



**CITY OF OAKLAND  
OAKLAND POLICE COMMISSION**

FINAL & ADOPTED

**Meeting Minutes**

**Wednesday, March 22, 2018**

6:30 PM

City Hall, 1 Frank H. Ogawa Plaza, Council Chamber  
Oakland, CA 94612

**I. Call to Order**

(Thomas Lloyd Smith)

The meeting started at 6:31 p.m.

**II. Roll Call and Determination of Quorum**

(Thomas Lloyd Smith)

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

Alternate Commissioners absent (excused): Maureen Benson and Andrea Dooley.

City staff present: Stephanie Hom, Interim Deputy City Administrator

T. Smith announced that Allison Dibley, Deputy City Attorney, who typically sits with the Commission, is not present this evening due to attending a family emergency;

T. Smith sent best wishes to her and her family

T. Smith introduced Attorney Meredith Brown who is gracious enough to jump in and join us as legal counsel this evening. He thanked Ms. Brown. Ms. Brown has provided legal advice to the Citizens' Police Review Board for several years and has been providing legal advice to the Community Police Review Agency on an interim basis.

Ms. Dibley was scheduled to present a mini-training on the Public Records Act this evening (Item XI on the Agenda).

MOTION that we accept public comment on Item XI and the training and discussion on this item will be continued to the April 12 meeting, if Ms. Dibley is available (T. Smith) and seconded (E. Prather). The motion passed unanimously.

MOTION since the City Attorney's Office did not have an attorney available tonight who has been fully briefed on our closed session items (Items XII and XIII), that we accept public comment and discussion on those Items be continued to another meeting when Ms. Dibley returns (T. Smith) and seconded (J. Dorado). The motion passed unanimously.

**III. Welcome and Open Forum (2 minutes per speaker)**

Thomas Lloyd Smith will welcome and call the public speakers.

Rashidah Grinage suggested that agendas have an item added "Scheduling" not only to allow the Commissioners to put forward ideas/suggestions for future agendas but also

allow the community that process as well. She also mentioned the recent event of the police involved shooting and a Coalition letter to the Commission.

Mary Vail seconded the suggestion of R. Grinage of adding “Scheduling” to future agendas, discussed the recent event of the police involved shooting, and the tenor of the last meeting’s debate concerning ICE...

Lorelei Bosserman regarding Measure LL and the Commission’s role in investigations concerning police involved shootings.

Henry Gage regarding the letter from the Coalition to the Commission and Hasta Muerte Coffee in Fruitvale.

Bruce Schmiechen regarding the City Council meeting several nights ago to give the Commission support.

Mariano Contreras regarding the positive letter that was emailed to the Commission from the Coalition. He also suggested that during roll call that if commissioners are absent that it also be noted that absences are excused. T. Smith stated for the record, that the absences during roll call this evening were excused absences.

George Holland, President of the Oakland NAACP, expressed concern about the statements contained in the letter circulated by the Coalition for Police Accountability. He questioned why he was not given a copy of the letter before tonight. He explained that he represents a segment of the community that needs to have a voice. He reminded the authors of the letter that just because you belong to an organization does not mean that the organization necessarily represents all of the community.

Clifton Cooper, Vice-President for the Oakland NAACP, expressed appreciation for the Commission and the fact that it is new and novel. It is one of the better things that the City has done in a while, put together such a commission. He has every expectation that all the volunteers (commissioners) will be effective in the future and grow as we go and you have my support.

Antoinette Clark, Board Member and Executive Secretary of the Oakland NAACP, in support of the Commission and agrees with the comments by George Holland, NAACP President and Clifton Cooper. We need to focus on the real mission of the commission and not focus on individuals personally, which is a distraction.

Gloria Bailey-Ray, Oakland NAACP, regarding support and gratefulness for the Oakland Police Commission. She stated that this is a new commission and expressed the importance of seeking to understand before being understood. Jessica Dianne Harris, Oakland NAACP, agreed with the NAACP President and called the Coalition for Police Accountability letter an injustice. She gave comments regarding representation of the police officers in the community. She gave comments regarding the Mexican gangs in Oakland.

#### **IV. Approval of Draft Commission Meeting Minutes for March 8, 2018**

##### **a. Discussion**

No discussion.

##### **b. Public Comment**

No public comment.

c. Action

MOTION to approve the minutes of March 8, 2018 (J. Dorado) and seconded (M. Ahmad). The motion passed. The vote was 5-0-2, with M. Nisperos and R. Jackson abstaining.

**V. Oakland Police Department Report**

Chief of Police Anne Kirkpatrick reported that there will be presentations on four topics. The first topic is what we can say about the open investigation associated with the officer involved shooting (Captain Roland Holmgren). The second topic is on the commissioners' participation and policy development (Manager of the Research and Development Unit who oversees policy (Tim Birch). Topic 3 is the Restorative Justice Programs (Deputy Chief Armstrong). Topic Four will be on the Barbershop Forum; one of the founders of the Forum (Lt. Bobby Hookfin).

a. Discussion

TOPIC 1

Captain Roland Holmgren, Commander of the Criminal Investigation Division (oversees officer involved shootings) reported on the officer involved shooting on March 11, 2018. This is an open investigation and is currently being investigated by OPD's homicide section, our IAD and the Alameda County District Attorney's Office. The incident took place in the 900 block of 40th street around 6:15 p.m. (residential area). The call came in to the Fire Department as a person down. As information developed it was learned that the person was armed with a firearm. The fire department ended up staging and when the first officer arrived on scene they found that a person was laying down between two buildings with the firearm in his hand. Additional units responded (developed a plan that took about 40 minutes – waiting on the Bearcat). Officers gave the command to drop the firearm and the person did not comply with the officers' commands to drop the firearm. The firearm was pointed in their direction and they perceived that they were in danger. Four officers fired multiple rounds at the individual. The fire department was already on scene and ambulance was ready to come in and provide medical aid. The suspect did not survive his injuries and was pronounced dead on scene. OPD recovered the firearm and additional evidence. The body worn cameras of all officers involved were activated and did not capture the incident. He offered to respond to questions as best as he can by commissioners.

T. Smith stated that if the audience has questions during the report, they can write them on paper and pass it to Mr. Finnell and he will pass it to him.

R. Jackson thanked Captain Holmgren for the overview. You have four officers, why do they all need to take turns shooting the one person who cannot possibly hit all of them. Capt. Holmgren said that they all perceived immediate threat to themselves and all perceived immediate threat to other residents in the area/community. R. Jackson asked why multiple shots from their weapons. Capt.

Holmgren said we are trained to stop firing when the threat is no longer there. R. Jackson asked how long does that typically take – Capt. Holmgren said that you cannot put a number to that, unfair to speculate because each case is different to an officer's perspective, where they were, threat perceived, etc. R. Jackson asked based upon the camera, how long did it take before they he was no longer a threat and they stopped firing. Capt. Holmgren said seconds; he cannot talk about detail.

J. Dorado verified that you said the Bearcat was called for. You said that it was somewhere in East Oakland (for a sideshow) so that was some of the delay in getting that to the area without using use of force but it didn't play out that way. J. Dorado asked what was the factor that brought about the four officers to advance on the suspect versus waiting on the Bearcat. Capt. Holmgren said they never advanced or rushed in. Their actions came off the actions of the suspect. The Bearcat was not able to be utilized. It had just arrived within seconds. J. Dorado verified that all PDRDs were all activated. Capt. Holmgren added that officers also had the mindset to remove the camera from their person and put it in an area to capture the entire incident without being obstructed by the Bearcat, etc.. J. Dorado asked if PDRDs were immediately removed from the officers. Capt. Holmgren said in a Level 1 (Use of Force) they immediately take the cameras and put them in our criminal investigation unit and download and they are not allowed to view the video prior to any statements.

T. Smith asked if less lethal options were considered. Capt. Holmgren said one bean bag was deployed and used. T. Smith asked if he could explain the bean bag more. Was there any other options after the bean bag in terms of less lethal. Capt. Holmgren said that he cannot get into the details in its deployment but in general it is a direct impact weapon fired out of a shotgun, 1x1 beanbag (with birdshot metal pellets in it) – it provides blunt force trauma like a bruise/swelling. It allows officers to maintain distance and can use as a force option something not as severe as a weapon. T. Smith asked if the beanbag has the force to knock someone out. Capt. Holmgren said it depends on the individual and could knock someone out. If it is used improperly – if hit someone in the head, could cause severe trauma, etc.

G. Harris mentioned that more thought into training on a protocol when discharging your weapons needs to be in place. Is there a plan you come up when you take charge in a situation when there is a threat to an officer's life? Capt. Holmgren explained that there is a process in developing the plan. G. Harris asked what is a normal situation when you would use a Bearcat. Capt. Holmgren said that it is an armored vehicle that we utilize to save lives. We use it in scenes when we need to get close to an armed person, evacuate people from areas or a threat, reduces time to get to the individual or to bring the scenario to a conclusion, etc.

M. Ahmad asked if the suspect fired any shots and his race? Capt. Holmgren said there were no rounds fired by the suspect and the suspect is white.

Chief Kirkpatrick responded to the question about the officer involved shooting protocols and it may answer questions by the community as well. She reported that when there is an officer involved shooting she is notified and she has certain executive notifications that she makes by phone. She contacts the Mayor, City

Administrator, Federal Monitor, Commission via the Chair with instructions for the Chair to relay that information to the other commissioners. The City Administrator contacts the Chair of the Council and that is spread to Council members.

## TOPIC 2

Tim Birch, Manager of OPD's Research and Planning; one of his responsibilities that comes under his prevue is that of policy development. He attended the Commission's last meeting and will not repeat about what he spoke about then. Tonight he reported about the Commission's participation in policy development; his recommendation about the Commission's place in the process. The first few steps of policy development are a primary working group, secondary working group, the executive command staff and from there policies generally depending on the nature of the individual policy go to the plaintiff's attorneys and/or the independent monitoring team. The thought is that after a policy goes through all those steps and goes to the plaintiff's attorney and the independent monitoring team, that depending on the nature of that policy, that it would then come to the Commission for review. Within Measure LL there are specific policies enumerated and understanding that there is language within the Measure that provides the opportunity for the Commission to review any OPD policy. He offered to respond to questions by commissioners.

G. Harris asked if that was your recommendation to the Commission participating in the policy process? Mr. Birch said yes that this is all brand new - Measure, Charter amendments, accompanying enabling ordinance, that as we go forward and work together making sure that there is an opportunity for all the stakeholders in addition to the commissioners to have the City Attorney's Office and other stakeholders weigh in to make sure that whatever recommendation he makes follows along with the Charter amendment and accompanying legislation. G. Harris said that we need to have some input on certain policies. There is a lot of mistrust in the community and some of these policies need to be changed. Mr. Birch said that in the Charter itself it provides the opportunity for the Commission to call up any policy and review it and make changes.

M. Nisperos said that is not what he heard the speaker say. It goes through everybody and we are the final step before it goes to the Chief for adoption. Mr. Birch said that is close to what he said; we are still working through this – work in progress. T. Smith asked about the bargaining units. Mr. Birch stated that as far as the bargaining units, it gets more complicated, because of the new step with the Commission being related directly to the Council – Most likely I believe what would happen is after it goes from the Commission to the council, it would then go to the bargaining units. T. Smith said that it seems that there needs to be some coordination when the union is involved to make sure the changes the Commission makes/negotiates do not get moved or changed. Mr. Birch - if there is an opportunity to meet and discuss with bargaining units – not meet and confer (to provide a better opportunity to collaborate with bargaining units so that as we move through the process that when we get to final stages that there is at least some understanding of the proposed changes - that may be helpful). M. Nisperos endorsed what he said. It is important that we be given the opportunity to look at anything that has come back from the bargaining units and see what changes may or

may not have been made, etc. even if it takes two times in the process - nothing should go forward as final without the Commission reviewing it.

T. Smith thanked Mr. Birch for his presentation. He hopes that he takes into consideration where we want to be in terms of being able to contribute to the policy, exert influence, and make sure that wherever our position is relative to the bargaining units we must make sure that we have the opportunity to reconsider any changes that they want to make to the changes we proposed, T. Smith asked Mr. Birch to come back to the Commission with a recommendation that deals with those factors after he reviews the matter.

### TOPIC 3

Deputy Chief Leronne Armstrong reported on OPD's involvement, if any, with restorative justice programs including the restorative justice programs at OUSD. We started the program in 2014. He offered to respond to questions by commissioners.

M. Ahmad asked what would be a good candidate who would participate in your restorative justice program. DC Armstrong said minor offenses - a petty theft, a fight (mutual combat battery) or potentially an auto theft with no damage/minor and the victim of that theft is willing to participate in the process. He also explored with the probation department cases around robberies where there were no injuries to the victim and the victim was willing to be part of the process.

R. Jackson asked how many officers participated when you first started in 2014 and the knowledge shared from their perspective. DC Armstrong responded and said that 25 police officers trained; principles of restorative justice, how we interact/engage with not only the defender but also the victim, the expectation of taking responsibility, etc. R. Jackson - Did they talk about how that felt to be a part of that. DC Armstrong said they learned a lot by the circles - a learning experience for officers. R. Jackson stated that I hope that we can continue those trainings for years to come.

G. Harris said she is pleased to hear that you and your officers went through the Restorative Justice Training. She said she was part of the Restorative Justice training when it first came out. She ran circles in Solano Prison with lifers with a group of 50 men. So, the process is helpful to everyone. She suggested that OPD would benefit from sitting in the circle instead of out of the circle with restorative justice with the community; some parts they are victimized as well; that way they can see a different perspective - open to receiving some training.

R. Jackson referenced the funds being dissolved not receiving cases - are you open to working with other organizations to receive other grants to keep the program going. DC Armstrong said yes to partnering with other organizations, community people, etc.

J. Dorado mentioned that there is a book called Punished by Victor Rios who did a study - followed for three years 20 Latino youth and 20 African American youths. He was from the deep East. He went to UC Berkeley doing his graduate studies doing this. He will lend his copy to DC Armstrong. This is a great learning

opportunity for officers to be a part of those restorative justice circles to continue learning. DC Armstrong said he will accept the book.

M. Nisperos supports the ideas raised by E. Harris and endorsed by J. Dorado and suggested that the police department and officers have some experience in the circle and schedule an agenda item that our current mediation program has that available and if not, what could be done to make that available through our current mediation through the CPRA.

T. Smith thanked DC Armstrong for his presentation.

#### TOPIC 4

Lt. Bobby Hookfin gave an overview of the OPD Barbershop Forum. He also emailed a link to T. Smith on what the Barbershop Forum is about (Item 5 in the Agenda Packet). He offered to respond to questions by commissioners.

G. Harris said that she appreciates the Barbershop Forum. The concept is good. The problem that she has is that we know that there are amazing police officers and they are not holding the bad ones accountable; that would help. The Forum does not take away the fear. Lt. Hookfin reported that a law enforcement officer in the Bay Area attended a Forum and went back to his agency and turned in several officers who were doing wrong and those officers are being held accountable for their actions.

R. Jackson thanked Lt. Hookfin for his overview. She would submit that good cops are not good cops if they observe wrongdoing by their brethren and do not do something to dissuade it, because when we see wrong and do not attempt to change it, then we become part of the problem.

J. Dorado mentioned that the concept is wonderful. He suggested that the Forums be hooked in with the Neighborhood Crime Prevention Councils (NCPCs).

It was announced that there will be a third Barbershop Forum on April 9 (Neighborhood Service Coordinators have the fliers and they are actively passing the fliers out; invitation is on the Oakland website; etc.); 3233 Market Street (West Oakland Youth Center), they are hosting it – 6:00 p.m.

T. Smith said that when he had his initial conversation with him he hopes that Lt. Hookfin can expand it, get staff, build the model, etc. because the Barbershop Forum is something good. He thanked Lt. Hookfin for his presentation.

#### b. Public Comment

Robert Bryson regarding the Barbershop Forum. His two sons were on the platform amongst other men on the platform with Oscar Grant. The families have been affected by this and are suffering still. Since he met Lt. Hookfin he can say that he loves him/helped him. The Barbershop Forum has given him support and changed his life. It's a place for people to come and they are in dialogue to make people better, city better, Commission better, etc. He wants to move forward and with the

good police officers we have opportunities. Please try and attend a Barbershop Forum – if people attend, change will come.

Darius Young regarding the Barbershop Forum asking that officers treat us with respect and that we treat them with respect. We believe in what we are doing. It is a good thing. Hoping everyone will come out to their forum on April 9.

Doug Blackshear, Executive Board member of Oakland NAACP and Chair of Labor, he commended/applauded the police officers here tonight and said you are doing an outstanding job. We need more men like this to train some of the bad officers and new law enforcement. Give them the resources to train others.

Paul Chambers regarding the Barbershop Forum. He respects the men/women in uniform. We are community and we need to work together.

Elise Bernstein questioning if it was appropriate to discuss in open forum a recent incident (officer involved shooting) which was under active investigation.

Henry Gage regarding written information in the Agenda Packets pertaining to the presentations, the City of Los Angeles PDRD policy as a potential model the Commission should think about implementing, and police contacts.

## **VI. Executive Director, Community Police Review Agency**

Stephanie Hom gave an update on the executive director recruiting process for the Community Police Review Agency.

### **a. Discussion**

Ms. Hom reported that yesterday she sent an email to the Ad Hoc Committee for the recruitment for the Executive Director position. She attached a recruitment proposal from William Avery and Associates. To expedite this, we are looking to go out to use an executive recruitment firm for recruitment services. We have four agreements in place with four firms. Two of the four we have exhausted our contract authority with them (used up the dollar amount). She reached out to the other two – William Avery and Associates and The Management Partners. She requested proposals from both. She received a proposal from William Avery and Associates; she made several attempts with The Management Partners and doesn't expect a response. We have one proposal. It goes through the steps through process, provides a time line, costs, etc. She will meet with the Ad Hoc Committee to review and would like to do that before a commitment is made (dollars). She is making herself available to the committee to determine a meeting date.

T. Smith asked if there is any reason why we can't have interested applicants email their applications to the members of the Personnel Committee. Since the information was in the Agenda packet and we posted it (Position Title; Salary \$119,721.36 – 179, 581.32; Job Description, etc.) online and people can see it; he has heard that some people are interested and there may be people here in Oakland that are interested. Is there anything that stops us from saying that if you are interested now to send/email (G. Harris, M. Nisperos, T. Smith – members of the Personnel Committee) your resume with a cover letter and we can already start looking at candidates and determine whether we want to structure an initial process



ourselves to look at those candidates while we are going thru the executive search. We might decide that we have a good round of applicants and want to conduct the first round of interviews. That is what we would like to do. Can you do that for us? S. Hom said that she cannot add your emails to a job classification – it is not a job posting announcement of recruitment on the website for this position.

G. Harris said that we would like to make it a job posting. Can we do that? S. Hom said that she can get it in the queue to do so and it would require going to HR to do so. When the Commission made that decision, you asked to expedite it – by putting it in the queue may not expedite it as using an outside recruiter.

T. Smith asked if our email addresses can be added to that and if you are interested, to send us a resume and cover letter. S. Hom said she is unable to answer that question.

R. Jackson explained that what is going on here is that we are working outside the box and outside of the City of Oakland Human Resource process. Even though it is different, there is nothing against the law but it is untraditional. Is it your opinion that by making these new changes that somehow it is going to arbitrarily or adversely impact the recruitment process even though you are recommending an executive search? If there is a contract with the executive search, they are going to get paid anyway. If there are people that apply directly that would not be found by an executive search, etc. so I think you are asking a question that doesn't have to be asked. We want to do something that is outside the standard HR playbook – we would like you to add the three email addresses to an online posting that contains all the information that you currently see on the online posting and invite any candidates that are interested at this point to directly send us a cover letter and resume and we will determine whether we want to hold the first initial round who could be qualified candidates. Would you be willing to receive/execute that?

S. Hom said that she hears the request and she is looking down the road and in her 25 years of administrative work in different governments and looking at all the steps down the road, simply putting out a note to send 10 resumes to a certain place is a task, there are other steps that can continue from that. There are some resources that need to be assigned from the city administration to assign the appropriate assistance that you would need for this process and does not have those resources lined up. S. Hom said that she physically cannot. G. Harris said that we would like to do something different – we would like to screen candidates ourselves. We want to broaden the search. We would like to have our locals apply who are not privy to this company. The norm is not working for us. The Job Announcement needs to be developed and have the Job Announcement posted. R. Jackson suggested that the number of hours needed for administrative support should be determined. She is willing to work with the Ad Hoc Committee in how to work that out.

**b. Public Comment**

M. Contreras asked what is the cost of the recruitment firm as opposed to looking at some locally. It doesn't have to be specific, it could be general. Maybe using recruitment firms in the past. S. Hom stated that they range in terms of what is involved in community outreach, meetings, hours, etc.; the range is \$20,000+. R. Jackson said that the Ad Hoc Committee is willing to do some of the work and that may save some money.

**VII. Recess (6 Minutes)**

## **VIII. Oakland Police Commission Enabling Ordinance**

Stephanie Hom gave an update on the City Council's progress with the enabling ordinance.

### **a. Discussion**

T. Smith reported that J. Dorado left early due to his birthday (the Commission has quorum).

S. Hom reported that the City Council met on March 20 and they had the topic of the draft enabling ordinance. A draft was distributed on the floor and they acted to submit that draft to the Police Commission to start the review process. She spoke with the City Clerk today who will be transmitting that draft to you through the Chair and Vice-Chair. The Clerk expects to get that out to you tomorrow; she needed the time to reconcile an electronic version she received after that meeting with the hard copy that was submitted.

E. Prather asked if the review period begins upon City Council taking action or upon receipt of the document. S. Hom stated that after talking to the City Attorney today, it will be based on the date it is submitted to the Commission through the Chair.

### **b. Public Comment**

Mary Vail regarding the City Council meeting and the debate that occurred on March 20. Measure LL – the Commission will have an independent non-city attorney, a civilian Inspector General that works for you, and other things that preserve your independence. There are still some issues that were debated that night; we want to hear from the Commission on those issues.

Bruce Schmiechen regarding the City Council Meeting on March 20 referencing Agenda Item 11 and recommended viewing the video. Many of the coalition members came out and spoke forcefully about the Commission for your independence.

Kathy Leonard spoke regarding the City Council Meeting. The Commission needs their own independent counsel. She also spoke about the Commission standing up for their independence regarding the Executive Director job search.

Rashidah Grinage asked that members view Item 11 on the video (March 20). Community members were in force at the meeting. We now have a new version of the ordinance - the one that you will be provided with and we will be upgrading the matrix that we sent you previously to reflect the new ordinance. E. Prather asked that if you do have an updated matrix, could we get that before Tuesday. She said yes.

R. Jackson asked if they would get a copy of the ordinance. T. Smith said yes.

Henry Gage regarding the enabling ordinance and asking Commission members to attend the next City Council meeting for the first reading. Tell them to give you the tools that you need.

Lorelei Bosserman regarding the enabling ordinance and looking at the video of the

City Council meeting (Item 11). She suggested that you review the ordinance with a fine-toothed comb. The Commission can present something to the City Council that it likes better.

**IX. Oakland Police Commission Training**

T. Smith and G. Harris will discuss training topics, scheduling the date of the next Oakland Police Commission Retreat, and/or stand-alone trainings.

**a. Discussion**

T. Smith said that we need to decide as a group whether we want to do another Saturday Retreat or some other type of structure. We need to put the options on the table and then talk about how we want to play out. Alternate Commissioner Dooley did a lot of work in putting together some information regarding trainings we should consider. G. Harris was working with her on the information.

G. Harris suggested that we do our Measure LL training on our regular meeting days (Thursday) and Wednesday do a grass root training for commissioners.

T. Smith said that an option is Saturdays. He will send out a Doodle poll. We need to look at who is doing the training and mix the learning styles.

R. Jackson said that she attends many meetings during the week and if she is in town, her preference is Saturdays. Regarding training delivery – can be done many ways like overviews, activities, small group sessions, etc. Suggest some of those between other trainings. She will go back to A, Dooley’s training list and determine where some of the other training deliveries can be added. E. Prather would like Saturday trainings.

M. Nisperos is open to all options.

M. Ahmad’s preference is Saturdays.

G. Harris mentioned that in one of the trainings there were 20 lectures. She wants to sit in a training that is a real training and not a debriefing/informational session.

G. Harris regarding training in that we open it up for the Commission to decide on the priorities/training types (details can be determined in the next few weeks). Training should not be on Measure LL items but more on grass root training – implicit bias, cultural competency, undoing racism and that OPD participate. R. Jackson added positive discipline and trauma informed care.

**b. Public Comment**

Rashidah Grinage regarding the role of the Commission verses the role of the investigative agencies in police involved shootings She also recommended training by a civil rights attorney, such as John Burris or Jim Chanin, – who can provide the Commission with a clear understanding of the ways in which efforts to impose discipline are undermined.

R. Jackson thanked R. Grinage. She will be happy to contact J. Burris and see if he can be one of those for this training.

Mary Vail recommending trainers, such as John Burris or Jim Chanin because they have seen so many cases washout in arbitration because there were issues in the

City's internal investigation.

Henry Gage regarding public discussion of major incidents in Oakland. Develop a framework, reach out to appropriate counsel, and figure out what kinds of questions you can and should ask when a major incident occurs and you can discuss those in a public forum.

c. Action

MOTION that we hold the next training on a Saturday. A Doodle Poll will be sent (T. Smith) and seconded (R. Jackson). The vote was 5-1-0, with G. Harris opposing, J. Dorado was not present, due to an excused early departure.

**X. Oakland Police Commission Budget**

T. Smith and G. Harris will engage in a working session with the commissioners on the Commission budget and see authorization for the Budget Ad Hoc Committee to finalize and submit the budget to the budget office.

a. Discussion

The Commission discussed the mid-cycle budget process and next steps. G. Harris reported that the Budget Ad Hoc Committee has been meeting, discussed its progress and that a budget deadline is coming up on March 27.

A. Finnell explained the Budget Administrator stated that we cannot get an extension to the deadline because every step along the process is deadline specific and there are certain things they must do by a certain time.

S. Hom reported the Commission can discuss the items it needs to move forward, if it doesn't make it into the budget this time. The Commission can submitted it to City Council through the Administrator. Because this is a mid-year, this will get you through next year and then you can prepare for the two-year budget which starts in the next cycle which starts in Jan.-Feb of 2019.

R. Jackson explained the Commission could potentially get two bites of the apple in the short time frame. Like S. Hom was mentioning - If we can't get it though one angle, we can potentially submit it to the City Council through the City Administrator.

T. Smith explained the first option was to see if we could get an extension. A. Finnell stated that upon request, the answer was no. T. Smith said that the other option is to go with the second alternative that S. Hom was discussing. We must put this item on the agenda to have a discussion, etc. and do it publicly.

J. Rus gave a report that the Ordinance did not pass so there is no budget and when passed, there would be a budget.

b. Public Comment

R. Grinage regarding staff assistance for the Commission and the budget process. If

the Commission misses this deadline, go straight to the Mayor with your request. The Mayor's budget is presented to City Council and that is presented in June. If she fails to do that, talk to City Council. This is not over on March 27.

c. Discussion (continued)

T. Smith stated that the Budget Item will be placed on the April 12 Agenda.

**XI. Mini-Training Public Records Act**

a. Discussion

T, Smith reported that Deputy City Attorney A. Dibley is not present this evening due to attending a family emergency. The Item will be placed on another Agenda upon her return.

b. Public Comment

No public comment.

**THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION IN CITY HALL BUILDING BRIDGES ROOM, 3rd FLOOR AND WILL REPORT ON ANY FINAL DECISIONS IN CITY COUNCIL CHAMBERS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA**

**XII. Pursuant to Government Code §54957(b):**

T. Smith reported that Deputy City Attorney A. Dibley is not present this evening due to attending a family emergency. The Item will be placed on another Agenda upon her return.

a. Public Comment

No public comment.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**Title: Interim Director of the Community Police Review Agency**

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

**XIII. Oral Report of Final Decisions Made During Closed Session and Disclosure of Non-Confidential Closed Session Disclosures**

T. Smith reported that Deputy City Attorney A. Dibley is not present this evening due to attending a family emergency. The Item will be placed on another Agenda upon her return.

a. Discussion

None.

b. Public Comment

No public comment.

**XIV. Adjournment**

MOTION to adjourn (R. Jackson) and seconded (E. Prather). The motion passed. The vote was unanimous.

The meeting was adjourned at 10:09 p.m.