



CITIZENS' POLICE REVIEW BOARD

Meeting of Thursday, July 9, 2015 - 6:15 P.M.

City Council Chambers, Third Floor

ONE FRANK H. OGAWA PLAZA, OAKLAND, CALIFORNIA

(510) 238-3159

Attachments

I.	Call to Order		
II.	Roll Call		
III.	Minutes		
	A. June 25, 2015		1
IV.	Special Presentation – Independent Board Counsel Candidates		
	A. Attorney Roseann Torres	(10 Minutes)	2
	B. Attorney Meredith Brown	(10 Minutes)	3
	C. Attorney Elena Condes	(10 Minutes)	4
V.	Open Forum	(10 minutes)	
VI.	Director's Report	(5 minutes)	
	A. Announcements		
	B. Pending Cases as of July 2, 2015		5
VII.	Agenda Discussion	(5 minutes)	
VIII.	Policy Recommendation Status Report (Dr. Timothy Knight)	(15 minutes)	
IX.	Presentation – Project BACK (Bringing Alliances Creating Kinship) (Mr. Frank Clayton)	(45 minutes)	
X.	Statement for Outgoing Commissioners	(5 minutes)	
XI.	Closed Session: New Business	(30 minutes)	
	A. Cases Proposed for Administrative Closure / Pursuant to Ordinance No. 12454 C.M.S. section 6, paragraph G subsection 9, hearing would		

not facilitate the fact-finding process and that no good cause is shown for further action.

1. Based on the findings of the investigation

Case No. 14-0761, Anthony R. Peters

- a. Complainant's Comment
- b. Staff Report
- c. Discussion
- d. Action

Complainant alleged an improper arrest and that he was not immediately told why he was arrested. Complainant also alleged that he did not have access to his wallet while in jail so he could access bail money, that the police lost his driver's license, and that he was raped while incarcerated in Santa Rita jail.

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegation #1 as the investigation reveals that the act or acts which provided the basis for the complaint occurred, however the acts were justified, lawful and/or proper and not violations under law and/or departmental policy.

The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegation #2 as the investigation disclosed sufficient evidence to determine that the alleged conduct did not occur.

The CPRB staff recommends administrative closure of this complaint with a finding of **Sustained** to allegation #3 as the investigation reveals that the alleged conduct did occur and was in violation of law and/or Oakland Police Department rules, regulations, or policies. OPD has already issued discipline to subject officer. The CPRB does not recommend further discipline or action against the subject officer as the action was not intentional or deliberate.

The CPRB staff recommends administrative closure of this complaint on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

Case No. 14-0713, Etta Johnson

- a. Complainant's Comment
- b. Staff Report
- c. Discussion
- d. Action

Complainant alleged that an OPD officer improperly issued her a ticket for battery.

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegation #1 as the investigation reveals that the act or acts which provided the basis for the complaint occurred, however the acts were justified, lawful and/or proper and not violations under law and/or departmental policy.

The CPRB staff recommends administrative closure of this complaint on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

Case No. 14-0620, Stanford Cornelius

- a. Complainant's Comment
- b. Staff Report
- c. Discussion
- d. Action

Complainant alleged that OPD officers used excessive force in removing his girlfriend from the bed as they arrested her, while she was in her underwear and without a female officer present. Complainant also alleged the OPD officers did not advise why they were arresting the girlfriend.

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegation #1 as the investigation reveals that the act or acts which provided the basis for the complaint occurred, however the acts were justified, lawful and/or proper and not violations under law and/or departmental policy.

The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegation #2 as the investigation disclosed sufficient evidence to determine that the alleged conduct did not occur.

The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegation #3 as the investigation disclosed sufficient evidence to determine that the alleged conduct did not occur.

The CPRB staff recommends administrative closure of this complaint on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

Case No. 14-0865, Eugene B. Yates

- a. Complainant's Comment
- b. Staff Report
- c. Discussion
- d. Action

Complainant alleged that OPD's show of force response by blockading the protest march was unnecessary, counter-productive, and totally unacceptable and the officer in charge should be admonished.

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **No Finding** to allegation #1 as this is a service complaint based on a policy decision made by the Incident Commander and Command staff of OPD. Because this complaint does not involve officer misconduct, there is no Manual of Rules violation.

The CPRB staff recommends administrative closure of this complaint with a finding of **Not Sustained** to allegation #2 as the investigation disclosed sufficient evidence to prove or disprove that the alleged conduct occurred.

The CPRB staff recommends administrative closure of this complaint on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

B. Pending Cases for Administrative Hearing Discussion

- XII. Open Session
Disclosure of non-confidential closed session matters (5 minutes)
- XIII. Adjournment

NOTE: Meetings of the Citizens' Police Review Board are accessible. Individuals requesting alternate format materials and/or auxiliary aids and services must do so no later than five working days before the scheduled meeting date, otherwise it may not be possible to arrange a specific accommodation. Such requests should be addressed to the Citizens' Police Review Board, 250 Frank H. Ogawa Plaza, 6th Floor, Suite 6302, Oakland, CA 94612, or by telephone by calling (510) 238-3159 ; TTY/TDD (238-2007).

Because some persons are sensitive to certain chemicals, persons attending this meeting are requested to refrain from wearing scented products.

CPRB MISSION STATEMENT

The Citizens' Police Review Board strives to provide the community with a public forum to voice its concerns on policy matters and individual cases alleging police misconduct, through a mechanism of independent, impartial, fair, and transparent civilian oversight.