



17 FEB 22 PM 3:09

ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J. Parker  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TTY/TDD: (510) 238-3254

February 28, 2017

Public Safety Committee  
HONORABLE CITY COUNCIL  
Oakland, California

**Re: Third Report from the City Attorney Regarding Recent Arbitration Decisions, Efforts to Support the Police Discipline Process, and Recent Developments in Police Discipline.**

Dear Chairperson Brooks and Members of the Public Safety Committee:

**I. INTRODUCTION**

This is the City Attorney's Third Report regarding recent arbitration decisions, efforts to support the police discipline process, and recent developments in police discipline. At the Public Safety Committee's July 12, 2016 meeting, under Item 7, this Office presented our first report regarding the referenced subject matters. At the Committee's November 15, 2016 meeting, under Item 4, we presented our second report. Our second report attached our first report and was forwarded to the Council's November 29, 2016 meeting. We submitted a supplement to our first and second reports on November 29, 2016. This report provides information on arbitration results and other developments related to police accountability during the months of December of 2016 through February 23, 2016.

**II. RECENT ARBITRATION DECISIONS**

We have received one arbitration decision since our last report.

GRIEVANT & VIOLATION	CITY'S DISCIPLINE	ARBITRATOR'S DECISION	OUTCOME	DECISION DATE
Officer A Miranda Violation	2 Days	Upheld City's discipline	2 Days	12-14-2016

Chairperson Brooks and Members of the Public Safety Committee

**Re: Third Report from the City Attorney Regarding Recent Arbitration Decisions, Efforts to Support the Police Discipline Process, and Recent Developments in Police Discipline.**

February 28, 2017

Page 2

### **III. OCA'S EFFORTS TO SUPPORT THE POLICE DISCIPLINE PROCESS**

#### ***OPD Departmental Counsel***

In January 2017, OCA permanently assigned an experienced supervising attorney to serve as OPD's Departmental Counsel. The assignment was the result of close coordination between the City Attorney and the City Administrator. The City Attorney's office interviewed a number of qualified applicants and identified two finalists. The City Administrator interviewed both finalists and reached a consensus with the City Attorney which allowed the City Attorney to fill the position.

### **IV. CONCLUSION**

We ask that the City Council accept this informational report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara J. Parker". The signature is stylized and cursive.

**BARBARA J. PARKER**  
City Attorney

Assigned Attorneys:  
Ryan Richardson  
Veronica Harris

2071027v2