

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DELPHINE ALLEN, et al.,
Plaintiffs,
v.
CITY OF OAKLAND, et al.,
Defendants.

MASTER CASE FILE
NO. C00-4599 TEH
ORDER APPOINTING
COMPLIANCE DIRECTOR

Pursuant to the December 12, 2012 order, the Court hereby appoints Thomas C. Frazier to serve as the Compliance Director. Commissioner Frazier’s resume is attached to this order. He will begin on March 11, 2013, and will re-locate to the Oakland area.

On March 4, 2013, Defendant City of Oakland filed a response detailing the monetary compensation received by the Chief of Police and City Administrator. The City reported that the annual monetary compensation paid to the Chief of Police is \$257,973, including a base salary of \$221,998 and longevity pay, a uniform allowance, and an education premium totaling \$35,975. The City reported that the City Administrator receives annual monetary compensation of \$282,000, including a base salary of \$273,000 and an auto allowance of \$9000. The City did not include in these figures “vacation, executive leave, or other types of leave or benefits that an employee has the option to cash out or use.” Defs.’ Mar. 4, 2013 Response at 2. The City did not indicate any projected changes to the reported compensation.¹

¹The Court interprets the City’s silence on this matter to indicate that the Chief of Police and City Administrator will not receive any cost-of-living or other annual increases over the next three years. See Mar. 1, 2013 Order at 1 (“The filed information shall include any projected increases or decreases over the next three years.”). If there are any such increases during the Compliance Director’s term, the Court may modify the Compliance Director’s salary accordingly.

1 The Court finds good cause for the Compliance Director to be paid more than the
2 Chief of Police but less than the City Administrator. The Compliance Director shall
3 therefore receive annual monetary compensation of \$270,000. The Court finds it prudent to
4 have the Compliance Director's salary paid through the Court. Accordingly, the City shall
5 deposit \$270,000 into the Court's registry by wire no later than **March 25, 2013**.² The Clerk
6 of Court shall disburse \$20,769.22 to the Compliance Director during the second week of
7 April 2013, to compensate the Compliance Director for his first four weeks of service.
8 Thereafter, the Clerk shall disburse \$10,384.61 to the Compliance Director on a biweekly
9 basis.³ The Court will order subsequent deposits each year that the Compliance Director
10 remains in place. Whenever the Compliance Director's service is terminated, the Clerk shall
11 disburse to the City the balance of funds on deposit in the registry, including any earned
12 interest.

13 As previously ordered, the Compliance Director shall also receive benefits
14 commensurate with those of the Chief of Police and City Administrator, including any leave
15 or benefits that may be used or cashed out. The Compliance Director and the City
16 Administrator shall reach an agreement concerning benefits no later than **March 25, 2013**.
17 Nothing in that agreement shall alter the Compliance Director's status as an agent of the
18 Court, and not an employee of or contractor to the City. If the City wishes to designate a
19 different individual who will be responsible for reaching agreement with the Compliance
20 Director, it must file a statement with the Court designating that individual on or before
21 **March 11, 2013**.

22
23
24 ²The Court requires funds to be deposited by wire because of the time required for
25 checks to clear and so that the Compliance Director can be paid within one month of the
26 effective date of his appointment. If the City prefers to deposit a portion of the funds by wire
and a portion by check, at least \$45,000 must be deposited by wire. The City must deposit
the entire \$270,000 – whether by wire or by a combination of wire and check – no later than
March 25, 2013.

27 ³To account for rounding, the Clerk shall include in the last biweekly disbursement for
28 each twelve-month period the remaining balance of the principal deposited for that year's
salary.

1 Any staff for the Compliance Director shall, upon the Court's approval, also be paid
2 through the Court's registry. The City shall pay directly for all other costs related to the
3 Compliance Director's work.

4
5 **IT IS SO ORDERED.**

6
7 Dated: 03/04/13



8 THELTON E. HENDERSON, JUDGE
9 UNITED STATES DISTRICT COURT

Thomas C. Frazier

Frazier Group, LLC
P.O. Box 50218
Baltimore, Maryland 21210
410-433-8909
tfrazier27@gmail.com

Professional Experience

2001-present	Frazier Group LLC	President
--------------	-------------------	-----------

Founder and CEO of a global consulting firm providing customized services to clients in the government, corporate, and nonprofit sectors. Establish and oversee advisory, intervention, and study teams working in the areas of strategy development, executive management, operations, administration, organizational assessment, executive search, and civil rights compliance. Develop innovative, cost-efficient programs, proposals, and curricula. Established and developed a nationally recognized team of subject matter experts. Frazier Group, LLC, has served clients including the Department of Homeland Security, NASA, Johns Hopkins University, U.S. Department of Justice, State of Sao Paulo (Brazil), National Association of Public Administrators, and the Cities of Philadelphia, Boston, and Louisville. Served as a Federal Monitor of the Consent Decrees of both the Cities of Los Angeles and Detroit, leading the assessment of training and force encounters. As an expert in Fusion Center operations and assessment, visited and assessed dozens of centers across America. Taught Suspicious Activity Reporting (nationwide SARS Initiative) to police chiefs and sheriffs across the country.

From 2001 to 2010, served as Executive Director of the Major Cities Chiefs Association (MCCA), one of the nation's oldest and most influential law enforcement organizations. This association represents the chief executives of the 70 largest law enforcement agencies in the United States and Canada. Supported the Board of Directors of MCCA in responding to critical issues, coordinated MCCA activities and promoted relationships among member agencies, the National Sheriffs Association, the Major County Sheriffs Association, the International Association of Fire Chiefs, DHS Grants Administration, DHS Intelligence and Analysis, the Department of Justice, and represented MCCA in matters before Congress and the White House.

Served as the MCCA representative to policy councils on Intelligence Led Policing, Suspicious Activity Reporting, the Senior Law Enforcement Interagency Advisory Group, ODNI Partners Group, the Fusion Center Management Group, the Criminal Intelligence Coordinating Council, the Global Intelligence Working Group, and the MCC Intelligence Commanders Group. Responsible for leading delivery of the Chief Executive Officers Briefings to State and Regional Chiefs and Sheriffs on Suspicious Activity Reporting, and the value of the nation's Fusion Center network. Held face-to-face issue meetings with Attorney General Eric Holder, Secretary of DHS Janet Napolitano, White House and Congressional staff, and former attorneys general and Presidential appointees.

1999-2001 Office of Community Oriented Policing Services Director
 U.S. Department of Justice

As a Presidential appointee, directed all administration and operations of one of the primary granting agencies of the Department of Justice. Established new initiatives and policies to foster community oriented policing as the foundation on which to advance law enforcement's involvement in sustaining viable communities. Implemented one of the largest grant programs in the history of the Justice Department, an \$8.8 billion dollar allocation to hire and support 100,000 new police officers nationwide. Identified key national issues in crime and order maintenance, law enforcement ethics, support of Indian Country, and providing funding support to public safety agencies to address current issues. Provided guidance and technical support to the Attorney General of the United States and Associate Attorney General in matters related to public safety and community oriented policing. Served as liaison to federal agencies, state and local law enforcement agencies, private foundations, and nonprofit organizations on behalf of the COPS Office, White House, Attorney General, and Associate Attorney General.

1994-1999 Baltimore Police Department Police Commissioner

Directed all administration and operations of the nation's ninth largest police department, with over 3,100 officers and 600 civilian personnel serving an urban population of over 650,000. Decreased the crime rate every year. Established an organizational commitment to community policing. Led the modernization of department technology and support systems. Significantly increased the number of women and minority officers throughout the ranks and in every specialty unit. Established innovative programs in domestic violence, crime prevention, patrol, and training. Streamlined the agency and reduced the hierarchy by eliminating three ranks. Increased federal grant funding for departmental activities. Developed new partnerships and community initiatives with the faith, business, and nonprofit communities. Established the nation's second largest Police Athletic League, serving 10,000 young people. Established the Baltimore Police Foundation.

1994-present Johns Hopkins University Executive in Residence
 Division of Public Safety Leadership

Senior Lecturer in the Johns Hopkins University, School of Education, Division of Public Safety Leadership, which provides graduate and undergraduate curricula for senior public safety personnel. Provide instruction in courses relating to community development, leadership and organizational behavior, case studies, crisis communication and management, and intelligence collection and fusion. Serve as a member of the Division's program development and design team.

1967-1994

San Jose Police Department

Deputy Chief of Police

Promoted through the ranks from patrol officer to Deputy Chief of Police in 33rd largest police department in the nation, with over 1,400 officers. (San Jose is the nation's 10th largest city.) Served as Commander in each of the department's four bureaus including Field Operations, Investigations, Administration, and Technical Services. Established community oriented policing as a foundation for all services. Served as commander of the Special Operations Division, Mobile Emergency Response Group, and the Research and Development Unit. Served as Special Assistant to the City Manager, including an extended assignment to investigate a large investment fund loss.

Education

Master of Science	Major: Administration of Criminal Justice	San Jose State University
Bachelor of Science	Major: Social Sciences	San Jose State University
National Executive Institute		Federal Bureau of Investigation
Advanced Certificate		California POST

Military

- U.S. Army Intelligence Officer, 1st Lieutenant, Vietnam
- Commanded the 501st Military Intelligence Detachment, Fort Hood, Texas
- Awarded the Bronze Star, the Air Medal, and the Combat Infantryman's Badge

Boards, Appointments

- President, Board of Directors, Police Executive Research Forum
- DHS Fusion Center Management Group
- ODNI Partners Group
- DHS Senior Law Enforcement Interagency Advisory Group
- DOJ/BJA Criminal Intelligence Coordinating Council
- Executive Committee, Interagency Threat Assessment and Coordination Group, National Counter-Terrorism Center.
- Global Justice Advisory Committee, USDOJ
- Chair, Executive Committee, Baltimore/Washington High Intensity Drug Trafficking Area (HIDTA)
- National Community Oriented Policing Resource Board (COPS)

- Board Member, Mid-Atlantic Regional Community Policing Institute
- Member, MD. Lt. Governor's and Attorney General's Family Violence Council
- Former Chair, MD. Governor's Community Oriented Policing Subcommittee
- Former Chair, MD. Governor's Juvenile Justice Subcommittees
- Co-Chair, MD. Governor's Council on Criminal and Juvenile Justice

Professional Organizations

- International Association of Chiefs of Police
- FBI National Executive Institute Association
- Police Executive Research Forum
- National Organization of Black Law Enforcement Executives
- Maryland Chiefs of Police
- Texas Chiefs of Police Association
- Texas Sheriffs Association

Awards and Honors

- 2001 - Edmund J. Randolph Award for Outstanding Service, United States Department of Justice
- 2000 - Brigadeiro Tobias Honor Medal, Police of the State of Sao Paulo, Brazil
- 1999 - IACP Webber-Seavey Award for Quality in Law Enforcement
- 1998 - John Jay College Man of the Year
- 1996 - President's Award, Fullwood Foundation
- 1996 - Make A Difference Award, Baltimore Chamber of Commerce
- 1996 - Outstanding Citizenship Award, Baltimore Commission on Aging and Retirement

Community Service

- Commissioner, Los Gatos PAL Soccer, 500 Youth Players
- Vestry, Episcopal Church of the Redeemer, Baltimore, MD.
- President, Blythewood Neighborhood Association, Baltimore, MD.
- Board of Directors, Chesapeake Bay Outward Bound
- Vestry, St. Luke's Episcopal Church, Los Gatos, CA.
- Rector Search Committee, St. Luke's Episcopal Church, Los Gatos, CA.
- Coach, Towson Recreation Girl's Soccer, Baltimore, MD.
- Advisor, Baltimore Police Athletic League
- Board of Directors, Baltimore Municipal Employees Credit Union
- Advisor, Signal 13 Foundation, Baltimore Police Department
- Board of Directors, Baltimore Council, Boy Scouts of America
- Board of Directors, Baltimore Substance Abuse System
- Board of Directors, Chesapeake Bay Outward Bound