





1 SAN FRANCISCO, CA; TUESDAY, JANUARY 27, 2026

2 HONORABLE WILLIAM H. ORRICK, PRESIDING

3 \* \* \*

4 *(Proceedings commence at 3:05 PM.)*

5 THE COURT: Good afternoon, everybody. Please be  
6 seated.

7 THE CLERK: We are here in Case Number 00-4599,  
8 Allen et al. v. City of Oakland et al.

9 Counsel, if you would please come forward and  
10 state your appearance for the record.

11 MR. CHANIN: James Chanin for Plaintiff,  
12 Your Honor.

13 MR. BURRIS: John Burris for Plaintiff. Good  
14 afternoon, Your Honor.

15 MS. MARTIN: Good afternoon, Your Honor.  
16 Brigid Martin representing the defendant City of Oakland,  
17 and I have a host of City officials and leadership here with  
18 me:

19 I have City Attorney Ryan Richardson; I have  
20 Mayor Barbara Lee; I have the Director of Public Safety,  
21 Reverend Damita Davis-Howard; City Administrator Jestin  
22 Johnson; Assistant City Administrator Michelle Phillips;  
23 Police Commission Chair Ricardo Garcia-Acosta; the Police  
24 Commissions' Inspector General, Zurvohn Maloof; the Oakland  
25 Police Department Chief, James Beere; Assistant Chief Casey

1 Johnson; the Deputy Chief of the Internal Affairs Bureau,  
2 Aaron Smith; and the Deputy Chief of the Bureau of Risk  
3 Management, Lisa Ausmus.

4 THE COURT: Perfect. Thank you all for being  
5 here. Good afternoon.

6 MR. LUCIA: Good afternoon, Your Honor,  
7 Rockne Lucia for Intervenor Oakland POA.

8 THE COURT: So I would like to think that we're on  
9 the threshold of the institutionalization of constitutional  
10 policing in Oakland.

11 For the first time since I've been involved in  
12 this case -- and I suspect for the first time ever -- the  
13 City has prioritized constitutional policing in word, deed,  
14 and resources, building on the foundation of compliance with  
15 most of the tasks in the NSA: intelligence-led traffic  
16 stops, risk management meetings targeting areas and officers  
17 in need of attention, use of technology and data to pinpoint  
18 progress, and a diverse and able police force; leadership in  
19 the form of a constitutional policing administrator who is  
20 an assistant city administrator virtually embedded at OPD,  
21 and a mayor committed not just to achieving compliance with  
22 the NSA, but to institutionalize constitutional policing so  
23 that it lasts long after federal court involvement is  
24 ancient history, making me very optimistic about the future.

25 But we're not there yet. For those of you who

1 have signed petitions urging me to close down the court's  
2 oversight function, I hear you. I agree with most of your  
3 sentiment. The elected and appointed leaders of the City  
4 and OPD -- including the police commission and not the  
5 federal court -- should be 100 percent responsible for  
6 policing in Oakland.

7 But there's a reason the City agreed 25 years ago  
8 to achieve 100 percent compliance with the NSA, and that is  
9 a recognition of the paramount importance of constitutional  
10 policing and the destructive legacy of racism, corruption,  
11 brutality, and cultural rot exemplified by the writers.  
12 It's taken much longer to achieve that compliance than  
13 anyone expected, and it's clear that there's more work to  
14 do.

15 First, I want to focus on Task 45, specifically  
16 the racial disparity and discipline. The City has taken  
17 steps to address this issue, and the statistics looked at  
18 over the last five years are encouraging, but the findings  
19 of the department's inspection of the 2024 internal affairs  
20 data are deeply troubling.

21 As the parties' statements recognize, there's a  
22 substantial decrease in sustained finding for white sworn  
23 officers -- members between 2023 and 2024. Only four white  
24 sworn members were sustained in 2024, down from 37 in 2023.  
25 That compares with 23 Black sworn members and 25 Hispanic

1 sworn members sustained in 2024.

2           And the greatest racial disparities arose in  
3 internally generated cases. White members had no sustained  
4 findings for internally generated cases, compared to Black  
5 and Hispanic members who had sustained rates of 47 percent  
6 and 24 percent, respectively. And that could be a one-year  
7 anomaly, as the City suggests, or it may be caused by  
8 implicit bias and systemic issues, as the City also  
9 acknowledges.

10           Its inequities in the department's disciplinary  
11 system call into question inequities in the delivery of  
12 police services to the community. I know that the  
13 department is looking at strategies such as interventions,  
14 command retreats, and training to address this issue; so I'm  
15 going to set a CMC for May 27th of this year and order that  
16 the 2025 statistics be prepared by May 1st, at least, if not  
17 before then, so that the parties have current data that may  
18 inform our analysis and discussion.

19           Tasks 2 and 5 also remain out of compliance,  
20 although they seem to be trending in the right direction.  
21 Task 2 is about more than just fulfilling an NSA  
22 requirement. It's about assuring officers and community  
23 members alike the complaints are taken seriously, and  
24 offering both officers and community members redress and  
25 resolution.

1           Task 5 requires leadership and integrity. A  
2           commitment to running internal affairs without fear or  
3           favor.

4           I'm aware there's recently been some amount of  
5           turmoil in the Internal Affairs Bureau. I'm looking forward  
6           to the new OPD management team addressing these tasks. I'll  
7           have a few questions for Michelle Phillips, the interim  
8           constitutional policing administrator, and Deputy Chief  
9           Aaron Smith, in a few moments.

10          I'm heartened that the Mayor had put together a  
11          team that is committed to doing the right thing. Most  
12          importantly, she is committed to doing so in a way that will  
13          ensure sustainability. I appreciate her active engagement  
14          in the internal workings of the police department and her  
15          interaction with the Plaintiffs' attorneys and with the  
16          monitor.

17          I'm advised that the Mayor and the Mayor's  
18          representatives consistently participate in an array of  
19          meetings relevant to the issues at hand and that they ask  
20          informed and thoughtful questions about the IA process and  
21          other issues relevant to the NSA and constitutional policing  
22          in general.

23          So at the end of these proceedings, I'm looking  
24          forward to hearing from the Mayor, but before we get there,  
25          I'd like to just start with Chief Beere.

1 CHIEF BEERE: Good afternoon, Your Honor.

2 THE COURT: Good afternoon, Chief Beere. Welcome  
3 here.

4 CHIEF BEERE: Thank you, sir.

5 THE COURT: So first of all, I know that you've  
6 made appointments to the leadership team. Can you tell me  
7 who the team is now and what backgrounds and skill sets  
8 they're bringing to the table to make the complete  
9 sustainability of the NSA a reality?

10 CHIEF BEERE: Yes, Your Honor. So as soon as I  
11 took over, I brought Assistant Chief Casey Johnson onboard.  
12 He's replaced me as the assistant chief. Real strong  
13 operational background. He's worked in patrol, special  
14 operations division. He has a good grasp on operations and  
15 resources of police city-wide.

16 I then appointed Deputy Chief Aaron Smith to be in  
17 charge of our Internal Affairs Bureau, which has been very  
18 helpful. The communication piece with the deputy chief  
19 reporting directly to me, I have a good working relationship  
20 with Deputy Chief Smith. His reputation is beyond reproach.  
21 He's very well versed with the inner workings of the police  
22 department, to include some of the challenges we have to  
23 overtake. So that was one of the things when I first took  
24 over.

25 we did look at the 2024 disparity report, and

1 immediately him and I sat down and kind of discussed how  
2 both of us were going to go forward with that. We're going  
3 to have -- actually, we're working on a memo to submit at  
4 the next CMC on our efforts to get ahead of that as well.  
5 And it did raise some concerns on our end, you know, when we  
6 sat down to discuss it.

7 Director Sull [ph] still remains in charge of our  
8 personnel. Deputy Chief Ausmus is still the Bureau of Risk  
9 Management, and then currently we have Deputy Chief Tedesco  
10 that's in charge of our Bureau of Field Operations. We  
11 still have two acting deputy chiefs. Those two positions  
12 are still under evaluation to see who would end up taking  
13 over there permanently.

14 THE COURT: And so specifically with respect to --  
15 let's start with the Tasks 2 and 5, how are you trying to  
16 address and achieve compliance in those areas?

17 CHIEF BEERE: Yes, Your Honor.

18 well, again, to go back to my working relationship  
19 with Deputy Chief Smith, it really has been truly helpful  
20 for me that he reports directly to me. It gives me a better  
21 understanding. Obviously, I read all the investigations for  
22 when they're sustained, the presented force, but I get more  
23 of a vision on how the investigations come about and overall  
24 any trends within the department and how to get ahead of  
25 that.

1           with respect to Tasks 2, 5, and 45 because they  
2 all seem to be -- they all touch each other, you know, one  
3 of the things that we started is to kind of address some of  
4 the, I guess, misunderstandings or at least increase  
5 transparency within the police department when it comes to  
6 the investigations for the more serious sustained cases,  
7 Deputy Chief Smith and I are going to actually meet with the  
8 officers currently right now. One of the most recent  
9 changes in recent times is the captain would issue the  
10 discipline and explain how the discipline got there.

11           For us, you know, taking more of a role since the  
12 deputy chief of Internal Affairs Bureau has been reporting  
13 to the chief, you know, I think taking more ownership of it  
14 going forward and actually explaining to the members how we  
15 got there will actually give a little bit more clarity and  
16 to explain how the whole process works.

17           And we understand that we're not -- not everything  
18 falls solely on us because a lot of the cases also involve  
19 the CPRA and the police commission, and I think that we've  
20 established more open lines of communication with them, with  
21 Director Lawson and Chair Ricardo Garcia-Acosta; so I think  
22 it's a total team effort.

23           But again, the biweekly meetings to discuss both  
24 the administrative and the criminal investigations have been  
25 super helpful for the entire City team. But as far as

1 Deputy Chief Smith and I, I think we're more lockstep into  
2 actually being in tune with the investigations and looking  
3 back into the trends that occurred before we took over has  
4 kind of helped us, guided us going forward.

5 THE COURT: So do you see any impediments,  
6 anything in the way of achieving full compliance with those  
7 tasks while you're in the chair?

8 CHIEF BEERE: That's a great question, Your Honor.  
9 One of the things, honestly -- and it's been talked  
10 about previously -- is staffing, and we're looking at  
11 innovative ways to address that. Obviously it's a challenge  
12 throughout the police department for many of the tasks, just  
13 the service that we give our own community to begin with.

14 But the investigation piece, we've really looked  
15 at how the complaints are coming in and tried to break down  
16 the outside noise that isn't responsible so the  
17 investigations can get started more streamlined along the  
18 way. We're discussing transferring more officers and  
19 personnel to the Internal Affairs Bureau.

20 On it currently we do have a shortage of  
21 sergeants; so part of the decision to kind of help alleviate  
22 that is to send officers over there and then actually create  
23 an acting sergeant's position, which we've utilized in the  
24 past, where the officers are trained in an acting sergeant's  
25 course and then will be sent through an Internal Affairs

1 Bureau investigation course.

2 They'll still report to a sergeant, it'll be  
3 monitored by the lieutenant, but that should help us kind of  
4 get ahead of the issue with regards to the timelines.

5 Cutting down initial training, working with our command  
6 staff, to include all the supervisors and commanders  
7 throughout the department, but specifically for Internal  
8 Affairs Bureau they need more personnel, more resources.

9 So in the short term, it's going to be to train  
10 the staff we do have, but to make sure that they are given  
11 the tools and the resources necessary to be successful. And  
12 long term, want to restart building the department back up,  
13 and we can still transfer additional supervisors to the  
14 Internal Affairs Bureau.

15 THE COURT: That's great. Well, I'm looking  
16 forward to the fruits of your leadership in this position,  
17 and I appreciate the attention that you're paying to these  
18 things.

19 CHIEF BEERE: Thank you, Your Honor.

20 THE COURT: Thank you.

21 And how about Deputy Chief Aaron Smith?

22 DEPUTY CHIEF SMITH: Good afternoon, Your Honor.

23 THE COURT: How are you?

24 DEPUTY CHIEF SMITH: I am well. How are you?

25 THE COURT: I am doing well.

1           So back in September of '24, I directed that the  
2 Internal Affairs Bureau be headed by a deputy chief who  
3 would be a direct report to the chief. I've just heard  
4 something about that. Would you give me your assessment of  
5 how IAB's operating today and what you see your mission as  
6 deputy chief is.

7           DEPUTY CHIEF SMITH: Very good question,  
8 Your Honor. I think just in looking at the 2024 outcomes  
9 report just to get a sense of where we were as a department  
10 as it relates to discipline, there were some concerns there.  
11 I think that the report was comprehensive, and it gave us  
12 some insight into what the potential issues could be. I was  
13 most interested in where we've been so far in 2025. At that  
14 time -- at the time of my appointment, that information was  
15 not available.

16           I'm encouraged by some preliminary information  
17 that we've seen so far in terms of improvement, and so  
18 Task 2 would completely agree that the timeliness of an  
19 investigation is not just about meeting a task, but if I  
20 were a resident of Oakland and had a complaint, I'd want to  
21 see that complaint handled in a way that was timely.

22           But in the same way, for officers, there's stress  
23 involved in having cases that are outstanding. Same for 5.  
24 We want to make sure that the quality of those  
25 investigations are there, and then outcomes is something

1 that I take very, very seriously, things that I've taken  
2 exception to before but in a different role.

3 And so I bring that lens to this position, and I  
4 think having direct -- a direct reporting relationship with  
5 the chief means that we're in constant communication about  
6 cases, we're in constant communication about chokepoints,  
7 we're able to quickly identify staffing issues and some of  
8 the lower-hanging impediments, if you would, to try and  
9 improve internal affairs overall.

10 So I would agree that the coordination between IAB  
11 and the City Attorney's Office, IAB and the Community Police  
12 Review Agency is also something that I'm encouraged by,  
13 because so far everybody's been available to me to help me  
14 not just learn while on the job, but also looking forward at  
15 ways that we can innovate to get things done in a timely  
16 manner.

17 THE COURT: Do you see problems being structural  
18 or personnel or lack of training? What are the things that  
19 you're focusing on right now?

20 DEPUTY CHIEF SMITH: I think it may be a  
21 combination. With the 2024 outcomes and the inability to  
22 really drill down to determine in a real way how these  
23 disparities came about, I think there's a lot of conjecture  
24 there, but I think it's also at that time there could have  
25 been a lack of oversight. There could have been training

1 issues, things that potentially were not caught. And as an  
2 agency that, unfortunately, has challenges around staffing  
3 and has for a long time, I think sometimes we tend to learn  
4 to do more or even suffice with less.

5 And so that to me presents some specific risk,  
6 particularly for IAB. So, you know, to have that direct  
7 relationship with the chief to talk about staffing and come  
8 up with innovative ways to staff when your investigators  
9 have somewhere between 18 and 20 cases apiece, you know that  
10 there are going to be some challenges meeting not just the  
11 180, not just your timelines, but also ensuring consistency  
12 in those investigations and making sure that those outcomes  
13 are consistent.

14 THE COURT: And so is that the biggest impediment  
15 that you see to achieving full compliance? What would you  
16 say the biggest impediment is?

17 DEPUTY CHIEF SMITH: Well, I think that the  
18 cross-communication -- we're not -- the Internal Affairs  
19 Bureau has expectations laid out by the tasks, but those  
20 expectations will also require a full partnership with our  
21 stakeholders that includes the community police review  
22 agency, that includes the police commission and our  
23 partnership with the City Attorney's Office.

24 So I think that a good strategy moving forward  
25 that we're all bought into is going to be important. But I

1 would be reluctant to say that it's staffing alone. I think  
2 that there's also the ability to train. As we look into  
3 some of our quantitative endeavors moving forward in terms  
4 of procedural justice and ways that we can really hone in on  
5 the potential for bias and completing an investigation, then  
6 I would be comfortable in saying it's just more than one  
7 thing, in my view.

8 THE COURT: I think what you have to do, what  
9 Internal Affairs has to do is one of the hardest things that  
10 anybody has to do because you have to do it knowing  
11 sometimes it's personnel. It's particularly true when it is  
12 people that you know, and how you separate out implicit and  
13 not so implicit bias and deal with people who have some  
14 power within the organization, and just do it because it's  
15 the right -- make the right call because that's the only way  
16 that the department will achieve the real goals that it has.

17 It's the only way you get the constitutional  
18 policing is doing things without fear or favor, and so  
19 you're the man right now with respect to that, I'm just  
20 telling you. And next May, I'm going to be coming back to  
21 you and saying so what if you don't -- how is this set up  
22 for the future? Thank you.

23 DEPUTY CHIEF SMITH: Absolutely.

24 THE COURT: And Michelle Phillips, please.

25 MS. PHILLIPS: Good afternoon, Judge.

1 THE COURT: Good afternoon. Nice to see you.

2 MS. PHILLIPS: You too.

3 THE COURT: So I'm really interested in how you  
4 spend your day. What does a constitutional policing  
5 administrator do, and what's your assessment of sort of  
6 where things stand and where they're going?

7 MS. PHILLIPS: So I start my day at the PAB with  
8 our police department. I do have an office, I'm very  
9 appreciative, it's on the eighth floor of the chief's suite.

10 So I talk to our deputy chief, our assistant  
11 chief, our chief. I have regular standing meetings with our  
12 deputy chief, and I constantly am in Chief Beere's, office  
13 like, "Chief, can I talk to you? Chief, can I talk to you?"

14 Very observant for the first couple of weeks  
15 trying to understand the inner workings, the culture within  
16 the police department and that floor. Doing assessments, I  
17 did take the opportunity -- Deputy Chief Smith and myself  
18 went down to IAB and spent several hours down there getting  
19 a soup-to-nuts understanding of the intake process  
20 procedurally and how it conforms to the policy that is  
21 written, as well as our investigatory process for internal  
22 affairs as well.

23 Sat down, took several notes and debriefed with  
24 the chief about what we can do to better streamline the  
25 process to take any impediments out, see if there were any

1 challenges that directly impacted our ability to assess, to  
2 your point, bias, whether it is implicit or explicit bias as  
3 we move forward through the investigatory process.

4 I go to several meetings -- the police department  
5 has a lot of meetings -- which is good because that's an  
6 opportunity to share information and for me to garner  
7 information and identify any areas and gaps potentially in  
8 policy, procedure, or application as we continue to move  
9 towards very good comprehensive constitutional policing.

10 I also share and debrief with my boss, City  
11 Administrator Jestin Johnson, about where we are, any ideas  
12 or recommendations I will have particularly around staffing,  
13 any impediments, whether it is our contractual process, our  
14 hiring recruitment.

15 Mayor Lee and her chief of staff have created a  
16 working group for us to do the background and recruitment  
17 assessments and identify areas where we can really, really  
18 hone in on what we need as far as our recruitment strategy  
19 for or police department both sworn and non-sworn, as well  
20 as just any kind of areas where we have some concerns with  
21 our Bureau of Risk Management.

22 And I'll just be very candid, I was at the PAB  
23 until about 7:30 last night with Deputy Chief Ausmus going  
24 through our procedural justice kind of application and  
25 training ideas that she has as we start to move forward to

1 identify what is necessary for Task 45 so we do not have the  
2 opportunity to backslide when we do gain complete  
3 compliance. Partial compliance is not acceptable. I think  
4 taking that ownership over the past month and a half I've  
5 been at the PAB, I have absolutely seen a transformation of  
6 the culture.

7           It is something that I think is very encouraging  
8 for me to see on the outside looking in, the continued  
9 communication, folks going from office to office, really  
10 engaged in talking about police reform efforts in a way that  
11 is ingrained in the fabric of the department and not just a  
12 concept as if the negotiated settlement agreement is  
13 something separate and apart from constitutional policing  
14 and police reform efforts.

15           I really want to thank the mayor's administration  
16 for leaning into and investing monetary resources and  
17 staffing resources as well as the City Administrator's  
18 Office for making sure that that implementation happens via  
19 the constitutional policing administrator position, because  
20 I think it is absolutely necessary.

21           Long answer, but to the second part of your  
22 question, I think making sure that there is an apparatus  
23 that directly has a line to the mayor and the city  
24 administrator that does not report to the chief of police is  
25 important.

1 I believe Chief Beere sees me as an advisor.  
2 She's told me plenty of times "Michelle, I really want your  
3 recommendations. Let's sit down and let's talk." And that  
4 is for the entire command staff. They seek out guidance.  
5 They seek out my subject matter expertise in this work,  
6 which for me speaks to the fact that we have really started  
7 to see some cultural change because they're invested  
8 holistically into this reform effort. And I am here to make  
9 sure that that happens while we are under the settlement  
10 agreement and that it is embedded in our policies and  
11 cultures as we exit, sir.

12 THE COURT: So I'm very excited by everything that  
13 you've said. I think that this is the -- I think that one  
14 of the first -- probably the first recognition that the City  
15 and OPD succeed together and they fail by pointing fingers  
16 at each other and the -- your position, I agree with you, I  
17 think is pivotal for the long-term success of constitutional  
18 policing in Oakland, and so I'll be looking to you in May as  
19 well to see how well things are progressing. Thank you very  
20 much.

21 MS. PHILLIPS: Yes, sir. Thank you, Judge.

22 THE COURT: So on to the lawyers. Mr. Chanin.  
23 Away from the substance, on to the lawyers. Please come on  
24 up.

25 MR. CHANIN: Good afternoon, Your Honor. Nice to

1 see you.

2 THE COURT: Good to see you.

3 MR. CHANIN: I'm very excited about the people and  
4 place at the current time. I think they have the will to do  
5 these tasks that are outstanding, something which has not  
6 always been true. In fact, it hasn't been true for much of  
7 the time we've been here. But it is true now, and I'm very,  
8 very happy about that, and I'm excited to see them succeed,  
9 which I hope they do.

10 I want to take -- briefly go through the tasks  
11 because you've done that, and that's been done a little.  
12 The City says that it's going to be in compliance in 2025 --  
13 2026, and we're looking forward to that. But the fact  
14 remains they are not in compliance in 2025, and they've  
15 actually fallen, as the monitor reports, quite a bit, in I  
16 think it's Class 1 and Class 2; so -- yeah, Class 1 and  
17 Class 2; so we're hoping that's reversed, but it hasn't  
18 been. So we agree with the monitor's assessment they're not  
19 in compliance at this time, and we're hopeful that they will  
20 be in compliance in the near future.

21 As to Task 5, the Tran case, the City attorney  
22 goes through this recital that the Tran case is an old case,  
23 and I have two responses. First of all, the Tran case is an  
24 old case, but it wasn't brought forth. The monitor never  
25 knew about the Tran case, and the Tran case involved almost

1 every major supervisor in the police department that --  
2 well, not everyone, but many of them, including the chief,  
3 the head of Internal Affairs, one of the deputy chiefs; they  
4 were all involved.

5 And it's very disturbing to see after so many  
6 years that something of this scale happens. I'm not looking  
7 for perfection, but there's a difference from perfection and  
8 what happened in the Tran case, which was awful.

9 And I think the City -- I don't think there's  
10 anything wrong with expecting some time to pass before we  
11 see that this Tran case, which is evocative of other  
12 scandals throughout the time we've been here, is not  
13 repeated in the form that it is.

14 That doesn't mean mistakes won't be made. We're  
15 talking about massive mistakes not -- of many supervisors,  
16 not just one mistake by one supervisor, some minor screwup.  
17 We can deal with that; no one's perfect, least of all me,  
18 and so that's okay. But of this size and magnitude, it's  
19 unacceptable, and it can't happen anymore as it has over and  
20 over again.

21 And the Tran case did not involve a single  
22 officer. They were all supervisors. And they all shouldn't  
23 have done what they did. It's just that simple. And we now  
24 have new supervisors, who I feel much more confident in than  
25 I did with the old ones, and that includes the chief of

1 police who I have a lot of confidence in at this time.

2 As for task 45, I disagree with the City attorney  
3 that they're in compliance. But I think on the other hand,  
4 the fact that this disparity report by Ms. Burgess was done  
5 by the OPD itself is highly, highly significant.

6 This wasn't a hired report where they just, you  
7 know, couldn't deal with some outside findings. This was  
8 their own report, and I feel really good about that, and I  
9 feel the right people are in place to remedy this issue.  
10 But it has to be remedied. It doesn't -- it's there,  
11 contrary to what the City attorney said in her brief.

12 But I think on the other hand, the people are  
13 there to make it dissipate -- not go away, because nothing  
14 is perfect -- but dissipate to the point where we don't talk  
15 about it because it's in compliance.

16 And the City also said that there's been no --  
17 Plaintiffs have not suggested any targeted intervention.  
18 I'm not sure what they're referring to. I was at a meeting  
19 with Chief Beere, Captain Hubbard, and Aaron Smith, yes, and  
20 the City attorney, and with John as well, and we did suggest  
21 a solution to this and that was that the existing -- there  
22 was some -- the cases where African Americans were unfairly  
23 or fairly singled out be drilled down and that we find out  
24 who did them and why, and we find out if there's any  
25 substance to it.

1           we also find out if maybe there is substance to it  
2 but the white officer is doing the same thing and he gets  
3 away or she gets away with a warning or some sort of slap on  
4 the wrist, whereas the African American officer is very  
5 harshly disciplined in a very formal way. That's another  
6 possibility. We don't know what it is, but we want to see  
7 it done, and we do have a solution, and a targeted one,  
8 which I just laid out, and we laid out in our brief as well.

9           And I don't know where the City has disagreed with  
10 their own report in this brief and with the monitor and with  
11 us about Task 45, but I hope that's just something that we  
12 can talk about historically rather than right now.

13           THE COURT: Okay. Thank you.

14           MR. CHANIN: Thank you.

15           THE COURT: Mr. Burris.

16           MR. BURRIS: As we talked about the lawyers, I  
17 thought of Nancy Grace, when you knew you were in big  
18 trouble.

19           Judge, I think this is all very nice, pleased to  
20 hear about the efforts on the part of the City personnel,  
21 but as the Court may know from the very beginning, and  
22 certainly from the start I have been involved in this case,  
23 that the operative words here are "trust" and "verify." And  
24 I certainly am inclined and would like to and have always  
25 trusted the environment to the people here, but

1 unfortunately in a lot of instances it has not come forward  
2 and verified what we want to occur.

3           It is no secret here that the issue of racial  
4 disparity, 45, is a fundamentally important issue here. We  
5 have been -- and she went through all the various other  
6 tasks, and I am very heartened when I look at what happened  
7 in Minnesota where there's no way of, so far, being able to  
8 hold officers accountable, the internal mechanism that might  
9 exist that would hold officers accountable, we don't have  
10 that problem here, except when an officer's involved.

11           And that's the problem I see, and my concern is  
12 the systems and all the policies that have been written,  
13 they're great, you know, and we worked hard on them. The  
14 only issue is when a process develops, do you follow it? Do  
15 you really follow it?

16           And we know that in the Tran case and other cases  
17 we've had down through the years that when push comes to  
18 shove and an officer who was liked, well defended, that  
19 somehow the rules are not followed.

20           And I do think there is some very important -- and  
21 that to me raises the question of the racial issues here  
22 because there has to be some reason why we're having numbers  
23 like this. They should not -- if people are making  
24 decisions that are objective and nonracial, then the data  
25 should not be obscured the way it is.

1           And so that is troubling to me as to how -- and  
2 for the City to find out and to dig deep to identify why and  
3 where the decisions are made that is causing these numbers  
4 to be obscured in one direction or another.

5           I don't see how we get to true constitutional  
6 policing -- even though we have in other areas -- if we  
7 can't take care of this problem internally. And one might  
8 argue why Mr. Burris has brought on this issue, but it is an  
9 issue that is very important to me because how you treat the  
10 officers within the department may reflect how you treat the  
11 people in the community. So to me it all goes together.

12           So the question here to me is can the department  
13 drill down in such a way to identify where it is that the  
14 discrepancies are taking place and then put something in  
15 place to ensure that it does not happen again or does not  
16 happen on a consistent basis.

17           Because it is not -- and I've said this quote  
18 before -- it is not how we feel today, it's how the  
19 department functions five years from now. It's for the  
20 officers who are coming in tomorrow and how the people in  
21 the community are living here the next day and the day after  
22 that. That is our objective, and that is what our future  
23 has to be about.

24           And so it's beautiful. I've been here a long  
25 time, as the Court knows, and there's been great people here

1 on this side of the table every time I've come here. But  
2 the problem still exists, whether I -- whether the people  
3 are good or not.

4 And so the question to this group here is drilling  
5 down, identifying the problem, and so that this issue has  
6 been cemented in such a way that I refer to it as a hole in  
7 a leaky ship. That if we leave this here, no matter what,  
8 the ship will sink at some later point, and we don't want  
9 that to occur.

10 So all I'm really saying is that it is important  
11 that the Court hone in on this particular issue -- which the  
12 Court has done -- and for the staff to understand that we're  
13 not leaving until this deal is done.

14 And everybody's good, good faith, but it's not --  
15 the proof is in the pudding, and so we have not got there  
16 yet, and I'm hopeful that we will in the near future because  
17 we'd like to leave too.

18 So anyways, that's my views about it, and  
19 everybody is great, but at the end of the day, the proof is  
20 in the pudding and you got to get it done; all right?

21 THE COURT: Mr. Burris, that's exactly why I'm  
22 having the CMC in May and requiring that the stats for 2025  
23 be prepared by May 1st so that you have data -- so that we  
24 all have data as well as the analysis of the deputy chief  
25 and everybody else with knowledge so that we can drill into

1 this issue because it is the hardest of the issues that  
2 remain, and it remains.

3 MR. BURRIS: Right.

4 THE COURT: So I'll underline most of what you  
5 said -- I don't want to endorse all of it -- but I'll  
6 underline all of it.

7 MR. BURRIS: That's okay. Thank you.

8 THE COURT: Okay. All right. Thank you.

9 Mr. Lucia.

10 MR. LUCIA: Your Honor, on behalf of the Oakland  
11 Police Officers Association, I just want to share our  
12 enthusiasm and confidence in the new structure that the  
13 City's built, and in particular the elevation of Chief Beere  
14 and his command staff as currently structured, along with  
15 Michelle Phillips, I think, is a change to what we've seen  
16 in the past.

17 And I think Michelle spoke to what she's doing,  
18 and I know that Chief Beere has grown up in the city of  
19 Oakland and in the Oakland Police Department, and a lot of  
20 his command staff members, we are very familiar with.

21 I do know that there is a great degree of  
22 collaboration between the Oakland POA and the command staff,  
23 and I know that this command staff, they've got a lot of  
24 challenges ahead. They've got critically low staffing  
25 levels, they've got crime that they have to deal with to

1 serve the citizens of Oakland, and they have to accomplish  
2 what we're here to talk about, which is, you know, complying  
3 with the NSA while providing constitutional policing.

4 I personally and professionally believe that  
5 Chief Beere and his command staff are up to the task. Most  
6 of his command staff members that I'm familiar with are  
7 highly respected. I'm not familiar with all of them, but  
8 most of them are, and that's a great sign for the future as  
9 they will, I think, imbue into the entire ranks up and down  
10 the sense of purpose and commitment, and having Chief Beere  
11 as a resident of Oakland is very important.

12 I know many of the police officers that are now  
13 serving -- and those numbers are increasing -- are residents  
14 of Oakland. So I think they are committed to the people of  
15 Oakland, and that's really what this is about.

16 THE COURT: Great. Thank you.

17 So Mr. Garcia-Acosta, I would love to hear from  
18 you about your perspective on the police commission and the  
19 issues that we've been talking about.

20 MR. GARCIA-ACOSTA: May it please the Court,  
21 Your Honor. Ricardo Garcia-Acosta, chair of the Oakland  
22 Police Commission. We thank you for this opportunity to  
23 share our perspective and be able to update the court on  
24 some of our efforts over the last several months.

25 At the last case management conference, you asked

1 our collective group to think about what it means to sustain  
2 cultural change. For our part in this task, the Oakland  
3 Police Commission remain just steadfast and committed to our  
4 work and accomplishing what a lot of folks may think is  
5 impossible or may be outside of the capabilities of civilian  
6 volunteers.

7 On the contrary, our efforts integrating the CPRA  
8 and the Office of the Inspector General have created an  
9 effective community-centered oversight body that supports  
10 OPD with the critical tools for constitutional policing and  
11 transparency.

12 we've worked hand in hand with executive  
13 leadership, and we want to continue doing this and putting  
14 our best foot forward to continue to drive cultural  
15 transformation after court oversight.

16 The commission recognizes and applauds the strong  
17 leadership of Mayor Lee, the city administrator Johnson, and  
18 Chief Beere and his team, and we stand with them to champion  
19 a clear message to our city that constitutional policing  
20 makes for better policing, effective and improved public  
21 safety, and the outcomes are going to reflect the city's  
22 values and what the communities and residents and Oakland  
23 wish to see in their police department.

24 we do appreciate since the last time we've  
25 presented ourselves here at the court that we have more of

1 an intentional seat at the table. We've been meeting  
2 biweekly with the NSA core group that Mayor Lee has  
3 convened, and collectively the totality of this work is what  
4 you see today.

5           The proof is in the pudding. You see tangible  
6 results, you've heard testimony today from our team and City  
7 leadership, and it's not just -- as you've heard, just  
8 something theoretically. There's something that's been put  
9 in action that you can feel in the halls of PAB, that you  
10 can feel in the halls of city hall, and you can feel in  
11 Oakland.

12           And so we really want to continue to work and lay  
13 the foundation to move this forward, support Chief Beere  
14 now, and continue the work of solidifying the search for a  
15 permanent chief -- right? -- to continue this collaborative  
16 work.

17           We're really excited at the direction we're going,  
18 and despite any challenges that may be out there -- I'm sure  
19 you've seen articles, you've seen things going on -- that  
20 doesn't stop the work that we're doing here as a commission,  
21 and it doesn't stop our partnership that we've been able to  
22 build with the City leadership.

23           So as we prioritize planning for the future, we  
24 really want to focus and hone in on the things that we do  
25 well and really manage our capacity, leverage resources,

1 work with CPRA, OIG, with our offices, and make sure that  
2 we're moving forward in a way that makes sense not only for  
3 the City, but for our work as well as the police commission.

4 The OPC leadership also welcomes our continued  
5 learning and different opportunities and further discussion  
6 with the federal monitor, with our City leadership, with the  
7 police department, so that we can continue working our role  
8 in being as effective as possible as we move into the next  
9 phase of this work.

10 we'll continue to work tirelessly and to ensure  
11 OPC's long-term fiscal stability and make sure that we're  
12 doing our part in this whole ecosystem to make sure that  
13 there's strong constitutional policing and to continue to  
14 highlight the effectiveness of our current oversight body  
15 and all the progress that the department and the City has  
16 been making.

17 So thank you, and I appreciate the opportunity to  
18 address the Court.

19 THE COURT: Thank you.

20 Ms. Martin.

21 MS. MARTIN: Thank you, Your Honor.

22 And for the court reporter, Brigid Martin for the  
23 City of Oakland.

24 I think it's remarkable that we're here today, and  
25 one of our main sticking points and areas of disagreement

1 between attorneys has to do with Task 45 but specifically  
2 with looking at aggregated data to see if we can spot trends  
3 to tell us more information about how we can impact  
4 disparities in our policies, in our processes, and in our  
5 system.

6 That's something that frankly 20 years ago when we  
7 agreed to make all these changes and have our constitutional  
8 policing model, I don't think any of us saw that as a  
9 possibility, and we have that as an additional tool now and  
10 it's amazing.

11 For 20 years, the monitor's assessments and how  
12 the police department looked at (audio interruption) --

13 COURT REPORTER: She's cutting out.

14 THE COURT: Okay. We'll be taping it as well; so  
15 please, Ms. Martin, go ahead.

16 MS. MARTIN: Thank you.

17 For the last 20 years how we've really looked at  
18 whether or not there's consistency in discipline is on the  
19 individual case level. That's how the monitor assessed it  
20 for a long time.

21 If you read past monitor reports, it talks about,  
22 "well, we looked at these case outcomes. Were they  
23 disciplined within the discipline matrix? Were the outcomes  
24 appropriate? If they were outside of the discipline matrix,  
25 was that documented as to the reasons why? Is this case

1 specifically disciplined appropriately?" And that's one way  
2 of looking at consistency of discipline. A very different  
3 way of looking at it is to look at the aggregated data and  
4 to see if we can spot trends.

5 Now, statistics and what you make of them and how  
6 you impact the processes and our policies and our work based  
7 on those is very different than how we look at and how we  
8 impact our work if we see that a specific case was not  
9 handled inappropriately -- or handled appropriately.

10 And what's been keeping us from getting to the end  
11 of the sustainability period so far has really been more  
12 focused on these failures with specific cases --  
13 inconsistency in discipline in the Tran case, in the Chung  
14 case, whether it's favoritism or looking the other way --  
15 some people were not treated the same way as others. And  
16 that is a different question than are there disparate  
17 impacts in our processes and in our policies.

18 Now, we've all worked together to create  
19 state-of-the art policies that are race neutral on their  
20 face and that we hope are the best that we can do for  
21 constitutional policing. If there are trends and disparate  
22 impacts, now that's something that we have to look at how we  
23 intervene to reduce those disparate impacts to the extent we  
24 can. Part of that is figuring out what's causing them.

25 Now, we've gotten some information on this 2024

1 disparity with the internal case intake and where the cases  
2 are coming from, and that's important. And I agree with  
3 Mr. Chanin and Mr. Burris when they say that we've talked  
4 about how we can drill down on that a little bit more.  
5 Let's get more information and look at things like when you  
6 look at the cases were those specific cases decided  
7 appropriately?

8           we did look to see if there were particular  
9 officers or investigators who were involved and if that was  
10 a correlating factor. That was not. But that's still --  
11 that's looking, then, at the specific cases, and we can  
12 still do that, but that may not tell us what is causing it.  
13 That may not allow us to take a scalpel and surgically  
14 address and fix the problem as easily as that.

15           It may be that it takes things like additional  
16 procedural justice training. That should be and is an  
17 ongoing thing that the department has because that has to --  
18 instead of throwing a precise dart or using a scalpel, that  
19 has to address the entire system and make sure that we're  
20 all aware of implicit bias and how bias can creep into a  
21 system. But these are two different tools, and we are lucky  
22 to have these two different tools now to identify that.

23           Now, there's no one saying that we don't care  
24 about or that the trends and the disparity from the  
25 aggregated data is somehow different or less meaningful.

1 That is just as meaningful to us, and we care deeply about  
2 trying to reduce both disparate treatment in the specific  
3 cases and disparate impacts that we can identify through  
4 these trends.

5 One of the things that makes these two tools very  
6 different, though, is that we do need a monitor or a third  
7 party to oversee and report on the disparity that's in  
8 individual cases, and that's because those are confidential  
9 and we can't just give that information to Plaintiffs'  
10 counsel without the Court oversight so they can see how  
11 we're doing.

12 The difference with the data is that the  
13 aggregated data is all public. That will be available to  
14 Plaintiffs' counsel, to union representatives, to the police  
15 commission, to everyone in the public going forward. So  
16 this is something that we can continue to address without  
17 Court oversight and without the monitor. There will be no  
18 additional information that they won't have. So that is a  
19 very different and a significant difference between those  
20 two kinds of tools that we have and how we can address them  
21 going forward.

22 We have seen a cohesiveness within the city based  
23 on the mayor's work and with the mayor's leadership that is  
24 very heartening. People are coming together in a way to  
25 really own our constitutional policing model and understand

1 that this is not simply an external mandate that has to be  
2 followed. This is our -- based on our values, what the City  
3 has promised to do, and there's a reason behind every single  
4 task and subtask.

5 And I think with everyone coming together to  
6 understand that this is our model and that we are empowered  
7 to own that constitutional policing model and to make it  
8 better is really going to be key and help us to get to a  
9 position where we're not only hoping or fighting against  
10 backsliding or resistance, but that we continue to make this  
11 momentum forward and continue this transformation because  
12 that is something that we're hoping to do even after we end  
13 court oversight.

14 THE COURT: Great. Thank you, Ms. Martin.

15 Mayor Lee, I would love to hear whatever you have  
16 to say.

17 MAYOR LEE: Barbara Lee, mayor of the City of  
18 Oakland. Well, good afternoon, Your Honor. It's really  
19 good to see you again.

20 THE COURT: Good afternoon.

21 MAYOR LEE: When we were here last July, I  
22 promised that under my leadership the City would focus not  
23 only on NSA compliance but what comes after the court  
24 oversight ends. And I want this done, as I said, under my  
25 watch; so it's all hands on deck to get into compliance on

1 the remaining tasks and to prepare the department and the  
2 City to be in the best possible position to keep the  
3 momentum going in the right direction even after we are out  
4 of court oversight, and we certainly have accomplished a lot  
5 in the past several months toward these goals, but we still  
6 have much more work to do.

7 Now, in December, our monitor, Chief Warshaw, came  
8 to Oakland, and I met with the monitor to make sure that we  
9 are on the same page and in agreement on what needs to be  
10 done.

11 Now, we have instituted a constitutional policing  
12 unit inside of OPD to oversee our roadmap for compliance.  
13 You heard Michelle Phillips -- she's well respected,  
14 experienced, and is doing a phenomenal job -- who served  
15 also as the Oakland Police Commission's very first inspector  
16 general, and she's now serving, of course, as our interim  
17 constitutional policing administrator in that unit until we  
18 make a permanent hire.

19 Also I want to also acknowledge Reverend Damita,  
20 who is a member of my public safety -- she's actually my  
21 public safety director in my office, who has been so  
22 instrumental in moving this process forward.

23 Now, let me just mention my relationship with and  
24 commendation of Chief Beere. I just want to say that he and  
25 his team have been very effective in working together with

1 our office. You heard his presentation and the answers to  
2 his questions -- to your questions, and he and his team are  
3 committed to moving forward and making this a priority  
4 within OPD.

5 Now, with regard to Task 2, under our strategy the  
6 City's internal affairs case timelines, they have improved,  
7 and the information that I have received from the department  
8 is that every indication is that we will exceed 85 percent  
9 for the last quarter of 2025. But, of course, it's not only  
10 meeting the numbers, but it's also what you said earlier in  
11 terms of making sure that we keep in compliance and what  
12 that really means by meeting these numbers.

13 OPD is adding officers to assist primary care  
14 -- excuse me -- investigations. OPD and Michelle Phillips  
15 are evaluating case intake to remove delays in assigning and  
16 starting investigations, and we're making sure OPD and CPRA  
17 are better coordinating on timelines with regard to Tasks 5  
18 and 45.

19 For the tasks involving the quality of our  
20 investigations and the consistency of discipline, Task 5 and  
21 Task 45 is OPD's constitutional policing administrator  
22 Michelle Phillips. She's also focused on both the integrity  
23 of internal investigations as well as the consistency of  
24 discipline, which as we know and you know and the attorneys  
25 have laid out this morning and over the course of the last

1 20-some years.

2 Now, as Attorney Burris said, "Yes, trust, but  
3 verify." In other words, we must be intentional,  
4 intentional. And, yes, it is the hardest issue, but racial  
5 justice is critical to constitutional policing; so it's hard  
6 but we've got to be intentional about correcting this, and  
7 we're in the process of doing just that.

8 And I want to say that I share the same concerns  
9 about ensuring accountability for Oakland's police officers.  
10 I've read the most recent report from OPD that shows that in  
11 2024 Black and brown officers had the worst outcomes, more  
12 so than white officers, in internal affairs investigations.  
13 So we need to make sure that all of our officers are being  
14 treated fairly.

15 Our constitutional policing model is not just  
16 about how we treat members of the public, but also how we  
17 treat our own officers. It's important to the City and to  
18 me personally that the men and women who serve in our  
19 department are treated fairly, and that's why I've asked  
20 Chief Beere and Deputy Chief Aaron Smith to draft their own  
21 response to the 2024 report, for us to discuss together, to  
22 make sure that we understand all the information that we  
23 have about discipline outcomes and appropriately addressing  
24 these concerns to make sure that the discipline process is  
25 fair for all of our officers.

1           Now, as I've said before, I'm not just interested  
2 in task compliance, Your Honor, I want to make sure that we  
3 are continuing to move the culture of our police department  
4 in a positive direction and a big part of that is hiring the  
5 right people.

6           Now, please bear with me for just a few minutes  
7 while I just get into a few of the weeds of this because  
8 I've become very in tune with policing in a few months  
9 that -- how many months now since May 20th? Since I've been  
10 mayor, but I love getting into the weeds of OPD because this  
11 is about public safety and it's also about accountability.

12           And so we need to build up our department, but we  
13 need to do it the right way. We need a police department  
14 that mirrors the culture of the community that it serves and  
15 that brings the partnership issues and the importance of the  
16 partnership with the community and OPD together.

17           To do that I have really been focusing on  
18 recruitment strategies and partnerships with local community  
19 groups, nonprofits, and businesses that promote inclusivity  
20 and reach populations and communities within our city that  
21 have historically been underrepresented in the department's  
22 applicant pool. After going for more than a year without a  
23 police academy, OPD just graduated an academy with 14 new  
24 officers, and there is a second academy underway that  
25 started in November.

1 I also understand from Chief Beere there are a  
2 number of officers who left the department that now want to  
3 return. So we may have enough for an entire class of 12 to  
4 15 lateral officers, we'll see. And I'm deeply grateful to  
5 Chief Beere for making this a priority.

6 And one example that I'm especially proud of is  
7 just last week we announced that the City, thanks to a  
8 partnership with some of our local businesses, Kaiser and  
9 PG&E, along with Merritt College, we're restarting the OPD  
10 cadet program.

11 This program allows young people in our community  
12 who are attending college to get paid work experience  
13 working part time at OPD. The cadet program brings more  
14 resources to OPD, the kind of resources to make a positive  
15 cultural impact and will hopefully lead to more academy  
16 recruits from our community.

17 Another example, we've partnered with a local  
18 community college, Merritt College. Merritt College's  
19 administrative of justice degree program began a pre-police  
20 academy class on January 20th, and that's an eight-week  
21 program designed to prepare students for the physical,  
22 academic, and professional demands of the Oakland Police  
23 Academy. Twenty-eight students, mind you, are currently  
24 enrolled in the course. Again, we're partnering locally to  
25 build our own department to reflect communities

1 demographically and culturally, and this is part of the  
2 cultural change that we have to make sure that we sustain  
3 the gains that we're making.

4 I'm also trying to get a program started where we  
5 have graduate interns in master's of social work programs  
6 serving as interns in the department to infuse some of the  
7 strategies employed in social work programs into the  
8 department's culture to institutionalize and systemize our  
9 constitutional policing principles. I'm a social worker by  
10 profession. I have my MSW from UC Berkeley, and I know the  
11 importance of having this input into good constitutional  
12 policing.

13 Also let me just say we've been involved very  
14 intimately with having community engagements and finding a  
15 way to make sure that the community understands what the NSA  
16 is and what oversight means. Why does it exist? Why are we  
17 working to complete the tasks and maintain the integrity of  
18 the outcomes? I learned very quickly that so many people  
19 did not know what these three tasks were, and so part of  
20 what we're doing is educating everyone in Oakland as to why  
21 this is important.

22 And, of course, hiring a new police chief is also  
23 a priority now, and finding a way to move forward, the right  
24 fit is very important to continuing our important work in  
25 carrying this forward.

1           Outside of the department I'm also working to add  
2 new members to our police commission who understand and will  
3 promote constitutional policing and accountability and  
4 continue to help build a positive relationship with the  
5 department and the community.

6           And I have to say the term "constitutional  
7 policing," after Michelle Phillips was hired a lot of people  
8 were asking me "what is it? what does that mean?" And so  
9 I'm beginning to see now the understanding in the community  
10 of what constitutional policing really means, whereas prior  
11 to now I don't believe people really knew the importance of  
12 that and what it really meant, Your Honor.

13           And you may be aware that I have the privilege of  
14 appointing two members to serve on the police commission to  
15 shape civilian oversight of the department, and so I have  
16 nominated two community members who have agreed to serve as  
17 volunteers on the City's police commission. They will both  
18 be excellent additions to the commission. They are retired  
19 Superior Court Judge Evelio Grillo, and retired Contra Costa  
20 Firefighter Doug Wong.

21           Judge Grillo holds a law degree from Harvard Law  
22 School as well as a master's degree in public policy and a  
23 bachelor's in political science from the University of  
24 California at Berkeley. He has also taught at UC Berkeley  
25 and Stanford University law schools.

1            Doug Wong, in addition to being a firefighter for  
2 nearly 30 years, has worked as staff for the Oakland Unified  
3 School District, was chief of staff to former Berkeley City  
4 Council Member Diane Woolen [ph] for ten years, is currently  
5 on the American Red Cross Leadership Council East Bay. He  
6 also is president of the Chinese American Citizens Alliance,  
7 Oakland Chapter.

8            Now, these two volunteers are committed to  
9 empowering our city and the community to take ownership of  
10 our constitutional policing model and to end our need --  
11 sooner or later, preferably sooner -- for court oversight.  
12 And so again, we're doing a deep dive on what exactly is  
13 necessary to complete this oversight.

14            And finally, Your Honor, let me just say to you I  
15 did say at the last hearing that I really wanted this ended  
16 under my watch, and I want to thank everyone in the city and  
17 OPD, the Plaintiffs' attorneys, for understanding that I'm  
18 not ready either to end this, but I do believe we will be  
19 able to complete these tasks. It's all hands on deck, and I  
20 want to thank you for the instructions from yourself and the  
21 court for making sure that we stay on track. Thank you  
22 again.

23            THE COURT: Thank you, Mayor Lee.

24            I have to say there have been a few mayors who've  
25 who have been here and have given very thoughtful

1 expressions of what they wanted to do. Nobody has shown a  
2 sort of holistic understanding of what it's going to take  
3 and what's necessary. And if I had, you know, gone back and  
4 thought for a year about the different sort of policy and  
5 other things that I could do, I'm not sure I could have come  
6 up with everything that you're doing, Mayor Lee. So I just  
7 -- I am very optimistic.

8           There is -- this is still -- we've got to bring it  
9 across the finish line, and so I'm looking forward to the  
10 CMC in May where I hope to learn about all of the drilling  
11 down and the understandings, and I hope that the data that's  
12 already cooked turns out to be a lot better than what we saw  
13 in 2024, and that we sort of push on and continue to push in  
14 the direction that you are leading the city in. So thank  
15 you very much.

16           MAYOR LEE: Thank you, Your Honor. I want to just  
17 say I think working with our legal team and with the City  
18 and coming as a former community activist -- still, maybe --  
19 and with a social work lens, that's helping me see the big  
20 picture, and I think their input and their expertise really  
21 is what's driving this to help me pull all of this together.

22           THE COURT: You're listening to them, which also  
23 matters.

24           MAYOR LEE: Thank you.

25           THE COURT: Thank you.

1 All right. So I guess the only other thing that I  
2 would say is I'd be remiss in not thanking Chief Warshaw and  
3 the monitor's team for their dogged efforts in helping OPD  
4 understand how to achieve compliance, and I'm really looking  
5 forward -- this is -- I'm looking forward a lot more than I  
6 thought I would be to May 27th and our next CMC.

7 So thank you-all very much for being here. I look  
8 forward to seeing you then.

9 *(Proceedings adjourn at 4:15 PM.)*

10 \* \* \*

11 CERTIFICATE OF REPORTER

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

14 /s/ Robin L. Herrera  
15 Robin L. Herrera, RMR, CRR, CRC  
16 Official Court Reporter

February 17th, 2026  
Date