

# ATTACHMENT 1

**CITIZENS' POLICE REVIEW BOARD  
MEETING OF THURSDAY, April 14, 2016 – 6:15 P.M.  
City Council Chamber - Third Floor**

I. CALL TO ORDER BY CHAIR BROWN at 6:17 P.M.

II. ROLL CALL AND ATTENDANCE

Present: Chair Chris Brown  
Vice-Chair Charlette Green  
Commissioner Sharon Ball  
Commissioner Brian Bingham  
Commissioner Thomas Cameron  
Commissioner Erica Harris (Late Arrival: 6:43 p.m.)  
Commissioner Howard Tevelson  
Commissioner Mauricio Wilson  
Commissioner Almaz Yihdego (Early Departure: 7:49 p.m.)

Meredith Brown, Board Counsel

Policy Analyst Marti Paschal  
Nikki Greer, CPRB Investigator  
Andrew Lee, CPRB Investigator

Excused: Joan Saupe, CPRB Investigator  
Karen Tom, CPRB Investigator  
Commissioner Ramon Nasol  
Commissioner Mya Whitaker

III. APPROVAL OF MINUTES

A. March 10, 2016

**A motion was made by Commissioner Ball to approve the March 10, 2016 minutes. Vice-Chair Green seconded. The Board voted unanimously.**

B. March 24, 2016

**A motion was made by Commissioner Tevelson to approve the March 24, 2016 minutes. Commissioner Ball seconded. The motion did not pass.** Commissioner Ball mentioned for clarification that the Minutes she does not view as a verbatim quote from the speaker but rather a summary of what happened. Chair Brown asked Director Finnell to give comments regarding summary/detailed comments. Director Finnell said that we do have the recording/video which is the

actual record of what transpires and what we produce of the Minutes is a summary of the comments made on that video. He got a note to review again the DVD to see if we can capture more of the comments made by Commissioner Yihdego. Chair Brown asked Commissioner Yihdego to prepare her corrections of the March 24 Minutes. Chair Brown stated that the approval of the March 24 Minutes will be tabled to the April 24, 2016 Board meeting.

#### IV. OPEN FORUM

Assata Olugbala came to speak. She referenced the police accountability task force report from Chicago. She reported that the task force issue that she would like to discuss is the concerns that came out around the independent police review board in Chicago and the recommendation is to replace the board. The reason to replace the board has several components that the task force identified. One of the main components was the large volume of cases that were not sustained and another concern was the failure to even investigate some cases. The new recommendation related to what the task force will be doing at this point is to appoint a board (they want an independent board that will not include the Mayor's participation and look at staff changes and changes in the process). One of the things that caught her attention that was brought out by the task force is that it is not enough to just have a complaint-based component around issues of police misconduct. It made her reflect on why the Department of Race and Equity was developed because that is a complaint-based component and it is not working because so many citizens are not aware of it, they do not want to get involved with it but the need for doing some action around police misconduct still exists. What she is reading here is that what this body will do is that it will not be dependent on complaints; it will be developed so that officers misconduct will be broader based on some component where they deal with it. She is uncomfortable with the fact that this group continues to have low volumes of sustainable results around complaints; CPRB Board is not the only one, it is going on around the country. She suggested that the board as a body delve into this document and to take from it some things that the board finds important.

#### V. DIRECTOR'S REPORT

##### A. Announcements

Director Finnell referenced Attachment 1 in the Agenda Meeting Packet. He reported on the Conference (Profiling: Developing a Mechanism to Identify, Quantify, and Investigate Profiling Allegations Against Police) held on April 7 (which was not included in the printing). There were approximately 55 attendees and it was also simulcast over the internet so we had attendees from across the country. One of the attendees came from Florida, Indiana and other cities. The conference was good, the information was helpful, and the dialogue between the attendees was extremely powerful. He currently is working with other Oversight Directors in the Bay Area to do a follow up and give a report soon. He thanked Board Commissioners who were able to attend, Board Counsel, staff, and several members in the audience today who were in attendance – thank you for your participation in making that conference a success.

B. Pending Cases as of April 8, 2016

Director Finnell reported that as of April 14, 2016, there are 78 CPRB cases: 69 are active cases, 0 cases pending closure, 9 tolled cases, and one Evidentiary Hearing scheduled for May 12, 2016 (Case No. 15-0680); this has now changed – that case will not be heard on May 12, 2016. Since the last report was given on March 24, 2016, zero cases have been added.

VI. PRESENTATION – PUBLIC ETHICS COMMISSION  
(Jelani Killings, Ethics Analyst, City of Oakland)

Jelani Killings introduced himself. He provided a handout “Government Ethics for Public Servants.

Mr. Killings gave a brief Ethics presentation in regards to the Oakland Government Ethics Act (GEA) and showed an introductory video about the Act in the City. He shared information about the PEC. He reported that the PEC is doing an education and outreach effort – reaching out to the City’s Boards and Commissions to ensure that they are aware of the Government Ethics Act and also their roles and responsibilities as public servants in the City of Oakland. The PEC is a resource and a contact for information and advice/assistance you may need pertaining to Ethics laws in the City of Oakland. The PEC office is located on the first floor (Suite 104) in City Hall. He spoke about Form 700; Board members/new board members are required to file with the Office of the City Clerk. Discussion followed. Chair Brown thanked Mr. Killings for coming and for the Ethics presentation.

Chair Brown stated that Assata Olugbala came to speak regarding the Agenda Item. She reported that she attended a Public Ethics Commission meeting and the reason she went was that she pulled up the Ethics Act (provisions), especially the purpose of the Act (No. 2) – she mentioned the unfairness and lack of opportunity for citizens to participate in City government. Chair Brown asked Mr. Killings if he would like to speak regarding this matter and he did not have comments.

VII. PRESENTATION – MEASURE X PROPOSAL  
(Rashidah Grinage – Coalition for Police Accountability)

A. Discussion

Ms. Grinage gave a PowerPoint presentation on the Coalition for Police Accountability (Oakland Police Oversight NOW!). She mentioned that the PowerPoint presentation is available to members for further review, if necessary. She reviewed changes/proposed organizational structure under the new Measure X along with our topics. Discussion followed. Ms. Grinage suggested that members further engage with her by email, etc.

B. Public Comments

None.

## VIII. CPRB SPECIAL COMMITTEE REPORTS

### A. Outreach Planning

#### 1. Report/Presentation from the Chair

Chair Brown asked Commissioner Yihdego if she had a report to present. Commissioner Yihdego reported that the information is included in Attachment 5 of the Agenda Meeting Packet.

#### 2. Presentation from Executive Director Anthony Finnell

He reported that at the last Outreach committee meeting, in addition to the items listed in Attachment 5, that he would show the PowerPoint that they currently use for Outreach (for all Commissioners to view) and that goes towards one of the tasks that we talked about in creating talking points so we all would be on the same page when we go out to do outreach in the community. The talking points have not been drafted. Director Finnell gave the four-minute PowerPoint presentation; it has already been translated by the Equal Access Department into Cantonese and Spanish. Chair Brown thanked the Director for his presentation. (Chair Brown announced that Commissioner Yihdego left the meeting at 7:49 p.m.).

#### 3. Next Meeting

Commissioner Yihdego stated that the next meeting will be held on April 20, 2016 at 4:00 p.m. (CPRB Conference Room).

### B. Transparency and Legislation

#### 1. General Updates

There was no report given. Chair Brown stated that the item for nominations and voting of committee members to the Transparency Committee will be agendized for the April 28, 2016 meeting. Chair Brown asked Commissioner Harris if she had comments and she had none.

#### 2. Next Meeting

None scheduled.

## IX. SIGN-UP SHEET FOR EXAMINERS FO(R HEARINGS (Vice-Chair Charlette Green)

Vice-Chair Green asked Director Finnell if there will be a replacement case for the May 12 Hearing Date. He reported that the case scheduled for hearing will not be a held and will be resolved in another way; Administrative Closure cases will be presented. Vice-Chair Green asked if there were upcoming hearing cases for May 2016 and he stated none will be held.

X. ACTION – CPRB ETHICS  
(Executive Director Anthony Finnell)

A. Discussion

Director Finnell reported that this item was discussed in a prior meeting and now it is being brought back as an action item; the same document as before.

B. Public Comments

None

C. Action

**Commissioner Tevelson made a motion to accept the NACOLE Code of Ethics as written. It was seconded by Commissioner Bingham. The Board vote was unanimously.**

XI. ACTION – CPRB NAME CHANGE  
(Commissioner Almaz Yihdego)

A. Discussion

Chair Brown mentioned that Commissioner Yihdego left tonight's meeting early and this item has been sponsored by her in prior meetings; he is reluctant in carrying this item forward again or voting on the item. He asked for Commissioner comments. Commissioner Bingham recommended that a focus group be established, we poll the community, we do further research on what it would take to change the name if this is something that the public wants, and if we have sponsors on the City Council.

B. Public Comments

None.

C. Action

**A motion was made by Commissioner Bingham to table the item indefinitely. It was seconded by Commissioner Ball. The Board voted unanimously.**

XII. CLOSED SESSION: NEW BUSINESS (Convened at 8:04 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. 15-0382, Peter Gwynn

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

Complainant alleges he was assaulted by OPD officers when arrested.

Case No. 15-0389, Chanel Brown and Willie Owens

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

Complainants allege 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 complainants and the OPD officers used excessive force during the arrest,

Case No. 15-0515, Sheree Christensen

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

Complainant alleges 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 alleges 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.

Case No. 15-0565, Sharyne-Renee Bradley

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

Complainant alleges 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.

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.

Case No. 15-0793, Belinda Davis

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

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

Case No. 15-0604, Ramon McGee

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

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

Case No. 15-0687, Teresa Brooks

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

The complaint alleges an OPD officer harassed her, was rude by telling her to "shut up" and was racist.

B. Pending Cases for Administrative Hearing Discussion

There were no cases for discussion.

C. Operational Discussion

The Board moved into the deliberation room to discuss personnel matters.

The Board reconvened open session at 9:31 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 9:32 p.m.