

ATTACHMENT 1

**CITIZENS' POLICE REVIEW BOARD
MEETING OF THURSDAY, June 22, 2017 – 6:15 P.M.
Council Chamber – Third Floor**

I. CALL TO ORDER BY CHAIR BROWN at 6:17 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

Meredith Brown, Board Counsel

Executive Director Anthony Finnell
CPRB Policy Analyst Juanito Rus
Karen Tom, Complaint Investigator
Nikki Greer, Complaint Investigator
Andrew Lee, Complaint Investigator
Emma Dill, Complaint Investigator

Excused: Joan Saupe, Complaint Investigator

III. MINUTES

A. June 8, 2017

Director Finnell asked members to review Attachment 1 in the Agenda Meeting Packet.

Board Counsel Brown mentioned that there is a correction to the Minutes as follows: Page 2, Paragraph 2, Line 15, Change “ceasing” to “seizing”. A motion was made by Commissioner Ball to approve the June 8, 2017 minutes as amended with the correction. Commissioner Tevelson seconded. The motion passed. The Board voted unanimously.

IV. OPEN FORUM

Assata Olugbala came to speak. She gave comments on the Swanson Report that came out yesterday (June 21). She stated that it was appalling what was revealed in that report. She reviewed items in the Report in terms of lack of investigation by the Criminal Investigation Division and the Internal Affairs Division with members. If it was not for the intervention of the Courts, nothing would have happened in terms of bringing the activities that were discovered in the Swanson Report forward. She further commented that we have got to do better – not talking about just the police department – I am talking about this process as it is today. I am not seeing the mythology of how the investigative process works. When you put forth your documentation, you do not say how you got to those conclusions, you only say the conclusion was this.

V. DIRECTOR'S REPORT

(Executive Director Anthony Finnell)

A. Announcements

Director Finnell asked members to review Attachment 2 in the Agenda Meeting Packet. He reported that since the last Board meeting, he had another meeting with the Chief Information Officer for the City of Oakland. He learned that there is an issue with OPD's PRIME (which is the platform for which CPRB's database is to be built). The problems have caused a delay in our time projections for when our database will be built. The database will not be up and running as we anticipated in September or October. He has another meeting with the CIO next week. Director Finnell will report back to the Board.

B. Pending Cases as of June 22, 2017

Assata Olugbala came to speak. She gave comments. Her concern was with an item on Page 2 of the Agenda - that states there was a complaint that alleges OPD officers engaged in sexual misconduct with minors between 2005 and 2012 and failed to take reports of reported misconduct. She was aware that complainants' issue was not a single issue and there were other victims. And this opportunity to bring that forward, it's not happening. She further commented that you were perhaps the only potential for dealing with it and nothing is going to happen. We know for a fact that women came forward to say they were victims, and they are still coming forward. Based on what you are saying that there are no findings, no jurisdiction – We have victims, minor children, that were victimized by police officers and we have no way to hold them accountable. I don't know what happened in the investigative process that we were not able to build a case to hold them accountable for victimizing children.

Director Finnell reported that as of June 22, 2017, there are 55 CPRB cases: 46 are active cases, 6 cases pending closure, 3 tolled cases, and one case is scheduled for an Evidentiary Hearing on July 13, 2017 – Case No. 16-1112 (which is included in the active cases total). We will not be holding this Hearing and will discuss this matter later. Since the last report was given on May 25, 2017, four new cases have been added.

Chair Brown asked if there are pending/3304 cases. Director Finnell reported that we do not have any pending 3304 cases.

VI. CPRB SPECIAL COMMITTEE REPORT

A. Transparency and Legislation

1. General Updates

Chair Brown asked Commissioner Ball to give a report. She reported that there is nothing new to add to her report that she gave at a prior meeting. She mentioned that the Policy Analyst has repeatedly went back to IT to find out what is going on with their suggestions about the website; it appears to be in limbo.

2. Next Meeting

To be determined.

Chair Brown asked Commissioner Tevelson if he had a report to give regarding the Outreach Committee (not agendized). Commissioner Tevelson reported that the Committee is not doing anything since there will be a new Commission. There is not an outreach for this Committee to do anymore.

VII. SIGN-UP SHEET FOR EXAMINERS FOR HEARINGS

Vice-Chair Green asked members to refer to Attachment 3 in the Agenda Meeting Packet. She inquired if there were new cases to be scheduled for Hearings or changes to the Hearing Schedule. Director Finnell stated that there are no new cases scheduled for hearings for the next month.

Director Finnell reported that there are new developments and a Hearing on Case #16-1112 will not be held on July 13 as listed on the Evidentiary Hearing Examiner Schedule. There will be an Administrative Closure on Case #16-1112 so the Agenda Meeting Packet information relating to this case will need to be kept by members. He will meet with the Investigator to submit the findings information to the Board; information in the Packet remains the same.

VIII. PRESENTATION – POLICY UPDATE
(Policy Analyst Juanito Rus)

A. Discussion

Policy Analyst Rus reported on several items. The first item pertains to education regarding our work in citizen oversight. He gave a brief presentation about what we do and how citizen oversight works now at the Citizen's Police Academy last week.

Policy Analyst Rus stated that he had a meeting on a CPRB case with Captain Coleman and City Administrator Landreth and had expressed to them the idea of making a presentation on citizen oversight and our role to the Police Academy and

ongoing CPT trainings for officers so that they don't show up at our hearings quite as unprepared as they have in the past. They were beyond amenable to that. We are going to wait until after the changeover takes place to train them in what we do now. Once the Ordinance gets approved, then we will roll out a curriculum to train officers in what our parallel investigatory processes look like. It is an important move.

Policy Analyst Rus mentioned that the second item is that there is no movement on our webpage. We are waiting for IT. They have all that information in our Annual Report.

Policy Analyst Rus reported that he had a staff meeting with the Community Services Team. He signed up for one NCPC meeting in July with Commissioner McPherson. Commissioner McPherson stated that the correction would be Neighborhood Services. He said that if any of you belong to your NCPCs and would like him to make a presentation, talk to him and he will line it up. They have a slow time over the summer. In the fall, he will be trying to visit every NCPC meeting at least once.

Policy Analyst Rus reported that we have a few policy action items in progress. His goal is to have those that require Board action moved out by the end of July prior to the August Board recess. We have at least three recommendations pending: the pursuit of pedestrians by motorized vehicles; securing search sites; some recommendations from case #16-0669 that recently closed and have not been discussed. The next two Board meetings will entail a slightly heavier Agenda relating to policy action items.

B. Public Comment

None.

IX. CLOSED SESSION: NEW BUSINESS (Convened at 6:38 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. 16-0589, Latrelle Parker

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

Complainant alleges OPD officers were rude to her; they knocked on the door too hard and loudly; they didn't listen to her reasons for refusing visitation and

wouldn't allow her to talk; that officers did not take her report; and that officers didn't interview her daughter about the reasons for refusing visitation.

Case No. 16-0634, Sarai Smith-Mazariegos and Nola Brantley

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

Complainants allege OPD officers engaged in sexual misconduct with minors between 2005 and 2012 and failed to take reports of reported misconduct.

Case No. 16-0776, Bernell Williams

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

Complainant alleges an OPD officer twisted her arm behind her back, slammed her on the ground, and put his knee on her back, made an inappropriate statement to her during a telephone conversation approximately one year earlier. Upon review of the case, the CPRB Investigator elected to consider an additional allegation of failure to take a report.

Case No. 16-0876, Robert Campbell and Amy Carozza

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

Complainant alleges OPD officers were directing drivers into their school's parking lot to issue traffic citations. It is alleged an OPD officer was rude, and an OPD Sergeant did not accept or refer the complaint.

B. ACTION – Three-Member Panel Hearing Discussion
(Case #16-0669)

- 1. Discussion
- 2. Public Comment

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

The Board reconvened open session at 7:39 p.m.

X. 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.

XI. ADJOURNMENT

The Board adjourned at 7:40 p.m.