

ATTACHMENT 1

**CITIZENS' POLICE REVIEW BOARD
MEETING OF THURSDAY, July 13, 2017 – 6:15 P.M.
Council Chamber – Third Floor**

I. CALL TO ORDER BY CHAIR BROWN at 6:18 P.M.

II. ROLL CALL AND ATTENDANCE

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

Meredith Brown, Board Counsel

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

Excused: Commissioner Howard Tevelson
Commissioner Mauricio Wilson
Nikki Greer, Complaint Investigator
Andrew Lee, Complaint Investigator

III. MINUTES

A. June 22, 2017

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

A motion was made by Commissioner Bingham to approve the June 22, 2017 minutes. Commissioner Ball seconded. The motion passed. The Board voted unanimously.

IV. OPEN FORUM

There were no speakers.

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

A. Announcements

Director Finnell asked members to review Attachment 2 in the Agenda Meeting Packet. He added that under the Position Vacancy item that authorization was received today to begin interviewing for the Intake Technician position. Four names have been forwarded to him so that process will begin. He is still waiting on authorization to begin the hiring process for Complaint Investigator II and Complaint Investigator III positions.

B. Pending Cases as of July 13, 2017

Director Finnell reported that as of July 13, 2017, there are 53 CPRB cases: 43 are active cases, 7 cases pending closure, 3 tolled cases, and zero cases scheduled for Evidentiary Hearing. Since the last report was given on June 22, 2017, two new cases have been added.

Chair Brown inquired if there are upcoming 3304 cases. Director Finnell reported that we do not have any upcoming 3304 cases scheduled in the next two months. Commissioner Ball reported that we do have upcoming 3304 cases: Case Nos. 16-0757 (August 21), 16-0777 (August 28), and 16-0816 (September 8). Director Finnell apologized and said that he was looking at the wrong list and we do have upcoming 3304 date cases. He is working with the investigators to get those cases completed – most likely they will be direct reports to the City Administrator due to unlikely getting them completed by next week.

Commissioner Ball suggested that Director Finnell look at the September 8 case since the Board is not scheduled to meet until September 14. Director Finnell reported that there will not be a Board meeting on September 14 since most of the staff will be out at a conference that week and not due to return to Oakland until September 15 the earliest. Chair Brown asked if that case would go directly to the City Administrator also and he said it would.

Director Finnell said that the top four cases on the List (16-0757, 16-0777, 16-0816, 16-0887) appear to be cases that wouldn't go to a hearing unless something dramatically changes but it doesn't appear that way.

VI. CPRB SPECIAL COMMITTEE REPORTS

A. Transparency and Legislation

1. Report from Chair (General Updates)

Chair Brown asked Commissioner Ball to give a report. Commissioner Ball reported that the Committee is in its closing days. The only thing members will be doing is completing the participation in briefings for the City Administrator on closed cases and then following up and reporting back to the Board on what impact that has had, if any, in the participation deliberations. If possible, the

report will be done by the next Board meeting. Vice-Chair Green asked Director Finnell for clarification that there would be one Board meeting in September. He said yes, on September 28. Vice-Chair Green suggested to Commissioner Ball that members should think about doing the follow up in the September Board meeting since she anticipated that members would look at the cases that are still pending, have a meeting with the City Administrator, and then follow through. Commissioner Ball agreed. Chair Brown summarized that that the analysis of the effectiveness of the Committee would be given at the September Board meeting.

2. Next Meeting

The next meeting is to be determined.

[Commissioner Ball said that Commissioner Bingham will need to determine that the three committee members can meet beforehand].

VII. CLOSED SESSION: NEW BUSINESS (Convened at 6:28 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. 17-0484, JANE DOE

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

Complainant alleges an OPD officer had sexual conduct with her while he was off-duty in a consensual manner.

Case No. 16-1112, CPRB

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

CPRB Executive Director Finnell submitted a written Complaint to Internal Affairs on December 2, 2016. The narrative states: On 11/30/16, while conducting an investigation into allegations of police misconduct, a CPRB investigator located PDRD footage of an OPD officer conducting a traffic stop at the intersection of E. Street and 105th Avenue. During the course of the traffic stop, the OPD officer was rude, unprofessional and used profanity when addressing the driver.

B. Pending Cases

Discussion regarding pending cases and related matters.

The Board reconvened open session at 6:54 p.m.

VIII. 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.

IX. ADJOURNMENT

The Board adjourned at 6:55 p.m.