

**CITIZENS' POLICE REVIEW BOARD
MEETING OF THURSDAY, November 12, 2015 – 6:15 P.M.
City Council Chambers - Third Floor**

I. CALL TO ORDER BY CHAIR BROWN at 6:27 P.M.

II. ROLL CALL AND ATTENDANCE

Present: Chair Chris Brown
Commissioner Lawrence Brisco
Commissioner Erica Harris
Commissioner Ramon Nasol
Commissioner Almaz Yihdego

Meredith Brown, Board Counsel

Joan Saupe, CPRB Investigator
Karen Tom, CPRB Investigator
Nikki Greer, CPRB Investigator

Excused: Andrew Lee., CPRB Investigator
Commissioner Brian Bingham
Commissioner Thomas Cameron
Vice-Chair Charlette Green
Commissioner Howard Tevelson
Commissioner Mya Whitaker

III. APPROVAL OF MINUTES – ACTION ITEM

A. October 22, 2015

**A motion was made by Commissioner Yihdego to approve the minutes.
Commissioner Brisco seconded. The Board voted unanimously.**

IV. OPEN FORUM

Chair Brown stated that the speaker has two minutes to speak. There was one speaker (Renata Murry).

Renata Murry spoke on the constant intimidation tactics that she has to go through with the Oakland Police. She said this continued harassment has been going on for years – constant following, showing up in places where she and her family members are and this has been happening to other citizens in Oakland. She is here to bring this to the Board's attention again. Ms. Murry inquired about prior Board Minutes (Open Forum) – are they posted and are specific/detailed comments listed. Director Finnell stated that Minutes are

posted on the CPRB website; general comments and not specific comments are listed.

Chair Brown stated that the Agenda is reordered. Item V. (Director's Report) will be moved to the end of this meeting,

V. PRESENTATION - OAKLAND POLICE DEPARTMENT COMMUNICATIONS
(OPD Communications Supervisor Regina Harris)

Chair Brown thanked Ms. Harris for coming tonight. She spoke about the processes in the Communication Center and how the dispatchers who receive calls for service actually prioritize those incidents. Ms. Harris reported that dispatchers go through a 40-week training program. They are trained to ask specific questions depending on what type of information they receive from the caller. Once they gather the information, they make a determination as to the priority for that particular incident. The guidelines that they use for those priorities are based on Departmental Policy and Procedure in the Communications Section - Communications Policy and Procedure No. E21. Currently they use Priority Codes 0-5 and she explained each code (with 0 being the highest code).

Chair Brown encouraged Commissioners to ask questions. Commissioner Brisco inquired if there are any challenges dispatchers have to deal with; how stress is measured. Ms. Harris stated that dispatchers are very well trained. Some of the frustrations are centered on hiring and if there is a vacancy, the seat has to be filled and if not, it requires dispatchers to work overtime. When dispatchers are involved in critical incidents, etc., they always check into the well and safety of their dispatchers. Dispatchers are involved in Department Debriefings, attend stress classes in their academies, the department has a wellness unit where a doctor comes in and meets with the dispatchers when there is a need, and we also look at performance (and may do intervention). Sometimes the dispatchers will let staff know, They also use the City Services - Employee Referral Programs. Commissioner Brisco thanked Ms. Harris and stated that the work they do is appreciated.

CPRB Investigator Greer inquired when an OPD Sergeant/Supervisor needs to document a complaint that they received, does that go thru your dispatchers. Ms. Harris said Communications is the Center for receiving complaints. The dispatcher is required to obtain brief information. They create a CAD incident/incident purge and that is forwarded to the on-duty supervisor and it could be a Sgt or a civilian supervisor. Investigator Greer asked when the supervisor receives the complaint directly and they need to document that they received the complaint – how does that work. Ms. Harris said that they call Communications and it is placed on the log and is documented.

Chair Brown asked what your overlap is with the Fire Dispatch System or radio system. They are on the same radio system; not a lot of operability occurs between OPD and the Fire Department. They share the same CAD system. Chair Brown asked about animal control. Ms. Harris said they do handle the calls. Chair Brown inquired as to how you handle panic buttons on alarm systems. Ms. Harris said that those calls come in from the Fire Department. Chair Brown mentioned that Commissioner Harris is on a subcommittee associated with transparency and legislation – to create documents to educate the public. If she contacts you, would you have documents that could be shared with the public? Ms. Harris said they do have documents that they share with the public

and is welcome to share the information,

Commissioner Yihdego asked how you handle the Communications Recording. Ms. Harris stated that in Communications, everything is recorded on a recorded line and recordings are kept for four years; even the supervisors lines. Out in the field, the interviewers should be recording their conversations. Commissioner Yihdego asked about Amber Alerts. Ms. Harris said that the CHP handles these alerts; we would coordinate the information to them regarding these matters. Commissioner Brisco asked that if someone had called in and they had communication with dispatch, and there were some issues, how the caller would get that recording. Ms. Harris said they would have to obtain a Public Records Request and it would go to the Public Records Department.

Chair Brown thanked Ms. Harris for the report and said the information is of interest to the CPRB.

VI. AGENDA

Chris Brown said the Agenda will be modified due to time constraints. The Administrative Closure Cases (Item VII., A) will be moved to the December 10, 2015 meeting. We will proceed with Item VII., B (Evidentiary Hearing).

VII. CLOSED SESSION: NEW BUSINESS (Convened at 7:01 p.m.)

This Item will be moved to the December 10, 2015 meeting.

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. 14-0028, Jacob Crawford and David Morse

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

Complainants allege OPD officers issued them traffic citations for running a red light for the purpose of harassing them for participating in political demonstrations and determining their identities; that the Complainants did not run a red light and therefore should not have been issued citations; and that the citations were issued by officers who did not directly witness them allegedly run a red light, but who relied on the basis of statements by another officer.

Case No. 14-0366, Warren A. Aviles

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

Complainant alleges OPD officers illegally entered onto his girlfriend's property and arrested him. This bifurcated case was originally brought to the CPRB with a recommended administrative closure as to the subject officers except for one subject officer on April 9, 2015. The case was tolled based on two grounds; Government Code section 3304(d)(5) and 3304(d)(7).

Case No. 14-0854, Scott Olsen and Rubi Ruelas

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

Complainant Scott Olsen alleges that his friend Complainant Rubi Ruelas, was detained and arrested for interfering with the subject officer's traffic stop investigation.

Case No. 14-1003, Emanuel Davis

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

Complainant alleges OPD officers arrested the wrong person for battery of his fiancée. Complainant alleges OPD officers opened his car door illegally, pulled him out of the car, and slammed him to the ground. Complainant stated the officers never allowed him to tell his side of the story. Complainant stated the handcuffs were put on too tight and the police laughed at him and wrote a false report about the incident.

Case No. 15-0142, Taurus Johnson

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

Complainant alleges OPD officers "hit him upside the head" and "they got a little abusive".

B. EVIDENTIARY HEARING, CPRB Case #14-1024, Complainant Kendall Anderson [Report of Investigation – Investigator N. Greer]

1. PUBLIC COMMENT PRIOR TO THE COMMENCEMENT OF THE CLOSED HEARING
2. CLOSED HEARING
3. CLOSED SESSION DELIBERATIONS

C. Pending Cases for Administrative Hearing Discussion

The Item was not discussed.

The Board reconvened open session at 9:04 p.m.

Chair Brown announced that due to a Commissioner emergency, we no longer have Quorum and consequently this Board cannot make decisions tonight.

This above-scheduled Evidentiary Hearing (Item VII, B) is recessed tonight and will reconvene on November 18, 2015 (Wednesday) at 4:30 p.m. at a location to be determined and posted prior to the meeting.

The Director's Report (Announcements) and Pending Cases as of November 5, 2015/Pending Case List information for November 12, 2015 will be updated and given at the meeting on December 10, 2015.

VIII. 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.

IX. ADJOURNMENT

The Board adjourned at 9:05 p.m.