



CITIZENS' POLICE REVIEW BOARD

Meeting of Thursday, June 23, 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	(5 minutes)
A. June 9, 2016	1
IV. Open Forum	(10 minutes)
V. Director's Report	(5 minutes)
A. Announcements	
B. Pending Cases as of June 17, 2016	2
VI. CPRB Special Committee Reports	(10 minutes)
A. Outreach Planning	
1. Selection of Committee Members	
2. Event Calendar	
3. Next Meeting	3
B. Transparency and Legislation	
1. Report from Chair	
2. Next Meeting	
VII. Sign-up Sheet for Examiners for Hearings	(5 minutes) 4
VIII. Discussion – Oakland Police Departmental General Orders	(30 minutes)
A. DGO K-3 – Use of Force	5
1. Discussion	
2. Public Comment	
B. DGO K-4 – Reporting and Investigating the Use of Force	6
1. Discussion	
2. Public Comment	

IX. Closed Session: New Business (30 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. 15-0589, Sharron Yates

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

Complainant alleged that OPD officers entered her house without permission, threw away a bottle of liquor. Complainant also alleged that an OPD officer pointed a gun at her son, handcuffed her son, and placed him in the rear seat of a patrol car.

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

The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #2 and #5 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 **Not Sustained** to allegation #4 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 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. 15-0594, Miesha E. Singleton-Williams, Shaun Williams

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

Complainant alleged that OPD officers improperly: placed her son on a WIC 5150 hold; arrested him; used force on him; transported him to the Eastmont substation; sedated him or ordered him to be sedated; misplaced his personal items; and the officer's behavior was as a result of retaliation.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #1, #2, #3, 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 with a finding of **Unfounded** to allegations #4, #6 and #7 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 **Not Sustained** to allegation #9 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 **Sustained** to allegation #8, **MOR Violation 314.39 – Performance of Duty**, 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.

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. 15-0737, Daniel Lo

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

Complainant is upset it took two months for his case to get assigned. Complainant alleged that an OPD officer did not thoroughly investigate his case.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegation #1 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 **No MOR Violation** to allegation #2 as the investigation disclosed sufficient evidence to determine that the alleged conduct was a service 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. 15-0747, Willis Owen

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

Complainant alleged that an OPD officer made contact with him and harassed him because of his race and because of what another person reported.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **No MOR Violation** to the allegation as the investigation disclosed sufficient evidence to determine that the Complainant allegations lacked specificity and failed to articulate specific facts to rise to a Manual of Rules violation.

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. 15-0640, Gordial Venson, Lakeya Venson

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

Complainant Gordial Venson alleged that an OPD officer poked and scratched his eye during an arrest. Complainant Lakeya Venson alleged that an OPD

officer pointed a gun at her son, slammed him to the ground and placed a boot to his head.

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 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 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.

- B. Response from City Administrator
(Executive Director Anthony Finnell)
 - 1. Case #15-0462
 - 2. Case #15-0483

- X. Open Session
Disclosure of non-confidential closed session matters (5 minutes)
- XI. 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.