



CITIZENS' POLICE REVIEW BOARD

Meeting of Thursday, October 22, 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. | Statement from the Chair | | |
| IV. | Election of New Officers | | |
| | A. Chair | | |
| | B. Vice-Chair | | |
| V. | Minutes | | |
| | A. September 24, 2015 | | 1 |
| VI. | Open Forum | (10 minutes) | |
| VII. | Director's Report | (5 minutes) | 2 |
| | A. Announcements | | |
| | B. Pending Cases as of October 15, 2015 | | |
| VIII. | Agenda Discussion | | |
| IX. | Action – CPRB Bylaws Draft | | |
| | (Executive Director Anthony Finnell) | | |
| | A. Discussion | | |
| | B. Public Comment | | |
| | C. Action | | |
| | | (20 minutes) | 3 |
| X. | CPRB Special Committee Reports | (10 minutes) | |
| | A. Outreach Planning | | |
| | 1. General Updates | | |
| | 2. Next Meeting | | |

- B. Transparency and Legislation
 - 1. General Updates
 - 2. Next Meeting

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. 15-0490, Erin Armstrong

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

Complainant alleged that OPD officers were aggressive when they spoke to her. Complainant observed the OPD officers arresting a transgender person. The OPD officers told the complainant to get out of here and also referred to the transgender person as an "it" instead of female (as the person self-identified as a female).

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **No Jurisdiction** to the allegation as the investigation reveals that the subject officers are not employed with the Oakland Police Department; therefore, the CPRB does not have jurisdiction over the subject officers.

Case No. 14-0909. Regina Simmons-Howard

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

Complainant alleged that the OPD officer did not place the other party under citizen's arrest as she requested; the OPD officer did not cite the other party for parking in the handicap parking stall because she did not see the vehicle with proper handicap identification; the OPD officer failed to investigate the entire incident. The complainant alleged that her rights were violated because she was cited and arrested because of her race and that she was unlawfully arrested.

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #1 and #5 as the investigation reveals that the act or acts which provided the basis for the complaint occurred; however the acts were justified, lawful and proper.

The CPRB staff recommends administrative closure of this complaint with a finding of **Service Complaint** to allegation #2 as the Complainant’s allegation lacked the specificity and failed to articulate specific facts to rise to a Manual of Rules violation.

The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #3 and #4 as the investigation disclosed sufficient evidence to determine that the 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.

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.