



AGENDA REPORT

TO: Jestin D. Johnson
City Administrator

FROM: James Beere
Chief, OPD

SUBJECT: SUPPLEMENTAL – OPD Skelly
Hearing Process Improvements

DATE: February 19, 2026

City Administrator Approval


Jestin Johnson (Feb 20, 2026 09:25:44 PST)

Date: Feb 20, 2026

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report From The Oakland Police Department (OPD) On The Role Of Skelly Hearings In OPD's Discipline Process, Current Challenges In Managing Skelly Hearings, And Options To Address The Backlog Of Discipline Cases Awaiting Skelly Hearings.

REASON FOR SUPPLEMENTAL

Additional questions were submitted to OPD regarding the Skelly hearing process. See below for questions and replies.

- 1) How many requests for Skelly hearings were submitted by OPD each year from 2021 through 2025?

OPD needs more time to research this and can answer this at a later date. The dashboard does not have a mechanism to filter by dates, so each entry has to be researched manually.

- 2) What is the current backlog of discipline cases awaiting Skelly hearings and how has that backlog changed over the last year? How many sworn officers are subjects in those cases?

As of January 22, 2026, the backlog consists of 46 pending Skelly cases involving 64 subject officers. Of those, 22 cases are awaiting assignment to an eligible Skelly hearing officer (SHO).

In October 2024, there were 169 Skelly cases pending. By January 2026, this had been reduced to 46 cases (per the agenda report), representing a roughly 73% reduction.

The main [OPD agenda report](#) addresses SHO pool constraints.

- 3) How many hours on average do Skelly hearing officers spend on each Skelly review, including preparation, hearing, and report writing?

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- a) What is the average amount of time that the current cases in the Skelly hearing backlog have been awaiting a hearing?

There are a number of factors which affects the amount of time SHO spend on review on a Skelly hearing. Anecdotal evidence can be presented. As the number of qualified SHO increase, the backlog of current cases can be dispensed sooner.

- 4) What happens to officers while they await Skelly hearings? Do they continue to work or be paid? How does that differ from other stages of the discipline process? (OPD)
 - a. How many officers are currently on administrative leave awaiting Skelly hearings? How many officers are currently on administrative leave overall?

Officers on administrative leave awaiting Skelly hearings continue to receive salary and benefits while not performing operational duties. The main [OPD agenda report](#) explicitly identifies this as a direct fiscal impact: "officers on administrative leave awaiting hearings continue to receive salary and benefits while not performing operational duties." An expeditious resolution would either return officers to active duty (where discipline does not result in separation) or finalize separations more quickly.

It is equally important to note that the backlog's impact extends beyond those on administrative leave. The majority of the 46 pending Skelly cases involve officers who remain on full active duty and are still reporting to work and performing their regular assignments. This is because the nature of their misconduct did not warrant removal from operations. Yet even these cases remain unresolved until the Skelly process is complete. For example, an officer, who received a sustained finding for a General Performance of Duty violation and was assessed a one-day suspension, continues to work fully operational while their hearing remains pending. Until that hearing is completed and a final decision is rendered, the suspension cannot be served and the case cannot be closed.

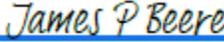
Similarly, low-level disciplines are common examples of cases where discipline is effectively frozen — contributing to the overall backlog and delaying finality for the Department, the subject officer, and the complainant alike.

ACTION REQUESTED OF THE CITY COUNCIL

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For questions regarding this report, please contact Bryan Hubbard, A/Captain of Police at bhubbard@oaklandca.gov.

Respectfully submitted,


James P Beere (Feb 19, 2026 15:12:27 PST)

James Beere, Chief
Oakland Police Department

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