



OAKLAND POLICE COMMISSION

MEETING MINUTES - FINAL

June 27, 2019

6:30 PM

City Council Chamber, 3rd Floor
1 Frank H. Ogawa Plaza, Oakland, CA 94612

I. Call to Order

Chair Regina Jackson

The meeting started at 6:36 p.m.

II. Roll Call and Determination of Quorum

Chair Regina Jackson

Commissioners Present: Mubarak Ahmad, José Dorado, Ginale Harris, Regina Jackson, and Thomas Smith. Quorum was met.

Alternate Commissioners Present: Chris Brown

Commissioners Excused: Edwin Prather

Counsel for this meeting: Sergio Rudin

III. Welcome, Purpose, and Open Forum

Comments were provided by the following public speakers:

Oscar Fuentes

Michelle Lanzanea

Saleem Bey

Maureen Benson

Nino Parker

IV. Bey Case Review

The Commission presented and discussed bids received from Henry Gage, III and the Law Offices of Amy Oppenheimer for investigative services. The Commission voted to select the Law Offices of Amy Oppenheimer.

Comments were provided by the following public speakers:

Saleem Bey

Nino Parker

A motion was made by Ginale Harris, seconded by José Dorado, to hire an independent investigator for the scope of work that entails potential new evidence of OPD Department General Order [DGO] violations that have been exposed by civil complaint Discovery, produced by the City of Oakland in Bey v. Oakland currently in San Francisco Northern

California District Federal Court [14-cv-01626-jsc] relating to OPD IAD and City Administration CPRB complaints 07-0538, 13-1062, and 16-0147 for violations related to complaints of racial and religious profiling. The motion carried by the following vote:

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

No: 0

Abstained: Smith

A second motion was made by Ginale Harris, seconded by José Dorado, to enter into a contract with the Law Offices of Amy Oppenheimer, in an amount not to exceed \$50,000, to do an investigation on the Bey cases 07-0538, 13-1062, and 16-0147, with Ms. Seidel as the investigator. The motion carried by the following vote:

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

No: 0

Abstained: Smith

V. Oakland City Charter Revisions

The Commission discussed the effort currently being undertaken by the Coalition for Police Accountability, in collaboration with City Council President Rebecca Kaplan, to submit a ballot measure for revisions to Measure LL.

Comments were provided by the following public speakers:

Mary Vail

Rashidah Grinage

Reisa Jaffe

Maureen Benson

Saleem Bey

No action was taken on this item.

VI. CPRA Independent Audit Commissioned by the Oakland Police Commission

The Commission discussed the scope of services from the Mason Investigative Group and voted to approve the revised scope.

Comments were provided by the following public speakers:

Saleem Bey

Mary Vail

A motion was made by Ginale Harris, seconded by José Dorado, to contract the services of Mason Investigative Group to do the independent audit of the CPRA, not to exceed \$50,000. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, and Jackson

No: 0

Abstained: Ahmad and Smith

VII. Pawlik Investigation Update

Regina Jackson, in her role as Chair, called for the convening of a Discipline Committee comprised of Commissioners Dorado, Jackson, and Prather, to begin meeting starting July 1st in order to make recommendations that do not allow the 3304 deadline to expire.

Comments were provided by the following public speakers:

Rashidah Grinage

Saleem Bey

Jim Chanin

No action was taken on this item.

VIII. Commission Subpoenas Related to CPRA

The Commission discussed the subpoenas that were previously issued and how to work with attorney-client privileged information in procuring the materials received by CPRA Interim Executive Director.

Comments were provided by the following public speakers:

Oscar Fuentes

Jim Chanin

Mary Vail

Saleem Bey

No action was taken on this item.

IX. CPRA Executive Director Candidates

CPRA Executive Director finalists recommended by the Personnel Committee, John Alden and Sokhom Mao, offered brief biographical statements. The Commission voted to approve submission of the candidates to the City Administrator.

Comments were provided by the following public speakers:

Jack Bryson

Jim Chanin

Bruce Schmiechen

A motion was made by José Dorado, seconded by Thomas Smith, to move both candidates forward to the City Administrator for consideration. The motion carried by the following vote:

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

No: 0

X. OPD Budget Update

OPD Personnel Manager Kiona Suttle provided an update on the top five hiring priorities for the Department.

Comments were provided by the following public speakers:

Jim Chanin

Nino Parker

No action was taken on this item.

XI. Review of CPRA Pending Cases and Completed Investigations

Interim Executive Director Mike Nisperos reported on the Agency's pending cases and completed investigations.

Comments were provided by the following public speakers:

Rashidah Grinage

No action was taken on this item.

Mubarak Ahmad left the meeting.

XII. OPD's Policy on the Deployment of the BearCat and Other Militarized Weapons

Captain Wingate answered questions from the Commission on OPD's use of the BearCat.

Comments were provided by the following public speakers:

Nino Parker

Oscar Fuentes

Bruce Schmiechen

John Lindsay-Poland

Reisa Jaffe

A motion was made by Regina Jackson, seconded by José Dorado, to deny OPD's request of a second BearCat. The motion carried by the following vote:

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

No: 0

A motion was made by Regina Jackson, seconded by José Dorado, to extend the meeting to 11:00 p.m. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, and Jackson

No: Smith

A second motion was made by Regina Jackson, seconded by José Dorado, to direct the Police Chief to provide a comprehensive list of grants for which the Department hopes to apply, with specific focus on any militarized equipment, that the Commission can review and/or approve prior to grant preparation. The motion carried by the following vote:

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

No: 0

XIII. Commission Letter to City Council Regarding OPD Contract with Michael Palmertree

The Commission discussed a letter that was sent to the City Council regarding OPD's contract with Michael Palmertree.

Comments were provided by the following public speakers:
There were no speakers on this item

No action was taken on this item.

XIV. Police Commission Retreat

The Commission discussed holding a retreat sometime in the coming months and reviewed a proposal from Walker and Associates.

Comments were provided by the following public speakers:
There were no speakers on this item

A motion was made by Regina Jackson, seconded by José Dorado, to approve the proposal from Walker and Associates, for a total of \$11,000, for a half-day retreat with a date and location to be determined. The motion was carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, and Smith
No: 0

XV. Commission Letter to City Council Regarding CAHOOTS (Crisis Assistance Helping Out On The Streets)

The Commission discussed the letter that was sent to the Oakland City Council providing support for efforts within the City Council to fund exploration of whether Oakland can and should implement a similar program.

Comments were provided by the following public speakers:
Riesa Jaffe
Rashidah Grinage
Anne Janks

No action was taken on this item.

A motion was made by Regina Jackson, seconded by José Dorado, to extend the meeting to 11:10 p.m. The motion carried by the following vote:

**Aye: Anderson, Dorado, Harris, and Jackson
No: Smith**

XVI. Committee/Liaison/Other Commissioner Reports

José Dorado presented an update on the Community Policing Task Force. Ginale Harris presented an update on her work looking into resources for young people who get out of jail or are on parole or probation. Thomas Smith discussed setting up a meeting with the

Oakland Black Officers Association, his work with the NAACP, and other community outreach. Tara Anderson discussed her work with Campaign Zero regarding use of force, and the work of the Ad Hoc Committee on the OPD K-4 Use of Force Reporting Special Order.

Comments were provided by the following public speakers:
There were no public speakers on this item

No action was taken on this item.

A motion was made by Ginale Harris, seconded by Regina Jackson, to clarify the motion on item VI to direct Mr. Nisperos to hire the independent auditor contractually, not to exceed \$50,000 for the CPRA audit. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, and Smith
No: 0

XVII. Agenda Setting and Prioritization of Upcoming Agenda Items

The Commission engaged in a working session and discussed items for the upcoming Commission meeting: Oakland City Charter revisions; Commission subpoenas related to CPRA; review of CPRA pending cases and completed investigations; Bey case review; Commission retreat; stop data and racial impact report; Pawlik update; and hiring CPRA investigators.

Comments were provided by the following public speakers:
There were no speakers on this item

No action was taken on this item.

A motion to supersede the first motion on item IV was made by Ginale Harris, seconded by José Dorado, to direct Mr. Nisperos to enter into a contract not to exceed \$50,000 with the Law Offices of Amy Oppenheimer for the Bey case review. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, and Jackson
No: 0
Abstained: Smith

XVIII. Adjournment

A motion was made by Ginale Harris, seconded by Thomas Smith, to adjourn the meeting at 11:24 p.m. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, and Smith
No: 0