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PUBLIC SAFETY OVERSIGHT COMMISSION

Proposed Ballot Initiative for
November 2014 Election

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Background

In 1996, the Oakland City Council created the Community Policing Advisory Board with the passage of Ordinance #79235,. This Board was tasked with monitoring the implementation of community policing within the following structure:

Oakland was divided into 57 beats to be served by a Problem Solving Officer (PSO) within the framework of Neighborhood Crime Prevention Councils (NCPCs), with Neighborhood Services Coordinators (NSCs) as liaisons.

Background cont'd

- ▣ In 1996, the Oakland City Council passed Ordinance #12454, amending the previous Citizens' Police Review Board Ordinance and providing:

1. Civilian investigators of complaints
2. An Attorney to advise the Board
3. Subpoena power
4. A Policy Analyst and Outreach Coordinator
5. Bi-annual reporting obligations

- ▣ Further amended in 2002, providing for 3 alternate Commissioners, ensuring that one Commissioner be under the age of 25 and allowing for hearings before a 3 person panel.

1. Civilian investigator
2. An Attorney to advise the Board
3. Subpoena power

Issues/Problems that emerged

- ▣ 1. Mayor Brown collapsed the 57 beat structure and consolidated them into 35 beats, over the objections of the CPAB.
- ▣ 2. After costing the City over \$500,000 in law suit settlements, 4 Oakland police officers dubbed "the Riders" were criminally charged.
- ▣ 3. 19 Oakland police officers were alleged to have violated the rights of 119 plaintiffs in the "Riders" class action law suit costing \$11 million and resulting in a Negotiated Settlement Agreement.
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Issues cont'd

- ▣ 4. The NSA, a package of mandated police reforms, was overseen by Federal Judge Thelton Henderson and was meant to be concluded in 5 years. A monitor team was selected to provide quarterly reports on OPD's progress.
- ▣ 5. The Monitor team was so frustrated that they walked away from a lucrative contract. A new team was hired, and to date, the costs of implementing the NSA have exceeded \$17 million.

Issues cont'd

6. The City Administrators continued to ignore sustained findings of police wrongdoing by the CPRB and failed to discipline officers.

7. The NSA, the City of Oakland paid more than \$58 in law suits emanating from the Police Department - this is more than the amount paid by San Francisco and San Jose combined the same period of time, despite the inverted disparity in the size of their populations and police forces.

Who's Accountable?

- During the period of the NSA, we have had 4 Mayors, 5 City Administrators and 4 Police Chiefs. Yet, we are still not fully compliant after 11 ½ years.
- Even after full compliance is reached, the Monitor indicates that sustained oversight over a period of time will be required, continuing to cost taxpayers additional millions.
- During the 2010-2011 fiscal year, the Monitor reported that the City of Chicago had spent \$1.5 million on the NSA. This is a significant amount of money, especially considering that the City of Chicago has a population of over 2.7 million people.

It's time for a Solution!

- ▣ Since neither the City Administrations, Police Chiefs or City Council members have been able to adequately address this ongoing public safety and risk-management crisis, a group of residents formed to analyze the problems and come up with a solution. This initiative offers a solution to many of the issues described as well as benefits to the community.

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Public Safety Oversight Commission Proposal Main Provisions

- ▣ Combine two existing commissions and their staffs: CPRB and CPAB – improve efficiencies and provide more robust community influence on public safety policies.
- ▣ Accept and investigate all public complaints against police. Conduct investigations and refer Level 1 complaints to the Commission for evidentiary hearings.
- ▣ Oversee the Police Department and transfer authority to discipline officers who are found to have committed OPD policy or civil rights violations resulting in discipline of ten days or greater. Direct OPD Chief to administer discipline in lesser cases of fewer than 10 days suspension.
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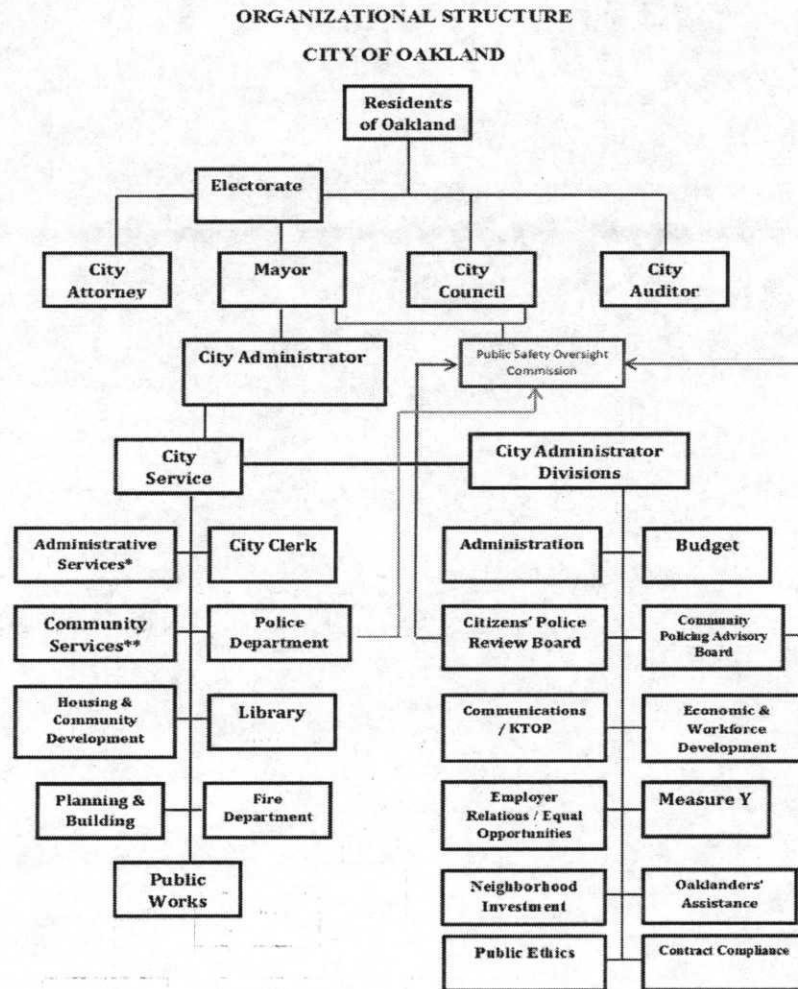
Provisions continued

- ▣ Conduct public hearings on public safety policies, strategies and budget, including the implementation of community policing, the number of NCPCs and PSOs, Cease Fire, human trafficking, sideshows, Domain Awareness Center, gang injunctions, etc.
- ▣ Assume the functions of the Court Monitors upon the conclusion of the NSA to ensure that compliance is sustained. Continue to oversee policy reforms and strategies to ensure OPD practice Constitutional policing that results in fewer costly law suits and increased community trust.

Community Benefits of PSOC

- ▣ Allow at least 10 sworn officers in Internal Affairs to be re-assigned to crime fighting duties;
- ▣ Ensure that the benefits resulting from the multi-million dollar costs of the Riders scandal are sustained by implementing local oversight.
- ▣ Prevent future Riders-like scandal with additional costs
- ▣ Minimize costly police misconduct law suits
- ▣ Provide greater community input into public safety policies
- ▣ Improve community-police relationship

Change in Organizational Structure



Fiscal Impact

- ▣ This measure is revenue-neutral. Because the staff of two existing commissions will be brought together to staff the PSOC, no additional revenues are required to support it.
- ▣ The PSOC will be required to maintain a ratio of one complaint investigator for every 100 sworn officers which is already established in the current Ordinance governing the CPRB.
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It's Time!

▣ *"If not us, then who? If not now, then when?"*

— *John E Lewis*

The Coalition for Police Accountability asks the Oakland City Council to place on the November 4, 2014 ballot a measure that will improve the ability of the City of Oakland to oversee, monitor and hold accountable its Police Department to conserve resources and ensure appropriate, effective Constitutional policing services.

The Coalition for Police
Oakland City Council
2014 ballot measure