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History of Police Commission Measure, and Action Requested at Tuesday Meeting

Dear Colleagues and Members of the Public,

I am adding this note to help respond to questions that were raised, and provide further clarity about what is being requested regarding the Police Commission item, at the Council meeting Tuesday April 21st.

First, the requested action on Tuesday is NOT the final adoption to place a measure on the ballot – the requested action is to send the draft proposal into the “meet and confer” process with the Police Officers Association and other stakeholders (including civilian employees whose work relates to the matters under discussion), and, after those discussions take place, then proposed changes would come back to Council for discussion. The adoption of what to send to the ballot would happen at a later meeting, after those discussions take place.

Second, this item has been under public discussion for over two years, and has been at multiple noticed Council Committee meetings during the past year. You may have seen an allegation that was circulated that this item was rushed to Council, skipping the regular committee deliberation process. Such a claim is completely untrue. This item has fully undergone the publicly noticed committee process, having been published in the packet and discussed at Committee meetings of both the Public Safety and the Rules Committees, and has been publicly noticed over nine months ago.

Discussion about preparing this item took place over two years ago, including during the 7/10/2018 discussion of the Measure LL implementation. In public meetings, it was discussed that the Police Commission did not have an Inspector General on their staff, to be able to independently fulfill their duties, so that the Police Commission could carry out the actions mandated to it by the voters of Oakland, by over 80% of the vote. The City Attorney stated that since the City Administrator has the power to deny the Police Commission the ability to hire their own Inspector General, that fixing this issue would require adopting a “Charter Change” in the City of Oakland, which would require action by the voters. As a result, we and other stakeholders began working toward a ballot measure, so that the Commission would clearly have the ability to hire and direct their staff to accomplish their work.

In terms of the history of the discussion of this Measure, it includes:

<u>Date</u>	<u>Item</u>	<u>Link</u>
6/27/2019	Council President Kaplan: Receive An Informational Report And Discussion Of Potential Ballot Measures, Including, But Not Limited To, A Potential Park, Open Space, Fire Safety Measure, As A Special Parcel Tax, And A Police Commission Charter Change	https://oakland.legistar.com/Legislation/Detail.aspx?ID=3985143&GUID=7B97E6AD-DD22-46B0-8689-90AB95B56F16&Options=ID%7CText%7C&Search=Ballot+measures

9/10/19	Subject: Police Commission Powers And Duties From: Councilmember Taylor Recommendation: Hold A Discussion And Identify Potential Recommendations To Change The Powers And Duties Of The Police Commission To Support The Commission In Performing Its Critical Police Accountability Role Including An Assessment Of Any Benefits, Risks Or Trade Offs	https://oakland.legistar.com/LegislationDetail.aspx?ID=4121234&GUID=8C369A71-45DA-4D45-83D4-C407F0CADAF8&Options=ID%7CText%7C&Search=18-2101
10/22/19	Subject: Police Commission Ballot Measure Revise From: Council President Kaplan Recommendation: Receive An Informational Report On The Proposed Resolution On The City Council's Own Motion Submitting To The Voters, A Proposed Amendment To The City Charter To Strengthen The Independence Of The Oakland Police Commission	https://oakland.legistar.com/LegislationDetail.aspx?ID=4147467&GUID=0243AE88-99A8-4858-8B02-84AFB4771B78&Options=ID%7CText%7C&Search=18-2228
11/7/2019	Subject: Adopt Police Commission Ballot Measure Revise From: Council President Kaplan Recommendation: Adopt A Resolution On The City Council's Own Motion Submitting To The Voters A Proposed Amendment To The City Charter, Oakland Municipal Code Section 604, To Enhance The Independence Of The Oakland Police Commission	https://oakland.legistar.com/LegislationDetail.aspx?ID=4147454&GUID=62D6D460-C1E1-49EA-98C6-CF1CE9AABAFE&Options=ID%7CText%7C&Search=18-2211
2/27/2020	Subject: Ballot Measure Amending Powers Of the Police Commission From: Council President Kaplan And Pro Tem Kalb Recommendation: Adopt Resolution Proposing To Amend City Charter Section 604 To Strengthen The Independence Of The Oakland Police Commission, Directing The City Administrator To Give Written Notice To Employee Organizations That May Be Affected, And Directing The City Administrator To Meet And Confer, As Appropriate Subject To Further Council Instruction	https://oakland.legistar.com/LegislationDetail.aspx?ID=4333039&GUID=4B8B5166-A537-43A5-AFFF-65E8E48F180D&Options=ID Textl&Search=police+commission