commission one day. I'm here on this item because I'm really impressed at Mr. Bey and his brother, and their expertise on learning law out of the emotion of ... that happened to their family. These two gentlemen, they have just taken the time over the years and really focused in on their case and learn all kinds of details about it.

Nino Parker: They're just layman guys, they're not even lawyers, but I ... they have, from as far as I'm concerned about this case, they have law degrees. I just really appreciate the fact that people take the time to battle their own case, and I really appreciate these two gentlemen.

Regina Jackson: Thank you. [inaudible 02:07:41].

Ginale Harris: Commissioner Anderson, did any of that answer your question?

Tara Anderson: Yeah.

Ginale Harris: Okay. At this time, I'd like to make a motion that we actually hire one of the three.

PART 4 OF 6 ENDS [02:08:04]

Ginale Harris: ... actually hire one of the three investigators for the Bey case?

Chris Brown: And Commissioner Harris, if I may interject, during the last hiring for the investigator for the Pollock sources, there was a solicitation process by which I believe one of the commissioners invited the selected parties to provide bids for what they would be paid. It's not apparent to me that we have done that at this point.

Ginale Harris: No, not yet. But I will reach out to the three of these folks and I will follow the same process. I guess I got ahead of myself. Yes.

Ginale Harris: So, the motion is that we will ... that I am making a motion to follow the process of solicitation of services on Henry Gage, Amy Oppenheimer, and Michael Thompson. And we will invite them to the next meeting which is June 27th to present their scope of work and their qualifications. Very good. Thank you. Thank you both.

Chris Brown: And compensation would probably be also...

Ginale Harris: And compensation as well. Thank you sir. Commissioner Dorado.

Jose Dorado: Second.

Regina Jackson: Okay. It has probably been properly moved and seconded. We have actually already heard public comment on this item. So maybe take a vote. Commissioner Dorado.

Jose Dorado: Aye.

Regina Jackson: All right. Commissioner Anderson.

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris.

Ginale Harris: Aye.

Regina Jackson: Aye for myself, Commissioner Brown?

Chris Brown: Aye.

Regina Jackson: And the motion passes unanimously.

Ginale Harris: [inaudible] [applause]

Ginale Harris: Very good.

Regina Jackson: Now I'd like to know the pleasure of the commission. We took a break early, do we keep going? Okay. Can I get an amen or something? Okay. All right, so we're going to forgo our break and move on with the item number 12, audit of CPRA investigations.

Regina Jackson: Did you want to speak on that?

Ginale Harris: Oh yeah. Where are we at? Good.

Regina Jackson: Okay. So...

Ginale Harris: Just in my experience, just based on sitting up on the dais and the things that we've encountered and witnessed in public, behind closed doors, brought some concern to this commission.

Ginale Harris: And I am suggesting that we have audits of an amount of investigations that have been done through this agency. We have not come up with a timeline as of yet, but I think it would be proper to go back as Miss Asada stated and stay focused on the task at hand to specific cases that the CPRA has done

investigation on, in comparison to what the police department has done. I'm just very interested in seeing what we come up with. Just the way the Pollock case was handled was very disappointing and it was very discouraging, but I was not surprised.

Ginale Harris: So I'd like to, before I make a motion, I am interested in what ... Hearing what the public thinks and feels in regards to having an audit on some of the investigative ... investigations that CPRA has done.

Regina Jackson: So the speaker cards I have on item 12 are from Rashida Grenache and Michael Tiegs.

Rashidah G: Thank you. I just wanted to remind folks that the city auditor is doing an audit of both the commission and CPRA. So I think you might want to make sure that the two different audits are not redundant, that they ... that the person you hire doesn't just replicate the work of the city auditor, but adds a different lens or a different set of data points that they're looking at. So for example, one of the things you might want to do is to look at the sustain rates compared to other jurisdictions.

Rashidah G: So for example, how does this sustain rate of CPRA compare to the sustain rate the OCC and San Francisco or the Berkeley Police Review Commission in Berkeley or even some other agencies throughout the state? Are we within the norms of the sustain rate or are we outside of those norms, an outlier? Also the number of unfounded ... this was an issue that was raised by the monitor with respect to internal affairs several years ago, where there was an astronomical number of complaints that were bound unbounded, which means that the incident did not happen.

Regina Jackson: Correct.

Rashidah G: And it's very difficult to imagine coming to that conclusion, if there is body camera footage and if there isn't body camera footage, then that's a problem. So I would just say that, as you think about the scope of work, you might want to discuss with the city auditor what her scope is so that they're not overlapping. Thank you.

Regina Jackson: Thank you. I also have additional speaker cards from John Bey, Ms. Asada and Celine Bey for item 10 ... 12.

Selene Bay: Thank you very much, Commission ... Celine Bey. I can speak firsthand to the reason why the CPR now called "A" previously called "B" should be audited and when we just spent a whole year getting to the point where we would independently investigate the cases that are associated with us. To get to that point, in 2014, the CPRB found our case "not sustained" at the same time as the IAD found our case "sustained". Right, so right there "C" in CPRB/A is community.

Selene Bay: You supposed ... the CPRB or A is supposed to be representing the community? How can the IAD find "sustained" in ... I mean that right there is an aberration, but the fact of the matter is is that my brother's case that I showed you with the picture, right? They closed that .. OPD closed that case in two months. The very first time I filed the complaint was in 2007 and that complaint was with the CPRB and it was with Ms. Tom. Right? Same as Tom that was just sitting up here in 2019 just a few months ago and everything like that. She closed that case after speaking to me for ... in one day. That was 12 years ago.

Selene Bay: How many people, and this is why we need the the audit, this is what ... I'm getting to the point, right? I can specifically say that, if you found my brother's case "sustained" in 20 ... if the IAD found my brother's case "sustained" in 2014 that means it was "sustained" in 2007 ... the exact same case. Right?

Selene Bay: So 2007 to 2019, is 12 years audit these people. As a matter of fact, fire all those people and if he can't fire and reassign them, get your own investigators, start from scratch, but these people have been a blight on justice. I wouldn't be standing here in 2019 if Ms Tom had done her job in 2007.

Selene Bay: I complained about John Bay case in 2007, and in 2007, at that point that I complained about it, that case was in a closed status. So if you did ... if she had just looked at the case, I said "John Bay case," if she had ...if Ms. Tom and the CPRB had just ... and Ms Apay and all of those, and Mr Finelle ... if all of these people had just looked at this case, they would have saw that the case was closed and anybody who has any kind of common sense of justice would have said, there's no way that you could close this case in 60 days. 63 days to be exact.

Selene Bay: So please, please audit them and find out. Because also the other last thing I will leave you with is they also investigated the Celeste Guap case, right? And everybody on the planet knows that that case was not done correctly. So let's go back and find out about the rape scandal and all the other bones that are buried in CPR slash whatever. Same people.

Ginale Harris: Thank you.

Regina Jackson: Okay.

Selene Bay: Oh, love life. Let's look at this analogy. The NSA says that the Oakland police department has been engaging in racial profiling and excessive force. That has not changed over 16 years.

Regina Jackson: 17.

Selene Bay: The majority of cases that are filed as complaints around the police department under the title of excessive force and racial profiling. But 90%, I would say, of those cases are found by the investigation process that we currently have to be

unfounded or "not sustained." But the negotiated settlement agreement says the police department is engaging in it, but the investigators can't find it. That means everybody that's filing a complaint is lying. It does ... the two two things do not coordinate. They are engaging in racial profiling, but the investigators, whoever's filing it, they not in ... they're not telling the truth. So where are the victims?

Regina Jackson: Uh-huh.

Selene Bay: If there were no victims of racial problem except ... the case of the ... the NSA case would be closed. It's happening. So something ... and this has been going ... I've been going to the Citizens' Police Review Board for years, saying the exact same ... the investigation. So this is nothing new. It's been going on. The investigative process has not revealed excessive force, racial profiling or any other items when basically those two things ... and we need to get to the bottom of that. And so an independent audit must take place.

Regina Jackson: Okay.

John Bay: John Bay. What we were able to have evidence of is the actual emails from IAD to CPRB at the time ... they were almost like buddy-buddy type things. Are you closing it? I'm closing it, I'm admin close ... administrative closing it. We have done the same and then his case closed. So that's what we factually got from the CPRB. So with the ... we then went to, at the time the board, and made our claim and the board supported what we had said and asked for assistance, but they didn't quite follow our guidance on the process on what we felt they should do. So it was, it ended up in a federal wormhole. But nevertheless, it is definitely incumbent to ... if you're going to have an investigative agency, that they need to know that there's oversight. And if they are, I would say, intent on doing their job properly.

John Bay: They will welcome it. Because if you do a proper job, then you want to be verified that you do investigations properly. I have enough knowledge of conducting investigations for risk management or asset protection to know that certain questions have to be answered and you have to be able to stand behind your findings with evidence, whether it be video, whether it be documentation, but you have to have certain things that need to be in every investigation so that it stands on its own, whether you're there to narrate it or not. And your investigations should be prepared in such a way that a commission such as you, can speak to an investigation confidently and put your own reputations on the line based on evidence and professionalism. So if you do your job properly as an investigator, that's how you get your accolades. And that's how you get validated, by doing a professional job and given your higher ups a solid footing to stand on. So that should be welcomed. Thank you.

Regina Jackson: Thank you. [inaudible] Not on that subject.

Tara Anderson: Then I need to make more.

Regina Jackson: Yes. So Commissioner Harris.

Ginale Harris: Thank you. So at this time, thank you to the public. So at this time I would like to make a motion that we do hire an investigative body to audit of the ... to audit the CPRA investigations. We will specify the timeline at a later date, but I'd like to make a motion that we do go back and audit some of the CPRA files.

Regina Jackson: So a second?

Tara Anderson: A friendly amendment of emphasizing comments that you made earlier about it, focusing specifically on racial profiling and use of force.

Ginale Harris: Accepted.

Tara Anderson: Second.

Regina Jackson: Okay.

Jose Dorado: Second and I'll accept the amendment...

Regina Jackson: Commissioner Dorado has seconded. We have already received public comments. So can we go ahead and take a vote? Commissioner Dorado?

Jose Dorado: Aye.

Regina Jackson: Commissioner Anderson.

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris?

Ginale Harris: Aye.

Regina Jackson: Aye for myself. Commissioner Brown?

Chris Brown: Abstain.

Regina Jackson: Okay. The vote passes four with one ... Four affirmative with one abstention. So now we move on to item 14, pro bono legal services agreement. This was continued from May 23rd. Are there any questions?

Regina Jackson: So the background that I have on this, is that as we know, we do not have a firm legal counsel that has gone through the RFQ process that has been assigned to us for commission work specifically. So we were offered legal services at pro bono and so we asked Mr Gage to go ahead and put together an agreement

that documented that he wanted to help and offer his legal services to the benefit of the commission. And so that is the legal agreement that you have before you, and if you do have some questions, I can go ahead and call for public comment and then you can raise questions unless you want to stop now.

- Regina Jackson: Okay, so for public comment, excuse me, I have John Bay, Henry Gage, Michael Tiegs and that's it for item 14.
- Henry Gage III: Henry Gage III. I think this matter should be tabled. I volunteered to serve pro bono because I felt there was a sense of emergency. It seemed to me that the commission had a council that they didn't feel was adequately serving their needs and I wanted to step into that void.
- Henry Gage III: Now I've had some conversations with the city attorney's office and I'm under the impression that they'll be assigning a separate counsel to you shortly. If true, then that would remedy the emergency that I originally foresaw and if not true, I think it's important to go through existing processes to bring on appropriate counsel. I'm not particularly happy with the way in which this commission can bring on consultants or contractors or outside counsel at this point, but this is the charter we have and until the charter changes, we have to play with the cards we're dealt. That said, the last thing I want is to have this commission's legal authority be jeopardize.
- Henry Gage III: I wouldn't want to come on and serve as pro bono counsel if that, in any way, jeopardizes this commission's ability to impose discipline and have that discipline and be upheld in arbitration. That can't happen. I'm here because I want to help this commission succeed and if my volunteering has any chance of moving back around that front, then that's something I'm not willing to do. For that reason. I hope you'll table this matter. I might apply through the RFQ process at some point in the future if there's still a need. But given that there is no existing emergency that I can see as of late, I don't think they should be taken as an action item. Thank you.
- Regina Jackson: Alrighty. So I think that the other gentleman have probably left, since the author of the agreement prefers that it be tabled, I think that we should probably take that suggestion under advisement. Is there a motion to table? [crosstalk] All right. Commissioner Harris.
- Ginale Harris: So are you asking to table, or do you want it back on the list ... pending list?
- Henry Gage III: How do you see the difference between pending list and table?
- Ginale Harris: So tabling and my interpretation means it will go on the next agenda, right?
- Chris Brown: Correct. That is under the adopted rules is that tabling an item just moves it to the next agenda for consideration.

Regina Jackson: And the pending list is not quite the graveyard, but it has to move from the list on to the agenda and be deemed high enough priority to get there. But to your point, I have not been told by anyone that we're close to getting outside counsel. That notwithstanding, certainly understand your point and and appreciate and respect your, your wishes. So now that you've got some clarity on soon or later, what would you prefer?

Henry Gage III: Thank you chair. I prefer for this matter to be removed from the agenda items list and placed on the graveyard, so to speak.

Regina Jackson: Pending list, yes.

Henry Gage III: The RFQ process should run its course and that should be the matter ... the way in which this commission receives counsel for the foreseeable future. If in fact that does not happen in a timely fashion. I'm happy to revisit this offer. Thank you.

Regina Jackson: On behalf of the commission, your interest, your resource, your incredible thoughtfulness is very much appreciated, and we're happy to work with you in any capacity.

Ginale Harris: Very good. Very good. All right,

Regina Jackson: So given that, I'd like to go ahead and move that the pro bono legal services agreement goes back to the pending list. Is there a second?

Jose Dorado: Second.

Regina Jackson: Commissioner Dorado has seconded. We have heard public comments. Can we take a vote? Commissioner Dorado?

Jose Dorado: Aye.

Regina Jackson: Commissioner Anderson?

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris.

Ginale Harris: Aye.

Regina Jackson: Aye for myself. Commissioner Brown?

Chris Brown: Aye.

Regina Jackson: Added vote, and the motion passes unanimously. Thank you.

Regina Jackson: Item 16: commission letter to city council regarding CAHOOTS. You all may remember a few weeks back we heard about this program out of Oregon that was actually having a significant impact on the reduction of 911 calls and actually putting in community hands, a de-escalation, a responsiveness particularly around mental health and health crisis ... health-related crisis calls. After the brief presentation we received, we voted to send a letter to city council to act ... to encourage them to look at this alternative kind of programming for possible replication here in Oakland and so the letter that was drafted was basically to do just that. If you all would like to take a look at it, make any comments to it. I am not wedded to its wording ... and then we can also take public comment. Shall we go ahead and take public comment? Nope. Commissioner Anderson?

Tara Anderson: I was sorry to have missed the May 23rd meeting in part, especially because of this presentation and I'm sad I'll be probably interviewing folks who are not able to attend the community meeting that'll happen on the 26th and I would recommend that we amend the letter to include enhanced awareness about the upcoming community meeting that will provide more information for those council members or their staff that might be able to attend that

Regina Jackson: You want to write that on this...

Tara Anderson: So I can [inaudible] yeah. So Yup.

Regina Jackson: Okay, thank you. I too am sad in that we will have to miss a community presentation, duty calls. Perhaps someone can video tape it so that we'll have an opportunity to see it. Okay. I'm getting a big head nod from Ann Janx, so that's good. Are there any other comments from the commissioners before we go to public comment? Okay, so I...yes, Commissioner Brown, sorry.

Chris Brown: Yes, I'd like to make a friendly amendment to this. Looking at the line where it says on "police officers and EMS personnel respond" I would like to amend EMS to read "fire personnel or fire department personnel."

Regina Jackson: And then you go ahead and make that edit on your paper and then I will merge the two. Oh, okay. Commissioner Anderson's going to handle it for us. Thank you. So the speakers are Rashida Grenache, John Lindsay-Poland.

Ginale Harris: Can I ask a question?

Regina Jackson: Uh, yes.

Ginale Harris: How much does this cost?

Jose Dorado: Being the ... zero.

Rashidah G: There was public safety money. Because they're responding to 911 calls.

Regina Jackson: Public safety money, because they respond to 911 calls.

Rashidah G: It saves money.

Regina Jackson: Can you, I, I think that the question she's asking, she was still really wants a dollar amount even though it might not come out of our budget ...

Ginale Harris: Per year? Per month? What?

Regina Jackson: Ms Grenache, can you enlighten us all?

Rashidah G: With all due respect. What President Kaplan has put in her proposed budget is a \$40,000 line item to do a feasibility study with urban strategies to develop a proposal for a pilot program that would be implemented in year two of the budget. So \$40,000 would be to do community outreach, to start conversations with OPD, with firefighters with Oakland police department, with OPOA, with service providers, county nonprofits, etc., to come up with a plan. Looking at the scale, looking at the length of time, looking at the way we evaluate it, etc. So we would request that in your letter to the council ... because they they're about to vote on the budget next week, that you would include or support for that \$40,000 seed money to do the feasibility study because that's what's necessary in order to launch the program in year two. Thank you.

Regina Jackson: Excellent. Thank you. I'm sure my young people will look forward to participating in that process. And then Anne Janx is another ... nope ... Speaker card,

John Lindsay: John Lindsey-Poland, American Friends Service Committee. We're also very excited about this program and I wanted to share with you that the Peralta Community Colleges District Board of Trustees is considering a different form of providing security on the four campuses of Laney Merritt College, College of Alameda and Berkeley City College.

John Lindsay: They're currently contracted with Alameda County Sheriff's office and they've had a number of concerns about that and they're ... so there's a number of things. They just renewed their contract with the Sheriff's Office for one year on a certain number of conditions. They have a "90 day out" clause. But they, when I described this at their board meeting just two days ago, they were really excited, I have to say, three members of the board of trustees reached back to me and said, how can we do this, etc.

John Lindsay: So I think if this moves forward in Oakland, there are ways in which there could be a synergy because they're ... in addition, the community colleges district is studying alternate ways of providing security on campus, whether that's with armed officers from the Sheriff's Office or their own police department or, or something like CAHOOTS or some hybrid of things, or they also have their own student helpers for people who need some kind of assistance. So I just want you

to be aware of that, because I think that you might not be in the same circles as the community college board of trustees. But I think that there's excitement and there could be overlap there.

Ginale Harris: Uh-huh.

Regina Jackson: Thank you very much. So, Anne Janx, Lorelei Bosserman and then we'll have a question from commissioner Brown.

Anne Janx: Ann Janx, Coalition police accountability. I wasn't going to speak cause I believe in standing pat if things are going your way. But just to answer kind of a couple of points in terms of the money, what Eugene found is that they saved substantial money. Because you're ... it's a matter of you're having a mental health people and EMTs respond to a call that otherwise police or fire would be responding to. And so just based on the comparison of those costs, they believe that they saved substantial money. They've been doing it so long, they can't do an analysis of certain other impacts. They now respond to about 17, 1-7, percent of all 911 calls with CAHOOTS instead of police or fire. They know they save money. What they're not even factoring in, because they'd been doing it for 30 years, so they don't ... you can't do a comparison, is you're reducing the number of arrests because CAHOOTS has no arrest power. They just go out and engage with people.

Anne Janx: What we will have to do in Oakland is we're going to have to make this uniquely Oakland. We're all asking a lot of questions about exactly how they do it in Eugene, but we're not Eugene.

Regina Jackson: Right.

Anne Janx: And so we can look to them as a very successful model, but then we have to craft for ourselves something that's gonna work well for Oakland. So let's see, 17% fewer arrests and OPD has been very interested in it to this point. I just talked to the firefighters union, they're very supportive. These are calls that police and fire really feel take away from the calls that they need to be spending their time on.

Regina Jackson: Thank you, Anne.

Regina Jackson: Thank you very much. Lorelei Bosserman ... no, you don't need it? Okay. So we'll give it to Dino, is that it? Okay, go ahead, Mr. Parker.

Nino Parker: This is a .. wait, can you make sure I have the right [inaudible] ...

Regina Jackson: This is on the CAHOOTS.

Nino Parker: Because I went to a ...I'm Dino Parker, Homeless Green Team, homeless advocate Lake Merritt as well as the ... One Day Homes Commission. I went to a

event that Councilman McIntyre had over in the Marriott. It was a event for violence and I had written up a lot of ideas I had for her. One of the ideas I had was putting in posters in schools, you know, like no guns, churches, flyers that they can pass around ... the same kind of campaign they put when they want the kids to stop smoking. And they.

PART 5 OF 6 ENDS [02:40:04]

Nino Parker: ... same kind of campaign they put when they wanted kids to stop smoking and they start to all the high schools and now kids think smoking's bad. We need to put that mindset in our youth that guns are bad through posters and stuff. Let's change the mindset slowly, but surely. That was one of my ideas, I think it's important one. Posters in schools, let's get that done.

Nino Parker: I had also came up with this idea. It's funny, because someone handed me a flyer a couple days later. My idea was this, stop having police go out to these calls. I would like to see some group, I was thinking of a group of, like, grandmas and grandpas. If two neighbors are having a dispute across the street from each other, you send the police officer out there, all he does is usually takes one side and the people are left with that same argument. If you get some folks out there and the folks say, "Hey, you know, what's the problem? You got the bike. You lost your bike? We'll get you a new bike." You know, we can relate to each other.

Nino Parker: Before that person leaves, get the two parties to shake hands. I say de-escalation, not retaliation. That's what we need to do, because we do it. You know, we get mad over something and we ready to go to the trunk, you know what I mean? All right, so we need to change that mindset. One of the things, I think, if we have our own people going out, it will stop some of those police calls, stop wasting a lot of money with people that don't even do anything when they get out there or end up arresting one of the parties. Thank you.

Ginale Harris: Yep.

Regina Jackson: Awareness campaign and friendly engagement to de-escalate, that sounds great. Thank you. Mr. Bay?

John Bay: John Bay. I think what was also just mentioned was what CAHOOTS does, but make it Oakland. There is a group, CYO, out in east Oakland, they're also ... Brother Daniel Muhammad and some of the other brothers, they engage in the community. I don't know if they do all of these services, but that may be an organization that we can partner with. If it's not just them, it may be pieces of other groups that we may have here, that we can take what is working elsewhere and, again, make it our own and make it work for us. This is definitely something that we should get involved in and have some kind of outreach for the community. Thank you.

Regina Jackson: Excellent. Thank you. I like that term, "uniquely Oakland." Those are all the speakers that I have for that item. I believe that I've got the edited version of the letter. We will make those updates and include it in the next agenda so that we can forward it. Did you still have a comment? And then, Commissioner Dorado.

Chris Brown: Okay. I just wanted to make an informational addition to the comments on the Peralta District. In addition to the interest in their police and student arrangement, they are also interested in exploring the possibility of installing a two-year program that would prepare people to work in programs like CAHOOTS. It would give them a certification, similar to what the Spirit program provides to Contra Costa College right now. There's a broader interest of making this a more general investment in community mental health.

Regina Jackson: Good stuff. It's important and, you know, creates jobs. How about that? Commissioner Dorado?

Jose Dorado: Yeah, I just wanted to expand our thinking around this sort of direction and that is that there's a tremendous capacity that's never been really realized to any great extent in terms of the community policing itself. This is just scratching the surface of that idea of developing those capacities, the interconnections and the collaboration that Mr. Bay was talking about among any number of people that do these types of things in various ways.

Jose Dorado: What I do believe, that the idea of having a program like CAHOOTS is just one aspect of what can and should be done in terms of our developing a system and a method by which we, the community, really police ourselves. I think that's something that we can and should do, certainly talking, dovetailing on what Mr. Parker was saying, if you have a dispute among neighbors, I think in many cases, maybe even most cases, the neighbors around who live on that street who know those people the best may well be the ones that are the best-equipped to deal with that type of a situation, not a badge and a gun. Thank you.

Nino Parker: Yes.

Regina Jackson: Thank you very much. I don't know, do we need to make a motion just to make the updates and have it ...

Ginale Harris: Yeah.

Regina Jackson: Yeah, okay.

Speaker 13: You could vote to approve the letter with the updates that are mentioned. That would not need to come back again after that.

Regina Jackson: Lovely. We'd like something to not come back again. Okay, so I move that we accept the letter with the edits that have been offered and then send it out. We could certainly attach it to the next agenda for people to see what was sent.

Tara Anderson: To summarize the edits, we're striking out EMS and replacing it with the fire department. We're adding a reference to the upcoming event that will be hosted next week that'll provide more awareness about CAHOOTS and we'll provide an attachment of the flyer to the letter. We'll include a furthermore reference emphasizing support for the 40K that's currently in the budget as outlined and referenced.

Speaker 13: I would recommend we authorize the chair to send out that letter.

Regina Jackson: And that too, right? That, too.

Tara Anderson: And that we authorize the chair to send that letter.

Regina Jackson: Okay. I think I moved and you helped me edit and now you're going to second, right?

Jose Dorado: I second.

Regina Jackson: Okay. I love this coordination. Thank you. We have heard from public comment. Can we take a vote now? Commissioner Dorado?

Jose Dorado: Aye.

Regina Jackson: Commissioner Anderson?

Tara Anderson: Aye.

Regina Jackson: Commissioner Harris?

Ginale Harris: Aye.

Regina Jackson: Aye for myself. Commissioner Brown?

Chris Brown: Aye.

Regina Jackson: Excellent. Motion passes unanimously. We have a ...

Ginale Harris: Do you know about the Palmertree letter?

Regina Jackson: Well, we don't know what the additions are yet.

Ginale Harris: Oh, all right.

Regina Jackson: That's the only reason. I'm sorry, there was a question of whether or not we could do that with the Palmertree letter and the challenge is that we haven't made the edits yet, so we can't. It's okay. We are on, whew, number 17, Committee Liaison, Other Commission Reports. Commissioner Dorado?

Jose Dorado: I'm going to really jam through this quickly. We have a ... there's three things I want to talk about as briefly as possible in terms of outreach. I have not yet explored this in depth with Mubarak yet or Commissioner Ahmad, but I will be. One, is that at the Save Oakland Summit on Saturday, I had a conversation today with David Harris, the director of Urban Strategies, and his assistant, I'm not sure what her title is, Breanna Decker. The bottom line is that we're in discussions, unless there's some objections on the commission, with having a meeting with Executive Director Harris and Ms. Decker and ourselves with the fellows who went out into the community and did the canvassing and the surveying. That was the basis of the summit on Saturday.

Jose Dorado: One of the topics that was discussed in the literature from the Save Oakland Summit was a concept of re-envisioning the police department. The idea is to have a conversation with those elements of the community and no doubt youth that came up with that phrase and what they think, what their thoughts are behind it. I'll come back with more details, but that's one.

Jose Dorado: The other is that we're continuing to work in outreach in the task force between the community policing advisory board and the measures of the oversight committee or the Safety and Services Oversight Committee. On the CPAB side, there's Cathy Leonard and Jorge Lerma that have been assigned to work with myself and Commissioner Prather has volunteered to join us. We're working now on a mission statement and a scope of work. Cathy Leonard has put together a Google Doc, so that we're beginning to share our thoughts. I'll come back with more about that as well.

Jose Dorado: Lastly, a few weeks ago, there was the NACOLE and Bart back in March ... I'm sorry, May 3rd at the Kaiser Center. They had a number of wonderful topics in that event. One of the things that was very interesting from a woman by the name of, it was one of the speakers, Barbara Attard, Police Accountability Consultant in San Francisco. She mentioned, there was a number of wonderful topics, but one of the things that stuck with me was her mentioning a program in New Orleans, a peer intervention.

Jose Dorado: What it is is an actual program for the police department to be trained to intervene in situations on the spot with their fellow officers. That was one thing that really interested me. I spoke to her afterward and we definitely will connect around more details of that program. In fact, there is a topic around New Orleans policing at the September Detroit NACOLE event, so I'm very interested in that. That's all I have for now.

Regina Jackson: You've been busy. Excellent.

Jose Dorado: Yes, ma'am.

Regina Jackson: Excellent report. Thank you very much. Is there ... Commissioner Harris?

Ginale Harris: I just want to thank you, Commissioner Dorado, because you have been on top of the community policing piece from the beginning. I'm a big fan, however, I don't have a lot of input or time to do what you do, but I appreciate it. It affects my community that I live in a lot, so I appreciate it. Thank you.

Jose Dorado: Well, you're certainly more than welcome. One of the things I keep saying is that community policing really has so many ... it can affect and will affect so many aspects of the quality of life in Oakland and that's why it's so important we make sure that it's fully implemented. Frankly, and I've made no secret of it, community policing in Oakland has been here for 23 years and it continues to be a failure.

Regina Jackson: Thank you. Are there any other updates? Next Wednesday, the personnel committee will be doing the, whew, second to the last set of interviews for our full-time executive director. We invite you all to meet us in hearing room two? I can't remember which one. You all will have notification.

Ginale Harris: Yes.

Regina Jackson: At that time, you will hear from four candidates, so we lost one in the sauce. Then, at the next board meeting, excuse me, commission meeting the very next day, we will move forward the two that we're planning to recommend to the commission and then obviously for the city administrator.

Speaker 13: Two weeks.

Regina Jackson: Ms. Rashida, do you got-

Speaker 13: The 22nd.

Ms. Rashida: [inaudible 02:53:18]?

Speaker 13: Two weeks.

Regina Jackson: Wednesday is the second interview at 5:00.

Ms. Rashida: The 19th?

Ginale Harris: No.

Regina Jackson: The 26th.

Ginale Harris: The 26, not the next Wednesday, the Wednesday after.

Ms. Rashida: Okay, all right.

Regina Jackson: That's the one that conflicts with the CAHOOTS presentation.

Ginale Harris: Right.

Regina Jackson: Yeah.

Ginale Harris: Then, the 27th is our commission meeting, so it's a public.

Regina Jackson: Mm-hmm (affirmative).

Ms. Rashida: What's the difference between the two?

Ginale Harris: The two is that this is the second round of interviews on the 26th the night before. We have some folks coming in from out of town, so it's public as well, but we're only going to choose two or three out of the four that we have and then that's going to be at our commission meeting, right prior to our commission meeting at 5:00. 5:00 is going to be the big, big interview, the big one for everybody to see for the last two candidates. Then, the commission meeting will resume at 6:30. Okay?

Regina Jackson: Ms. Rashida?

Ms. Rashida: Are you going to publish the resumes of these candidates before, so we have an opportunity to ...

Ginale Harris: Look?

Regina Jackson: Yes. We were-

Ms. Rashida: ... look at those before the actual interviews?

Regina Jackson: Yes, ma'am. We were told to actually publish the application and whatever they filed with the application.

Ms. Rashida: Okay, thank you.

Regina Jackson: Yeah.

Ms. Rashida: Mm-hmm (affirmative).

Regina Jackson: You're welcome. Let's see, I have no speakers for this item. I know, yay. Okay, so item number 18, The National Association for Civilian Oversight of Law Enforcement NACOLE Annual Conference. We will discuss and may vote on participation at the upcoming conference coming September 22nd to the 26th. Quite a few of us traveled to Florida together for our first experience. I know,

for myself, we heard some excellent presentations from the folks in Detroit, as well as Colorado, but I was very understood in going to Detroit.

Regina Jackson: Probably time is of the essence now that this has been kind of carried forward several times, so if you're interested in going, to signify to Mr. Nisperos that. If we can hear from folks on their level of interest, it might be time to start getting hotels together. Again, the process, although most of us have been set up as vendors, I'm not certain if Tara or Chris have ... excuse me, Commissioners Anderson and Brown have been yet. The way the process goes is we actually advance the money and then we get reimbursed probably within six to eight weeks. We need to be prepared for, you know, that investment on the front end. Are there questions? Commissioner Anderson?

Tara Anderson: Just wanted to confirm that there's no ... as long as we're not talking about any business we would take action on, there's no limit to the number of commissioners who could attend, correct?

Regina Jackson: No, there is no limit.

Tara Anderson: And that I believe we have a meeting that falls the Thursday of that week. Yeah, the 26th, that we'd likely cancel the meeting?

Regina Jackson: I'm thinking we will cancel that, yes.

Tara Anderson: Okay.

Jose Dorado: [inaudible 02:57:06].

Tara Anderson: Just go straight here. I mean, we are a dedicated group of folks. I mean, we're here during the Warriors game. Yeah, I'm unable to make a commitment at this time because of my day job responsibilities. I'm certainly very interested in attending, but it's highly likely I would not be able to go.

Regina Jackson: Okay. Well, thank you very much. We certainly will bring information back. If something changes, please let Mr. Nisperos know as soon as possible. Commissioner Dorado?

Jose Dorado: Yeah. Let me make a suggestion that we consider a strategy going in, that we look at the list of workshops, possibly think about which workshops interest us the most, see if it isn't possible to spread ourselves among the most important and also combine with that how we and if we would get together to compare notes while we're at the conference around important topics or speakers, et cetera, and then a debrief when we come back and a distillation of what we've seen and learned that we can, not only for ourselves, but for the community.

Regina Jackson: Excellent suggestions. I think that last year we kind of organically split. The piece that was missing is kind of the summary and reflections that we could share out

with the community about what we saw and heard. Given excellent programs like CAHOOTS and all, we're likely to hear about other processes that are working very well in other urban areas that we might want to take a look at. Your suggestion is excellent, just getting on the front end of it, as opposed to in the midst. That's great. I think that you're saying that you're interested in going, correct?

Jose Dorado: Oh, definitely.

Regina Jackson: Okay.

Jose Dorado: One last little piece and that is that it was real evident in Florida that the powers that we have is in the minority of the commissions that exist throughout the country. I would expect that we'll be approached with suggestions as to how commissions in other locations can avail themselves with the kind of scope that we have. We might well be prepared for those kinds of questions as well going in.

Regina Jackson: Sounds good. I have Commissioner Dorado plans to go, Commissioner Anderson might like to, but may not be able to. Commissioner Harris?

Ginale Harris: I'm going.

Regina Jackson: Is going. I, myself, plan to attend. Commissioner Brown?

Chris Brown: Unfortunately, I have two previous engagements for that weekend I can't get out of.

Regina Jackson: Aren't you the busy one?

Chris Brown: I am.

Regina Jackson: Okay. No problem.

Chris Brown: They were before I joined the commission.

Regina Jackson: Okay, very good. I have not spoken with Commissioner Ahmad yet. Commissioner Prather said that he is very interested in going. I have not spoken with Commissioner Smith yet. I would encourage each of you to follow-up directly with Mr. Nisperos so that you can make sure that your application and all, registration is handled, okay? If there are no ... did you have a comment, question?

Jose Dorado: Well, if Edwin's going, we got a driver.

Regina Jackson: Yes. Okay. Speaker cards on this item are John Bay, Michael Tiggs and Nino Parker. I don't see John Bay or Michael Tiggs, so Nino, you're on.

Nino Parker: I do it every time. Nino Parker, Homeless Green Team, Lake Merritt block advocate, hopefully be on the homeless commission one day. Civil rights and civil issues are very important to me right now. One of the important things, I hate to be jumping back to this claim that I'm talking about, but I think one of the most important things is, when you make a claim like this and the officers and the city and DPW tell a different story, it actually leaves you as a liar. That's the part we're not thinking about. I'm left as this guy that's told all these lies.

Nino Parker: Now that I have my witness, it validates what I was talking about, because let's just say I file this one claim and the city looks at it, says, "Well, you lied about all this." If you go to file another claim, they're going, "Well, you lied about the last one." The fact that I'm ... one of the things I'm really trying to prove here is everything I said about the posting, not being there in a timely matter and the police cutting the locks off my bike and DPW taking the bikes, I just wanted that to be validated through this process.

Nino Parker: Something was mentioned today about a law firm, [Yusten 03:02:32], I think the gentleman's name is, Lauren Taylor. I was in a meeting yesterday and he had mentioned them. I'm really trying to get the city to have a homeless lawyer, that's my new idea. We need to have our own lawyer that we can ... like, when there's issues like this, we'd have our lawyer right there and he could handle it. If there's a eviction and it's not right, we'd have our lawyer right there. That's one of the things I think we really need to have in the future to make it so things are civil and fair.

Nino Parker: Equity in this town is bad, I'm telling you. I'm originally born in San Francisco and I've been here for a period of time because my son's here and so that's how I got homeless here. When I was a kid and I came here all the time and my grandfather lived here, it was really Oakland, Oakland, just kind of a cool place, but now it's getting to where, like, you can't even go into a bike shop and get some help, like just a wrench or anything. They'll boot you right back out. I saw a guy on 19th Avenue at the city bike shop and they were kicking this black man out because he asked for a wrench. He was kind of irate. The equity here in this town is pretty bad. Everyone else can get things.

Nino Parker: One more last thing I have to say. As I go up and I talk about black issues at the city council, I had to mention this, why is it when we talk about black issues, it's like we're doing something wrong? Martin Luther King was killed for it. Mohammed Ali came back from getting a gold medal and took his gold medal and threw it in the river because he still couldn't go in the color ... they had the colored door and the white door. Every time we talk about things ... and they took his title away. Every time we talk, it shouldn't be like that when we talk about issues. I appreciate some of these white folks that are here that always do talk about black issues. It is so important that we can listen to everybody without feeling like, "Oh, here come that black stuff again." Thank you.

Regina Jackson: Thank you. We are now on item 19, Agenda Setting and Prioritization of Upcoming Agenda Items. I want to direct everybody to the note midway through, which says that the agenda for June 27th, the meeting will consist of interviews for the CPRA executive director position and a review of CPRA pending cases and completed investigations that we have not seen for a while, because we've been giving Mr. Nisperos an opportunity to get up to speed on these things.

Regina Jackson: We do have a couple other items that we will put on that list, namely, like the letter that we've updated, things like that. I think that we should be keeping this agenda light, because it already involves a lot. Is there anything that is like heart-wrenching, gut-breaking that has got to be on this agenda for the next meeting? Commissioner Harris?

Ginale Harris: I just want to bring to light that our budget was not on President Kaplan's list. It was submitted in a timely fashion. I can't get anybody to respond to me.

Regina Jackson: Do you want to put our budget on the agenda and have the finance department or-

Ginale Harris: No. I mean, I think I got some clarity, because I did speak to the finance department. I know that we have about 650,000 unspent dollars, as it needs to be spent by June 30th. Well, 345 point something thousand dollars, it's a one-time carry-over. I mean, it's a one-time funding source, but we can carry it over. This is in owing them money, but still.

Ginale Harris: I mean, we weren't assisted with the process on how to spend it. Ms. Tom was asked to do several things by the chair and she did not do it and here we are, right? Our budget that we passed last meeting, I mean, after thinking about it, I'm like, we're asking for all this money. If I was the city council, I would say to myself, "Why are you asking for this when you didn't spend what you got?"

Ms. Rashida: [inaudible 03:06:57].

Ginale Harris: Okay. Well, I'm just thinking.

Regina Jackson: Do we want to put this on the agenda?

Ginale Harris: I mean, I would say ... I mean, I don't think really we can do anything, right?

Regina Jackson: Okay.

Ginale Harris: I just want to make us all aware for next year or next budget cycle, mid cycle.

Regina Jackson: Well, I think that you're right, that we probably need to have kind of a quarterly update on budget knowledge, where we are, where we want to be. Some of that, hopefully, will be in [crosstalk 03:07:33].

Ginale Harris: I want to do a projection, you know? Moving forward, I want to say, "Hey, let's sit down, the budget committee, and let's see what we want to do for the year, right, and spend out."

Regina Jackson: Right. Since we're on the agenda prioritization, perhaps we can have you present the budget projection forecast, maybe in a July meeting or something.

Ginale Harris: Okay.

Regina Jackson: Is that okay?

Ginale Harris: Yeah.

Regina Jackson: Okay, great. If anybody has anything else that must make it onto the agenda, speak now or hold your peace. Okay, very good. I am entertaining motions to adjourn.

Ginale Harris: Can I?

Regina Jackson: Commissioner Harris?

Ginale Harris: I think we should look at our pending list.

Regina Jackson: Okay.

Ginale Harris: We have our trainings that we need to complete.

Regina Jackson: Okay. Let's [crosstalk 03:08:27]-

Ginale Harris: We have our ...

Regina Jackson: Retreat and everything else.

Ginale Harris: Retreat.

Regina Jackson: Okay.

Ginale Harris: I think the retreat should be on the agenda, because we have to spend the money.

Regina Jackson: Okay. We will make it a priority, but the pending, we're going to look at the pending list, update the pending list, and then make sure that we have it attached to the agenda so that we can consider those items that need to move from the pending list to the agenda.

Ginale Harris: Okay.

Speaker 13: I assume there's no public comment on the agendas?

Regina Jackson: No, there is none. Can we get a motion to-

Ginale Harris: We have to bring the three attorneys back.

Regina Jackson: Yes, but we already said we would.

Ginale Harris: Okay.

Regina Jackson: Hopefully, we'll capture that.

Ginale Harris: Okay.

Regina Jackson: We want to, again, try not to make it too-

Ginale Harris: Fluffy?

Regina Jackson: ... deep, too fluffy, too deep, too rich, too long. I'd like to accept a motion to adjourn this meeting, please?

Jose Dorado: I move we adjourn.

Regina Jackson: Can I get a second?

Tara Anderson: Second.

Regina Jackson: Okay. Moved by Commissioner Dorado, seconded by Commissioner Anderson. There is no public comment. Can we all say "aye"?

Jose Dorado: Aye.

Tara Anderson: Aye.

Regina Jackson: Aye.

Ginale Harris: Aye.

Regina Jackson: The motion passes. It is now 9:40, earlier than any meeting we ever had. We are going home.

Ginale Harris: Thank you. I want to eat something.

Regina Jackson: Girl, I'm going to pack up some food.

Ginale Harris: Thank you.

Tara Anderson: [inaudible 03:09:52].

PART 6 OF 6 ENDS [03:09:54]