



CITIZENS' POLICE REVIEW BOARD

Meeting of Thursday, April 14, 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	(10 minutes)	
A. March 10, 2016		1
B. March 24, 2016		2
IV. Open Forum	(10 minutes)	
V. Director's Report	(5 minutes)	3
A. Announcements		
B. Pending Cases as of April 8, 2016		
VI. Presentation – Public Ethics Commission (Jelani Killings, Ethics Analyst, City of Oakland)	(15 minutes)	
VII. Presentation – Measure X Proposal (Rashidah Grinage – Coalition for Police Accountability)	(20 minutes)	4
A. Discussion		
B. Public Comments		
VIII. CPRB Special Committee Reports	(10 minutes)	
A. Outreach Planning		
1. Report from the Chair		
2. Presentation from Executive Director Anthony Finnell		5
3. Next Meeting		
B. Transparency and Legislation		
1. General Updates		
2. Next Meeting		
IX. Sign-up Sheet for Examiners for Hearings	(5 minutes)	6

- X. Action – CPRB Ethics (10 minutes) 7
(Executive Director Anthony Finnell)
A. Discussion
B. Public Comments
C. Action

- XI. Action – CPRB Name Change (10 minutes)
(Commissioner Almaz Yihdego)
A. Discussion
B. Public Comments
C. Action

- 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. 15-0382, Peter Gwynn

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

Complainant alleged that he was assaulted by OPD officers when arrested.

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. 15-0389. Chanel Brown and Willie Owens

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

d. Action

Complainants alleged OPD officers stopped them because they were Black, the OPD officers did not have a reason to stop them and failed to provide a reason for the arrest. The complainants also allege the OPD officers failed to provide their business cards and names when requested by the complainant and the OPD officers used excessive force during the arrest.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #1, #2, #5, and #6 as the investigation disclosed sufficient evidence to determine that the alleged conduct did not occur.

The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #4 and #5 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 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. 15-0515, Sheree Christensen

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

Complainant alleged that an OPD officer attended court on behalf of his father and used his status as an OPD officer to gain influence or authority for non-departmental business or activity. The complainant also alleged the OPD officer spoke to her in a loud, angry voice, got in her face, and made disparaging remarks about her officers outside of the courtroom.

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. 15-0565, Sharyne-Renee Bradley

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

Complainant alleged that an OPD officer failed to arrest complainant's roommate for violating a restraining order. OPD supervisors, upon review of the initial allegation added the following allegations: refusal to accept or refer complaint and performance of duty for failing to properly supervise a probationary officer during Field Training.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Sustained** to the allegations #1, #2, #3 as the investigation disclosed sufficient evidence to determine that the alleged conduct did occur and was in violation of law and/or Oakland Police Department rules, regulations, or policies.

Case No. 15-0610, Kevin Busack

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

Complainant was upset with the overall response by OPD when he was detained during an investigation of a possible burglary in progress.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **No Manual of Rules Violation; Service Related 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. 15-0793, Belinda Davis

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

Complainant alleged that an unknown OPD officer arrested and transported her daughter to jail with her daughter wearing only a tee-shirt and underwear.

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 revealed that the act or acts which provided the basis for the complaint may have occurred, but the complainant’s daughter stated they were committed by sworn members of another law enforcement agency and not OPD, within the jurisdiction of the other agency.

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. 15-0604, Ramon McGee

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

Complainant alleged that an OPD officer racially profiled him, was rude and disrespectful towards him, and falsely arrested him.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #1 and #3 as the investigation disclosed sufficient evidence to determine that the alleged conduct did not occur.

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 and not violations under law and/or departmental policy.

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. 15-0687, Teresa Brooks

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

Complainant alleged that an OPD officer harassed her, was rude by telling her to “shut up” and was racist.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #1, #2 and #3 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.

B. Pending Cases for Administrative Hearing Discussion

C. Operational Discussion

- 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.