

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable William H. Orrick, Judge

DELPHINE ALLEN, et al.,	)	
	)	
Plaintiffs,	)	
	)	
VS.	)	NO. C 00-04599 WHO
	)	
CITY OF OAKLAND, et al.,	)	
	)	
Defendants.	)	
_____	)	

San Francisco, California  
Tuesday, January 23, 2024

**TRANSCRIPT OF VIDEOCONFERENCE PROCEEDINGS**

**APPEARANCES:** (via videoconference)

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**(APPEARANCES CONTINUED ON THE FOLLOWING PAGE)**

REPORTED BY: Marla F. Knox, CSR No. 14421, RPR, CRR, RMR  
United States District Court - Official Reporter

1 **APPEARANCES:** (continued via videoconference)

2 For Intervenor:

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6 **BY: ROCKNE A. LUCIA, JR., ATTORNEY AT LAW**

7 Also Present:

8 Acting Chief Darren Allison  
9 Deputy Chief Clifford Wong  
10 Captain Anthony Tedesco  
11 Marsha Carpenter Peterson, OPC Chair  
12 Mayor Sheng Thao  
13 City Administration Jestin Johnson  
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1 Tuesday - January 23, 2024

3:31 p.m.

2 P R O C E E D I N G S

3 ---000---

4 **THE CLERK:** We will get started in case number  
5 00-4599, Allen, et al. versus City of Oakland, et al.

6 Counsel, if you would please state your appearance for the  
7 record.

8 **MR. BURRIS:** Yeah, John Burris for the Plaintiffs.

9 **MS. MARTIN:** Good afternoon, Your Honor, Brigid Martin  
10 for the City of Oakland. I have here with me today Mayor Sheng  
11 Thao; City Attorney Barbara Parker; City Administrator, Jestin  
12 Johnson; Chief of Police, Darren Allison and members of the  
13 executive team at OPD; Inspector General, Michelle Phillips and  
14 Police Commission Chair Marsha Peterson.

15 **THE COURT:** Excellent. Good afternoon.

16 **MR. LUCIA:** Good afternoon, Your Honor, Rockne Lucia  
17 for Intervenor OPOA.

18 **THE COURT:** Great. Good afternoon to everybody. I  
19 assume Mr. Chanin will be fighting his way through Zoom and  
20 getting -- joining us in a moment.

21 Let me start today first by acknowledging the death of  
22 Officer Tuan Le, who was killed in the line of duty, protecting  
23 and serving the public.

24 In my view being a public servant is the highest calling  
25 for any human being and being a police officer is the most

1 difficult of those calling.

2 Police work provides the scaffold for the rule of law  
3 without which our republic can't function. So the loss of  
4 Officer Le is a blow to all of us.

5 Before getting into the work that remains, I want to start  
6 by recognizing the progress that OPD has made.

7 The case management statement this time didn't highlight  
8 the substantial decrease in stops over the last several years,  
9 but it did point out critically that the rate of Blacks  
10 detained in stops has fallen dramatically.

11 The CMC statement didn't discuss the impact of vision or  
12 the risk management meetings that occurred not only citywide  
13 but area-wide, which are critical to constitutional policing.

14 It did note that the policies that were recommended by the  
15 Clarence Dyer report have been published and that the Monitor  
16 has found OPD in compliance with task 5 at the moment.

17 OPD is also in compliance with task 2 although there is  
18 some question whether it is going to be able to stay there.  
19 And I look forward to asking about that in a moment.

20 I am concerned about task 45. The City argues that it  
21 should have been found in compliance because it's promulgated  
22 appropriate policies and issued a searing report identifying  
23 real issues regarding disparate treatment of Black officers and  
24 officers of color generally in disciplinary proceedings.

25 And I congratulate the City for doing that because it

1 shows an ability to examine internal processes and expose  
2 problems that it found. That's really important.

3 But to be in compliance with task 45 means fixing the  
4 problem. That's what is required. And I see this issue as  
5 completely intertwined with the Clarence Dyer report, with  
6 task 5, and with the underlying racial issues that got --  
7 resulted in the NSA in the first place.

8 I'm also concerned with how long it's taking to select a  
9 new chief of police.

10 I think Chief Allison has done an excellent job, and I  
11 thank him for his leadership over the last year and a half; but  
12 I would like to ensure that the new chief -- whoever he or she  
13 is -- is committed to constitutional policing.

14 I agree completely with the Police Commission statement on  
15 the importance of civilian oversight, and I look forward to the  
16 day that this Court and this monitorship comes to an end.  
17 That's going to require excellence in the candidates recruited  
18 for the chief's job and a commitment to everybody -- from  
19 everybody to constitutional policing.

20 So, I have a few questions and then I'm going to be happy  
21 to hear targeted comments from the lawyers and from Mayor Thao.

22 I will say now the next CMC is going to be on June 4th of  
23 2024. I know that the City had been hoping for an earlier  
24 date, but I want to see what happens regarding tasks 2, 5  
25 and 45.

1           And prior to that CMC, I want the parties -- I also hope  
2 maybe the chief will be -- the new chief will have been  
3 selected by that time.

4           I want to see the parties in advance of that meet and  
5 discuss whether it's appropriate to end the monitorship at that  
6 time, to change its form or to retain the status -- maintain  
7 the status quo.

8           And in advance of that, I would like the City to update  
9 the stop data -- historic stop data as well as other meaningful  
10 metrics that show how the OPD has embraced the spirit as well  
11 as the letter of the NSA.

12           So -- so that's my -- those are my preliminaries. Let me  
13 add -- so I'm going to start by asking a few questions, as I  
14 have before. And is Captain Tedesco -- he is present. Can you  
15 turn on your camera, Captain Tedesco?

16           **CAPTAIN TEDESCO:** Indeed.

17           **THE COURT:** Good afternoon.

18           **CAPTAIN TEDESCO:** Good afternoon, Your Honor.

19           **THE COURT:** So, the last review of task 2 puts you  
20 right on the cusp and -- of compliance, and I have raised with  
21 your predecessors how important I think it is that -- that  
22 these investigations are timely and that falling below  
23 85 percent really does a disservice to everybody who is  
24 involved.

25           So I'm interested in how you are holding your employees,

1 your supervisees, investigators accountable for meeting the  
2 deadlines and whether any changes are going to be necessary to  
3 remain in compliance.

4 **CAPTAIN TEDESCO:** Thank you, Your Honor. A couple of  
5 points on that, if you will bear with me, I think the -- my  
6 assignment in June, I have been learning quickly on the job.  
7 I'm very process oriented from my previous assignments.

8 And I immediately took the opportunity to learn and assess  
9 everything that we were doing in order to look for  
10 opportunities for improvement.

11 One of the things I want to say right away is that the  
12 department for Q3 maintained its 85 percent compliance despite  
13 the cyber attack, which provided us with very significant  
14 challenges that were seen a little bit in quarter 2, more so in  
15 Q3 and moved forward into Q4 as well.

16 I'm not expecting to see those same challenges moving into  
17 the first quarter of this year as well as I think we have  
18 resolved them all.

19 So looking at resiliency through that, I don't know that  
20 we imagined a cyber attack, the design of the 85 percent  
21 standard, but we were still able to maintain it despite that  
22 significant challenge.

23 But with that, there was opportunities for building  
24 resiliency within a number of our systems so such a thing  
25 couldn't happen to us again, and that went forward in storing

1 our data in a number of different sources of third-party  
2 evidence.com in order to make sure that if something happened  
3 again, we would have multiple backups so we wouldn't lose data  
4 in the same fashion again.

5 And also, it gave us opportunity then to look at our  
6 intake process, our assignment to investigations process, our  
7 division level process for inefficiencies because really we can  
8 do the investigations and I believe that we can commit to  
9 quality investigations but the 180-day timeline really means  
10 that we need every available moment in order to get them done  
11 properly.

12 And so we looked very hard at a number of our processes,  
13 and one of the major things that we have undertaken since I  
14 have transferred over is the switch away from paper processes  
15 to all digital processes.

16 And what that's done is it's allowed us to save weeks on  
17 the front end of most investigation in accumulating all of the  
18 evidentiary material and distributing it to the investigator  
19 that needs that material and then being able to easily share  
20 through that the process with review without having to  
21 transport physical files from place to place.

22 So we are saving a lot of time there, and we expect that  
23 to continue on forward; and it's been already a bit of a game  
24 changer for us in terms of our timeline pieces of it.

25 Really I'm hoping with that -- because I agree with the



1 report, there is definitely a nexus between task 2 and  
2 task 5 -- that the additional time saved with us going forward  
3 will give us opportunity to continue with quality  
4 investigations and make sure that we are getting that right;  
5 that we are getting to the truth of the matter in each of these  
6 investigations.

7 **THE COURT:** That's great. That's very encouraging and  
8 I'm delighted that you have taken the bull by the horns. So I  
9 will look forward to continued compliance then going down the  
10 road. Thank you very much again.

11 And so, Deputy Chief Wong.

12 (Pause in proceedings.)

13 **DEPUTY CHIEF WONG:** Good afternoon, Your Honor.

14 **THE COURT:** Good afternoon. How are you?

15 **DEPUTY CHIEF WONG:** Very well, sir.

16 **THE COURT:** Good. So you sit in a pivotal place for  
17 achieving the ends of the NSA and I am interested in -- first  
18 of all, I assume that you were going to tell me that the risk  
19 management meetings continue apace throughout the district and  
20 throughout the area commands; is that true?

21 **DEPUTY CHIEF WONG:** Yes, Your Honor. The risk  
22 management meetings still continue at the area levels as well  
23 as at the department level, and we still have them separated by  
24 field operations and investigative sections and traffic so as  
25 to not make the meetings so long, but we have thorough coverage

1 for them.

2 **THE COURT:** So could you give me a specific example or  
3 two of how the information that you have learned through the  
4 risk management meetings has actually modified officer  
5 behavior?

6 **DEPUTY CHIEF WONG:** That's a very wide range of topics  
7 that are covered at risk management meetings.

8 **THE COURT:** And I could've given you a heads-up on  
9 that, but I didn't. I'm interested in what you can provide for  
10 me.

11 **DEPUTY CHIEF WONG:** Okay. Well, starting from  
12 something as simple as, let's say, training. Vehicle  
13 collisions, we noticed that those were going up a while back,  
14 and they were low speed collisions and we simply referred that  
15 over to the training section; and they were able to adjust the  
16 training regimen.

17 And normally, they would be involved in a lot of  
18 high-speed pursuit driving, but we realize that's not where the  
19 accidents were occurring. They were occurring when the  
20 officers were trying to get gas or just turning short corners.

21 So they changed the training to adjust to that small --  
22 the small or slow speed maneuvers. So that's a broader  
23 example.

24 A more narrow example would be they had an officer that  
25 was -- their attendance records weren't quite normal. You

1 would notice they were calling in sick or having a lot of  
2 issues. And then when they looked at that individual officer,  
3 put them on supervisory monitoring as a result of the risk  
4 management meeting, and that monitor later discovered that the  
5 officer was having personal issues in her life; and they were  
6 able to correct that via a non-punitive method.

7 And that all stemmed from data that just came up on a  
8 slide at a risk management meeting.

9 **THE COURT:** So that's -- that is excellent. Can you  
10 assure me that when I am no longer asking you questions on  
11 Zoom, that risk management meetings are now fully embraced  
12 within the department and that -- that this is something  
13 that's -- that will survive long after people have forgotten  
14 what the NSA is?

15 **DEPUTY CHIEF WONG:** Well, first of all, it is  
16 documented policy in our one, so the whole risk management  
17 meeting process is in policy and required.

18 Second, it is part of the way we do business now. It is  
19 in our processes. It is in the way that -- that's how we speak  
20 to, I guess, our subordinate levels of supervision to determine  
21 what's going on in their areas, what's going on in their units.

22 These risk management meetings are a way of taking the  
23 information based on individual level or on squad levels or  
24 even department levels and drilling up and down.

25 And then we have -- we have gotten used to basically

1 talking about issues in these meetings because this is the  
2 perfect format to cover several layers of supervision as well  
3 as a wide range of topics, and we have gotten to the point  
4 where we started adjusting the topics that we talk about.

5 If we realize, you know, these collisions are no longer an  
6 issue, we kind of take that off and put it on the back burner.

7 If we realize that stops are becoming an issue, that  
8 becomes the bigger topic and we spend more time on those. And  
9 it is just engrained in the way we do things now.

10 **THE COURT:** I'm delighted to hear that. I really  
11 expect that that will continue. I went -- as you know, I went  
12 to a couple of the earlier risk management meetings. And to  
13 have this now engrained throughout the department is -- is a  
14 tremendous step forward. So, thank you for that.

15 **DEPUTY CHIEF WONG:** You are welcome.

16 **THE COURT:** Chief Allison, let me ask you a question.  
17 It's good to see you.

18 **CHIEF ALLISON:** Good to see you too, Your Honor.

19 **THE COURT:** So I'm interested in sort of a similar  
20 question that I asked of Chief Deputy Wong. How are you  
21 ensuring -- going to ensure that when you are no longer sitting  
22 in that seat and the -- and I'm no longer sitting in this seat  
23 that the -- the progress that OPD has made over time and will  
24 make over the next few months to get into full compliance is  
25 going to be permanent?

1           **CHIEF ALLISON:** Thank you for that question, Your  
2 Honor. And I also want to take an opportunity just to begin to  
3 thank you for the recognition of Officer Le and the tragedy  
4 that was faced a few weeks ago. I do appreciate that, and that  
5 means a lot to the organization and to the family.

6           To the question at hand, you know, having the opportunity  
7 to have been with this thing now for almost -- well, over 29  
8 years -- I have seen this department change, grow, become self  
9 reflective over time; and I have seen it exponentially become  
10 more self reflective in adjustments in the last several months,  
11 several years of my career.

12           And I think, you know, fundamentally when it comes down to  
13 sustainability and organizational culture, it is creating a  
14 value system that is not only linked to the community but  
15 linked to the noble cause and the honorable position of a  
16 police officer to engage in public service that we get at the  
17 very beginning of our careers.

18           And I truly believe that that value system exists. It's  
19 checked on and reinforced by oversight bodies throughout the  
20 City to -- including our government, City government or City  
21 leadership, our commissions, our standards in OIG.

22           And I think that value system has been infused and  
23 engrained in our policies and our hiring practices and our  
24 training and development and our job in this organization is to  
25 develop not only a leadership cadre at the top but a leadership

1 cadre throughout the entire organization to reinforce -- to  
2 have a succession plan, a sustainability plan in that area.

3 And so I think we have developed the practices and the  
4 infrastructure that we didn't have, you know, 29, 30 years ago  
5 in the organization to act as a fundamental foundational  
6 principle to uphold those values.

7 Our policies, as was discussed a little bit about some of  
8 the outcomes of our risk management meetings, policies that we  
9 saw grow out of that were handcuffing policies or search  
10 policies, things that are integral in how we treat the public.  
11 Those have been infused and grounded in those principles.

12 So that along with training and accountability. And  
13 accountability comes in many different forms. It is not just  
14 discipline, but it could be mentorship, development, training,  
15 retraining but also rewarding and recognizing those principles  
16 that we find important to succeed as an organization, those  
17 fundamental, foundational principles along with our value  
18 system in how we hire and how we promote has been infused in  
19 the organization.

20 And, you know, obviously as individuals come in to the  
21 chair to the role of chief and leaders come and go, there's  
22 always a concern that somebody could come in and modify those  
23 policies or move the ship a different direction, so to speak.

24 And I think that the City has done well in creating  
25 external oversight to be able to regulate that and bring us

1 back to the North Star, so to speak, when -- if we were to  
2 drift down our course.

3 We have our Inspector General's Office that's separated  
4 from the police department that engages in audits and reviews.  
5 They have certainly shown the ability to do some recent audits  
6 and reviews.

7 We have our independent complaint investigative body with  
8 the CPRA that can do independent and separate internal affairs  
9 complaints.

10 And, of course, any policies that are fundamental to how  
11 we engage with the community and ensure public trust have  
12 Police Commission engagement and oversight. That can't just be  
13 arbitrarily changed into a different direction.

14 So I think we have created that value system, the  
15 policies, the structures and the protocols to reinforce that  
16 value system, and what I would consider a safety net if someone  
17 were to come in and up root those fundamental practices to get  
18 us back to center.

19 **THE COURT:** Okay. That's a good answer and I am -- I  
20 appreciate your efforts and particularly over the last year and  
21 a half -- this has not been an easy time -- and I very much  
22 appreciate the work that you have done.

23 **CHIEF ALLISON:** Thank you, Your Honor.

24 **THE COURT:** Thank you. All right. Well, let's go to  
25 lawyers, Mr. Chanin and Mr. Burris.

1 Mr. Chanin, why don't we start with you.

2 **MR. CHANIN:** Thank you, Your Honor. And I'm sorry. I  
3 don't know what happened when I couldn't sign in. I was there  
4 at 3:15 but I'm sorry.

5 **THE COURT:** This is what happens on Zoom. There's  
6 always somebody -- very rarely it's me but I have grown not to  
7 get mad at anybody else who doesn't show up. So, please go  
8 ahead.

9 **MR. CHANIN:** I was there, though.

10 All right. I would like to join Chief Allison in thanking  
11 the Court in postponing the case management conference because  
12 of the tragic death of Oakland Police Officer Tuan Le.

13 I appreciate you giving the OPD time to grieve and arrest  
14 suspects in that senseless act. I'm very sorry for his loss  
15 and everyone who feels pain because of his loss.

16 The disparities noted in OPD's own report attached as  
17 Exhibit 1 to our joint CMC statement are not acceptable.

18 In my view the disparities listed on the charts on page 7  
19 and 8 of the Plaintiff's statement warrant further Court  
20 oversight.

21 What the OPD is doing to its own officers recalls the  
22 reason why John and I filed the Riders case originally.

23 And the fact that one officer did a significant portion of  
24 the disparate treatment and it was -- recalls the unrecognized  
25 disparate treatment over many years done by Officer Valerga



1 when while on duty he was allowed to molest at least 100 Asian  
2 women before he was arrested and pled guilty to some of his  
3 many crimes. OPD never punished Valerga's supervisor because  
4 they could not identify who supervised him.

5 Now, almost 20 years later no one will tell us who, if  
6 anyone, supervised the officer who did many of these FTARC  
7 issues.

8 He blatantly discriminated against African-American  
9 officers over and over again, yet he was un -- not caught by  
10 OPD for too long.

11 As I have said many times before that the person who  
12 should have been disciplined is not just the subject officer  
13 who did the wrongdoing, it should be his supervisor or her  
14 supervisor -- in this case him, I believe. Only then will  
15 there be real accountability at the OPD.

16 Despite all of this, the fact that this behavior was  
17 disclosed by an Oakland police officer in a detailed report  
18 shows how far the OPD has come since negotiated settlement  
19 agreement was made an order of the Court by Judge Thelton  
20 Henderson.

21 And it is true that OPD has promulgated a number of  
22 policies to remedy the situation. The extension you have just  
23 granted will allow the Monitor and the Plaintiffs' attorneys  
24 time to see if these FTARC reforms work or if we have the same  
25 problem with disparate treatment when we come back in June.

1 And that's going to be a big issue for me, speaking only for  
2 myself.

3 The disparities in FTARC speak only not to -- speak not  
4 only to task 45. If investigations result in disparities,  
5 task 5 is still a concern because you cannot have a discipline  
6 system that is unfair for any reason most of all given the  
7 disparities that led to this case if it is racially disparate.

8 Far worse than the task 5 explanation that the City gives  
9 is its position that it has achieved substantial compliance  
10 with task 45.

11 First, the City admitted that the OPD's own report pointed  
12 out the problem with FTARC. As I said previously, this is one  
13 of the many reasons why I am willing to consider having the NSA  
14 end this year because it shows that the Department has finally  
15 achieved the capacity to discover its own shortcomings.

16 However laudable this is, the report shows that there is  
17 still work to be done. I cannot support an exit from the NSA  
18 just because the OPD has discovered the problem.

19 We need to see that the problem has been solved with the  
20 same ingenuity and hard work that went into writing Exhibit 1.  
21 Thank you, Your Honor.

22 **THE COURT:** All right. Thank you. Mr. Burris, do you  
23 have anything to add?

24 **MR. BURRIS:** Some, Your Honor, not much.

25 First off, glad to be back with everyone. You know, I

1 want to just say that I have continued to take cases outside of  
2 Oakland if anyone might know -- it's not surprising -- but what  
3 I have noted is that many of the conduct -- much of the conduct  
4 that we have addressed in Oakland really is still occurring in  
5 other places, and I am seeing racial profiling cases -- people  
6 being stopped -- even today -- just unnecessary reasons, tinted  
7 windows, racial profilings, people's cars being searched,  
8 chasings that we have had a lot of work on, which I think that  
9 we have done a really good job in controlling chasings where  
10 people don't get shot or killed at the end.

11 So I'm very, very pleased about a lot of the work that has  
12 taken place. I also feel that the work that needs to be done  
13 has to be done, and I liken it I think to completing the job to  
14 having a hole in a leaky ship.

15 If you have it, you haven't completed the job. You still  
16 have the problem with the ship sinking at some later point.

17 And to me the issue that's most concerning -- and we all  
18 have our own particular -- the racial profiling issues that  
19 existed in task 34 and the racial issues that existed in  
20 task 45 still are issues, for sustainability purposes, must be  
21 dealt with before we move on.

22 And certainly there has been much progress on task 34. We  
23 have not tested in a while. I hope that there will be some  
24 testing.

25 But that is a test, an area for sustainability purposes,

1 as we move onto the next generation of lawyers and next  
2 generation of people -- including my kids and all the  
3 grandkids -- that this issue of task 34 will not be an issue.

4 But I am concerned that we could regress in this area.  
5 And, of course, we have always had this concern about police  
6 officers within the Department although one might not think  
7 that that was the big issue with me but it is in terms of  
8 racial discrimination because I also know this depends upon the  
9 future employment, opportunities for people within the  
10 Department.

11 And a racially -- African-American officers who are  
12 receiving racial bias and disparate treatment at early stages  
13 in their careers, we know that's a step behind, a step delay,  
14 and the promotional opportunities will be less and it will be  
15 less competitive.

16 So it's important to get this right, and I commend efforts  
17 have been made to redo the policies; but for whatever reasons,  
18 that still has not got to the essence. And it may just be  
19 human error, human judgment. And if that's the case, then  
20 there has to be checks and balances on that, so that one person  
21 can't control the impact on another person -- other people's  
22 careers for whatever reasons.

23 And whatever the numbers show, they show; that the  
24 disparity exists. So, you know, a lot of the good work has  
25 been done. I'm real pleased with the efforts of the

1 Department. There is unfinished business that has to take  
2 place.

3 And I don't want it to be colored and given any other  
4 kinds of names. The fact is we have to be concerned about the  
5 disparities that exist within the Department, and we have to be  
6 concerned about the disparities that might exist in terms of  
7 how people are treated on the streets.

8 And, of course, we want to make sure that what takes place  
9 in the Department is candidly performed.

10 I think a lot of good efforts is being made, and I'm  
11 hopeful that we will get it done. I don't want to leave until  
12 we know that the issues of disparities have been controlled and  
13 that everybody has a fair opportunity in the Department and  
14 that people on the street are not going to be stopped just  
15 because of their race.

16 **THE COURT:** Okay. Thank you. Mr. Lucia.

17 **MR. LUCIA:** Good afternoon, Your Honor. I also just  
18 want to acknowledge your comments about Officer Le, and Chief  
19 Allison put it very appropriately. He made the ultimate  
20 sacrifice for the citizens of Oakland, and a lot of us felt  
21 this year has been traumatized by the events; but they pushed  
22 through and they push on. So I want to acknowledge that.

23 I also, as you know, mentioned in our CMC statement that  
24 there has been a change in leadership at the OPOA. I will tell  
25 you as their counsel for over 25 years, that officer --

1 Sergeant Nguyen, who is the new president, will carry through  
2 as Barry Donelan did, the tradition of being collaborative  
3 within the Department.

4 I will tell you over the last couple of months, a few  
5 policies hit my desk that require meet and confer; and we  
6 worked -- we put those on a fast track, and I think we came up  
7 with some solutions that accommodated the City, the union  
8 members and I think ultimately (inaudible).

9 So I don't really have anything else to offer, but I do  
10 want to suggest that if between now and June you'd like to meet  
11 with Sergeant Nguyen because he wasn't able to appear today --  
12 he is somewhere out there in the ether watching us -- but if  
13 you would like to meet with him, I think he is available and  
14 would be willing to do that.

15 And if you don't have anything else that you would like to  
16 ask me, I think I will end it there.

17 **THE COURT:** Great. Thank you, Mr. Lucia.

18 Ms. Peterson, you are here -- I think a first time  
19 caller -- and I don't know whether you had anything that you  
20 wanted to add to the discussion.

21 **MS. PETERSON:** Well, I'm happy to be here. Thank you,  
22 Your Honor. And we too at the Oakland Police Commission mourn  
23 the death in the line of duty of Officer Le and had a moment of  
24 silence and constantly monitoring through Interim Chief Allison  
25 the health and welfare of the officers in the Oakland Police

1 Department as a result of that death.

2 With respect to the Oakland Police Commission, I'm happy  
3 that we were allowed to submit our addendum to the City's  
4 statement. I think it speaks for itself.

5 I won't belabor all the points, but I will say that  
6 civilian oversight is an important progressive step in the City  
7 of Oakland; and the civilian oversight will enforce the police  
8 accountability that we are all looking for here and will drive  
9 the cultural changes that we are also looking for. And  
10 effective civilian oversight, we believe, must be centered,  
11 resourced and collaborative.

12 The Oakland Police Commission, Community Police Review  
13 Agency and the Office of Inspector General are up to the task  
14 of civilian oversight.

15 With respect -- and I assume you want to hear about the  
16 police chief search -- yes, we are in a second phase now of  
17 that search. The ad hoc, which I am the chair and our Vice  
18 Chair Commissioner Ordaz and our Chair Emeritus Regina Jackson  
19 are also on the ad hoc.

20 We meet every Wednesday. We meet with the consultants.  
21 We are wanting to expand the announcement of the -- of the  
22 chief search to expand it. We have met with several chief --  
23 chief -- former chiefs of police and other prominent members  
24 and thought leaders in this space to understand better what  
25 kind of questions we should be asking, what kind of candidate

1 we are looking for. We certainly want someone progressive and  
2 isn't afraid of -- at being brave in this space of  
3 accountability.

4 We have asked for a rolling list of candidates and access  
5 to their resumes and applications so we can do this process as  
6 speedy as is reasonably possible.

7 The list, as we all know, that we were given when I took  
8 over in October, early November, was not as robust as we all  
9 would have liked; and we chose the three that we thought were  
10 best.

11 And, yes, the list was rejected. And we have developed a  
12 new schedule. January 1st through January 31st is the open  
13 recruitment. February 1st through the 29th we will evaluate,  
14 meaning we will vet and interview candidates and narrow it down  
15 to the minimum of three. Of course, we can send more and we  
16 will send more as we see they are qualified. And the final  
17 names on our schedule to be given to the Mayor March 1st. It  
18 could be sooner if we get through the vetting and evaluation  
19 process quicker.

20 So it is our goal to work collaboratively with the Mayor  
21 to choose the next police chief. It is our mandate to do that  
22 as a commission, and we are working diligently towards that.

23 **THE COURT:** Great. Well, thank you for that report  
24 and how it's going and I -- I can't emphasize enough what you  
25 already know, which is your -- this job just requires -- the



1 City of Oakland deserves the very best, most excellent chief  
2 that is out there. And so I -- keep working at it.

3 **MS. PETERSON:** We are.

4 **THE COURT:** I'm delighted to hear that.

5 **MS. PETERSON:** I'm born and raised in Oakland. I'm  
6 committed to doing this work, and I want to see us have the  
7 best chief; and I want to see it done, not through a circular  
8 firing squad of who didn't do or who isn't doing but to work  
9 collaboratively. Thank you.

10 **THE COURT:** Thank you very much. So, Ms. Martin, I  
11 think I will come to you next unless -- I will let you and the  
12 Mayor decide who goes next, but I assume that you wanted to lay  
13 the groundwork but --

14 **MS. MARTIN:** Yes, Your Honor. I'm happy to go next.  
15 And I also know that our City Administrator Jestin Johnson is  
16 also with us today. And if Your Honor would like, he would be  
17 happy to introduce himself as well at some point. This is his  
18 first hearing before Your Honor as the City Administrator.

19 But I will reference first Your Honor's questions about  
20 task 45. Disparities are unacceptable, full stop. The City is  
21 in a hundred percent agreement with everyone on that.

22 Now, there are a few things that I do need to correct.  
23 Mr. Chanin referenced one of the investigators being  
24 responsible for the disparity that we saw with failure to  
25 accept and refer complaints. And that was not accurate.

1           Although there was one investigator who was responsible  
2 for adding more of those types of allegations to  
3 investigations, ultimately there was not disparity in the  
4 findings of that officer's investigations. So I just wanted to  
5 correct that.

6           The Department has made its very best efforts in  
7 conjunction with Stanford University with researchers from the  
8 monitoring team to try to figure out what was causing the  
9 failure to accept and refer complaints disparity that we saw  
10 because ultimately the best way to fix the problem is to find  
11 what's causing it or to find what's likely to be causing it.

12           So the Department spent a lot of time -- well-spent time  
13 trying to get to the bottom of that as best as it could, and  
14 the Department in doing so found a number of what we will call  
15 process points where it would be more likely that the disparity  
16 was seeping in.

17           Because, as I mentioned, it wasn't the -- the result of  
18 one officer's cases or one investigator's cases, and it wasn't  
19 something that had a direct and obvious cause.

20           So we are looking for places where we might see bias creep  
21 into the process and working on changing those and making it  
22 less likely that bias will influence the outcomes at those  
23 process points.

24           So the Department changed policy. It has a new complaint  
25 policy and a new standard for failure to accept or refer

1 complaints.

2       There has been extensive training both with officers so  
3 they understand what is required of them under that policy and  
4 of investigators and supervisors who may determine if there's a  
5 violation of that policy.

6       The point here is to make sure that the Department is  
7 consistently interpreting the rule and applying the misconduct  
8 rules here.

9       The Department also added requirements for review. If you  
10 are going to add an allegation for failure to accept or refer a  
11 complaint unintentional, it now has to be approved by the  
12 Capital of Internal Affairs.

13       So there have been a number of things that the Department  
14 has done that are targeted -- specifically targeted, not just  
15 throwing things at the wall but targeted at really fixing this  
16 problem.

17       Now, I'm hopeful that the 2023 discipline outcomes and  
18 findings and misconduct findings, I'm hopeful that that report  
19 will show that there is no disparity either with failure to  
20 accept or refer complaints or with anything else.

21       Frankly, if there is, we are prepared to address that head  
22 on. We have a process in place. We know we can do it, and we  
23 have the partners that we can call on to help us find the cause  
24 or the most likely cause if there are disparities.

25       And it's -- it's, I think, reasonable for us to believe

1 that in the future we may see a disparity again. We are not  
2 perfect. Our -- nothing is perfect. And so if we -- we don't  
3 expect necessarily that everything will always move forward and  
4 we will never find a disparity again.

5 I think the central issue here is whether we can address  
6 it, we do address it, and it does get fixed.

7 So, I'm hopeful that our 2023 data report will show no  
8 further disparities; but at some point, Your Honor, I mean, we  
9 could theoretically continue to see disparities and have to  
10 address them.

11 And I think maybe once we have shown that we can fix it --  
12 and we believe that we have shown that with what we have done  
13 and hopefully in the next few months we will see a report that  
14 shows that there are no further disparities.

15 **THE COURT:** That's what I would love to see. That  
16 would be great.

17 **MS. MARTIN:** Yeah. And, Your Honor, one other thing  
18 that I wanted to mention is the question that keeps coming  
19 back, that we keep coming back to here that doesn't involve  
20 technical aspects of task compliance but more the big picture  
21 of has the Department's culture changed enough? Has the  
22 Department transformed enough? Has the Department evolved  
23 enough so that we have confidence that it's evolution will  
24 continue after the Court oversight ends?

25 And there's no doubt that the Department is transformed

1 from what it was when the NSA was implemented 20 years ago, but  
2 there still remains a need for further transformation even  
3 after 20 years.

4 And that's actually not surprising particularly when you  
5 think about policing culture in America. It had nearly 200  
6 years to develop.

7 Boston's police department started in 1838; New York's  
8 somewhere around 1844. And Oakland itself was founded in 1853.

9 So the Department's cultural evolution -- though it's  
10 steady and already somewhat significant -- will likely continue  
11 for decades to come.

12 Because when we talk about cultural change at OPD, we also  
13 have to consider the culture of the institution of policing.  
14 OPD's culture does not exist in a vacuum. It didn't develop in  
15 a vacuum, and its transformation isn't occurring in a vacuum.

16 Its members work very closely with police in neighboring  
17 and overlapping jurisdictions at the local, state and federal  
18 levels; and they are members of state and national policing  
19 organizations.

20 So the question at this point shouldn't be has the  
21 Department -- or in June maybe, not at this point -- whether  
22 the Department has completed its transformation but has it  
23 changed enough; has it hit that critical tipping point where we  
24 can trust that the changes it has made will hold and its  
25 evolution will continue?

1           And I think we know that complete cultural change can't be  
2 the standard because last April when we were here in court,  
3 Mr. Burris told us that he had asked the Monitor whether the  
4 Monitor had ever seen a department's culture fundamentally  
5 change under oversight. And the Monitor's answer was no.

6           So the question must be: Has the Department's culture  
7 changed enough? Do we have the momentum once we have complied  
8 with the NSA to continue our cultural evolution absent Court  
9 oversight?

10           And I think that there are three things that I can think  
11 of here today that demonstrate that we should have confidence  
12 in the Department's ability to do that and that we have that  
13 momentum.

14           Number one is the national conversation about race in  
15 policing. Communities across the country are expressing a  
16 strong desire for their agencies to adopt policies and  
17 procedures that Oakland already has. And as a result, law  
18 enforcement agencies are adapting constitutional policing  
19 models.

20           This is important because, as I mentioned a moment ago,  
21 OPD's culture doesn't exist in a vacuum.

22           Number two, the Department has been afforded what is  
23 really a rigorous and demanding education from the court  
24 monitors and compliance directors, an education where there  
25 have been no, quote-unquote, easy As.

1           The lessons learned have seeped into this Department's  
2 bones, and that is no more apparent than in the risk management  
3 process and meetings that Deputy Chief Wong just talked about a  
4 few minutes ago.

5           Number three, the Department has demonstrated and the  
6 City -- the City has demonstrated that it believes so deeply in  
7 what are essentially 51 promises about policing that the City  
8 made to this community in the NSA, that it has put mechanisms  
9 in place in the City charter to enforce compliance with all NSA  
10 tasks and ensure transparency about that enforcement even after  
11 the settlement terms have been fulfilled as part of this court  
12 proceeding.

13           And these are the reasons that I believe we can be  
14 confident that the Department's evolution will continue when  
15 Court oversight ends.

16           And the City asks that the Court consider whether it might  
17 be appropriate to end oversight this summer assuming that we  
18 are all in agreement that the Department is in compliance.  
19 Thank you.

20           **THE COURT:** So, thank you, Ms. Martin. And that is  
21 the -- what I'm asking everybody to talk about in advance of  
22 the June meeting.

23           I will say, the monitorship is not going to continue after  
24 the City has met the terms of the NSA. The City has not met  
25 the terms of the NSA and that's why we are where we are.

1           There may come a time that everybody says, well, we are --  
2 you know, this is going to be a forever project; and it's not  
3 necessary for the Court to stay in on a forever project. I  
4 will listen to that.

5           There is a race issue that needs to be dealt with, and it  
6 is -- it has been a through line and what the Court has been  
7 interested in from day one. It is the reason why the Court got  
8 in it at day one, and that is the thing that is -- will be  
9 driving the review in June.

10          And, as I think I said earlier, I'm -- nothing would make  
11 me happier than saying goodbye to everybody who is on this call  
12 because that would mean that the -- that the OPD has achieved  
13 and the City has achieved everything that it promised to do.

14          And I -- I don't want to undercut in any way the progress  
15 that has been made. I think there was progress made when Judge  
16 Henderson was sitting in this chair, and I think there has been  
17 a lot of progress since. And now, we just have to complete the  
18 task so...

19           **MR. BURRIS:** Your Honor, may I be heard?

20           **THE COURT:** Sure. Go ahead.

21           **MR. BURRIS:** Listening to Brigid's comments -- and  
22 although I agree that much effort has been done, I have looked  
23 at a lot of departments under the country who have been under  
24 consent decrees and Oakland has probably done better than  
25 mostly all of them in terms of being in compliance with the



1 overall objective.

2       However, I don't agree with the notion that because we are  
3 centered on other departments around us and we can be affected  
4 by some of them, that somehow can have -- that we can lower our  
5 standards in some ways because we have other departments who  
6 are not doing what we are doing and that we can be affected  
7 that way.

8       I just don't want that to be the case. I mean, I think we  
9 have to -- we have to have our own high standards here; meet  
10 those standards. And if other departments don't do it, that's  
11 on them; but we have to maybe bring them along. Maybe other  
12 lawsuits will be required for that to occur in those areas.

13       But I don't think we should in any way lower our standards  
14 of trying to get to the sustainability that we think is  
15 constitutional policing regardless of what other people are  
16 doing.

17       And I know Brigid is not suggesting that, but I want to be  
18 very clear that I don't think that other departments or  
19 whatever they are doing means anything to us and what it should  
20 mean to us in terms of what our standards ought to be and what  
21 we are trying to accomplish here. They are not under the  
22 consent decree or NSA. We are. And so we have an opportunity  
23 to set the standards for everyone else, and we are doing that  
24 in many ways. Thank you.

25       **THE COURT:** So, I agree with you completely. I think

1 Ms. Martin agrees with you completely, and I didn't hear her  
2 saying anything different.

3 And I do think that Oakland is in a leadership position in  
4 terms of not only having the policies that are sort of state of  
5 the art but the substance in any number of ways that is -- that  
6 sort of proves the benefit of the hard work that's been done.

7 Now, we just have to finish that.

8 **MR. BURRIS:** Stay the course.

9 **THE COURT:** So, let me -- move onto Mayor Thao. And  
10 sorry that you are sick and please what -- tell me what you  
11 would like to tell me.

12 **MAYOR THAO:** Absolutely. Good afternoon, Your Honor,  
13 and thank you for the flexibility in allowing us to be on Zoom.  
14 I definitely don't want to give what I have to everyone.

15 **MR. BURRIS:** Yeah, it wouldn't help the cause. Thank  
16 you.

17 **MAYOR THAO:** I double down on exactly what John Burriss  
18 just stated. You know, we need to be the leaders in the nation  
19 in regards to constitutional policing, and I truly believe  
20 that, you know, even today if we were to look at our force, I  
21 would argue that we have the best trained officers.

22 Is there more work to be done? Absolutely. And that's  
23 why we are here today. But -- and then before I say anything  
24 else, I also want to say thank you, Your Honor, for the moment  
25 for Officer Le.

1           It was a very difficult time for our whole Oakland family.  
2   You know, going through that process, it was very hard for me  
3   personally. You know, it truly is losing a family member, and  
4   I want to acknowledge here as well too for OPOA for really  
5   stepping up to host a memorial so that the community can, you  
6   know, really celebrate the life of Officer Le and have a moment  
7   as well too. And so thank you to the OPOA for stepping up to  
8   organize that in such a short period of time.

9           In my remarks today, Judge, it's going to be even shorter  
10  than usual because I am having a hard time breathing, to be  
11  honest.

12          But, you know, our City Administrator is here. His name  
13  is Jestin Johnson. If you would like to hear from Mr. Johnson,  
14  I do believe he is in the container.

15          And as the Court might imagine, this year -- my first year  
16  as being the 51st Mayor of the City of Oakland -- I have been  
17  able to really reflect deeply on what it means for someone to  
18  be a good leader, and I wanted to share some of the insights  
19  that my experiences as Oakland's mayor have really driven home  
20  for me in this past year.

21          You know, for more than two decades, I truly see that no  
22  city outside of Oakland has invested in to cultivate policy  
23  that promote the constitutional policing and accountability.

24          Is it enough? We have much more to grow. And I do also  
25  see that, you know, no police department out there has cheered

1 louder for the culture of integrity and transparency. And,  
2 again, we will continue to strengthen those, right, and  
3 continue to do that hard work.

4 And yet despite our written and our spoken commitments  
5 that we hear and you hear every quarter or what have you, we  
6 have dealt with some serious setbacks, and we have to  
7 acknowledge that over the many years.

8 The details, whether they are different when you hear  
9 them, no matter what, these are serious problems. You know,  
10 full stop. They are serious problems. And they usually  
11 involve a failure of some sort of leadership at some level.

12 And the solutions have involved other leaders stepping up  
13 to make changes so that we can grow from the mistakes that have  
14 been -- that have been made.

15 And in any organization a policy is only as good as the  
16 people uplifting it. And if a leader fails to even recognize  
17 the problem behavior when they see it, the policy work can't be  
18 done; right. It will just be a watered down version for people  
19 to stand by to make the same mistakes.

20 And if a leader minimizes or hides the behavior to protect  
21 themselves or the people they favor, the policy just can't work  
22 either.

23 And, you know, if an organization's leader don't model the  
24 behavior that they want to see, if they don't really embrace  
25 and personify a culture that they want to see, then the rest of

1 the team picks up on that and even the most inspirational  
2 mission statement won't have a real meaning.

3 You know, I think of it as I'm a single mother. I have  
4 always lived by my words and my actions because I know that our  
5 kids -- my kid, my son, my nieces and nephews are always  
6 watching, right, and it's just the same thing.

7 When Oaklanders elected me as their mayor, I was honored  
8 and continued to be humbled by the trust they put in me. I  
9 always will be. I'm thankful for the many leaders in Oakland.

10 You know, in the City of Oakland, we are so activated,  
11 whether it be politically or engaging with our neighbors  
12 including OPD, who actually walked the walk.

13 But I also recognize that I have a uniquely critical role  
14 as Mayor of the City. And in my first six weeks in office I  
15 had to begin addressing some of those serious incidents and  
16 cultural problems.

17 We were all there together, all of us in this room. And I  
18 had to make some very difficult decisions. As I stand here  
19 today, I can't say that I modeled that behavior I want to see  
20 at OPD and throughout City Government.

21 We recognized the unacceptable behavior for what it was,  
22 and I refused to look the other way even though it was very  
23 difficult, you know, as a person myself.

24 But I refused to down-play it. And when I had to make  
25 tough decisions, I did that, you know, without playing

1 favorites, without playing politics. I did just that. I  
2 didn't want to take any shortcuts. I put Oakland first and its  
3 constituents first, its residents and businesses first, by what  
4 I knew was right. And I always will to be quite honest.

5 And as much as I wish we could put something in place that  
6 would just prevent us from ever covering another serious  
7 problem -- whether it be at OPD or other departments or what  
8 have you -- that's something we can control -- that we cannot  
9 control because problems happen, you know.

10 What I can control is how leaders in Oakland respond to  
11 problems. You know, leading is a responsibility -- a high  
12 responsibility.

13 To your point, Judge, you know, I take public service --  
14 you know, it is the highest level of calling, I believe, and I  
15 take it very seriously.

16 And so I have hired a wonderful City Administrator,  
17 Mr. Jestin Johnson, who has promised me that he will embody the  
18 type of integrity that we want to see at OPD, and I will hold  
19 him to it.

20 Soon we will hire a police chief, and I will hold them to  
21 the same promise. And to that point this is why I think it is  
22 so critical that Oakland deserves nothing but the best.

23 We are at a pivotal moment. We do not and I refuse to  
24 allow for all the great work that we have done together, you  
25 know, whether because of this process or not -- you know, all

1 the progress that we have created, I refuse to allow that to go  
2 by the wayside. I only want to build upon it to continue to be  
3 the leading city in the whole nation on all these progressive  
4 efforts.

5 And at the end of the day, I believe that's what the NSA  
6 is fundamentally about. The NSA is obviously a legal document,  
7 but the core of the NSA is a promise. It is a commitment that  
8 the City of Oakland made to the people of Oakland, present and  
9 future. It is a promise to change, you know, the DNA of how we  
10 police in the City of Oakland.

11 You know, to what Mr. Burris spoke about, those are real  
12 allegations -- not allegations but we have seen that they have  
13 been implemented throughout the City. Yes, it is probably  
14 happening, you know, in other departments too; but what we have  
15 today is we have leaders of the City of Oakland, so that's what  
16 we are going to talk about.

17 It is not a guarantee that OPD will ever be problem free,  
18 but it is a promise that their leaders will root out problems,  
19 deal with them honorably and really put Oakland's interest at  
20 the forefront.

21 No, the public doesn't hear about all the nuances or even  
22 know the full story behind what decisions are made, but I can  
23 tell you that if we can put Oakland's interests at the  
24 forefront, its constituency -- whether it be residents,  
25 businesses or what have you -- that we can as leaders of the

1 City altogether really hold our Department to the same  
2 threshold.

3 And I have been holding us to that promise, and I will  
4 continue to hold us to that promise as long as I'm in this  
5 position.

6 So I just want to say thank you, and I'm happy to answer  
7 any questions that you may have.

8 **THE COURT:** Thank you, Mayor Thao. I appreciate your  
9 commitment to the NSA, which you have shown, and there's more  
10 work to be done. So, thank you.

11 Ms. Davis, could you let Mr. Johnson in? I can take a  
12 hint if two people tell me that I ought to put him on the  
13 screen. I would like to just say hello.

14 **MR. BURRIS:** It is a hint, hint, hint; right?

15 (Pause in proceedings.)

16 **MR. LUCIA:** Your Honor, may I be heard?

17 **THE COURT:** Sure, Mr. Lucia.

18 **MR. LUCIA:** Just a question, while Mr. Johnson is  
19 plugging in. You mentioned earlier that you want the parties  
20 to meet before June to discuss the future of the NSA.

21 And literally speaking "parties," we are not a party. We  
22 are the intervenor. So can you provide some clarification to  
23 OPOA -- most of the board members are watching -- what role you  
24 want them/us to play in that process going forward.

25 **THE COURT:** Well, so I think I have said a few times



1 in these meetings how important I think the members of your  
2 organization are to make sure that the NSA is embodied in the  
3 spirit of OPD.

4 So, I'm going to in June hear from everybody and I would  
5 like to know -- it's not going to be a majority rule, but I  
6 want everybody's perspective on -- on how -- what should happen  
7 at this point, whether -- whether the work has been done,  
8 whether task 45 is now in a place where it is in compliance and  
9 looks like it would be forever -- not forever but for a  
10 reasonable period of time.

11 And I recognize so completely that we are not living in a  
12 perfect world, and we are all humans and every -- there are  
13 always going to be problems.

14 So that I get. We just have to get over this last --  
15 these last hurdles without running into some full-fledged other  
16 crisis the way that we have over the last several years.

17 So there he is. Mr. Johnson, good afternoon.

18 **MR. JOHNSON:** Good afternoon, Your Honor. Thank you  
19 for the opportunity.

20 **THE COURT:** Well, you have been identified a couple of  
21 times. So how are you enjoying your job?

22 **MR. JOHNSON:** It's been a phenomenal experience. I  
23 started on June 5th. I relocated -- well, located to the Bay  
24 Area from the City of Atlanta where I had the pleasure of  
25 serving as the Deputy Chief Operating Officer overseeing a

1 public safety portfolio which also included the Atlanta Police  
2 Department.

3 So this has certainly been quite an experience. I've  
4 enjoyed every minute of it. I'm a junkie for this public  
5 administrative work, so it has certainly been a great  
6 experience thus far and having the pleasure of serving Mayor  
7 Thao and working very closely with Chief Allison.

8 I couldn't agree with you more. Chief Allison has done a  
9 phenomenal job from day one. He has certainly set a standard  
10 that we are certainly looking to replicate going forward.

11 So it has been a pleasure supporting him, his leadership  
12 team. And one of the things that he really put forth the first  
13 time I met him -- just talking about the work that we are doing  
14 with respect to the NSA -- but he certainly put his money where  
15 his mouth is. And so I couldn't agree with you more.

16 And the only thing I will just add is I'm absolutely  
17 committed to supporting this work, specifically supporting the  
18 efforts with compliance and constitutional policing.

19 And so our Inspector General, who I have had the  
20 opportunity to work with -- and I'm certainly learning quite a  
21 bit as it relates to her role in all of this as well -- I want  
22 to publicly thank her as well.

23 But you have my word that I will absolutely commit that  
24 the role I play in this is certainly one that we lead with  
25 integrity and so not just on the police department side but

1 also the role that the departments that support the Oakland  
2 Police Department, we are leading in that way as well.

3 There are certainly roles for all of us to play with  
4 respect to our public safety agency, the Oakland Police  
5 Department.

6 I want to say thank you for this opportunity. I'm very  
7 grateful to have this moment, but also I certainly look forward  
8 to continuing this discussion in June where I'm hoping for a  
9 favorable outcome going forward. Thank you, sir.

10 **THE COURT:** Well, there are always favorable outcomes  
11 no matter what the outcome is. You have got to keep moving  
12 forward.

13 And I just -- I want to say one of the things that I have  
14 learned sitting in this chair in the monitorship is that  
15 everybody who is on this screen is integral to the success of  
16 the NSA; the Mayor, the City Administrator, the Chief, the  
17 Commission now, the OPOA, and the leadership within the police  
18 department right down the ranks, it just matters.

19 And when one of those people isn't stepping up, the entire  
20 system has a problem. So I'm delighted that you are -- that  
21 you are in the role that you are; that you have the commitment  
22 that you have. And I will look forward to seeing you in June.

23 **MR. JOHNSON:** Yes, sir, thank you.

24 **THE COURT:** Okay. Everybody, I will look forward to  
25 seeing you in June. If there's something that you think I

1 should be aware of in the meantime, let me know. And,  
2 otherwise, I wish you all well. Thank you.

3 **MS. MARTIN:** Thank you, Your Honor.

4 **MR. BURRIS:** Thank you, Your Honor.

5 **MR. LUCIA:** Thank you, Your Honor.

6 **THE CLERK:** That concludes our conference. Thank you  
7 all.

8 (Proceedings adjourned at 4:37 p.m.)

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CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcript  
from the record of proceedings in the above-entitled matter.

DATE: February 28, 2024

A handwritten signature in blue ink that reads "Marla Knox". The signature is written in a cursive style and is positioned above a horizontal line.

Marla F. Knox, CSR No. 14421, RPR, CRR, RMR  
United States District Court - Official Reporter