

COMMUNITY POLICING ADVISORY BOARD
DRAFT MINUTES RE-ISSUE
SPECIAL MEETING
May 8, 2013

Marcus Johnson called the meeting to order at 6:13pm and asked Joe DeVries to call the role.

Members present: Johnson, Haller, Webb, Hunter, Garvey, Nichols, Castro, Miller-Cole, Gulbransen, and Whitaker.

Members excused: Novak

Members absent: Cash.

The Chair asked if staff was aware of any updates on Board vacancies and Joe DeVries noted that Council Member Gallo has selected an appointee and is forwarding their information to the Mayor's Office.

1. Open Forum

Jim Dexter complimented the Chair on his letter to the Public Safety Committee and the fact that the recommendations included pertinent items that the Board had discussed. He also complimented the Board for the attendance at the meeting. He was critical of the Board's agenda for the evening and stated that he wants to see a more thorough agenda that contains more action items.

Alex Miller-Cole spoke under Open Forum as a member of the public as he tendered his resignation from the Board at the start of the meeting. Some members made comments/asked questions about his decision to leave the Board and asked how he intends to stay involved. He spoke about projects in his neighborhood that he has been a part of and will continue to be involved in. He expressed his frustration that being a member of this Board did not net the results he was seeking and his conversations with staff, the Mayor, and the City Administrator did not alleviate his concerns about the progress of the Board. He hopes his resignation may "shake things up" and cause some of the change he is looking for. Several members thanked him for his service and wished him luck in his future community work.

2a. Approval of the Draft Minutes from January and April.

The Chair noted that the February and March Minutes were approved at the April meeting but the January Minutes were held because the wrong copy was sent out in the packet.

Public Speaker: Jim Dexter spoke and raised the issue of members' comments on the by-laws that Alex Miller-Cole had emailed to people. He asked if this issue was going to be addressed at the retreat.

Member Gulbransen made a motion that the minutes from January and April be approved. Member Castro seconded the motion.

Ayes: Castro, Webb, Johnson, Haller, Nichols, Garvey, Hunter, Whitaker

Abstentions: Gulbransen

2b. OPD Report:

DC Anthony Rashal delivered the OPD update starting with a few comments on the resignation of Chief Jordan earlier in the day. The Chief stepped down to seek a Medical Retirement due to an illness but the department as an agency will continue in the same direction and with the same focus. There will be a national search for the chief and AC Toribio will assume day-to-day operations not unlike if the chief were out of town.

Status of Geographic Reorganization: the full rollout will be implemented between June and August. The beta test in East Oakland is in full phase with a Captain assigned to a smaller geographic area than in the past. The department is in a learning phase with the beta test in East Oakland.

Comstat: The department is revising the way in which it utilizes Comstat based on some peer review that was conducted by the consulting team. The shift is from a presentation format where a commander gives a formal presentation to a passive audience to a format whereby a lead interviewer asks a series of in depth questions that the presenter has to

respond to. This new format also takes into account different and more detailed statistical data which makes for a longer process but one in which everyone involved has a greater understanding of the issue being examined.

Member Haller noted that she had participated in a Comstat demonstration once and felt if more NCPC members could see a demonstration it could greatly benefit the community efforts. DC Rashal said that in time they could conduct another public demonstration of it but not until the department gets more comfortable with the new process.

Member Castro asked if there had been any efforts or recommendations to change the source of the data used in the Comstat process. He noted that getting accurate crime data has been an issue in Oakland. DC Rashal acknowledged that there are some data source problems, in regard to timeliness and accuracy that the Department is addressing. He did not state whether any new recommendations came from the consulting team on this item yet.

Member Castro asked that at the next CPAB Meeting, that OPD report on their progress in getting one accurate source of data for the Comstat process. The Chair asked the rest of the board if they would find this information useful and the group agreed that it would be.

Staffing: Currently there is an academy underway and there are 646 total sworn members of the department with 44 off with some form of long term injury. DC Rashal noted three factors in increasing staffing: the department needs to: keep staff healthy, keep people on the force (avoiding transfers) and continue to recruit and train new officers, As part of the staffing issue, Member Webb asked if the City was considering hiring the current acting Chief and DC Rashal noted that a national search will be initiated but sometimes those searches end up finding someone within the department when all is said and done.

Member Garvey asked if the board could get a report on how many PSOs moved out of their beats during the last "Draw" that the department conducts. Subsequently he would like to have the same information on patrol officers to give the board an idea of who is moving around and to where. He also asked if Comstat has a component that discusses PSO work. DC Rashal noted that the PSOs are part of the process and support the investigation team when looking at a crime in the PSOs area so they are integrated into the process. Last, Member Garvey asked if there was a way to capture the community work that PSOs and cadets are doing such as participating in a community health fair or volunteering with a community organization. He would like to share this information in a newsletter to further improve communication between the community and OPD.

The Chair asked if the department is losing more officers to other departments than usual and DC Rashal noted that there had been a cluster of officers that left recently. He has seen it come and go in waves in his experience.

PSOs: DC Rashal said that although he cannot say exactly who has moved at tonight's meeting he recognizes how important this issue has been over the years. Challenges include the PSOs collective bargaining agreement have the right to seek other assignments and promotion. Beyond the collective bargaining, the department needs to do a better job to make the staffing more stable.

Member Nichols noted that he attended a District 4 leadership meeting and was very impressed with Captain Tull. On the issue of PSO movement, Captain Tull made a commitment to do whatever possible to keep PSOs in their beats

Member Hunter asked for ideas of what the department can do to limit movement. DC Rashal stated that conducting an appropriate assessment before making a move is vital and it really is a management issue. He feels the department management is very aware of this concern and is taking it into consideration.

Member Haller observed that her PSO appears to be gone a lot on special assignments. This complaint is common in that PSOs are assigned to special operations and the projects the community selects as a priority get left unattended. DC Rashal noted that at times the department has to pull resources from all over the city to meet the demand of a particular event or project.

Member Castro asked if the new geographic model will also encourage all officers to stay within a geographic area (not just the PSOs and Captain). DC Rashal said he did expect that and the department has "unofficially" encouraged staff to stay in the same area as much as possible.

The Chair noted that his PSO announced who the new patrol officers would be in the area after the last draw and this information was extremely helpful to the NCPC. DC Rashal acknowledged that the transition process when there is a change is a critical component to continuity.

Member Garvey asked about the advisory boards that were recommended to be established for each police district. DC Rashal stated that it was still the plan to create those. The Chair noted that the consultant told him directly that he was recommending that all the members of the CPAB be automatic members of the advisory council in their police district. Joe DeVries noted that the district 4 and 5 leaders met two weeks ago and that it was an outgrowth of the old area leadership meetings that had been occurring. He also recommended that the board take these conversations about PSO transition policy, the district leadership councils, and officer retention and turn the discussion into a tangible recommendation to OPD and the City Council.

Member Hunter asked if the new recruits are being recruited for a specific district/area. DC Rashal clarified that the department recruits for the whole city-not for a specific area and is more concerned with recruiting a diverse group of good candidates.

2c. City Budget

The Chair introduced the idea to the Board that it take many of its deliberations and shape them into a recommendation to the City Council regarding the proposed budget. He cited the complaints from the community about the need for funding to support outreach, meeting materials, etc.

Members Haller and Castro shared strong support for such a recommendation. Member Castro noted that his NCPC has color flyers and materials only because his company donates the use of its printer/copier but that all NCPCs don't have that option and deserve some support.

The Chair noted that one need is to fund a Community Summit, the last one having taken place in 2011. Joe DeVries clarified that he is seeking money for the summit separate from NCPC funding.

Member Gulbransen asked if the recommendation be for restoring funding but also for establishing a more efficient system to distribute the funding as historically NCPCs had trouble with getting approvals to spend money and get reimbursed causing many to not even bother asking for the funds.

The Chair also asked if the previous recommendation in March of 2012 by the CPAB of moving the NSCs back to OPD was appropriate at this time.. He said he would entertain a motion about all of these items right now.

Member Garvey asked for clarification as to what the logic was about moving the NSCs back to the department. Member Castro asked if the movement of the NSCs was a union issue.

Joe DeVries clarified that during last year's discussion about the creation of a Community Services Agency, the consulting team the city hired made recommendations which would merge Parks and Recreation and the Department of Human Services but that the decision as to whether to include the Neighborhood Services Division in this new agency had not yet been made. He noted that now would be a good time to weigh in on this plan and that whatever movement was recommended would require a meet and confer with the union.

Member Garvey asked if moving the NSCs back to OPD would cause them to be subject to department cuts as the department moved to put more officers on the street. Joe DeVries clarified that the management of the NSCs is done by the City Administrator but that they have always been funded by OPD so their funding source would not change.

Nancy Sidebothem (Member of the public) spoke on the issue: She stated that the NSCs are the basis for community policing, had always been in the police department and she believes strongly that they belong back in OPD as they are the first ones OPD turns to for help with community outreach, meetings, and anything community policing related.

Member Haller made a motion that the NSCs be returned to OPD, that the NCPC funding be restored. The motion was seconded by Member Hunter.

Allene Warren (Member of the public) spoke on the issue: She asked if the Board had taken the idea of moving the NSCs out to the NCPCs and public because she is opposed to the idea as are many of the people she knows who are active in NCPCs in her area.

The Chair clarified that Ms. Warren took the same position a year ago when the Board voted on this issue and he respects her position but this motion would simply restate the motion passed a year ago.

Member Gulbransen suggest a friendly amendment of de-coupling the issues, making one motion on funding and a separate one on moving the NSCs. The maker of the motion supported this and modified the motion to be specifically for funding.

Member Gulbransen also asked that the motion include a revamping of the process of distributing the funding. Member Castro suggested keeping the motion simple and not include details about the distribution of funding. He also asked for clarification about how much the Board is recommending. Member Webb stated that the Board should ask for a higher amount based on what \$50,000 in 1996 would equal in today's dollars.

Ultimately, Member Haller modified her motion to be that the Board recommends to Council that NCPC funding be restored to an amount determined by the Chair and staff based on today's dollar value. The motion passed unanimously.

Member Hunter moved that the NSCs be placed back under the jurisdiction of the Police Department. Member Haller seconded the motion. Member Garvey asked if this proposal was timely in regard to the budget. Joe DeVries clarified that this is not necessarily a budget question as the NSCs are funded by the OPD budget. It really is a management issue.

After further consideration, Member Hunter stated she would like to hear from more people about this issue, Member Gulbransen suggested tabling the motion until the Board heard from more people. Joe DeVries suggested that when the Board discusses this issue, they ask the NSCs to come and share their thoughts on the item. The motion was tabled.

Member Gulbransen made a motion that the CPAB recommend during the budgeting process that the city increase funding to increase the number of NSCs. The motion was seconded by Member Hunter.

The Chair asked for clarification about the number of NSCs and Joe DeVries clarified that there are currently 9 but historically there were 17 and when the NSCs were moved to the City Administrator's Office two Supervisor positions were created. Under that structure, each NSC had only three beats and could be much more effective.

Member Webb suggested adding 11 NSCs for a total of 20 which became the modified motion. The motion passed with only Member Castro voting no.

2d. Chair's Report

The Chair reviewed the letter that was submitted to the Public Safety Committee in April. Member Catro praised the Chair for his letter and presentation to Council however, he noted, that the Chair was called up as a public speaker, not the Chair to the CPAB and the deference that deserves. Joe DeVries clarified that the intent was to have the Chair speak separately from the public speakers but the Committee chair inadvertently forgot that arrangement.

Next the Chair raised the fact that he and the Mayor, Council Member Schaaf, and City Administrator received two complaint letters about the February elections at the Beat 22x NCPC. He did not provide the letter to the Board because he felt the issue should be resolved at the NCPC level to avoid every dispute at the NCPC level coming to the Board. He wanted the Board to be aware of it but didn't think it should be discussed. He also stated that he would like members of the Board to be attending NCPCs in their area so the Board has a sense of what is happening out in the community.

Next he asked Joe DeVries provide a Town Hall Meeting update. Joe DeVries summarized that the last Town Hall Meeting took place in the Fruitvale and that the Youth Forum was taking place tomorrow at Laney College from 4:30-7:30 and would follow the same format as the other Town Hall Meetings but that it was geared to youth.

There were two public speakers on the Chair's Report:

Mathew Lonergan: He felt that the Chair not discussing the letter of complaint from 22x was an example of the NCPC's frustration about not being able to affect the actions of the CPAB. He stated that he hopes the CPAB will get to the important subjects of an election and a reform of its by-laws to become a more effective body.

Kathleen Russell shared her frustration at waiting two and a half hours to hear what the issue was with 22x since it appeared on the agenda and yet there was no issue discussed. She said that many members of the NCPC were working hard and don't understand why they are being considered a problem.

The Chair clarified that he felt he needed to tell the CPAB that he had received communication but that he did not feel it was an issue for the CPAB to discuss. Member Garvey aired confusion over what was happening with Beat 22x and why it kept coming up as an issue. Members Gulbransen and Castro shared his confusion.

Joe DeVries attempted to clarify by summarizing the complaint: In February, 13 candidates were on the ballot and 12 of them had the word "Endorsed" by their name while the 13th did not which left the impression that the last candidate was unfairly singled out. Ultimately the 13th candidate was elected so regardless of the intent of the lack of endorsement for that candidate; the end result was that they retained their seat. He felt that although this was a poor election tactic, it was not an issue for this Board but one that needed to be handled at the NCPC.

Several members expressed concern over whether or not this was an item that the Chair should have placed on the agenda and it was noted that had he not put it forward, he may have been criticized for trying to cover something up. The Chair acknowledged that he was a bit gun shy about bringing this up because of past experience with this beat and what happened last year.

Nancy Sidebotham addressed the Board and noted that the whole debate, without the letter available, could unfairly cast Member Haller in a bad light as the complainant (even though she wasn't the complainant).

Member Hunter suggested that some communication with the 22x NCPC take place to clarify this. Member Gulbransen stated that she agreed with the Chair's decision to not bring more controversy forward as a certain amount of healing needed to take place within the Beat 22x NCPC and that she would be happy to communicate those thoughts to the NCPC leadership.

2e. Newsletter proposal by Member Garvey

Member Garvey read his proposal (attached) to improve communication between the CPAB and the NCPCs and as a way to highlight positive accomplishments of different NCPCs and their PSOs on a regular basis. He cited the OPD Open House, upcoming forums and meetings, and any other relevant information as examples of what could be in the letter.

The Chair supports this proposal and noted that a newsletter with photos and an exciting format would be more likely read than the meeting minutes. He does have concern about how often the letter is sent and how many people are responsible for its production. He suggests an ad hoc committee be formed to ensure it gets done. Member Castro also supports the letter as long as it remains informational and not editorial. He also noted that it is a large task and he offered his help with the letter.

Jeanine Johnson, a member of the public, suggested that the newsletter be quarterly at first as a test.

The group decided to address the details of the newsletter at the upcoming retreat.

2f. Retreat: The group agreed to have the retreat on June 29th from 1 to 5pm. The Chair noted that a location needs to be identified as well as a facilitator. Joe DeVries will work on both of these issues. Any content of the retreat would be discussed at the June meeting.

Joe DeVries noted that he wants members to email him any items for discussion for the June meeting and the retreat. Also the Chair noted that Bob Wasserman had not received written input from the members about what they wanted to see in the Crime Reduction Plan.

The Meeting adjourned at 9:16.