



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Richard J. Luna  
Deputy City Administrator

**SUBJECT:** Police Commissioner Appointment

**DATE:** August 23, 2021

City Administrator Approval 

Date: Aug 31, 2021

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Accepting The Selection Panel's Slate Of One Police Commissioner (Rudolph Howell) To Serve On The City Of Oakland Police Commission.**

## **EXECUTIVE SUMMARY**

In accordance with the City Charter, City Council approval of the resolution will accept the Selection Panel's decision to appoint Rudolph Howell as a Commissioner on the Oakland Police Commission. If approved, Mr. Howell's term will begin on October 17, 2021, with a term ending on October 16, 2024.

## **BACKGROUND / LEGISLATIVE HISTORY**

City Charter Section 604 (Police Commission) was first established by voter approval at the November 8, 2016 election, and later amended at the November 3, 2020 election. The ballot measures (also referred to as Measure LL and Measure S1) established a seven-member Police Commission, with two alternate commissioners, charged with overseeing the Oakland Police Department (OPD) to ensure that its policies, practices and customs meet national standards of constitutional policing. Duties of the Police Commissioners include overseeing the Community Police Review Agency (CPRA), which conducts investigations into allegations of officer misconduct; overseeing the Office of the Inspector General (OIG), which performs independent audits of OPD; proposing changes to, approving, or rejecting current or proposed OPD policies; removing the Chief of Police for cause; as well as other duties.

The measures also established a nomination process whereby a nine-person Selection Panel is responsible for nominating four (4) Commissioners and one (1) Alternate Commissioner to the Police Commission. The Mayor is also responsible for nominating three (3) Commissioners and (1) Alternate Commissioner. All nominations are subject to City Council approval. The Mayor and each City Council Member nominate an individual to serve on the Selection Panel. The Selection Panel meets as needed to determine its nomination process and review candidates wishing to serve on the Police Commission.

City Council  
September 21, 2021

## **ANALYSIS AND POLICY ALTERNATIVES**

For the 2021 nomination period, the Selection Panel was tasked with nominating one (1) candidate to serve as a Police Commissioner. The Selection Panel began meeting in March and concluded its process in July. Over the five months span, the Selection Panel solicited applications, reviewed submissions, invited 17 applicants to provide a candidate statement at their meeting on June 30, 2021, and invited five (5) finalists to participate in an interview with the Selection Panel at their meeting on July 15, 2021.

On July 29, 2021, Mr. Howell received the necessary two-thirds (2/3) votes to be nominated by the Selection Panel. Mr. Howell's application materials are included in **Attachment A**.

If the City Council does not accept or reject Mr. Howell's nomination within sixty (60) days, he shall be deemed appointed by way of City Charter Section 604(c)(3)(c). A rejection would require the Selection Panel to reconvene, deliberate, and ultimately nominate another candidate to serve as a Police Commissioner.

Having a fully staffed and diverse Police Commission supports the City's goals of achieving **Holistic Community Safety**.

## **FISCAL IMPACT**

There is no direct fiscal impact associated with City Council action on this report.

## **PUBLIC OUTREACH / INTEREST**

No outreach was deemed necessary for this report beyond the standard City Council agenda noticing procedures.

## **COORDINATION**

This report has been prepared in coordination with the Office of the City Attorney.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** There are no economic opportunities associated with this report.

**Environmental:** There are no environmental opportunities associated with this report.

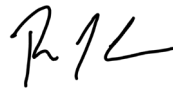
**Race & Equity:** There are no race and equity opportunities associated with this report.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Accepting The Selection Panel's Slate Of One Police Commissioner (Rudolph Howell) To Serve On The City Of Oakland Police Commission.

For questions regarding this report, please contact Richard J. Luna, Deputy City Administrator, at (510) 238-4756.

Respectfully submitted,



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RICHARD J. LUNA  
Deputy City Administrator

Attachments (1):

- A. Rudolph Howell – Application for Police Commissioner



# Police Commission

## Application for Position of Commissioner

The purpose of the Police Commission is to oversee the Oakland Police Department in order to make sure that its policies, practices and customs meet national standards of constitutional policing.

A Selection Panel of volunteer community members will select Oakland residents to serve on the Police Commission. Seated Commissioners are volunteers and will not be compensated.

### Applicant Information

Full Name:	<u>Howell</u>	<u>Rudolph</u>	Date:	<u>4/25/2021</u>
	<i>Last</i>	<i>First</i>	<i>M.I.</i>	
Home Address:	<u>[REDACTED]</u>			
	<i>Street Address</i>		<i>Apartment/Unit #</i>	
	<u>Oakland</u>	<u>Ca</u>	<u>94609</u>	
	<i>City</i>	<i>State</i>	<i>ZIP Code</i>	
Phone:	<u>[REDACTED]</u>	Email	<u>[REDACTED]</u>	

### Supplemental Questionnaire

The purpose of this supplemental questionnaire is to evaluate your qualifications to serve on the Police Commission. This application, along with your answers to these questions, will be used by the Selection Panel to select the most suitably qualified candidates (Question 1, 2, 3 and 4 below.)

- Applications submitted without a completed supplemental questionnaire will not be considered.
- Please limit your response to each question to one 8.5" x 11" sheet of paper (single or double spaced).

Please respond (in writing) to the following questions:

1. Please describe any life work and significant community volunteer experiences that prepare you to contribute to the work of the Commission.
2. Please describe your contacts or experiences with the Oakland Police Department.
3. Please describe, if applicable, if you or an immediate family member has had significant volunteer or employment experience:
  - a. as a police officer,
  - b. as a criminal prosecutor or defense attorney,
  - c. with a public agency or nonprofit community group serving or advocating for crime victims or persons charged or convicted of crimes.
4. Have you ever served on a board, committee, commission, or other group? (Examples might include church boards or school organizations.) Please describe your experiences. What were the most challenging aspects of your participation?

## Application Considerations

Check all that apply:

- I would like to be considered as a Selection Panel appointee?  YES  NO
- I would like to be considered as a Mayoral Appointee?  YES  NO

## References

Please list three professional or personal references who are familiar with your background, experience and qualifications, and who can answer questions about your ability to serve as a Commissioner.

Full Name: Caitlin Henry Relationship: Attorney  
E-Mail: [REDACTED] Phone: ---

Full Name: Rhody McCoy Relationship: \_\_\_\_\_  
E-Mail: [REDACTED] Phone: ---

Full Name: Deborah Mukamal Relationship: Professor  
E-Mail: [REDACTED] Phone: [REDACTED]

## Voluntary Self-Identification Questionnaire

1. With which race and/or ethnicity do you identify? (Check all that apply.)

- White  
 Black or African American  
 Latino  
 Native Hawaiian or other Pacific Islander  
 Asian  
 American Indian or Alaskan Native  
 Other: \_\_\_\_\_  
 not wish to Self-Identify

2. What is your gender?

Male

not wish to self-identify

3. You are considered to have a disability if you have a physical or mental impairment or medical condition that substantially limits a major life activity, or if you have a history of such an impairment or medical conditions.

Please check one of the boxes below:

- Yes, I have a disability (or previously had a disability)  
 No, I do not have a disability  
 I do not wish to answer

## Required Questionnaire

4. How long have you lived in Oakland?

8 years

5. How many meetings of the Police Commission have you attended, on Zoom or in person? (You can find a link to the next meeting on the agenda for that meeting, which can be found at [www.oaklandca.gov/policecommission](http://www.oaklandca.gov/policecommission). You can also find video recordings of past meetings there.)

- 0  
 1-2  
 3 or more

6. How did you hear about applying to be on the Police Commission?

News

## Disclaimer and Signature

*The City Charter requires background checks for all Police Commission members and alternates. Prior convictions will not eliminate you from consideration. The Selection Panel strongly encourages formerly incarcerated individuals to apply.*

***I certify that I am over eighteen years of age and that my answers are true and complete to the best of my knowledge.***

***My signature below also indicates my acknowledgement that, by applying for the position of Commissioner, I will be subject to a background check.***

***Once submitted, your application form, along with all attachments, becomes a public record.***

Signature: *Rudy Howell* Date: 4/25/2021

Completed applications must be received by **June 15, 2021**, by mail, hand-delivery, or email as follows:

Mail or Hand-Delivery (Monday-Friday, 8:30 am – 5:00 pm)	<b>Selection Panel for Police Commission c/o City Administrator's Office 1 Frank H. Ogawa Plaza, 3<sup>rd</sup> Floor Oakland, CA 94612</b>
Email	Address: <b>CityAdministratorsOffice@oaklandca.gov</b> Subject: <b>Police Commission Application</b>
For assistance or additional information contact	City Administrator's Office CityAdministratorsOffice@oaklandca.gov (510) 238-3301

## Oakland Police Commission 2021 Supplemental Questionnaire

1. Please describe any life work and significant community volunteer experiences that prepare you to contribute to the work of the Commission.

I experienced the full impact of the American criminal justice system at the age of 23. It was at this age I entered the federal prison system with a 25 year 1st time sentence. At 23 years of age I was charged with a federal drug crime and sentenced to 294 months. It was a soul crushing experience for a 23 year old kid. Nevertheless, after coming out of a 5 year stupor I took on the work of deconstructing and reconstructing myself. It took me 17 years to complete my transferable A.A. degree in Business Admin from Lassen College. This accomplishment allowed me to be accepted at San Francisco State University before my release. I was released from federal prison to the halfway house on Taylor St in San Francisco in January of 2013. I arrived on a Wednesday and that Monday I was at SFSU attending my first class at a 4yr college. I graduated with a B.A. in Criminal Justice in May of 2016. I began working for Rubicon Programs, a non profit in Richmond, Ca. that provides reentry services for citizens returning home to the Bay Area from prison. My role as the Rubicon Education Partnership program Impact Coach / Case Manager is to support any formerly incarcerated individual, from Oakland, Ca. who wants to go to college, get to college. I coach, mentor, motivate and help these students on the academic road to a career that will help increase their earning potential in an effort to eliminate poverty in the East Bay. I believe that my degree in Criminal Justice, my direct experience with the criminal justice system and my work with others impacted by the criminal justice system gives me a unique view that will allow me to contribute to the work of the Commission in a very positive and creative way.

2. Please describe your contacts or experiences with the Oakland Police Department.

My limited contact and experience with the Oakland Police Department has been friendly, so far. I have had to report stolen cars that are abandoned in the area where I live. The exchanges have been friendly and professional. The breadth of my experience with authority stems from my interactions with the FBI, DEA, BNE, LAPD, Riverside County Police and Sheriffs, Federal Marshals, Federal Correctional Officers and Federal Probation Officers. These interactions and experiences occurred from California to Texas and back were varied from bad to good.

3. Please describe, if applicable, if you or an immediate family member has had significant volunteer or employment experience:

- a. as a police officer

No one in my immediate family has experience as a police officer.

- b. as a criminal prosecutor or defense attorney

No one in my immediate family has experience as a criminal prosecutor or defense attorney

- c. with a public agency or nonprofit community group serving or advocating for crime victims or persons charged or convicted of crimes.

## Oakland Police Commission 2021 Supplemental Questionnaire

No one in my immediate family has experience working with a public agency or nonprofit community group serving or advocating for crime victims or persons charged or convicted of crimes.

4. Have you ever served on a board, committee, commission, or other group? (Examples might include church boards or school organizations.) Please describe your experiences. What were the most challenging aspects of your participation?

I have served on a board that seeks to bring community based organizations to college campuses whose mission is to help formerly incarcerated students navigate their respective college campuses. The board known as BASIC Bay Area System Impacted Consortium was developed by the Urban Strategies Council in Oakland. Before COVID we met twice a month to design, develop and promote a prison to college pipeline. The most challenging aspect is the limited funding to get things done. I would like to see more action than talk. Hopefully, with the advent of some normalcy returning to everyday life the efforts to build the prison to college pipeline will resume.



**DRAFT**

CITY ATTORNEY'S OFFICE

## **OAKLAND CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_\_ C.M.S.**

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**RESOLUTION ACCEPTING THE SELECTION PANEL'S SLATE OF ONE POLICE COMMISSIONER (RUDOLPH HOWELL) TO SERVE ON THE CITY OF OAKLAND POLICE COMMISSION.**

**WHEREAS**, On November 8, 2016, Oakland voters approved Measure LL – establishing a Police Commission with 83.19% (137,032 votes) in favor of the measure; and

**WHEREAS**, Measure LL established City Charter Section 604 which created a seven-member Police Commission to oversee the Oakland Police Department's policies and procedures and the Community Police Review Agency that investigates police misconduct and recommends discipline; and

**WHEREAS**, City Charter Section 604(c)(2) required the Mayor to appoint three Oakland residents as regular members of the Commission and one Oakland resident as an alternate member and to submit those names to the City Council for approval; and

**WHEREAS**, City Charter Section 604(c)(3) established a nine-member Selection Panel to review applications, interview applicants, and submit a slate of four Oakland residents as regular members of the Police Commission, and one Oakland resident as an alternate member, to the City Council for approval; and

**WHEREAS**, The initial members of the Police Commission were accepted by the City Council on October 17, 2017, and held their first meeting on December 13, 2017; and

**WHEREAS**, The initial members of the Police Commission served staggered terms of two, three, or four years; subsequent appointments serve terms of three years; and for vacancies that occur for reasons other than the expiration of a term, the Commission shall select one of the alternates to replace the regular member for that regular member's remaining term of office; and

**WHEREAS**, One Selection Panel appointment of a regular member has a term set to expire on October 16, 2021; now therefore be it

**RESOLVED:** That pursuant to City Charter Section 604(c)(3), the City Council hereby accepts the Selection Panel slate in its entirety to serve as a member of the Police Commission as follows:

**Rudolph Howell**

Term: October 17, 2021 – October 16, 2024

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_

ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

