



CITIZENS' POLICE REVIEW BOARD

Meeting of Thursday, September 22, 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. | Introduction of new CPRB Staff
(Executive Director Anthony Finnell) | (5 minutes) | 1 |
| IV. | Minutes
A. September 8, 2016 | (5 minutes) | 2 |
| V. | Open Forum | (10 minutes) | |
| VI. | Director's Report
A. Announcements
B. Pending Cases as of September 16, 2016 | (5 minutes) | 3 |
| VII. | CPRB Special Committee Reports
A. Outreach Planning
1. Report from Chair
2. Event Calendar
3. Next Meeting

B. Transparency and Legislation
1. Report from Chair
2. Next Meeting | (10 minutes) | 4 |
| VIII. | Action Item – Changes to the Hearing Procedure and Training (30 minutes)
A. Discussion
B. Public Comment
C. Action | | |

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. 15-0838, Jaime Rodriguez

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

Complainant alleged that an OPD officer used profanity towards him during their interaction, did not Mirandize him before questioning him, and that OPD officers rammed him in a police vehicle with their lights and sirens on.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #1, #2, and #4 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 #3, #5, #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 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. 15-0867, William Woodrd

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

Complainant alleged that an OPD officer was rude by not shaking his hand, using profanity, and generally being unprofessional during their interaction. Complainant also alleged another OPD officer unlawfully handcuffed him, slammed him to the curb, slapped him in the head and covered his PDRD during his use of force against the Complainant.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **No finding** to allegation #1 as this allegation does not rise to the level of a Manual of Rules violation. The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegation #2 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 Finding/No Jurisdiction** to allegations #3, #4, and #5 as the investigation disclosed the subject officer is no longer a sworn member of the Oakland Police Department; therefore, the CPRB does not have jurisdiction over this officer.

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. City Administrator's Response ref: #15-0749

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.