



CITIZENS' POLICE REVIEW BOARD

Meeting of Thursday, February 11, 2016 - 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 – January 28, 2016 | | 1 |
| IV. | Open Forum | (10 minutes) | |
| V. | Director's Report | (5 minutes) | 2 |
| | A. Announcements | | |
| | B. Pending Cases as of February 10, 2016 | | |
| VI. | CPRB Special Committee Reports | (10 minutes) | |
| | A. Outreach Planning | | |
| | 1. Report/Presentation from the Chair | | |
| | 2. Next Meeting | | |
| | B. Transparency and Legislation | | |
| | 1. General Updates | | |
| | 2. Next Meeting | | |
| VII. | Sign-up Sheet for Examiners for Hearings | (5 minutes) | 3 |
| VIII. | Action – CPRB Name Change | (10 minutes) | |
| | (Commissioner Almaz Yihdego) | | |
| | A. Discussion | | |
| | B. Public Comments | | |
| | C. Action | | |
| IX. | Discussion – Scope of work for Independent Board Counsel | (10 minutes) | |
| | (Executive Director Anthony Finnell) | | |
| | A. Discussion | | |
| | B. Public Comments | | |

- X. Discussion – Outline of AB953 (10 minutes) 4
(Vice Chair Charlette Green)
- XI. Discussion – Recognizing Board Members (10 minutes)
(Executive Director Anthony Finnell)
- XII. 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. 15-0133, Willie Mullins

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

Complainant alleged that an OPD officer was rude and agreed to have the issue resolved using the Informal Complaint Resolution Process.

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **No Finding** to the allegation since the complainant agreed to resolve his complaint using the Informal Complaint Resolution Process and the OPD has addressed the complaint. A CPRB finding regarding the allegation is not appropriate.

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.

Case No. 15-0185, Rico Carson and Rhonda Lewis

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

Complainants alleged that OPD officers unlawfully entered his home and damaged his property.

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **No Jurisdiction** to allegation #1 as the investigation revealed that the subject officers are not employed with the Oakland Police Department; therefore, the CPRB does not have jurisdiction over the subject officers.

The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #2 and #3 as the investigation revealed 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 on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

Case No. 15-0189, Stephanie Dorsey

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

Complainant alleged that OPD officers pointed rifles at her and her family, handcuffing some of them during the execution of a search warrant. She further alleges items were missing from her residence and her residence was damaged during the search.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #1 and #2 as the investigation disclosed sufficient evidence to determine that he alleged conduct did not occur by Oakland Police Officers.

The CPRB staff recommends administrative closure of this complaint with a finding of **No Finding** to allegations #3 and #4 as insufficient information was obtained to reach a finding due to Complainant's failure to cooperate with the investigation.

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.

Case No. 15-0222. Kelvin Kessie-Bridges

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

Complainant alleged that an OPD officer falsely arrested him for robbery and failed to exercise due diligence in how he conducted the investigation into the incident. Complainant also alleged that his vehicle was towed without reason and OPD officers tried to coerce him into making a confession.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to the allegations as the investigation revealed 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 on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

Case No. 15-0233, Glen Ray Caldwell, Jr.

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

Complainant alleged that an OPD officer improperly arrested him, used excessive force against him during his arrest, and left his property and medication behind when they took him to jail.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #1, #2, and #3 as the investigation revealed 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 **Unfounded** to allegations #4 and #5 as the investigation revealed that the act or acts complained of 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.

Case No. 15-0235, Brandon Jones

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

Complainant alleged that an OPD officer was rude and unsympathetic to an elderly victim of a random assault, failed to investigate the assault. The CPRB investigator added an allegation regarding the subject officer's PDRD use.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Not Sustained** to allegation #1 as the investigation did not disclose sufficient evidence to determine whether or not the alleged conduct occurred.

The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegation #2 as the investigation revealed 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 **Sustained** to allegation #3 as the investigation revealed that the act or acts complained of did occur and was in violation of law and/or Oakland Police Department rules, regulations, or policies.

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.

Case No. 15-0249, Porsha M. Washington a/k/a Porsha Thomas

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

Complainant alleged that OPD officers stole \$480.00 from her during her arrest.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to the

allegation as the investigation revealed that the act or acts complained of 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.

Case No. 15-0427, Jaleen McKeller

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

Complainant alleged that an OPD officer used excessive force on him, causing injuries and used profanity towards him during his arrest.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to the allegations as the investigation revealed that the act or acts complained of 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.

Case No. 15-0513, Carolyn Young

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

Complainant alleged that OPD officers conducted an unlawful probation search of her client's residence.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to the allegation as the investigation revealed 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 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

- XIII. Open Session
Disclosure of non-confidential closed session matters (5 minutes)
- XIV. 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.