



CITIZENS' POLICE REVIEW BOARD

Meeting of Thursday, January 26, 2017 - 6:15 P.M.

City Council Chamber, Third Floor
ONE FRANK H. OGAWA PLAZA, OAKLAND, CALIFORNIA
(510) 238-3159

Attachments

- I. Call to Order
- II. Roll Call
- III. Minutes – January 12, 2017 1
- IV. Open Forum (5 minutes)
- V. Closed Session: New Business (120 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. 16-0184. Kira Janai Secrease

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

Complainant alleged that OPD officers failed to make a report and investigate his alleged assault by Marriott security guards and that OPD officers beat him up after they arrested him for attacking a Marriott security guard and robbing the guard's phone.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #1 and #2 as the investigation disclosed sufficient evidence to determine that the 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 good cause has not been shown for further action.

Case No. 16-0329, Dunta Jackson

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

Complainant alleged that OPD officers struck him in the head five times causing the complainant to lose consciousness.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #2 and #4 as the investigation disclosed sufficient evidence to determine that the conduct did not occur.

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 on the basis a hearing would not facilitate the fact-finding process and that good cause has not been shown for further action.

Case No. 16-0141, Sarrita Adams

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

Complainant alleged that an OPD officer used excessive force while detaining her and failed to adjust the handcuffs when she told him they were hurting her wrists. Complainant also alleged that paramedics refused to allow her to take her service dog in the ambulance with her, that paramedics jumped on her back and knees and that one paramedic made reference to complainant's race and mental illness.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to

allegations #1, #4, #5, #6, #9 and #10 as the investigation disclosed sufficient evidence to determine that the conduct did not occur.

The CPRB staff recommends administrative closure of this complaint with a finding of **Exonerated** to allegations #2, #3, and #8 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 **Not Sustained** to allegation #7 as the investigation did not disclose sufficient evidence to prove or disprove the act(s) alleged by the complainant.

The CPRB staff recommends administrative closure of this complaint with a finding of **No MOR Violation** as the investigation revealed that the act or act(s) which provided the basis for the complaint where alleged against individuals who are not sworn Oakland Police Officers and the CPRB has **No Jurisdiction** to impose discipline.

The CPRB staff recommends administrative closure of this complaint on the basis a hearing would not facilitate the fact-finding process and that good cause has not been shown for further action.

- B. Evidentiary Hearing, CPRB Case #16-0115, CPRB Board
Complainant Zerena Diaz
Report of Investigation
 - 1. Closed Hearing
 - 2. Closed Session Deliberations

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

VII. 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.