

# ATTACHMENT 1

**CITIZENS' POLICE REVIEW BOARD  
MEETING OF THURSDAY, March 9, 2017 – 6:15 P.M.  
Council Chamber – Third Floor**

I. CALL TO ORDER BY CHAIR BROWN at 6:15 P.M.

II. ROLL CALL AND ATTENDANCE

Present: Chair Chris Brown  
Vice-Chair Charlette Green  
Commissioner Sharon Ball  
Commissioner Brian Bingham  
Commissioner José Dorado  
Commissioner Colette McPherson  
Commissioner Mya Whitaker  
Commissioner Mauricio Wilson

Meredith Brown, Board Counsel

CPRB Policy Analyst Juanito Rus  
Joan Saupe, Complaint Investigator  
Karen Tom, Complaint Investigator  
Andrew Lee, Complaint Investigator

Excused: Commissioner Howard Tevelson  
Nikki Greer, Complaint Investigator  
Emma Dill, Complaint Investigator

Absent: Erica Harris, Commissioner

Commissioner Mya Whitaker announced that this would be her last meeting as a Commissioner since she is resigning from the Board. Chair Brown thanked her for her great contribution to the debates, her wisdom as the cases were discussed, her presence, and he wished her luck in her future endeavors.

III. MINUTES

A. February 23, 2017

Chair Brown asked members to review Attachment 1 in the Agenda Meeting Packet.

**A motion was made by Commissioner Ball to approve the February 23, 2017 minutes. Commissioner Bingham seconded. The motion passed. The Board voted unanimously.**

#### IV. OPEN FORUM

Rev. Ken Chambers came to speak. Chair Brown stated that he has four minutes to speak this evening. Rev. Chambers thanked the Board for the important work they do. Mr. Chambers reported that he is the pastor of Westside Baptist Church. He is also President of the Interfaith Council of Alameda County which has asked him to come this evening and speak to the Board regarding profiling of folks in the City of Oakland. He has been a resident of Oakland for 51 years.

Rev. Chambers gave comments in that there have been different challenges in dealing with the police department for years. He gives the police department their prompts because as a former police Chaplin and also that he did police car ride-alongs, he has seen a lot of work that they do that is outstanding. Not all officers are profiling folks and not all folks that have bad perception about police are all correct. There is good and bad in all fields of work, and we have that unfortunately.

He said that he had the opportunity to be at the National Prayer Breakfast with 5000 people from 140 nations around the world including the King of Jordan - to pray for President Trump. Profiling Muslims, immigrants, African-Americans are his concerns. As an African-American of Oakland, he can identify/has been profiled. Several times he was profiled, - pulled over and checked out because he was black. He didn't make any errors, the license plate light was out and it was not out when he got home. To be subjected with the FBI, the Administration, ISIS, Sanctuary cities that we have now – we have a very complicated situation. He comes to give the Board encouragement and support to do what they do and pray for everyone as we deal with this present Administration. To try to do our best when the FBI, ISIS, the Administration, Homeland Security, etc. come into our cities to do their jobs, they have jobs they have to do also. As an African-American it is not a prejudiced statement – it is a reality (being profiled). . He wants to speak for his Latino folks – immigrant issues, Muslim folks – been looked at as terrorists, etc. Let's try not to do the profiling. Chair Brown thanked Rev. Chambers for his comments.

Another person entered the Chamber and Chair Brown asked if the person would like to speak in Open Forum and the person denied speaking.

#### V. DIRECTOR'S REPORT (Executive Director Anthony Finnell)

##### A. Announcements

Director Finnell asked members to review Attachment 2 in the Agenda Meeting Packet. Commissioner Ball inquired regarding the item – Position Vacancy. Director Finnell stated the person was Cecelia McBride.

##### B. Pending Cases as of March 3, 2017

Director Finnell reported that as of March 9, 2017, there are 53 CPRB cases: 50 are active cases, 3 tolled cases, and one case is scheduled for Evidentiary

Hearing on April 13, 2017 – Case No. 16-0487 (which is included in the active cases total). Since the last report was given on February 9, 2017, five new cases have been added.

## VI. CPRB SPECIAL COMMITTEE REPORTS

### A. Transparency and Legislation

#### 1. Report from Chair

Chair Brown asked Chair Ball to give a report. Chair Ball stated that it is probably more questions than reporting. Basically, the two items that we wanted to talk about here were the website and policy issues. She inquired if the office provided the Glossary of Terms to the Services Team. Policy Analyst Rus stated that the information has been provided. Commissioner Ball inquired as to the current deadline for the templates that they were going to provide once they received the Glossary. Policy Analyst stated that he has not heard of a timeline, since they are occupied with the Oracle roll out. Director Finnell stated that he had a brief discussion with the members of the website team this afternoon and they are still working on the item; they did not meet the February deadline. Commissioner Ball asked if they have a revised new date. Director Finnell said that he will send out a request to get a revised date and set up a brief meeting.

Commissioner Ball said the next matter pertains to policies. She reported that there are several policies that the Board has asked for that came out of cases: sexual assault training (what did that involve), PDRD usage when searches were being conducted and it needed to be modified to take it all the way through to when the premises were secured, and there was another policy recommendation from a case that we did on February 23 that we could not remember today what it was. Is there an update to the Board on these items? Policy Analyst Rus stated that there were three and the third one was on pursuits of pedestrians and people on bikes by police vehicles. The PDRD issue is a broader one on searches, use of PDRDs on searches, on locking doors, etc. He has completed some work on those. He is currently working on completing the Annual Report. The Annual Report (Draft) will be in the Agenda Meeting Packet for discussion on April 13. The other three mentioned items will be on the April 23 Agenda Meeting Packet.

Commissioner Ball suggested that there be a standing item on the Agenda to include feedback to the Board regarding Policy Recommendations. Director Finnell stated that we want to have a standing monthly report on the Agenda for Policy Recommendations (Policy Analyst). The Annual Report will be discussed first.

#### 2. Next Meeting

Chair Ball stated that the Committee met today. The next meeting is to be determined.

VII. SIGN-UP SHEET FOR EXAMINERS FOR HEARINGS

(Vice-Chair Green)

Vice-Chair Green asked members to refer to Attachment 3 in the Agenda Meeting Packet.

Vice-Chair Green stated the changes to the Sign-Up Sheet for Examining Commissioners will be as follows:

Vice-Chair Green and Commissioner Ball (April 13 Hearing)

Commissioners Wilson and McPherson (will replace Commissioner Whitaker)

(May 11 Hearing)

Commissioners McPherson and Bingham (volunteered tonight)

(May 25 Hearing)

[Vice-Chair Green will be in contact with Commissioners regarding the Examiners Preparation Dates for each Hearing].

VIII. CLOSED SESSION: NEW BUSINESS (Convened at 6:40 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 the findings of the investigation

Case No. 16-0220, Alphonso Corro Rojas

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

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

Case No. 16-0337, Erica Cloird

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

Complainant alleges that an OPD officer used profanity towards her.

Case No. 16-0365, Ebony Van Pelt

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

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

Case No. 16-0778, Steven Lamont Day, Jr.

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

Complainant alleges OPD officers are harassing him and that the officers failed to call a supervisor to the scene as he requested. Complainant also alleges an officer took a photograph of his photo ID with his personal cellular phone.

B. Pending Cases for Administrative Hearing Discussion

There were no cases for discussion.

C. City Administrator Responses

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

Executive Director Finnell asked members to look at their monitors to view the above-listed cases. Discussion followed.

The Board reconvened open session at 7:35 p.m.

IX. 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.

X. ADJOURNMENT

The Board adjourned at 7:36 p.m.