

Meeting Agenda

Wednesday, October 17, 2018
(Special Meeting)
5:30 PM – 7:30 PM
City Hall, 1 Frank H. Ogawa Plaza, Hearing Room 1
Oakland, CA 94612

Selection Panel Members: Chairperson Sarah Chavez-Yoell (District 3), Second Chairperson John Jones III (At Large), Tal Klement (District 1), James Chanin (District 2), Shikira Porter (District 4), Mary Vail (District 5), Candice Jessie (District 6), Jean Blacksher (District 7), Arnold X. C. Perkins (Mayor)

- 1. Roll Call and Determination of Quorum
- 2. Open Forum

ACTION ITEMS

- 3. Approval of Selection Panel Meeting Draft Minutes
 - May 23, 2018 Meeting
- 4. Discuss Ad Hoc Committee Recommendations for the Police Commission Selection Process

The Ad Hoc Committee, established at the May 23, 2018 meeting, to review and make recommendations to the full Selection Panel will present recommendations to the Selection Panel regarding future processes, including objectives, applications, interview structure, questions, selection criteria, reference checks, and schedule, for possible action.

Attachments:

- A. "Process Analysis and Recommendation of Enhanced Operational Protocols for the Oakland Police Commission Selection Panel" Memorandum from Selection Panel Ad-Hoc Planning Committee dated October 10, 2018
- B. Application for Position of Commissioner due June 30, 2017. [Note. This application was also available in Chinese and Spanish.]
- 5. Discuss and Determine Continued Need for Ad Hoc Committee (for the Review and Recommendations Regarding the Police Commission Selection Process)

 The Selection Panel will discuss whether the Ad Hoc Committee's work needs to be continued, for how long, and revisit the membership of the Ad Hoc Committee.

continued, for how long, and revisit the membership of the Ad Hoc Committee.
[There are no agenda materials for this item.]

6. Discuss and Schedule Annual Training and Orientation to City Charter Section 604

- Police Commission

In accordance with Ordinance No. 13498 C.M.S. (Police Commission Enabling Legislation), the Selection Panel shall receive training and orientation regarding City

Meeting Agenda (Continued)

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Charter Section 604 on an annual basis. Staff recommends that the annual training be scheduled for the regular annual meeting each year on the second Thursday of each May. [There are no agenda materials for this item.]

Open Forum

The meeting will adjourn upon the completion of the Selection Panel's business.

A member of the public may speak on any item appearing on the agenda. All speakers will be allotted a maximum of three minutes unless the Chairperson allocates additional time.

Do you need an ASL, Cantonese, Mandarin or Spanish interpreter or other assistance to participate? Please email wwoo@oaklandnet.com or call (510) 238-7798 or (510) 238-2007 for TDD/TTY five days in advance.

¿Necesita un intérprete en español, cantonés o mandarín, u otra ayuda para participar? Por favor envíe un correo electrónico a wwoo@oaklandnet.com o llame al (510) 238-7798 o al (510) 238-2007 para TDD/TTY por lo menos cinco días antes de la reunión. Gracias.

你需要手語,西班牙語,粵語或國語翻譯服務嗎?請在會議前五個工作天電郵 wwoo@oaklandnet.com 或 致電 (510) 238-7798 或 (510) 238-2007 TDD/TTY.



Meeting Minutes

Wednesday, May 23, 2018
(Special Meeting)
5:30 PM – 7:30 PM
City Hall, 1 Frank H. Ogawa Plaza, Council Chamber
Oakland, CA 94612

Selection Panel Members: Chairperson Sarah Chavez-Yoell (District 3), Second Chairperson John Jones III (At Large), Tal Klement (District 1), James Chanin (District 2), Shikira Porter (District 4), Mary Vail (District 5), Candice Jessie (District 6), Jean Blacksher (District 7), Arnold X. C. Perkins (Mayor)

1. Roll Call and Determination of Quorum

The meeting started at 5:31 pm.

Selection Panel members present: Jean Blacksher, Jim Chanin (5:41 pm arrival), Sarah Chavez-Yoell, Candice Jessie, Tal Klement, Arnold Perkins, Shikira Porter and Mary Vail.

Absent: John Jones III

Staff present: Stephanie Hom

City Attorney Staff: Allison Dibley

2. Open Forum

There were no comments from the public.

ACTION ITEMS

3. Approval of Selection Panel Meeting Draft Minutes

• May 10, 2018 Meeting

Motion to approve the meeting minutes for May 10, 2018 was moved (M. Vail) and seconded (C. Jessie).

Motion passed with 7 ayes of all members present. Absent: J. Chanin and J. Jones.

4. Discuss and Make Recommendations Regarding Police Commission Enabling Ordinance Draft

Selection Panel discussed draft Police Commission Enabling Ordinance revised by City Council on March 20, 2018 and took action.

Item #3 Selection Panel Meeting October 17, 2018

Meeting Minutes (Continued)

Wednesday, May 23, 2018
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[J. Chanin joined the meeting at 5:41 pm.]

Motion to support the Police Commission's recommended revisions to the draft Police Commission enabling ordinance was moved (J. Chanin) and seconded (M. Vail).

Motion passed with 8 ayes. Absent: J. Jones.

Motion for the Selection Panel to oppose Section 2.45.025 – Conflict of Interest (in its entirety) in the draft Police Commission enabling ordinance was moved (J. Chanin) and seconded (A. Perkins).

Motion passed with 7 ayes (J. Blacksher, J. Chanin, C. Jessie, T. Klement, A. Perkins, S. Porter and M. Vail); 1 No (S. Chavez-Yoell). Absent: J. Jones.

Comments were provided by the following public speakers: Mariano Contreras

5. Discuss Ad Hoc Committee Established to Review Selection Process

Selection Panel appointed members to the Ad Hoc Committee created to review and make recommendations to the full Selection Panel regarding future processes, including objectives, applications, interview structure, questions, selection criteria, reference checks, and schedule.

Ad Hoc Committee members are C. Jessie, T. Klement and M. Vail. Selection Panel agree to meeting on Wednesday, October 17, 2018 (5:30 pm) at which time the Ad Hoc Committee will present results and recommendations of their review process.

Other members of the Selection Panel suggested the Ad Hoc Committee recommendations include an evaluation rubric or matrix.

Comments were provided by the following public speakers: Mariano Contreras

Open Forum

There were no comments from the public.

The meeting was adjourned at 6:35 pm.

MEMORANDUM

TO: Oakland Police Commission Selection Panel

FROM: Selection Panel Ad-Hoc Planning Committee

DATE: October 10, 2018

SUBJECT: Process Analysis and Recommendations of Enhanced Operational

Protocols for the Oakland Police Commission Selection Panel

Statement of Purpose

During the May 23, 2018 meeting of the Oakland Police Commission Selection Panel, three Panel members were selected to serve on the newly formed Oakland Police Commission Selection Panel Ad-Hoc Planning Committee (Ad-Hoc Planning Committee). The primary purpose of the Ad-Hoc Planning Committee is to perform a process analysis relative to the Selection Panel's operational protocols pertaining to recruitment and retention of Police Commissioners, and to provide recommendations on these matters, and others, which are germane to the long- and short-term viability of mandates governing the identification, selection, retention and rotation of Oakland Police Commissioners.

Current Ad-Hoc Planning Committee members are: Candice Jessie, Tal Klement and Mary Vail.

Duration of Appointment Terms

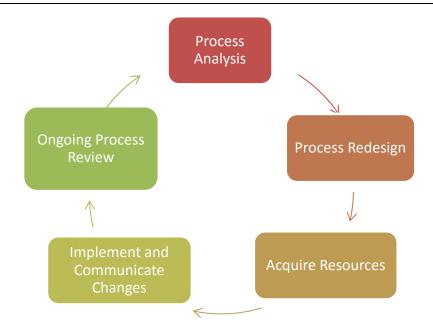
The dates of service for initial Ad-Hoc Planning Committee appointees were identified as <u>May – November 2018</u>. It was likewise noted that replacement Ad-Hoc Planning Committee members would be identified and appointed by the Selection Panel by November 2018; corresponding to service dates of *December - June 2019*.

Meeting Dates

Since May 2018, Ad-Hoc Planning Committee members conferred on the following dates: June 13th, June 28th, August 8th, August 23rd, September 6th, September 28th, October 4th and October 10th.

Ad-Hoc Planning Committee's Process Analysis

As stated previously, the Ad-Hoc Planning Committee structured its review of Selection Committee operational protocols by enacting the basic operational concepts of a process analysis:



The analysis then focused upon process mapping of two primary categorical distinctions:

- Police Commissioner Retention Strategies
- Police Commission Recruitment Strategies

The following serves as a <u>condensed</u> overview of the sub-topics analyzed by the Ad-Hoc Planning Committee in relationship to Police Commissioner retention and recruitment strategies, and, in certain instances, recommendations developed for the same.

Police Commissioner Retention Strategies

Issuance of Written Notice to Current Commissioners and Alternates Regarding Term Limit Expirations The Ad-Hoc Planning Committee determined that Police Commissioners and Alternates will be afforded advanced written notice from the full Selection Panel regarding the expiration of their current term; with said notice(s) occurring no less than six-months prior to term expiration(s). Notifications would be issued by the Selection Panel for Commissioners and Alternates previously appointed by the Selection Panel, as well as Mayoral appointees.

Notices of Intent for Re-Application from Police Commissioners and Alternates	Subsequent to the Selection Panel providing Commissioners and Alternates with written notice regarding the expiration of their current term, the subject Police Commissioners and Alternates will be required to provide the Selection Panel with their individual written Notice of Intent within 60-days (two months) of the date of the Selection Panel's original notice. The Notice of Intent should stipulate either their intent to re-apply for continued service as a Police Commissioner or Alternate, or their decision to forego the next, regularly scheduled application process for the same. ¹	
Proposed Re-Application Protocols for Police Commissioners and Alternates	All currently seated Police Commissioners and Alternates who opt to resume their roles as either Commissioners or Alternates will be required to formally re-apply as Police Commissioners upon completion of each person's designated term. This stipulation is applicable to all individuals appointed by the Selection Panel and the Mayor.	
Protocols for the Placement of Alternate Commissioners in the Event of the Resignation of Selection Panel-Appointed Police Commissioners	Measure LL gives the Selection Panel authority to choose an Alternate to fill a vacancy that occurs for any reason other than expiration of the regular member's term without implementing a standard application process.	
	However, this provision applies only to Alternates originally appointed by the Selection Panel. Accordingly, both the resigning Commissioner and the replacement Alternate must have originally been Selection Panel appointees in order for the Selection Panel to formally place an Alternate.	

¹ Two Police Commissioners and one Alternate are slated for term expirations in October 2019. Accordingly, by March 1, 2019, the Selection Panel shall issue formal written notice to said persons regarding their upcoming term expiration(s). Then, on or before April 30, 2019, the two Police Commissioners and the one Alternate would be required to provide the Selection Panel with their individual written Notice of Intent to either re-apply as Police Commissioners, or their decision to forego the upcoming re-application process.

Timeframe for Formal Appointment of Replacement Police Commissioners in the Event of the Resignation of Selection Panel- Appointed Police Commissioners	The Ad-Hoc Planning Committee recommends that the Selection Panel be required to convene and appoint a replacement Selection Panel-appointed Alternate to the capacity of Police Commissioner within no more than 30-days subsequent to the date of the Selection Panel's receipt of notification of the resignation of the prior Selection Panel-appointed Police Commissioner.		
Protocols Governing the Mayor's Authority to Seat Alternates to the Police Commission in the Event of the Resignation of Mayoral- Appointed Police Commissioners	Measure LL bestows authority upon the Mayor to seat Alternates if both the resigning Commissioner and Alternate were originally appointed by the Mayor.		
	If the Police Commissioner was originally appointed by the Mayor, then the Mayor in turn is granted authority to seat the Mayoral-designated Alternate.		
Suggested Timeframe for Formal Appointment of Replacement Police Commissioners in the Event of the Resignation of a Mayoral-Appointed Police Commissioner	The Ad-Hoc Planning Committee recommends that the full Selection Panel encourage the Mayor to also appoint a Mayoral-appointed Alternate to the capacity of Police Commissioner within no more than 30-days subsequent to the Mayor's and/or Selection Panel's receipt of the notice of resignation of the prior Mayoral-appointed Police Commissioner.		
Conflict of Interest Protocols for Police Commission Applicants	The Ad-Hoc Committee perused and assessed the conflict of interest protocols as depicted within the context of verbiage incorporated into the original application for Police Commissioners (page 1 "Fact Sheet" – referenced under "minimum requirements"), as well as the City of Oakland Public Ethics Commission's Handbook for Board and Commission Members; both of which lent guidance relative to a sampling of possible conflicts of interest and general public ethics protocols. It is recommended that additional guidance and		
	input be secured in this regard on behalf of the		

	Selection Panel from both the Public Ethics Commission and the City Attorney's Office.	
Issuance of a Monthly Stipend for Police Commissioners and Alternates		
Survey of Police Commissioners and Alternates Regarding Time and Effort Requirements for Service Upon Police Commission	The Ad-Hoc Planning Committee recommends that future Planning Committee members, and/or the full Selection Panel, survey current Police Commissioners and Alternates regarding the weekly/monthly degree of time and effort required in the performance of their roles as Commissioners and Alternates.	
Measure LL Ordinance Training for Members of the Oakland Police Commission Selection Panel	The Ad-Hoc Planning Committee recommends the Selection Panel commence the scheduling of bi-annual training for Selection Panel members on the Measure LL Ordinance. It is likewise recommended that said training commence prior to the upcoming recruitment cycle for new Police Commissioners slated for March 2019.	

Police Commissioner Recruitment Strategies

Timeframe for Recruitment of Future Police Commissioners and Alternates	The Ad-Hoc Planning Committee determined that recruitment efforts for newly nominated Police Commissioners should commence at least six-months prior to the expiration of current Commissioner and Alternate terms.
	It was also determined that newly nominated Police Commissioners and Alternates should ideally be appointed no less than 30-days prior to the formal commencement of their

	upcoming term as Commissioners or Alternates.		
Proposed 2019 Recruitment Timeline for New Police Commissioners and Alternates	The Ad-Hoc Planning Committee recommends the following timeline for the upcoming 2019 Police Commissioner recruitment cycle:		
	 March 1 – April 30: Formal Application Period April 30: Final Application Due Date May 1 – June 30: Review of Applications and Interviews June 30: 		
	Announcement of New Nominees for Police Commissioners and Alternates		
Suggested Weighted Assessments of Incumbent Police Commissioner Applications	The Ad-Hoc Planning Committee recommends that the Selection Panel lend a higher degree of prioritization to applications received from incumbent Police Commissioners and Alternates due to the degree of knowledge and expertise acquired during their tenure as either a Police Commissioner or Alternate.		
Enhanced Communication Regarding Term Duration Specifications for New Applicants	Due to the sheer degree of time and effort required of Police Commissioners and Alternates while actively serving as part of the Oakland Police Commission, the Ad-Hoc Planning Committee determined that greater levels of communication be lent to new applicant recruitments to ensure that applicants are fully aware of the time commitments required for service.		
	Examples of the scope of service requirements include: number of meetings per month; time of day for meetings; length of meetings, as well as additional time and effort required for research and analysis between Commissioner meetings.		
	It is recommended that reference to these		

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	provisions be incorporated into the "Fact Sheet" which historically prefaces the Police Commission application.		
Scope of Outreach/Publicity for Future Police Commissioner Recruitments	The Ad-Hoc Planning Committee recommends that the Selection Panel collectively assess and discuss the proposed scope of broad-based outreach and recruitment efforts for future Police Commissioner recruitments. Emphasis should also be placed on identifying and securing financial resources to enhance and supplement recruitment efforts to ensure maximum coverage of Oakland residents. The Selection Panel, in conjunction with staff		
	from the City Administrator's Office, should determine the degree of financial resources ideally required and the potential source(s) of said funds.		
Mandatory Use of "Threshold Languages" for Future Recruitments	After conferring with staff from the City of Oakland's Equal Access Office, as well as perusing the terms and provisions of the City's Equal Access Ordinance No. 12324, C.M.S., dated May 8, 2001, the Ad-Hoc Planning Committee recommends that all future application materials associated with Police Commissioner recruitments, be issued using the following (4) "threshold languages":		
	✓ English✓ Spanish✓ Chinese✓ Vietnamese		
Review of Applications for New Police Commissioners	The Ad-Hoc Planning Committee reviewed the current application for Police Commissioners. It is recommended that said documentation be further analyzed, discussed – and if necessary – updated/revised by the full Selection Panel prior to the upcoming March 2019 recruitment cycle.		

Interview Questions and Reference Checks of Prospective Applicants

The Ad-Hoc Planning Committee reviewed the previous listing of Police Commissioner panel interview questions. No changes are recommended at this time. The Ad-Hoc Committee does recommend that the Selection Panel review the material – collectively – to determine if any revisions, additions and/or deletions are in order.

The Ad-Hoc Planning Committee recommends that future applicants be required to provide three professional and/or personal references as part of the application process. Further, the Ad-Hoc Planning Committee suggests that at no time should a Selection Panel member ask these three references to provide contact information for other professional and/or personal references.

Conflict of Interest Protocols for New Police Commissioner Applicants

The Ad-Hoc Planning Committee perused and assessed the conflict of interest protocols as depicted within the context of verbiage incorporated into the original application for Police Commissioners (page 1 "Fact Sheet" – referenced under "minimum requirements"), as well as the City of Oakland Public Ethics Commission's Handbook for Board and Commission Members; both of which lent guidance relative to a sampling of possible conflicts of interest and general public ethics protocols.

The Ad-Hoc Planning Committee recommends that further discussion be lent by the full Selection Committee regarding the development of formal conflict of interest protocols. It is also recommended that additional guidance and input be secured in this regard on behalf of the Selection Panel from both the Public Ethics Commission and the City Attorney's Office.

Establishment of "Reserve Pool" of Police Commissioners

A potential issue going forward is the situation where multiple members of the Police Commission resign prior to the expiration of their respective terms; coupled with existing Alternates being elevated to Police Commissioners and/or the total number of remaining Commissioners and Alternates being less than seven (7) Commissioners and two (2) Alternates.

Given the Commission's large and challenging workload, having a less than full-strength Police Commission is not an ideal situation for the Commission, the Oakland Police Department, nor the citizenry of Oakland. Neither is it an ideal circumstance for the Selection Panel or the Mayor to recommence recruitment processes due to this dilemma.

Neither the originally drafted Measure LL Ordinance, nor subsequent updates to the same, specifically address this potential issue. Accordingly, the Ad-Hoc Planning Committee recommends the establishment of a "Reserve Pool" of Police Commissioners for placement in the event of the resignation of Police Commissioners and/or Alternates in order to ensure that the Police Commission, at all times, operates at full capacity.

Issuance of a Monthly Stipend for Police Commissioners and Alternates

The Ad-Hoc Planning Committee recommends that the proposed issuance of a monthly stipend be communicated within the context of future recruitment strategies as a means by which to increase the overall applicant pool.

During the most recent recruitment phase for new Police Commissioners, it was apparent that residents of multiple Oakland Council Districts submitted no applications to potentially serve as Police Commissioners. One of the reasons attributed to nonparticipation was a lack of compensation for services; inclusive of token (stipend) compensation.

Measure LL Ordinance Training for	The A
Members of the Oakland Police Commission	the S
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The Ad-Hoc Planning Committee recommends the Selection Panel commence the scheduling of bi-annual training for Selection Panel members on the Measure LL Ordinance. It is likewise recommended that said training commence prior to the upcoming recruitment cycle for new Police Commissioners slated for March 2019.





Application for Position of Commissioner – FACT SHEET

Purpose:	Oversee the Oakland Police Department to make sure that its policies, practices and customs meet national standards of constitutional policing.			
Number of Positions:	7 regular commissioners 2 alternate commissioners			
	Note. These positions are volunteer and unpaid.			
Term Length:	2 years, 3 years or 4 years			
Number of Meetings:	2 per month			
Minimum Requirements:	Oakland resident At least 18 years old			
	Note. Commissioners cannot be any of the following:			
Description of Work:	Oversee the Oakland Police Department Conduct annual public hearings, at minimum Issue subpoenas and take testimony on matters before it Propose changes to policies and procedures Approve changes to policies proposed by OPD Review OPD proposed budget and make recommendations Authority to fire the Chief of Police Recommend list of 4 candidates for Chief of Police to Mayor			
	 Oversee the Community Police Review Agency Conduct performance review of Director of CPRA Serve as Discipline Committee to review proposed discipline of police officers when CPRA and Chief of Police do not agree Authority to fire the Director of CPRA Recommend list of 3 candidates for Director of CPRA to City Administrator 			
	Submit annual report to the Mayor, City Council and public.			

Submit applications by June 30, 2017 to one of the following:

Mail <i>or</i> Hand-Delivery (Monday-Friday, 8:30 am – 5:00 pm)	Selection Panel for Police Commission c/o City Administrator's Office 1 Frank H. Ogawa Plaza, 3 rd Floor Oakland, CA 94612
Email	Address: CityAdministratorsOffice@oaklandnet.com Subject: Police Commission Application

Police Commission



Application for Position of Commissioner

The purpose of the Police Commission is to oversee the Oakland Police Department in order to make sure that its policies, practices and customs meet national standards of constitutional policing.

A Selection Panel of volunteer community members will select Oakland residents to serve on the Police Commission. Seated Commissioners are volunteers and will not be compensated.

Applicant Information					
Full Name	:				Date:
	Last	First		M.I.	
Home Address:					
	Street Address				Apartment/Unit #
	City			State	ZIP Code
Phone:	-		Email		

Supplemental Questionnaire

The purpose of this supplemental questionnaire is to evaluate your qualifications to serve on the Police Commission. This application, along with your answers to these questions, will be used by the Selection Panel to select the most suitably qualified candidates.

- Applications submitted without a completed supplemental questionnaire will not be considered.
- Please limit your response to each question to one 8.5" x 11" sheet of paper (single or double spaced).

Please respond (in writing) to the following questions:

- 1. Please describe any life work and significant community volunteer experiences that prepare you to contribute to the work of the Commission.
- 2. Please describe your contacts or experiences with the Oakland Police Department.
- 3. Please describe, if applicable, if you or an immediate family member has had significant volunteer or employment experience:
 - a. as a police officer,
 - b. as a criminal prosecutor or defense attorney,
 - c. with a public agency or nonprofit community group serving or advocating for crime victims or persons charged or convicted of crimes.

Application Consid	lerations		
Check all that apply:			
I would like to be considered as a Selection Panel app	ointee?	ES NO	
I would like to be considered as a Mayoral App	ointee?	ES NO	
References			
Please list three professional or personal references who are familiar with your background, experience and qualifications, and who can answer questions about your ability to serve as a Commissioner.			
Full Name:	Relation	onship:	
E-Mail		Phone:	
Full Name:	Relation	onship:	
E-Mail		Phone:	
Full Name:		onship:	
E-Mail		Phone:	
Voluntary Self-Identification	n Questionnaire		
1. With which race and/or ethnicity do you identify? (Cha	eck all that apply.)		
White: a person having origins in any of the original peoples of Europe, the Middle East, or North Africa			
Black or African American: a person having origins in any of the black racial groups of Africa			
Latino: a person having origins in any of the countries of Central America and South America, including Puerto Rico, Cuba and the other Caribbean nations			
Native Hawaiian or other Pacific Islander: a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands			
Asian: a person having origins in Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam			
American Indian or Alaskan Native: a person ha North and South America (including Central Amer community attachment		•	
Other:			
I do not wish to Self-Identify			
2. What is your gender?			
I do not wi	sh to self-identify		

3. You are considered to have a disability if you have a physical or mental impairment or medical condition that substantially limits a major life activity, or if you have a history of such an impairment or medical conditions.

Please check one of the boxes below: ☐ Yes, I have a disability (or previously had a disability) ☐ No, I do not have a disability ☐ I do not wish to answer
Disclaimer and Signature
The City Charter requires background checks for all Police Commission members and alternates. Prior convictions will not eliminate you from consideration. The Selection Panel strongly encourages formerly incarcerated individuals to apply.
l certify that I am over eighteen years of age and that my answers are true and complete to the best of my knowledge.
My signature below also indicates my acknowledgement that, by applying for the bosition of Commissioner, I will be subject to a background check.
Once submitted, your application form, along with all attachments, becomes a public record.
Signature: Date:

Completed applications due by June 30, 2017 by mail, hand-delivery, or email as follows:

Mail <i>or</i> Hand-Delivery (Monday-Friday, 8:30 am – 5:00 pm)	Selection Panel for Police Commission c/o City Administrator's Office 1 Frank H. Ogawa Plaza, 3 rd Floor Oakland, CA 94612
Email	Address: CityAdministratorsOffice@oaklandnet.com Subject: Police Commission Application