



**CITY OF OAKLAND  
OAKLAND POLICE COMMISSION**

**Meeting Minutes**

**Wednesday, December 27, 2017**

6:30 PM – 10:50 PM

City Hall, 1 Frank H. Ogawa Plaza, Hearing Room 1  
Oakland, CA 94612

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**I. Call to Order (Chair Thomas Lloyd Smith)**

The meeting started at 6:30 p.m.

**II. Roll Call and Determination of Quorum (Thomas Lloyd Smith)**

Commissioners present: Mubarak Ahmad, José Dorado, Ginale Harris, Regina Jackson, Mike Nisperos, Edwin Prather, Thomas Smith. Quorum was met.

Maureen Benson (Alternate), and Andrea Dooley (Alternate).

City staff present: Stephanie Hom, Deputy City Administrator  
Ryan Richardson, Deputy City Attorney, City Attorney's Office  
Virginia Gleason, Police Commission/OPD Liaison  
Juanito Rus, Policy Analyst, Community Police Review Agency

**III. Open Forum (Thomas Lloyd Smith)**

Public comments were provided by the following:

Elise Bernstein regarding seating positions of Alternate Commissioners and Alternate Commissioner participation.  
Rashidah Grinage regarding live vs replay of Police Commission meeting by KTOP.  
Michael Tigges regarding public comment.  
Rosa Maria Garcia regarding IAD/OPD activities and supervision.

Discussion was held about the seating positions for Alternate Commissioners.

**IV. Action – Approval of Draft Commission Meeting Minutes for December 13, 2017 (Thomas Lloyd Smith)**

a. Discussion

Commissioner Nisperos said that we accept the draft and not approve the Minutes.

b. Public Comment

Public comments were provided by the following:

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Rashidah Grinage regarding the absence of public comments  
Mariano Contreras regarding public comments being reflected in minutes.

c. Action

A motion was made by Commissioner Nisperos that we accept the Minutes and not approve the Minutes until the next Commission meeting. It was seconded by Commissioner Jackson. The motion passed. The vote was 6-1, with Commissioner Ahmad abstaining.

**V. Discussion – Measure LL Enabling Ordinance  
(Ryan Richardson)**

a. Discussion

Ryan Richardson gave an update as to the status of the Enabling Ordinance, a general overview of what the Enabling Ordinance is designed to achieve, and then lastly make a recommendation that as you are scheduling your trainings - the City Attorney's Office is prepared to provide a more substantive training and frequently ask questions as it relates to the Draft Ordinance, Charter Amendment, Sunshine Ordinance, and Brown Act and recommended that when you get to your discussion on training that you prioritize that piece of the training so you can be informed as to what tools are at your disposal to get your work done.

Vice-Chair Harris said they have a copy of the Measure in the room if members want to refer to/look at.

A motion was made that we ask the City Council to refrain from acting finally on the Ordinance until we have had an opportunity to study/evaluate and provide them comments and that we be given 45 days in which to do that, and if we can do it sooner, the better (M. Nisperos) and seconded by (R. Jackson). The motion passed. The vote was 6-0-1, with Commissioner Ahmad abstaining.

Discussion followed regarding the bargaining units which represent department employees besides the OPOA as well as the provision for a 45-day opportunity to provide commentary on ordinances impacting the Police Commission.

b. Public Comment

Public comments were provided by the following:

Rosa Maria Garcia regarding the approval process for minutes.  
Rashidah Grinage regarding meet and confer process and issues specific to meet and confer with OPOA and provisions within enabling ordinance which are subject to

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bargaining.

Michael Tigges regarding meet and confer with OPOA regarding the ordinance.

Lorelei Bosserman regarding the meet and confer process.

Bruce Schneider regarding the enabling ordinance and disciplinary committee composition.

Elise Bernstein regarding disciplinary committee and its importance.

Mr. Richardson regarding the meet and confer process.

Discussion followed regarding the stage in the process when an ordinance goes to arbitration

**VI. Action – Rules and Procedures for Conducting Business  
(Ginale Harris and Edwin Prather)**

a. Discussion

Commissioner Prather reported on the Rules of Order. We modeled them after the San Francisco Police Commission Rules of Order and the City Council's Rules of Order. We presented these rules to the City Attorney's Office and did not get a redlined version back until after the agendas were posted. I would like to make edits here orally to the draft version so we have a more finalized version to consider for a vote.

Commissioner Jackson read aloud Rule 2.8 (Alternative Meeting Place). I thought that we wanted to proactively identify meeting places in the community and not just if the room was unavailable. Commissioner Prather said that references that if for example there is a water leak, we can move to another room in the building. Commissioner Prather referenced 2.4 - that our meeting should be in this room every second and fourth Wednesdays each month; Rule 2.8 says that the Commission may also select meeting venues outside of Oakland City Hall by motion carried.

Commissioner Nisperos referenced Rule 2.3 (Election of Officers) and on Page 15 of the Proposed Ordinance – Election of Officers; Says it will on the first meeting of the year - January. Whereas this one says held in February. Commissioner Prather asked Mr. Richardson for clarification. Mr. Richardson said that the draft ordinance has you selecting officers each January. That ordinance is not in effect yet and you are free now to elect your officers when you want and once it passes, and it has something different, and in the hierarchy of legislation it will trump your date.

Commissioner Prather read aloud the redlines/changes to the document as members followed along on their copies. He will make a redlined version available as part of this packet consistent with the Brown Act available to members.

Comments from Police Commissioners.

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b. Public Comment

Public comments were provided by the following:

John Jones, III regarding alternate commissioners sitting at the dais.  
Rashidah Grinage regarding opportunity for public to speak to matters involving cases for closure prior to entering closed session.  
Elise Bernstein regarding resolution of alternate commissioner seating.  
Lorelei Bosserman supporting comments by R. Grinage  
Rosa Maria Garcia regarding transparency to constituents.

c. Action

Motion to move the resolution as amended orally (N. Nisperos) and seconded (R. Jackson). Motion passed (unanimously).

Commissioner Prather said that he will draft language/Rule and present it at the next meeting regarding the topic of Alternates.

**VII. Discussion – Oakland Police Commission Budget  
(Stephanie Hom)**

a. Discussion

Stephanie Hom reviewed the Oakland Police Commission Budget as listed in Item 7 in the Agenda Packet. Discussion followed regarding the overall budget for the Police Commission and funds already spent. Ms. Hom will defer that matter to the Chair to have the Interim Director of the Community Police Review Agency to provide the report.

Rashidah Grinage inquired about the two half-staff positions and why we don't have staff since Measure LL was passed last year. Ms. Hom explained the hiring process and they are civil service positions. They have requested the Eligibility Lists for each of those Classifications.

b. Public Comment

Public comments were provided by the following:

Rashidah Grinage regarding Police Commission staff status, legal counsel and the legal counsel RFQ and CPRA Executive Director job description.  
Rosa Marie Garcia regarding Police Commission budget.

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**VIII. Action – Executive Director Hiring Process, Community Police Review Agency  
(Mubarak Ahmad, Ginale Harris and Mike Nisperos)**

a. Discussion

Commissioner Nisperos spoke about opening the position of CPRA Executive Director.

b. Public Comment

No Public comment

c. Action

Motion to move that the Chair appoint an Ad Hoc Committee to work with the City Administrator's Office to come up with a job description for Executive Director, publish it and seek out applicants (M. Nisperos) and seconded (R. Jackson). Motion passed (unanimously).

**IX. Action – Staff Vacancies and Hiring, Community Police Review Agency  
(Mike Nisperos)**

a. Discussion

Commissioner Nisperos requested that hiring of CPRA staff be frozen until a permanent Executive Director has been selected.

Commissioner Prather would like to hear something from the Agency in how that would affect them in doing business. Is someone here to speak on that issue tonight. Policy Analyst Rus stated that the only new open position this year that has not been frozen which is a supervisory Investigator III position. He understands that the position was included in the budget this year. A lot of that work has been done by the Executive Director. The remainder of the positions are frozen. One of two Investigator positions was frozen by the Council. A database system is being developed/funds used for the other Investigator position. Commissioners would like to have the cost of the new database system.

b. Public Comment

Public comments were provided by Rashidah Grinage regarding freezing other positions to offset additional cost of database management system and the investigator/police officer ratio, per Measure LL.

c. Action

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Motion to move to freeze all hiring of CPRA staff by the Interim Director until the permanent Director has been selected (M. Nisperos) and seconded (M. Ahmad).  
Motion passed (unanimously).

**X. Action – Hiring Process, Oakland Police Commission Staff  
(Ryan Richardson and Thomas Lloyd Smith)**

a. Discussion

Ms. Hom provided information on the hiring process for Police Commission staff, as well as budgeting information. Discussion followed regarding combining current open part-time positions to one full time position which is more senior.

b. Public Comment

Rashidah Grinage regarding lack of ordinance and CPRA current staff options.  
Elise Bernstein regarding Measure LL and Police Commission being a community backed initiative.  
Lorelei Bosserman thanking the Police Commission and offering her support.  
Michael Tigges asked the Police Commission to seek assistance from the Agency and offered his continued support to the Police Commission.  
Joe Marshall regarding the need for staff assistance.

c. Action

Review the possibility of combining the two budgeted part-time positions into one full-time, more senior position by using the Police Commission budget to obtain adequate staffing.

**XI. Action – Creation of an Impact Binder  
(Regina Jackson)**

a. Discussion

Interim Executive Director Finnell is to direct staff to assist in the creation of an impact binder.

b. Public Comment

No public comment.

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c. Action

Motion to recommend that Interim Executive Director Finnell direct his admin to help us with the creation of the impact binder by our next meeting (Jan. 10, 2018) by R. Jackson) and seconded by (T. Smith).

Motion passed (unanimously).

**XII. Recess (5 minutes)**

**XIII. Action – Commissioner Email, Business Cards, Badges/ID  
(Ginale Harris and Edwin Prather)**

a. Discussion

Commissioner Prather presented a proposal to the Police Commission and spoke on the need for Police Commissioner badges and ID cards, jackets and the need for immediate identification for the Police Commissioners.

Virginia Gleason discussed scheduling Police Commissioners for obtaining photographs for identification badges/cards.

Discussion by Police Commissioners.

b. Public Comment

Public comments were provided by the following:

Rashidah Grinage regarding Police Commissioners IDs and badges. Also commented on Police Commissioners duties as per Measure LL.

Terri McWilliams regarding Commissioner Harris' recent interaction with the police, commissioner IDs, and badges.

Lorelei Bosserman regarding badges and stars.

Joe Marshall regarding SF Police Commissioner star and ID cards for the Police Commissioners.

Elise Bernstein regarding Police Commissioners IDs, badges and duties.

Joe Marshall regarding personal experience with badge/star and ID for him as an SF Police Commission.

Comments from Police Commissioners discussing the need for them to be on the scene of police incidents.

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c. Action

Motion to vote on badge or ID by (M. Ahmad) and seconded by (M. Nisperos).  
Motion passed with six yes votes and one no vote (M. Ahmad)

Clarification to determine if the Police Commission will have a badge or ID.

Motion to adopt proposal drafted by Commissioners Prather and Harris which was included in the agenda packet in its entirety made by (E. Prather) and seconded by (J. Dorado). Motion passed with six yes votes and one abstain (M. Ahmad).

Question raised regarding badges and ID for Alternate Commissioners. Clarification was needed. Motion was made for Alternate Commissioners would receive badges and ID cards by (G. Harris) and seconded by (E. Prather). Motion passed (unanimously).

Discussion followed regarding Police Commissioner email and security for email accounts. Will form an Ad Hoc committee, working with legal counsel to determine what options are available to the Police Commission.

Requested to see a draft of all business cards before they go to print.

Motion to direct Interim Executive Director Finnell to send us recommended finalized drafts of the business cards within the next week so that it can be published in the agenda by (R. Jackson) and seconded by (T. Smith). Motion passed (unanimously).

**XIV. Action – Scheduling Sites for Community Meetings  
(Regina Jackson)**

a. Discussion

Commissioner Jackson discussed holding Police Commission meetings away from City Hall and in the community, with consideration for all the logistics required to hold community meetings.

Reminder to make sure there are translation services available when holding community meetings.

Suggestion from staff to create an Outreach Committee as a standing committee for the Police Commission.

b. Public Comment

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Joe Marshall regarding the structure of community meetings held by the SF Police Commission.

Elise Bernstein regarding the purpose of the Police Commission outreach meetings being to hear from the community.

Rashidah Grinage regarding the differences between the Oakland Police Commission and other commissions, the need for Commissioners to explain their role and function and to listen to the public.

c. Action

Motion to have Police Commissioners submit recommendations of community places prior to the next agenda packet deadline in order to calendar them out by (R. Jackson) and seconded by (J. Dorado). Motion passed with six yes votes and one abstain (M. Ahmad).

**XV. Discussion – Topics for Orientation and Training Sessions  
(Jose Dorado, Ginale Harris and Thomas Lloyd Smith)**

a. Discussion

Commissioner Dorado spoke about NCPC's and their function and the relationship to the purpose of community policing.

Motion to hold required training at the next meeting by (M. Nisperos) and seconded by (T. Smith). Comments from legal counsel and the motion was withdrawn. Instead a motion was made to select one or more of the commissioners to work with the City Attorney's office to schedule trainings by the next meeting (Jan. 10, 2018) by (M. Nisperos) and seconded by (T. Smith).

Suggestion made to create an Ad Hoc committee to of trainings, community meetings, and required reports by Alt. Commissioner Dooley.

Motion passed (unanimously).

b. Public Comment

Public comments were provided by the following:

Rashidah Grinage – Comments regarding Saturday retreats (CPRB model). Also read from Measure LL required training for Police Commissioners.

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**XVI. Discussion – Scheduling of Commissioner Ride Alongs with the Oakland Police Department (Virginia Gleason)**

a. Discussion

Virginia Gleason will reach out to each commissioner via email to schedule ride-alongs.

b. Public Comment

No Public Comments.

**XVII. Discussion – Police Accountability Systems (Regina Jackson)**

a. Discussion

Commissioner Jackson provided information regarding a police force analysis system.

Discussion from other commissioners.

Motion to direct Interim Executive Director Finnell to follow-up and identify specifically what information or data do they collect, why there is not even one use of force case for 2016, what the current system or systems are and what the capacities ensure that community reports can also be uploaded by (R. Jackson) and seconded by (T. Smith). Motion passed (unanimously).

b. Public Comment

No Public Comment.

**XVIII. Adjournment**

The meeting was adjourned at 10:50 p.m.