

ATTACHMENT 1

**CITIZENS' POLICE REVIEW BOARD
MEETING OF THURSDAY, May 25, 2017 – 6:15 P.M.
City Council Chamber - Third Floor**

I. CALL TO ORDER BY CHAIR BROWN at 6:14 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 Howard Tevelson
Commissioner Mauricio Wilson

Nate Kowalski, Acting Board Counsel

Executive Director Anthony Finnell
CPRB Policy Analyst Juanito Rus
Joan Saupe, CPRB Investigator
Karen Tom, CPRB Investigator
Andrew Lee, CPRB Investigator
Emma Dill, CPRB Investigator

Excused: Nikki Greer, CPRB Investigator
Meredith Brown, Board Counsel

Absent: Commissioner Erica Harris

III. MINUTES

A. May 11, 2017

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

A motion was made by Commissioner Ball to approve the May 11, 2017 minutes. Commissioner Wilson seconded. The motion passed. The Board voted unanimously.

IV. OPEN FORUM

Chair Brown stated that this is public record and each speaker will have three minutes to speak. There were five speakers and each spoke on Case #16-0669: Faheemah Kayaba (she mentioned that she has pictures and video of the incident, etc. - Chair Brown asked if the CPRB had the photos, etc. The Investigator of the case took the evidence, etc.); Omar Loudermilk; Hadiyah Loudermilk; Siri Brown; Mr. Mink. They will speak in Open Session and Closed Session. Chair Brown thanked the speakers.

V. DIRECTOR'S REPORT

(Executive Director Anthony Finnell)

A. Announcements

Director Finnell asked members to review Attachment 2 in the Agenda Meeting Packet. In reference to the CPRB AGO 3.2, Vice-Chair Green inquired as to what generated the amended AGO – since she was not at the last CPRB Board meeting and if this matter was discussed then. Director Finnell reported that it was not discussed at a prior meeting; it was a matter of internal policy – it wasn't discussed with the Board. He did have discussion with Board Counsel on this matter and what prompted it was that he attended some Internal Affairs training in March and one of the sessions was over the investigative process. During that training, we discussed best practices from various agencies that do this kind of work across the country and one of the things we discussed was separating the investigator from conducting the investigation to rendering the findings and how the investigation needs to focus on the thoroughness of the investigation versus the outcome of the investigation.

Director Finnell brought that back and discussed it with Board Counsel. Investigators will focus solely on gathering the evidence conducting the investigation and then develop a two-stage process of review of their investigation. The first step being that he would review it and then it comes to the Board for the final review of all the investigation and of the analysis and the findings. Then with the Commission, we will ultimately have a Supervising Investigator who will begin that process of reviewing the analysis and the report and then it would come to the Director for that two-stage process.

Vice-Chair Green asked if this was to take effect immediately and Director Finnell stated it was. Vice-Chair Green asked that as Commissioners, what is the difference that they will see in what they will be presented with. Director Finnell stated that you will see the Report as it is, but the Recommendation for findings will be presented later. Chair Brown mentioned that steps are being created and will this cause a delay. Director Finnell stated that he now reviews Reports and if he disagrees with the Concur Memos, etc., there may be a minor delay in his response. This only applies to Administrative Closure cases and not Hearing cases.

A motion was made by Commissioner Ball to accept the Report. Commissioner Tevelson seconded. The motion passed. The Board voted unanimously.

B. Pending Cases as of May 25, 2017

Director Finnell reported that as of May 25, 2017, there are 55 CPRB cases: 49 are active cases, 3 cases pending closure, 3 tolled cases, and one case is scheduled for a Three-Member Panel Hearing on June 17, 2017 – Case No. 16-0669 (which is included in the active cases total). Since the last report was given on March 23, 2017, five new cases have been added.

Commissioner Ball raised the question as to why three cases pending closure are listed on Page 5 of the Report. Director Finnell stated that they are on this List because we are awaiting letters from the City Administrator.

VI. CLOSED SESSION: NEW BUSINESS (Convened at 6:50 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. 16-0724, Yolanda Davis-Rodgers

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

Complainants allege OPD officers stopped her son on his way to work, stomped on him, beat him in the head multiple times, dragged him from his car and tased him. The Complainant's son alleges his teeth were knocked out in the process and alleged an OPD officer yelled profanities towards him and threatened to kill him.

Case No. 16-0475, Alton Long, Leon Williams, Jimmy Watkins

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

Complainant #1 and #2 alleged that an OPD officer held a gun to the head of Complainant #3, Complainant #3 was unhappy that the officers directed him to get on the ground on his knees when he had on shorts.

Case No. 16-0669, Faheemah Kayaba, et al.

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

Complainants allege OPD officers pointed firearms at family members, children and tenants of residence. Complainant also alleges that OPD officers arrested the wrong person in connection to the shooting of an OPD officer and racially profiled her son. Complainant also alleges that OPD officers broke furniture inside her home and damaged a shed door during the execution of a search warrant. **[The allegations in this partial Administrative Closure Report are proposed for administrative closure. The remaining allegations will be addressed during a three-member panel hearing scheduled for June 17, 2017].**

B. EVIDENTIARY HEARING, CPRB Case #16-0545, CPRB Board Complainant Charrika Harris (Investigator J. Saupe)

Began at 7:30 p.m.

1. PUBLIC COMMENT PRIOR TO THE COMMENCEMENT OF THE CLOSED HEARING

Chair Brown stated that the public was invited in for the open session and there were no speakers present.

2. CLOSED HEARING

3. CLOSED SESSION DELIBERATIONS (Began at 8:19 p.m.)

The Board reconvened open session at 9:06 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.

VIII. ADJOURNMENT

The Board adjourned at 9:07 p.m.