

APRIL 18, 2024

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, April 18, 2024*

Litigation Negotiations

NAME OF ACTION:

**Mildred L. Oliver v. City of Oakland, Oakland Police Department, and DOES
1 to 25, inclusive**

Alameda County Superior Court Case No. RG19007799

This matter is listed as **Item No. 1(d)** on the Closed Session Agenda:

The council authorized settlement in the amount of **\$50,000.00**.

This case arose out of an incident occurring from **September 2015 through May 2019**.

FACTS/ISSUES:

Plaintiff Mildred Oliver's ("Oliver") complaint alleges race and gender discrimination, hostile work environment, and retaliation. She is African American, female, and is now a retired OPD sergeant.

In 2015, Oliver was an investigator in OPD's Internal Affairs Division ("IAD"). Around October 2015, Oliver was assigned to investigate an Oakland Police Department ("OPD") officer stemming from allegations of sexual misconduct. The judge overseeing the Negotiated Settlement Agreement expressed concerns about the investigation and OPD ordered that a more senior investigator replace Oliver. In January 2017, Oliver was transferred to Patrol, where she claims a supervisor harassed her. On February 14, 2017, Oliver responded in her supervisory capacity to the scene of an active shooting. Her supervision of this incident became the subject of an IAD investigation, and shortly afterward Oliver went on work-related stress leave and later retired. In regard to her role in the February 14, 2017 shooting, IAD found Oliver violated her supervisory duties and she was disciplined. Oliver alleges OPD's decisions during this period were discriminatory, retaliatory, or harassing. Oliver alleges economic damages of approximately \$2.6 million dollars, additional general damages for emotional distress, and attorney's fees. The City has determined that settlement, without admitting liability and to avoid litigation, is in the City's best interest.

Motion Made by: **Councilmember Gallo**

Motion Seconded by: **Councilmember Kaplan**

AYES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato
Bas = 5

NOES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas

EXCUSED: Fife, Gallo, Jenkins, **Kalb**, Kaplan, Ramachandran, **Reid**, and President Fortunato
Bas = 2

ABSTENTIONS: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato
Bas = 1