



# CITIZENS' POLICE REVIEW BOARD

**Meeting of Thursday, March 9, 2017 - 6:15 P.M.**

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

|       |  | <b>Attachments</b> |
|-------|--|--------------------|
| I.    | Call to Order                            |                    |
| II.   | Roll Call                                |                    |
| III.  | Minutes – February 23, 2017              | 1                  |
| IV.   | Open Forum                               | (10 minutes)       |
| V.    | Director's Report                        | (5 minutes) 2      |
|       | A. Announcements                         |                    |
|       | B. Pending Cases as of March 3, 2017     |                    |
| VI.   | CPRB Special Committee Reports           | (10 minutes)       |
|       | A. Transparency and Legislation          |                    |
|       | 1. General Updates                       | (10 minutes)       |
|       | 2. Next Meeting                          |                    |
| VII.  | Sign-up Sheet for Examiners for Hearings | (5 minutes) 3      |
| VIII. | 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. 16-0220, Alphonso Corro Rojas

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

Complainant alleged that OPD officers used unnecessary force on him and spoke to him in a rude manner. The Complainant also alleged that the handcuffs were too tight.

**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 failed to disclose a preponderance of evidence to either prove or disprove the allegation made in the complaint.

The CPRB staff recommends administrative closure of this complaint with a finding of **Unfounded** to allegations #2 and #3 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 no good cause has been shown for further action.

Case No. 16-0337, Erica Cloird

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

Complainant alleged that an OPD officer used profanity towards her.

**Rationale for administrative closure** –The CPRB staff recommends administrative closure of this complaint with a finding of **Sustained** to the allegation as the investigation disclosed a preponderance of evidence to prove the allegation made in the complaint.

As to this allegation, the Internal Affairs Division has already made a sustained finding and discipline has been imposed against the OPD officer.

Case No. 16-0365, Ebony Van Pelt

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

Complainant alleged that an OPD officer questioned her son without her consent and not in her presence. Complainant also alleged a sergeant refused to provide her with the name of the officer who questioned her son.

**Rationale for administrative closure** –The CPRB staff recommends administrative closure of this complaint with a finding of **No finding** to allegation #1 as the alleged conduct does not rise to the level of an MOR 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 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. 16-0778, Steven Lamont Day, Jr.

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

Complainant alleged that OPD officers are harassing him and that the officers failed to call a supervisor to the scene as he requested. Complainant also alleged an officer took a photograph of his photo ID with his personal cellular 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 with a finding of **No finding** to allegation #3 as the alleged conduct does not rise to the level of an MOR 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.

B. Pending Cases for Administrative Hearing Discussion

C. City Administrator Responses

- a. Case #16-0018
- b. Case #16-0115

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