

2009 APR -6 PM 4:31

OAKLAND CITY COUNCIL

RESOLUTION No. 81857 C.M.S.

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 312 (ASSEMBLY MEMBER AMMIANO/SENATOR YEE) REQUIRING THE BAY AREA RAPID TRANSIT (BART) DISTRICT TO CREATE AN OFFICE OF CITIZEN COMPLAINTS FOR THE BART POLICE DEPARTMENT

WHEREAS, AB 312, as introduced by Assembly Member Ammiano and coauthor Senator Yee, would require the Bay Area Rapid Transit (BART) District board to create an Office of Citizen Complaints to investigate complaints and allegations of police misconduct by the BART police department; and

WHEREAS, this bill would also provide for the nomination of a Citizen Complaints Office Director by the district attorneys of the Counties of Alameda, Contra Costa, and San Francisco, subject to confirmation by the board; and

WHEREAS, AB 312 would require the staff of the Citizen Complaints Office to investigate complaints of police misconduct or allegations that a member of the police department has not properly performed a duty and would require the office to recommend disciplinary action to the chief of police; and

WHEREAS, the bill would authorize the director of the office to file charges with the board against members of the police department under specified circumstances; and

WHEREAS, creation of the Office of Citizen Complaints would provide concerned Oakland residents the opportunity to bring forth complaints of BART police misconduct with the certainty and confidence that such complaints will not be overlooked; but rather be recorded, investigated, and thoroughly reviewed; now therefore be it

RESOLVED: that the City of Oakland declares its support for AB 312 (Ammiano/Yee); and be it

FURTHER RESOLVED: that the City Administrator and the City's state lobbyist are directed to advocate the City's position to the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 17 2009, 2009

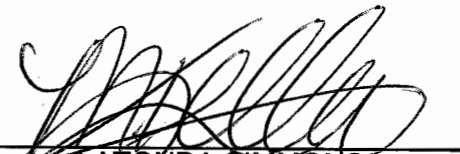
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT BRUNNER - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California