

# ATTACHMENT 1

**CITIZENS' POLICE REVIEW BOARD  
MEETING OF THURSDAY, December 10, 2015 – 6:15 P.M.  
City Council Chambers - Third Floor**

I. CALL TO ORDER BY CHAIR BROWN at 6:19 P.M.

II. ROLL CALL AND ATTENDANCE

Present: Chair Chris Brown  
Vice-Chair Charlette Green  
Commissioner Brian Bingham  
Commissioner Thomas Cameron  
Commissioner Ramon Nasol  
Commissioner Howard Tevelson  
Commissioner Mya Whitaker  
Commissioner Almaz Yihdego

Meredith Brown, Board Counsel

Marti Paschal, Policy Analyst  
Karen Tom, CPRB Investigator  
Joan Saupe, CPRB Investigator  
Nikki Greer, CPRB Investigator  
Andrew Lee, CPRB Investigator

Excused: Commissioner Lawrence Brisco  
Commissioner Erica Harris

III. APPROVAL OF MINUTES

A. November 12, 2015

**A motion was made by Commissioner Yihdego to approve the November 12, 2015 minutes. Commissioner Tevelson seconded. The Board voted unanimously.**

B. November 18, 2015

Chair Brown stated that individuals who are listed as absent, if they did not attend the meeting on November 12, 2015, are to be excused from the November 18, 2015 meeting [Minutes to reflect that persons listed as absent will be listed as excused].

**A motion was made by Commissioner Tevelson to approve the November 18, 2015 minutes. Commissioner Yihdego seconded.**

**The Board voted unanimously.**

IV. OPEN FORUM

No speakers.

V. DIRECTOR'S REPORT

A. Announcements

Director Finnell reported that the next CPRB meeting will be January 14, 2016. An additional item that has not been included in the Consolidation of Intake Technicians is that we do have a vendor that will be working on the drawings for the reconfiguration of the CPRB office and the IAD space. IAD is working to get their new space ready. He stated that a letter of understanding from the police union was received.

Director Finnell asked that members review Attachment 3. Members were asked to turn on monitors; Director Finnell went to the computer to present the 100 Cameras Education Campaign. He reported the content was completed and will begin printing. The final drafts were received today. He said that the Public Safety Committee directed him to work with 100 Black Men in creating an educational campaign to educate the community about their right to film police action and also educate the public about the CPRB. He worked with a vendor to create the first item, Bus Shelter Poster: Placed in and around the city – inside the bus shelters, in certain City buildings, corridors, and in the police station. The second poster: Designed to work in tandem and will be together. If you are driving down the street, sitting at a light, you will be able to see/read it quickly. The third item: Postcard (about 6 x 8-1/2 inches) – hand out to place in various venues such as libraries, post offices, etc. One side will have information about the CPRB and the other side will have the right to film police. The postcard has more information than the poster; people can take it with them. Director Finnell plans to make a presentation to the Public Safety Committee in late January to inform them that CPRB has these products, which will go to print, be posted to our website, and can be distributed by email.

Commissioner Whitaker inquired if these items could be distributed to social services or DMV offices – handouts with easier vocabulary for individuals to understand. Director Finnell stated that the vendor designed it based on the third grade reading level. In order to maintain the content, the items can't be simplified.

Chair Brown asked about the website and if you type that website in on your phone, where does that go to. Director Finnell stated that this is the City website. Chair Brown stated that for him it went to a search engine, which indicated that it did not have a landing place to go to. Director Finnell stated that it came straight from the City website; that is the web address we have always used and he has not experienced it going anywhere else.

Commissioner Bingham thanked Director Finnell for his work on the project. He recalled when Councilmember Brooks came to a CPRB meeting and offered

some suggestions around this topic and he asked if she is part of the Public Safety Committee. Director Finnell stated that she is the Chair of the Committee. Commissioner Bingham suggested that other councilmembers promote the project.

Commissioner Tevelson referred to Page 1 of the Director's Report (Attachment 3) that an Outreach event was held in late November which is not included in the report or it could be added to the next Director's Report.

Chair Brown inquired regarding an email that was sent out referencing sexual harassment. Director Finnell responded.

B. Pending Cases as of December 5, 2015

Director Finnell reported that as of December 10, 2015, there are 116 CPRB cases: 107 are active cases, 1 case pending closure, 8 tolled cases, and one Three-Member Panel Hearing (Case #15-0221)/which was scheduled for December 3, 2015 and then cancelled. The case is rescheduled for a Full Board Hearing on January 28, 2016. (Included in Active Cases total). Since the last report was given on October 22, 2015, fifteen new cases have been added.

Commissioner Yihdego suggested that administrative case closures/hearings in the future be scheduled in advance to give members ample time to review the documents/and ask questions at Board meetings. Director Finnell reported that the list was large tonight because cases were carried over from some board meetings. Many of the cases scheduled for tonight's meeting were cases assigned to an investigator that left the CPRB (3304 dates expiring soon) and the investigators had to do her work and handle their cases. Chair Brown expressed a concern regarding hearings between now and March since many cases (approximately 21) have 3304 dates that expire in March 2016. Director Finnell stated many of the cases will not go to hearings.

VI. UPDATE – CPRB STRATEGIC PLAN  
(Executive Director Anthony Finnell)

Director Finnell asked Board members to refer to Attachment 4 in the Agenda Meeting Packet. Director Finnell, Chair Brown and Commissioner Tevelson have been working hard on the Plan and are in the last phase of the process. There is one action item in this phase which will involve a lot of writing. In reference to page two of the Attachment (Development of Objectives based on goals), he asked members to send him their questions. The next meeting has not been scheduled.

Commissioner Bingham asked if the Triangle/organizational chart was finalized. Director Finnell stated that we started with the Triangle but ended with the Circle and it was more of a concept item – a visual aid for the community to see how we worked together.

Commissioner Yihdego asked if this is part of Transparency Committee work (Attachment 4, Page 2). Director Finnell stated that it is the Strategic Plan group that has taken on the task to develop the Strategic Plan. Chair Brown asked if someone had input into the Strategic Plan, what would be their next step. Director Finnell stated they could

contact him with suggestions/concerns or come to a meeting. He has notes for all meetings and can send them to members. Board Counsel Brown mentioned that there have been trainings that staff have been engaged in to improve the performance of the CPRB and if those would be included/documentated in the Strategic Plan – overall goals. He stated that will be documented in Phase 3 (staff trainings, board, etc.) and use it as a guide, etc.

If any two commissioners would like to engage in Strategic Plan meetings, please contact Director Finnell.

## VII. CPRB SPECIAL COMMITTEE REPORTS

### A. Outreach Planning

#### 1. General Updates

Commissioner Yihdego circulated a handout of Outreach Committee Meeting Notes (November 5, 2015). She reported that Notes are brought to the Board for members' discussion. Also, as part of the handout, was a list of libraries with outdated names of members responsible to distribute brochures. She circulated a sign-up sheet for Commissioners to sign up to replace the following names on the old list: Patrick Caceres, Reyes Avalos-Leon, Larisa Casillas, Derrick Muhammad, Jason Takenouchi, Sokhom Mao). Vice-Chair Green volunteered to distribute brochures.

Commissioner Whitaker asked if the items listed in the meeting Notes (pre-made ready to go bag) could be made in advance of Outreach events. Director Finnell asked members to notify him in advance of items needed; items that involve a cost, will require three weeks' notice. Commissioner Yihdego said that Commissioner Whitaker is referring to water, projectors, handouts - do we have a budget for those items. Director Finnell stated that he addressed those items in Attachment 5 in the Agenda Meeting Packet. Commissioner Whitaker inquired about the items with CPRB imprinting – Director Finnell stated that he is working to get a vendor and those items will be ordered. He reported that many items listed in the Notes he has – he is working on expanding the kit. Staff is ordering chairs, tables and a canopy tent. These items are addressed in Attachment 5. Chair Brown inquired about the kit – we have one projector, can we do several simultaneous events. Director Finnell stated that if we need a tent, projector – we can only do one event at a time. Vice-Chair Green stated that Director Finnell has responded to the requests in Attachment 5 that Commissioner Yihdego is referencing.

Since Commissioners Harris and Brisco are part of the Outreach Committee and are not in attendance tonight, Commissioner Yihdego suggested that the same topic be agendized for the next Board meeting (also include a list of outreach items that have been ordered, will be ordered, etc.). Chair Brown asked Commissioner Yihdego to speak with Director Finnell to agendize the item.

Commissioner Yihdego stated that she has a list of items the Committee has accomplished, etc. to give to new Board members. Commissioner Tevelson announced that he is still a member of the Outreach Committee.

Chair Brown stated that at the January 14, 2016 Board meeting he will make a statement regarding the CPRB goals/strategic direction for 2016. He asked Commissioner Yihdego to do a 3-5 minute presentation on the Outreach vision at that meeting. He will also ask Commissioner Harris to do a 3-5 minute presentation regarding the Transparency and Legislation Committee.

2. Next Meeting

Director Finnell reported that since the Committee is active, he suggested that meetings be held monthly rather than quarterly. He mentioned that he does a lot of outreach and this should be coordinated with the Committee. He suggested an email be sent to Outreach members with a copy to him regarding meeting information in order to have a strong outreach effort in 2016.

B. Transparency and Legislation

1. General Updates

Chair Brown stated that Commissioner Harris is not present tonight to speak about the Committee. He asked the Director and Commissioners Bingham and Tevelson if they had comments regarding this topic. There were none.

2. Next Meeting

The item was not discussed since Commissioner Harris was not present at tonight's Board meeting.

VIII. ACTION – BYLAWS (ARTICLE XI, SECTION 4)

A. Discussion

Director Finnell referenced Attachment 6 in the Agenda Meeting Packet (Article XI, Section 4) and reported that this is the final section that the Board needs to make a decision/vote on this evening. The document will then be completed and can be presented to the City Attorney for review and then to City Council.

Director Finnell presented the document on the computer and asked members to view their screens and read the section. Board Counsel Brown asked if the Board decides to adopt the process to bestow that title on someone, would there be a vote. She suggested modifying the section and when describing that process in this section for bestowing this title on someone, it should be clear in that section. Commissioners Cameron, Tevelson, Bingham, and Yihdego recommended that Section 4 be deleted. Commissioner Nasol mentioned that Attachment 7 in the Agenda Meeting Packet also references Section 4. Discussion ensued.

B. Public Comment

None.

C. Action

**A motion was made by Commissioner Cameron to delete Section 4 of Article XI of the Draft Bylaws. Commissioner Tevelson seconded. The Board voted unanimously.**

Chair Brown stated that we move to pass the Draft Bylaws overall.

**A motion was made by Commissioner Tevelson to accept the Bylaws as written with the prior voted deletion. Commissioner Cameron seconded.**

Director Finnell suggested that the motion include an amendment to accept the Bylaws pending a final review of the entire document (grammatical corrections) by he and Policy Analyst Paschal. **Commissioner Tevelson withdrew his prior motion and made another motion to accept the Draft Bylaws knowing that there may be non-substantive changes. Commissioner Cameron seconded. The Board voted unanimously.** Chair Brown stated that the Bylaws are moved to the next stage where they will undergo non-substantive changes, and be forwarded to the City Attorney for review.

IX. DISCUSSION – RECOGNITION FOR PAST BOARD MEMBERS  
(Commissioner L. Brisco)

Chair Brown stated this item will be tabled since Commissioner Brisco is not present.

A. Discussion

B. Public Comment

X. DISCUSSION – CPRB NAME CHANGE  
(Commissioner A. Yihdego)

A. Discussion

Commissioner Yihdego recommended that the name of the Citizens' Police Review Board be changed to Community Police Review Board. Chair Brown asked Board Counsel Brown if this is possible. Board Counsel Brown reported that the CPRB can make a name change pending the final approval by the City Council (authority where the CPRB is derived from) which passed the Ordinance establishing the CPRB with the word Citizens'. Chair Brown inquired for clarification that to open that legislation can we make a single amendment to the legislation or do we have to re-pass our authorization. Board Counsel Brown stated that it is a minor, non-substantive amendment because it doesn't change any of the powers and the duties of the CPRB so it would just be a matter of saying that you want to make that recommendation to change the name and you want it reflected in the Bylaws pending the review and approval of the City Council.

Commissioner Yihdego made a motion to change the name of the Citizens' Police Review Board to Community Police Review Board. Chair Brown seconded. Chair Brown stated that Community Police Review Board does reflect our true constituency; as we try to become more inclusive, more inviting to the community,

the name change would be a reflection of this. Commissioner Cameron commented that the title reflects the fact that the Board itself is made up of citizens and under the law, you have to be a citizen to be a member of this board; it would be misleading if we changed the name. Chair Brown asked Board Counsel for an opinion. She reported that we had a Governor who was not born here and he could not run for president because that was one of the requirements. The actual requirements of holding office in California are very important to clarification and there is nothing in the Ordinance about membership of the board – it mentions that the qualifications are residency requirements but there is not a citizenship requirement. If the Board were to be elevated to the enrolled President, then there could be a citizenship requirement. That is the only office that she knows of in the United States that requires citizenship. Residency is always if you are in representative government but not the citizenship. Chair Brown asked about residency. Board Counsel Brown stated that it is for residents who have attained a minimum of 18 years of age and that is it.

Commissioner Bingham recommended a task force – talking to City Council members to determine if they would be backing this move. Commissioner Tevelson expressed a concern that there could be repercussions in changing our name now with various projects going forward, literature going out, etc. Commissioner Whitaker agrees with the name change from Citizens' to Community, more inclusive. CPRB Investigator Saupe mentioned that the word Community might be too closely associated by another business (example, Community Policing, etc.). Commissioner Cameron stated that it is to represent all members of the city and not just citizens. Vice-Chair Green agrees with Commissioner Cameron. Commissioner Nasol agrees with Commissioner Bingham.

Director Finnell stated that he fully understands changing the name and the rationale of the community. He has many people that come to him with changes/ideas. He likes to execute it first to see if it works and to see if we need to make those changes. With the name of the CPRB, we have lacked historically in our outreach efforts to educate the people who we are and what we do. It is evident when he does outreach, and it doesn't matter who they are, people don't know who we are. With a name change, unless we do outreach and educate people on who we are, what we do, and who we serve – it will not benefit us. With the efforts we are going to undertake in outreach for 2016, we can educate the community. Commissioner Bingham agreed with Director Finnell; we are doing a great job of establishing our presence and being positive, in powerful ways in the community – mentioned that Black History month is also coming up.

Commissioner Yihdego suggested agendaizing the topic.

**As noted prior, Commissioner Yihdego recommended that the name of the Citizens' Police Review Board be changed to Community Police Review Board. Chair Brown asked for a vote. The Board vote was 2-6-0, with Chair Brown, Vice-Chair Green, and Commissioners Tevelson, Cameron, Nasol, and Bingham opposing. The motion failed.**

B. Public Comment

None.

XI. DISCUSSION – BOARD MEMBERSHIP/ATTENDANCE  
(Commissioner T. Cameron)

A. Discussion

Commissioner Cameron asked for input/explore ideas on how Commissioners can improve attendance at CPRB Board meetings. Discussion followed with comments from all in attendance.

B. Public Comment

None.

XII. CLOSED SESSION: NEW BUSINESS (Convened at 8:20 p.m.)

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 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 that 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 that 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

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

Complainant alleges his friend Complainant Rubi Ruelas was falsely 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 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".

Case No. 15-0135, Gina Granum

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

Complainant alleges OPD officers hit her on the head, unbuttoned her pants, was unlawfully searched, and inappropriately searched by an officer.

Case No. 15-0231, Aminah Adcock

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

Complainant alleges her son was unlawfully arrested and her residence was illegally searched as a result of a search warrant. Complainant also alleges her residence was damaged during the search and that she and her son had to sit outside in the cold because an officer would not allow her to retrieve a jacket from the house.

Case No. 14-0996, Terrence McNaulty

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

Complainant alleges OPD officers were condescending while they belittled and attempted to intimidate him. Complainant also alleges that an OPD officer was untruthful regarding the status of a case where the complainant was a victim.

Case No. 15-0031, Dawn Davis

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

Complainant alleges OPD officers 'kidnapped' her daughter with force; that officers threw her daughter in the police car, and held guns to her head; that an officer failed to take a police report regarding the alleged kidnapping; that officers failed to take her complaint; and that OPD officers have threatened to kill all the members of her family.

Case No. 15-0032, Dawn Davis

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

Complainant alleges OPD officers improperly searched her home and they threatened to kill all the members of her family. The Complainant also alleges OPD officers improperly detained her and her family, filmed her young daughters in their panties, and touched their buttocks, damaged her home and refused to provide their names to her.

Case No. 14-1028, Barbara Katayama

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

Complainant alleges she was falsely arrested by OPD officers, was injured because the handcuffs were too tight, and was arrested because she was black.

B. Pending Cases for Administrative Hearing Discussion

The item was not discussed.

The Board reconvened open session at 9:06 p.m.

XIII. 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.

XIV. ADJOURNMENT

The Board adjourned at 9:08 p.m.