

ATTACHMENT 1

**CITIZENS' POLICE REVIEW BOARD
MEETING OF THURSDAY, July 9, 2015 – 6:15 P.M.
City Council Chambers - Third Floor**

I. CALL TO ORDER BY CHAIR MAO at 6:25 P.M.

II. ROLL CALL AND ATTENDANCE

Present: Chair Sokhom Mao
Commissioner Brian Bingham
Commissioner Lawrence Brisco
Vice-Chair Chris Brown
Commissioner Thomas Cameron
Commissioner Howard Tevelson
Commissioner Almaz Yihdego

Anthony Finnell, Executive Director
Timothy Knight, Policy Analyst
Karen Tom, CPRB Investigator
Joan Saupe, CPRB Investigator
Victoria Urbi, CPRB Investigator
Andrew Lee, CPRB Investigator

Absent: Nikki Greer, CPRB Investigator

III. APPROVAL OF MINUTES – ACTION ITEM

Assata Olugbala made comments regarding contents of minutes. Chair Mao asked Director Finnell to address the issue with Ms. Olugbala.

A. June 25, 2015

**A motion was made by Commissioner Cameron to accept the minutes.
Commissioner Bingham seconded. The Board voted unanimously.**

IV. SPECIAL PRESENTATION – INDEPENDENT BOARD COUNSEL
CANDIDATES

Chair Mao welcomed all candidates to the Citizens' Police Review Board.

Director Finnell reported that each Board Counsel candidate will have ten minutes to present to Commissioners of the Board on what their vision is, their experience and how they feel they can bring a positive impact to this Board. A short time at the end of each presentation will be given for Commissioners to ask questions. The Commissioners were provided forms and they will make their notations on the forms. The information will be presented to City Attorney Barbara Parker to make the final decision.

A. Attorney Roseann Torres

Ms. Torres gave her presentation.

Commissioner Bingham and Vice-Chair Brown raised several questions.

B. Attorney Meredith Brown

Ms. Brown gave her presentation.

Chair Mao, Vice-Chair Brown and Commissioner Yihdego raised several questions.

C. Attorney Elena Condes

Ms. Condes gave her presentation.

Commissioners Bingham and Brisco and Director Finnell raised several questions.

V. OPEN FORUM

Chair Mao announced that there are several speakers this evening and each person is allowed two minutes to give comments. The speakers are as follows: Mary Vail, Rashidah Grinage, There were seven speakers and each gave comments: Rashidah Grinage, Assata Olugbala, Etta Johnson, Renata Murry, Al Marshall and Dana Lanza.

VI. DIRECTOR'S REPORT
(Anthony Finnell)

A. Announcements

The Director's Report was not included in the Agenda Meeting Packet. Director Finnell reviewed the handout (Report submitted with these minutes as No. 1).

Comments were made by speakers Mary Vail, Rashidah Grinage and Assata Olugbala.

Comments were made by Commissioners Bingham and Yihdego.

B. Pending Cases as of July 2, 2015

Director Finnell reported that as of July 9, 2015, there are 87 CPRB cases: 79 are active cases, 2 cases pending closure, 6 tolled cases, and 1 Evidentiary Hearing, Case #15-0218 scheduled on 7-23-15 (included in active cases total). Since the last report was given on June 25, 2015, one new case was added.

VII. AGENDA DISCUSSION

Vice-Chair Brown proposed to postpone reading a statement from the Board thanking Commissioners who have left the Board for their service.

Chair Mao ordered that Item X. (Statement for Outgoing Commissioners) be placed on the July 23, 2015 Agenda.

VIII. POLICY RECOMMENDATION STATUS REPORT
(Dr. Timothy Knight)

Dr. Timothy Knight presented the Report.

The Report was not included in the Agenda Meeting Packet. Dr. Knight reviewed the handout of the Policy Recommendations – Aggregated: 2001-2014 (Report submitted with these minutes as No. 2).

Comments by Commissioners Tevelson and Yihdego referencing the wonderful report.

IX. PRESENTATION – PROJECT BACK (BRINGING ALLIANCES CREATING KINSHIP)
(Frank Clayton)

The history, etc. of the Project was presented by Frank Clayton. CPRB Director Finnell reported that he started with outreach with the Project, especially the youth. In conversations with Frank Clayton, Mr. Clayton wanted to have a series of forums for youth in Oakland and that was also his vision. As they began to work further, they developed more partners (each partner represents a different organization within the community – that is the strength of this Project, the collaboration between all the community partnerships). The partners introduced themselves and the organizations they represent (Mark Smith, Angela Zusman, Chantal Reynolds, Barbara Howard, and Melvin Cowan).

A video was shown (AIA students away at a summer program sharing their experiences with OYPCF; the students wished they could have been at tonight's meeting to speak before the Board).

Questions and comments from the Board followed the presentation.

Information/Handout pertaining to Project BACK was not included in the Agenda Meeting Packet. (Report submitted with these minutes as No. 3).

Chair Mao left the meeting at 8:30 p.m. and Vice-Chair Brown took over the meeting.

X. STATEMENT FOR OUTGOING COMMISSIONERS

Chair Mao ordered that the Item be placed on the July 23, 2015 Agenda.

XI. CLOSED SESSION: NEW BUSINESS (Convened at 8:51 p.m.)

Vice-Chair reported that there is a change to the Agenda as follows: Case No. 14-0713, Etta Johnson will be heard prior to Case No. 14-0761, Anthony R. Peters.

- 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. 14-0713, Etta Johnson

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

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

Case No. 14-0761, Anthony R. Peters

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

Complainant alleges an improper arrest and that he was not immediately told why he was arrested. Complainant also alleges 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.

Case No. 14-0620, Stanford Cornelius

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

Complainant alleges 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 alleges the OPD officers did not advise why they were arresting his girlfriend.

Case No. 14-0865, Eugene B. Yates

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

Complainant alleges 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.

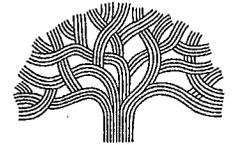
The Board reconvened open session at 9:14 p.m.

XII. OPEN SESSION DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION MATTERS.

BY MOTION AND VOTE IN OPEN SESSION, BOARD ELECTS EITHER TO DISCLOSE NONCONFIDENTIAL INFORMATION OR TO DISCLOSE CONFIDENTIAL INFORMATION THAT THE MAJORITY DEEM TO BE IN THE PUBLIC INTEREST.

XIII. ADJOURNMENT

The Board adjourned at 9:16 p.m.



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City Administrator's Office
Citizens' Police Review Board

(510) 238-3159
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7/9/15

Director's report

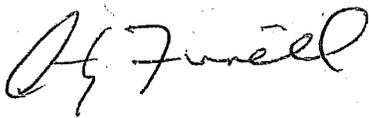
- Met with Dr. Eberhardt and members of her team on Monday, June 29th to continue the discussion on data collection for the CPRB and also how the CPRB can best use the information learned from the Stop Data research she is conducting. Very productive meeting and we will continue working together to achieve this goal.
- Dr. Knight and I presented to the OPD's Neighborhood Services Staff on July 7, 2015. They were very receptive and have begun scheduling outreach opportunities for the CPRB to present to NCPC's in Oakland.
- Status update: Consolidation of Intake Technicians
I continue to work with Employee Relations as they conduct the Meet/Confer with the OPOA. I requested to meet and confer with OPOA and they refused to negotiate directly with me on this or any other matter, choosing to deal with the city's representatives from Employee Relations. I have advised Employee Relations that the due date for completion of this phase of the transition is July 20, 2015. In the interim, I am working on other aspects of the consolidation to include identifying the work space needed, IT needs, and staffing needs. My plan is to begin the hiring process for Intake Technicians on or about July 21, 2015.
- Three of the CPRB Investigators will be out of the office for training from July 13 – July 17, 2015. Upon completion of the weeklong training, they will become certified to conduct mediations as part of the CPRB Mediation Program. This will provide the CPRB with four certified mediators.
- An oral interview board will convene on or about July 29, 2015, for candidates for the Policy Analyst position within the CPRB.
- Please plan to attend the Public Safety Committee meeting, Tuesday, July 14, 2015. Start time is 5:30p. Several reports and recommendations will be presented regarding the 100 Black Men of Oakland Informational request.

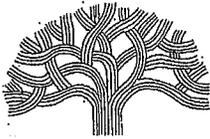
- o The CPRB will have a table for the Art and Soul Festival, August 1 and 2, 2015 from 12 noon-6p each day.
- o I will present to the Citizens' Police Academy Alumni Association, Aug. 5, 2015, at the Eastmont Substation, from 6p-8p.

Ch. Farrell

- Upcoming CPRB Presentations and Events:
 - The CPRB will present to members of the Cantonese speaking community on Friday, July 10, 2015, at 11:00 am, at 1633 Harrison St., Harrison St. Senior Housing.
 - I will present to the combined beat 33X & 34X NCPC meeting, held at the Eastmont Substation, 6p-8p on July 15, 2015.
 - I will present to the combined beat 26X & 26Y NCPC meeting, held at the Eastmont Substation, 6p-8p on July 16, 2015.
 - The CPRB Bylaws Retreat will be held on Saturday, July 25, 2015, from 10a-2p in the City Council Chambers.
 - I will present to the beat 27Y NCPC meeting, held at the Eastmont Substation, on July 30, 2015 from 6:30p-7:30p.
 - The CPRB will have a table for the Art and Soul Festival, August 1 and 2, 2015 from 10a-6p each day.
 - I will present to the Citizens' Police Academy Alumni Association, Aug. 5, 2015, at the Eastmont Substation, from 6p-8p.

I feel strongly that as a public servant it is my duty to report to the Board and to the community my personal goals and accomplishments for the CPRB. The attached represents the achievements of the staff, the Board, and of me during my first year of service as your Executive Director.

A handwritten signature in black ink, appearing to read "A. J. Farrell". The signature is written in a cursive, flowing style.



**CITY OF OAKLAND
CITY ADMINISTRATOR'S OFFICE
CITIZENS' POLICE REVIEW BOARD**

250 FRANK H. OGAWA PLAZA * 6TH FLOOR * OAKLAND, CA 94612 * 510-238-3159 * FAX 510-238-7084

July 7, 2015 marks the one year anniversary of my start date as the Executive Director of the Citizens' Police Review Board (CPRB). Prior to my first day as the Executive Director I had created a list of some of the things I wanted to accomplish within the CPRB and the Oakland community during my first year on the job. Shortly after my arrival a performance plan was drafted which mirrored the list I had previously created. As we move into the 2nd year of my functioning in this role, I wanted to review and highlight the achievements gained collectively within the CPRB.

I. Increase the CPRB's capacity to serve more residents within the city of Oakland by:

- a. **Increasing the number of investigators and support staff** – As of July 1, 2015, we have increased our staff of investigators from two (2) to five (5); as well as hired a permanent Office Assistant II. Add to these numbers one (1) Policy Analyst and two (2) part-time senior Assets personnel and our capacity to better serve the community has increased. It is my expectation that by the end of 2015 the CPRB will also add three (3) full time intake technicians to support the consolidation of all civilian walk-in complainants from OPD IAD to the CPRB.
- b. **Making sure the community is aware of the services CPRB can and cannot provide by attending community events; church groups; and youth events to spread the message of CPRB** – We have attended numerous community events and activities throughout Oakland where we have educated the community about the services of the CPRB. These events include CPRB sponsored community forums at churches and libraries throughout Oakland; participation in National Night Out, Art and Soul, and the Juneteenth Festival, by attending neighborhood block parties and sponsoring tables to provide literature to citizens as well as receive information from the community. Our outreach efforts include presentations at various NCPC meetings throughout Oakland in an ongoing basis.
- c. **Making sure the investigators are trained and the training is consistent by working to develop training opportunities to include OPD Training staff, ride-alongs, outside vendors, and in-service training** – Investigators and staff has attended training, both locally and across the country. Investigators received training alongside OPD supervisors during their annual in-service CPT training conducted by the OPD Training Dept. Investigators and I attended the Annual National Association of Civilian Oversight of Law Enforcement (NACOLE) Conference in Kansas City, MO. Staff and I attended NACOLE training in

Seattle, WA in February, 2015, as well as specialized investigative training, hosted by LAPD in Los Angeles, CA during the same month. We plan to attend the 2015 annual NACOLE conference in Riverside, CA in October, 2015. I take full advantage of any local and regional training opportunities for the staff in order to provide them with the best tools available to do their jobs.

d. Making sure the Board is operating at its best; utilizing each member's talents to the fullest

i. **Board retreat or a series of mini board retreats to build rapport and cohesiveness** – The first Board retreat will be held on Saturday, July 25, 2015. I have conducted several smaller training sessions for the board in an effort to make our hearing process more efficient and effective.

e. Creating SOP's and Bylaws for CPRB for a more efficient operation

i. **Identify CPRB strengths and weaknesses** – Completed and now including what was learned in the Strategic Plan. The Strategic Plan is not complete, but it is expected to be completed by the end of the summer, 2015. Once completed, it will provide the blueprint for the CPRB to strengthen itself internally and create the capacity to assume greater responsibility within civilian oversight of OPD.

ii. **Standardize processes once I have identified the workflow process** – Currently underway with the development of the Administrative General Orders (AGO). The AGO's currently prepared address methods to improve the investigative processes with the goal of completing an investigation sooner thus allowing the board ample time to review the findings and reach a determination.

iii. **Developing Board Bylaws** – The purpose of the retreat is to finalize the bylaws for the board. The board recognizes it needs structure and bylaws will provide the framework from which to build upon and also add credibility to the board processes.

f. Improving the IT capacity; data collection and data analysis – Purchased and installed a new server; updating the current website; currently analyzing website traffic to determine where information should be placed to reach the largest audience.

i. **Develop a more digital, standardized computer system; case management system** – Currently working with IT to develop an intake and case management system that can integrate with OPD IAD. This will allow the investigators to have access to the information and reports they need in a timely manner as well as make sure both departments have the most up-to-date information on complaint data.

ii. **Data collection and data analysis** – The CPRB is working closely with Dr. Jennifer Eberhardt and her research team to create an effective data collection process for all incoming CPRB complaints, as well as a pre- and post-survey for complainants. We expect the data collected to help the CPRB provide the community with the best services possible in the

immediate future, as well as be extremely useful in OPD policy recommendations on an ongoing basis.

- g. Make a more efficient intake-to-case closure time frame-resolve the cases as quickly and efficiently as possible (especially with a desire to increase community response)** – Currently underway with the current status of intake; but should improve drastically once the consolidation is completed. At the present time, OPD IAD provides me with the complaints they receive on a daily basis. Prior to February, 2015, this was not occurring. The result of this is the CPRB is able to view more complaints and begin investigations sooner, (usually within 48 hrs. of receiving the complaint) allowing for a more thorough investigation to occur.

II. Increase Community relations by:

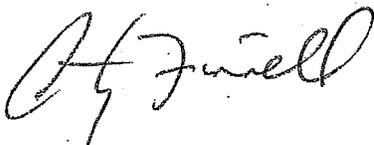
- a. Working to build upon CPRB/Community Relations by being inclusive of all stakeholders** – I have attended community forums, which are not directly related to the work we do, but provide an opportunity to educate citizens about the CPRB and to build alliances and collaborate with other civic agencies within the city of Oakland. Areas where the CPRB is working to strengthen relationships include the Asian/Chinatown community, the religious/clergy community, and community youth organizations within the City Of Oakland.
- b. Continuing to build on the relationship between CPRB and OPD**
 - i. Develop working relationships with OPD Chief, IAD and Training** – On-going process; I was a part of the OPD's Strategic Planning Team; and I have regular contact with the OPD Chief and members of his command staff. My staff participated in the OPD selection process for police officer candidates by serving as interviewers on the oral interview boards.
 - ii. Assist in improving OPD/Community relations by including OPD in our forums and community event attendance** – Included OPD in a collaborative youth forum with several organizations to include BART police, BART Office of Independent Auditor, Alternatives In Action School, and other civic organizations in the Bay Area.

This is just a snapshot of what has been occurring during my first year on the job. I feel I have exceeded the proposed achievements listed within my performance plan for 2014-2015. Those achievements include:

- Enhance and maintain community awareness of CPRB Services
 - Attend and conduct community events, forums, town hall meetings
 - Update website with current CPRB information, hearing process and Strategic Plan
- Enhance and maintain CPRB functions
 - Hire 2-3 additional complaint investigators and a full-time Office Assistant
 - Improve and maintain board hearing process
 - Create and maintain CPRB Strategic Plan
 - Maintain a presence within OPD's Strategic Planning, hiring, promotional and review board processes
- Develop and maintain training opportunities for CPRB staff and board
 - Utilize OPD's Training staff and outside vendors for CPRB staff and board training
 - Conduct a retreat for board development
- Create and maintain SOP's for impartial/neutral/unbiased investigations
 - Standardize processes for more efficient case management from intake to case resolution
- Establish and maintain IT capabilities
 - Upgrade server
- Establish and maintain CPRB reporting
 - Develop and maintain data collection to provide data analysis
 - Enhance and maintain OPD policy analysis and recommendation

I am excited as to what the next year will look like for the CPRB. I am confident the future will be bright as the board, community, and the CPRB staff continues to work hand-in-hand addressing the issue of police oversight and police accountability in the city of Oakland. There is still so much work which needs to be completed, but together we will succeed.

Sincerely,



Anthony W. Finnell, Sr.
Executive Director

OYPCF Policy Recommendations

**Produced by Alternative in Action High School Students, OPD and BART
Officers for Project B.A.C.K.
Spring 2015**

1. Partnership between OUSD, OPD, Mayor's Office and BART- to organize Personal Rights Education class taught by officers and teachers for all Freshman in high school as part of their sociology or government related classes.
2. Informed Stop Clause- All stops resulting in mistake in identity or lack of credible consent or prolonged detainment are accompanied by an explanation of reason for initial stop and courtesy statement once individual(s) are released.
3. Community Training- all incoming officers field training include community outreach at schools and community centers. This policy would include all officers up for re-evaluation or every 2-4* years for veterans, as an attempt to stay connected to the community.

Project BACK

“This is what community outreach and organization is all about. When we involve youth in the process, then we start to effect meaningful change and progress!”

~Anthony Finnell, Citizens’ Police Review Board

The Need: One of the greatest factors eroding public safety and economic development in our country is the growing mistrust between community members and police officers, especially in low-income communities of color. A growing body of research documents the extent to which bias within police departments results in false arrests, police brutality, and ensuing erosion of trust between officers and community members. Yet police officers and at-risk youth share many similarities, including ongoing trauma exposure and negative perceptions perpetuated by media. By promoting healing and connection between youth and officers, amplifying a positive narrative about youth/officer relationships, and producing substantive policy reform based in community voices, we support and increase public safety and best practices for the young people, the police officers, and the communities they serve.

The Solution: Project BACK (Bringing Alliances Creating Kinship) is an innovative Connection and Collaborative Policy reform program that brings vital communication and civic engagement skills to at-risk high school students in East Oakland, an area with some of the highest unemployment and lowest academic outcomes in the state of California. Project BACK was designed and facilitated by Oakland Police Department’s Citizen Review Police Board, BART Police Auditor Team, City of Oakland, Frank Clayton Consulting, Story For All, Stay Alive Oakland, and Brilliant Minds, Inc. to provide a safe structure for youth and police officers to connect as human beings, dialogue about community challenges, and collaborate around policy reforms.

The Process: Six students from Alternatives in Action (AIA) High School, three Oakland police officers, and three BART police officers participated in a highly structured, expertly facilitated process to build connection and dialogue about their goals, challenges, and vision for a safer, more humane community. Youth and officers then co-created a series of recommended policies. The youth/officer team presented their recommendations to the student body and leadership of AIA high school, refined their recommendations based on student input, and worked with OPD’s policy advisor to craft and deliver a formal presentation to the Citizen’s Review Police Board. Project partners will track the progress of the policy recommendations, report back to the student body, and support policy implementation. The process is being documented, evaluated, and replicated.

The Goals:

1. Deepen sense of connection, respect, partnership and community leadership between youth and officers: “We are a team in keeping our community safe.”
2. Develop a sustainable, replicable process that fits within existing systems
3. Produce community (youth) and police-based policy recommendations
4. Enact and communicate policy recommendations

OYPCF Flow of Presentation Agenda

- ❖ **Story of Project and project overview (What/Why)** Frank
 - CPRB Involvement (Who/How) Anthony
 - B.I.A. Involvement Mark
 - Story For All Involvement Angela
 - City of Oakland Youth Commission Chantal
 - BH Brilliant Minds Inc. Barbara
 - Stay Alive Oakland Melvin/Ashley
 - Alternatives in Action High School* Phung
- ❖ **Conclusion of Story and Project outcomes (How/When)** Frank
- ❖ **Videos of Students/Mr. Gardner's Letter**
- ❖ **Testimony of Students and Officers Present*** TBA
- ❖ **Presentation of Policy Recommendations (Why)** Frank
- ❖ **Next Steps**
 - See the process through/policy implementation
 - Expansion with AIA
 - Solidify Funding for Replication
 - Promote the process, model, and impact
- ❖ **Q & A** Team

Survey Result Findings: **15 Respondents Broken into 3 working groups.**

Questions and Respondent Response Summaries

BACK: OYPCF Input Survey May6th, 2015

I found the policy recommendations talked about today very important to me and/or my community. 93.34% of those surveyed (15) Agreed or Strongly Agreed.

Today's forum helped me understand the process of creating policy. 86.67% of those surveyed (15) Agreed or Strongly Agreed.

When asked how do you see this policy impacting you personally? Response Trends:

A number of respondents stated that it would be a benefit to know one's own rights.

A number of respondents stated that appreciate having an apology.

One believed that there would be no change at all.

How do you see this policy impacting your community? Response Trends:

The community would feel safer, appreciated and respected. The community would know its rights. Fear of police would be reduced.

Do you think this policy will improve relationships between officers and community members? Why or why not?

Majority of respondents stated Yes. Some officers stop individuals and leave without apologizing. People would feel more respected and appreciated. It would help to build a bond, build trust, and show that one could be respectful of the other and vice versa.

One believed that it would not matter and another believed that someone would not care.

What additions, changes or suggestions can make this policy even more impactful?

Majority of respondents suggested that law enforcement communicate their intentions regarding why they are stopping an individual, and why law enforcement believes that the individual is in violation of the law.

Respondents suggested that the stated policy should be taught in schools and in their communities. Some respondents believed that the policy did not need to be changed.

What other policy ideas would you had liked to talk about today? Majority Responded:

*Children's Rights

*Change the how quickly law enforcement draws their guns and other weapons.

Policy Recommendations
Aggregated: 2001-2014

Citizens of Oakland and members of the CPRB,

During the June 25, 2015, Citizens' Police Review Board (CPRB) meeting, Commissioner Almaz Yihdego, with the consensus of the CPRB board of directors, requested a status update on past policy recommendations. This report is in response to that request.

Since 2001, the CPRB, according to annual, semi-annual, and quarterly reports, recorded 49 policy recommendations. The CPRB made 47 policy recommendations to Oakland Police Department Administrators (OPD). During the same period, the city administrator made one policy recommendation to OPD and the Citizens' Police Review Board (CPRB) made one recommendation to itself. The tenets of the CPRB's recommendation – to clarify a particular procedural matter – had been, upon further examination, clearly explicated in Oakland City Ordinance N. 12454 and therefore required no further action. Of the remaining recommendations, OPD adopted 23 in full, seven in part, and rejected six. One policy recommendation *exists in part*, six are in *pending status*, and five are classified *status unknown*, meaning that at the time of this report there was no immediately accessible information to indicate where, in the review process, each recommendation is located.

On July 8, 2015, I submitted rough a draft of my status report to CPRB Director Anthony Finnell for his review and feedback. After his review of the report, the two of us examined each recommendation and the corresponding OPD Departmental General Orders (DGO's). We gave particular attention to the policy recommendations that remain in process, under review, and under *status unknown*. On July 9th 2015, Director Finnell confirmed what the two of us theorized: OPD personnel, in place at the time that CPRB made what are now pending and unresolved recommendations, have since been reassigned or are otherwise predisposed. Director Finnell is in communications with OPD personnel to determine the status of those recommendations. Updates are forthcoming. Figure 1 illustrates the current trend in the policy recommendation process. Figure 2 presents a chronological record of CPRB policy recommendations.

Figure 1. Policy Outcome Chart

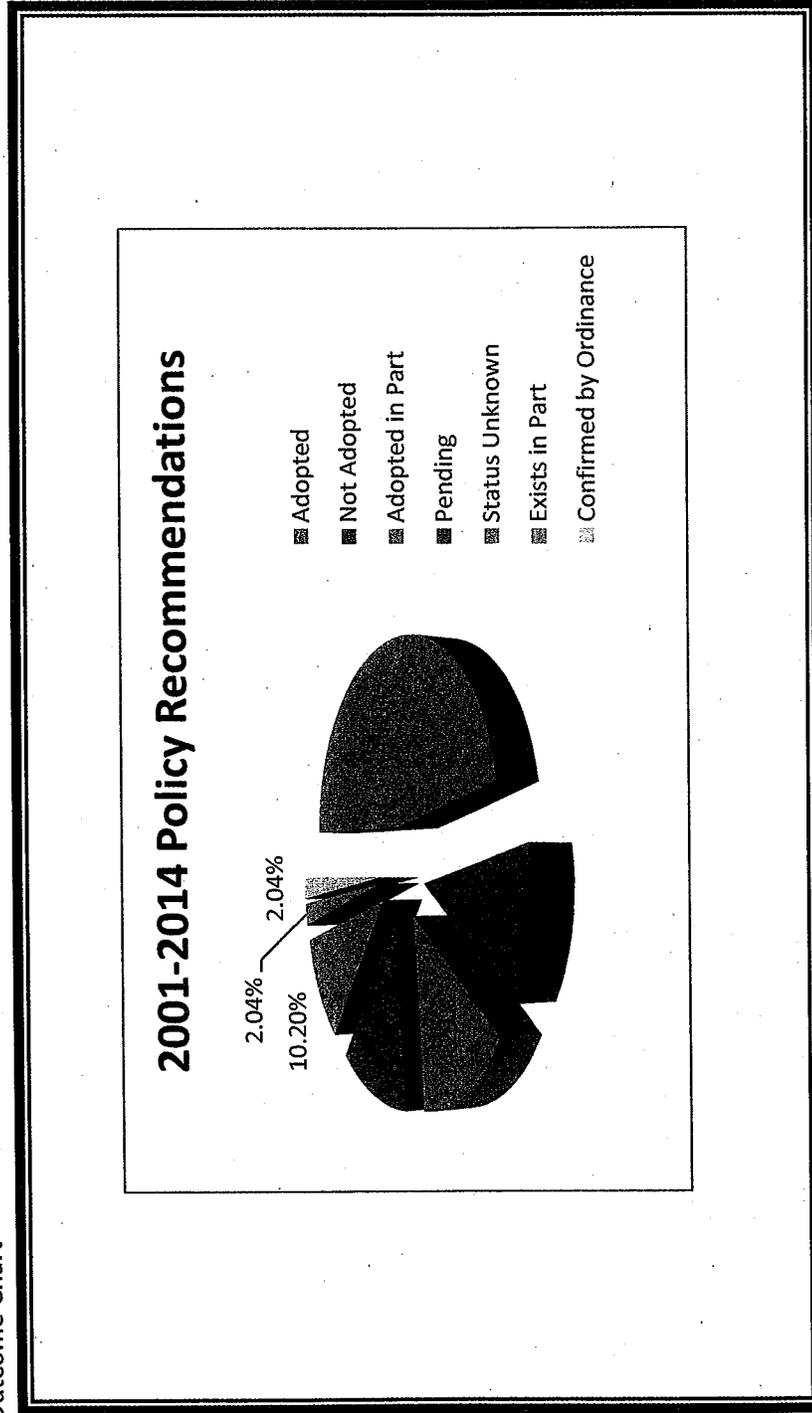


Figure 2. Policy Status Table

2001 Recommendations			
Incident	Recommendations	ODP Response	Status
OPD Hearing Attendance	1. The police department should revise General Order M-3 to provide clear direction to officers about their obligation to cooperate with CPRB, including giving interviews and attending Board hearings. The General Order should specify the grounds for being relieved from compliance with the CPRB subpoena to attend a hearing, e.g., for illness or injury and the procedures that must be followed.	Included in final draft of the General Order M-3.2.	Adopted (1)(1)
2002 Recommendations			
Incident	Recommendations	ODP Response	Status
5150 Policies	1. The police department should immediately train and inform its officers that if an officer is unsure of whether a person meets the criteria of section 5150, the officer has the option of telephoning the psychiatric emergency room at the John George Psychiatric Pavilion to obtain an expert medical opinion. All officers would be given cellular phones for this purpose.	Training complete, but unable to provide cellular phones.	Adopted in Part (2)(1)
	2. The police department should begin tracking information about 5150 detentions to determine the circumstances under which such detentions are made, the locations of these detentions, and the training needed by officers to correctly use section 5150 to detain individuals.	Declined – the current training is satisfactory given limited resources.	Not adopted (3)(1)
	3. The police department should work with the Alameda County Behavioral Health Department, the Alameda	Training is being conducted with a	Adopted in part (4)(2)

	County Sheriff's Department, community groups, and other interested parties to develop closer working relationships, to share resources, and to develop processes and procedures to address 5150 issues. Workshops should be publicly noticed and open to the public and should commence immediately.	member of the Alameda County Health Department/Mental Health Crisis Response Team as a co-instructor.	
	4. The police department should expand its officer training on mental illness and 5150 detentions to 40 hours. The 40-hour training program should occur post-Academy and should include training on distinguishing mental illness from mental retardation, which is not a ground for a 5150 detention.	The sergeants' training has been completed and the officers are receiving their training through continual professional training courses.	Adopted in Part (5)(3)
Searching Residences	1. Officers should be required to fill out a "notification" form when conducting warrantless searches. The chief of police should issue a special order revising departmental training bulletin I-O.3, which is entitled, <i>Legal Aspects of Searching Residences</i> , for the purpose of implementing this recommendation.	This recommendation will be considered in the issuing of business cards to all officers and in the future during the accreditation process.	Not Adopted (6)(2)
2003 Recommendations			
Incident	Recommendations	OPD Responses	Status
Anti-War Demonstrations	1. The police department should eliminate its use of wooden dowel.	Included in OPD Training Bulletin III-G	Adopted (7)(2)
	2. The police department should end its practice of using the sting grenade.	Included in OPD Training Bulletin III-G	Adopted (8)(3)
	3. The CPRB Executive Director and the Chief of Police should collaborate with community representatives to further work on revising OPD's crowd control policy.	Included in OPD Training Bulletin III-G	Adopted (9)(4)
Towing	1. The police department should draft a comprehensive training bulletin regarding procedures to be followed when vehicles have been towed – taking into consideration the age of the individual, the location of the tow, and the ability of the individual to relocate to a safe location. The training bulletin should also include the directive that an officer should offer the individual	Included in Special Order No. 8098	Adopted (10)(5)

	and passengers transportation to the Eastmont Substation or the Police Administration Building, whichever is closer, if leaving the individual or their passengers at the location of the tow would place them at risks of harm.		
2004 Recommendations			
Date/Incident	Recommendations	OPD Responses	Status
Carijama Festival	<ol style="list-style-type: none"> At the pre-incident planning meetings, include the Fire Department and ambulance personnel to support OPD's efforts to manage large crowds. The Board recognizes the vital role the ambulance and fire personnel play in situations of this nature. Utilize "First Aid Stations fixed and/or mobile and/or ambulance and fire personnel play in situations of this nature. Include, in the crowd control policy, considerations of: occupied buildings in the area, businesses, e.g. hospital, schools, senior centers, family restaurants, vehicular traffic, and age, health and mobility of those present. Officers must establish a presence commencing at the start of the event by having more community centered policing (e.g. talking with crowd) and by attempting to penetrate the crowd given officer safety. Private security must be part of the pre-incident planning meetings. In the pre-incident planning conduct a risk analysis of the event to determine the sufficient number of law enforcement and public safety personnel. As standard procedure, consider the use of multiple arrests before deploying chemical agents. Dispersal orders need to be given in a manner reasonably believed to be heard and understood by the intended audience including: documentation of the orders at time given and clear instructions on where 	<p>Included in OPD Training Bulletin III-G</p> <p>Included in OPD Training Bulletin</p> <p>Included in OPD Training Bulletin III-G</p>	<p>Adopted (11)(6)</p> <p>Adopted (12)(7)</p> <p>Adopted (13)(8)</p> <p>Adopted (14)(9)</p> <p>Adopted (15) (10)</p> <p>Adopted (16)(11)</p> <p>Adopted (17)(12)</p>

	people are to disperse when public transit is unavailable. Also included in the recommendations is the Oakland Police Department should obtain a better public address system and repeat their dispersal orders every city block.		
2005 Recommendations			
Incident	Recommendations	OPD Responses	Status
Ruses	1. The Board recommended OPD develop a policy regarding the creation, management, and implementation of ruses.	Declined	Not Adopted (18)(3)
2006 Recommendations			
Incident	Recommendations	OPD Responses	Status
Landlord/Tenant	1. The Board recommended OPD provide training to its officers on the landlord/tenant law.	Initial training occurred in officer line-ups and more formal training is being developed	Adopted in Part (19)(4)
2007 Recommendations			
Incident	Recommendations	ODP Response	Status
Vehicle Pursuits Policy Date/Incident	The CPRB engaged the public in a discussion on police vehicle pursuits in a policy hearing held on February 8, 2007. At this hearing, the Board proposed six policy recommendations to improve Oakland Police Department's policy on police vehicle pursuits. Those recommendations are summarized as the following: Recommendations 1. OPD should develop a more restrictive vehicle pursuit policy to permit the pursuit of fleeing suspects for "violent felonies only" based on a standard of reasonable suspicion. An exception should be mad for all misdemeanors firearm related violations. Officer can pursue under this exception based on a standard of probable cause.	Included in OPD Department General Order J-4 (May 30, 2007) Pursuits may be initiated when there is a reasonable suspicion that a person committed a felony or a firearms related offence, or is a dangerous driver under the influence (DUI) and when there is no immediate unreasonable	Adopted in Part (20)(5)

		threat to the public or the officer. The person must clearly exhibit intent to avoid arrest by refusing to stop.	
	2. OPD should increase the number of hours spent on teaching critical decision making skills.	Included in Departmental General Order J-4	Adopted (21)(13)
	3. OPD should review methods of officer accountability and compliance with pursuit policies.	Included in Departmental General Order J-4	Adopted (22)(14)
	4. OPD should review its pursuit tactics and technology for effectiveness and identify new technologies used by other jurisdictions.	Included in Departmental General Order J-4 (helicopter support) and Training Bulletin III-B.9 (May 30, 2007)	Adopted (23)(15)
	5. OPD should review the adequacy of its data collection and analysis regarding police pursuits.	Included in Departmental General Order J-4	Adopted. (24)(16)

	<p>6. CPRB proposed the creation of a Vehicle Pursuit Task Force with representatives from the CPRB, Community Police Advisory Board (CPAB), and People United for a Better Oakland (PUEBLO) as well as other community participants. The Task Force was formed to consider and officer opinions on the proposed recommendations.</p>	<p>The task force met for three meetings and created recommendations.</p>	<p>Adopted (25)(17)</p>
<p>The CPRB made the following recommendation to the Oakland Police Department regarding a complaint made in 2007.</p>			
<p>Officer Recusal Police</p>	<p>An officer should consider the possible appearance of impropriety in dealing with situation where he or she may be personally involved. In civil or criminal matters where an officer has a personal interest, the officer should consider recusing himself from participating in the investigation of the case if he/she is on duty and should consider calling a superior officer to handle the matter. When an officer is off-duty and deciding whether to become personally involved in an incident or call in which he/she has a personal interest, he/she should consider calling a sergeant or superior officer to respond to the scene to avoid the appearance of impropriety.</p>		<p>Adopted (26)(18)</p>

2008 Recommendations		
Incident	Recommendations	Status
<p>(1) Use of Safety Belts for prisoners</p> <p>(2) Prisoner positioning in a vehicle</p> <p>(3) Observation of a prisoner during transport in a vehicle</p>	<p>The following three recommendations were accepted by the Board on June 26, 2008. These recommendations were offered after an evidentiary hearing was held on an in-custody death complaint. These recommendations are offered as additions to current police department policies</p> <p>Introduction To ensure the safety of both peace officers and prisoners, and always maintain control, prisoners should always be positioned properly within the vehicle for transporting.</p> <p>General Procedures Certain procedures always apply when positioning prisoners for transportation.</p> <ul style="list-style-type: none"> Prisoners should be placed in and removed from a vehicle in a way that maintains control and advantage over the prisoner. A second officer, if available, should act as a cover officer while the prisoner is being placed in the vehicle. 	<p>Not Adopted. (27)(4)</p>
Use of seat belts	<p>Recommendations</p> <ol style="list-style-type: none"> Prisoners should be seated in an upright position and wear seat belts during transportation. Seat belts help restrain the prisoner and increase the safety of the prisoner in case of an accident and decrease the likelihood of the prisoner gaining access to contraband or a weapon hidden on their person. 	<p>OPD Response The use of safety belts for prisoners was not accepted because of the safety concerns for the officer while reaching across the prisoner's body during seat belting and the cost of installing seat belts in the back seat of many OPD vehicles.</p>
Prisoner Position in vehicle	<ol style="list-style-type: none"> Proper placement of the prisoner in the vehicle is crucial for officer and prisoner safety purposes. Prisoners should be positioned in the vehicle to: <ol style="list-style-type: none"> Ensure the safety and welfare of the officers and prisoners. Allow for clear observation of the prisoners 	<p>Adopted (28)(19)</p>

	<p>c. If transporting officers does not have a partner or cover officer to assist with transport, the prisoner should be placed in the right rear passenger seat. If the transporting officer has a partner or cover officer to assist with transport, the prisoner should be placed in left the left rear passenger seat.</p> <p>3. Peace officers must observe prisoners closely while transporting them. When transporting a prisoner:</p> <p>a. An officer should assume that any prisoner could do any of the following: escape, attempt to destroy concealed evidence, and be a potential threat to officer safety.</p> <p>b. If available, have a backup or cover officer in the vehicle to closely monitor the prisoner during transport.</p>		Adopted (29)(20)
2009 Recommendations			
<p>Incident Availability of Less Lethal Weapons</p>	<p>Recommendations</p> <ol style="list-style-type: none"> 1. Bean bag rounds and the accompanying 12 gauge shotguns should be made available to and carried by all Oakland Police Department patrol sergeants and other designated personnel. 2. OPD should make a concerted effort to train and equip all patrol sergeants and other designated personnel in the use of "Drag Stabilizer Flexible Baton Rounds" (bean bag rounds) which are fired from a 12 gauge shotgun. 	<p>ODP Response</p> <p>No Noted</p>	<p>Status</p> <p>Adopted in Part (30)(6)</p>
<p>From the City Administrator Lineup Training on Domestic Disputes (potential gender bias)</p>	<p>The City Administrator recommends that the Chief of Police work with CPRB in designing additional domestic violence training at line-ups.</p>	<p>Not Noted</p>	<p>Status Unknown (31)(1)</p>
2010 Recommendations			
<p>Incident Language Access to OPD Services</p>	<p>Recommendations</p> <p>OPD to provide language access services when encountering a limited English proficient (LEP) person consistent with federal, state, and local laws.</p>	<p>ODP Response</p> <p>Included in Training Bulletin VIII-R.</p>	<p>Status</p> <p>Adopted (32)(21)</p>

<p>Police Response to Sexual Assaults – Minors</p>	<ol style="list-style-type: none"> 1. If parents themselves are suspects, they should not be present during the child's interview 2. If parents are overly emotional and frighten the child, they should not be present during the interview. 3. Officers should never conduct the interview alone. 	<p>In majority of cases, officers obtain a probable cause statement from the victim. An in depth interview is left for the child abuse investigator, who coordinates with the victim, the victim's family, Child Protective Services, and the Child Abuse Listening and Interviewing Coordinator Center. Interviews are taped and recorded.</p>	<p>Pending (33)(1)</p>
<p>No Covert Recordings</p>	<p>There should be NO covert recordings when a complainant specifically requests that interview is not recorded.</p>	<p>The Negotiated Settlement Agreement mandates that the Internal Affairs Division of OPD record interviews.</p>	<p>Not Adopted (34)(5)</p>
<p>Vehicle Pursuits</p>	<p>Vehicle pursuits should only be initiated for violent felonies and violent firearm offences</p>	<p>OPD adopted a new vehicle pursuit policy on January 2011 which does not include CPRB's recommendation.</p>	<p>Not Adopted (35)(6)</p>
<p>2011 Recommendations</p>			
<p>Incident Maintain Updated Community Resource Lists</p>	<p>Recommendations</p> <ol style="list-style-type: none"> 1. Replace old pamphlets with those from SEEDS Community Resolution Center. 2. Update the TF 3083 Resource Guide. 3. Mention the changes at the line-up training 	<p>ODP Response Adopted in Full</p>	<p>Status Adopted (36)(22)</p>
<p>Define what constitutes a "pattern of misconduct"</p>	<p>Amend DGO M-3.1 to provide a quantitative definition of a "pattern of misconduct."</p>	<p>Not Adopted</p>	<p>Not Adopted/Further Review Pending</p>

Align OPD police on dog shootings with ASPCA recommendations	Adopt a training bulletin on the use of force against animals	Not Adopted	(37)(2)
Require Validation of CORPUS data	<ol style="list-style-type: none"> 1. Adopt a training bulletin on the verification of parole status based on the Alameda County Sheriff's Department Training Bulletin 07-13. 2. Discuss at line-up training. 	Adopted in part	Not Adopted/Pending (38)(3)
Retrain Officers to Recognize Hate Crimes	<ol style="list-style-type: none"> 1. Require officers to review relevant policies and take an examination. 2. Give training at line-ups. 3. Consider inclusion at next in-service training. 	Adopted in Full	Adopted (39)(7)
Recommendations from 2011 Semi-Annual Report			
Incident	Recommendations	ODP Response	Status
Custody of Bicycles	<p>Revise OPD Departmental General Order J-1, section B, to include the following language, underlined below:</p> <p><i><u>"B. If an arrested person has possession of a bicycle that is not connected with the offense, the arresting officer shall attempt to get the arrestee's permission to release it to a responsible person and get the name and address by some identifying document of the person to whom the bicycle was released, and include this information in the police report. If such arrangements cannot be made, the officer shall take the bicycle in for safekeeping, note that information on the arrest and offense reports, and order an extra copy of the report package for the Bicycle Unit."</u></i></p>	Not Noted	Status Unknown (41)(2)
Use of Canines	<p>When K-9 officers make an announcement to release a dog to perform a search they will:</p> <ol style="list-style-type: none"> 1. Make the announcement at each residence location as the canine begins searching that area, allowing people and children to enter their homes and to retrieve their pets safely. 2. Make the announcement loud enough so that people in proximity to the canine can reasonably hear it. Use the PA system in patrol cars when available. 	Not Noted	Exists in Part (42)(1)

<p>Obsolete Brochure</p>	<p>Officers should stop distributing the pamphlet on Conciliation Forums of Oakland, as the organization no longer exists and the phone number has been disconnected. Officers should obtain updated information from SEEDS Community Resolution Center and distribute its brochure in cases of neighbor disputes.</p>	<p>Not Noted</p>	<p>Status Unknown (43)(3)</p>
<p>Hate Crimes</p>	<ol style="list-style-type: none"> 1. OPD officers should receive additional training and information about the existing OPD Departmental policy related to hate crimes. 2. Information about the OPD hate crime policy should be distributed throughout the police department. 	<p>Not Noted</p>	<p>Status Unknown (44)(4)</p>
<p>Clarity and Accuracy in Reporting</p>	<ol style="list-style-type: none"> 1. Police officers should not write, "No witnesses" in a report unless they are certain of that fact. An officer should list all witnesses in her report. If the officer does not know whether there were witnesses, she should either refrain from commenting on the presence of witnesses or write, "no known witnesses." 2. When an officer of evidence technician is tasked with photographing an individual, they should ensure that the photographs capture any injuries that individual sustained. For example, the photographer should remove spit masks covering an individual's face, if doing so does not violate privacy or create safety risks. 3. Use of Force reporting should contain specific information about not only what kind of force was used, but also how that force was employed and why it was necessary. 	<p>Not Noted</p>	<p>Status Unknown (45)(5)</p>
<p style="text-align: center;">2013-2014 Recommendations</p>			
<p>Incident Participation in OPD's Major Incident and Force Review Board</p>	<p>Recommendations OPD Department General Order k-4.1, Force Review and Executive Force Review Board should be amended to include the CPRB Executive Director as a non-voting member of OPD's Major Incident Board of Review and Executive Force Review Boards.</p>	<p>ODP Response N/A</p>	<p>Status Pending (46)(4)</p>
<p style="text-align: center;">2014 Recommendations</p>			

Incident	Recommendations	ODP Response	Status
Cross-Jurisdiction Misconduct Reporting	In process	N/A	Pending (47)(5)
Limiting Officers with Problematic Complaint Histories from Certain Planned Crowd Control Assignments	Under discussion	N/A	Pending (48)(6)
Special Committee on Post-Copley Hearing Procedures	Establish a process that the board members can more actively engage in the discussion and selection of cases for hearing	According to CPRB, "...Ordinance N. 12454, the CPRB members had the ability to provide input in the selection of cases for hearing. This policy change gives the opportunity for the board to engage in and participate more in the discussion for cases selected for hearing."	Process confirmed by City Ordinance. (49)(1)

Presented July 9, 2015 at the CPRB Board Meeting

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