



# OAKLAND POLICE COMMISSION

## AGENDA

September 27, 2018

6:30 PM

City Council Chamber, 3<sup>rd</sup> Floor  
1 Frank H. Ogawa Plaza, Oakland California

**I. Call to Order**

Thomas Lloyd Smith

**II. Roll Call and Determination of Quorum**

Thomas Lloyd Smith

**III. Welcome, Purpose and Open Forum (2 minutes per speaker)**

Thomas Lloyd Smith will welcome and call public speakers.

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's policies, practices and customs to meet or exceed national standards of constitutional policing and to oversee the Community Police Review Agency that investigates police misconduct and recommends discipline.

**IV. Approval of Draft Commission Meeting Minutes**

for [September 13, 2018](#) and [August 23, 2018](#)

Thomas Lloyd Smith will offer the draft minutes for approval by the Commission.

- a. Discussion
- b. Public Comment
- c. Action

**V. Libby Schaaf, Mayor, City of Oakland**

The Mayor will communicate her understanding of the Oakland Police Commission's role in oversight of the Oakland Police Department. The working relationship she envisions between the City Administration and the Commission including the Office of the City Administrator. The Mayor will also speak to her definition of transformation for the Oakland Police Department and what she has done to support satisfaction of the Negotiated Settlement Agreement. The Mayor will also report on leadership as it pertains to policing, where OPD has made progress in its policing, and priority policing initiatives.

- a. Discussion
- b. Public Comment

**VI. [Oakland Police Department Report](#) (~20 minutes)**

The Commission shall maintain the confidentiality of ongoing investigations. Chief Anne Kirkpatrick will report on all publicly disclosable information about the in custody death of Marcellous Toney on September 28, 2017. The Chief will also report on OPD's Police Academy graduation rate for Police Officer Trainees by gender, race and ethnicity for previous OPD Police Academies including what plans, if any, OPD has for supporting Police Officer Trainees from underrepresented

backgrounds in meeting the graduation standards. OPD will report on the number of OPD public records requests that have not yet been completed categorized by year of submission to the City. OPD report on the progress of their update of policies and procedures concerning their interactions with homeless residents of Oakland.

- a. Discussion
- b. Public Comment

**VII. [OPD General Order C-1](#)**

The Coalition for Police Accountability will present memorandum regarding Oakland Police Department General Order C-1, which is a department policy that outlines uniform and equipment standards for both members and employees. The presentation includes, but is not limited to, Part I (General Regulations Regarding Uniforms And Appearance), Part II (Member Appearance), and Part VIII(A) (Employee Appearance).

- a. Discussion
- b. Public Comment
- c. Action, if any

**VIII. Community Police Review Agency -**

Government Code section 3304 (g) determines when an investigation can be reopened. The Commission can request that the CPRA make a determination on whether the criteria for reopening an investigation has been met.

- a. Discussion
- b. Public Comment
- c. Action, if any

**IX. Recess (~6 minutes)**

**X. Inspector General Recruiting Process ([Item 10](#) and [Item 10a](#))**

The Personnel Ad Hoc Committee will provide an update on the Inspector General recruiting process and review a first draft of the Inspector General position description.

- a. Discussion
- b. Public Comment
- c. Action, if any

**XI. Administrative Analyst Selection and Placement**

The Commission will report on the placement of the Administrative Analyst for the Oakland Police Commission.

- a. Discussion
- b. Public Comment
- c. Action, if any

**XII.** [Proposed Plan for Completing All Measure LL Required Trainings and Enabling Ordinance Requirements, and Civil Service Training](#)

The Commission will discuss scheduling of the discipline committee trainings because the times offered for training conflicted with many Commissioners' work schedules. The Commission will also engage in planning for its second retreat including prioritization of items for a proposed agenda, scheduling, training sessions, facilitators, and location.

- a. Discussion
- b. Public Comment
- c. Action, if any

**XIII.** [Review of Agency's Administrative Closures or Dismissals](#)

Mr. Finnell will report on the CPRA's proposed dismissal or closure of complaints of misconduct involving Class I offenses. The Commission will consider whether to close the case(s) or direct CPRA to continue or reopen the case(s) and investigate the complaint in accordance with Oakland Police Commission Enabling Ordinance § 2.45.070(M).

- a. Discussion
- b. Public Comment
- c. Action to approve CPRA recommendation for dismissal or closure of cases or reopen the investigation , if any

**XIV.** [CPRA Interim Director Request for Approval of Conference Attendance and Associated Expenses for the 13<sup>th</sup> Annual Institute for the Prevention of In-Custody Deaths](#)

Interim Director Finnell requests authorization to attend and to be reimbursed for conference expenses, travel, lodging, and meals for the 13<sup>th</sup> Annual Institute for the Prevention of In-Custody Deaths, which is an educational and training conference in Las Vegas, NV from October 21 – 25, 2018.

- a. Discussion
- b. Public Comment
- c. Action, if any

**XV.** **Agenda Setting and Prioritization of Upcoming Agenda Items**

Thomas Lloyd Smith will engage the Commission in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas.

- a. Discussion
- b. Public Comment
- c. Action, if any

**XVI.** **Closed Session**

- a. CPRA Reporting Format
- b. Executive Director Evaluation and Pay Increase

## XVII. Adjournment



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