

ATTACHMENT 1

**CITIZENS' POLICE REVIEW BOARD
MEETING OF THURSDAY, April 13, 2017 – 6:15 P.M.
City 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 Colette McPherson

Meredith Brown, Board Counsel

CPRB Policy Analyst Juanito Rus
Joan Saupe, CPRB Investigator

Excused: Commissioner José Dorado
Commissioner Howard Tevelson
Commissioner Mauricio Wilson
Emma Dill, CPRB Investigator
Nikki Greer, CPRB Investigator
Andrew Lee, CPRB Investigator
Karen Tom, CPRB Investigator

Absent: Commissioner Erica Harris

III. MINUTES

A. March 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 March 23, 2017 minutes. Commissioner Bingham seconded. The Board voted unanimously.

IV. OPEN FORUM

Rashidah Grinage came to speak. She gave comments. She reported that they met with Councilmembers Dan Kalb and Noel Gallo - primary City Council authors of the Proposed Enabling Legislation for the Police Commission. We are continuing to work

with them to arrive at consensus between their draft and our draft (Coalition's draft is on our website, and you are free to consult it). We did take into account some of Chair Brown's input that was posted on the City's webpage where we felt it appropriate, as well as other community members input. Our most recent draft dated April 8 is on our website; you can Google it – Coalition for Police Accountability. We anticipate that this will go to the Public Safety Committee on May 9 (date not certain). It will then go to the full Council twice for vote because it is an Ordinance.

V. ACTION – CPRB 2016 ANNUAL REPORT
(Executive Director Anthony Finnell)

A. Discussion

Director Finnell asked KTOP to turn on the overhead screen. Chair Brown asked members to look at their small monitors to view the Draft Report (Attachment 2 in the Agenda Meeting Packet). Director Finnell stated that we hope to have the document finalized at this meeting and then it will be presented to the Public Safety Committee.

Director Finnell announced that Appendix C – CPRB Policy Recommendations 2000-2016 was omitted in the Draft CPRB 2016 Report and is available as a handout this evening.

Director Finnell reported that he will not read the entire report. There are sections in the Report that he will highlight and then have discussion. He referenced Page 4. The change is that we currently have three positions on our Board that are vacant. He is not sure if any of those positions will be filled before the Police Commission accedes. We will function as we are now.

Director Finnell referenced Page 7. As of December 31, 2016, CPRB was fully staffed with 11 full time employees. Currently we have 10 full time employees; there is one Intake Technician position that is vacant that needs to be filled; probably will be filled after June/July 2017. He reviewed Page 8 (Staff and Board Training and Community Outreach).

Director Finnell stated that the CPRB Complaint Process (cycle) on Page 10 is what is being used currently. He referenced Page 11 – in talking with Policy Analyst Juanito Rus, we decided and discussed that almost 90% of the work and the work product that the CPRB does is confidential and behind the scenes and largely invisible to the public and that is because of California State Law, protections of personnel records for public safety officers – people don't realize how much work the CPRB does or did. We wanted to present this in the Report in such a way that it tells a story from the perspective of CPRB that there is a lot of work that goes into investigations and a lot of work that goes into what the Board does. He reviewed the statistics relating to complaints and CPRB investigations. On Page 13, he said that we will have to improve on complainant demographics when the new database is used. When IAD refers complaints to CPRB, the information is not recorded and that is why the numbers listed are the way they are. Director Finnell reviewed the remainder of the Report with members. He stated that the primary focus of complaints is with use of force and more serious allegations of misconduct.

Director Finnell said that he will take questions at this time or we can turn it over to Chair Brown. Commissioner Ball and Vice-Chair Green suggested edits and inquired as to when changes should be submitted. Director Finnell stated that edit suggestions should be made and we can make a note of them; the Board can make a motion and we can approve it with the edits at that time and once the edits are made for final review, we won't have to come back again. Chair Brown asked Commissioner Ball for her edits/motion. Vice-Chair Green asked that edits cannot be submitted after tonight? Director Finnell said they can and it is up to the Board. Vice-Chair Green said she will submit her copy with some notations (mostly grammatical). Director Finnell stated that this is the Board's Report and they should tell him what they want done. Chair Brown said that we will have discussion on that and a motion to accept the documentation – there would be verbiage in it about your notations – we could accept it, subject to reconciliation of your modifications with the text. Commissioner Ball said that would be suitable with her.

B. Public Comment

Chair Brown announced that at this time we have two speakers: Rashidah Grinage and Mary Vail.

Rashidah Grinage came to speak. She gave comments/suggestions.

Mary Vail came to speak. She gave comments/suggestions.

Chair Brown asked Ms. Grinage if she was going to provide her comments/suggestions in written form in order to have them reviewed/incorporated. She said that she would.

C. Action

A motion was made by Commissioner Bingham to accept the Report with changes deemed necessary by staff. Commissioner McPherson seconded. Discussion followed. The Board vote was 3-2-0, with Chair Brown and Commissioner Ball opposing. The motion failed.

A motion was made by Vice-Chair Green that we accept the Report with the grammatical changes and suggestions deemed necessary and appropriate by staff. Commissioner Ball seconded. Discussion followed. The Board voted unanimously.

A friendly amendment – To accept the Report with edits; comments from Commissioners; Chair Brown stated that we may modify the Report with suggestions from the community. The Board voted unanimously.

VI. CLOSED SESSION: NEW BUSINESS (Convened at 7:42 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 findings of the investigation

Case No. 16-0389, Jatón Horatio Hurt

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

Complainant alleges an OPD officer used unnecessary force on him resulting in Complainant's shoulder being pulled out of the socket. A second allegation of failing to activate the PDRD was discovered during the course of the investigation by the CPRB.

B. EVIDENTIARY HEARING, CPRB Case #16-0487, CPRB Board Complainant Trudi Bryant-Williams (Investigator J. Saupe)

The Hearing was cancelled for tonight's meeting.

The Board reconvened open session at 7:55 p.m.

VII. 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.

The Board discussed the potential that one of the Commissioners may recuse himself from the May 11 Evidentiary Hearing. We will inform the public of that in advance of the Hearing.

VIII. ADJOURNMENT

The Board adjourned at 7:56 p.m.