



CITIZENS' POLICE REVIEW BOARD

Meeting of Thursday, July 23, 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. July 9, 2015	1
IV. Open Forum	(10 minutes)
V. Director's Report	(5 minutes) 2
A. Announcements	
B. Pending Cases as of July 16, 2015	
VI. Agenda Discussion	(5 minutes)
VII. Presentation – 100 Black Men of the Bay Area, Inc. (Mr. Frank Tucker/Mr. Daryle Whyte)	(30 minutes) 3
1. Public Comments	
2. Discussion	
3. Action	
VIII. CPRB Special Committee Reports	(10 minutes)
A. Outreach Planning	
1. General Updates	
2. Public Comment	
3. Next Meeting	
B. Transparency and Legislation	
1. General Updates	
2. Public Comment	
3. Next Meeting	

- IX. Discussion – Criteria for Evidentiary Hearing Selection (10 minutes) 4
(Executive Director Anthony Finnell)
 - 1. Public Comments
- X. Statement for Outgoing Commissioners (5 minutes)
- XI. Closed Session: New Business (90 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. 14-0722, Irvin Olmedo

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

- Complainant alleged that OPD officers used excessive force after he was already in handcuffs and that officers did not read him his Miranda rights.

- Rationale for administrative closure** – The CPRB staff recommends administrative closure of this complaint with a finding of **No Finding** to the allegations as the complainant did not cooperate with the CPRB Investigation.

- Case No. 14-0724, Gentry McCreary

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

- Complainant alleged that OPD officer did not arrest the suspect, who is White following an assault on complainant, although the complainant requested a citizens' arrest. Complainant, who is Black, also alleged if he had been the suspect then he would have been arrested.

- 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.

2. No Jurisdiction

Case No. 14-0749, Christopher Whiteman

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

Complainant alleged that an unknown OPD officer almost caused a three-car accident while carelessly merging into the freeway from an on-ramp.

Rationale for administrative closure – It has been determined that the driver of the subject vehicle was not a sworn Oakland Police officer, therefore the CPRB has no jurisdiction to make disciplinary recommendations as to the subject employee.

B. Evidentiary Hearing, CPRB Case #15-0218, Desley Brooks

- a. Public Comment Prior to the Commencement of the Closed Hearing
- b. Closed Hearing
- c. Closed Session Deliberations

C. Pending Cases for Administrative Hearing Discussion

D. Discussion – CPRB Commissioners
(Chairman Sokhom Mao)

- 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.