



OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

November 10, 2022

5:30 P.M.

The purpose of the Oakland Police Commission is to oversee the Oakland Police Department to ensure its policies, practices, and customs conform to national standards of constitutional policing, and to oversee the Office of the Inspector General, led by the civilian Office of Inspector General for the Department, as well as the Community Police Review Agency (CPRA), led by the Executive Director of the Agency, which investigates police misconduct and recommends discipline.

Pursuant to California Government Code Section 54953(e), members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.



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PUBLIC PARTICIPATION

The Oakland Police Commission encourages public participation in the online board meetings. The public may observe and/or participate in this meeting in several ways.

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/83161733595> at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: <https://support.zoom.us/hc/en-us/articles/201362193>, which is a webpage entitled “Joining a Meeting”
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):

+1 669 900 9128 or +1 669 444 9171 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 646 931 3860

Webinar ID: 831 6173 3595

After calling any of these phone numbers, if you are asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting By Phone.”

PROVIDE PUBLIC COMMENT: There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

- Comment in advance. To send your comment directly to the Commission and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to radwan@oaklandca.gov. Please note that e-Comment **submissions close at 4:30 pm**. All submitted public comment will be provided to the Commissioners prior to the meeting.
- By Video Conference. To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” are available at: <https://support.zoom.us/hc/en-us/articles/205566129>, which is a webpage entitled “Raise Hand In Webinar.”
- By Phone. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing STAR-NINE (“*9”) to request to speak when Public Comment is being taken on an eligible agenda item at the beginning of the meeting. Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663>, which is a webpage entitled “Joining a Meeting by Phone.”

If you have any questions about these protocols, please e-mail opc@oaklandcommission.org.

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I. Call to Order, Welcome, Roll Call and Determination of Quorum

Chair Tyfahra Milele

Roll Call: *Vice Chair Marsha Peterson; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz* (**Excused:** *Commissioner Jesse Hsieh and Commissioner David Jordan*)

II. Closed Session

The Police Commission will take Public Comment on the Closed Session items.

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION AND WILL REPORT ON ANY FINAL DECISIONS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

CONFERENCE WITH COUNSEL — Existing Litigation under Gov. Code § 54954.5 and 54956.9(a)

Marleen L. Sacks, Alameda County Taxpayers' Association v. City of Oakland, Oakland Police Commission, John Alden, Ed Reiskin, Libby Schaaf and DOES 1-5. Alameda County Superior Court Case No. RG20078708.

III. Call to Order, Roll Call and Re-Determination of Quorum

Chair Tyfahra Milele

Roll Call: *Vice Chair Marsha Peterson; Commissioner Brenda Harbin-Forte; Commissioner Rudolph Howell; Commissioner Regina Jackson; Alternate Commissioner Angela Jackson-Castain; Alternate Commissioner Karely Ordaz* (**Excused:** *Commissioner Jesse Hsieh and Commissioner David Jordan*)

IV. Report out of Closed Session

The Commission will report on any actions taken during Closed Session, as required by law

V. Open Forum Part 1 (2 minutes per speaker, 15 minutes total)

Members of the public wishing to address the Commission on matters that are not on tonight's agenda but are related to the Commission's work should raise their hands and they will be called on in the order their hands were raised. Comments regarding agenda items should be held until the agenda item is called for discussion. Speakers not able to address the Commission during this Open Forum will be given priority to speak during Open Forum Part 2.

OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

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5:30 P.M.

VI. Office of the City Attorney Biannual Report

The Office of the City Attorney (OCA) will present their biannual report on Police-Discipline Process and Recent Arbitration Decisions ([Attachment 6](#)).

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

VII. Update from Oakland Police Department (OPD)

Representatives of the Oakland Police Department will provide an update. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions; and specific topics requested by the Commission.

This is a recurring item. ([Attachment 7](#)).

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

VIII. Update from Interim Executive Director, CRPA – Aaron Zisser

Director Zisser will provide updates on the Community Police Review Agency (CPRA), to the extent permitted by state and local law. Topics discussed in the update may include the Agency's pending cases, completed investigations, staffing, and recent activities.

This is a recurring item. ([Attachment 8](#)).

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

IX. Office of the Inspector General Report – Michelle Phillips

Inspector General Michelle N. Phillips will provide an update on the OIG's work. Topics discussed in the update may include project priorities under the City Charter; staffing updates; responses to Commission and community member questions. Dr. Leigh Anderson, Chief of Staff will present on OIG history, guiding principles and the Oakland OIG authority, jurisdiction, and model.

This is a recurring item. ([Attachment 9](#)).

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

X. Committee Reports

Representatives from Standing and Ad Hoc Committees will provide updates on their work.

This is a recurring item. ([Attachment 10](#))

OAKLAND POLICE COMMISSION

REGULAR MEETING AGENDA

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OIG Policies

(Commissioners Peterson, Harbin-Forte, Jackson)

The Ad Hoc is tasked with reviewing and establishing standard operating procedures and policies for the Office of the Inspector General (OIG)

Staff Search Committee

(Commissioners Milele, Jordan, Howell)

The purpose of this Ad Hoc is to oversee staff recruitment and searches

Militarized Equipment

(Commissioners Hsieh, Jackson-Castain, Jordan)

The Ad Hoc is tasked with reviewing and establishing policies for OPD militarized equipment

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

XI. Open Forum Part 2 (2 minutes per speaker, 15 minutes total)

Members of the public wishing to address the Commission on matters that were not on tonight's agenda but are related to the Commission's work should raise their hands and they will be called on in the order their hands were raised.

XII. Cancellation of Commission Meetings on November 24, 2022 and December 22, 2022

Commission will discuss and possibly take action on cancelling the November 24 and December 22 meetings. ([Attachment 12](#))

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

XIII. Upcoming/Future Agenda Items

The Commission will engage 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. ***This is a recurring item.***

- d. Discussion
- e. Public Comment
- f. Action, if any

XIV. Adjournment

OAKLAND POLICE COMMISSION

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NOTICE: In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the videoconference meeting, to access written documents being discussed at the Discipline Committee meeting, or to otherwise participate at Commission meetings, please contact the Police Commission's Chief of Staff, Kelly Yun, at kyun@oaklandca.gov for assistance. Notification at least 48 hours before the meeting will enable the Police Commission to make reasonable arrangements to ensure accessibility to the meeting and to provide any required accommodations, auxiliary aids or services.

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
Barbara J. Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TTY/TDD: (510) 238-3254

November 2, 2022

OAKLAND POLICE COMMISSION

Re: Office of the City Attorney's Support for the Police-Discipline Process and Recent Arbitration Decisions

Police Commission Chair Milele and Members of the Oakland Police Commission:

I. INTRODUCTION

This report summarizes recent efforts by the Office of the City Attorney (OCA) to help improve the police-discipline process, including the outcomes of recent arbitration hearings.

Our last report was dated October 22, 2021.

II. CIVIL MATTERS

Negrete, et al. v. City of Oakland, et al.
Alameda Superior Court – Case No. RG21099122

In our last report, we provided an update regarding this case in which Petitioners sought a writ of mandate to overturn their terminations from the Oakland Police Department for their involvement in the shooting-death of Mr. Joshua Pawlik. Petitioners alleged that the Public Safety Officers' Procedural Bill of Rights Act (POBRA) and the City's personnel rules required the City to implement the Step 3 recommendation issued by Mr. Jeffrey Sloan.

Unfortunately, Judge Roesch agreed with Petitioners and ordered the City allow Petitioners to accept Mr. Sloan's determination that the terminations were without cause. The City is moving forward to implement the court order.

OAKLAND POLICE COMMISSION

Re: OCA's Support for the Police Discipline-Process and Recent Arbitration Decisions

Leal, et al. v. City of Oakland, et al.

Alameda Superior Court – Case No. 22CV012266

Petitioners sought a writ of mandate in Alameda Superior Court, challenging the City's denial of their untimely grievance of discipline. Petitioners are a police canine officer and sergeant who the City disciplined for their involvement in an out-of-compliance canine bite that caused serious injury to a member of the public. The underlying case was also investigated by the Community Police Review Agency (CPRA). The CPRA Director and the Chief agreed on both the sustained findings and the discipline imposed. Petitioners allege they are entitled to grieve their discipline and to an administrative appeal because the City's notices of discipline were inadequate.

The City has denied the allegations and is fighting the case, which is currently in the discovery phase.

III. TRAININGS

OCA has provided support and guidance to OPD's discipline process by participating in various trainings of OPD personnel. On December 13, 2021, OCA, in conjunction with OPD Executive Command, gave a training regarding the *Skelly* process and serving as a *Skelly* officer. The training was attended by newly-appointed captains, who were trained on their role as a in the discipline process.

We also provide ongoing training on conducting internal affairs investigations as a part of sergeants' regular supervisory trainings. In February of this year, OCA provided a training on conducting interviews. We provided the training approximately once a week starting in February 2022 until the end of April 2022. We presented the same training again in a transitional course for sergeants on June 16, 2022.

OCA is currently working on a broader training for internal affairs investigators that will be put on in conjunction with Internal Affairs Division command staff and Third Degree Communications, Inc., an organization that provides California Police Officer Standards (POST) certified trainings. This training will start later this month, November 2022. The topics will include drafting investigative reports, conducting credibility assessments, and interview skills. The training is scheduled to take a full day.

IV. ARBITRATIONS

Since our last report, a terminated officer withdrew his discipline grievance on the eve of arbitration. We have received no arbitration decisions during this period.

	GRIEVANT / VIOLATION	CITY'S DISCIPLINE	ARBITRATOR'S DECISION	DECISION DATE
1	Officer U Reports and Bookings	Termination	Grievance Withdrawn	10-21-2022

OAKLAND POLICE COMMISSION

Re: OCA's Support for the Police Discipline-Process and Recent Arbitration Decisions

V. CONCLUSION

OCA respectfully submits this report.

BARBARA J. PARKER
City Attorney

By: Veronica Harris
Special Counsel



Weekly Crime Report — Citywide

24 Oct. – 30 Oct., 2022

Part 1 Crimes <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Violent Crime Index (homicide, aggravated assault, rape, robbery)	93	4,911	5,555	5,155	-7%	5,207	-1%
Homicide – 187(a)PC	3	86	108	105	-3%	100	5%
Homicide – All Other *	-	6	9	2	-78%	6	-65%
Subtotal - 187(a)PC + all other	3	92	117	107	-9%	105	2%
Aggravated Assault	56	2,738	3,083	2,645	-14%	2,822	-6%
Assault with a firearm – 245(a)(2)PC	13	390	525	401	-24%	439	-9%
Subtotal - Homicides + Firearm Assault	16	482	642	508	-21%	544	-7%
Shooting occupied home or vehicle – 246PC	4	335	470	298	-37%	368	-19%
Shooting unoccupied home or vehicle – 247(b)PC	3	171	238	142	-40%	184	-23%
Non-firearm aggravated assaults	36	1,842	1,850	1,804	-2%	1,832	-2%
Rape	2	194	132	143	8%	156	-9%
Robbery	32	1,893	2,232	2,262	1%	2,129	6%
Firearm	15	580	907	948	5%	812	17%
Knife	1	143	97	86	-11%	109	-21%
Strong-arm	7	815	664	642	-3%	707	-9%
Other dangerous weapon	3	68	60	73	22%	67	9%
Residential robbery – 212.5(a)PC	1	70	81	50	-38%	67	-25%
Carjacking – 215(a) PC	5	217	423	463	9%	368	26%
Burglary	35	7,650	8,366	9,375	12%	8,464	11%
Auto	19	5,508	6,747	7,250	7%	6,502	12%
Residential	4	1,082	895	849	-5%	942	-10%
Commercial	5	851	516	1,038	101%	802	29%
Other (Includes boats, aircraft, and so on)	2	153	148	115	-22%	139	-17%
Unknown	5	56	60	123	105%	80	54%
Motor Vehicle Theft	111	7,398	7,628	7,958	4%	7,661	4%
Larceny	40	5,161	5,202	5,969	15%	5,444	10%
Arson	2	168	150	145	-3%	154	-6%
Total	281	25,294	26,910	28,604	6%	26,936	6%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unfounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

* Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
PNC = Percentage not calculated — [Percentage cannot be calculated.](#)
All data extracted via Coplink Analytics.



Weekly Gunfire Summary

24 Oct. – 30 Oct., 2022

Citywide <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	3	86	108	105	-3%	100	5%
Homicide – All Other *	-	6	9	2	-78%	6	-65%
Subtotal - 187(a)PC + all other	3	92	117	107	-9%	105	2%
Assault with a firearm – 245(a)(2)PC	13	390	525	401	-24%	439	-9%
Subtotal - 187 + 245(a)(2)	16	482	642	508	-21%	544	-7%
Shooting occupied home or vehicle – 246PC	4	335	470	298	-37%	368	-19%
Shooting unoccupied home or vehicle – 247(b)PC	3	171	238	142	-40%	184	-23%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	23	988	1,350	948	-30%	1,095	-13%
Negligent discharge of a firearm – 246.3PC	18	1,015	1,551	1,311	-15%	1,292	1%
Grand Total	41	2,003	2,901	2,259	-22%	2,388	-5%

Area 1 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	8	12	28	133%	16	75%
Homicide – All Other *	-	1	1	1	0%	1	0%
Subtotal - 187(a)PC + all other	-	9	13	29	123%	17	71%
Assault with a firearm – 245(a)(2)PC	1	50	79	73	-8%	67	8%
Subtotal - 187 + 245(a)(2)	1	59	92	102	11%	84	21%
Shooting occupied home or vehicle – 246PC	1	43	74	41	-45%	53	-22%
Shooting unoccupied home or vehicle – 247(b)PC	1	23	38	23	-39%	28	-18%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	3	125	204	166	-19%	165	1%
Negligent discharge of a firearm – 246.3PC	3	89	120	96	-20%	102	-6%
Grand Total	6	214	324	262	-19%	267	-2%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

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All data extracted via Coplink Analytics.



Weekly Gunfire Summary

24 Oct. – 30 Oct., 2022

Area 2 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	2	6	3	-50%	4	-18%
Homicide – All Other *	-	1	-	-	PNC	0	-100%
Subtotal - 187(a)PC + all other	-	3	6	3	-50%	4	-25%
Assault with a firearm – 245(a)(2)PC	-	24	37	25	-32%	29	-13%
Subtotal - 187 + 245(a)(2)	-	27	43	28	-35%	33	-14%
Shooting occupied home or vehicle – 246PC	1	12	16	8	-50%	12	-33%
Shooting unoccupied home or vehicle – 247(b)PC	-	2	8	3	-63%	4	-31%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	1	41	67	39	-42%	49	-20%
Negligent discharge of a firearm – 246.3PC	-	18	40	29	-28%	29	0%
Grand Total	1	59	107	68	-36%	78	-13%

Area 3 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	10	20	17	-15%	16	9%
Homicide – All Other *	-	-	-	-	PNC	-	PNC
Subtotal - 187(a)PC + all other	-	10	20	17	-15%	16	9%
Assault with a firearm – 245(a)(2)PC	4	57	77	72	-6%	69	5%
Subtotal - 187 + 245(a)(2)	4	67	97	89	-8%	84	6%
Shooting occupied home or vehicle – 246PC	-	24	33	31	-6%	29	6%
Shooting unoccupied home or vehicle – 247(b)PC	-	20	28	19	-32%	22	-15%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	4	111	158	139	-12%	136	2%
Negligent discharge of a firearm – 246.3PC	1	112	164	159	-3%	145	10%
Grand Total	5	223	322	298	-7%	281	6%

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Weekly Gunfire Summary

24 Oct. – 30 Oct., 2022

Area 4 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	1	16	17	20	18%	18	13%
Homicide – All Other *	-	1	1	-	-100%	1	-100%
Subtotal - 187(a)PC + all other	1	17	18	20	11%	18	9%
Assault with a firearm – 245(a)(2)PC	4	43	75	52	-31%	57	-8%
Subtotal - 187 + 245(a)(2)	5	60	93	72	-23%	75	-4%
Shooting occupied home or vehicle – 246PC	1	51	67	53	-21%	57	-7%
Shooting unoccupied home or vehicle – 247(b)PC	-	24	31	22	-29%	26	-14%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	6	135	191	147	-23%	158	-7%
Negligent discharge of a firearm – 246.3PC	3	186	261	213	-18%	220	-3%
Grand Total	9	321	452	360	-20%	378	-5%

Area 5 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	23	25	16	-36%	21	-25%
Homicide – All Other *	-	-	2	1	-50%	1	0%
Subtotal - 187(a)PC + all other	-	23	27	17	-37%	22	-24%
Assault with a firearm – 245(a)(2)PC	2	108	112	79	-29%	100	-21%
Subtotal - 187 + 245(a)(2)	2	131	139	96	-31%	122	-21%
Shooting occupied home or vehicle – 246PC	1	113	159	89	-44%	120	-26%
Shooting unoccupied home or vehicle – 247(b)PC	1	52	76	38	-50%	55	-31%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	4	296	374	223	-40%	298	-25%
Negligent discharge of a firearm – 246.3PC	4	285	472	395	-16%	384	3%
Grand Total	8	581	846	618	-27%	682	-9%

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Weekly Gunfire Summary

24 Oct. – 30 Oct., 2022

Area 6 <i>All totals include attempts except homicides.</i>	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Homicide – 187(a)PC	2	27	28	21	-25%	25	-17%
Homicide – All Other *	-	3	5	-	-100%	3	-100%
Subtotal - 187(a)PC + all other	2	30	33	21	-36%	28	-25%
Assault with a firearm – 245(a)(2)PC	3	93	129	82	-36%	101	-19%
Subtotal - 187 + 245(a)(2)	5	123	162	103	-36%	129	-20%
Shooting occupied home or vehicle – 246PC	-	87	118	76	-36%	94	-19%
Shooting unoccupied home or vehicle – 247(b)PC	1	49	52	36	-31%	46	-21%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	6	259	332	215	-35%	269	-20%
Negligent discharge of a firearm – 246.3PC	7	305	481	394	-18%	393	0%
Grand Total	13	564	813	609	-25%	662	-8%

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 PNC = Percentage not calculated — [Percentage cannot be calculated.](#)
 All data extracted via Coplink Analytics.



2022 Year-to-Date Recovered Guns

Recoveries through 30 Oct., 2022

Grand Total	1,259
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Crime Recoveries	
Felony	699
Felony - Violent	176
Homicide	28
Infraction	0
Misdemeanor	35
Total	938

Crime Gun Types	Felony	Felony - Violent	Homicide	Infraction	Misdemeanor	Total
Machine Gun	7					7
Other	4					4
Pistol	578	124	25		27	754
Revolver	20	12	1		2	35
Rifle	55	27	2		3	87
Sawed Off	4					4
Shotgun	10	9			3	22
Sub-Machinegun	1					1
Unknown/Unstated	20	4				24
Total	699	176	28	0	35	938

Non-Criminal Recoveries	
Death Investigation	12
Found Property	233
SafeKeeping	76
Total	321

Non-Criminal Gun Types	Death Investigation	Found Property	SafeKeeping	Total
Machine Gun				0
Other		4	1	5
Pistol	8	81	38	127
Revolver	2	41	8	51
Rifle	1	60	18	79
Sawed Off		2		2
Shotgun		31	9	40
Sub-Machinegun		3		3
Unknown/Unstated	1	11	2	14
Total	12	233	76	321



2022 vs. 2021 — Year-to-Date Recovered Guns

Recoveries through 30 Oct.

Gun Recoveries	2021	2022	Difference	YTD % Change 2021 vs. 2022
Grand Total	1,001	1,259	258	26%

Crime Recoveries	2021	2022	Difference	YTD % Change 2021 vs. 2022
Felony	536	699	163	30%
Felony - Violent	189	176	-13	-7%
Homicide	30	28	-2	-7%
Infraction	0	0	0	PNC
Misdemeanor	33	35	2	6%
Total	788	938	150	19%

Non-Criminal Recoveries	2021	2022	Difference	YTD % Change 2021 vs. 2022
Death Investigation	19	12	-7	-37%
Found Property	100	233	133	133%
SafeKeeping	94	76	-18	-19%
Total	213	321	108	51%

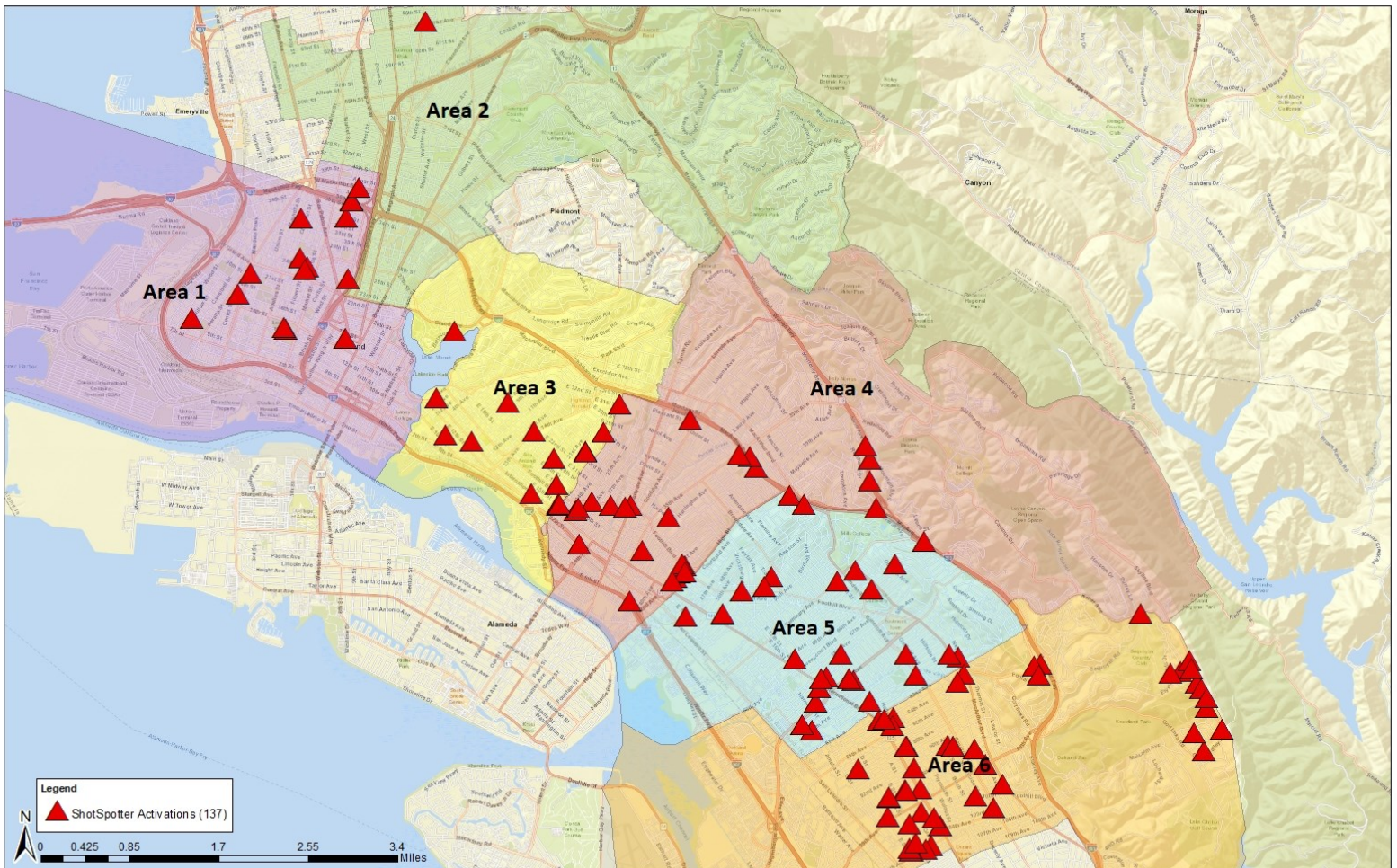
PNC = Percentage not calculated
[Percentage cannot be calculated.](#)



Weekly ShotSpotter Activations Report — Citywide

24 Oct. – 31 Oct., 2022

ShotSpotter Activations	Weekly Total	YTD 2020	YTD 2021	YTD 2022	YTD % Change 2021 vs. 2022	3-Year YTD Average	YTD 2022 vs. 3-Year YTD Average
Citywide	137	5,129	7,393	6,380	-14%	6,301	1%
Area 1	15	454	803	641	-20%	633	1%
Area 2	1	182	234	179	-24%	198	-10%
Area 3	16	531	797	644	-19%	657	-2%
Area 4	26	900	1,204	1,141	-5%	1,082	5%
Area 5	28	1,624	2,277	1,780	-22%	1,894	-6%
Area 6	51	1,438	2,078	1,995	-4%	1,837	9%



All data sourced via ShotSpotter Insight.



For Immediate Release October 20, 2022
OPD NEWS:

Ceasefire Vehicle Stop Leads to Multiple Arrests and Firearms Recovered



The Oakland Police Department (OPD) is investigating a felony vehicle stop that occurred on October 17, 2022, at 5:00 PM, in the 1400 block of 27th Avenue. Officers in the area observed three individuals entering a parked vehicle, two of which appeared to have firearms.

Before the vehicle drove away, officers conducted a vehicle stop. Upon contact, one of the individuals inside of the vehicle fled on foot. Officers quickly established a perimeter, ultimately locating the individual and recovering a loaded firearm with an extended magazine.

The remaining two individuals inside of the vehicle were safely detained. During the search of the vehicle, two additional firearms with extended magazines were located. Both firearms were loaded, one of which contained a device allowing the firearm to fire multiple rounds with a single pull of the trigger.

All three individuals were arrested for firearm related offenses, and one had an outstanding robbery warrant.

To date, OPD has recovered nearly 1,220 firearms, which is more than the department recovered in all of 2021.

Visit [Nixle.com](https://www.nixle.com) to receive Oakland Police Department alerts, advisories, and community messages, or follow OPD on Twitter, Facebook, and Instagram @oaklandpoliceca.



AGENDA REPORT

TO: Police Commissioners

FROM: Aaron B. Zisser
Interim Executive Director
CPRA

SUBJECT: Report on and Review of CPRA
Pending Cases, Completed
Investigations, Staffing, and Recent
Activities

DATE: November 10, 2022

BACKGROUND

On November 2, 2022, I gave notice to the Commission of my departure from CPRA, effective November 17, 2022 (last day of November 16). At the November 5, 2022 Commission retreat, Chair Milele requested a transition memo to aid my successor. Specifically, Chair Milele expressed interest in a plan for the next Interim Director's first 90 days. I recognize that a permanent director may be in place within the next 90 days.

At the outset, I recognize that any effective leader will bring his or her own perspective and approach. The outline contained in this memo is just that: an outline. I would expect my successor to craft his or her own plan, based on that person's specific experience and expertise. I invite the next director (as well as the permanent director) to reach out to me with any questions.

That said, the guideposts below reflect learning over the course of more than six months as Interim Executive Director and another 14 months as Chief of Staff. As I have reported previously, a major feature of my 6+ months as Interim Executive Director has been robust, collaborative, and ongoing discussion with staff, Chair Milele, other commissioners, and other stakeholders about how CPRA can and should operate, what has worked and what has not worked, and what the vision is going forward. I have also learned a great deal about the challenges and what is realistic in terms of timelines.

I am enormously grateful to the staff for their honest and thoughtful input, for their diligence and hard work during a difficult time of transition, and for their continued commitment to this critically important work. Whatever priorities the next director sets, he or she must ensure that staff have ownership over CPRA's work and feel supported. This means continuing and enhancing the collaborative process and advocating for more resources. In the end, this will also serve the community by ensuring strong procedures and adequate staffing to accomplish thorough investigations and meaningful outreach, engagement, and transparency efforts.

THE FIRST 90 DAYS

The overriding priorities for the next 90 days are working with staff to help manage their increased caseloads and to expedite recruiting and onboarding of new staff to help with those

Oakland Police Commission

Subject: Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities

Page 2

caseloads. At the same time, it is important to seize the momentum on a small number of important projects that will strengthen CPRA's independence and enhance the community's trust in CPRA. These projects include the policies and procedures manual, outreach and engagement, and CPRA staff's access to OPD databases.

<u>TASK</u>	<u>TIMELINE</u>	<u>RESOURCES</u>
Policies: Finalize SOP	December 2022	Ad Hoc and CPRA staff on Ad Hoc
Training: On-board and train new staff, including two intake technicians, two investigators, and permanent director.	Hires come on board November and January	Collective effort among various staff and outside counsel. Former supervising investigator Karen Tom, who is still with the City, may be able to assist. The Administrative Analyst can coordinate logistics and administrative aspects.
Staffing/resources: <ul style="list-style-type: none"> • Recruit additional needed staff, including an additional investigator and two supervising investigators. • Extend contract with outside counsel while it puts out an RFP. 	Through Feb. 2023 Extend contract before 12/31/22	Administrative Analyst Mika Bell has been the very capable project manager on the various recruitments. City Attorney's Office will need to extend the contract.
Supervision/caseload management: Work closely with investigators on their caseload management by reviewing each case and helping investigators triage their cases.	Ongoing	With the lack of additional supervisors, this task falls largely to the director. Outside counsel may be able to shift some of her focus here, as well.
Individual cases: Respond to post-discipline case-specific inquiries from the City Attorney's Office.	Ongoing, as needed	Outside counsel
Outreach/engagement: Support outreach and engagement efforts.	Ongoing	Race and Equity Team
Coordination with OPD:	ASAP	Outside counsel

Oakland Police Commission

November 10, 2022

Oakland Police Commission

Subject: Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities

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Finalize CPRA staff's access to Vision; clarify procedure re joint interviews.		
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MEDIUM AND LONGER-TERM PRIORITIES

Looking longer term, CPRA should prioritize four pillars of its work, which I addressed at the Commission's November 5 retreat.

The staffing/budget challenges will be the most important focus in the medium term. Challenges include:

- Charter language about CPRA staffing levels *predated* language about 250-day completion goal
- 180-day goal was being reached because of all the closures after intake
- Ratio of 1 CPRA investigator per 100 OPD officers is the absolute floor
- Investigative model is notoriously most resource-intensive

<u>PILLAR</u>	<u>SPECIFIC TASKS / PROJECTS</u>
Fidelity to Charter: Independence and thoroughness	<ul style="list-style-type: none"> • Maintain and fully implement policy reforms (esp. investigation of <i>all</i> mandated complaints) • Resist backsliding and shortcuts that fracture community trust • Training: Investigating de-escalation efforts • Training: Investigating allegations of discrimination
Commitment to community: Outreach, engagement, and transparency	<ul style="list-style-type: none"> • Outreach/awareness: Events, tabling, partnerships, ground floor office • Community input: Collaboration with NGOs and agencies • Transparency: Narrative summaries, data, post-discipline, notices to complainants, response to any IG requests
Meeting deadlines and ensuring thoroughness: Resources (Budget 2022-2023)	<ul style="list-style-type: none"> • 2-3 additional investigators probably necessary to meet 3304 • Double the investigative staff needed to reach 180-day goal • Additional supervising investigator(s) needed, too • <i>Monitor to see if this is an accurate picture in light of the new practice/procedure. Outside staffing study may be prudent.</i>
Culture and collaboration: Servant leadership	<ul style="list-style-type: none"> • On-boarding new staff • Expanded and strengthened Race and Equity Team • Arm's length collaboration with IG and OPC. Enlist Commission direction on IG-CPRA coordination.

Oakland Police Commission

November 10, 2022

Police Commission Regular Meeting 11.10.22 — Page 21 of 54

Oakland Police Commission

Subject: Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities

Page 4

	<ul style="list-style-type: none"> • Work with Commission re realistic expectations • Promote civility, respect, and ethics internally and externally
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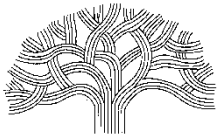
CONCLUSION

As I discussed at the Commission retreat, the work of independent civilian oversight requires collaboration. Collaboration requires mutual respect and civility. A 2021 report by U.S. DOJ's COPS office and the National Association for Civilian Oversight of Law Enforcement highlighted this pillar of oversight:

It is equally crucial that civilian oversight establish legitimacy with law enforcement and law enforcement unions by operating in accordance with the principles of procedural justice. . . . Effective civilian oversight must work to overcome an “us versus them” mindset by proceeding with respect, trustworthy and unbiased motives, genuine interest in the concerns of law enforcement, and clear communication of the processes and decisions pursuant to the oversight agency's official duties. By exercising its authority fairly, civilian oversight can increase its legitimacy and the likelihood of successful, collaborative efforts with law enforcement.

I urge the Commission, and CPRA's new leadership, to double down on this value. After all, the entire aim of oversight is respect for individual dignity. Oversight should model this value, whether the oversight is directed at law enforcement or at part of the oversight system itself.

I wish CPRA and the City of Oakland all the best. I am grateful for the opportunity to have led CPRA even for a short time, and I look forward to CPRA's growth and success in serving the Oakland community.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
October 2022 Completed Investigations

Page 1 of 2
 (Total Completed = 3)

Assigned Inv.	Case #	Incident Date	Completion Date	1-Year Goal	Officer	Allegation	Finding
ED	19-1169	10/17/2019	10/14/2022	10/20/2022	Subject 1	No MOR Violation	No MOR Violation
						Failure to Act	Unfounded
					Subject 2	Improper/Unlawful Arrest	Unfounded
						Excessive Force	Exonerated
						Bias/Discrimination	Unfounded
						Untruthfulness - Reports or booking	Exonerated
						Performance of Duty	Sustained
					Subject 3	Bias/Discrimination	Unfounded
						Excessive Force	Exonerated
						Improper/Unlawful Arrest	Unfounded
					Subject 4	Improper/Unlawful Arrest	Exonerated
						Excessive Force	Exonerated

Definitions:

Sustained: The act(s) alleged by the complainant occurred and constituted misconduct.

Exonerated: The act(s) alleged by the complainant occurred. However, the act(s) were justified, lawful, or proper.

Unfounded: The act(s) alleged by the complainant did not occur.

Not Sustained: The available evidence can neither prove nor disprove the act(s) alleged by the complainant.

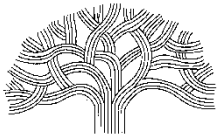
Not Mandated: The allegation was not one that CPRA is mandated to investigate under the Charter, so CPRA did not investigate due to limited resources.

No Jurisdiction: The Subject Officer of the allegation is not a sworn member of the OPD.

No MOR Violation: The alleged conduct does not violate any department rule or policy.

Service Related: The allegation pertains to the level of service provided by the Department as opposed to the misconduct of a single sworn officer.

ICR: Resolved through the Informal Complaint Resolution process pursuant to DGO M-3.1.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
October 2022 Completed Investigations

Page 2 of 2
 (Total Completed = 3)

Assigned Inv.	Case #	Incident Date	Completion Date	1-Year Goal	Officer	Allegation	Finding
						Excessive Force	Exonerated
						Bias/Discrimination	Unfounded
					Subject 5	Excessive Force	Exonerated
						Improper/Unlawful Arrest	Exonerated
ED	21-1547	12/20/2021	10/24/2022	12/19/2022	Subject 1	Excessive Force	Exonerated
					Subject 2	Excessive Force	Exonerated
MM	22-0065	1/21/2022	10/13/2022	1/20/2023	Subject 1	Excessive Force	Unfounded
						Performance of Duty	No MOR Violation

CPRA Made the following Training Recommendations with Respect to Investigations in this Report

1. CPRA recommended that an officer receive training regarding proper de-escalation techniques.
2. CPRA recommended that an officer receive training regarding professional conduct.
3. CPRA recommended that an officer receive training regarding appropriate use of radio disposition codes.

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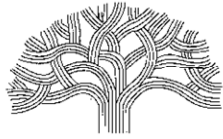
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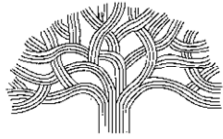
ICR: Resolved through the Informal Complaint Resolution process pursuant to DGO M-3.1.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of October 2022
(Sorted by One-Year Goal)

Case #	Incident Date	Date Received CPRA	Date Received IAD	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
21-0993	08/25/2021	08/25/2021	08/25/2021	Investigator	MM	02/27/2022	Tolled	Use of Force	1	3	6	Use of Force, Performance of Duty, Supervision
21-1114	09/22/2021	09/22/2021	09/22/2021	Investigator	JS	03/22/2022	Tolled	Use of Force	1	3	3	Use of Force
21-1410	11/20/2021	11/20/2021	11/20/2021	Investigator	AL	05/19/2022	Tolled	Use of Force	1	14	17	Use of Force
22-0622	05/25/2022	05/25/2022	05/25/2022	Investigator	MM	11/21/2022	Tolled	Use of Force	1	1	1	Use of Force
21-1411	11/19/2021	11/23/2021	11/19/2021	Investigator	AL	05/18/2022	11/18/2022	Discrimination	2	2	4	Performance of Duty, False Arrest
21-1426	11/22/2021	12/21/2021	11/22/2021	Investigator	AL	05/21/2022	11/21/2022	Use of Force	1	4	6	Use of Force
21-1478	12/06/2021	12/07/2021	12/06/2021	Investigator	ED	06/04/2022	12/05/2022	Use of Force	1	2	6	Use of Force, Refusal to Provide Name and Serial Number, Unlawful Detention
21-1514	10/13/2021	12/14/2021	12/13/2021	Investigator	MM	06/11/2022	12/12/2022	Use of Force	1	1	2	Use of Force, False Arrest
21-1558	12/24/2021	12/28/2021	12/24/2021	Investigator	ED	06/22/2022	12/23/2022	Use of Force	1	3	10	Use of Force, Miranda, Performance of Duty
21-1569	06/11/2021	12/27/2021	12/27/2021	Investigator	MM	06/25/2022	12/26/2022	Discrimination	1	15	30	Failure to accept or refer, discrimination, Performance of duty
22-0001	01/01/2022	01/04/2022	01/02/2022	Investigator	JS	07/01/2022	01/01/2023	Use of Force	1	5	4	Use of Force
22-0018	01/08/2022	01/11/2022	01/08/2022	Investigator	MM	07/07/2022	01/07/2023	Use of Force	1	4	4	Use of Force
22-0040	01/15/2022	01/18/2021	01/15/2022	Investigator	AL	07/14/2022	01/14/2023	Use of Force	1	1	1	Use of Force
22-0093	01/27/2022	02/01/2022	01/27/2022	Investigator	MM	07/26/2022	01/27/2023	Racial Discrimination	1	1	5	Racial Discrimination
20-1406	11/03/2020	11/06/2020	11/03/2020	Investigator	ED	05/02/2021	02/06/2023	Use of Force	1	6	6	Use of Force
22-0139	02/10/2022	02/15/2022	02/10/2022	Investigator	JS	08/09/2022	02/09/2023	Use of Force	1	1	7	Use of Force
22-0145	02/12/2022	02/15/2022	02/12/2022	Investigator	JS	08/11/2022	02/11/2023	Use of Force Discrimination	1	4	11	Use of Force, Performance of Duty, Demeanor, Harrassment/Discrimination
22-0155	02/15/2022	02/17/2022	02/16/2022	Investigator	JS	08/15/2022	02/16/2023	Use of Force	1	5	6	Use of Force, Unlawful Search Performance of Duty
22-0181	02/23/2022	02/24/2022	02/23/2022	Investigator	AL	08/22/2022	02/23/2023	Use of Force	1	1	1	Use of Force
22-0203	02/28/2022	03/02/2022	02/28/2022	Investigator	JS	08/27/2022	02/27/2023	Obedience to Laws	1	2	3	Obedience to Laws, Performance of Duty
22-0212	03/02/2022	03/04/2022	03/02/2022	Investigator	AL	08/29/2022	03/01/2023	In-Custody Death	1	12	12	Performance of Duty, Supervisors Authorities and Responsibilities, General Conduct
21-0238	03/02/2021	03/02/2021	03/02/2021	Investigator	ED	08/29/2021	03/02/2023	Use of Force Discrimination	1	4	4	Use of Force, Supervisors Authorities and Responsibilities
22-0228	03/04/2022	03/10/2022	03/04/2022	Investigator	AL	08/31/2022	03/03/2023	Use of Force	1	3	3	Use of Force, Harassment/Discrimination
22-0225	03/05/2022	03/10/2022	03/05/2022	Investigator	ED	09/01/2022	03/04/2023	Use of Force	1	2	6	Use of Force; Performance of Duty
22-0227	03/02/2022	03/10/2022	03/05/2022	Investigator	JS	09/01/2022	03/04/2023	Use of Force	1	7	7	Use of Force
22-0230	03/05/2022	03/10/2022	03/05/2022	Investigator	AL	09/01/2022	03/04/2023	Use of Force	1	1	2	Use of Force; Performance of Duty
22-0247	03/04/2022	03/07/2022	03/07/2022	Investigator	JS	09/03/2022	03/07/2023	Use of Force Custody of Prisoners	1	4	6	Use of Force, Custody of Prisoners Unlawful Arrest, Unlawful Search,
22-0241	03/07/2022	03/10/2022	03/09/2022	Investigator	AL	09/05/2022	03/08/2023	Use of Force	1	1	3	Use of Force
22-0248	03/10/2022	03/15/2022	03/10/2022	Investigator	JS	09/06/2022	03/09/2023	Use of Force	1	3	6	Use of Force
22-0267	03/11/2022	03/15/2022	03/11/2022	Investigator	ED	09/07/2022	03/10/2023	Use of Force	1	1	1	Use of Force
22-0261	03/12/2022	03/15/2022	03/12/2022	Investigator	MM	09/08/2022	03/11/2023	Truthfulness	2	3	2	Demeanor, Truthfulness
22-0258	03/13/2022	03/15/2022	03/13/2022	Investigator	JS	09/09/2022	03/12/2023	Use of Force	2	1	1	Use of Force
22-0288	02/26/2022	03/22/2022	03/18/2022	Investigator	ED	09/14/2022	03/17/2023	Discrimination	2	1	3	Discrimination; False Arrest

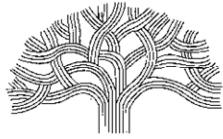
*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of October 2022
(Sorted by One-Year Goal)

Case #	Incident Date	Date Received CPRA	Date Received IAD	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
22-0290	03/18/2022	03/22/2022	03/18/2022	Investigator	MM	09/14/2022	03/17/2023	Racial Profiling	1	2	6	Racial Profiling, False Arrest
22-0449	11/16/2010	04/21/2022	03/20/2022	Investigator	ED	10/17/2022	03/19/2023	Use of Force	1	1	1	Use of Force
22-0335	03/26/2022	03/30/2022	03/26/2022	Investigator	JS	09/22/2022	03/25/2023	Discrimination	1	1	1	Discrimination, Demeanor
22-0349	03/31/2022	04/05/2022	03/31/2022	Investigator	AL	09/27/2022	03/31/2023	Use of Force	1	1	2	Use of Force; Performance of Duty
22-0395	04/10/2022	04/12/2022	04/10/2022	Investigator	MM	10/07/2022	04/09/2023	Use of Force	1	2	4	Conduct/Demeanor, Use of Force
22-0403	04/12/2022	04/14/2022	04/12/2022	Investigator	MM	10/09/2022	04/12/2023	Use of Force	1	1	1	Use of Force
22-0409	04/13/2022	04/15/2022	04/13/2022	Investigator	JS	10/10/2022	04/13/2023	Discrimination Use of Force	1	1	6	Discrimination, Use of Force, Improper Arrest, Custody of Prisoners, Demeanor, Performance of Duty
22-0428	04/16/2022	04/19/2022	04/16/2022	Investigator	JS	10/13/2022	04/16/2023	Truthfulness Use of Force	1	2	2	Truthfulness Use of Force
22-0464	04/21/2022	04/27/2022	04/22/2022	Investigator	MM	10/19/2022	04/21/2023	Racial Discrimination	2	3	3	Racial Profiling, False Arrest
22-0477	04/24/2022	04/27/2022	04/24/2022	Investigator	AL	10/21/2022	04/23/2023	Racial Discrimination	1	2	2	Racial Discrimination
22-0494	04/28/2022	05/03/2022	04/28/2022	Investigator	MM	10/25/2022	04/27/2023	Use of Force	1	1	1	Use of Force
22-0528	05/05/2022	05/10/2022	05/05/2022	Investigator	MM	11/01/2022	05/04/2023	Use of Force	1	2	1	Use of Force
22-0532	05/08/2022	05/10/2022	05/08/2022	Investigator	AL	11/04/2022	05/07/2023	Use of Force	1	2	2	Use of Force
22-0563	05/13/2022	05/18/2022	05/13/2022	Investigator	JS	11/09/2022	05/12/2023	Use of Force Discrimination	1	2	4	Use of Force, Demeanor, Discrimination, Performance of Duty
22-0569	05/13/2022	05/18/2022	05/13/2022	Investigator	JS	11/09/2022	05/12/2023	Discrimination Use of Force	1	2	5	Use of Force, Discrimination, Demeanor, Improper Seizure, Performance of Duty
22-0575	05/16/2022	05/18/2022	05/16/2022	Investigator	JS	11/12/2022	05/15/2023	Discrimination, Truthfulness	1	1	3	Use of Force, Discrimination, Truthfulness
22-0576	05/16/2022	05/18/2022	05/16/2022	Investigator	AL	11/12/2022	05/15/2023	Truthfulness	2	1	1	Performance of Duty - general
22-0617	05/18/2022	05/20/2022	05/24/2022	Investigator	JS	11/13/2022	05/17/2023	Use of Force	1	9	25	Use of Force, Demeanor, Improper Detention, Performance of Duty
21-1140	09/26/2021	09/26/2021	09/26/2021	Investigator	ED	03/25/2022	05/18/2023	Other	2	5	5	Performance of Duty, Supervisors Authority and Responsibilities
22-1193	09/11/2022	09/16/2022	09/11/2022	Intake	FC	03/10/2023	05/19/2023	Discrimination	1	1	2	Discrimination, Performance of Duty
22-0597	05/22/2022	05/24/2022	05/22/2022	Investigator	MM	11/18/2022	05/23/2023	Racial Discrimination Use of Force	1	1	2	Racial Discrimination; Use of Force
22-0618	05/24/2022	05/25/2022	05/24/2022	Investigator	AL	11/20/2022	05/23/2023	Racial Discrimination Racial Discrimination	1	1	2	Racial Discrimination/Performance of Duty - false arrest
22-0626	05/25/2022	05/26/2022	05/25/2022	Investigator	ED	11/21/2022	05/24/2023	Use of Force	1	2	3	Racial Discrimination; Use of Force
22-0630	05/26/2022	05/31/2022	05/26/2022	Investigator	MM	11/22/2022	05/25/2023	Use of Force	1	1	1	Use of Force
22-0635	05/26/2022	05/31/2022	05/26/2022	Investigator	MM	11/22/2022	05/25/2023	Use of Force	1	9	9	Use of Force
22-0638	05/28/2022	06/02/2022	05/28/2022	Investigator	ED	11/24/2022	05/27/2023	Racial Discrimination	1	1	3	Racial Discrimination; Demeanor
22-0661	06/01/2022	06/07/2022	06/01/2022	Investigator	MM	11/28/2022	05/31/2023	Use of Force	1	4	5	Use of Force
22-0670	06/02/2022	06/07/2022	06/03/2022	Investigator	AL	11/30/2022	06/02/2023	Use of Force	1	1	2	Use of Force, Performance of Duty
22-0667	06/02/2022	06/07/2022	06/03/2022	Investigator	JS	11/30/2022	06/03/2023	Racial Discrimination	1	3	12	Racial Discrimination; Demeanor
22-0729	06/12/2022	06/14/2022	06/12/2022	Investigator	ED	12/09/2022	06/11/2023	Use of Force	1	2	2	Use of Force
22-0728	06/11/2022	06/14/2022	06/12/2022	Investigator	JS	12/09/2022	06/12/2023	Use of Force	1	1	1	Use of Force
22-0744	06/14/2022	06/21/2022	06/14/2022	Investigator	MM	12/11/2022	06/13/2023	Use of Force	1	1	2	Unlawful Detention, Use of Force
22-0740	06/15/2022	06/16/2022	06/15/2022	Investigator	JS	12/12/2022	06/14/2023	Use of Force	1	1	3	Use of Force, Demeanor, No MOR Violation
22-0741	06/15/2022	06/15/2022	06/16/2022	Investigator	AL	12/12/2022	06/14/2023	Use of Force	1	1	3	Use of Force, Obedience to Laws

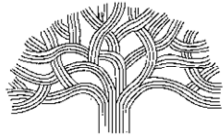
*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of October 2022
(Sorted by One-Year Goal)

Case #	Incident Date	Date Received CPRA	Date Received IAD	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
22-0753	10/17/2021	06/21/2022	06/17/2022	Investigator	ED	12/14/2022	06/16/2023	Racial Discrimination	1	1	1	Racial Discrimination
22-0783	06/22/2022	06/28/2022	06/22/2022	Investigator	JS	12/19/2022	06/21/2023	Use of Force	1	1	2	Use of Force
22-0800	06/25/2022	06/28/2022	06/25/2022	Investigator	ED	12/22/2022	06/24/2023	Racial Discrimination	1	1	1	Racial Discrimination
22-0796	06/26/2022	06/26/2022	06/26/2022	Investigator	ED	12/23/2022	06/25/2023	In-Custody Death Truthfulness	1	2	23	Unauthorized pursuit; Truthfulness; Obedience to Laws; Reports and Bookings; Compromising Criminal Cases; Interfering with Investigations; Reporting Violations; General Conduct; Performance of Duty; BWC
22-0810	06/27/2022	06/29/2022	06/27/2022	Investigator	JS	12/24/2022	06/26/2023	Use of Force	1	5	5	Use of Force
22-0828	06/15/2022	07/01/2022	07/06/2022	Investigator	AL	12/28/2022	06/30/2023	Use of Force Discrimination	1	1	6	Use of Force Discrimination/Performance of duty-false arrest/Demeanor
22-0838	07/01/2022	07/06/2022	07/01/2022	Investigator	AL	12/28/2022	06/30/2023	Use of Force	1	2	4	Use of Force, Unlawful Arrest
22-0835	07/01/2022	07/06/2022	07/01/2022	Investigator	AL	12/28/2022	07/01/2023	Racial Discrimination Use of Force	1	2	4	Racial Discrimination Use of Force
22-0836	07/02/2022	07/06/2022	07/02/2022	Investigator	AL	12/29/2022	07/01/2023	Discrimination	1	2	3	Discrimination/Performance of Duty/Demeanor
22-0839	07/05/2022	07/06/2022	07/05/2022	Investigator	ED	01/01/2023	07/04/2023	Use of Force	1	1	5	Use of Force, Service, Demeanor
22-0850	07/05/2022	07/07/2022	07/06/2022	Investigator	AL	01/02/2023	07/05/2023	Use of Force	1	1	1	Use of Force
22-0864	07/04/2022	07/12/2022	07/06/2022	Investigator	MM	01/02/2023	07/05/2023	Discrimination	1	1	2	Discrimination, Performance of Duty
22-0869	07/08/2022	07/12/2022	07/08/2022	Investigator	AL	01/04/2023	07/07/2023	Discrimination	1	1	4	Conduct, Refusal to Provide Name, Failure to Accept or Refer a Complaint, Discrimination
22-0877	07/08/2022	07/12/2022	07/08/2022	Intake	KC	01/04/2023	07/08/2023	Discrimination	1	1	2	Discrimination
22-0871	07/09/2022	07/12/2022	07/11/2022	Investigator	MM	01/05/2023	07/09/2023	Use of Force	1	2	2	Use of Force
22-0872	05/31/2022	07/18/2022	07/09/2022	Investigator	JS	01/05/2023	07/09/2023	Discrimination	1	1	2	Discrimination, Unlawful detention
22-0884	07/11/2022	07/13/2022	07/12/2022	Intake	FC	01/08/2023	07/11/2023	Use of Force	1	1	2	Use of Force, Performance of Duty
22-0893	07/14/2022	07/19/2022	07/14/2022	Investigator	AL	01/10/2023	07/14/2023	Discrimination	1	1	2	Discrimination
22-0904	07/15/2022	07/19/2022	07/15/2022	Intake	KC	01/11/2023	07/15/2023	Harassment (Gender)	2	1	5	Harassment, Performance of duty, Demeanor, service complaint
22-0919	07/11/2022	07/20/2022	07/19/2022	Intake	FC	01/15/2023	07/18/2023	Discrimination	1	1	4	Demeanor, Performance of Duty, Discrimination, Retaliation
22-0945	06/10/2022	07/27/2022	07/26/2022	Intake	KC	01/22/2023	07/25/2023	Discrimination	1	2	2	Discrimination/ Performance of Duty
22-0977	07/07/2021	07/26/2022	07/26/2022	Intake	FC	01/22/2023	07/25/2023	Use of Force	1	1	5	Use of Force, Performance of Duty
22-0984	04/14/2022	07/28/2022	07/28/2022	Investigator	MM	01/24/2023	07/27/2023	Harassment, Truthfulness	1	2	5	Retaliation, Harassment, Reports, Service, Truthfulness
22-0299	03/20/2022	07/29/2022	07/29/2022	Investigator	AL	01/25/2023	07/28/2023	Harassment	1	1	2	Harassment, Obedience to Laws
22-1025	07/21/2022	08/10/2022	07/29/2022	Intake	FC	01/25/2023	07/28/2023	Use of Force	1	1	2	Use of Force, Performance of Duty
22-0974	07/30/2022	08/01/2022	07/30/2022	Intake	KC	01/26/2023	07/29/2023	Use of Force	1	2	8	Use of Force, Performance of Duty, Demeanor
22-0997	07/13/2022	08/03/2022	08/03/2022	Intake	FC	01/30/2023	08/02/2023	Truthfulness	1	1	3	Truthfulness, Demeanor
22-0998	08/05/2022	08/04/2022	08/05/2022	Intake	KC	01/31/2023	08/03/2023	Use of Force	1	1	4	Use of Force
22-1011	08/07/2022	08/09/2022	08/07/2022	Intake	KC	02/03/2023	08/06/2023	Discrimination	1	1	2	Discrimination, Demeanor
22-1026	08/08/2022	08/10/2022	08/08/2022	Intake	KC	02/04/2023	08/07/2023	Use of Force	1	1	1	Use of Force
22-1047	08/13/2022	08/16/2022	08/13/2022	Intake	KC	02/09/2023	08/12/2023	Racial Discrimination	1	2	2	Racial Discrimination
22-1048	08/13/2022	08/16/2022	08/13/2022	Intake	KC	02/09/2023	08/12/2023	Racial Discrimination Use of force	1	2	4	Racial Discrimination Use of force

*Type (604(f) or Other) column indicates the allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). "Other" indicates the case does not include any such allegations.



CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases as of October 2022
(Sorted by One-Year Goal)

Attachment 8
Page 4 of 4
 (Total Pending = 132)

Case #	Incident Date	Date Received CPRA	Date Received IAD	Intake or Investigator	Assigned Staff	180-Day Goal	1-Year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
22-1075	08/18/2022	08/23/2022	08/18/2022	Intake	KC	02/14/2023	08/17/2023	Racial Discrimination Use of force	1	2	6	Racial Discrimination Use of force
22-1078	08/19/2022	08/23/2022	08/19/2022	Intake	FC	02/15/2023	08/18/2023	Truthfulness	1	1	2	Truthfulness, Service Complaint
22-1081	08/20/2022	08/23/2022	08/20/2022	Intake	KC	02/16/2023	08/19/2023	Use of Force	1	1	1	Use of Force
22-1084	08/20/2022	08/23/2022	08/20/2022	Intake	KC	02/16/2023	08/19/2023	Use of Force	1	1	2	Use of Force/Performance of duty
22-1090	08/22/2022	08/23/2022	08/22/2022	Intake	KC	02/18/2023	08/21/2023	Use of Force	1	1	1	Use of Force
22-1105	08/23/2022	08/25/2022	08/23/2022	Intake	KC	02/19/2023	08/22/2023	Racial Discrimination	1	2	4	Racial Discrimination/False arrest
22-1106	08/23/2022	08/25/2022	08/23/2022	Intake	FC	02/19/2023	08/22/2023	Use of Force	1	1	1	Use of Force
22-1110	08/24/2022	08/26/2022	08/24/2022	Intake	FC	02/20/2023	08/23/2023	Harassment	1	1	1	Harassment/Discrimination
22-1138	08/30/2022	08/31/2022	08/30/2022	Intake	KC	02/26/2023	08/29/2023	Use of Force	1	2	4	Use of Force, Demeanor
22-1145	08/31/2022	09/02/2022	08/31/2022	Intake	FC	02/27/2023	08/30/2023	Harassment	1	2	4	Racial Harassment, Demeanor
22-1212	09/02/2022	09/16/2022	09/02/2022	Intake	FC	03/01/2023	09/01/2023	Use of Force	1	4	5	Use of Force, Performance of Duty Refusal to Provide Name or Serial Number
22-1160	09/03/2022	09/12/2022	09/03/2022	Intake	KC	03/02/2023	09/02/2023	Use of Force	1	2	3	Use of Force/False arrest
22-1171	09/05/2022	09/12/2022	09/05/2022	Intake	FC	03/04/2023	09/04/2023	Use of Force	1	3	6	Performance of Duty, Use of Force
22-1174	08/23/2022	09/08/2022	09/06/2022	Intake	FC	03/05/2023	09/05/2023	Discrimination Use of Force	1	1	4	Discrimination, Demeanor Performance of Duty, Use of Force
22-1190	09/09/2022	09/16/2022	09/09/2022	Intake	FC	03/08/2023	09/08/2023	Use of Force	1	2	3	Use of Force
22-1213	09/14/2022	09/16/2022	09/15/2022	Intake	FC	03/14/2023	09/14/2023	Harassment	1	1	1	Harassment
22-1217	09/16/2022	09/16/2022	09/16/2022	Intake	FC	03/15/2023	09/15/2023	Harassment	1	1	2	Harassment, Performance of Duty
22-1222	09/17/2022	09/20/2022	09/17/2022	Intake	KC	03/16/2023	09/16/2023	Racial Profiling	1	1	1	Racial profiling
22-1241	09/21/2022	09/22/2022	09/21/2022	Intake	FC	03/20/2023	09/20/2023	Harassment	1	1	1	Harassment
22-1258	09/25/2022	09/28/2022	09/25/2022	Intake	FC	03/24/2023	09/24/2023	Discrimination	1	3	3	Discrimination
22-1260	09/24/2022	09/28/2022	09/25/2022	Intake	KC	03/24/2023	09/24/2023	Racial Discrimination	1	1	1	Racial Discrimination
22-1327	10/03/2022	10/06/2022	10/04/2022	Intake	KC	04/02/2023	10/03/2023	Use of Force	1	1	4	Use of Force/Performance of duty
22-1357	10/11/2022	10/14/2022	10/14/2022	Intake	FC	04/09/2023	10/10/2023	Harassment	1	1	1	Harassment
22-1380	10/13/2022	10/19/2022	10/13/2022	Intake	FC	04/11/2023	10/12/2023	Use of Force	1	2	1	False Arrest, Use of Force
22-1372	09/05/2022	10/19/2022	10/14/2022	Intake	KC	04/12/2023	10/13/2023	Truthfulness	1	1	1	Truthfulness
22-1375	06/27/2022	10/19/2022	10/14/2022	Intake	KC	04/12/2023	10/13/2023	Truthfulness	1	1	2	Truthfulness/Performance of duty
22-1387	10/17/2022	10/19/2022	10/17/2022	Intake	KC	04/15/2023	10/16/2023	Use of Force Discrimination	1	3	3	Use of force Discrimination

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CITY OF OAKLAND

Oakland Police Commission

Office of the Inspector General

AGENDA REPORT

TO: Tyfahra Milele, Chair
Oakland Police Commission

FROM: Michelle Phillips
Inspector General

SUBJECT: Office of the Inspector General (OIG)
Progress Report

DATE: November 10, 2022

PURPOSE

The Inspector General reports to the Police Commission and members of the public. This report outlines updates from the OIG since the Inspector General reported to the Police Commission on September 8, 2022. The information comprised in this report is also intended to answer OIG-specific questions raised at the last Police Commission meeting.

CITY CHARTER AND NEGOTIATED SETTLEMENT AGREEMENT (NSA, MEASURE S1 OIG MANDATE)

Office of the Inspector General authority City Charter Section 604 [a] [11]:

- (1) Send the Chairperson of the Commission, the Agency Director, and/or the Inspector General or their designees to serve as a-non-voting members of any level one Oakland Police Force Review Board, as permitted by law.
 - The OIG attends Force Review Boards as scheduling permits.

Office of the Inspector General authority City Charter Section 604[f] [5]:

- (1) The OIG **shall** audit the Department's compliance with the fifty-two (52) tasks described in the Settlement Agreement in United States District Court case number COO-4599, Delphine Allen, et al., v. City of Oakland, et al., and make recommendations to the Department, the Commission, and the City Council based on its audit(s), even after the Settlement Agreement expires.
 - Currently working on task 42 audit.
- (2) The OIG **may** review legal claims, lawsuits, settlements, complaints, and investigations, by, against, or involving the Department and the Agency, to ensure that all allegations of police officer misconduct are thoroughly investigated, and to identify any systemic issues regarding Department and Agency practices and policies.
 - Currently working on the Bey Matter
- (3) The OIG **shall** have access and authority to review Department data, investigative records, personnel records, and staffing information, as permitted by law, for the purpose of conducting audits of the Department.
 - Requirement fulfilled at this time however other access may be requested in the future.

Police Commission Meeting
November 10, 2022

- (4) The OIG **shall** have access and authority to review Agency data, investigative records, personnel records, and staffing information for the purpose of conducting audits of the Agency. The OIG's access to personnel records for non-sworn employees shall be limited to training records.
 - The OIG has yet to gain access to Agency databases.
- (5) OIG **shall** provide written reports of the results of its audits to the Commission and the City Council, and, upon request, shall publicly report on the results of any audits to the Commission and/or the City Council in a manner consistent with all applicable confidentiality requirements.
 - Ongoing requirement.
- (6) The Inspector General **shall** receive orientation and training as required by Ordinance, including but not limited to orientation and training in the areas of Department operations, policies, and procedures, including discipline procedures for police officer misconduct and failure to act. Procedural Justice, conflict resolution, national standards of constitutional policing, best practices for conducting investigations, and labor rights and laws.
 - Completed.

Compliance Tools

The OIG has received the compliance tools used by the independent monitoring team (IMT) over the years. The OIG is in the process of reviewing these tools and editing them were necessary to use during its compliance reviews and audits.

Task 42 Audit Review

The Field Training Officer (FTO) program, outlined in Task 42, is an important area for review for the OIG. The FTO program review is of significance as it presents new officers the first opportunity to work in the field, post-academy.¹ It is also a critical aspect of training for new officers in department culture, community interactions, and job execution. The OIG informed OPD in July of the intent to review the FTO program. The OIG has since completed the Entrance/Engagement Conference and interviewed the primary personnel tasked with overseeing and executing the program. During the interviews, OIG staff communicated the proposed scope and methodology to solicit feedback and ensure the review captures all salient information. In September, OIG staff completed initial interviews with OPD personnel and planned data collection and program observations. To date, OIG has collected a substantial portion of the data to be assessed, began initial data analysis, observed one of two planned program observations, and scheduled the final data collection. Currently, the Task 42 Audit Review is active and on-track.

THE BEY MATTER

Prior to the appointment of the Inspector General, the Oakland Police Commission voted in November of 2021 to refer the Bey matter to the newly created OIG to review specific records and report to the Commission with any policy recommendations for changes to procedures and practices going forward. This review is active and ongoing therefore, the OIG will not be able to provide any lessons learned or recommendations until the review is complete. There are no additional updates on this matter currently.

¹ Negotiated Settlement Agreement with stipulations regarding pattern and practice claims revised December 2008 can be found at <https://oaklandca.s3.us-west-1.amazonaws.com/government/o/OPD/a/publicreports/oak060142.pdf>

CITY COUNCIL AUDIT

This item priority has been deferred for the time being with the support of the City Administer and City Council President. The deferral allows the OIG the opportunity to prioritize more time on NSA task audit mandates. This audit remains important, and the OIG has met with David Muhammad, Executive Director of the National Institute of Criminal Justice Reform (NICJR) regarding their work with the City of Oakland in this matter. Most recently the OIG had a meeting with NICJR regarding methodology and data accessibility used prior work of this nature with the City of Oakland.

OIG STAFF UPDATE

The OIG is currently working with the Human Resource Department to create job announcements for the Inspector General Performance Auditor and Inspector General Policy Analyst positions. Human Resources is transitioning to a new process so there are some additional delays. Unfortunately, the three auditor positions and one policy analyst position will not be filled until next year. The OIG job specification for the Deputy Inspector General position has been presented to Human Resources for review, approval, and next steps. This process has also been delayed.

OIG STAFF RETREAT

On October 12, 2022, the OIG had a staff retreat and strategic planning session. The retreat was facilitated by the Oakland Human Resources Department. All OIG staff were in attendance. The OIG provided a report on the retreat which is attached. Strategic planning and budget drafts for FY 2024 are still in progress currently.

OIG POLICY AD HOC

The OIG appreciates the OIG Policy Ad Hoc (Vice Chair Peterson, Commissioner Harbin-Forte, and Commissioner Jackson) for the time, attention, feedback, and guidance provided during the OIG policy review process. During the process, the OIG drafted standard operating procedures that will govern internal operations. However, the OIG requests the Commission vote to continue the ad hoc and rename it to OIG ad hoc. This will allow the ad hoc to provide guidance and feedback regarding the OIG additional policies and other Commission-requested deliverables.

For questions regarding this report, please contact Michelle N. Phillips, Inspector General, at OIG@oaklandca.gov.

Respectfully submitted,



Michelle N. Phillips
Inspector General
Office of the Inspector General

**OFFICE OF THE INSPECTOR GENERAL
STAFF RETREAT
OCTOBER 12, 2022**

Police Commission
Office of the Inspector General
Staff Retreat Agenda

DATE: Wednesday October 12, 2022

TIME: 9am-4pm

LOCATION:

150 Frank H. Ogawa Plaza, 2nd Floor, Uptown Conference Room

Oakland Museum of CA - 1000 Oak St, Oakland, CA 94607

TIME BLOCK	ACTIVITY / TOPIC	NOTES / DETAILS
9:00am-9:15am	Arrive Check in Breakfast Icebreaker	Andrea
9:15am-9:30am	Opening / Welcome Remarks from Director	Andrea Michelle
9:30am-10:00am	Goals and Visioning	Michelle
10:00am-11:30am	Strategic Plan Workgroup	Michelle
11:30am-12:00pm	Commute to OMCA	Team
12:00pm-1:00pm	Lunch at TOWN FARE	Team
1:00pm-2:30pm	Explore the Museum Museum Scavenger Hunt	Team
2:30pm-3:00pm	Relationship Building Activity	Andrea
3:00pm-3:30pm	Audit Schedule Discussion	Michelle
3:30pm-4:00pm	Discussion about future projects Next steps Closing	Michelle

**OAKLAND INSPECTOR GENERAL
STAFF RETREAT
OCTOBER 12, 2022**



CITY OF OAKLAND

Oakland Police Commission

Office of the Inspector General

Locations: 150 Frank H. Ogawa Plaza, 2nd Floor, Uptown Conference Room
Oakland Museum of CA - 1000 Oak St, Oakland, CA 94607

OFFICE OF THE INSPECTOR GENERAL STAFF RETREAT OCTOBER 12, 2022

Retreat Objectives

The Office of the Inspector General conducted a one-day planning retreat with the assistance of the City of Oakland Training and Staff Development department of Human Resources. The retreat objectives consisted of: (1) Future Goals, Vision and Deliverables; (2) Strategic Planning for Fiscal Year 2024 to 2026; and (3) Team Building and Professional Development.

Retreat Objectives	PROJECT OUTPUTS/OUTCOMES
<ul style="list-style-type: none"> • Future Goals, Vision and Deliverables Discussion Session 	<p>The OIG Staff identified individual professional and agency goals for the short term (3-6 months) and long-term (12-18 months)</p> <p>Short term Goals: Complete existing projects that are in progress and finalize reports Finalize project priorities for the next 6 months Fill the current OIG vacancies with skilled individuals Complete a proposed audit schedule Establish role specific internal guidelines for staff Complete a strategic plan for fiscal year 2024 to 2026 Complete biannual OIG budget for fiscal year 2024/2025 Complete first OIG annual report</p> <p>Long term Goals: Stabilize the OIG function once all vacancies are filled Assess the need for additional staffing and IT infrastructure Establish community engagement schedule outside of Police Commission meetings</p>
<ul style="list-style-type: none"> • Strategic Planning 	<p>OIG staff reviewed the current strategic plan and other documents to include (1) Measure LL, Measure S1 and the Oakland Municipal Code to ensure we remain focused on the duties and the mission; (2) Review of the monitor/compliance reports and compliance tools; (3) Review of previous Police Commission Meetings; (4) Review of other Oversight Agencies; and (5) Review of published articles on the Oakland Police Commission, Community Police Review Agency and Oakland Police Commission prior meetings</p>
<ul style="list-style-type: none"> • Team Building and Professional Development 	<p>OIG Staff discussed their oversight experience and individual areas of expertise (1) Policy (2) Audits and Reviews (3) Inspections and Evaluations (4) Investigations Discussed professional development and trainings options for the future for (1) Association of Inspectors General (2) National Association for Civilian Oversight of Law Enforcement</p>

Office of the Inspector General Staff Retreat

*Setting goals
Building Team
Planning the
future*

**Wednesday
October 12, 2022**

OFFICE OF THE INSPECTOR GENERAL BROCHURE

City of Oakland Office of the Inspector General



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inspector-general](http://www.oaklandca.gov/departments/inspector-general)

Our Mission

The Office of the Inspector General is an independent, non-partisan oversight agency that will assist with increasing community trust and ensuring accountability in the Oakland Police Department. In its administration of duties, the Office of the Inspector General will implement a fair, thorough, and autonomous system of civilian oversight and accountability of law enforcement. The Office of the Inspector General will drive best practices by recommending improvements to policies and trainings as well as engaging in collaborative initiatives that promote systemic advancements.



CITY OF OAKLAND
Oakland Police Commission
Office of the Inspector General

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Oakland Police
Commission



Office of the
Inspector General



@OaklandOIG

83.19% Voter
Approval of Measure
LL (2016)

81.27% Voter
Approval of Measure
S1 (2020)

Our Vision

The Office of the Inspector General's vision is to build trust in civilian oversight of policing through encouraging, implementing, and preserving a culture of impartiality, transparency, and accountability.

The Oakland Office of the Inspector General

Accountability

History and Authority

Attachment 9
Scope

The Office of the Inspector General is the monitoring and auditing arm of the Oakland Police Commission. The Office of the Inspector General is responsible for monitoring the Oakland Police Department's compliance with policies, procedures, and laws. This effort is intended to further strengthen the City's ability to decrease instances of police misconduct. This oversight also includes but is not limited to auditing and reviewing the Community Police Review Agency investigative performance and compliance with the City Charter and Municipal Code.

The Office of the Inspector General's oversight model is the auditor/monitor model. The auditor/monitor model focuses on examining broad patterns in complaint investigations including patterns in the quality of investigations, findings, and discipline rendered. This model seeks to promote broad organizational change by conducting systematic reviews of police policies, practices or training, and making recommendations for improvement.



The Inspector General Act of 1978, as amended, defines the primary responsibilities of the Office of Inspector General. Further, the City of Oakland Charter Measure S1 (passed with a resounding majority 81% of the vote), adopted in 2020 and Municipal Code defines the OIG duties for the City of Oakland.

The Office of the Inspector General's primary charge is overseeing the city's compliance with the negotiated settlement agreement during federal oversight and after it ends. The presence of the OIG is intended to further strengthen the City's ability to identify systemic issues within the Oakland Police Department and decrease instances of police misconduct, through accountability measures. Project priorities are set by the Inspector General, but they may change based on Police Commission guidance.

The Office of the Inspector General conducts audits, inspections, reviews, and evaluations of the Oakland Police Department and Community Police Review Agency programs and operations. This will help to evaluate compliance, operational efficiency and effectiveness. The Office of the Inspector General does not conduct investigations.

The Office of the Inspector General provides reports and recommendations based on its findings to the Oakland Police Commission, Oakland City Council, other City Government agencies and members of the public. The Office of the Inspector General executes its responsibilities in a neutral, nonpolitical environment free from interference from any person, group, or organization. The Office of the Inspector General is administratively, physically, and operationally independent from Oakland Police Department and Community Police Review Agency.

**Independent
from the
Oakland Police
Department**

**The Inspector
General reports to
the Police
Commission**



CITY OF OAKLAND | POLICE COMMISSION
250 FRANK H. OGAWA PLAZA, SUITE 6302 • OAKLAND, CA 94612

Current Committees

Standing Committee	Commissioners
NSA Transition – Post NSA	Harbin-Forte, Hsieh, Jackson

Ad Hoc Committee	Commissioners
Budget	Milele, Jordan, Jackson-Castain
Body Worn Camera Policy	Peterson, Harbin-Forte, Hsieh
Community Outreach	Howell, Hsieh, Jordan
Contracts	Peterson, Howell, Ordaz
OIG Policies	Peterson, Harbin-Forte, Jackson
CPRA Policies	Harbin-Forte, Jackson-Castain, Ordaz
Militarized Equipment Policy	Hsieh, Jackson-Castain, Jordan
Racial Profiling Policy	Committee of the Whole
Rules of Procedure	Hsieh, Howell, Jackson-Castain
Staff Searches (CPRA, CoS)	Milele, Jordan, Howell
Staff Evaluations (CPRA, IG, CoP, CoS)	Milele, Peterson, Ordaz
OBOA Association	Harbin-Forte, Jackson, Ordaz

Recently Completed/Paused/Dormant

Ad Hoc Committee	Commissioners
Annual Report	Milele, Jackson
Antidiscrimination Policy	Harbin-Forte, Hsieh, Jackson
Electronic Communication Devices	Howell, Harbin-Forte, Peterson
Police Chief Goals and Evaluation	Milele, Peterson, Jackson
Risk Management Policy	Peterson, Harbin-Forte, Howell
Social Media Policy	Milele, Hsieh, Jackson
White Supremacists and Other Extremist Groups	Harbin-Forte, Jackson
Community Policing (15-01)	Harbin-Forte, Howell, Hsieh

For a roster of current Commissioners and their emails, visit:
<https://www.oaklandca.gov/teams/police-commission>

OFFICE OF THE INSPECTOR GENERAL CITY OF OAKLAND POLICE COMMISSION

*Principles for Effective Oversight National Association for Civilian Oversight of Law Enforcement
Standards & Practices: National Association for Civilian Oversight of Law Enforcement
Principles and Standards for Offices of Inspectors General*

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OFFICE OF THE INSPECTOR GENERAL CITY OF OAKLAND POLICE COMMISSION STANDARD OPERATING PROCEDURES

CHAPTER 1- ORGANIZATION AND GOVERNANCE

SECTION 1- AUTHORITY, SCOPE AND PURPOSE

Notice

This manual will serve as the guiding document for the daily operations of the City of Oakland’s Office of the Inspector General (OIG). The City of Oakland Charter Section 604 and the Oakland Municipal Code Chapter 2.45 define the purpose, authority, and responsibilities of the OIG. This manual provides a framework for staff to fulfill the mission effectively and in compliance with applicable laws, policies, procedures, and national standards.¹ This Manual shall be considered a living document that can be revised as necessary to improve operations. OIG personnel are responsible for knowing and abiding by all policies outlined in this manual.

The Inspector General establishes policies and procedures for the OIG in accordance with the Oakland City Charter, the Oakland Municipal Code, laws, and national best practices. Only the Inspector General has the authority to issue, revise, or rescind a policy or procedure. All policies and procedures established by the Inspector General and accepted by the Police Commission are presumed to be in full force and effect until revised or rescinded. The OIG is committed to improving its operations and processes continuously. The OIG Manual is subject to review by OIG management or the Police Commission where necessary.

Authority & Scope

The OIG’s primary charge is overseeing the city’s compliance with the negotiated settlement agreement during federal oversight and after it ends. This responsibility includes monitoring Oakland Police Department’s (OPD) compliance with policies, procedures, and laws. The presence of the OIG is intended to further strengthen the City’s ability to identify systemic issues within the OPD and decrease instances of police misconduct, through accountability measures. This oversight also includes auditing and reviewing the Community Police Review Agency’s (CPRA) processes, procedures, and work products for compliance with the City of Oakland Charter, Municipal Code, laws, and national best practices.

The OIG will drive best practices by recommending improvements to policies and training as well as engaging in collaborative initiatives that promote systemic advancements. The OIG will provide reports and recommendations to the Police Commission, City Council, and other action holders such as the Mayor or City Administrator. Action holders have the authority to accept or reject recommendations. Action holders are responsible for ensuring the implementation of any accepted recommendation.² The OIG will also make public audit and evaluation reports and public synopses, in accordance with the laws, policies and applicable memorandum of understandings.

The OIG executes its responsibilities in a neutral, non-political environment free from interference from any person, group, or organization. The OIG is administratively, physically, and operationally independent from OPD and CPRA. The Inspector General, the agency head for the OIG, reports directly to the Police Commission.

¹ The OIG used guidance from the National Civilian Oversight of Law Enforcement (NACOLE) and the Association of Inspectors General (AIG) to ensure national best practices are encompassed in this manual.

² On occurrence, the action holder can be the department or agency being audited or reviewed.

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Police Commission Organizational Chart

The Police Commission is responsible for supervising the Executive Director of the CPRA and the Inspector General. The Police Commission shares the supervisory responsibility of the Chief of Police with the City of Oakland Mayor. The OIG has the authority to audit, review, inspect and evaluate OPD and CPRA. The OIG authority includes making recommendations to the Police Commission regarding OPD and CPRA.



Background

In 2016, residents of the City of Oakland voted to approve Measure LL. This measure established the Oakland Police Commission and charged it with overseeing the OPD’s policies and procedures as they relate to constitutional policing, procedural justice, equity, and accountability. Measure LL also established the Community Police Review Agency an independent oversight body tasked with investigating complaints of police misconduct. Measure LL was codified as Oakland City Charter Section 604 and its subdivisions.³ In 2020, Measure S1 was passed to amend the City Charter and strengthen Oakland’s police reform efforts. Measure S1 established an independent civilian OIG, which reports directly to the Police Commission.

Mission

The mission of the Office of the Inspector General is to be an independent, non-partisan oversight agency that will assist with increasing community trust and ensuring accountability in the Oakland Police Department. In its administration of duties, the Office of the Inspector General will implement a fair, thorough, and autonomous system of civilian oversight of law enforcement.

Vision

The Office of the Inspector General’s vision is to build trust in civilian oversight of policing through encouraging, implementing, and preserving a culture of impartiality, transparency, and accountability.

³Charter Section 604 can be reviewed at https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=THCHOA_ARTVIADOR

OFFICE OF THE INSPECTOR GENERAL

CITY OF OAKLAND POLICE COMMISSION

STANDARD OPERATING PROCEDURES

SECTION 2- Administration

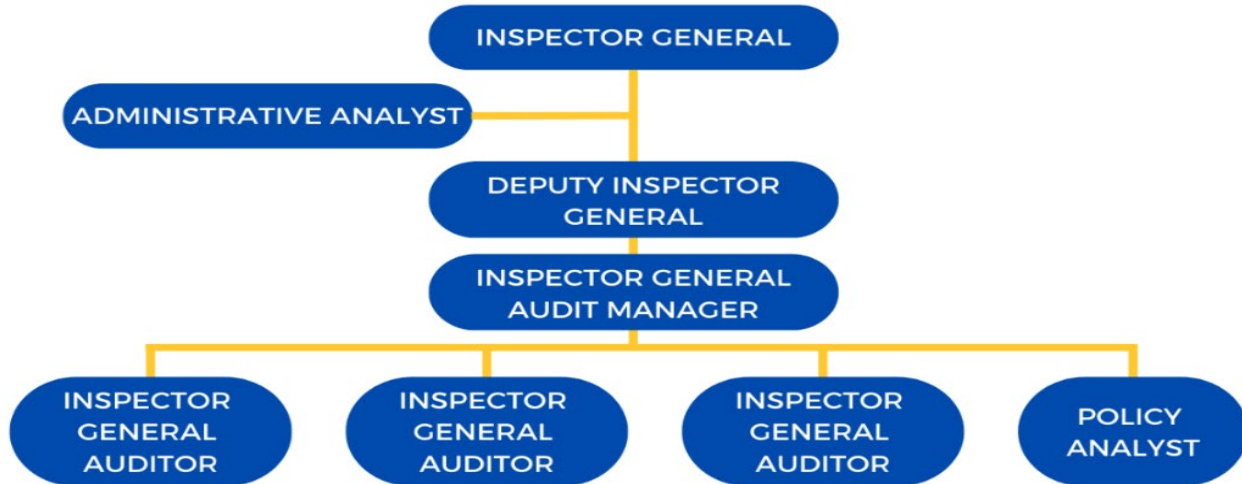
Guiding Principles

The following outlined principles shall guide and govern the work executed by the OIG. The OIG will, as an organization, assess all actions, decisions, and reports against these principles to ensure these principles meet the professional standards laid out by the Association of Inspectors General:

Accessibility	Present work in digestible and accessible formats to allow a broad range of community stakeholders to access OIG material, striving for content to be transparent, jargon-free, readable, and reasonably understood.
Collaborative	Build meaningful and cooperative working relationships; solicit and value the community’s perspective and expertise; work with system partners to advance accountability and improve OPD policies and training.
Communication	Maintain accessible, professional and open communications with departments or agencies under inspection, evaluation, or review. Communicate in a professional, objective, respectful manner to the community.
Competence	Develop and maintain a high level of proficiency and excellence for the OIG duties and responsibilities.
Confidentiality	Protect information from improper or unlawful release, disclosure, or dissemination. This is specific to anonymous complainants and information reviewed for audits, evaluations, inspections or during the duties of the OIG, that is protected by law.
Cooperation	Value the diverse contributions of staff members, City employees, community organizations, residents, and stakeholders. Value clear and open internal communications.
Courage	Willingness and commitment to speak up and to inquire, to challenge assumptions notwithstanding opposition.
Ethical	At all times the actions of OIG employees should conform to high standards, abide by the law and be absent of moral turpitude.
Independence	Preserve the veracity of the OIG by maintaining the confidentiality of information and sources of information as required by law. Conduct OIG work with consistent application of facts, policies, and laws; maintain neutrality and exercise impartial judgment, and ensure all viewpoints are heard and respected.
Integrity	Be truthful and forthright in all OIG engagements, in both actions and communications, verbal as well as written.
Objectivity	Avoid conflicts of interest and bring attention to any situation that may cause, or appear to cause, a conflict of interest – including gathering and reporting data and information in a fair, unbiased manner.
Professional Development	Seek to improve our knowledge, skills, and abilities through training and relevant work experiences. Provide a stimulating and rewarding place to work.
Professionalism	Maintain the highest degree of decorum, internally and externally. Treat others fairly with respect and dignity. Be considerate, and respectful, and work to maintain a high level of credibility with management and the public.
Public Accountability	Complete all assigned tasks and perform those duties necessary to comply with policies, procedures, and appropriate professional standards. Make reports accessible to the public when possible.
Relevance	Focus on significant, timely, and useful information for the public, the Mayor, City management, City Council, and Police Commission.
Timeliness	Conduct audits, inspections, evaluations, and reviews promptly while recognizing the individual complexities of each project. Use a variety of reporting mechanisms to ensure the timely communication of urgent findings, including but not limited to reports, management alerts, advisories, notifications, information portal dashboards, and visualizations.
Transparency	Maintain honest and open communication with all stakeholders; communicate processes, reasoning, and conclusions; remain accountable to vision, mission, and values, both internally and externally.

OFFICE OF THE INSPECTOR GENERAL CITY OF OAKLAND POLICE COMMISSION STANDARD OPERATING PROCEDURES

OIG Organizational Chart (2022)



Staff Roles and Duties

The Inspector General – The Inspector General is responsible for the daily operation and management of the OIG. The Inspector General represents the OIG at meetings, they establish, review or approve all internal policies, procedures, and budgetary documents. They assign and approve project priorities and deadlines in accordance with the City Charter and Municipal Code. They develop strategic plans and review and approve all work products prior to finalization and distribution. The Inspector General, with the assistance of management staff will conduct employee performance evaluations.

Deputy Inspector General– The Deputy Inspector General will act as the Inspector General in their absence. They manage the agency’s day to day fiscal/procurement duties and facility maintenance. They are responsible for overseeing the production of the OIG Annual Report. They are the liaison for internal stakeholders and provide human resources and budget support. The Deputy will be responsible for duties outlined in their job description and will report directly to the Inspector General.

Inspector General Program and Performance Audit Manager – The Inspector General Audit Manager is responsible for supervising a comprehensive audit, inspection, and evaluation program. They are responsible for supervising the work of auditors and policy analysts to ensure completeness, timeliness, and thoroughness of work products. They are the first-line supervisor who at times will assist in conducting high-profile or complex audits as needed. They will advise the Inspector General and Deputy Inspector General of any identified areas of risk. They will report directly to the Deputy Inspector General.

Inspector General Policy Analyst – The Policy Analyst is responsible for reviewing and analyzing relevant OPD, CPRA and, City of Oakland policies as they relate to audits, reviews, and evaluations. They will conduct policy and legislative research that will assist the OIG in any best practices policy recommendations. They will also assist where needed with reviews of closed Internal Affairs or CPRA investigations. The Policy Analyst will document all findings in a comprehensive report and under the guidance of supervision make recommendations in accordance with national best practices. They will report directly to the Inspector General Program and Performance Audit Manager.

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Inspector General Program and Performance Auditor – The Auditor is responsible for conducting performance and program audits, reviews, inspections, and evaluations for OPD and CPRA, in accordance with the City Charter and at the direction of the Inspector General or designee. The Auditor will document all findings in a comprehensive report and under the guidance of supervision make recommendations in accordance with national best practices. They will report directly to the Inspector General Program and Performance Audit Manager.

The work of the OIG shall be conducted in a collaborative, team-based, and cross-disciplinary manner. All staff assigned to a project should constructively review, discuss, and take joint responsibility for the quality and substantive nature of the work product. This approach is intended to leverage the diverse skills, knowledge, training, and experiences of OIG staff. This method will result in a maximal benefit, productivity, and product integrity. While OIG management will supervise and guide processes and projects, the final approval lies with the Inspector General or their designee.

On-Boarding and Orientation of New Staff Members

All new staff members will be provided comprehensive initial onboarding training, including OIG policies and procedures, a review of office manuals, and other information necessary to facilitate their orientation. New staff members shall attend the City of Oakland mandatory new employee orientation and training. All staff will be required to attend training that is mandated by law during the onboarding process.

Staff Competencies

All OIG staff must have collective knowledge, skills, or experience in governmental accountability or compliance, procedural or social justice, and civilian oversight of law enforcement entities, or OIGs. Staff must have an awareness and consciousness of diversity, equity, and inclusion challenges across communities, especially historically neglected, underserved, and underrepresented communities. Staff must have integrity and conduct their work in an impartial manner. Each staff position requires a different set of skills, education, and experience. Those minimum requirements and preferences are outlined in greater detail in the Inspector General series of job specifications and classifications.⁴

Quality Standards

This section identifies the quality standards, established by the Association of Inspectors General. Public office, such as the OIG, carries with it a responsibility to display the integrity necessary to maintain public trust. The OIG has a unique mission in government related to its responsibility and requires high standards of professionalism and veracity. These policies and procedures address independence, staff qualifications, planning, organizing, and other matters related to the operation and conduct of the OIG that align with those values.

All staff except administrative staff shall acquire a certification as a Certified Inspectors General Auditor or Certified Inspectors General Inspector/Evaluator within 18 months of hire. Staff shall meet the continuing professional education (CPE) requirements set forth by the AIG Green Book. The Green Book requires staff to complete at least 40 hours of CPE and training every two years. At least 12 of the 40 hours of CPE shall be completed in subjects directly related to the staff member's responsibility (i.e., inspections or evaluations), the government environment, or the specific environment on which the OIG focuses (e.g., public safety or policing oversight).

⁴ Job specifications and classifications for OIG staff can be viewed at <https://www.governmentjobs.com/careers/oaklandca/classspecs>

OFFICE OF THE INSPECTOR GENERAL CITY OF OAKLAND POLICE COMMISSION STANDARD OPERATING PROCEDURES

OIG Staff may be required to observe or take part in OPD processes (discipline and related meetings, review boards, shadowing staff, etc.) or trainings (e.g., crisis intervention, defensive tactics, firearms, crowd management, patrol tactics, etc.) to enhance their understanding of OPD processes and the implementation of OPD policy.

Continuing Training and Professional Development

The OIG supports the growth and continuous professional development of all staff. Supervisors will work with each direct report to implement the training plan and incorporate the plan into their performance evaluations. In consultation with their supervisor, staff shall identify potential learning opportunities that augment, and address knowledge and skills needed to conduct their work.

OIG DRAFT

OFFICE OF THE INSPECTOR GENERAL

CITY OF OAKLAND POLICE COMMISSION

STANDARD OPERATING PROCEDURES

CHAPTER 2- WRITTEN PRODUCTS

SECTION 1- Work Products

This section of the OIG procedures will outline the actual work. For an OIG, products and deliverables are what ensure the public is aware of what deficiencies or areas of concern the office has discovered during an evaluation, audit, or review and the remedies proposed. The published reports will outline the types of evidence gathered for evaluation and analysis, findings, and recommendations concerning the target agency.

The OIG produces formal, public-facing products that can take a variety of forms, including but not limited to public synopses of reports, audit reports, white papers, and visualizations. In addition, the OIG shall issue and support the production of other public products, including an annual report to summarize the audits, evaluations, and reviews concluded during the prior fiscal year. All public products shall comply with OIG American Psychological Association (APA) style guidance including but not limited to the use of document templates.

Staff members may produce internal reports and products designed to enhance OIG's institutional knowledge of City operations. Such products may include but are not limited to descriptive reports, work papers, maps, data displays, training presentations, and instructions on how to locate or analyze information.

Provisions for Audits and Evaluations

This section describes the general procedures for evaluations and audits. Staff shall plan and conduct projects with three overarching concepts in mind:

- **Reasonable assurance**: Staff shall ensure that they collect and test sufficient evidence and that the evidence is suitably related to the project objectives.
- **Significance**: Staff shall consider the relative importance of a matter (evidence, findings, background, community impact, etc.) in the context of the project objectives.
- **Adaptability**: Staff shall remain flexible and continually take steps to reduce the likelihood that they will fail to detect a mistake, inconsistency, significant error, or misconduct during fieldwork. Such steps may include obtaining additional peer or supervisory review, increasing the scope of the project, changing the elected methodology, or choosing another form of data analysis or review.

Most evaluations and reviews will have descriptive or evaluative qualities:

- **Descriptive**: Descriptive aspects of projects tell “what is” through the process of defining, explaining, and validating. These descriptive portions of projects shall not be used to determine cause and effect. Both qualitative and quantitative data may be used.
- **Evaluative**: Evaluative aspects of projects critically examine a program and its components through the collection and analysis of data about the program's activities, characteristics, and outcomes. Like descriptive aspects of projects, both qualitative and quantitative data can be used. Evaluative aspects of projects can be formative or summative and should seek to improve program design or implementation and demonstrate program impact.
 - **Formative evaluations** are conducted during program development and implementation and are to be used to determine how best to achieve goals or improve the program.
 - **Summative evaluations** should be completed once programs are established and fully implemented to determine the extent to which a program is achieving its intended goal.

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SECTION 2- Surveys and Project Design

Survey

The OIG may conduct periodic opinion surveys of members of the public and OPD members to reflect on the different experiences with policing in Oakland. This information may inform the OIG’s audit and evaluation priorities. The results of the surveys will be analyzed, distributed, and reported publicly as determined by OIG management.

Project Design

The key to cohesive project design includes objectives, scope and methodology. Each element is defined below:

Project Objectives are the specific questions that a project is intended to answer or a statement of what is intended to be accomplished. To ensure objectives are specific and can be answered, they should generally be framed as questions that can be answered with yes, no, or to some extent responses. To some extent, responses mean in part and should garner additional follow-up questions. For example, does the OIG have the resources it requires? Response: to some extent, the OIG has the funding it needs to operate however, the OIG does not have sufficient human capital currently to operate at full capacity.

Project Scope defines the boundaries of the project and is determined by the objectives. The scope identifies the subject matter, entity, problem, documents, time frame, and locations that the project will encompass. The scope is set at the beginning of a project but may be redefined as the work proceeds.

Methodology consists of the procedures used to gather and analyze evidence needed to address the objectives within the selected scope. The methodology should be specified to provide reasonable assurance that the evidence obtained is sufficient and appropriate to support the project’s findings and conclusions. The methodology shall also be designed to reduce the risk of incomplete, inaccurate, or unsound conclusions. The methodology is planned at the beginning of the project but can be refined as the project proceeds, as the team learns more about the available evidence, or as the team revises the project’s scope.

Evidence is the information needed to answer project objectives. The OIG will primarily use the following:

Staff shall collect evidence through a variety of means, including but not limited to observations, interviews, data, and document requests. When planning and conducting fieldwork, staff shall use methods that will yield sufficient and appropriate evidence to address the objectives.

Types of Evidence	Question to be answered
1. Physical	What is observed?
2. Documentary	What is produced in documents or written material?
3. Testimonial	What pertinent information was collected from interviews?

Sufficiency refers to the quantity of evidence. Staff shall judge whether sufficient evidence is gathered to inform a knowledgeable person that the project findings are reasonable. Sufficient and appropriate audit evidence means evidence that is sufficient, complete, relevant, and reliable enough to support the auditor’s findings. Project findings shall be based upon evidence sufficient to outweigh all counterbalancing evidence, very similar to the preponderance of the evidence standard in law. Staff shall actively seek, and the project report shall incorporate, any extenuating circumstances, reasonable management explanations, mitigating factors, or other pertinent information. Failure to consider or address all significant facts can lead to unsound conclusions, weaken credibility, or create the appearance that the OIG lacks objectivity.

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Appropriateness refers to the quality of the evidence. As stated above, evidence may be obtained by observations, interviews, and data or document requests. All OIG projects shall be relevant, valid, and reliable. Evidence is relevant to the extent that it has a clear, logical, and important relationship to the issue being addressed. Evidence is valid if it is a meaningful and reasonable basis for measuring that which the project sets out to measure. Reliability is the consistency of results in measuring and testing information and shall be established by methods such as statistical testing and obtaining corroborating evidence.

Data Collection Methods

Appropriate data collection methods include, but are not limited to:

- Questionnaires, surveys, and checklists
- Interviews
- Document review
- Focus groups
- Field observations
- Ethnography and oral history
- Case studies
- Open-source research
- Social media information collection
- Review and analysis of departmental data
- Review of best practices

Elements of a Finding

Findings are factual conclusions based on the evidence that answers the project’s objectives. They collectively address the results (both positive and negative) of the project procedures and shall be supported by sufficient, appropriate evidence. The findings should be considered tentative until the IG has approved the final report. OIG staff shall use the following four elements to develop findings:

Elements of Finding	Question to answer	Explanation
Criteria	What should be?	Criteria are standards used to measure performance. They shall be objective and credible.
Condition	What is?	Condition is the existing situation as determined and documented during the project. A project evaluates conditions against criteria. The condition may be expressed as the extent to which the criteria are achieved.
Effect or potential effect	What is the impact?	Effect is the impact or consequences of the relationship between condition and criteria. It may be quantified as dollars or other units or maybe a logical expression of potential consequences (e.g., no actual deviation from established policy, but a risk to safety, civil liberties, or privacy was present). If criteria are being met, the effect is positive. The effect should answer the question “so what” and expresses the significance of the finding.
Cause	Why did it happen?	Cause is the explanation for why the condition occurred and is usually only pursued when the condition does not meet the criteria. Identifying the cause is important for determining what action is necessary to correct a problem, and thus what recommendations the OIG should make. There are usually two levels of cause: an immediate cause (e.g., someone made a mistake) and a root or management cause (e.g., lack of oversight or quality control procedures). Staff shall attempt to identify both levels of cause and make recommendations to address the root cause. It may be possible to identify causes through observation or analysis, but it is prudent to explore causes through interviews and confirm them with a department or agency’s management.
Recommendations	What should be done?	Recommendations are typically the inverse of the cause(s). When any evidence or element of a finding depends on communication from a department or agency, staff shall corroborate the information, preferably through written confirmation. For example, if a department explains the cause of a condition orally, it may be prudent to follow up the conversation with an e-mail to confirm and document our understanding. At a minimum, staff shall document critical information that was communicated orally in meeting notes.

OFFICE OF THE INSPECTOR GENERAL CITY OF OAKLAND POLICE COMMISSION STANDARD OPERATING PROCEDURES

Recommendations & Conclusions

Recommendations are suggestions or proposals as to the best course of action, especially one put forward by an authoritative body. Project teams shall develop recommendations to address any finding for which corrective action is suggested for OPD and CPRA. When developing recommendations, staff shall be alert to the threat of “self-review” (i.e., providing such specific and narrowly tailored recommendations that one could not in accordance with best practices and the principles of objectivity later return to assess the effectiveness of those measures) and the threat of “management participation” (i.e., taking on the role of management or otherwise performing management functions on behalf of the entity under evaluation or review). The recommendations given should provide general actions for remediation but cannot be so specific that, if implemented, the OIG would risk reviewing its work if it were to review the program again in the future. The recommendations shall not suggest a situation in which OIG would perform a management function of OPD or CPRA.

Conclusions are the overall answers to the project objectives. Report conclusions are logical inferences about the program based on the OIG’s findings, not merely a summary of the findings and they shall be included in the project report. During fieldwork, staff shall ensure that the evidence and information gathered will support findings that will address the project objectives.

OIG DRAFT

OAKLAND POLICE COMMISSION

RESOLUTION NO. 22-13

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE OAKLAND POLICE COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. *See* <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

WHEREAS, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

WHEREAS, City Council Resolution No. 88075 remains in full force and effect to date; and

WHEREAS, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. *See* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. *See* <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

WHEREAS, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. *See* <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

WHEREAS, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19

symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

WHEREAS, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

WHEREAS, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

WHEREAS, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

WHEREAS, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

WHEREAS, on October 14, 2021 the Oakland Police Commission adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

RESOLVED: that the Oakland Police Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this resolution; and be it

FURTHER RESOLVED: that, based on these determinations and consistent with federal, state and local health guidance, the Oakland Police Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Oakland Police Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

FURTHER RESOLVED: that the Oakland Police Commission will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Oakland Police Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.

ON NOVEMBER 10, 2022, AT A MEETING OF THE OAKLAND POLICE COMMISSION IN OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES –

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

Oakland Police Commission
City of Oakland, California