To: Oakland City Council

Cc: Oakland City Attorney, Office of the Mayor, Oakland City Administrator
From: Rajni Mandal, District 4

Re: Omar Farmer's reappointment to the Police Commission

Dear Members of the City Council:

The Oakland Police Commission has an essential role in providing independent civilian oversight of OPD under Charter Section 604. That role requires Commissioners who respect the Commission's jurisdiction, comply with the Brown Act, and work collaboratively.

I urge the Council to **reject any reappointment slate that includes Alternate Commissioner Omar Farmer** and to advise the Selection Panel **not to advance a slate containing his name**. Commissioner Farmer has repeatedly overstepped his authority as defined in the City Charter , directed staff in activities not defined in the City Charter, and involved himself in matters outside the Commission's scope as defined in the City Charter.

The Charter requires the Council to either approve or reject the entire slate submitted by the Selection Panel.

Mayor Lee is moving forward with filling her two vacancies (one Commissioner, one Alternate). This ensures quorum will not be at risk if the Selection Panel is asked to revise its slate to only forward one commissioner candidate prior to submission for Council approval.

Commissioner Farmer's Documented Transgressions

1. Misuse of Commission Time and Authority

- Farmer has used Commission resources on matters outside OPC's jurisdiction, including presenting KPIs and metrics for a "mental health wellness unit initiative" without full Commission approval (OPC meeting 6/26/25, video 2:37).
- He sought a Commission vote to endorse recommendations of the Reimagining Public Safety Task Force without agendizing the matter (OPC meeting 4/10/25).

These actions misuse Commission time and resources, diverting attention from the body's legally defined oversight duties and delays its required work under Charter Section 604.

2. Improper Direction of Staff

- At the June 26, 2025 OPC meeting (video 2:37), Farmer instructed OPD to provide staff contact information
- On July 24, 2025 (video 2:47), he directed OPD to report back on his initiatives

These actions exceed the Commission's policy role under Charter Section 604 and blur the line between oversight and management.

3. Attempted Interference in Labor Negotiations

- On July 24, 2025 (video 2:48), Farmer stated: *"I think it would be worthwhile for us before the year is over to maybe have one to two discussions about the OPOA MOU recommendations that we would like to see put in there."*

Collective bargaining with OPOA lies entirely outside the Police Commission's jurisdiction and rests with the City's labor negotiators. Farmer's suggestion exposes the City to risk under California's Meyers-Milias-Brown Act.

4. Conflict of Interest

- Farmer has publicly acknowledged having an open personal complaint against OPD (OPC regular meeting, 3/27/25, video 1:58). He subsequently argued with Deputy Chief Ausmus about OPD timelines for investigations in the same meeting.

This creates at least the **appearance of a conflict of interest**, undermining the Commission's duty of impartial civilian oversight. A Commissioner with an active complaint against OPD cannot credibly serve as a neutral policy overseer while simultaneously pursuing a personal grievance with the agency.

4. Unauthorized Representation to Federal Monitor

- At the NSA Ad Hoc committee meeting on August 18, 2025 (video 00:47), Farmer presented KPIs for Task 2 directly to the federal monitor's staff.
- He did so without review or approval by the Commission, OPD, the City Attorney, the City Administrator, or the Mayor.

This usurps the role of the City Attorney and Mayor in litigation strategy and misrepresents the Commission's authority.

5. Authored Statements Outside the Commission's Charter Authority

- In a statement to the federal court (OPC meeting 6/26/25), Farmer requested the federal judge grant OPC "Co-Compliance Director" status without consultation with other defendants (Oakland City Attorney, Mayor's office, OPD, Oakland City Administrator).
- In a draft Military Equipment Use Report (OPC meeting 6/12/25, video 2:50), Farmer recommended *"eliminating the use of military equipment in Oakland"* without the ordinance-required evaluation under OMC 9.65.020(C) or consultation with the Chief of Police.

By authoring statements outside the Commission's jurisdiction and without proper consultation, Commissioner Farmer has exceeded the authority granted under Charter Section 604

6. Brown Act Violations

Farmer has raised items not on posted agendas:

- OPC meeting 6/12/25 (video 4:27): questioned Chief Mitchell on the Independent Monitor's report.
- OPC meeting 8/14/25 (video 1:32): pressed Chief Mitchell on his federal court statements regarding the NSA.

Both instances violate the Brown Act (OMC 2.20) and expose the City to liability.

Procedural Context: Charter Section 604

- The Selection Panel submits a **slate** of nominees (2/3 vote, minimum 5 members).
- Council may only **accept or reject the entire slate**.
- If Council does not act within 60 days, the slate is automatically confirmed.

Council therefore has a duty to signal to the Selection Panel now that any slate including Farmer is unacceptable and risks rejection.

Recommendations for Council

1. **Publicly advise the Selection Panel** that Council will not support a slate containing Commissioner Farmer.

2. **Request the Selection Panel revise its slate without Farmer** before submission, and to commence the process to find another candidate.

3. **Note that quorum will not be compromised** because Mayor Lee's two pending appointments (one Commissioner, one Alternate) are in progress.

4. **Reaffirm Council's commitment** to ensuring Commissioners comply with Charter Section 604, the Brown Act, and the City's labor and litigation processes.

Conclusion

Commissioner Farmer's record of overreach, staff interference, Brown Act violations, and unauthorized communications makes him unfit for reappointment. Council should protect the Commission's credibility by directing the Selection Panel to remove him from consideration before a slate is finalized.

Respectfully submitted,

Rajni Mandal

Oakland Resident, District 4