



OAKLAND POLICE COMMISSION SPECIAL MEETING MINUTES - DRAFT

June 25, 2020
5:30 PM

I. Call to Order

Chair Regina Jackson

The meeting started at 5:35 pm.

II. Roll Call and Determination of Quorum

Chair Regina Jackson

Commissioners Present: Tara Anderson, José Dorado, Henry Gage, III, Ginale Harris, Regina Jackson, Edwin Prather (*arrived during item IV*), and Thomas Lloyd Smith. Quorum was met.

Alternate Commissioners Present: Chris Brown and David Jordan

Counsel for this meeting: Conor Kennedy and Nitasha Sawhney

III. Public Comment on Closed Session Items

Comments were provided by the following public speakers:

Assata Olugbala

Gene Hazzard

The Commission adjourned to closed session. The open session section of the meeting commenced at 6:41 pm.

IV. Closed Session

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

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE - Gov't Code § 54957(b)

Review of closed CPRA cases.

V. Report out of Closed Session

There were no reportable actions on this item.

VI. Welcome and Purpose

Chair Regina Jackson welcomed participants to the meeting.

VII. Update from Interim Police Chief

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

Comments were provided by the following public speakers (*after item VIII*):

Anne Janks

Assata Olugbala
Jennifer Tu
Kevin Cantu
Ashley Greenwood
Grace
Starchy Grant
Jasmine Fallstich
Phi Tran

VIII. Open Forum/Public Comment

Comments were provided by the following public speakers:

Anne Janks
Maureen Benson
Allie Bach
Gene Hazzard
Lorelei Bosserman
Jennifer Tu
Sameena Usman
Michelle Lazaneo
Kevin Cantu
Assata Olugbala
John Lindsay-Poland
Cameron Bird
Megan S.
JP Massar
Maahum Shahab
Joseph Mente
Ashley Greenwood
Gema Corrales
Kelan Thomas
Jay Farber
Ellen Monroe
Jack Konevich
Bruce Schmiechen
Oliver Dillon
Lucio Mejia
Phi Tran
Starchy Grant
Mariano Contreras
Chelsea Crandall
Dena
Debra McCracken
Judy Belle

Regina Jackson left the meeting at approximately 8:42 pm.

IX. Status of Consensus Policy Changes and OPD Special Order (SO) 9025 on Suspension of the Carotid Use of Restraint (*this item was tabled to a future agenda*)

Comments were provided by the following public speakers:

Anne Janks

Jim Chanin

Bruce Schmiechen

Starchy Grant

Grace

Maureen Benson

Assata Olugbala

Rashidah Grinage

Megan S.

Gene Hazzard

Ashley Greenwood

Terri McWilliams

Jennifer Quintanilla

Lorelei Bosserman

Michael Sagehorn

A motion was made Ginale Harris, seconded by José Dorado, to forward SO 9025 to the Use of Force Ad Hoc Committee to revise. The motion failed to carry by the following vote:

Aye: Dorado and Harris

No: Anderson, Gage, Prather, and Smith

A second motion was made by Henry Gage, III, seconded by Thomas Lloyd Smith, to table this item and allow the newly created Ad Hoc Committee of Commissioners Anderson, Prather, and Smith to submit a revised version of SO 9025. The motion carried by the following vote:

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

No: 0

A motion was made by Henry Gage, III, seconded by Thomas Lloyd Smith, to suspend the rules of procedure and take items XIII and XIV out of order and then to proceed to the rest of the agenda. The motion carried by the following vote:

Aye: Dorado, Gage, Prather, and Smith

No: Anderson and Harris

A second motion was made by Edwin Prather, seconded by Henry Gage, III, to continue the meeting until midnight. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Prather, and Smith

No: Harris

X. OPD General Order (DGO) on New Crowd Management Use of Force Restrictions and Mutual Aid Protocols (*this item was tabled to a future agenda*)

Comments were provided by the following public speakers:

Starchy Grant
Megan S
Britt R
Jim Chanin
Kevin Cantu
Jennifer Tu
Lorelei Bosserman
Assata Olugbala
Grace
Maureen Benson
Anne Janks
Gene Hazzard
John Lindsay-Poland
Ashley Greenwood
Joseph Mente
Jean Moses
Elyse
Kyle Mitchell

XI. Resolution Urging the Civil Service Commission to Adopt Rules to Disqualify Any Applicant for Employment in the Uniformed Ranks of the Oakland Police Department Based on Prior Acts of Misconduct

The Commission discussed and voted to approve a resolution urging the Civil Service Commission to disqualify applicants to the uniformed ranks of OPD based on prior acts of misconduct.

Comments were provided by the following public speakers:

Jennifer Tu
Assata Olugbala
Joseph Mente

A motion was made by Tara Anderson, seconded by Edwin Prather, to adopt Resolution 20-02 as written and change “Civil Service Commission” to “Civil Service Board.” The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, and Prather
No: 0
Abstain: Smith

A second motion was made by Tara Anderson, seconded by Thomas Lloyd Smith, to include a letter with the resolution written by Tara Anderson on behalf of the Chair emphasizing the need for an equity analysis and addressing the points of racial discrimination that have been proven to exist in the discipline process, not only in Oakland but in other Police Departments. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Prather, and Smith
No: 0

A motion was made by Henry Gage, III, seconded by Thomas Lloyd Smith, to table the remaining items and adjourn the meeting following public comment. The motion carried by the following vote:

**Aye: Anderson, Dorado, Gage, and Smith
No: Prather**

A second motion was made by Tara Anderson, seconded by José Dorado, to take item XII and table the remaining items. The motion failed to carry by the following vote:

**Aye: Anderson and Dorado
No: Gage, Prather, and Smith**

XII. Path to Justice Pledge (*this item was tabled to a future agenda*)

No public comments were provided on this item.

XIII. Use of Force Ad Hoc Committee Update (*this item was taken after item IX*)

The Use of Force Ad Hoc Committee provided an update of progress to date on the drafting of a new OPD Use of Force policy, including planning for future opportunities for public input and outreach.

Comments were provided by the following public speakers:

Anne Janks
Lorelei Bosserman
Assata Olugbala
Bruce Schmiechen
Starchy Grant
Maureen Benson
Rashidah Grinage
Gene Hazard
Jim Chanin
John Lindsay-Poland
Jasmine Fallstich

A motion was made by Henry Gage, III, seconded by José Dorado, to post the draft Use of Force policy on the Commission's webpage for public comment and that the ad hoc committee begin the process for outlining dates for further public engagement. The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Harris, Prather, and Smith
No: 0

Ginale Harris left the meeting at approximately 11:15 pm.

XIV. Draft Ordinance on Acquisition and Use of Controlled Equipment

The Commission discussed and voted to approve a draft ordinance regulating the acquisition and use of controlled equipment by the Oakland Police Department, and to forward the draft ordinance to City Council with a request for immediate adoption.

Comments were provided by the following public speakers:

Anne Janks

John Lindsay-Poland

Jennifer Tu

Assata Olugbala

A motion was made by Henry Gage, III, seconded by Thomas Lloyd Smith, to approve the draft ordinance with the following edits: In section 2 Definitions, item A (9) should read: Projectile launch platforms, and their associated munitions, such as 40mm projectile launchers, "bean bag," rubber bullet, or specialty impact munition ("SIM") weapons, and "riot guns" used to disperse chemical agents. Item A (11) should read: Explosives and pyrotechnics, such as "flashbang" grenades and explosive breaching tools, and chemical weapons such as "teargas," CS gas, pepper spray, and "pepper balls." In section 3 Acquisition and Use of Controlled Equipment, item A (2)(b) change the word "purchased" to "funded." In section 3, item A add (3) The Police Department shall not cooperate with agencies or mutual aid partners that deploy controlled equipment that would be subject to this ordinance unless said cooperation or deployment of equipment by such agencies or mutual aid partners is consistent with the restrictions, use policies, and reporting requirements established by this ordinance. In Section 2 item A (1)(a) change the word "patrol" to "passenger." The motion carried by the following vote:

Aye: Anderson, Dorado, Gage, Prather, and Smith

No: 0

XV. Commission and CPRA Audits (*this item was tabled to a future agenda*)

No public comments were provided on this item.

XVI. Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities (*this item was tabled to a future agenda*)

No public comments were provided on this item.

XVII. Open Forum, Part Two

Comments were provided by the following public speakers:

Joseph Mente

XVIII. Adjournment

The meeting was adjourned at 12:05 am.