

CONVENE / ROLL CALL:

Chairperson Johnson called the meeting to order at 6:12 p.m. Board members present were Castro, Gomez, Gulbransen, Haller, Hunter, Johnson, Nichols, Haller, Hunter, Webb, and Walton

Absent were Brown, Whitaker, Williams and Garvey, **QUORUM**

Vacancies are two mayoral appointments;

Note: There was official recording of this meeting.

1. **PUBLIC COMMENT / OPEN FORUM:** no public speakers

2. **ACTION RECAP:**

2.1. Chief of Police Recruitment Report

Motion: Member Gomez made a motion to forward comments to the City Administrator

Seconded by Member Gulbransen

Public Comments: None

Passed by consensus

2.2. CPRB Executive Director Recruitment

Deputy City Administrator Arturo Sanchez provided a brief description of the CPRB and the City Administrator's goals in hearing input from a variety of stakeholders to help them get to the top priorities of the new executive director and the Board. Board members provided their comments and responses to five questions.

2.3. Oakland Police Department Best Practice Review

Member Castro made a motion to change report wording "Neighborhood Policing" to "Community Policing."

Seconded by Member Haller

Public Comments: A. Warren

Passed unanimously

2.4. Meetings Minutes

September minutes approved with three abstentions

October minutes approved with minor typographical corrections and after some minor procedural conversation

2.5. Committee Update

Member Gomez made a motion to accept the NCPD Resource Committee's NCPD Certification documents.

Seconded by Member Webb

Passed with one abstention

2.6. Staff Report (None)

2.7. Chair Report

Member Vertis Whitaker will be recognize by the City Council for her number of years of service this month.

Public comments: none

2.6 Agenda Building

The January meeting has been moved to January 8th to avoid the New Year's Holiday. Chairperson Johnson wants to conduct a "year-in-review" document for members to discuss in January. He concluded by thanking everyone for their work on the Board.

Member Webb concluded the meeting by announcing she may miss the next meeting due to her next baby being born!

NOTE: PAST MEETING MINUTES ATTACHED.

ADJOURNMENT

**Community Policing Advisory Board
Draft Minutes
Regular Meeting
December 4th, 2013 6pm**

Chairperson Johnson called the meeting to order at 6:12pm.

Members, Johnson, Nichols, Haller, Hunter, Gomez, Webb, Gulbransen, Castro and Walton were present.

Members Whitaker and Garvey were absent.

Members, Williams and Brown had excused absences.

1. Open Forum: There were no speakers. Chairperson Johnson took the moment to welcome the newest member of the Board, Sheryl Walton, a mayoral appointee. He noted there are two remaining vacancies.

2.1 Chief of Police Recruitment Report: Chairperson Johnson noted that there was no quorum at the last meeting but the group went through the four questions regarding the Chief of Police recruitment and answered them individually. The answers were included in tonight's packet and he wanted to give members who were not available last month to review the answers and have the opportunity to add their comments as well.

Member Castro asked where the questions came from and Joe DeVries explained that they were developed to be asked citywide of anyone who choose to give input. He noted that there was an extensive process to gather input both at facilitated meetings and through on-line surveys.

The group went through the notes from the last meeting (see attached) with each member explaining their statement. Member comments that were added included:

Member Gomez wants to see an emphasis on hiring Oaklanders to the force. He has always felt that to ensure a positive relationship with the community.

Member Gulbransen commented it was important to change the culture at OPD and raise the morale among the ranks.

Member Castro noted that he supports all of the points but the most important priority is a chief who will take charge of the department. They need to be able to clean house, stand up to the Mayor and council, and the buck needs to stop with the chief. Member Gomez concurred with that point strongly.

Member Haller reemphasized the need for a chief with experience working on patrol throughout neighborhoods like Oakland's.

Chairperson Johnson clarified his earlier point that he feels it's important for a chief who has pulled a gun, or more to the point, understands the consequences of doing so and can apply that understanding to running the department. The Chief needs to have that depth of understanding life and death situations that officers find themselves in.

Member Gulbransen would like to see someone with "turn-around" experience, helping an organization and with longevity in their last job in hopes that Oakland will find a chief who will stay long after they make changes to see if those changes work or not.

Member Gomez noted that experience in Oakland is really vital and he strongly recommends the city hire from within the department; someone who knows the business of Oakland.

Member Gulbransen would like the candidates present an initial proposal or plan to the hiring committee as part for their interview process. Also, she would like to look at their position on and track record with using consultants. She would like to see if they effective and how often they rely on them.

Member Castro strongly recommended that the City do whatever it takes to allow the chief to do their job. He cited examples of the City Council and others interfering and emphatically wants to see the City avoid this with the new chief.

Regarding how to help support the city, Member Castro stated he would do whatever he can to make the CPAB as effective a Board as possible.

Member Gomez made a motion that the Board forward the comments to the City Administrator and it was seconded by Member Gulbransen.

Member Castro made a friendly amendment that the Board adds tonight's comments before forwarding them. The amendment was accepted and the motion passed by consensus.

2.2 CPRB Executive Director Recruitment

Deputy City Administrator Arturo Sanchez provided a brief description of the CPRB and the City Administrator's goals in hearing input from a variety of stakeholders to help them get to the top priorities of the new executive director and the Board. He then led the group through a discussion in which they answered the questions below:

1. *Based on your knowledge of the CPRB, its mission, and the public perception of how complaints against OPD are handled, what do you think the top priorities of the new Executive Director should be?*

Member Gulbransen feels the most important priority is establishing a fair and unbiased process for submitting and processing complaints and against police officers. This is the fundamental mission of the Board and it has not met that mission.

Member Castro feels establishing the Board's credibility is crucial. He has only heard negative things about the Board in terms of backlogs an poorly processed cases. A Project Manager mentality is important to get in the position and make the process work. Through that process they need the public to see that the process is fair, impartial, and effective.

Member Haller suggested they should go through the Citizens Police Academy so they have an understanding of OPD procedure.

Member Walton would like to see that they come in with a mind set on analysis and evaluation so after six months they can write a report on best practices, where the board has been, and where the need to go.

2. *What experience/background do you think is most important for the new Executive Director to possess in order to ensure the CPRB's effectiveness?*

Member Gulbransen noted it's important to have experience hearing and processing complaints but not necessarily a legal background. Many in the corporate sector have to adhere to such processes and that experience is significant. Also, they need to have experience working with diverse communities.

Member Nichols stated there needs to be a thorough, well publicized process for filing complaints. Many people don't even know the Board exists.

Member Castro noted they should not have law enforcement experience to avoid a perception of a lack of impartiality. Any past experience with law enforcement would be perceived badly.

Chairperson Johnson stated he would like to see someone with a background in mental health, the ability to document, and the ability to listen and problem solve. He sees the legal background as less significant. The mental health experience would help the candidate interpret subtleties while sort through people's complaints and develop better solutions.

3. *If you were the Executive Director of the CPRB what major initiatives would you implement in your first 6 months on the job?*

Chairperson Johnson thinks the first six months will be an assessment time and implementing anything new will be extremely challenging in that time frame.

Member Haller suggested a new policy that sitting Board members participate in police ride-alongs, especially for protests at the port or other difficult situations that often result in complaints.

Member Webb suggested review of cases by outside investigators to see how well the investigators internally are doing, checking to see if an outside person would reach a different conclusion.

Member Hunter sees both the CPRB and the CPAB as having a positive role in regard to OPD. She feels a well run CPRB will help create a well run police department so the two do not need to be in conflict with each other.

Member Castro feels developing protocols that are clear, precise, and standardized to ensure complaints are handled in a timely and fair manor. He also thinks there needs to be an initiative advising the community of what the CPRB does as it is clear that many in the community do not know.

Chairperson Johnson feels that the CPRB has a huge role in seeing that another Negotiated Settlement Agreement ever happens.

4. *How could the CPRB positively affect the relationship between OPD and the people of Oakland? What role should the Executive Director play in making those improvements?*

Member Haller feels that how the CPRB is projected is key; projecting fairness for both parties is crucial. In her experience when she had heard about CPRB is has been presented as one-sided, looking for fault in police where it may not exists.

5. *What role should the Executive Director Play in creating a strong relationship between the CPRB and OPD?*

Member Gulbransen asked for clarification because the key is to have an unbiased role and therefore if they have a relationship with OPD it could appear or become biased toward the department.

Member Castro agrees and pointed out there is nothing the Executive Director or the Board can do to improve the relationship between OPD and the community. However, an improved relationship *will be a byproduct* of a well run CPRB.

Member Haller asked if CPRB members or the Executive Director come to the Police Academies. Deputy Chief Dowling noted that the Board's role is defined during the academy but that no members participate. Member Haller suggested that might be a way to diffuse officer fear of the board; if they actually met them.

Chairperson Johnson commented that the executive director has to ensure the board is made up of people representative of the community of Oakland's diversity. At the same time, they have to have a cordial relationship between the CPRB and OPD. It's important for OPD to know they have a seat at the table in order to resolve the animosity between the two organizations.

2.3 Oakland Police Department Best Practice Review

Chairperson Johnson asked for any opening comments on the report or if there were public speakers on the item (there were none). He went on to point out that many of the recommendations are already being implemented.

Member Hunter noted on page five of the report it indicates that the City's neighborhoods need to develop a strong moral voice where community members do not tolerate criminal or deviant behavior. She feels this makes an assumption that deviant and criminal behavior is tolerated or accepted but in fact the behavior is not acceptable but the community does not have the resources to stop it. Member Gulbransen agreed and went on to note the report indicates that political leaders "tend to feed off negative criticism of the department." This implies that the citizens of Oakland accept this behavior and they do not.

Member Castro asked for some clarification about the report's rollout and timeline. Joe DeVries contextualized the process by indicating that this particular report was furnished to the department in the summer and is report number 2. It includes the geographic policing model, the community satisfaction survey, and other components that are already being implemented.

The third and final report is the community engagement/city comprehensive analysis that provides for other agencies and the community for input to the process. He noted that the draft of the third report is just being reviewed by departments and will be available for public review shortly.

Member Castro asked if there is a timeline by which the City wants the CPAB to make recommendations. Joe DeVries suggested that instead of a timeline, the CPAB can be using the report as a way to monitor the department's progress; the report is a living breathing document that the Board will be using and commenting on for the next year or two. He also noted some of the recommendations cannot be implemented until more resources are available.

Member Castro also noted that he is a member of the Area 2 Advisory Board and they discussed it at length with Captain Toribio. He noted that the report calls for PSOs to stay in their beats as often as possible instead of being the first to be sent in to special projects such as protests downtown. If they have to take 911 calls in their beat, so be it; that is still better than being pulled from the neighborhood.

Chairperson Johnson noted that he was concerned that the phrase community was used 186 times, but Community Policing was mentioned only 4 times. He went on to point out that the CPAB was mentioned only twice. He is disappointed that the CPAB isn't more involved and the mention of Advisory Councils failed to elaborate on the existing councils that are already doing the work.

Member Castro concurred and noted that the City of Oakland has branded Community Policing as the philosophy of the City. Rebranding it as Neighborhood Policing is troubling and inconsistent with what the city has been doing. He feels the wording should be changed back to Community Policing and made a motion to recommend to the City Administrator and Strategic Policy Partners that they do so. The motion was seconded by Member Haller.

There was one public speaker on this item, Allene Warren, commented that in the many years that there have been NCPCs, a lot of them have changed their names but still are technically considered NCPCs.

The motion passed unanimously.

Joe DeVries suggested that the group also consider looking more closely at the entire report in subsequent meetings and Chairperson Johnson agreed and offered that this would be appropriate subject matter for the Executive committee.

2.4 Approval of Draft Minutes

The minutes for September were approved with three abstentions; Members Walton, Hunter, and Castro.

The minutes for October were approved with minor typographical corrections and some minor procedural conversation about whether the minutes could be approved by members who were not present. Since the meeting had no quorum, the minutes are not technically of any action item. Since the notes reflect what was discussed, it was decided the minutes should be approved. There were three abstentions: Members Gulbransen, Walton, and Hunter.

2.5 Committee Updates

Member Haller reviewed the NCPC re-certification form that the Resource Committee revised pointing out a few minor updates. She explained that the committee would like approval so they can begin to distribute to the NCPCs in January and begin to get the many councils beginning the process to get recertified.

Member Gulbransen asked for some clarification about repeat questions on the two different documents. She was concerned about making the process too confusing or long. She noted that some of the questions are nice information to have whereas other questions are critical to re-certification.

Member Haller pointed out that they would like to have as much information as possible but don't expect every NCPC to be able to provide all of the information. She also said the goal is to have the NCPC work closely with their NSC to get the documents filled out and get themselves certified.

Member Castro indicated he had some confusion as well regarding some of the questions on the forms. He noted that there are two sets of questions and he wants some clarification. Member Haller pointed out that the form has some duplicate spots but the more information they can gather with these forms, the better and since every NCPC is different, they expect different and varying levels of information.

Chairperson Johnson noted that he hopes the Board can reach a decision quickly, and further noted that the reason there are committees is to work out the details before coming to the full board. However, he acknowledged that with the number of questions that have come up maybe the document should go back to committee until next month.

Member Webb commented that the duplication of questions doesn't bother her as they remind her of when she fills out registration forms for her children's school—many of the forms are complete duplicates. She just sees it as the process and if NCPCs want to get certified, they will fill out the forms.

Member Gulbransen noted that she is asking her questions in the interest of seeing that the process is successful, not to slow things down. Since NCPCs are volunteer run, she wants to make sure its simple.

Member Hunter thought the form had already been accepted by the Board a long time ago and therefore should be accepted. She sees the supplemental questions as useful.

Member Gomez made a motion to accept the document, and Member Webb seconded the motion.

Member Walton noted that she found parts of the form confusing as well and after some clarification she suggested turning pages 4 and 5 into landscape form to be easier to fill out.

Member Castro stated although he would vote to approve the forms, but encouraged the committee to not call the first three pages instructions—they may be confused by that. He made this recommendation into a friendly amendment to the motion to approve.

Member Gomez accepted this friendly amendment as did Member Webb.

The motion passed with one abstention; Member Walton.

2.6 Staff Report, Joe DeVries had nothing to report.

Member Gulbransen asked if redistricting changed the make up of the board. He did not believe it did.

2.7 Chair's Report

Member Vertis Whitaker will be recognized by the City Council for her number of years of service this month.

Next he asked about Bob Wasserman and Joe DeVries noted that the final report is in draft form and meetings with department heads are taking place to see that they could provide input before its release. He also noted that Mr. Wasserman does want to come back to the committee when its ready.

Agenda building:

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