

Cannabis Regulatory Commission (former Measure Z) Regular Meeting

Thursday, August 21st, 2014, 6:30 p.m.
Council Chambers, City Hall, One Frank H. Ogawa Plaza

AGENDA

Members:

Dale Gieringer	District 1	Jacob Sassaman	District 7
Vacant	District 2	A. Kathryn Parker	At Large
Sierra Martinez	District 3	Vacant	Mayor
James Anthony	District 4	Amanda Reiman	City Auditor
Matt Hummel	District 5	Joe DeVries	City Administrator
Marlon Hendrix	District 6		

Available on-line at: <http://www.oaklandnet.com/measurez>

AGENDA

Please Note New Meeting Time of 6:30PM

- A. Roll Call and Determination of Quorum
- B. Open Forum / Public Comment
- C. Review of the Pending List and Additions to Next Month's Agenda
- D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meeting of 6/19/14.
- E. Reports for Discussion and Possible Action
 - 1. A Review of OPD Arrest Data for calendar year 2013 for Cannabis related offenses in the City of Oakland. (Report Attached)
 - 2. Discussion and recommendation regarding an upcoming report to City Council on recent enforcement action against "Measure Z" Clubs by the City/OPD (see attached Search Warrants and Criminal Complaints)
 - 3. A discussion regarding the definition of "Private" in regard to cannabis offenses in the City of Oakland
 - 4. A continuation of the discussion of Cannabis Cabaret Proposal
- F. Announcements
- G. Adjournment

Persons may speak on any item appearing on the agenda; however a Speaker Card must be filled out and given to a representative of the Cannabis Regulatory Commission. Multiple agenda items cannot be listed on one speaker card. If a speaker signs up to speak on multiple items listed on the agenda, the Chairperson may rule that the speaker be given an appropriate allocation of time to address all issues at one time (cumulative) before the items are called. All speakers will be allotted 3 minutes or less – unless the Chairperson allots additional time.

This meeting is wheelchair accessible. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meetings of the Cannabis Regulatory Commission, please contact the Office of the City Clerk (510) 238-3612. Notification two full business days prior to the meeting will enable the City of Oakland to make reasonable arrangements to ensure accessibility. In compliance with Oakland's policy for people with physical sensitivities, please refrain from wearing strongly scented products to events.

For questions or concerns regarding this agenda, or to review any agenda-related materials, please contact the Cannabis Regulatory Commission at (510) 238-3301.

Cannabis Regulatory Commission (former Measure Z) Regular Meeting

Thursday, June 19th, 2014, 6:30 p.m.

Meeting Minutes

Council Chambers, City Hall, One Frank H. Ogawa Plaza

Members:

Dale Gieringer	District 1	Jacob Sassaman	District 7
Tyson Nagler	District 2	A. Kathryn Parker	At Large
Sierra Martinez	District 3	Vacant	Mayor
James Anthony	District 4	Amanda Reiman	City Auditor
Matt Hummel	District 5	Joe DeVries	City Administrator
Marlon Hendrix	District 6		

Available on-line at: <http://www.oaklandnet.com/measurez>

AGENDA

Please Note New Meeting Time of 6:30PM

A. Roll Call and Determination of Quorum

Members Present: Hummel, Parker, Martinez, Sassaman, Anthony, and DeVries.

Members Absent: Gieringer, Reiman, Nagler, Hendrix.

B. Open Forum / Public Comment

Member Parker raised concern over the recent article in the East Bay Express about three raids recently (the Commission was aware of only two). Joe DeVries noted this could all be discussed under Item E5 listed below and the Commission decided to take that item out of order. See below for action.

C. Review of the Pending List and Additions to Next Month's Agenda

The Commission asked to be provided a copy of the warrant for the raid on the Measure Z Club at 19th and MLK be made available at the next meeting.

D. Approval of the Draft Minutes from the Cannabis Regulatory Commission meetings of 4/17/14.

The minutes were approved with minor edits.

E. Reports for Discussion and Possible Action

Members may speak on any item appearing on the agenda; however a Speaker Card must be filled out and given to a representative of the Cannabis Regulatory Commission. Multiple agenda items cannot be listed on one speaker card. If a speaker signs up to speak on multiple items listed on the agenda, the Chairperson may rule that the speaker be given an appropriate allocation of time to address all issues at one time (cumulative) before the items are called. All speakers will be allotted 3 minutes or less – unless the Chairperson allots additional time.

This meeting is wheelchair accessible. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meetings of the Cannabis Regulatory Commission, please contact the Office of the City Clerk (510) 238-3612. Notification two full business days prior to the meeting will enable the City of Oakland to make reasonable arrangements to ensure accessibility. In compliance with Oakland's policy for people with chemical sensitivities, please refrain from wearing strongly scented products to events.

For questions or concerns regarding this agenda, or to review any agenda-related materials, please contact the Cannabis Regulatory Commission at (510) 238-3301.

1. A continuation of the discussion of Cannabis Cabaret Proposal (proposal Attached)

This item was continued to next month.

2. Follow-up discussion on the delivery of the Annual Report—PSC Committee May 13th, at Castlemont High School

The commission discussed the delivery of the report and the Public safety Committee's reaction, specifically, their interest in the Cabaret proposal, the waste reduction concept regarding cannabis grows, and further regulations for clubs.

3. Presentation and Discussion of the Citywide Public Safety Plan

Joe DeVries provided an overview of the City's development of a comprehensive Public safety Plan that would involve all Boards and Commissions. He noted that at a future meeting, recommendations from the Commission could be provided to be incorporated into the plan.

4. A discussion regarding the definition of "Private" in regard to cannabis offenses in the City of Oakland

This item was continued to the next meeting.

5. Discussion and recommendation regarding an upcoming report to City Council on enforcement action against "Measure Z" Clubs by the City/OPD

Based on concerns raised about the use of Police resources, the commission adopted the following recommendation to the City Council to be shared with the upcoming report:

Because the City Council adopted a definition of 'private' in 2005 that excludes any commercially zoned areas of the City, when Measure Z activity occurs in commercial zones it is completely unregulated. In that unregulated environment there is the potential for inappropriate non-measure Z activity such as sales to minors and other nuisance activity. Therefore, the City Of Oakland should either regulate this activity or exercise discretion on verifiable complaints, enforcing that which is not tolerable such as sales to minors or nuisance activity. Furthermore, the procedures for handling such complaints should be solely an administrative-based process and not involve the Oakland Police Department or the expenditure of OPD resources.

F. Announcements

New York passed a medical cannabis law.

G. Adjournment

CITY OF OAKLAND

MEMORANDUM

To: Cannabis Regulatory Committee
From: Oakland Police Department
Date: 16Jul14

Subject: **Police Department Activities Related to Arrests for Criminal Marijuana Offenses for 2013**

In 2013, the Oakland Police Department arrested/cited 291 persons for possession of less than one ounce of marijuana (11357(b) HS), up 8% from 269 in 2012. Only 4 individuals were arrested/cited for possession of more than an ounce of marijuana (11375(c) HS). The majority of the arrests and citations for marijuana possession were in a public place, discovered during vehicle stops and often are the result of specific complaints or investigations into other criminal activity.

Table 1: 2013 11357(B) HS Citations Sex & Race

Race	Male	Female	Grand Total	%
Asian	1	0	1	0%
African Am	203	18	221	76%
Hispanic	45	3	48	16%
White	13	2	15	5%
Other	6	0	6	2%
Grand Total	268	23	291	100%

In 2013, the Oakland Police Department Homicide Section investigated 107 UCR homicides in Oakland. Of those 107 homicides, 3 were instances where marijuana was the motive for the murder.

The Oakland Police Department continues to maintain a policy that the investigation, citation and arrest for private cannabis offenses are the lowest law enforcement priority. In 2013, there was only one arrest for 11358 HS. The arrest occurred after citizens reported two suspicious persons in the 50 block of Martin Luther King Jr. Way, possibly trying to steal copper wiring. Responding officers contacted two individuals and one was on probation with search clause. The officers conducted a probation search and recovered suspected hashish.

Arrests for marijuana sales were down 6% from 192 in 2012 to 180 in 2013. Arrests for the sales and transportation of marijuana increased by 67% from 33 in 2012 to 55 in 2013. Police beats 26Y and 34X, had the highest number of arrests at 20 and 26, respectively. The following tables and charts provide an overview of marijuana arrest percentages by sex, race and police beat.

Item: E-1
Cannabis Regulatory Committee
July 16, 2014

The Oakland Police Department is conducting an analysis of the citations for African Americans since inquiries were made at a previous public safety meeting. The results will be submitted via memorandum to this committee and the Public Safety Committee. We anticipate the completion of this analysis by the end of August 2014.

Table 2: Criminal Marijuana Arrests for Calendar Years 2005 – 2013

ARREST TYPE	2005	2006	2007	2008	2009	2010	2011	2012	2013
Cultivation of Marijuana - 11358 HS	4	9	13	29	37	58	8	24	1
Possession of Marijuana for Sale - 11359 HS	377	311	508	618	571	517	275	192*	180
Sales/Transportation of Marijuana- 11360(A) HS	201	111	115	164	128	136	29	33*	55

*Updated from 2012 report.

Table 3: 2013 Arrestee Sex

STATUTE	MALE	FEMALE	Grand Total
11358 HS	1	0	1
11359 HS	169	11	180
11360(A) HS	49	6	55
Grand Total	219	17	236

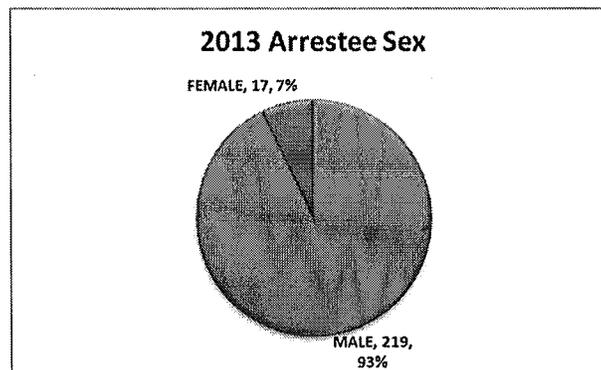
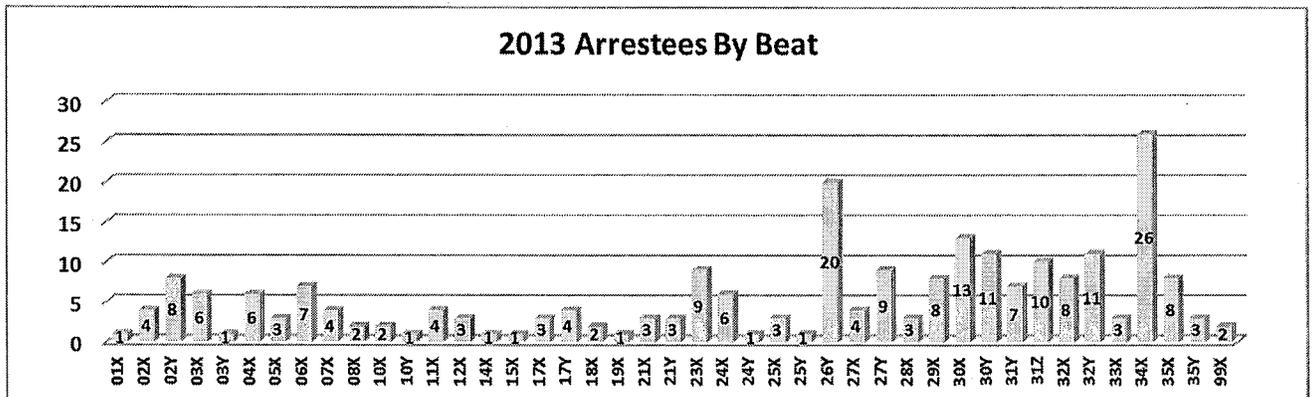
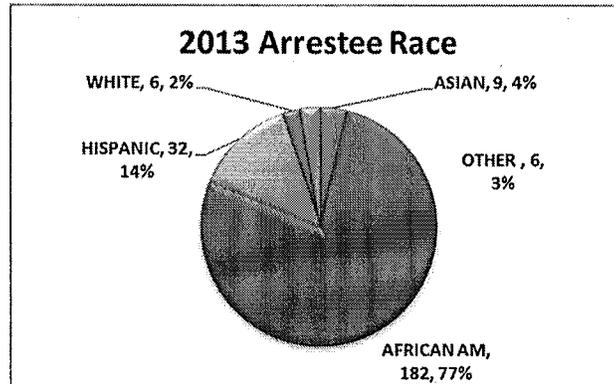


Table 4: 2013 Arrestee Race

STATUTE	ASIAN	AFRICAN AM	HISPANIC	WHITE	OTHER	Grand Total
11358 HS	0	1	0	0	0	1
11359 HS	5	140	25	5	5	180
11360(A) HS	4	41	8	1	1	55
Grand Total	9	182	32	6	6	236



City of Oakland Overall Crime Statistics:

In 2013, the City of Oakland experienced an overall 1% decrease in Part One crimes. See Attachment for more specific information on Crime Statistics.

 Tony Jones
 Lieutenant of Police

 Tam Dinh
 Sergeant of Police

2014-1212

SUPERIOR COURT OF CALIFORNIA

County of Alameda

FILED
ALAMEDA COUNTY

APR 08



SEARCH WARRANT

THE PEOPLE OF THE STATE OF CALIFORNIA
to any peace officer in Alameda County

Warrant No. _____

The affidavit below, sworn to and subscribed before me by Officer C. Remo 9125, has established probable cause for this search warrant which you are ordered to execute as follows:

Place(s) to be searched:

#1 389 17th St, Oakland, California.

389 17th St, Oakland, California, is a multi-unit commercial building with individually addressed retail store fronts. The building has brown cement pillars and green trim. The store front is clear glass with a clear glass entry door along the south sidewalk of 17th St. The numbers 3-8-9, which are black in color with a silver background, are affixed over the entry door. The entry door is covered by a green canvass awning with "AL's SMOKIN GIFTS" printed in white letters.

This includes all rooms, attics, basements, containers and other parts of the above residence(s). It also includes the surrounding ground(s), garage(s), storage room(s), mailbox (es), container(s), and out building(s) of any kind thereon.

Person(s) to be searched:

#1 A Indian male/ Middle Eastern, unknown name, 25 to 30 years old, about 5'10 tall, about 200 pounds in weight, medium complexion, short black hair, with a neatly trimmed black beard.

Vehicle(s) to be searched:

And any vehicle(s) within the garage(s), ground(s), or storage area(s) at the above location(s) or any vehicle(s) under the custody or control of the above listed person(s) established by the possession of ignition keys, door keys, or ownership documents.

Property to be seized:

1. Marijuana.
2. U.S. currency
3. Paraphernalia associated with the use of marijuana including but not limited to: sandwich baggies, and smoking devices.
4. Paraphernalia associated with the sale of marijuana including but not limited to: packaging materials, scales, and other measuring instruments.
5. Property tending to document sales of marijuana including but not limited to: buyer/seller lists, pay/owe sheets, computer drives, computers, and disks.

6. Personal property tending to establish the sales of marijuana including but not limited to: scanners, closed circuit video equipment, and cellular phones.
7. Personal property tending to show the identity of the persons in control of the business(s), vehicle(s), storage area(s) and container(s) being searched including but not limited to: writings, mail, receipts, photographs, videotapes, tape recordings, latent fingerprints, inscribed items, keys, clothing, and telephone books.
8. Phone calls incoming during the service of the warrant. Thus, the officers serving this warrant are authorized to answer any telephone calls placed to the premises during the service and execution of the warrant and to converse with the callers without revealing the identity of the officers.

Disposition of property: All property seized pursuant to this search warrant shall be retained in the affiant's custody pending further court order pursuant to Penal Code §§ 1528(a), 1536.

◆ SPECIAL INSTRUCTIONS ◆

The affidavit and Statement of Probable Cause, filed herewith, has demonstrated legal justification for the following special procedures which are authorized if checked:

■ **Sealing Order:** The following documents shall be sealed and delivered into the custody of the Clerk of the Superior Court pending further court order: All documents filed herewith. ■ Documents listed in Exhibit A.

Grounds for sealing: ■ Informant protection (Evid. Code § 1041) Official information (Evid. Code § 1040)

4/3/14 1:55 PM
Date and time warrant issued



Judge of the Superior Court

◆ AFFIDAVIT ◆

APR 08 2014

Affiant's name and agency: C. Remo 9125, Oakland Police Department.

Evidence type: (Penal Code § 1524)

CLERK OF THE SUPERIOR COURT
By [Signature] Deputy

- Stolen or embezzled property.
- Property or things used as a means of committing a felony.
- Property or things in the possession of any person with the intent to use it as a means of committing a public offense, or in the possession of another to whom he or she may have delivered it for the purpose of concealing it or preventing its being discovered.
- Property or things that are evidence that tends to show a felony has been committed, or tends to show that a particular person has committed a felony.
- Property or things consisting of evidence that tends to show that sexual exploitation of a child, in violation of Penal Code § 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Penal Code § 311.11 has occurred or is occurring.

YOUR AFFIANT SAYS THAT THE FACTS IN SUPPORT OF THE ISSUANCE OF THE SEARCH WARRANT ARE AS FOLLOWS:

My name is Cedric Remo. I have been a sworn police officer with the Oakland Police Department since March 2013. I am currently assigned to Crime Reduction Team (CRT). From April to July 2013 I was assigned to the Problem Solving Officer Unit. The Problem Solving Officer Unit is a unit which focuses on community-based problems, case investigations, vice operations, and the reduction of street narcotic trafficking and violent crimes. From July 2013 to Jan 2014 I was assigned to the Patrol Division where my duties include: Street level narcotic enforcement, responding to calls for service about open air narcotics markets, and responding to violent crimes in progress such as robberies and felony assaults. My current assignment at the Oakland Police Department is with the Crime Reduction Team (CRT). The CRT mission is violence suppression, primarily accomplished through investigation and enforcement of narcotics and/or controlled substances and firearms violations.

During my tenure with the Oakland Police Department I have conducted, as well as participated in hundreds of preliminary criminal investigations, including but not limited to: murders, robberies, sexual assaults, felony and simple assaults, traffic related offenses. During these investigations, I have conducted interviews with victims, witnesses, and suspects.

I have received a total of approximately 60 hours of formal training in the detection, recognition, and investigation of narcotics and controlled substances. My law enforcement training related to narcotics and controlled substances of, but is not limited to, the following:

1. Oakland Police Department Recruit School Basic Drug Investigations (12.5 hours) 2012.
2. Oakland Police Department Recruit School Open Air Drug Market Investigation (2.0 hours) 2013.
3. Oakland Police Department Recruit School Drug Influence Investigations (5.0 Hours) 2013.
4. Oakland Police Department Search Warrant and Informant Management Course (40 hours) 2014.

5. Oakland Police Department Undercover Officer School (40 hours) 2014.

My formal educations consist of, but are not limited to, an Associates Arts degree in Liberal Arts from the Los Medanos Junior College, Pittsburg Ca.

I have spoken with several individuals who possess, use, or sell narcotics, and controlled substances.

I am familiar with the terminology used concerning narcotics, controlled substances.

I am familiar with the appearance, packaging, use, and sales methods of narcotics, and controlled substances.

I have assisted with in excess of over 50 arrests of persons for the possession of narcotics, the possession of narcotics and controlled substances for sales. I have also assisted in several buy bust operations were I posed as a narcotics user and purchased narcotics from narcotics dealers. I have also participated in several narcotics surveillance operation and have seen the sales of narcotics.

I have had conversation with senior officers who are certified by the Alameda County Superior Court as an expert in the possession, possession for sales, and sales of cocaine, marijuana, methamphetamine, heroin, narcotics, and other control substance.

On March 11 2014, I received information regarding marijuana being illegally sold at 389 17th Street, Oakland Ca. Via OPD Drug Hotline sheet. I drove by the location of 389 17th St, Oakland, California, and I observed that this is a commercial retail business called "AL's SMOKIN GIFTS". The building has brown cement pillars and green trim. The store front is clear glass with a clear glass entry door along the south sidewalk of 17th St. The numbers 3-8-9, which are black in color with a silver background, are affixed over the entry door. The entry door is covered by a green canvass awning with "AL's SMOKIN GIFTS" printed in white letters.

The Drug Hotline indicated that On March 2 2014, it received an anonymous tip regarding three individuals selling marijuana illegally at 389 17th St. The OPD Drug Hotline consists of anonymous tips from citizens reporting drug related crimes throughout the city of Oakland. Due to the violent nature of drug dealing I.E. retaliation/intimidation from the dealers, the Oakland Police Department has set up a drug hotline for citizens who fear for their life and property. **SEE ATTACHMENT B.**

Based on this information, I decided to initiate an investigation into the illegal activities at 389 17th St. Within 72 hours of 25 March 2014, I made contact with an untested confidential informant who will be referred to as X for the fear of death or injury to X and the fact that if X's identity were revealed, it would hinder present and future narcotic investigations in the Oakland area.

During your affiant's conversations with X, I became aware that X is a marijuana user. I found that X is very familiar with the appearance, packaging, methods of trafficking, and terminology used by marijuana traffickers. I am also familiar with the appearance, packaging, methods of trafficking, and terminology used by traffickers of marijuana.

Based on the recent information I received regarding marijuana being illegally sold at 389 17th St, I directed X to conduct a controlled marijuana buy from this location. X agreed to assist in this investigation.

I have prepared a Hobbs attachment, EXHIBIT A (sealed) that is attached to the statement of probable cause/affidavit. EXHIBIT A is fully incorporated into and made part of the search warrant.

Based on the facts listed in this affidavit, I believe that the unknown Indian male/ Middle Eastern is currently in possession of the items listed under the property to be seized section on his person, and in the place(s) to be searched section of this search warrant. I believe that the unknown Indian male is currently in possession of marijuana for sale, a violation of 11359 H&S.

I know through training and experience that persons who are involved in trafficking marijuana possess marijuana at the premises or location where they conduct the sales of marijuana. Occasionally, persons who are involved in trafficking marijuana possess marijuana at additional residences or businesses. The additional residences and businesses are commonly known as "stash" houses.

I know through training and experience that persons who are involved in trafficking marijuana commonly possess firearms. The traffickers possess firearms to: 1) protect their marijuana and cash proceeds from theft, 2) protect the control of their customer based geographical areas, commonly known as "spots", and 3) thwart the efforts of law enforcement to arrest the traffickers and to seize the marijuana and cash proceeds.

I know through training and experience that persons who are involved in trafficking marijuana commonly possess large sums of U.S. currency, which are proceeds from their illegal sales marijuana.

I know through training and experience that persons who are involved in trafficking marijuana commonly possess paraphernalia associated with the use of marijuana. The paraphernalia associated with the use of marijuana include but are not limited to: zip lock baggies and smoking devices.

I know through training and experience that persons who are involved in trafficking marijuana commonly possess paraphernalia associated with the sales of marijuana. The paraphernalia associated with the sales of marijuana include but is not limited to: packaging materials, scales, and other measuring instruments.

I know through training and experience that persons who are involved in trafficking marijuana commonly document their sales of marijuana. They keep records of various buyers and sellers of marijuana. These records or documents are often in the form of handwritten notes and lists kept on computer programs and hard drives.

I know through training and experience that persons who are involved in trafficking marijuana commonly possess electronic equipment such as scanners, closed circuit video equipment, and cellular phones.

I know through training and experience those persons who are involved in trafficking marijuana commonly attempt to conceal the identity of the persons having control of their residence(s), business(s), and vehicle(s). This is done for the purpose of thwarting law enforcement's efforts to link them to the recovered contraband after a search warrant has been served. Evidence of control over their residence(s), business(s), vehicle(s), storage area(s) and container(s) may be found in the form of such items commonly known as indicia. These items often include writings, mail, receipts, photographs, videotapes, tape recordings, latent fingerprints, inscribed items, keys to the premise(s), clothing, and telephone books.

I know through training and experience that persons who are involved in trafficking marijuana commonly receive phone calls from potential buyers and sellers who discuss the sale of the marijuana. For this reason, I am

requesting that the officers executing the warrant be allowed to answer any telephone calls placed to the premise(s) during the service of the warrant and to converse with the caller(s) without revealing the identity of the officer(s).

I know through training and experience that persons who are involved in trafficking marijuana commonly utilize various vehicles, both to transport their contraband and to conceal them from law enforcement when search warrants are served.

I know through training and experience that persons who are involved in trafficking marijuana often hide their contraband in surrounding grounds, garages, storage rooms, mail boxes, containers, and out buildings to conceal them from law enforcement, customers and traffickers of marijuana.

It has been my experience that the aforementioned evidentiary items are commonly recovered when serving marijuana search warrants. I intend to search for these items as well as for marijuana.

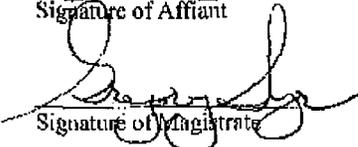
Therefore, I respectfully request that a search warrant be issued, based upon the above facts, and for the seizure of said property

I declare under penalty of perjury that the information within my personal knowledge contained in this affidavit, including all incorporated documents, is true.

Subscribed and sworn before me on

4/3/14 1:55 PM


Signature of Affiant


Signature of Magistrate

SEARCH WARRANT INVENTORY
OAKLAND POLICE DEPARTMENT

Search Date 9 Apr 14	Day WED	Starting Time 1258	Ending Time	Page 1 of 2	RD No. 14-017639
Officers/Witnesses Present		Serial No.		Officers/Witnesses Present	
1. S. BEZNER		8902		5. P. Cruz	9086
2. SGT R VIGOR		7641		6. R Ruiz	8824
3. E. ARIAZA		8927		7. K Zachesz	9245
4. D FOWLER		8911		8. N Ramos	9246
Name of Person Served ALAA SALEH					
Address of Search Location 389 17th St Oakland Ca 94612					
Area(s) Searched Stone, Unit # 536TF3H59DL 005144 Harden Crossbar, 40 W/W					

Evidence No.	Location Found	Description of Item
1	Under ^{Front} Shower ^{Shower} Desk ^{Desk}	KATE Arms 9mm Handgun serial # T04214 + Magazine Containing 6 Live Rounds
2	Under ^{Front} Shower ^{Shower} Desk ^{Desk}	One Extended 30 Round Magazine 40 caliber
3	Under ^{Front} Shower ^{Shower} Desk ^{Desk}	9mm live Ammunition 38 Rounds
4	Utility Room	4 Digital Weigh Scales
5	Utility Room	Multiple Greeny Beige Sealed Concentrated Cocaine
6	Utility Room	Multiple Clear Plastic Bags Suspected Potency Material
7	Back shower Diph	87 Yellow Pills of suspected 10mg of Hydrocodone
8	Utility Room	2 Cigarettes ^{one little one} one ^{small} one ^{small} one ^{small}
9	Utility Room	Loose Marijuana Buds
10	Drawer Behind Cash ^{box}	Four One Bank with Hand written Notes
11	Front shower on floor	One By One Clear Plastic Bags Containing ^{suspected} suspected ^{material} material

I, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on the warrant.

Officer's Signature

C. Remo

Serial No.

6125

Subscribed and sworn to before me on

9 Apr 14 20

SEARCH WARRANT INVENTORY
OAKLAND POLICE DEPARTMENT

Search Date 9 Apr 14	Day Wed	Starting Time 1258	Ending Time	Page 2 of 2	RD No. 14-017639
Officers/Witnesses Present		Serial No.		Officers/Witnesses Present	
1. S. Berner		8902		5. T. Cruz	
2. Sgt. R. Viera		7641		6. R. Ruiz	
3. E. Arriaza		8921		7. K. Zechosca	
4. D. Fowler		8911		8. N. Ramos	
Name of Person Served ALAA SALEH					
Address of Search Location 389 17th St Oakland CA 94612					
Area(s) Searched Store 1, Veh # 536T FBH 59DL085144 Honda Crosstour 4D van					
Evidence No.	Location Found	Description of Item			
12	Front Center in Purse	US Currency 1,300			
13	cash Front Showroom	U.S. Currency 190.95			
14	LG Showroom Area	LG Smart Phone			
15	Utility Room	Index in THE Name of SALEH, ALAA			
16	Behind Front Counter	Commercial lease and Deposit Receipt			
17	Right Front Coin Pocket of SALEH, ALAA	Paperwork Includes index. Clear Plastic Baggy Containing off white powder substance of suspected Cocaine.			
18	Left Front Pocket of Saleh, ALAA	U.S. Currency 585.00			

I, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on the warrant.

Officer's Signature

C. Kimo

Serial No.

9125

Subscribed and sworn to before me on

9 Apr 14

20__



County of Alameda
DAILY
DECLARATION AND DETERMINATION
Probable Cause for Warrantless Arrest



Arrestee/Suspect ALAA SALEH M		DOB 05/13/1985	GDL D7123298 CA	PFN BHI114	Agency Report # 14-017639
Arresting Agency OAKLAND PD (CA0010900)		Declarant DOMETRIUS FOWLER		Agency Phone (510) 777-8897	Agency Fax (510) 777-8826
Arrest Date 04/09/2014	Arrest Time 12:58:00	Arrest Location 389 17TH ST OAKLAND CA (389 17TH ST., OAKLAND, CA 94607)			
Holds		Arrestee Home Address 15833 VIA TOLEDO SAN LORENZO CA			
Charges/Violations HS 11359 F(1 Counts), HS 11351.5 F(1 Counts), PC 29800(A)(1) F(1 Counts), HS 11370.1(A) F(1 Counts)					

On above at stated time, OPD officers served a search warrant at 389 17th St. The search warrant was signed by the Honorable Gregory Syren. Upon service of the search warrant, officers recovered a small amount of suspected marijuana, a loaded firearm (with ammo), suspected cocaine base, and US currency indicative of sales. Officers recovered the evidence and arrested the above subject for the above charges.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.		
Date: 04/09/2014 15:54:55	Declarant: DOMETRIUS FOWLER	Badge: 8911

On the basis of the foregoing declaration, I hereby determine that there is/is not probable cause to detain this arrestee.	
Date:	Judge:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA,
WILEY W. MANUEL COURTHOUSE

PEOPLE OF THE STATE OF CALIFORNIA	NO. 596090-5
v.	COMPLAINT
ALAA SALEH	PFN: BHI114
Defendant(s)	

FILED
ALAMEDA COUNTY

MAY 16 2014

*Cynthia
Lanphier*

CRN: 4317355

The Undersigned, being sworn says, on information and belief, that ALAA SALEH did, in the County of Alameda, State of California, on or about April 9, 2014, commit a Felony, to wit: POSSESSION OF A CONTROLLED SUBSTANCE WITH FIREARM, a violation of section 11370.1(a) of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess cocaine while armed with a loaded, operable firearm, to wit: 9 mm handgun Hahr.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

SECOND COUNT

The Undersigned further deposes and says on Information and belief, that said ALAA SALEH did, in the County of Alameda, State of California, on or about April 9, 2014, commit a Felony, to wit: POSSESSION FOR SALE OF A CONTROLLED SUBSTANCE, a violation of section 11351 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess for sale and purchase for sale a controlled substance, to wit: Hydrocodone.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

THIRD COUNT

The Undersigned further deposes and says on Information and belief, that said ALAA SALEH did, in the County of Alameda, State of California, on or about April 9, 2014, commit a Felony, to wit: POSSESSION OF MARIJUANA FOR SALE, a violation of section 11359 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess marijuana for sale.

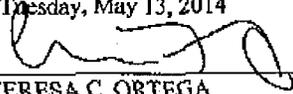
"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

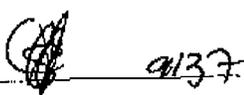
Pursuant to Penal Code Section 1054.5(b), the People are here by informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Complainant therefore prays that a warrant issue and that said defendant(s) be dealt with according to law.

Subscribed and sworn to before me,

Tuesday, May 13, 2014


TERESA C. ORTEGA
Deputy District Attorney
State Bar #169556 swg
Alameda County, California


/s/ Oakland PD-14-017639

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
WILEY W. MANUEL COURTHOUSE

FILED
ALAMEDA COUNTY
JUL 21 2014
CLERK OF THE SUPERIOR COURT
By *[Signature]*
Deputy

PEOPLE OF THE STATE OF CALIFORNIA

NO.
COMPLAINT

597851-9

v.

WENDY MCPHERSON

PEN: DRT615

CEN: 4331499

Defendant(s).

The Undersigned, being sworn says, on information and belief, that WENDY MCPHERSON did, in the County of Alameda, State of California, on or about January 31, 2014, commit a Felony, to wit: POSSESSION OF MARIJUANA FOR SALE, a violation of section 11359 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess marijuana for sale.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Complainant therefore prays that a warrant issue and that said defendant(s) be dealt with according to law.

Subscribed and sworn to before me,
Wednesday, July 16, 2014

[Signature]

As

Oakland PD-14-005519

[Signature]

MARK E. JACKSON
Deputy District Attorney
State Bar #173216 dw
Alameda County, California

1 NANCY E. O'MALLEY
2 District Attorney
3 Alameda County
4 661 Washington Street
5 Room 225
6 Oakland, CA 94607
7 (510) 268-7500

8 MARK E. JACKSON
9 Deputy District Attorney
10 State Bar Number 173216

FILED
ALAMEDA COUNTY

JUL 21 2014

CLERK OF THE SUPERIOR COURT
By [Signature] Deputy

8 **SUPERIOR COURT, WILEY W. MANUEL COURTHOUSE**
9 **COUNTY OF ALAMEDA, STATE OF CALIFORNIA**

10 THE PEOPLE OF THE STATE OF CALIFORNIA,
11 Plaintiff.

12 v.

13 WENDY MCPHERSON

14 Defendant.

Docket No.: 597851

Department No. 112

PFN: DRT615 CEN: 4331499

15 **NOTICE OF INTENTION TO INSTITUTE FORFEITURE PROCEEDINGS**
16 **PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 11470 et seq.**

17 The above-entitled Court, the above-named defendant, and all attorneys representing said
18 defendant in any capacity, are hereby put on notice and informed that it is the intention of the
19 District Attorney of the County of Alameda, State of California, to institute forfeiture proceedings in
20 the above-entitled action. Said forfeiture proceedings will be filed pursuant to Health and Safety
21 Code Section 11470 et seq. and will seek the forfeiture of assets of the kind listed in Health and
22 Safety Code Section 11470, specifically included, but not limited to, assets and property seized in
23 connection with the arrest of the above-named defendant and in connection with the service of
24 search or seizure warrants in the above-entitled case.

25 DATED: July 16, 2014

26 NANCY E. O'MALLEY
27 DISTRICT ATTORNEY

28 BY: [Signature]
29 MARK E. JACKSON
Deputy District Attorney

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA,
WILEY W. MANUEL COURTHOUSE

PEOPLE OF THE STATE OF CALIFORNIA

NO. 596090-5
COMPLAINT

v.

ALAA SALEH

PFN: BHI114

CEN: 4317355

FILED
ALAMEDA COUNTY

MAY 16 2014

*Cynthia
Lanphier*

Defendant(s).

The Undersigned, being sworn says, on information and belief, that ALAA SALEH did, in the County of Alameda, State of California, on or about April 9, 2014, commit a Felony, to wit: POSSESSION OF A CONTROLLED SUBSTANCE WITH FIREARM, a violation of section 11370.1(a) of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess cocaine while armed with a loaded, operable firearm, to wit: 9 mm handgun Hahr.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

SECOND COUNT

The Undersigned further deposes and says on Information and belief, that said ALAA SALEH did, in the County of Alameda, State of California, on or about April 9, 2014, commit a Felony, to wit: POSSESSION FOR SALE OF A CONTROLLED SUBSTANCE, a violation of section 11351 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess for sale and purchase for sale a controlled substance, to wit: Hydrocodone.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

THIRD COUNT

The Undersigned further deposes and says on Information and belief, that said ALAA SALEH did, in the County of Alameda, State of California, on or about April 9, 2014, commit a Felony, to wit: POSSESSION OF MARIJUANA FOR SALE, a violation of section 11359 of the HEALTH AND SAFETY CODE of California, in that said defendant(s) did unlawfully possess marijuana for sale.

"NOTICE: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

Pursuant to Penal Code Section 1054.5(b), the People are here by informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Complainant therefore prays that a warrant issue and that said defendant(s) be dealt with according to law.

Subscribed and sworn to before me,

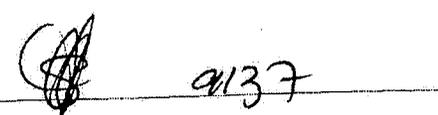
Tuesday, May 13, 2014


TERESA C. ORTEGA

Deputy District Attorney

State Bar #169556 swg

Alameda County, California


/s/ Oakland PD-14-017639