



CITIZENS' POLICE REVIEW BOARD
Meeting of Thursday, March 24, 2016 - 6:15 P.M.
Council Chamber, Third Floor
ONE FRANK H. OGAWA PLAZA, OAKLAND, CALIFORNIA
(510) 238-3159

	Attachments	
I. Call to Order		
II. Roll Call		
III. Minutes – March 10, 2016 (In Agenda Meeting Packet on April 14, 2016)		
IV. Open Forum	(10 minutes)	
V. Director's Report	(5 minutes)	1
A. Announcements		
B. Pending Cases as of March 18, 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)	2
VIII. Discussion – CPRB Ethics	(10 minutes)	3
(Executive Director Anthony Finnell)		
A. Discussion		
B. Public Comments		
IX. Action – Policy Recommendation	(10 minutes)	4
(Policy Analyst Marti Paschal)		
A. Discussion		
B. Public Comments		
C. Action		

X. 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. 15-0291, Oskar Malone

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

Complainant alleged that he was harassed because he is Black after being stopped for running a red light while on a bicycle.

Rationale for administrative closure – The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to the allegations as the investigation disclosed sufficient evidence to determine that the alleged 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.

Case No. 15-0301. Albert Langelaar

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

Complainant alleged that an OPD officer threatened him and intimidated him with gestures, yelled at him, and swerved his car towards the complainant's car as if he was going to hit it.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with **No Finding** to the allegations as the complainant decided not to pursue the complaint.

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. 15-0320, Clarence Cousian

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

Complainant alleged that OPD officers twisted and broke his arm and threatened him at the scene.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegation#1 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 and not violations under law and/or departmental policy.

The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegation #2 as the investigation revealed that the act or acts complained of did not occur.

Case No. 15-0331, Elizabeth Enoch

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

Complainant alleged that an OPD officer struck her daughter on the back with a baton.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **No Finding** to the allegation as the complainant withdrew the complaint.

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. 15-0332, Silvana Lobos

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

Complainant alleged that an OPD officer was rude and "was biased, racist, and tried to set her up." Complainant alleged an OPD officer covered his badge when she said she was going to call IAD and report him.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Not Sustained** to allegations #1 and #2 as the investigation did not disclose sufficient evidence to determine whether the alleged conduct occurred.

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. 15-0384, Elsie Hamilton

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

Complainant alleged that OPD officers falsely arrested her and placed on a psychiatric detention hold. Complainant also alleged OPD officers used excessive force on her and that she was shot with something, rendering her unconscious, only to awake at John George Psychiatric Pavilion.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #1 and #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 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. 15-0391, Elsie Hamilton

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

The Complainant alleged an off-duty OPD officer used excessive force by twisting her arm. The Complainant also alleged an OPD officer improperly placed a psychiatric detention hold on her by using false information.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #1 and #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 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. 15-0392, Elsie Hamilton

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

The Complainant alleged an OPD officer falsely arrested her and placed a psychiatric detention hold on her.

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.

B. Pending Cases for Administrative Hearing Discussion

C. Response from City Administrator
(Executive Director Anthony Finnell)

- 1. Cases #15-0218, #15-0221, and #15-0235

XI. Open Session

Disclosure of non-confidential closed session matters

(5 minutes)

XII. 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.