

CITY OF OAKLAND



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March 23, 2004

PUBLIC SAFETY COMMITTEE
Oakland, California

Chairperson Reid and Members of the Committee:

Subject: **CITIZENS' POLICE REVIEW BOARD 2003 ANNUAL REPORT**

Pursuant to City of Oakland Ordinance number 12454 C.M.S. adopted on November 12, 2002, the Citizens' Police Review Board must produce a semi annual and annual report. The Citizens' Police Review Board submits its 2003 annual report pursuant to section 6, paragraph C, subdivision 3 of the ordinance.

Respectfully submitted,

JOYCE M. HICKS
Citizens' Police Review Board
Executive Director

APPROVED AND FORWARDED TO THE
PUBLIC SAFETY COMMITTEE

OFFICE OF THE CITY MANAGER

Item: 7
Public Safety Committee
March 23, 2004

CITIZENS' POLICE REVIEW BOARD
OAKLAND, CA

2003
ANNUAL REPORT

7

PUBLIC SAFETY CMTE.

MAR 23 2004

Board Members and Term Expiration Dates

Mario Andrews	February 15, 2004
John Batarse	February 15, 2004
Angela Cheung	February 15, 2004
Anthony Loveday	February 15, 2005
William Hubartt	February 15, 2004
Susan Raffanti	February 15, 2003
Monsour Salahu-Din	February 15, 2004
Beniba Thomas	February 15, 2005
Roland Walker	February 15, 2003

CPRB Staff

Joyce M. Hicks	Executive Director
Wendy Jan	Policy Analyst / Outreach Coordinator
Audrey Montana	Investigator
Sean Quinlan	Investigator
Victoria Urbi	Investigator
Larry Carroll	Hearing Officer (City Manager's Office)
Delores Pontiflet	Executive Assistant to the Director
Josie Phillips	Administrative Analyst (CMO)

CPRB Mission Statement

The Citizens' Police Review Board is committed to ensuring that Oakland has a professional police department, whose members behave with integrity and justice. As representatives of the community, our goal is to improve police services to the community by increasing understanding between community members and police officers. To ensure police accountability, we provide the community with a public forum to air its concerns on policy matters and individual cases alleging police misconduct. (Adopted by the Citizens' Police Review Board, January 8, 2004).

Citizens' Police Review Board

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Deborah Edgerly City Manager,
Joyce M. Hicks, CPRB Executive Director

March 23, 2004

The Honorable Mayor, Oakland City Council, and Fellow Oakland Residents:

On behalf of the members of the Citizens' Police Review Board (CPRB) and the CPRB staff, I am pleased to present you with the CPRB's 2003 Annual Report. 2003 was a year of transitions and changes. The Board welcomed three new Board members as well as four new staff members — including a new Executive Director.

2003 was a productive year which included improvements in CPRB's processes and services. For example, the Board increased the number of evidentiary hearings it held from 11 hearings in 2002 to 14 hearings in 2003. Additionally, the Board resolved a total of 82 complaints — a 90% increase over the 43 complaints resolved in 2002.

One of the highlights for Board members in 2003 was the Board's first annual retreat. The retreat provided Board members and staff the opportunity to meet in an informal setting and set goals. This process was invaluable in promoting teamwork among the Board members and its staff and in laying a foundation for the Board's future work.

Finally, the Board made two policy recommendations to the Oakland Police Department in 2003. These recommendations pertain to OPD's crowd control policies and OPD's need for a policy ensuring the safety of individuals whose cars have been towed by OPD.

This year's annual report provides you with an analysis of the complaints filed in 2003 and the complaints resolved by the Board in 2003. A new section has been added to the report regarding the number of officers with one or more complaints. The report also provides you with an update on the Board's prior recommendations and information about the Board's 2003 recommendations. Finally, this year's report is better able to track patterns and trends than previous reports because the staff has collected data to track trends over a two-year period; 2002 and 2003. With this data, you may now compare the difference in data results from 2003 only and data from the two year period.

We look forward to the year ahead as we strive to make additional gains in providing the public with a means for airing its grievances and concerns and to promote increased community/police relations. Thank you for your continued support.

Sincerely,

Roland Walker,
CPRB Chair

Executive Summary

The Citizens' Police Review Board is authorized to "exercise jurisdiction over all citizen complaints concerning the conduct of Oakland Police Officers and Park Rangers that are filed with the Board or with the Oakland Police Department." (City Ordinance No. 12454 C.M.S., section 5 (A)). Pursuant to this authority, the Board is required to submit a statistical report to the Public Safety Committee "regarding complaints filed with the Board, the processing of these complaints and their dispositions" at least twice a year. (City Ordinance 12454 C.M.S., section 6 (C)(3)).

In 2003, 117 individuals filed 105 complaints with the Citizens' Police Review Board. These individuals were primarily African-Americans and/or males, many of whom were between the ages of 25-44 years old.

The top three types of allegations filed with the Board in 2003 were: (1) officers used excessive force; (2) officers engaged in improper verbal conduct (e.g., rude comments, profanity, threats); and (3) officers failed to perform their duties in some way.

The alleged incidents occurred most frequently in Council District 3, followed by Council Districts 7 and 1. Pages 11 and 12 of this report provide a graphical depiction of the

alleged incident locations by Council District, Police Service Area and Police Beat.

In 2003, the Board resolved 82 complaints, either through administrative closure or evidentiary hearing. The Board closed 68 complaints through administrative closure and incrementally increased the number of hearings it held each calendar quarter, totaling 14 hearings held in 2003.

The Board sustained 17% of the allegations it heard and concluded that the officers were justified in their behavior for two percent of the allegations. The Board found that seven percent of the allegations it heard did not occur and voted to not sustain 74% of the allegations.

In 2003, The Board forwarded disciplinary recommendations arising from 10 complaints to the City Manager. The City Manager upheld the Board's disciplinary recommendations (either in whole or in part) from nine of those complaints.

In 2003, the Board also recommended changes to OPD's policies in the areas of its crowd control policy and its lack of a policy for providing rides to individuals whose cars have been towed by OPD.

In 2003, the CPRB staff developed and implemented a new database, enabling the agency to better track patterns and trends. For example, staff was able to determine that, in 2003 alone, four officers each received four complaints, eight officers each received two complaints, and seventy-eight officers each received one complaint.

Finally, in 2003, Joyce Hicks was appointed as the CPRB's new Executive Director. At the beginning of her tenure, Ms. Hicks proposed a 90-day plan for improving the effectiveness and efficiency of the CPRB. She hired two new investigators to fill the vacant positions and worked with the Mayor's Office to fill the vacant regular Board member positions. Additionally, Ms. Hicks worked with the Board to develop a process for holding 3-member panel hearings to increase the number of hearings provided to the public. She was able to implement the process in November 2003. Furthermore, Ms. Hicks developed a working relationship between staff at the CPRB, members of OPD, and members of the community so as to better collaborate on achieving joint goals.

2003 was an exciting year for the Board and its staff. Though it brought many changes to the agency, it also brought with it new faces and new energy to revitalize its

mission and purpose. In 2004, the Board and its staff anticipate additional improvements as they continue to assess the agency's processes and the services the agency should provide to the public.

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INTRODUCTION

Purpose of this Report

Oakland City Council Ordinance No. 12454 C.M.S., section 6(C)(3) requires the Citizens' Police Review Board (CPRB) to "issue a detailed statistical report to the Public Safety Committee regarding complaints filed with the Board, the processing of these complaints and their dispositions" at least twice a year. This report is submitted pursuant to that requirement.

CPRB History

Oakland's City Council established the Citizens' Police Review Board in April 1980, with the purpose of reviewing certain complaints of misconduct by police officers or park rangers, conducting fact-finding investigations, and making advisory reports to the City Manager. On July 30, 1996, the City Council expanded the Board's original jurisdiction to include complaints involving: (1) the excessive use of force; or (2) communications of bias based upon an individual's legally protected status (race, gender, national origin, religion, sexual orientation or disability). (City Ordinance 11905 C.M.S, section 5(A)(1).) Simultaneously, the City Council also granted the Board supplemental jurisdiction over other non-force conduct (City Ordinance 11905 C.M.S., section 5(B)(1)), subpoena power over police officers and park rangers (City Ordinance 11905 C.M.S., section (G)(2)), and authorization to mediate final

and binding resolution of complaints. (City Ordinance 11905 C.M.S., section 7.)

In 2002, Oakland's City Council further expanded the Board's jurisdiction and powers. On July 30, 2002, the City Council granted the Board original jurisdiction over all complaints filed against an Oakland police officer or park ranger and expanded the Board's size from nine members to twelve members, with three of the nine members to serve as alternates. (City Ordinance 12454 C.M.S, section (3)(B)(2).) Additionally, the City Council granted the Board the option of holding evidentiary hearings via three-member panels (City Ordinance 12454 C.M.S., section 6(G)(11)) and permitted Board members to review confidential records from the Oakland Police Department (OPD) in closed session. (City Ordinance 12454 C.M.S., section 6(F)(4).) Finally, on July 30, 2002, the City Council added a policy analyst to the Board's staff and required the Board to make complaint forms available to members of the public at libraries, resource centers, and recreation centers. (City Ordinance 12454 C.M.S., section 6(E)(1).) On November, 12, 2002, the City Council further refined the amendments to the CPRB ordinance and legislated the following: the CPRB staff may make recommendations to the City Manager regarding cases that

are in litigation (City Ordinance No. 12454 C.M.S., section 6(G)(10)(b)); CPRB investigations may take up to 180 days from the initial date of filing as opposed to the previously legislated 60 days (City Ordinance No. 12454 C.M.S., section 6(G)(8)); and OPD's Internal Affairs Division and the CPRB will use the same complaint form with sequential numbering. (City Ordinance No. 12454 C.M.S., section 5(B)).

ANALYSIS OF COMPLAINTS FILED IN 2003

Number of Complaints Filed in 2003

In 2003, the CPRB received 105 complaints, a 55% increase over the 67 complaints the agency received in 2002. *Figure 1* below, shows the number of complaints filed each month in 2003.

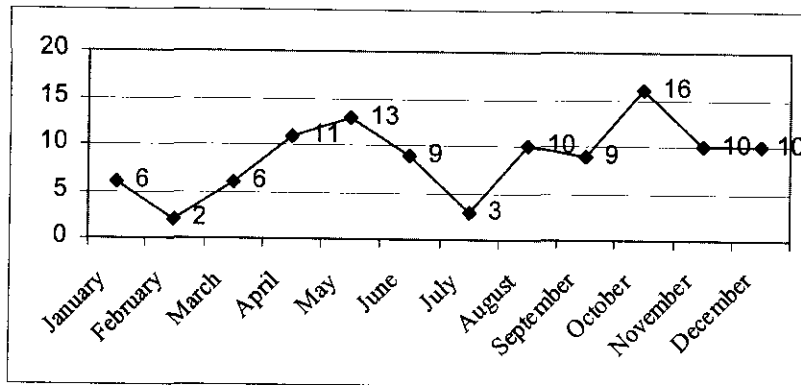


Figure 1

The greatest number of complaints were filed in the month of October.

Number of Complaints Filed in 2002 and 2003

Since it is difficult to identify patterns or trends using only data from a one year period, *Figure 2* provides the number of complaints filed in a two year period, in 2002 and 2003. *Figure 2* shows that the peak filing periods during this two-year period occurred in May, August, and October.

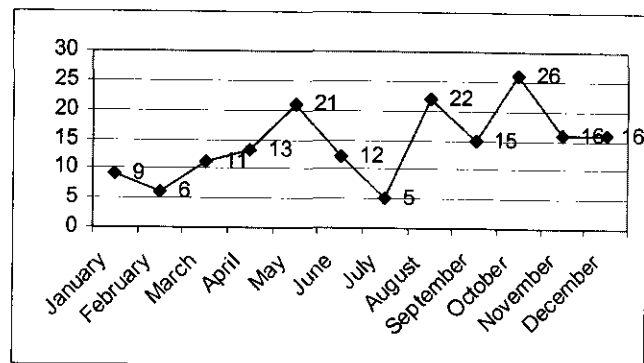


Figure 2

Race and Gender of 2003 Complainants

In 2003, 117 complainants were associated with the 105 complaints that were filed with the Board. Sixty-three percent of the complainants were African-American and, when race is not considered, 54% of the complainants were male. *Figure 3*, below, provides a breakdown of the race and gender of the 2003 complainants.

Race	Gender	No. of Complainants	Percent
African-American	F	33	28%
African-American	M	39	33%
African-American	Unknown	2	2%
Asian-American	F	1	1%
Asian-American	M	1	1%
Caucasian	F	7	6%
Caucasian	M	11	9%
Hispanic-American	M	4	3%
Hispanic-American	Unknown	1	1%
Native-American	M	1	1%
Other	F	2	2%
Other	M	5	4%
Unknown	F	1	1%
Unknown	M	4	3%
Unknown	Unknown	5	4%
Total		117	100%

Combined Data From 2002 and 2003

An analysis of the combined data from 2002 and 2003 shows a consistent trend: 61% of the complainants were African-American and, when race is not considered, 55% of the complainants were male.

Figure 3

Age of 2003 Complainants

In 2003, a large number of complainants were concentrated between the ages of 25-44 years old: 44% of the complainants fell within this age group. See *Figure 4* for a detailed breakdown of the complainants' ages.

Complainants' Ages	No. of Complainants	% of Complainants
Under 18	3	3%
18-24	14	12%
25-34	23	20%
35-44	28	24%
45-54	18	15%
55-64	6	5%
65 and Older	2	2%
Unknown	23	20%
Total	117	100%

Figure 4

Age of 2002 and 2003 Complainants

The combined data from 2002 and 2003 shows a similar trend: 42% of the complainants were between the ages of 25-44.

Complainant's Age	No. of Complainants	% of Complainants
Under 18	6	3%
18-24	23	12%
25-34	35	19%
35-44	43	23%
45-54	26	14%
55-64	13	7%
65 and Older	4	2%
Unknown	35	19%
Total	185	100%

Figure 5

Allegations Filed in 2003

In 2003, the CPRB received the highest percentage of complaints in the areas of: (1) excessive force (37%); (2) improper verbal conduct (32%); and (3) failure to act (21%). See *Figure 6*, below, for additional information.

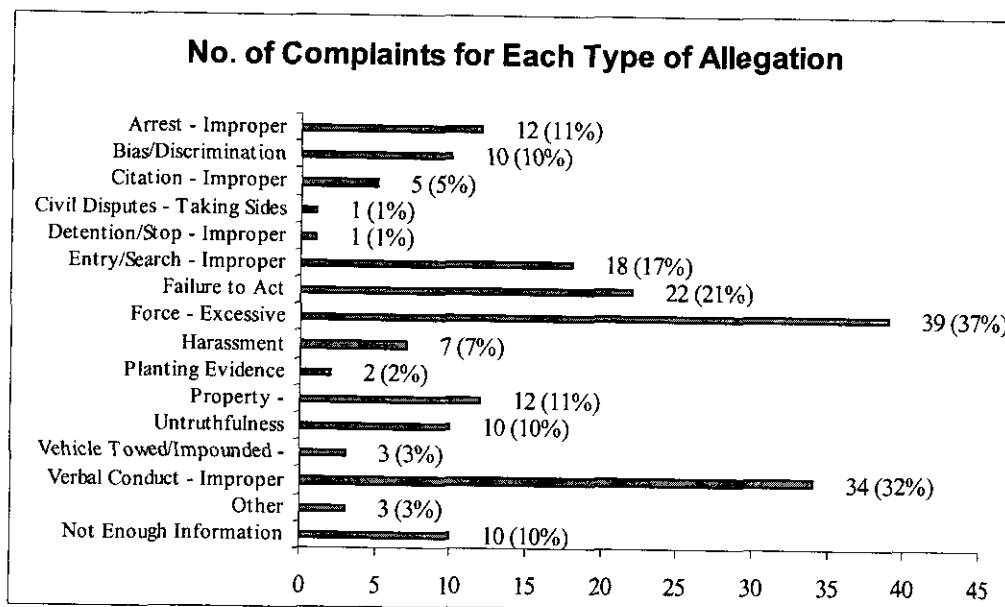


Figure 6

Appendix A provides the number of allegations filed between 2002 to 2003.

Figure 7 on the following page lists the number of 2003 complaints for each allegation category and it breaks down the general categories into more specific categories. For example, the general category of “verbal conduct — improper,” found in *Figure 1*, has been broken down into the two more specific categories of (1) “profanity/rude statements;” and (2) “threats” in *Figure 2*.

2003 Allegations	No. of Complaints	% of Complaints
Arrest - Improper	12	11%
Bias / Discrimination	10	10%
Citation - Improper	5	5%
Civil Disputes - Taking Sides	1	1%
Detention/Stop - Improper	1	1%
Entry/Search - Improper	18	17%
Failure to Act	22	21%
To Ensure Individual's Safety	(2)	(2%)
To Investigate	(3)	(3%)
To Provide Identification	(5)	(5%)
To Use Patrol Car Lights	(1)	(1%)
To Write A Report	(4)	(4%)
Other	(11)	(10%)
Force	39	37%
After Handcuffed	(4)	(4%)
Choke	(3)	(3%)
Grab/Push/Shove/Trip	(7)	(7%)
Handcuffs Too Tight	(9)	(9%)
Handcuffs Unwarranted	(2)	(2%)
Kick	(5)	(5%)
Shooting Gun at Person or Animal ¹	(4)	(4%)
Specifics Unknown	(5)	(5%)
Strike w Hand or Unknown Object	(7)	(7%)
Strike w Weapon	(3)	(3%)
Use of Chemical(s)	(3)	(3%)
Use of Gun to Threaten	(2)	(2%)
Use of Patrol Vehicle	(4)	(4%)
Other	(4)	(4%)
Harassment	7	7%
Planting Evidence	2	2%
Property - Damaged/Missing/Seized	12	11%
Truthfulness	10	10%
Reporting	(6)	(6%)
Verbal Statements	(4)	(4%)
Vehicle Towed/Impounded - Improper	3	3%
Verbal Conduct	34	32%
Profanity/Rude Statements	(25)	(24%)
Threats	(11)	(10%)
Other	3	3%
Not Enough Information	10	10%

Figure 7

¹ Three complaints each involved the death of a person. The fourth complaint involved the death of a dog.

Location of Alleged Incidents in 2003

In 2003, the largest number of alleged incidents occurred in Council Districts 3 (35%), 7 (16%), and 1 (13%). See *Figure 8* for the number and proportion of alleged incidents that occurred in the other Council Districts.

Council District	No. of Complaints	% of Complaints
1	13	12%
2	1	1%
3	37	35%
4	4	4%
5	9	9%
6	12	11%
7	17	16%
Insufficient Information	12	11%
Total	105	100%

Figure 8

Locations of Alleged Incidents in 2002 and 2003

Figure 9 on the following page maps the specific alleged incident locations from the 2002 and the 2003 complaints. It depicts the areas of concentration, within each Council District, that the alleged incidents occur. For example, it is interesting to note that, for District 3, most of the alleged incident locations occur on the East side of the District; while for District 1, most of the alleged incident locations occur on the West side of the District.

Figure 10 depicts the same information according to Police Service Area and Police Beats.

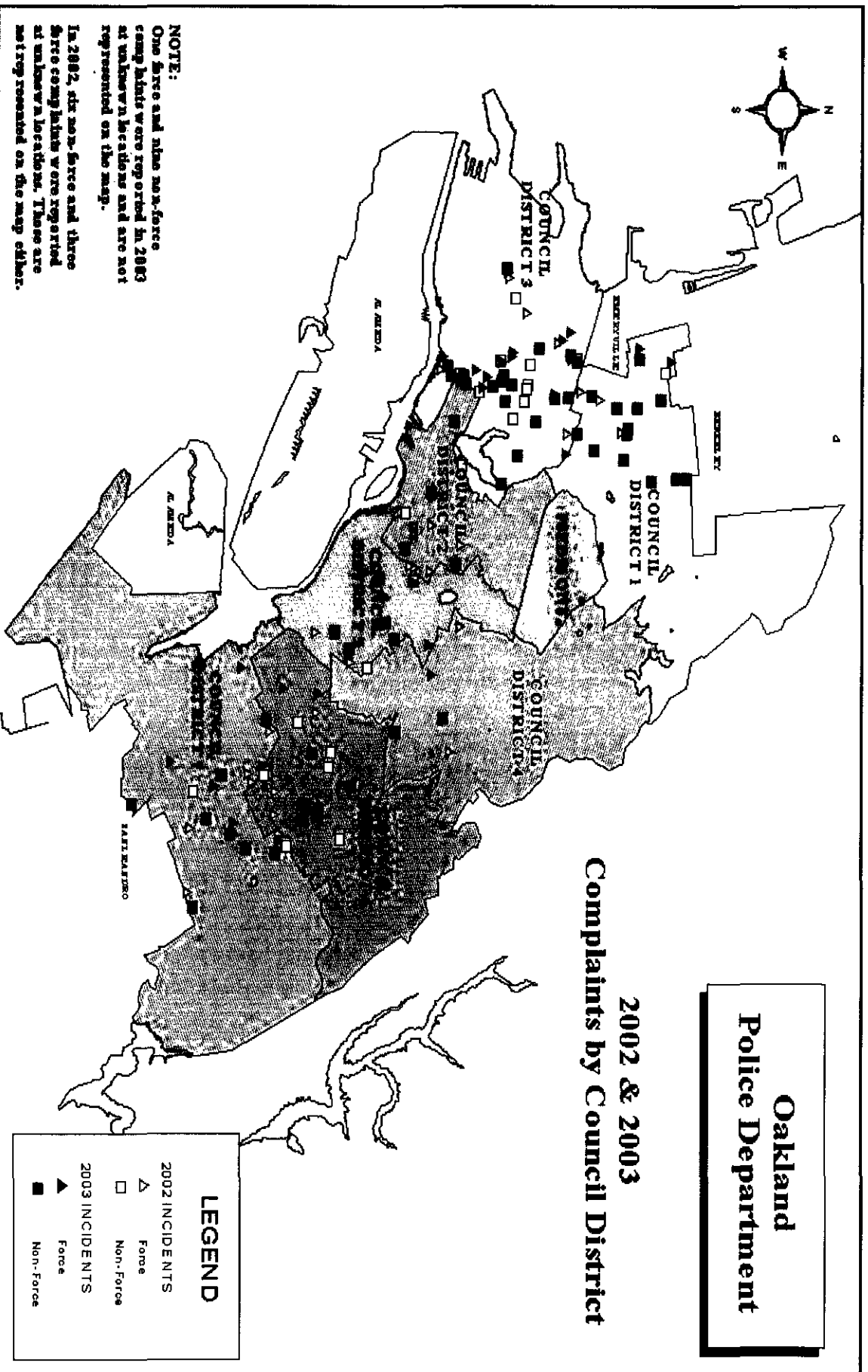


Figure 9

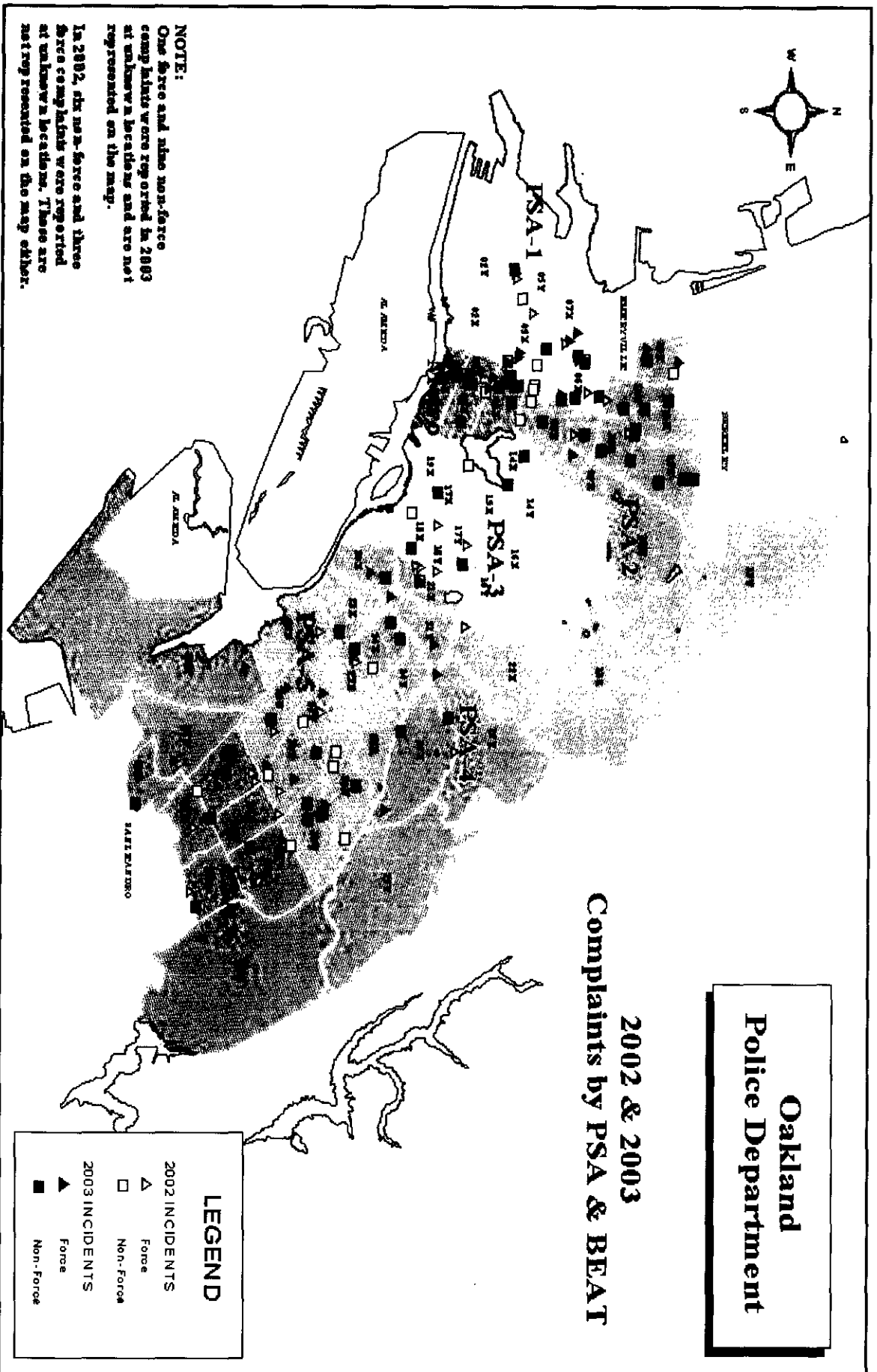


Figure 10

Time of Alleged Incidents in 2003

Figure 11 below shows the time periods the alleged incidents occurred. It shows that the greatest number of incidents occurred between 12:00 p.m.-2 p.m. and, after that, the next peak period occurs between 4 p.m.-6 p.m.

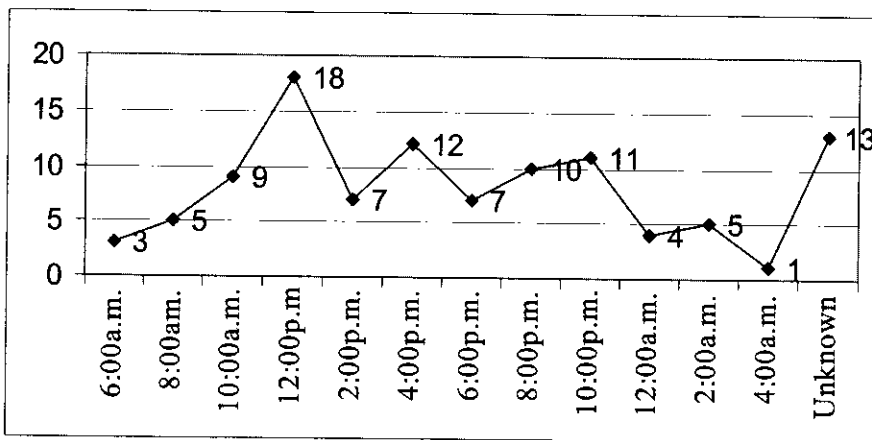


Figure 11

Time of Alleged Incidents in 2002 and 2003

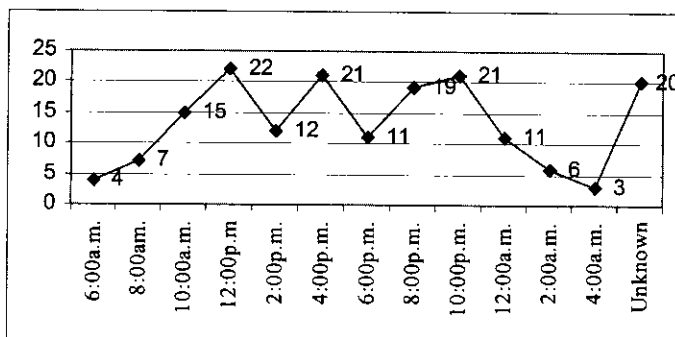


Figure 12

Interestingly, when the data from 2002 and 2003 is combined, the analysis shows somewhat different results. Incident times peak between:

- 12:00 p.m.-2:00 p.m.,
- 4:00 p.m.-6:00 p.m., and between
- 8:00 pm-12:00 a.m.

COMPLAINTS RESOLVED IN 2003

Number of Complaints Resolved in 2003

In 2003, the Board resolved 82 complaints — 14 through evidentiary hearings and 68 through administrative closures. *Figure 13* provides the number of complaints resolved each calendar quarter.

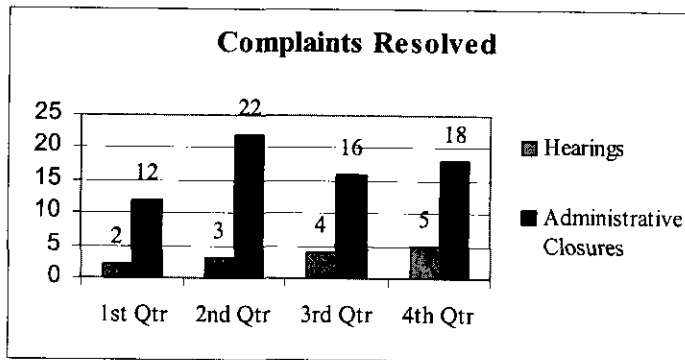


Figure 13

The Board was scheduled to hold an additional three evidentiary hearings in 2003. However, the hearings were cancelled because: the first hearing (scheduled for January 23, 2003) lacked a quorum of Board members; a subject officer had a sudden family emergency on the date of the second hearing (scheduled for October 9, 2003); and the complainant failed to appear for the third hearing (scheduled for November 6, 2003).

Number of Complaints Resolved in 2002

In 2002, the Board resolved 43 complaints — 11 through evidentiary hearings and 32 through administrative closure. Thus, in resolving 82 complaints in 2003, the Board increased its productivity by 90%.

Figure 14 provides the Board's productivity per calendar quarter in 2002.

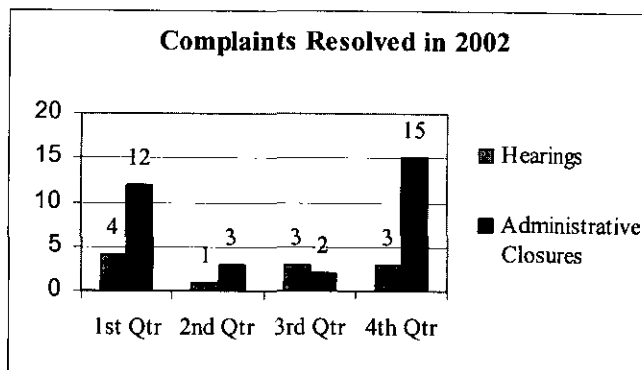


Figure 14

Evidentiary Hearings

Evidentiary hearings are a very important part of the Board's work. They allow the Board to identify the areas of officer misconduct and to identify officers who may need to receive some form of discipline for their behavior. Additionally, in identifying areas in which officers may be injuring the public in some way, the Board may identify policies that it would like to see changed or improved. If this is the case, the Board and its staff will hold a policy hearing and work with members of the police department to bring about the desired improvements or changes. Ultimately the goal of all the work the Board does is to improve community / police relations and maintain a professional police department.

Allegations Before the Board at Evidentiary Hearings

In 2003, the Board heard 14 complaints at evidentiary hearings. *Figure 15*, on the following page, lists the types of allegations heard at each hearing.

Allegations Before the Board at Board Hearings

Meeting Date	Complaint	No. of Allegations and Types of Allegations
02/13/2003	Gary Castro (99-05)	1 Citation - Improper; 2 Failure to Act - Other; 3 Force - Strike with a Weapon
03/27/2003	Michael Williams (02-49)	1 Force - After Handcuffed; 2 Force - Strike with a Weapon
04/24/2003	Kenyon Osborn (02-146)	1 Force - After Handcuffed; 1 Force - Choked; 2 Force - Grab/Push/Shove/Trip; 3 Force - Strike with Hand or Unknown Weapon; 4 Verbal Conduct - Profanity/Rude Statements
05/22/2003	Geneva Byrd (03-080)	1 Bias/Discrimination; 1 Force - Kick; 1 Force - Use of Patrol Vehicle; 2 Verbal Conduct - Profanity/Rude Statements
06/26/2003	Jessie Godfrey (02-42)	1 Custody - Improper Treatment; 5 Entry/Search - Improper; 2 Force - Grab/Push/Shove/Trip; 1 Force - Handcuffs Too Tight; 1 Force - Kick; 1 Force - Other; 4 Planting Evidence; 6 Property - Damaged/Missing/Seized; 1 Verbal Conduct - Threats
07/10/2003	Jeffrey Grande (03-075)	1 Arrest - Improper; 1 Bias/Discrimination; 1 Entry/Search - Improper; 1 Failure to Act - To Provide Identification; 1 Force - Handcuffs Too Tight; 1 Force - Kick; 1 Verbal Conduct - Profanity/Rude Statements
08/14/2003	Jonas Doyal (02-57)	1 Detention/Stop - Improper; 1 Failure to Act - To Write a Report; 2 Force - Grab/Push/Shove/Trip; 2 Strike w Hand or Unknown Object; 4 Verbal Conduct - Profanity/Rude Statements
08/28/2003	Cesar Trevino (02-44)	1 Force - After Handcuffed; 2 Strike w Hand or Unknown Object; 3 Verbal Conduct - Profanity/Rude Statements
09/25/2003	Darryl Williams (03-128)	1 Arrest - Improper; 2 Force - Kick; 1 Force - Strike w Hand or Unknown Object; 1 Verbal Conduct - Profanity/Rude Statements
10/23/2003	Gregory Johnson (03-052)	1 Citation - Improper; 3 Planting Evidence
11/13/2003	Judi Hirsch (03-216)	3 Failure to Act - To Use Patrol Car Lights; 1 Failure to Act - Other; 2 Truthfulness - Reporting

Figure 15

Allegations Before the Board at Board Hearings (cont'd)

Meeting Date	Complaint	Allegations
11/20/2003	Dennis Butler (02-60)	2 Detention/Stop - Improper; 8 Entry/Search - Improper; 2 Force - Grab/Push/Shove/Trip; 2 Verbal Conduct - Profanity/Rude Statements; 1 Other
11/24/2003	Hannah Moore and Bianca Watkins (02-61)	2 Bias/Discrimination; 1 Failure to Act - To Ensure Individual's Safety; 1 Harassment; 1 Verbal Conduct - Profanity/Rude Statements
12/04/2003	Sandra Brown Norshaka (03-193)	1 Failure to Act - To Ensure Individual's Safety; 2 Vehicle Towed/Impounded - Improper; 1 Verbal Conduct - Profanity/Rude Statements; 1 Verbal Conduct - Threats

Figure 15 (cont'd)

Board Findings at Evidentiary Hearings

In hearing these 14 complaints at evidentiary hearings, the Board sustained 17% of the total allegations it heard. These sustained allegations arose from nine of the complaints. The Board also concluded that officers were justified in two percent of the allegations it heard. The Board found that seven percent of the allegations it heard did not occur and voted to not sustain 74% of the allegations. *Figure 16*, on the following page, displays the Board's specific findings and disciplinary recommendations.

Definitions for Board Findings

This key provides definitions for the four types of findings the Board makes. The Board is required to use the "preponderance of evidence standard" in weighing evidence. This standard requires the Board to determine whether it is "more likely than not" that the allegations are true.

Sustained: At least five Board members concluded that the act(s) alleged by the Complainant occurred.

Exonerated: At least five Board members concluded that the act(s) alleged by the Complainant occurred. However, the act(s) were justified, lawful or proper.

Unfounded: At least five Board members concluded that the alleged act(s) did not occur.

Not Sustained: Based on the evidence provided at the hearing, the Board members were unable to determine whether the alleged act(s) occurred or not.

Board Findings and Allegations for Complaints Presented at Evidentiary Hearings

Complaint	Sustained	Board Recommendation	Not Sustained	Unfounded or Exonerated	Total Allegations
Gary Castro (99-05)			6		6
Michael Williams (02-49)	1 -- Force - Strike w a Weapon	Officer Hoppenhauer should receive a one-day suspension and training on the use of force.	2		3
Kenyon Osborn (02-146)	1 -- Profanity / Rude Statements	Officer Turpin should receive an admonishment for using profanity.	7	3 Unfounded	11
Geneva Byrd (03-080)			5		5
Jessie Godfrey (02-42)	1 -- Improper Entry/ Search	Officer Lancaster should receive an oral reprimand for conducting an illegal search.	17	4 Unfounded	22
Jeffrey Grande (03-075)	1 -- Improper Arrest 1 -- Failure to Identify Self	Officer Pinzon should receive training, counseling, and a written reprimand.	4	1 Unfounded	7
Jonas Doyal (02-57)			10		10
Cesar Trevino (02-44)	1 -- Profanity / Rude Statements	Officer Francis should be given an oral reprimand.	5		6
Darryl Williams (03-128)	1 -- Profanity / Rude Statements; 1 -- Force: Strike with Hand or Unknown Object	Officer Francis should receive an oral reprimand and a two-day suspension without pay.	3		5
Gregory Johnson (03-052)			3	1 Exonerated	4
Judi Hirsch (03-216)			6		6
Dennis Butler (02-60)	8 -- Improper Entry/ Search 1 -- Improper Detention	Sergeant Reilly should receive a three day suspension and attend training. Officers Holmgren, Kelly, Millington, Vass, Salcido, and Bunn should each receive an oral reprimand and training.	6		15
Hannah Moore and Bianca Watkins (02-61)	1 -- Profanity / Rude Statements	Officer Medina should attend training in the area of "conduct toward others – demeanor."	4		5
Sandra Brown-Norshaka (03-193)	1 -- Failure to Provide for Individual's Safety	Officer Johnson should receive training.	3	1 Exonerated	5
Total	19 (17%)		81 (74%)	10 (9%)	110 (100%)

Figure 16

Board Findings by Allegation Category

Figure 17, on the following page, provides the same information as *Figure 16* but by allegation category instead of by complainant. It shows that the Board sustained multiple allegations asserting improper entry/search and allegations that officers used profanity or made rude statements. The Board also exonerated officers of two allegations — one involving an improper citation and the other involving an improper vehicle tow. Finally, the Board found some allegations to be unfounded. Those allegations asserted an improper citation, the use of force, and the planting of evidence. See *Appendix B* for an analysis of the Board's findings between 2002 and 2003.

Board Findings by Allegation Category

Allegation Categories	Sustained	Not Sustained	Unfounded	Exonerated	Total
Arrest - Improper	1	1			2
Bias / Discrimination		3	1		4
Citation - Improper		1		1	2
Custody - Improper Treatment		1			1
Detention / Stop - Improper	1	2			3
Entry/Search - Improper	9	5			14
Failure to Act - To Ensure Individual's Safety	1	1			2
Failure to Act - To Provide Identification	1				1
Failure to Act - To Use Patrol Car Lights		3			3
Failure to Act - To Write a Report		1			1
Failure to Act - Other		3			3
Force - After Handcuffed		3			3
Force - Choke		1			1
Force - Grab/Push/Shove/Trip		8			8
Force - Handcuffs Too Tight		2			2
Force - Kick		5			5
Force - Strike w Hand or Unknown Object	1	4	3		8
Force - Strike w Weapon	1	4			5
Force - Use of Patrol Vehicle		1			1
Force - Other		1			1
Harassment		1			1
Planting Evidence		3	4		7
Property - Damaged/Missing/Seized		6			6
Truthfulness - In Reporting		2			2
Vehicle Towed/Impounded - Improper		1		1	2
Verbal Conduct - Profanity/Rude Statements	4	15			19
Verbal Conduct - Threats		2			2
Other		1			1
Total	19 (17%)	81 (74%)	8 (7%)	2 (2%)	110 (100%)

Figure 17

Disciplinary Recommendations and the City Manager's Decisions

The ultimate goal of the Board's evidentiary hearings is to determine what really happened — to provide members of the public with a forum to air their complaints and to have Oakland residents make findings of fact. If the Board sustains an allegation and determines that an alleged act (more likely than not) occurred, it may forward a disciplinary recommendation to the City Manager pertaining to the subject officer of that allegation. The purpose of the recommendation is to suggest that the City Manager impose the recommended discipline to deter and prevent future similar acts and to correct and punish past misconduct.

In 2003, the Board forwarded disciplinary recommendations regarding sustained allegations from 10 complaints. *Figure 18*, below, displays the City Manager's decisions regarding these disciplinary recommendations. The City Manager agreed with the majority of the Board's recommendations, either in full or in part.

	Hearing Date	Date Forwarded	City Manager Decision
Case #1	2002	2003	Recommendation(s) upheld.
Case #2	2002	2003	Recommendation(s) upheld in part.
Case #3	2002	2003	Recommendation(s) upheld in part.
Case #4	2003	2003	Recommendation(s) upheld in part.
Case #5	2003	2003	Recommendation(s) upheld.
Case #6	2003	2003	Recommendation(s) upheld.
Case #7	2003	2003	Recommendation(s) upheld.
Case #8	2003	2003	Recommendation(s) upheld.
Case #9	2003	2003	Recommendation(s) upheld.
Case #10	2003	2003	Recommendation(s) not upheld.
Case #11	2003	2004	Pending
Case #12	2003	2004	Upheld.

Figure 18

Administrative Closures

In 2003, the Board closed 68 complaints through administrative closure. *Figure 19*, below, provides the reasons for the administrative closures.

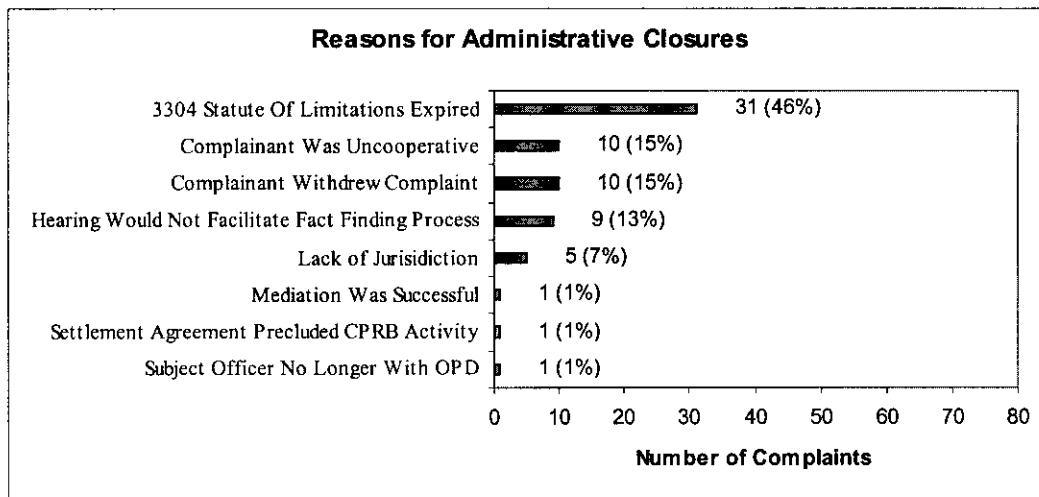


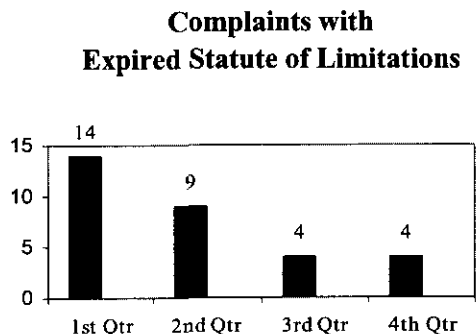
Figure 19

3304 Statute of Limitations Expired

Almost half of the complaints were closed because the one-year statute of limitations for bringing disciplinary action against a peace officer had expired. California Government Code section 3304 states in part:

“[N]o punitive action . . . shall be undertaken for any act, omission, or other allegation of misconduct if the investigation of the allegation is not completed within one year of the public agency’s discovery by a person authorized to initiate an investigation of the allegation of an act, omission or other misconduct.”

The Board closed 31 cases because the statute of limitations had expired. The graph below displays the 3304 expiration periods for the complaints that were closed in 2003 because the statute of limitations expired.



Complainant was Uncooperative

Sometimes a complainant will fail to respond to an investigator’s requests for an interview or will fail to contact the office again after the complainant has filed a complaint. In these instances, the complaint may be administratively closed because of the complainant’s failure to cooperate with the investigation of the complaint.

A Hearing Would not Facilitate the Fact-Finding Process

The complaints that fall under this category include those in which:

- (a) the investigator is unable to find corroborating evidence of the allegations;
- (b) the investigation fails to uncover which officers were involved; or
- (c) the allegations are obviously implausible.

OFFICER INFORMATION

Number of Officers with One or More Complaints

One of the CPRB's goals is to identify and track officers who are having problems. One way to do this is by observing officers who have received multiple complaints during a short time period. Though a complaint against an officer does not necessarily mean that the officer is having problems, if an officer receives multiple complaints within a short time period, the complaints may be an indicator of a possible problem. *Figure 20*, below, shows the number of officers with multiple complaints in 2003. (See *Appendix C* for a list of the number of officers who have appeared at Board hearings as subject officers).

	No. of Officers	% of Officers with Complaints
Officers with Three Complaints	4	4%
Officers with Two Complaints	8	9%
Officers with One Complaint	78	87%
Total	90	100%

Figure 20

Data from 2002-2003

	No. of Officers	% of Officers with Complaints
Officers with Six Complaints	1	1%
Officers with Five Complaints	1	1%
Officers with Four Complaints	5	3%
Officers with Three Complaints	8	5%
Officers with Two Complaints	22	13%
Officers with One Complaint	138	82%
Total	168	100%

Figure 21 is based on data from a two year period, 2002-2003. This data shows that some officers have received four, five or six complaints within two years.

Figure 21

BOARD AND STAFF ACTIVITIES

Getting the Basics in Place

Much of 2003 was spent doing in-house cleanup – with the hiring of new staff, including a new Executive Director, the appointment of new Board members, and the streamlining of the CPRB processes to enable the agency to run more efficiently.

In March 2003, the Mayor and the City Manager appointed Joyce Hicks as the CPRB's new Executive Director. Ms. Hicks has been an employee with the City of Oakland for 26 years. Prior to joining the CPRB, she was the Deputy Executive Director of the City's Community and Economic Development Agency and before that she was the Chief Assistant City Attorney for the City Attorney's Office.

The Board and its staff faced a number of challenges in 2003, including staff vacancies, Board vacancies, a complaint backlog and the need to increase the number of complaints the Board processed. To address these issues, Ms. Hicks proposed a 90-day plan for improving the CPRB's efficiency. *See Appendix D* for a copy of her 90-day plan.

The Board saw major changes and improvements in 2003. In March 2003, the investigative staff consisted of one investigator and two vacant investigator positions. By September 2003, all three inves-

tigator positions were filled and currently remain filled.

The next goal was to work with the Mayor's office to fill three vacant regular Board member positions. The last time that the Board had a full Board of 9 regular Board members was in September 2002. All vacancies for regular Board member positions were filled by June, 2003.

The Board accepted procedures for holding three-member panel hearings. The purpose of creating this new structure is to allow the Board to provide the public with a greater number of hearings per year. The CPRB held its first three-member panel hearing in November 2003.

Goals were proposed for the Board's yearly meeting schedule as follows:

- 10 full Board evidentiary hearings;
- 14 three-member panel hearings; and;
- 5 training or policy hearings;

totaling 29 Board meetings per year.

The CPRB held its first annual retreat in November 2003. The retreat provided the Board and its staff with an opportunity to: better understand stakeholder perspectives (such as those of the community and the police department), get to

know one another better, and develop goals for the CPRB. One of the Board's proposed goals was to develop a mission statement for the agency, which it did in early 2004. See *Appendix E* for a copy of the minutes from the Board retreat.

Other 2003 accomplishments included finalizing the use of a joint CPRB/IAD complaint form, an updated CPRB website, new complaint priorities and a new CPRB brochure.

Additional Activities

"As representatives of the community, our goal is to . . . increas[e] understanding between community members and police officers"
— CPRB mission statement.

In an attempt to better understand the needs of the communities they represent, the Board and its staff co-hosted an outreach meeting with Council Member Nancy Nadel's office in West Oakland in January 2003. The purpose of the meeting was: (1) to inform residents in West Oakland about the CPRB's services; and (2) to give Board members an opportunity to hear the specific concerns of people who live in West Oakland.

Additionally, the CPRB staff has been working with representatives from People United for a Better Oak-

land (PUEBLO), the Police Department and the City Attorney's office to implement a City-wide survey to learn about: (1) customer satisfaction with police services; and (2) what percentage of people, who have negative experiences with the police, file complaints with the CPRB. The latter information will enable the Board and its staff to determine how well the complaints it receives reflect the general feeling among Oakland residents and also to determine where to focus its future efforts.

"As representatives of the community, our goal is to . . . ensure police accountability" — CPRB mission statement.

One way for the Board to ensure police accountability is to identify patterns and trends in the complaints it receives and then to report out this information in its bi-annual reports. In 2003, the CPRB staff implemented its database for this purpose.

The following list provides examples of the type of information the database currently contains:

- The specific allegations against each officer;
- The number of sustained allegations against each officer;

- Disciplinary recommendations made regarding each officer;
- The officers' supervisors on the dates of the alleged incidents;
- The officers' patrol assignments on the dates of the alleged incidents;
- The total number of complaints against each officer.

Additionally, the CPRB staff is in the process of revising the database to be able to track the litigation costs associated with each officer in the near future.

"As representatives of the community, our goal is to improve police services" CPRB mission statement.

One way the CPRB staff promotes this part of the Board's mission is to participate in task forces affecting the Police Department. For example, the Director participates in the monthly Monitor meetings regarding the settlement agreement negotiated in *Delphine Allen v. City of Oakland et al.*, No. C00-4599 TEH (JL). Additionally, the Director sat as a non-voting member of OPD's Major Incident Board of Review to review the Police Department's response to the April 7, 2003 war protest at the Port of Oakland.

Furthermore, both Ms. Hicks and

Policy Analyst/Outreach Coordinator Wendy Jan participate in the Police Department's Racial Profiling Task Force. The purpose of the task force is to create an anti-racial profiling policy for the Police Department and to analyze data to determine whether officers in the Department are currently engaging in racial profiling. Finally, the Director and Policy Analyst/Outreach Coordinator participated in the Police Department's consistency of discipline working group.

Training

Board Training

In 2003, Board members received three training sessions regarding the following topics:

1. California's "open meeting" law;
2. The settlement agreement negotiated in *Delphine Allen v. City of Oakland et al.*, No. C00-4599 TEH (JL); and
3. OPD's Use of Force policy.

Staff Training

In 2003, Executive Director Joyce Hicks and Policy Analyst/Outreach Coordinator Wendy Jan attended a conference held by the National Association for Civilian Oversight of Law Enforcement Agencies (NACOLE) in Los Angeles, CA. Additionally, Ms. Hicks and the staff's investigators attended a three-day

training course on conducting internal affairs investigations. And, Ms. Hicks and other staff members participated in police ride-alongs in 2003.

2003 RECOMMENDATIONS

OPD's Crowd Control Policy

Background

On April 10, 2003, and subsequently on December 11, 2003, the Board heard testimony from members of the public regarding police conduct during a war protest that took place at the Port of Oakland on April 7, 2003. The protestors complained that they were engaging in a non-violent protest and that the police used excessive force in attempting to disperse the crowd. Many protestors alleged injuries.

At the meeting on December 11, 2003, the Board invited Police Chief Richard Word to inform the Board of his efforts to address the protestors' complaints. Chief Word explained that he had convened a task force to examine the incident; he listed the task force's recommended policy changes, which he said he was in the process of reviewing. Additionally, the Board invited Jerry Harper, a crowd control expert, to speak about best practice crowd control methods being used by other police departments around the nation.

Board Recommendations

At the conclusion of the meeting, the Board made three recommendations and one request:

First, the Board recommends that the Police Department eliminate its use of wooden dowels. Second, the

Board recommends that the Police Department end its practice of using the sting grenade. Third, the Board recommends that Executive Director Joyce Hicks and Chief Word collaborate with community representatives to further work on revising OPD's crowd control policy. And finally, the Board requested that Chief Word keep the Board updated about future policy changes concerning this issue.

OPD's Tow Policy and Ensuring the Safety of Drivers and Passengers

Background

In 2003, the Board heard three complaints, and received a fourth complaint, alleging that police officers are towing individuals' cars but leaving the drivers and the passengers in the streets without a ride. All incidents occurred after dark. The Police Department does not have a formal policy addressing this issue.

Board Recommendation

Given the potential threat of danger to individuals left on the street without a means home, as well as the fact that teenagers have been left stranded, the Board recommends that the Police Department draft a comprehensive training bulletin regarding procedures to be followed

when vehicles have been towed — taking into consideration the age of the individual, the location of the tow and the ability of the individual to relocate to a safe location. The training bulletin should also include the directive that an officer should offer the individual and passengers transportation to the Eastmont Substation or the Police Administration Building, whichever is closer, if leaving the individual or their passengers at the location of the tow would place them at risk of harm.

UPDATE ON PRIOR RECOMMENDATIONS

The chart on the next few pages lists the status of the recommendations made by the Board between 2000 and 2002. The Police Department implemented four out of six of the recommendations that were resolved this year. The fifth resolved recommendation was denied because it was thought to be impractical in terms of officer safety and the sixth resolved recommendation was already an OPD practice. Five of the recommendations are awaiting action from OPD. And one recommendation cannot be implemented because of budget constraints.

The recommendations that are marked as having been “resolved” will not appear in future annual reports. However, those that are marked “pending action by OPD” or “to be followed up on in the future” will continue to be tracked in future annual reports.

UPDATES ON PRIOR RECOMMENDATIONS

2002 Background	Board Recommendation	OPD Response	Status of Recommendation
<p>#1-7: California Welfare and Institutions Code, section 5150, permits officers to detain individuals who exhibit signs of mental illness and who appear to pose a danger to themselves or to others. In 2002, the CPRB received complaints alleging that police officers were improperly using section 5150 to detain individuals who did not meet the statute's specific criteria. In February 2002, the Board held a policy hearing on this issue and made numerous recommendations to the police department.</p>	<p>The Police Department should immediately update its basic training material on section 5150 with readily available resources, such as training material from other police departments with recently renovated programs.</p>	<p>Since the policy hearing, the Police Department has added training material from the San Jose Police Department to supplement its training material. Additionally, the police department is in the process of trying to obtain the training material used by the San Francisco Police Department.</p>	<p>Resolved and granted.</p>
<p>#2: (see above)</p>	<p>The Police Department should immediately train and inform its officers that if an officer is unsure of whether a person meets the criteria of section 5150, the officer has the option of telephoning the psychiatric emergency room at the John George Psychiatric Pavilion to obtain an expert medical opinion. All officers should be given cellular phones for this purpose.</p>	<p>The Police Department has agreed to train and inform officers of the option to telephone the John George Psychiatric Pavilion in the event that an officer is unsure as to whether a person meets the criteria of section 5150. The Police Department, however, is unable to provide all officers with cellular phones at this time because of budget constraints.</p>	<p>To be followed up on in the future.</p>
<p>#3: (see above)</p>	<p>The Police Department should immediately implement a procedure requiring officers to obtain supervisory or expert review of in-the-field decisions before making 5150 detentions.</p>	<p>Because officers often make split-second decisions in the field, there may be situations in which an officer is unable to obtain review of his/her decision to detain an individual under section 5150. It would, therefore, be impractical and possibly unsafe to require an officer to obtain supervisory or expert review of all 5150 detentions; however, in lineup and in Advanced Officer School training, OPD will reiterate that when in doubt, an officer should seek supervisory or expert review.</p>	<p>Resolved and denied.</p>

UPDATE ON PRIOR RECOMMENDATIONS

2002	Background	Board Recommendation	OPD Response	Status of Recommendation
#4: (see above)		<p>The Police Department should begin tracking information about 5150 detentions to determine: the circumstances under which such detentions are made, the locations of these detentions, and the training needed by officers to correctly use section 5150 to detain individuals.</p>	<p>In order to track the requested information, officers must first be trained to fill out their 5150 report forms with more specificity. The Police Department will train all officers to fill out these forms with more specificity by the end of November, 2003, through line-up training. However, once the specific information is provided, the Department does not have the resources to analyze the data. CPRB Response: Once the data is obtained, the CPRB policy analyst will analyze a sample of the data to provide the requested information to the Board and to the Police Department.</p>	<p>Pending Action by OPD. The Board will report back to the Public Safety Committee when the training has been implemented.</p>
#5: (see above)		<p>When section 5150 is initially not an issue during a police contact or stop, but later becomes an issue during the contact or stop, the officer should call the Alameda Mobile Crisis Unit or announce the call on the radio so that the Mobile Crisis unit may respond.</p>	<p>All police calls are already announced on the radio channel that the Alameda Mobile Crisis Unit listens to.</p>	<p>Resolved.</p>
#6: (see above)		<p>The Police Department should work with the Alameda County Behavioral Health Department, the Alameda County Sheriff's Department, community groups, and other interested parties to develop closer working relationships, to share resources, and to develop processes and procedures to address 5150 issues. Workshops should be publicly noticed and open to the public and should commence immediately.</p>	<p>The Police Department is currently researching the issue.</p>	<p>Pending Action by OPD.</p>

UPDATES ON PRIOR RECOMMENDATIONS

2002 Background	Board Recommendation	OPD Response	Status of Recommendation
#7: (see above)	The Police Department should expand its officer training on mental illness and 5150 detentions to 40 hours. The 40-hour training program should occur post-Academy and should include training on distinguishing mental illness from mental retardation, which is not a ground for a 5150 detention.	The Department does not have the funds to provide its officers with 40 hours of training on 5150 issues. However, in reviewing the curriculum for the 2003-2004 Advanced Officer School, the Chief will consider adding four hours of training to the Mentally Disordered Person module. Chief Richard Word has also agreed to provide such training during roll calls.	Pending Action by OPD. The Board will report back to the Public Safety Committee regarding the status of the additional four hours of 5150 training in the Advanced Officer School.
#8: In 2001, the Board received a complaint that officers had entered a complainant's home while the complainant was away. When the complainant returned to her home, she learned about the police search of her home because her neighbor told her about it.	Officers should be required to fill out a "notification" form when conducting warrantless searches. The Chief of Police should issue a Special Order revising Department Training Bulletin I-O.3, which is entitled Legal Aspects of Searching Residences, for the purpose of implementing this recommendation.	The Police Department has agreed to adopt this recommendation. The recommendation should be implemented by mid-November, 2003.	Pending Action by OPD.

UPDATE ON PRIOR RECOMMENDATIONS

2001	Background	Board Recommendation	OPD Response	Status of Recommendation
#1	In 2001, five Board hearings were cancelled, three because of last minute officer unavailability.	The police department should revise General Order M-3 to provide clear direction to officers about their obligation to cooperate with the CPRB, including giving interviews and attending Board hearings. The General Order should specify the grounds for being relieved from compliance with the CPRB subpoena to attend a hearing, e.g., for illness or injury and the procedures that must be followed.	The Police Department is working on a revised General Order pursuant to the <i>Delphine Allen</i> settlement agreement.	Pending Action by OPD.
#2		The police department should assign a point person to be responsible for tracking all CPRB recommendations and concerns to ensure that CPRB recommendations are reviewed in a timely manner and that appropriate action is taken to address those concerns.	Police Chief Richard Word will be the point person.	Resolved and granted.
#3		The Police Chief should attend Board meetings at least two times per year to discuss mutual concerns and interests.	Police Chief Richard Word has agreed to attend the Board meetings on the dates the Board reviews its Semi-Annual Report and its Annual Report.	Resolved and granted.

2000	Background	Board Recommendation	OPD Response	Status of Recommendation
#1		City Council should direct the Police Department to amend Manual of Rules 398.70 [INTERFERING WITH INTERNAL INVESTIGATIONS] to specifically include the CPRB.	The change has been made.	Resolved and granted.

CONCLUSION

Conclusion

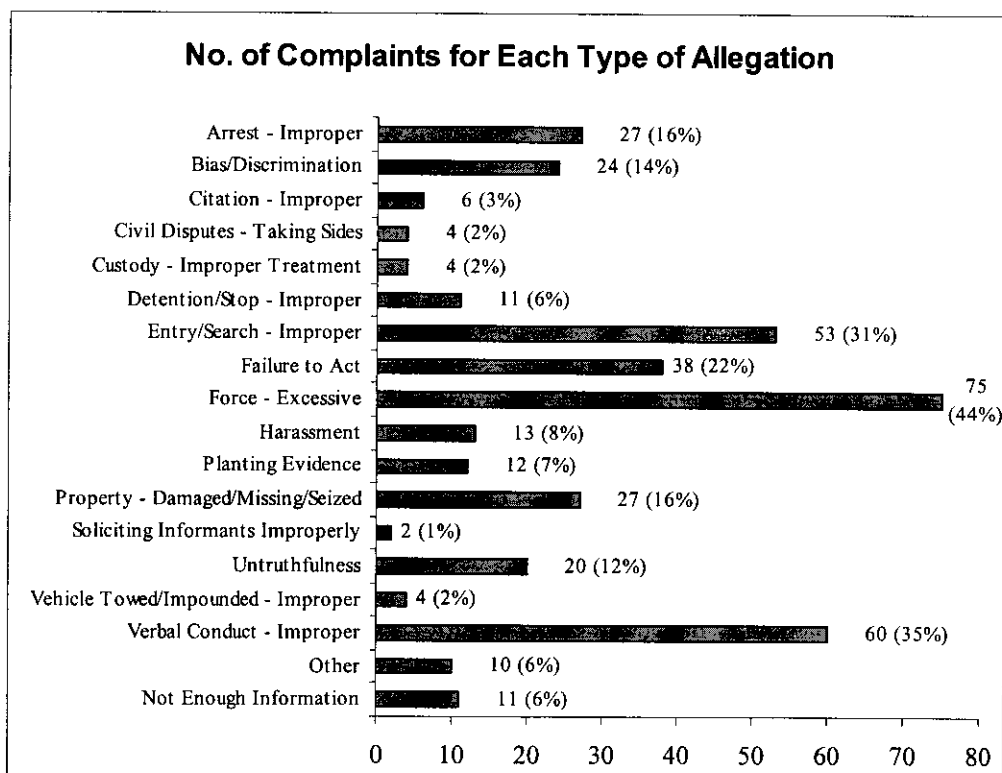
In sum, 2003 was a very productive year for the Board. The Board and its staff look forward to 2004, to continue to improve its processes and the services it provides to members of the public.

APPENDICES

Allegations Filed Between 2002 and 2003

Between 2002 and 2003, excessive force complaints comprised the largest category. The next largest category of complaints alleged improper verbal conduct. And the third largest category of complaints alleged improper entry or search.

These results are slightly different from the results obtained when analyzing the 2003 data alone. In 2003, the third largest category of complaints alleged the failure to act instead of improper entry or search.



Board Findings by Allegation Category (2002-2003)

Allegation Categories	Sustained	Not Sustained	Unfounded	Exonerated	Total
Arrest - Improper	1	1			2
Bias / Discrimination	1	7	1		9
Citation - Improper		1		1	2
Custody - Improper Treatment		3			3
Detention / Stop - Improper	2	14			16
Entry/Search - Improper	9	11			20
Failure to Act - To Enforce Restraining Order		1			1
Failure to Act - To Ensure Individual's Safety	1	1			2
Failure to Act - To Investigate		2			2
Failure to Act - To Provide Identification	3	1			4
Failure to Act - To Use Patrol Car Lights		6			6
Failure to Act - To Write a Report		2			2
Failure to Act - Other		5			5
Force - After Handcuffed		8			8
Force - Choke		2			2
Force - Grab/Push/Shove/Trip		18			18
Force - Handcuffs Too Tight		9			9
Force - Handcuffs Unwarranted		2			2
Force - Kick	2	14			16
Force - Shooting Gun at Person		1			1
Force - Strike w Hand or Unknown Object	4	9	3		16
Force - Strike w Weapon	1	7			8
Force - Use of Gun to Threaten		1			1
Force - Use of Patrol Vehicle		5			5
Force - Other		2			2
Force - Specifics Unknown		1			1
Harassment		1			1
Planting Evidence		6	4		10
Property - Damaged/Missing/Seized		6			6
Untruthfulness - In Reporting	3	8			11
Untruthfulness - Verbal	4	7			11
Vehicle Towed/Impounded - Improper		1		1	2
Verbal Conduct - Profanity/Rude Statements	4	29			33
Verbal Conduct - Threats		9			9
Other	4	2			6
Total	39 (15%)	203 (81%)	8 (3%)	2 (1%)	252 (100%)

2001-2003

Officers Who have Appeared Before the Board Three Times

Name of Officer	Case No.	Hearing Date	No. of Allegations Sustained	Total No. of Allegations
S. Francis	02-44	8/28/2003	1	6
	03-052	10/23/2003	0	2
	03-128	9/25/2003	2	3
A. Mestas	01-23	7/25/2002	0	1
	02-27	11/21/2002	0	2
	03-128	9/25/2003	0	1
W. Pappas	00-16	4/12/2001	0	2
	00-51	9/27/2001	0	6
	00-53	6/14/2001	0	4
M. Patterson	01-18	12/13/2001	0	3
	00-51	9/27/2001	0	1
	02-146	4/24/2003	0	2

Officers Who have Appeared Before the Board Two Times

Name of Officer	Case No.	Hearing Date	No. of Allegations Sustained	Total No. of Allegations
V. Arvizu	00-57	9/13/2001	0	4
	00-59	7/12/2001	3	13
M. Bermudez	00-52	4/26/2001	1	4
	02-25	9/26/2002	0	7
M. Cross	01-04	12/6/2001	5	6
	01-23	7/25/2002	0	18
B. Estrada	02-27	11/21/2002	3	6
	03-052	10/23/2003	0	1
P. Gonzales	01-10	1/24/2002	0	7
	00-13	1/25/2001	0	6
S. Hall	02-27	11/21/2002	3	4
	03-052	10/23/2003	0	1
R. Holmgren	02/57	8/14/2003	0	2
	02-60	11/20/2003	1	4
E. Johnson	02-49	3/27/2003	0	1
	03-193	12/4/2003	0	2
S. Nowak	01-23	7/25/2002	0	5
	02-27	11/21/2002	0	3
M. Reilly	02-57	8/14/2003	0	6
	02-60	11/20/2003	3	6
B. Vallimont	01-08	1/10/2002	0	7
	01-23	7/25/2002	0	4
M. Ziebarth	01-08	1/10/2002	0	7
	01-29 / 01-30	3/28/2002	2	8

Officers Who have Appeared Before the Board One Time

Name of Officer	Case No.	Hearing Date	No. of Allegations Sustained	Total No. of Allegations
D. Allison	00-51	9/27/2002	0	3
S. Armerding	00-59	7/12/2001	0	5
M. Beaver	01-10	1/24/2002	0	4
C. Bunn	02-60	11/20/2003	1	1
C. Callan	01-18	12/13/2001	0	3
Cardoza	02-42	6/26/2003	5	6
B. Chun	00-48	7/26/2001	0	6
J. Ferguson	99-05	2/13/2003	0	3
S. Festag	02/42	1/0/1900	0	4
S. Hamilton	01-10	1/24/2002	0	2
M. Healy	02-42	6/26/2003	0	7
D. Hoppenhauer	02-49	11/20/2003	1	2
M. Igualdo	0202	7/25/2002	1	7
V. Johnson	01-04	12/6/2001	0	1
E. Joyner III	99-04	2/13/2003	0	1
E. Karsseboom	00-16	4/12/2001	1	5
J. Kelly	02-60	11/20/2003	1	1
S. Kim	01-18	12/13/2001	0	3
R. Kirkland	01-29 / 01-30	3/28/2002	1	7
J. Koster	03-080	5/22/2003	0	5
J. Lancaster	02-42	6/26/2003	1	4
L. Leonis	01-29 / 01-30	3/28/2002	2	9
J. Marjarucon	01-29 / 01-30	3/28/2002	1	7
A. McFarlane	00-57	9/13/2001	0	4
M. McGiffert	03-128	9/25/2003	0	1
C. Medina	02-61	11/24/2003	1	5
G. Melero	02-57	8/14/2003	0	2
M. Miller	02-146	4/24/2003	0	2
S. Millington	02-60	11/20/2003	1	1
M. Moreno	02-27	11/21/2002	2	4
T. Nash	01-17	3/14/2002	0	3
B. Ortiz	01-24	10/24/2002	0	6
S. Paich	00-26	3/22/2002	3	9
W. Percy	01-29 / 01-30	3/28/2002	2	3
J. Peterson	03-193	12/4/2003	1	3
J. Pinzon	03/075	7/10/2003	2	7
M. Reilly	00-53	6/14/2001	0	3
B. Rivera	99-05	2/13/2003	0	2
L. Robertson	00-62	10/25/2001	0	2
D. Royal	01-10	1/24/2002	0	2
K. Rush	01-29 / 01-30	3/28/2002	2	12
D. Salcido	02-60	12/20/2003	1	1
C. Saunders	00-26	3/22/2001	0	12
C. Stone	02-146	4/24/2003	1	5
J. Scott	02-07	5/9/2002	0	3
P. Tran	02-02	7/25/2002	2	8
A. Trenev	00-52	4/26/2001	1	3
J. Vasquez	00-48	7/26/2001	0	6
R. Vass	02-60	11/20/2003	1	1
A. Weatherly	02-07	5/9/2002	2	10
R. Williams	03-216	11/13/2003	0	6



**CITY OF OAKLAND
CITIZENS' POLICE REVIEW BOARD**

ONE CITY HALL PLAZA * 11TH FLOOR * OAKLAND, CALIFORNIA 94612 * 510-238-3159 * FAX 510-238-7084

Joyce M. Hicks
Executive Director

March 27, 2003

Citizens' Police Review Board
Oakland, CA

RE: Report from Executive Director

Over the past three weeks, I have conducted a preliminary analysis of the CPRB operations. Based on this analysis, I have concluded that effective operation of this Board will require at minimum that the following steps be implemented within the next ninety days:

- 1) Hire one additional investigator by May 1, 2003
- 2) Work with Mayor's Office to obtain full complement of board members
- 3) Implement 3-member panels to meet on alternate weeks from Board meetings
- 4) Set a goal for panels and full Board to hear at least three cases a month – for a combined total of 36 cases a year
- 5) Reserve one full Board meeting a month to hear the highest priority cases
- 6) Reserve six full Board meetings a year to hear policy matters, develop policy recommendations, receive training and receive reports from City staff, including OPD staff
- 7) Implement streamlined investigative processes and report writing
- 8) Conduct thorough review of outstanding caseload
- 9) Propose dismissal of cases where the Government Code section 3304 one year statute has run
- 10) Propose early dismissal of cases where a hearing would not facilitate the fact-finding process and good cause has not been shown for further action
- 11) Encourage mediation or conciliation for remaining cases not set for hearing
- 12) Hire one or two additional investigators to begin July 1, 2003 (While the ordinance proposes, as the budget permits, one investigator per one hundred police officers, which would total eight investigators, the City's budget will not permit a full complement of investigators at this time)
- 13) Conduct facilitated one half day or all day Saturday retreat with the Board
- 14) Present 2002 Annual Report to Board on April 10, 2003

Report from Executive Director
Citizens' Police Review Board
March 27, 2003
Page 2

- 15) Present 2002 Annual Report to City Council Public Safety Committee on May 6, 2003
- 16) Present 2002 Annual Report to City Council on May 20, 2003
- 17) Evaluate current database
- 18) Explore cost of case management system
- 19) Examine performance measures and propose new ones if necessary
- 20) Update CPRB website at:
<http://www.oaklandnet.com/government/citizens/homepage.html>

These proposals are for your consideration and input. At the conclusion of ninety days, I will report back to you on implementation of these proposals or any others of your choosing. As proposals are implemented in the interim, I will report to you periodically.

Very truly yours



Joyce M. Hicks
Executive Director
Citizens' Police Review Board



**Citizens' Police Review Board
Retreat
Saturday, November 1, 2003
City Hall – Hearing Room 3, 1st Floor
One Frank H. Ogawa Plaza – Oakland, CA 94612**

The Citizens' Police Review Board (CPRB) Retreat was called to order at 8:45 am and the attendees were as follows.

Chairperson Mario Andrews, Vice Chairperson Roland Walker, Commissioner William Hubartt, Commissioner Beneba Thomas, Commissioner Mansour Salah-Din, Commissioner John Batarse, Commissioner Angela Cheung, Commissioner Susan Raffanti, Rashidah Grinage, Chief of Police Richard Ward, Attorney Kathy Rains, Executive Director Joyce M. Hicks, Board's Counsel Tony Lawson, Executive Assistant Delores Pontiflet, Complaint Investigator Victoria Urbi, Complaint Investigator Audrey Montana, Facilitator Diane Foster

Absent for the Retreat were:

Commissioner Anthony Loveday and Complaint Investigator Sean Quinlan

Retreat Objectives

- ® *Better understand stakeholder/constituent needs*
- ® *Clarification of mission/roles/accountabilities and process as Board and Staff*
- ® *Begin strategic planning for implementing a true team-based culture and optimizing productivity*

Joyce Hicks, Executive Director of the Citizens' Police Review Board explained the purpose of the retreat and introduced Diane Foster of Diane Foster and Associates who facilitated the CPRB retreat.

**Citizens' Police Review Board
Retreat
Saturday, November 1, 2003
City Hall – Hearing Room 3, 1st Floor
One Frank H. Ogawa Plaza – Oakland, CA 94612**

What do Stakeholders view as the keys to success for the CPRB

Presentations were given by Rashida Grinage of PUBELO, Chief Richard Word, City of Oakland Police Department, Kathy Rains, Oakland Police Officers Association, Boards' Counsel Tony Lawson and Victoria Urbi, CPRB Complaint Investigator on their views of success for the CPRB.

After a short break Ms. Foster broke the attendees up into triads to discuss the recommendations each thought might be best for the CPRB.

CPRB Recommendations

- Ⓢ Board and staff to engage in more outreach to community and police department
- Ⓢ Would like to receive feedback from speakers at today's retreat on their observations
- Ⓢ Conduct informal sessions for more specific information
- Ⓢ Explore unprofessional conduct rules including circumstances where harsh language may be appropriate
- Ⓢ Enforce three minute speaker limits
- Ⓢ Clarify allegations
- Ⓢ Ms. Rains to relay information from the retreat to OPOA
- Ⓢ OPOA, Chief Word and Joyce to review outcomes
- Ⓢ OPD should update policy manual
- Ⓢ OPD to provide CPRB with academy
- Ⓢ Joyce and two Board members to meet with Chief Word on updates
- Ⓢ CPRB be added to Police Academy
- Ⓢ Board to create a Mission Statement
- Ⓢ Provide a factual summary at conclusion of hearing with findings
- Ⓢ Board members should receive more City perks
- Ⓢ All Board members should to be in attendance at hearings and Mayor should appoint alternates
- Ⓢ *One hundred percent participation at ride-a-longs*
- Ⓢ More training for CPRB

**Citizens' Police Review Board
Retreat
Saturday, November 1, 2003
City Hall – Hearing Room 3, 1st Floor
One Frank H. Ogawa Plaza – Oakland, CA 94612**

Plus and minuses regarding the retreat

Pluses Candor
Getting to know each other personally
Hearing the Chief of Police speak
Informal setting
Hearing from everyone
Receiving direction from the Board

Minuses Temperature control
Lunch on own
Parking lot and timing co-ordinate
More equal time with speakers
Location

Adjournment 1:00 p.m.

APPENDIX F

Board Member Attendance

Meeting Date	Andrews	Batarse	Cheung	Howell-Briscoe	Hubartt	Loveday	Raffanti	Salahu-Din	Thomas	Walker	Vacant 1	Vacant 2
01/09/2003	Yes	Yes		Yes	No		Yes	No		No		
01/23/2003	No	Yes		No	Yes		Yes	No		Yes		
02/13/2003	Yes	Yes		Yes	Yes		Yes	Yes		Yes		
03/27/2003	Yes	Yes		No	Yes		Yes	Yes		Yes		
04/10/2003	Yes	Yes		Yes	Yes		Yes	Yes	Yes	Yes		
04/24/2003	Yes	Yes			Yes		Yes	Yes	Yes	Yes		
05/08/2003	Yes	Yes			Yes		Yes	No	Yes	Yes		
05/22/2003	Yes	Yes			No		Yes	Yes	Yes	Yes		
06/12/2003	Yes	Yes	No		Yes	Yes	No	Yes	Yes	Yes		
06/26/2003	Yes	Yes	Yes		Yes	Yes	Yes	No	Yes	No		
07/10/2003	No	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes		
07/24/2003	No	Yes	Yes		Yes	Yes	No	Yes	Yes	Yes		
08/14/2003	Yes	Yes	No		Yes	Yes	Yes	No	Yes	No		
08/28/2003	Yes	Yes	No		Yes	No	Yes	Yes	No	No		
09/11/2003	Yes	Yes	Yes		Yes	Yes	No	Yes	Yes	No		
09/25/2003	Yes	Yes	No		Yes	Yes	Yes	No	Yes	Yes		
10/09/2003	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes		
10/23/2003	Yes	No	No		Yes	No	Yes	Yes	Yes	Yes		
11/06/2003	No	No	Yes		No	Yes	Yes	No	No	No		
11/13/2003	Yes	No	No		No	Yes	Yes	Yes	Yes	Yes		
11/20/2003	Yes	No	Yes		Yes	Yes	Yes	Yes	Yes	Yes		
11/24/2003	Yes	No	Yes		No	No	No	No	No	Yes		
12/04/2003	No	No	Yes		Yes	Yes	Yes	Yes	Yes	Yes		
12/11/2003	Yes	No	No		Yes	Yes	Yes	Yes	Yes	No		

Board Member Voting Record¹

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Andrews	Arrest - Improper				1	
Andrews	Bias / Discrimination	1			4	
Andrews	Citation - Improper		1		1	
Andrews	Custody - Improper Treatment				3	
Andrews	Detention/Stop - Improper	2			14	
Andrews	Entry/Search - Improper	2			11	
Andrews	Failure to Act - Other				5	
Andrews	Failure to Act - To Enforce Restraining Order				1	
Andrews	Failure to Act - To Ensure Individual's Safety				1	
Andrews	Failure to Act - To Investigate				2	
Andrews	Failure to Act - To Provide Identification	3				
Andrews	Failure to Act - To Use Patrol Car Lights				6	
Andrews	Failure to Act - To Write a Report				2	
Andrews	Force - After Handcuffed				6	
Andrews	Force - Choke				1	
Andrews	Force - Grab/Push/Shove/Trip				15	
Andrews	Force - Handcuffs Too Tight				5	
Andrews	Force - Handcuffs Unwarranted				2	
Andrews	Force - Kick	2			6	
Andrews	Force - Other				2	
Andrews	Force - Shooting Gun at Person or Animal					
Andrews	Force - Specifics Unknown				1	
Andrews	Force - Strike w Hand or Unknown Object	4		3	6	
Andrews	Force - Strike w Weapon	2			4	
Andrews	Force - Use of Gun to Threaten				1	
Andrews	Force - Use of Patrol Vehicle				3	
Andrews	Harassment				1	
Andrews	Other	1			5	
Andrews	Planting Evidence			4	3	
Andrews	Property - Damaged/Missing/Seized	1			5	
Andrews	Truthfulness - Reporting	2			8	
Andrews	Truthfulness - Verbal Statements	3			2	
Andrews	Vehicle Towed/Impounded - Improper					
Andrews	Verbal Conduct - Profanity/Rude Statements	9			13	
Andrews	Verbal Conduct - Threats				5	
Total		32 (17%)	1 (1%)	7(4%)	145(78%)	0(0%)

¹ The voting record information reflects each Board member's votes, beginning from January 2002.

Board Member	Allegation Category	Sustain	Unfounded	Not Sustain	Abstain	
Batarse	Arrest - Improper	1		1		
Batarse	Bias / Discrimination	1	1	4		
Batarse	Citation - Improper			1		
Batarse	Custody - Improper Treatment			3		
Batarse	Detention/Stop - Improper	2		12		
Batarse	Entry/Search - Improper	4		8		
Batarse	Failure to Act - Other	2		2		
Batarse	Failure to Act - To Enforce Restraining Order	1				
Batarse	Failure to Act - To Ensure Individual's Safety					
Batarse	Failure to Act - To Investigate			2		
Batarse	Failure to Act - To Provide Identification	3		2		
Batarse	Failure to Act - To Use Patrol Car Lights			3		
Batarse	Failure to Act - To Write a Report			2		
Batarse	Force - After Handcuffed			8		
Batarse	Force - Choke	1				
Batarse	Force - Grab/Push/Shove/Trip	5		8		
Batarse	Force - Handcuffs Too Tight	2		4		
Batarse	Force - Handcuffs Unwarranted	2				
Batarse	Force - Kick	3		9		
Batarse	Force - Other	1		1		
Batarse	Force - Shooting Gun at Person or Animal			1		
Batarse	Force - Specifics Unknown			1		
Batarse	Force - Strike w Hand or Unknown Object	4	3	6		
Batarse	Force - Strike w Weapon	3		4		
Batarse	Force - Use of Gun to Threaten	1				
Batarse	Force - Use of Patrol Vehicle			4		
Batarse	Other	1		4		
Batarse	Planting Evidence	3	4			
Batarse	Property - Damaged/Missing/Seized	2			4	
Batarse	Truthfulness - Reporting	7		2		
Batarse	Truthfulness - Verbal Statements	6		2		
Batarse	Vehicle Towed/Impounded - Improper					
Batarse	Verbal Conduct - Profanity/Rude Statements	5		18		
Batarse	Verbal Conduct - Threats			8		
Total		60(31%)	0(0%)	8(4%)	120(63%)	4(2%)
Cheung	Arrest - Improper	1				
Cheung	Bias / Discrimination		1	2		
Cheung	Citation - Improper					
Cheung	Custody - Improper Treatment				1	
Cheung	Detention/Stop - Improper	1		1		
Cheung	Entry/Search - Improper	10		4		

Board Member	Alligation	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Cheung	Failure to Act - To Ensure Individual's Safety	2				
Cheung	Failure to Act - To Provide Identification	1				
Cheung	Failure to Act - To Use Patrol Car Lights					
Cheung	Failure to Act - To Write A Report					
Cheung	Force - After Handcuffed					
Cheung	Force - Grab/Push/Shove/Trip				4	
Cheung	Force - Handcuffs Too Tight				2	
Cheung	Force - Kick				2	
Cheung	Force - Other				1	
Cheung	Force - Strike w Hand or Unknown Object					
Cheung	Harassment				1	
Cheung	Other				1	
Cheung	Planting Evidence			4		
Cheung	Property - Damaged/Missing/Seized				6	
Cheung	Vehicle Towed/Impounded - Improper		1		1	
Cheung	Verbal Conduct - Profanity/Rude Statements	1			3	1
Cheung	Verbal Conduct - Threats				2	
Total		16(30%)	1(2%)	5(9%)	30(55%)	2(4%)
Howell-Briscoe	Bias / Discrimination	3			1	
Howell-Briscoe	Citation - Improper	1				
Howell-Briscoe	Custody - Improper Treatment				2	
Howell-Briscoe	Detention/Stop - Improper	6			7	
Howell-Briscoe	Entry/Search - Improper	4			2	
Howell-Briscoe	Failure to Act - Other	2			2	
Howell-Briscoe	Failure to Act - To Enforce Restraining Order					
Howell-Briscoe	Failure to Act - To Investigate				2	
Howell-Briscoe	Failure to Act - To Provide Identification	3			1	
Howell-Briscoe	Failure to Act - To Use Patrol Car Lights	2			1	
Howell-Briscoe	Failure to Act - To Write a Report	1				
Howell-Briscoe	Force - After Handcuffed	1			4	
Howell-Briscoe	Force - Choke	1				
Howell-Briscoe	Force - Grab/Push/Shove/Trip	6			4	
Howell-Briscoe	Force - Handcuffs Too Tight	2			4	
Howell-Briscoe	Force - Handcuffs Unwarranted				2	
Howell-Briscoe	Force - Kick	4			7	
Howell-Briscoe	Force - Other	1				
Howell-Briscoe	Force - Shooting Gun at Person or Animal				1	
Howell-Briscoe	Force - Specifics Unknown	1				
Howell-Briscoe	Force - Strike w Hand or Unknown Object	7			2	
Howell-Briscoe	Force - Strike w Weapon	2			4	
Howell-Briscoe	Force - Use of Gun to Threaten	1				

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Howell-Briscoe	Force - Use of Patrol Vehicle	2			2	
Howell-Briscoe	Other	4			1	
Howell-Briscoe	Planting Evidence	2			2	
Howell-Briscoe	Truthfulness - Reporting	9				
Howell-Briscoe	Truthfulness - Verbal Statements	8			2	
Howell-Briscoe	Verbal Conduct - Profanity/Rude Statements	3			12	
Howell-Briscoe	Verbal Conduct - Threats	4			3	
Total		80(54%)	0	0	68(46%)	0
Hubartt	Arrest - Improper	1			1	
Hubartt	Bias / Discrimination			1	3	
Hubartt	Citation - Improper		1		1	
Hubartt	Custody - Improper Treatment				3	
Hubartt	Detention/Stop - Improper	1			14	
Hubartt	Entry/Search - Improper	6			14	
Hubartt	Failure to Act - Other				4	
Hubartt	Failure to Act - To Enforce Restraining Order					
Hubartt	Failure to Act - To Ensure Individual's Safety				1	
Hubartt	Failure to Act - To Investigate				2	
Hubartt	Failure to Act - To Provide Identification	3			1	1
Hubartt	Failure to Act - To Use Patrol Car Lights				2	
Hubartt	Failure to Act - To Write A Report	1			1	
Hubartt	Force - After Handcuffed				8	
Hubartt	Force - Choke				2	
Hubartt	Force - Grab/Push/Shove/Trip				12	1
Hubartt	Force - Handcuffs Too Tight				4	2
Hubartt	Force - Handcuffs Unwarranted					
Hubartt	Force - Kick	4			7	4
Hubartt	Force - Other				2	
Hubartt	Force - Shooting Gun at Person or Animal				1	
Hubartt	Force - Specifics Unknown				1	
Hubartt	Force - Strike w Hand or Unknown Object	2		3	6	
Hubartt	Force - Strike w Weapon				7	1
Hubartt	Force - Use of Gun to Threaten	1				
Hubartt	Force - Use of Patrol Vehicle	2			2	
Hubartt	Other	4			2	
Hubartt	Planting Evidence	1		4	4	
Hubartt	Property - Damaged/Missing/Seized				6	
Hubartt	Truthfulness - Reporting	2			4	
Hubartt	Truthfulness - Verbal Statements	3			7	
Hubartt	Vehicle Towed/Impounded - Improper		1		1	
Hubartt	Verbal Conduct - Profanity/Rude Statements	4			19	5

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Hubartt	Verbal Conduct - Threats				9	
Total		35(17%)	2(1%)	8(4%)	151(72%)	14(6%)
Loveday	Arrest - Improper	1			1	
Loveday	Bias / Discrimination			1		
Loveday	Citation - Improper					
Loveday	Custody - Improper Treatment					1
Loveday	Detention/Stop - Improper	1			2	
Loveday	Entry/Search - Improper	10			4	
Loveday	Failure to Act - Other				1	
Loveday	Failure to Act - To Ensure Individual's Safety	1				
Loveday	Failure to Act - To Provide Identification					1
Loveday	Failure to Act - To Use Patrol Car Lights				3	
Loveday	Failure to Act - To Write A Report	1				
Loveday	Force - After Handcuffed					
Loveday	Force - Grab/Push/Shove/Trip	4			2	
Loveday	Force - Handcuffs Too Tight				2	
Loveday	Force - Kick	1			3	
Loveday	Force - Other				1	
Loveday	Force - Strike w Hand or Unknown Object	1			2	
Loveday	Other				1	
Loveday	Planting Evidence			4		
Loveday	Property - Damaged/Missing/Seized				6	
Loveday	Truthfulness - Reporting				2	
Loveday	Vehicle Towed/Impounded - Improper		1		1	
Loveday	Verbal Conduct - Profanity/Rude Statements	2			7	
Loveday	Verbal Conduct - Threats				2	
Total		22(32%)	1(1%)	5(7%)	40(57%)	2(3%)
Raffanti	Arrest - Improper	1			1	
Raffanti	Bias / Discrimination	1		1	1	
Raffanti	Citation - Improper	1	1			
Raffanti	Custody - Improper Treatment				3	
Raffanti	Detention/Stop - Improper	2			4	
Raffanti	Entry/Search - Improper	10			4	
Raffanti	Failure to Act - Other				5	
Raffanti	Failure to Act - To Ensure Individual's Safety	1				
Raffanti	Failure to Act - To Investigate				2	
Raffanti	Failure to Act - To Provide Identification	1				
Raffanti	Failure to Act - To Use Patrol Car Lights	2			4	
Raffanti	Failure to Act - To Write a Report	2				
Raffanti	Force - After Handcuffed				6	

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Raffanti	Force - Choke	1				
Raffanti	Force - Grab/Push/Shove/Trip	7			6	1
Raffanti	Force - Handcuffs Too Tight	1			3	1
Raffanti	Force - Handcuffs Unwarranted				2	
Raffanti	Force - Kick	7			2	
Raffanti	Force - Other	1			1	
Raffanti	Force - Shooting Gun at Person or Animal					
Raffanti	Force - Specifics Unknown	1				
Raffanti	Force - Strike w Hand or Unknown Object	6		3	5	
Raffanti	Force - Strike w Weapon	3			3	
Raffanti	Force - Use of Patrol Vehicle	2			1	
Raffanti	Other	1			1	
Raffanti	Planting Evidence	3		4		
Raffanti	Property - Damaged/Missing/Seized	2			4	
Raffanti	Truthfulness - Reporting	8			2	
Raffanti	Truthfulness - Verbal Statements					
Raffanti	Vehicle Towed/Impounded - Improper		1		1	
Raffanti	Verbal Conduct - Profanity/Rude Statements	13			6	3
Raffanti	Verbal Conduct - Threats	5				
Total		82(50%)	2(1%)	8(5%)	67(41%)	5(3%)
Salahu-Din	Arrest - Improper	1				
Salahu-Din	Bias / Discrimination	1		1	4	
Salahu-Din	Citation - Improper		1		1	
Salahu-Din	Custody - Improper Treatment				3	
Salahu-Din	Detention/Stop - Improper	6			9	
Salahu-Din	Entry/Search - Improper	8			7	
Salahu-Din	Failure to Act - Other				5	
Salahu-Din	Failure to Act - To Enforce Restraining Order				1	
Salahu-Din	Failure to Act - To Ensure Individual's Safety	1				
Salahu-Din	Failure to Act - To Investigate				2	
Salahu-Din	Failure to Act - To Provide Identification	3			1	1
Salahu-Din	Failure to Act - To Use Patrol Car Lights				6	
Salahu-Din	Failure to Act - To Write A Report	1				
Salahu-Din	Force - After Handcuffed				8	
Salahu-Din	Force - Choke				1	
Salahu-Din	Force - Grab/Push/Shove/Trip	2			8	
Salahu-Din	Force - Handcuffs Too Tight				4	
Salahu-Din	Force - Handcuffs Unwarranted				2	
Salahu-Din	Force - Kick	2			7	
Salahu-Din	Force - Other					
Salahu-Din	Force - Shooting Gun at Person or Animal				1	

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Salahu-Din	Force - Specifics Unknown					
Salahu-Din	Force - Strike w Hand or Unknown Object	1		3	7	
Salahu-Din	Force - Strike w Weapon	2			5	
Salahu-Din	Force - Use of Gun to Threaten				1	
Salahu-Din	Force - Use of Patrol Vehicle				4	
Salahu-Din	Other	4			2	
Salahu-Din	Planting Evidence				6	
Salahu-Din	Property - Damaged/Missing/Seized					
Salahu-Din	Truthfulness - Reporting	2			8	
Salahu-Din	Truthfulness - Verbal Statements	3			5	
Salahu-Din	Vehicle Towed/Impounded - Improper		1		1	
Salahu-Din	Verbal Conduct - Profanity/Rude Statements	2			18	
Salahu-Din	Verbal Conduct - Threats				7	
Total		39(22%)	2(1%)	4(2%)	134(74%)	1(1%)
Thomas	Arrest - Improper	1			1	
Thomas	Bias / Discrimination			1	1	
Thomas	Citation - Improper					1
Thomas	Custody - Improper Treatment				1	
Thomas	Detention/Stop - Improper	1			1	1
Thomas	Entry/Search - Improper	9			5	
Thomas	Failure to Act - Other				1	
Thomas	Failure to Act - To Ensure Individual's Safety	1				
Thomas	Failure to Act - To Provide Identification	1				
Thomas	Failure to Act - To Use Patrol Car Lights				3	
Thomas	Failure to Act - To Write A Report				1	
Thomas	Force - After Handcuffed				1	
Thomas	Force - Choke				1	
Thomas	Force - Grab/Push/Shove/Trip				7	
Thomas	Force - Handcuffs Too Tight				1	1
Thomas	Force - Kick	1			4	
Thomas	Force - Other				1	
Thomas	Force - Strike w Hand or Unknown Object			3	2	
Thomas	Force - Use of Patrol Vehicle				1	
Thomas	Other				1	
Thomas	Planting Evidence	3		4		
Thomas	Property - Damaged/Missing/Seized	1			1	4
Thomas	Truthfulness - Reporting				2	
Thomas	Vehicle Towed/Impounded - Improper		1		1	
Thomas	Verbal Conduct - Profanity/Rude Statements	1			13	1
Thomas	Verbal Conduct - Threats	1				1
Total		20(23%)	1(1%)	8(9%)	50(57%)	9(10%)

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Walker	Arrest - Improper	1			1	
Walker	Bias / Discrimination	1		1	6	
Walker	Citation - Improper		1		1	
Walker	Custody - Improper Treatment				2	
Walker	Detention/Stop - Improper	6			9	
Walker	Entry/Search - Improper	9			6	
Walker	Failure to Act - Other				5	
Walker	Failure to Act - To Enforce Restraining Order	1				
Walker	Failure to Act - To Ensure Individual's Safety	1			1	
Walker	Failure to Act - To Investigate					
Walker	Failure to Act - To Provide Identification	4			1	
Walker	Failure to Act - To Use Patrol Car Lights				6	
Walker	Failure to Act - To Write a Report					
Walker	Force - After Handcuffed				4	
Walker	Force - Choke				1	
Walker	Force - Grab/Push/Shove/Trip	2			9	
Walker	Force - Handcuffs Too Tight				5	
Walker	Force - Handcuffs Unwarranted				2	
Walker	Force - Kick	2			6	
Walker	Force - Other				1	
Walker	Force - Shooting Gun at Person or Animal				1	
Walker	Force - Specifics Unknown				1	
Walker	Force - Strike w Hand or Unknown Object	2		3	1	
Walker	Force - Strike w Weapon	2			3	
Walker	Force - Use of Gun to Threaten				1	
Walker	Force - Use of Patrol Vehicle				4	
Walker	Harassment				1	
Walker	Other	3			2	
Walker	Planting Evidence				6	
Walker	Property - Damaged/Missing/Seized					
Walker	Truthfulness - Reporting	3			7	
Walker	Truthfulness - Verbal Statements	5			3	
Walker	Vehicle Towed/Impounded - Improper		1		1	
Walker	Verbal Conduct - Profanity/Rude Statements	7			11	
Walker	Verbal Conduct - Threats				6	2
Total		49(29%)	2(1%)	4(2%)	114(67%)	2(1%)

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02-15	John Revels	AM	5/8/2002	577/2003	3/20/2002	#1 Disability		C alleges harassment	Consent Decree 11/14/02 -- Board jurisdiction for enforcement through 12/3/03. Following up with subject officer to ensure that training is taking place.
ACTIVE AND PENDING - 83 CASES									
02-65	Harold Kiel	SQ	12/23/2002	12/22/2003	11/21/2002	#1 Excessive Force		Police rode up next to complainant and complainant got scared and drove off. When he finally stopped, the cop beat him up.	Investigation ongoing.
02-67	Kendall Small	VU	12/27/2002	12/26/2003	12/10/2002	#3 Improper procedures		C was arrested for jaywalking during his lunch break outside his workplace. A court date was set for 12-11, the judge refused to see C because the police report had not been timely written. Charges have been dismissed but C remains in jail on parole hold.	Prepare for 3304 administrative closure on 1/8/04.
02-274	Keith Hopkins	VU	JAD: 10/9/02 CPRB: 11/25/03	10/8/2003	10/3/96 & 2/22/99	#3 Untruthfulness		C alleges that a police officer moved crime scene evidence and that the officer discredited his testimony before the conclusion of the trial	Investigation Pending
02-314	Kim K. Jackson	SQ	CPRB: 4/21/03	4/21/2004	11/21/2002	#1 Excessive Force		C alleges that an officer used profanity and caused injuries to her by lifting and dropping her to the ground during detention for being in a stolen vehicle.	Investigation Pending
03-030	Mary Scott	AM	2/24/2003	2/23/2004	2/21/2003	#3 Unprofessional conduct and improper procedures		C was exiting Zamora's Restaurant at 10th & High Street out of the driveway into the turning lane with her blinker on. C made a u-turn (there was an accident one block away) C had turn signal on and turned left on High Street. Officer sped up behind her, pulled her over, jumped out of his car and yelled turn off your engine. C asked what was the problem and officer replied you know what you did. Officer told C that she did not have her blinker on and she had made an illegal turn. Officers voice became louder and he was very aggressive toward her. Officer wrote C a citation and told her to sign it and if she didn't he would take her downtown.	Investigation pending. Conciliation or mediation will be proposed to complainant and subject officer. <u>Complainant's ticket was dismissed and she is considering withdrawing complaint. Will advise in one week.</u>
03-031	Gregory Pilling	SQ	2/11/2003	2/10/2004	6/3/2002	#3 Improper procedures		C had an altercation with his neighbor Mr. Smith and called OPD. C went to the store and came back and two officers forced their way into C apartment and handcuffed C searched his apartment looking for a gun. Mr. Smith was brought to the police car to identify C and made a citizens arrest report. C was charged with making felony terrorist threats. C went to the police department to obtain a police report of the incident and was denied.	Investigation pending.
03-043	Jason Ward	AM	3/18/2003	3/18/2004	2/25/2003	#3 Unprofessional conduct and improper procedures		C alleges that OPD officer shot and injured his dog without warning.	Investigation pending. Still waiting for information from OPD.
03-056	Rashida Grinage	SQ	4/2/2003	4/1/2004	3/31/2003	#1 Excessive Force		In custody death of mentally unstable man.	Investigation pending. Waiting for information from OPD.
03-084	Vahdat Saadat	AM	4/8/2003	4/7/2004	4/7/2003	#1 Unprofessional conduct and improper procedures		C states an officer pushed him out of a hallway for no reason.	Investigation pending. Waiting for information from OPD.
03-072	David Modersbach	AM	4/10/2003	4/9/2004	4/7/2003	#1 Excessive Force		(Ancillary Port Case) C alleges he was arrested and charged with resisting arrest by a very aggressive and violent Oakland police sergeant. Complainant interviewed, preparing case for hearing.	Complainant interviewed. Will prepare case for hearing.
03-084	Joseph Liesner	SQ	4/22/2003	4/21/2004	4/7/2003	#1 Excessive Force		(Port Case) C alleges that as he was protesting he was grabbed, called names, roughly handcuffed and held at Santa Rita Jail for 19-20 hrs as a result of his attendance at the Port of Oakland protest.	Investigation pending. Sent officer a subpoena.
03-085	Charlotte M. Grayson	VU	4/25/2003	4/24/2004	4/19/2003	#3 Improper procedures and unprofessional conduct		C states that she was at the home of her daughter helping to replace broken windows. A fight occurred and police were called, when they arrived one of the officers approached the C and asked what was in her hand C informed the officer that she had a screwdriver in her hand. C alleges the officer pulled out his gun and cocked it at her.	Investigation pending. Propose for 3 member panel.

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03-086	Earl Titus	VU	4/26/2003	4/25/2004	4/25/2003 #3 Improper procedures and unprofessional conduct			C alleges he was treated as a wanted criminal from the beginning of an illegal stop and given a ticket for driving too close behind an officer and for not wearing a seat belt, which the C states is untrue.	Interviewed C. Investigation pending.
03-103	Lisa Dodson	AM	5/12/2003	5/11/2004	5/1/2003 #1 Complaint involving a minor and improper procedures			C alleges an officer shot and killed the family dog within inches of her 12 year old son. May set for hearing 11/13/03.	Interviewed Complainants. Awaiting information from shoofing board.
03-104	Katherine Adams	VU	5/15/2003	5/14/2004	5/14/2003 #2 Improper Search			C alleges police officers entered her home without a search warrant.	Mediation pending.
03-104	Robyn Glenn	VU	5/15/2003	5/14/2004	5/14/2003 #2 Improper Search			C alleges police officers entered her home without a search warrant and went through her personal belongings.	Mediation pending.
03-105	Walter Williams	VU	5/15/2003	5/14/2004	1999-2003 #1 Excessive force			C alleges officer harassed him into acting as an informant, beat him, and put his life in danger. C also alleges officer contacted him after he filed a complaint.	Prepare for hearing.
03-105	Elizabeth Sinclair	VU	5/15/2003	5/14/2004	1999-2003 #2 Improper 2 and threats			C alleges OPD illegally searched her home and tried to involve her son in illegal activity. C also alleges that in 1999 she was pulled by her hair through out her home while being handcuffed. C further alleges that she recorded tapes of police officers threatening her and her family.	Prepare for hearing.
03-106	Erika Marie Raulston	VU	5/8/2003	5/7/2004	2/8/2003 #3 Improper procedures			C alleges OPD failed to arrest a suspect who made terrorist threats towards the C and her mother.	Interviewed Complainant. Possible mediation.
03-106	Leslie Diane May	VU	5/8/2003	5/7/2004	2/8/2003 #3 Improper procedures			C alleges OPD failed to arrest a suspect who made terrorist threats towards the C and her daughter.	Interviewed Complainant. Possible mediation.
03-119	Gloria Mae Banks	SQ	5/23/2003	5/22/2004	#2 Improper search			C alleges that about 6:15 p.m. on 5/22/03 officers climbed through her front room window without identifying themselves. C asked what was wrong and was allegedly told by police that a criminal act had occurred at the C address. The C states she was told to shut up or she would be taken to jail. Officers came back to the residence at 11:05 p.m. with their guns drawn without a warrant looking for someone the C doesn't know.	Investigation pending
03-119	Steven Burr	SQ	5/23/2003	5/22/2004	#2 Improper search			C states that around 6:15 p.m. on 5/22/03 police entered his room without a search warrant. C was not at home at the time. Officers came back to the residence at 11:00 p.m. handcuffed the C and researched his room looking for someone the C does not know.	Investigation Pending
03-120	Nhanhla Moyo	AM	5/23/2003	5/22/2004	#3 Improper procedures			C alleges he called police to enforce a restraining order that was being violated. When the officers arrived they detained the C and refused to enforce the restraining order.	Investigation Pending
03-121	Jason Curd	VU	5/23/2003	5/22/2004	5/16/2003 #3 Unprofessional conduct			C alleges he was pulled over by a police officer and searched. The C states that before he was arrested for being an unlicensed driver the police officer made the statement " I can't believe the car is not stolen".	Prepare for 3 member panel.
03-123	David E. Cannon	VU	6/2/2003 (CPRB) (IAD) 5/21/03	5/20/2004	5/17/2003 #3 Improper procedures			C alleges police officers were called to his residence regarding a domestic dispute that did not involve the C. Police officers searched the C's room and opened a safe that contained money and antique guns. Police officers did not leave a list of the property they took. The Oakland Police Dept. returned the guns, but the money is still missing.	Prepare for 3 member panel.
03-130	Craig Anthony Morgan	SQ	5/24/2003	5/23/2004	12/30/2002 #1 Excessive Force			C was involved in a car accident and alleges he was beaten and lost consciousness while improperly handcuffed by police officers.	Investigation pending.
03-131	Fred Seavey	VU	5/24/2003	5/23/2004	4/7/2003 #1 Excessive Force			(Part Case) C alleges on April 7th at the Port of Oakland demonstration he had begun to retreat when police officers began to fire wooden bullets. C states that a motorcycle officer pulled up and stated "you better go home or I'm going to F--- you up!"	Preparing for hearing.
03-132	Jacqueline Hutton	VU	6/3/2003	6/2/2004	6/1/2003 #3 Improper procedures			C alleges she was issued a ticket for no front license plate, no insurance passenger not wearing a seat belt. C states she produced all the proper information and was still given a ticket.	Preparing for 3 member panel.

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03-133	Sheila D. Jones-Moore	VU	5/24/2003	5/23/2004	UNK	#3 Improper procedures		C alleges she was stopped on the New Jersey bridge for no reason and handcuffed. C license was taken and never returned. C also alleges that on another day she was man handled by Delaware Police for trying to go to the 7th floor of a bldg. C further alleges her cousins house was stormed by Oakland Police Officers.	Prepare for administrative closure.
03-141	Malcolm Boyd	VU	6/16/2003	6/10/2004	6/15/2003	#3 Unprofessional conduct		C alleges he was working at Jack London Square Garage a police officer parked his vehicle in front of the garage's exit there by blocking cars from exiting. The C approached the officer and asked if he could move his vehicle to permit the customers to exit. C alleges the police officer responded to him in a belligerent and demeaning manner and was told to "move on".	Possible mediation or 3 member panel.
03-142	Bernard Osborne	VU	6/16/2003	6/15/2004	UNK	#1 Excessive force		C alleges he was pulled over in his car, the police officer was rude. C also alleges he was struck in the face and pulled out of car the car was towed for no reason. C further alleges he had to pay \$509.00 and missed six days of work.	Possible hearing.
03-143	Rory Keller-Dean	AM	11/21/2003	11/20/2004	6/13/2003	#3 Improper procedure		C alleges police officers entered her home w/o a search warrant and ransacked it, found marijuana and tried to arrest the C. The C informed the officers that she had medical documents for the marijuana. C also alleges the police officers had her sign the search warrant after the fact and came back and searched her home a second time w/o a warrant.	
03-148	Michael Ray Henry, Jr. & Anna Wiley (mother)	VU	6/30/06 (CPRB) 6/17/03 (IAD)	6/16/2004	6/10/2003	#1 Excessive Force		C alleges he was intentionally chased and hit by an Oakland patrol car driven by Lt. Michael Yoell, resulting in a broken leg. C alleges he was also choked by an officer.	Interviewed Complainant. Will set for hearing January 22, 2004.
03-148	Elliott J. Noble (Minor)	VU	7/9/2003	7/8/2004	6/10/2003	#1 Excessive Force		C took pictures of a friend, who was hit by a police car. C alleges officers took his camera, choked him, five officers grabbed his person, and used profanity during DEA investigation. C's mother alleges one officer shouted at her when she inquired about the arrest of her son.	Will set for hearing January 22, 2004.
03-151	David Wilkes	SQ	6/20/2003 (CPRB) May or June 03 (IAD)	6/19/2004	7/23/2002	#3 Improper procedures		C alleges his civil rights were violated by a Walgreens employee and OPD. C alleges he was beaten by security guards and employees. C further alleges that the stores surveillance tape has now been mysteriously blacked out. Also C has provided information on the security guard and an employee showing background information on felony and misdemeanor charges that were bought against them.	Investigation Pending
03-152	Donald H. Jones	AM	6/20/2003	6/19/2004	9/4/2001	#3 Improper procedures		C states he was told by his doctor to give his guns to the police for safekeeping. C went to the police dept. to retrieve his guns and was told that the guns would not be returned and to "have a good day". C returned to police dept on another day and was told that the guns had been destroyed.	Investigation Pending
03-165	Diane Worall	AM	7/14/2003	7/13/2004	7/9/2003	#3 Improper procedures		Failure to Take Action	Investigation Pending
03-178	Zachary Running Wolf Brown	SQ	7/23/2003	7/22/2004	6/19/2003	#2 Threats		C alleges he was threatened by an officer that the officer would make his life hell and that he would plant drugs on him. C believes that the officer threatened him because C is Native American.	Investigation Pending
03-189	Tiare T. Lake	SQ	7/31/2003	7/30/2004	7/29/2003	#2 Threats		C alleges threats.	Investigation Pending
03-189	Maria Johnson	SQ	7/31/2003	7/30/2004	7/29/2003	#2 Threats		C alleges threats and that her daughter, Tiare T. Lake, was falsely arrested.	Investigation Pending
03-191	Ronald Mohammed	AM	8/4/2003	8/3/2004	7/28/2003	#1 Excessive force		C alleges false arrest, excessive force and failure to provide medical attention.	Investigation Pending
03-194	Brian C. Dunbar	SQ	8/7/2003	8/6/2004	7/13/2003	#3 Improper Procedures		C alleges he was stopped in his car for no apparent reason.	Investigation Pending.
03-201	Jovan B. Johnson	SQ	8/7/2003	8/6/2004	8/6/2003	#1 Sexual harassment, excessive force and improper procedures		C alleges officers entered her home unlawfully and claimed that drugs and a gun were found. C further alleges officers pulled a gun on her and her baby and C was arrested. C also alleges that money was taken.	Investigation Pending.

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03-201	Donte Johnson	SQ	8/7/2003	8/6/2004	8/6/2003	#1 Sexual harassment, excessive force and improper procedures		C alleges officers entered his home unlawfully and drew their guns on his sister and his niece. C sister was arrested and charged with gun and drug charges. After 2 day the charges were dropped from his sister and the charges were placed on him.	
03-209	Lavita Nell Oliver	SQ	8/18/2003	8/17/2004	8/6/2003	#1 Excessive force and improper procedures		C alleges that officers used excessive force in the shooting death of her mentally disabled brother, Glenn Willis. Officers responded to a 911 call from C to do a welfare check on her brother. The contact resulted in Glenn Willis stabbing an OPD officer and the death of C's brother.	
03-211	Keith L. Smith	SQ	8/22/2003	8/21/2004	7/17/2003	#1 Excessive Force		C alleges excessive force and untruthfulness.	
03-212	Dia M. Scott	VU	8/28/2003	8/27/2004	7/17/2003	#3 Improper Procedure		C alleges she was wrongly issued a ticket for walking against a red light.	
03-213	David T. Bell	SQ	8/20/2003	8/19/2004	unk	#2 Untruthfulness		C alleges officer falsified report and that the officer was untruthful.	Investigating pending.
03-221	Michela Brown	AM	8/28/2003	8/27/2004	8/21/2003	#2 Untruthfulness and improper procedures		C alleges that an illegal search was performed on his person when ofc. Koster pulled down his pants and exposed him in the street. C also alleges that ofc. Koster used profanity towards him, and made threats to plant drugs on him.	
03-236	Freddie Lee Davis	SQ	9/16/2003	9/15/2004	4/12/2003	#2 Harassment, profanity, threats and improper search		C alleges he was given a citation for throwing a cigarette out of the window of his vehicle.	Complainant has agreed to mediation, will contact subject officer.
03-237	John M. Parker, Jr.	AM	9/18/2003	9/17/2004	9/9/2003	#3 Improper procedures		C alleges that officers injected radium isotopes and other drugs into his system. Will proposed for closure, unable to corroborate.	Investigation pending.
03-238	Veronique P. Perry	AM	9/18/2003	9/17/2004	7/12/2003	#3 Improper procedure and conduct		C alleges she called OPD and reported a burglary and that officers were slow to respond. C also alleges that her stolen items were in her neighbors back yard and C alleges she was told by police officers to go get them herself. C further alleges that the officers refused to take fingerprints and made no attempt to catch the assailants.	
03-241	Girma Gebremainan	VU	9/18/2003	9/17/2004	9/17/2003	#1 Racial discrimination		C alleges that officers displayed bias in issuing a jay walking ticket.	Investigation pending.
03-242	Hugh Mogovern	AM	9/23/2003	9/22/2004	9/22/2003	#1 Racial discrimination		C alleges that officers knocked on his door and when he opened the door there were four officers with their guns drawn. C was told to get to the ground C was handcuffed and his apartment searched. Warrant did not have C's name and the C did not look like the suspect.	
03-243	Duane E. Johnson	VU	9/18/2003	9/17/2004	9/16/2003	#1 Excessive force, Racial discrimination, improper procedures, improper search		C alleges an officer approached him while he was smoking a cigarette and asked where he lived. C told the officer he lived at Henry Robinson (transitional housing) and the ofc told C only women and children live there. The ofc told C to move 50 ft and then asked C was he on probation. C told the ofc his record was clean. C further alleges that the ofc told him that he would "see him again". C told the ofc "No you won't". C states that he is now afraid and took the comment as a threat.	Investigation pending.
03-251	Jaymard P. Kyles	AM	9/30/2003	9/29/2004	9/29/2003	#2 Threats, Rudeness		C alleges that officers refused to take fingerprints and made no attempt to catch the assailants.	Investigation pending.
03-252	Kriscia I. Payne	AM	9/25/2003	9/24/2004	7/18/2003	#1 Racial profiling, discrimination, improper procedure		C alleges she was stopped by an ofc and when C asked why she was pulled over the ofc replied "you know why" the ofc later told the C she was being stopped because her music was too loud. The ofc told C he was giving her a ticket or better yet he was going to tow her car. The C further alleges the ofc left her stranded on the street. C called her mother and they went to Eastmont Mall where C car was and was told her car had been towed because of "sideshow" activity.	Investigation pending.

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03-261	Alexander Pegus	AM	10/2/2003	10/1/2004	10/1/2003	#1 Excessive force, improper procedures, missing property/money, failure to identify, handcuffing and improper search		C was driving and was stopped by a man who identified himself as OPD civilian clothes officer no ID or badge was shown to C. The man said he was making a citizen's arrest for DUI. The C's wallet, was put in his car and it was towed. C was taken to Highland Hospital and refused to take a blood test due to religious beliefs (Jehovahs Witness) several sheriffs and OPD jumped on him, restrained him a knee was put in his back and they forcibly took a blood sample. C states that the handcuffs were too tight, fingers turned blue. C was later released without his property.	Complainant interviewed. Investigation pending.
03-262	Garlanda Byrd	AM	10/3/2003	10/2/2004	9/2/2003	#3 Conduct		C's son was killed on 9/2/03 and C was told that two officers tore down her son's memorial in the 3100 block of MLK. C went to investigate the incident and shocked to find the memorial had been torn down. C also states that she spoke to an officer over the phone and asked for her son's belongings and was told that they had been thrown away. C alleges that the officer seemed to take pride in saying that he had thrown the items away. C states that she was crushed and began to cry.	
03-263	Yancie B. Young	SQ	10/2/2003	10/1/2004	9/30/2003	#2 Improper search and procedures		C was stopped in his vehicle and was not given a reason for the stop. C was handcuffed while still in vehicle, he was pulled out and his person was searched, including the inside of his underwear. C vehicle was searched by four officers including K-9 dog for marijuana. Nothing was found. C was not cited for traffic violations, but a contact card was filled out.	
03-264	Howard Parker	AM	10/2/2003	10/1/2004	7/24/2003	#3 Improper procedures		C alleges he was shot by an assailant who fled in a blk Honda. OPD never questioned him about the shooting. C was hospitalized for four days with no police contact. C needs a letter from OPD stating he cannot for safety reasons live in the 7th Street pier area. This letter is required by the DA's office - Victims of Violent Crimes section to provide funds for C to relocate.	Complainant has agreed to conciliation through Larry Carroll.
03-265	Bobbie Cain	VU	10/6/2003	10/5/2004	10/5/2003	#1 Excessive force, harassment, threats, retaliation, handcuffing		C alleges that an officer beat and choked her son in front of three witnesses because he refused to act as a drug informant. It is alleged that C son has also been harassed the last five months by the same officer.	
03-265	Kalanie Ewing	VU	10/6/2003	10/5/2004	1/5/2003	#1 Excessive force, harassment, threats, retaliation, handcuffing		C alleges that she knows about the ongoing harassment of Nandi "Storm" Cain and that the officer wanted Bobbie Cain's son to be a snitch.	
03-267	Willard F. Rankins	AM	10/2/2003	10/1/2004	7/5/2003	#3 Missing property		C was arrested and taken to HGH. C's wallet and keys was given to Cric. Frazier. Cric Frazier transported C and his property to OPD jail. C property was missing.	Interviewed C. Investigation pending
03-268	Conrado Oliveira	AM	10/2/2003	10/1/2004	10/1/2003	#1 Excessive force, missing property, failure to take action, improper procedures		C alleges he and a friend were at the Coliseum watching a ball game and his friend took off his shirt and three OPD officers grabbed and handcuffed him. C ran over to his friend and while his friend was handcuffed he fell on his shoulder and head on the concrete stairs. C said, "I saw that happened the C was pushed and handcuffed by the officers. The officers left the C's and his friend's bags and wallets at the Coliseum and the C friend had on only one shoe and no shirt. When C friend was released he asked for his property and was told that there was no property.	Interviewed C. Investigation pending.
03-277	Bao Ngo	SQ	10/1/2003	9/30/2004	8/20/2003	#3 Procedure, Conduct		C is a Minor he alleges an officer searched his privates and fondled him. The officer ultimately obtained nine rocks of cocaine. Officer told C to spread his legs, squat and cough.	
03-278	Nikole Dalton	VU	10/15/2003	10/14/2004	5/17/2003	#3 rude, unprofessional conduct		C alleges she was had to walk home following a shooting of a person she was riding with. C also alleges that an officer told her to "calm down, people get shot in this city everyday" and that her friend was fine he's still breathing.	

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03-279	Lugena Fossette Johnson	AM	10/9/2003	10/8/2004	10/3/2003	#1 Excessive force, threats, rudeness and handcuffing		C alleges she was at KFC eating and a woman stole food and money from the table and ran. C thinks KFC manager mistakenly ID'ed her to OPD and two officers stopped her and took her money and KFC manager ID'ed her. The officer handcuffed the C and dug his nails in her waist/side and left bruises, and allegedly said "I could hurt you" and pushed the C into the police car. Another officer went into KFC to speak w/manager and came back out and said let her go. C states that both officers were grinning and she was given a contact card.	
03-282	Armon D. Penny	SQ	10/15/2003	10/14/2004	10/15/2003	#2 Harassment, threats		C alleges he was standing outside of the Oakland Museum and a officer told C he was "soliciting". The officer asked for the C ID. The C further alleges the officer said he would hit the C and knock his glasses off. Another officer approached and threatened to take the C to a psychiatric institution.	
03-287	Richard Cheney, Jr.	SQ	10/20/2003	10/19/2004	10/3/2003	#3 Procedure		C states he was in a physical altercation at a club. Security guards turned him over to police officers and they handcuffed and placed C in a police vehicle. While in the vehicle C alleges a black male on crutches walked over to the patrol car and opened the door and punched the C in the face. Police officers took the man into custody. C states "someone should have been guarding him while he was in police custody."	
03-288	Sherry Hayes Murphy (Aunt of Randy Murphy)	AM	11/12/2003	11/11/2004	10/23/2003	#1 Excessive force, harassment, improper procedures and retaliation		C alleges harassment by a police officer who has conducted searches on her home and arrested her nephew. C further alleges that two officers choked her nephew and shoved him over a fence and rolled him over at least three times even though her nephew stated that he could not feel his legs. C also alleges that the officers tried to make her nephew stand up and when he couldn't they call for an ambulance.	
03-288	Tianna Murphy	AM	11/17/2003	11/16/2004	10/23/2003	#1 Excess force, care of property demeaning, improper procedures, handcuffing		C states that her brother told her that he was sitting on the porch when police drove up and flashed a light in his face. The police got out of their car and told him to open his mouth. An officer grabbed him by the throat and choked him until he couldn't breathe. The C brother further told her that he pushed the officer off of him and ran. A officer was right behind him when he was on top of a fence, the officer grab his foot and pushed him over the fence and he landed on his head. He immediately screamed that he couldn't feel his legs. The officers handcuffed and rolled him over several times and in the process of rolling him over he was being hit. Also the C brother alleges that the one of the officers took \$780.00 from his pocket.	
03-289	Yolanda M. McGill	SQ	10/27/2003	10/26/2004	10/5/2003	#1 Excessive Force, procedure		C alleges her son was upstairs asleep when two officers entered her home without permission or a search warrant. They entered the room where her son was sleeping, woke him up, proceeded to beat him then shot and killed him. C states that her son was unarmed and had not done anything wrong.	
03-290	Marion Craft	VU	10/24/2003	10/23/2004	10/19/2003	#2 Harassment, improper procedures and rudeness		C alleges improper procedure for pulling him over on bogus basis. C claims harassment. C claims that officers inspected his car, cited him without basis and made him undergo DU/I testing. C also alleges the officers were rude.	

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(Total Cases - 100)**

Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Inv. Completed	Brief Description of Complaint	Notes
03-293	Victoria Figg	SQ	10/30/2003	10/29/2004	10/30/2003	#3 Procedure, untruthfulness		C alleges that OPD has searched her home in the last four months eight times and only showed her a search warrant once. Most of the searches occur when she is at work.	
03-294	Michael Funaro	VU	11/3/2003	11/2/2004	10/6/2003	#3 Procedure		C alleges that he bought a motor home for \$5,500 and OPD had his motor home towed and stated that it was stolen. C also alleges that OPD took the keys and pink slip to the motor home and he wants it back.	
03-295	Cheryl D. Harris	VU	11/4/2003	11/3/2004	10/29/2003			C alleges she spoke with a OPD officer concerning a security guard at Castlemont HS who threw her son up against a wall and busted his lip because he would not sit down. The Officer told the C that the security guard did his job right.	
03-301	Tanya M. Watts	VU	(CPRB) 11/12/2003 (IAD) 7/31/03	11/11/2004	2/1/2003	#1 Force, procedure, conduct, bias, untruthfulness		C alleges illegal splicing of electricity and gas and elevated levels of radiation in her home.	
03-305	Jesse M. Garcia	VU	10/27/2003	10/26/2004	10/25/2003	#2 Failure to take action, improper procedures		C alleges his car was stolen. Witness neighbor called police twice to report someone stealing the C car. Police did not come out until entire car was gone. Call was made in the AM police arrived in the PM.	
03-306	Mario McKinley	SQ	11/17/2003	11/16/2004	11/16/2003	#1 Racial bias, threats, failure to identify		C alleges an unidentified police officer performed a walking stop on him along College Avenue adjacent to a Safeway between 3:30 AM and 5:00 AM. The officer allegedly said "boy, what are you doing in this part of town?". The officer refused to ID himself and threatened the C with a jaywalking ticket.	
03-311	Reginald B. Wilkins	VU	11/20/2003	11/19/2004	11/11/2003	#1 Force, conduct		C alleges an officer approached him saying "hey what's your name" in a threatening manner C responded "Why" and the officer instructed the C to get off his bike and the officer grabbed and turned the C around and handcuffed him. C also alleges he began screaming and a crowd gathered C asked the officer why he was doing this to him and the officer responded that he was looking for a felony suspect and the C fit the description.	
03-312	Deborah M. Brooks	SQ	11/18/2003	11/17/2004	11/5/2003	#3 Procedure		C alleges that a police car ran a stop sign and proceeded to drift towards the C's car and only put on its blinker after the C slowed down in order not to get hit.	
03-315	Tracey Christian	SQ	12/1/2003	11/30/2004	11/29/2003	#3 Profanity and Procedure		C alleges an officer entered his home without a warrant used profanity and grabbed her juvenile son.	
03-316	Esmá Bolden	AM	12/2/2003	12/1/2004	11/25/2003	#3 Procedure		C alleges she called 911 to report that she was assaulted by an unknown person. The officer arrived and took the report and told the C that he does not investigate this type of crime.	
03-317	Eric Wright	SQ	12/2/2003	12/1/2004	2/17/2001	#1 Racial Bias,		C alleges he was given a ticket improperly and claims racial bias.	
03-319	Willard Thomas	VU	11/25/2003	11/24/2004	?	#3 Demeaning, failure to take action, profanity, threats & rudeness		C was a victim of a carjacking. Officer was unprofessional and insensitive to the C. The C alleges the officer left out facts in the report and the officer threatened the C with physical harm.	
03-323	Heidi Cullen		12/4/2003	12/3/2004				C alleges an officer was antagonistic, unnecessarily loud and refused to call his supervisor. C also alleges she went to the police station to find the officer's supervisor and the officer followed her, stood next to the counter and listening to everything that was said and the officer allegedly stated " I never did anything to you." C further alleges she went into early labor due to stress.	

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02-61	Hannah K. Moore	VU	12/2/2002 (CPRB) IAD: 12/24/02	12/1/2003	11/24/2002 #1	Racial profiling		C. alleges she was cited, her license permanently taken, her car towed, and herself & 3 female friends (all minors) were abandoned on the street at midnight after C briefly illegally parked her car to run out and speak to a friend at Jack London Square in Oakland during a "zero-tolerance" patrol in the area. C. alleges (teenage) racial profiling; use of excessive force (misapplication of zero-tolerance policy); rude, unprofessional conduct; untruthfulness in reports (cited for moving violation vs. parking violation); (Complaint of minor Hannah Moore filed by mother Anne Milkie).	3 Member Panel hearing held r 11/24/03.
HEARING HELD: PENDING CLOSURE - 1 CASE									
00-12	Virgil Waldon	AM	4/11/2000	TOLLED	4/8/2000 #3	force with an officer with previous complaint		C claims OPD officer hit him during car stop and he was falsely arrested for resisting.	TOLLED. Hearing scheduled 11/9/00, CPRB Legal advisor not available & officer's rep. wanted to reschedule hearing. Rescheduled Hearing 5/31/01 deferred due to pending litigation.
00-35	Willis Wilson Jr.	JG	11/24/2000	8/24/2001	2/27/2000	non-priority (supplemental jurisdiction)		Car stolen	TOLLED. Civil litigation.
00-44	George Robinson	AM	6/28/2000	06/28/2001	6/21/2000	#1 force resulting in serious injury		C. was inside a bank. Two OPD officers were called by a bank security guard. An officer asked C's business in the bank, to which C replied, "What do you think, I'm here to rob the bank." The officer kicked C's feet out from under him and threw him to the ground (hit head and chipped tooth). Officer kicked C's legs apart and searched him three times. Injury: Broken tooth	TOLLED.
01-11	Michael Muscadine	AM	2/27/2001	2/27/2002	11/29/2000	#2 force against a minor		C alleges officers "beat up" his son, threatened his son on two different occasions, and later was punched by an officer.	Reinstated 1/10/02. TOLLED.
01-15	Denise Carignan (deceased - William Wilkins)	RD	4/30/2001	4/30/2002	1/11/2001	#1 force resulting in serious injury		Officers shot and killed Officer William Wilkins.	TOLLED. Subject officer has been activated for military duty on (1/2/02).

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01-19	Jervis A. Muwakkil (deceased - Jarni Wheatfall)	AM	5/21/2001	Complaint filed 4/15/02. (USDC C 02 1799CW)	4/14/2001	#1 force resulting in serious injury (Death)		C alleges officer stopped his son, Jarni Wheatfall, and fatally beat him.	TOLLED.
01-22	Billy Ray Barnes	AM	6/25/2001	TOLLED - Civil Litigation Superior Ct., 2002 036256 Complaint filed 1/2/02. Served 8/13/02	4/18/2001	#2 force against a minor		C is a minor and alleges officers punched him, maced him in the eyes and mouth and dragged him out of the car.	TOLLED.
01-27	Brian Bowman	RD	7/18/2001	8/10/2002 TOLLED 12/5/01	6/2/2001	non-priority (force & supplemental issues)		The C alleges that he was "slammed" to the pavement and hit his elbow on the ground. C also alleges the loss of property (pager) and use of profanity and rude/demeaning language.	TOLLED. Subject officer has been activated for military duty.
01-34	Jane Allison	JG	10/10/2001	10/10/2002 Case filed 6/20/02 USD CT C02-2951 SI	10/9/2001	#1 Excessive force		C alleges that she was thrown to the ground, kicked in the face and had her stomach stepped on. The C was also handcuffed too tightly and had the police car door "slammed" on her left foot causing injury.	TOLLED. Investigation
01-37	William Drury III	AM	11/26/2001	11/26/2002 TOLLED - Complaint filed 3/30/02. Superior Ct. 2002 044710.	4/4/2001	#1 Excessive force (serious injury)		C alleges that his girlfriend hit him. The OPD responded and he was arrested. He alleges that the officers use excessive force to affect the arrest.	TOLLED. ongoing.
02-10	Streeter D. Lynne	AM	3/25/2002	TOLLED - Civil Litigation 7/24/02 USD CT C02-3537	12/26/2001	Work in progress		C alleges that she was upset that her dog ran off her property, she was calling the dog loudly. OPD officers arrived, arrested her and used excessive force to affect the arrest.	TOLLED.
02-35	Michael Cole	BB	8/22/2002		5/7/2002	#1 Excessive force		C alleges excessive force and planting of evidence.	TOLLED. Criminal investigation pending.
02-22	Jose Ortiz	VU	5/28/2002	Tolled -	5/28/2003	#1 Excessive force		C alleges that excessive force was used when he was taken into custody	TOLLED
03-009	Naiseng Seephan	AM	1/30/2003	TOLLED - Civil Litigation Case filed 7/17/03 USD CT C-03-3342-EMC	1/24/2003	#1 Excessive force		Excessive force, failure to provide medical treatment	TOLLED.
03-033	Gary Deskins	AM	3/6/2003	TOLLED - Civil Litigation 8/5/03 C0 33653 PJH	2/25/2003	#1 Complaint involving a minor and unlawful search		C reported that at 5:15 PM he was in his driveway unloading his van when he heard his neighbor say you are going to the wrong house C turned around to see a squad of police on his stairs preparing to enter his home. C told them they must be at the wrong house but they insisted they had a warrant for his house and were looking for a woman whom they only had a first name and who he knows lives next door, which he told them. The police handcuffed the C and broke down his front door, told his son to get on the floor and held a gun to his head. They searched the house for an hour spending a lot of time in his bedroom and wouldn't let any family members watch as they searched. They left the house in a mess with no apology when they determined they were in the wrong house.	TOLLED.

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03-073	Jennifer Hanson	VU	4/11/2003	TOLLED Civil Litigation case filed	4/7/2003 #1 Excessive Force			(Port case) C alleges she was hit in the back with a concussion grenade or a bean bag while trying to leave the Port of Oakland antiwar protest	TOLLED.

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Hubartt	Verbal Conduct - Threats				9	
Total		35(17%)	2(1%)	8(4%)	151(72%)	14(6%)
Loveday	Arrest - Improper	1			1	
Loveday	Bias / Discrimination			1		
Loveday	Citation - Improper					
Loveday	Custody - Improper Treatment					1
Loveday	Detention/Stop - Improper	1			2	
Loveday	Entry/Search - Improper	10			4	
Loveday	Failure to Act - Other				1	
Loveday	Failure to Act - To Ensure Individual's Safety	1				
Loveday	Failure to Act - To Provide Identification					1
Loveday	Failure to Act - To Use Patrol Car Lights				3	
Loveday	Failure to Act - To Write A Report	1				
Loveday	Force - After Handcuffed					
Loveday	Force - Grab/Push/Shove/Trip	4			2	
Loveday	Force - Handcuffs Too Tight				2	
Loveday	Force - Kick	1			3	
Loveday	Force - Other				1	
Loveday	Force - Strike w Hand or Unknown Object	1			2	
Loveday	Other				1	
Loveday	Planting Evidence			4		
Loveday	Property - Damaged/Missing/Seized				6	
Loveday	Truthfulness - Reporting				2	
Loveday	Vehicle Towed/Impounded - Improper		1		1	
Loveday	Verbal Conduct - Profanity/Rude Statements	2			7	
Loveday	Verbal Conduct - Threats				2	
Total		22(32%)	1(1%)	5(7%)	40(57%)	2(3%)
Raffanti	Arrest - Improper	1			1	
Raffanti	Bias / Discrimination	1		1	1	
Raffanti	Citation - Improper	1	1			
Raffanti	Custody - Improper Treatment				3	
Raffanti	Detention/Stop - Improper	2			4	
Raffanti	Entry/Search - Improper	10			4	
Raffanti	Failure to Act - Other				5	
Raffanti	Failure to Act - To Ensure Individual's Safety	1				
Raffanti	Failure to Act - To Investigate				2	
Raffanti	Failure to Act - To Provide Identification	1				
Raffanti	Failure to Act - To Use Patrol Car Lights	2			4	
Raffanti	Failure to Act - To Write a Report	2				
Raffanti	Force - After Handcuffed				6	

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Raffanti	Force - Choke	1				
Raffanti	Force - Grab/Push/Shove/Trip	7			6	1
Raffanti	Force - Handcuffs Too Tight	1			3	1
Raffanti	Force - Handcuffs Unwarranted				2	
Raffanti	Force - Kick	7			2	
Raffanti	Force - Other	1			1	
Raffanti	Force - Shooting Gun at Person or Animal					
Raffanti	Force - Specifics Unknown	1				
Raffanti	Force - Strike w Hand or Unknown Object	6		3	5	
Raffanti	Force - Strike w Weapon	3			3	
Raffanti	Force - Use of Patrol Vehicle	2			1	
Raffanti	Other	1			1	
Raffanti	Planting Evidence	3		4		
Raffanti	Property - Damaged/Missing/Seized	2			4	
Raffanti	Truthfulness - Reporting	8			2	
Raffanti	Truthfulness - Verbal Statements					
Raffanti	Vehicle Towed/Impounded - Improper		1		1	
Raffanti	Verbal Conduct - Profanity/Rude Statements	13			6	3
Raffanti	Verbal Conduct - Threats	5				
Total		82(50%)	2(1%)	8(5%)	67(41%)	5(3%)
Salahu-Din	Arrest - Improper	1				
Salahu-Din	Bias / Discrimination	1		1	4	
Salahu-Din	Citation - Improper		1		1	
Salahu-Din	Custody - Improper Treatment				3	
Salahu-Din	Detention/Stop - Improper	6			9	
Salahu-Din	Entry/Search - Improper	8			7	
Salahu-Din	Failure to Act - Other				5	
Salahu-Din	Failure to Act - To Enforce Restraining Order				1	
Salahu-Din	Failure to Act - To Ensure Individual's Safety	1				
Salahu-Din	Failure to Act - To Investigate				2	
Salahu-Din	Failure to Act - To Provide Identification	3			1	1
Salahu-Din	Failure to Act - To Use Patrol Car Lights				6	
Salahu-Din	Failure to Act - To Write A Report	1				
Salahu-Din	Force - After Handcuffed				8	
Salahu-Din	Force - Choke				1	
Salahu-Din	Force - Grab/Push/Shove/Trip	2			8	
Salahu-Din	Force - Handcuffs Too Tight				4	
Salahu-Din	Force - Handcuffs Unwarranted				2	
Salahu-Din	Force - Kick	2			7	
Salahu-Din	Force - Other					
Salahu-Din	Force - Shooting Gun at Person or Animal				1	

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Salahu-Din	Force - Specifics Unknown					
Salahu-Din	Force - Strike w Hand or Unknown Object	1		3	7	
Salahu-Din	Force - Strike w Weapon	2			5	
Salahu-Din	Force - Use of Gun to Threaten				1	
Salahu-Din	Force - Use of Patrol Vehicle				4	
Salahu-Din	Other	4			2	
Salahu-Din	Planting Evidence				6	
Salahu-Din	Property - Damaged/Missing/Seized					
Salahu-Din	Truthfulness - Reporting	2			8	
Salahu-Din	Truthfulness - Verbal Statements	3			5	
Salahu-Din	Vehicle Towed/Impounded - Improper		1		1	
Salahu-Din	Verbal Conduct - Profanity/Rude Statements	2			18	
Salahu-Din	Verbal Conduct - Threats				7	
Total		39(22%)	2(1%)	4(2%)	134(74%)	1(1%)
Thomas	Arrest - Improper	1			1	
Thomas	Bias / Discrimination			1	1	
Thomas	Citation - Improper					1
Thomas	Custody - Improper Treatment				1	
Thomas	Detention/Stop - Improper	1			1	1
Thomas	Entry/Search - Improper	9			5	
Thomas	Failure to Act - Other				1	
Thomas	Failure to Act - To Ensure Individual's Safety	1				
Thomas	Failure to Act - To Provide Identification	1				
Thomas	Failure to Act - To Use Patrol Car Lights				3	
Thomas	Failure to Act - To Write A Report				1	
Thomas	Force - After Handcuffed				1	
Thomas	Force - Choke				1	
Thomas	Force - Grab/Push/Shove/Trip				7	
Thomas	Force - Handcuffs Too Tight				1	1
Thomas	Force - Kick	1			4	
Thomas	Force - Other				1	
Thomas	Force - Strike w Hand or Unknown Object			3	2	
Thomas	Force - Use of Patrol Vehicle				1	
Thomas	Other				1	
Thomas	Planting Evidence	3		4		
Thomas	Property - Damaged/Missing/Seized	1			1	4
Thomas	Truthfulness - Reporting				2	
Thomas	Vehicle Towed/Impounded - Improper		1		1	
Thomas	Verbal Conduct - Profanity/Rude Statements	1			13	1
Thomas	Verbal Conduct - Threats	1				1
Total		20(23%)	1(1%)	8(9%)	50(57%)	9(10%)

Board Member	Allegation Category	Sustain	Exonerate	Unfounded	Not Sustain	Abstain
Walker	Arrest - Improper	1			1	
Walker	Bias / Discrimination	1		1	6	
Walker	Citation - Improper		1		1	
Walker	Custody - Improper Treatment				2	
Walker	Detention/Stop - Improper	6			9	
Walker	Entry/Search - Improper	9			6	
Walker	Failure to Act - Other				5	
Walker	Failure to Act - To Enforce Restraining Order	1				
Walker	Failure to Act - To Ensure Individual's Safety	1			1	
Walker	Failure to Act - To Investigate					
Walker	Failure to Act - To Provide Identification	4			1	
Walker	Failure to Act - To Use Patrol Car Lights				6	
Walker	Failure to Act - To Write a Report					
Walker	Force - After Handcuffed				4	
Walker	Force - Choke				1	
Walker	Force - Grab/Push/Shove/Trip	2			9	
Walker	Force - Handcuffs Too Tight				5	
Walker	Force - Handcuffs Unwarranted				2	
Walker	Force - Kick	2			6	
Walker	Force - Other				1	
Walker	Force - Shooting Gun at Person or Animal				1	
Walker	Force - Specifics Unknown				1	
Walker	Force - Strike w Hand or Unknown Object	2		3	1	
Walker	Force - Strike w Weapon	2			3	
Walker	Force - Use of Gun to Threaten				1	
Walker	Force - Use of Patrol Vehicle				4	
Walker	Harassment				1	
Walker	Other	3			2	
Walker	Planting Evidence				6	
Walker	Property - Damaged/Missing/Seized					
Walker	Truthfulness - Reporting	3			7	
Walker	Truthfulness - Verbal Statements	5			3	
Walker	Vehicle Towed/Impounded - Improper		1		1	
Walker	Verbal Conduct - Profanity/Rude Statements	7			11	
Walker	Verbal Conduct - Threats				6	2
Total		49(29%)	2(1%)	4(2%)	114(67%)	2(1%)

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02-15	John Revels	AM	5/8/2002	5/7/2003	3/20/2002	#1 Disability		C alleges harassment	Consent Decree 1/14/02 -- Board jurisdiction for enforcement through 12/3/03. Following up with subject officer to ensure that training is taking place. Investigation ongoing. Prepare for 3304 administrative closure on 1/8/04.
ACTIVE AND PENDING - 83 CASES									
02-05	Harold Kiel	SQ	12/23/2002	12/22/2003	11/21/2002	#1 Excessive Force		Police rode up next to complainant and complainant got scared and drove off. When he finally stopped, the cop beat him up.	
02-07	Kendall Small	VU	12/27/2002	12/26/2003	12/10/2002	#3 Improper procedures		C was arrested for jaywalking during his lunch break outside his workplace. A court date was set for 12-11, the judge refused to see C because the police report had not been timely written. Charges have been dismissed but C remains in jail on parole hold.	
02-2/4	Keith Hopkins	VU	IAD: 10/9/02 CPRB. 11/25/03	10/8/2003	10/9/96 & 2/22/99	#3 Untruthfulness		C alleges that a police officer moved crime scene evidence and that the officer discussed his testimony before the conclusion of the trial	
02-314	Kim K. Jackson	SQ	CPRB. 4/21/03	4/21/2004	11/21/2002	#1 Excessive Force		C alleges that an officer used profanity and caused injuries to her by lifting and dropping her to the ground during detention for being in a stolen vehicle.	Investigation Pending
03-030	Mary Scott	AM	2/24/2003	2/23/2004	2/21/2003	#3 Unprofessional conduct and improper procedures		C was exiting Zamora's Restaurant at 10th & High Street out of the driveway into the turning lane with her blinker on. C made a u-turn (there was an accident one block away) C had turn signal on and turned left on High Street. Officer sped up behind her, pulled her over, jumped out of his car and yelled turn off your engine. C asked what was the problem and officer replied you know what you did. Officer told C that she did not have her blinker on and she had made an illegal turn. Officers voice became louder and he was very aggressive toward her. Officer wrote C a citation and told her to sign it and if she didn't he would take her downtown.	Investigation pending. Conciliation or mediation will be proposed to complainant and subject officer. <u>Complainant's ticket was dismissed and she is considering withdrawing complaint. Will advise in one week.</u>
03-031	Gregory Pilling	SQ	2/11/2003	2/10/2004	6/3/2002	#3 Improper procedures		C had an altercation with his neighbor Mr. Smith and called OPD C. went to the store and came back and two officers forced their way into C apartment and handcuffed C searched his apartment looking for a gun. Mr. Smith was brought to the police car to identify C and made a citizens arrest report. C was charged with making felony terrorist threats. C went to the police department to obtain a police report of the incident and was denied.	Investigation pending.
03-043	Jason Ward	AM	3/18/2003	3/18/2004	2/25/2003	#3 Unprofessional conduct and improper procedures		C alleges that OPD officer shot and injured his dog without warning.	Investigation pending. Still waiting for information from OPD.
03-056	Rashida Grunge	SQ	4/2/2003	4/1/2004	3/31/2003	#1 Excessive Force		In custody death of mentally unstable man.	Investigation pending. Waiting for information from OPD.
03-064	Vahdat Saadat	AM	4/8/2003	4/7/2004	4/7/2003	#1 Unprofessional conduct and improper procedures		C states an officer pushed him out of a hallway for no reason.	Investigation pending. Will prepare case for hearing.
03-072	David Modersbach	AM	4/10/2003	4/9/2004	4/7/2003	#1 Excessive Force		(Ancillary Port Case) C alleges he was arrested and charged with resisting arrest by a very aggressive and violent Oakland police sergeant. Complainant interviewed, preparing case for hearing.	Complainant interviewed. Will prepare case for hearing.
03-084	Joseph Llesner	SQ	4/22/2003	4/21/2004	4/7/2003	#1 Excessive Force		(Port Case) C alleges that as he was protesting he was grabbed, called names, roughly handcuffed and held at Santa Rita Jail for 19-20 hrs as a result of his attendance at the Port of Oakland protest.	Investigation pending. Sent officer a subpoena.
03-085	Chantalte M. Grayson	VU	4/25/2003	4/24/2004	4/19/2003	#3 Improper procedures and unprofessional conduct		C states that she was at the home of her daughter helping to replace broken windows. A fight occurred and police were called, when they arrived one of the officers approached the C and asked what was in her hand C informed the officer that she had a screwdriver in her hand. C alleges the officer pulled out his gun and cocked it at her.	Propose for 3 member panel.

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03-086	Earl Tunis	VU	4/26/2003	4/25/2004	4/25/2003 #3	Improper procedures and unprofessional conduct		C alleges he was treated as a wanted criminal from the beginning of an illegal stop and given a ticket for driving too close behind an officer and for not wearing a seat belt, which the C states is untrue.	Interviewed C. Investigation pending.
03-103	Lisa Doubson	AM	5/12/2003	5/11/2004	5/12/2003 #1	Complaint involving a minor and improper procedures		C alleges an officer shot and killed the family dog within inches of her 12 year old son. <u>May set for hearing 11/13/03.</u>	Interviewed Complainants. Awaiting information from shooting board.
03-104	Katherine Adams	VU	5/15/2003	5/14/2004	5/14/2003 #2	Improper Search		C alleges police officers entered her home without a search warrant.	Mediation pending.
03-104	Rubyn Glenn	VU	5/15/2003	5/14/2004	5/14/2003 #2	Improper Search		C alleges police officers entered her home without a search warrant and went through her personal belongings.	Mediation pending.
03-105	Walter Williams	VU	5/15/2003	5/14/2004	1999-2003 #1	Excessive force		C alleges officer harassed him into acting as an informant, beat him, and put his life in danger. C also alleges officer contacted him after he filed a complaint.	Prepare for hearing.
03-105	Elizabeth Sinclair	VU	5/15/2003	5/14/2004	1999-2003 #2	Improper 2 and threats		C alleges OPD illegally searched her home and tried to involve her son in illegal activity. C also alleges that in 1999 she was pulled by her hair through out her home while being handcuffed. C further alleges that she recorded tapes of police officers threatening her and her family.	Prepare for hearing.
03-106	Erika Marie Radiston	VU	5/8/2003	5/7/2004	2/8/2003 #3	Improper procedures		C alleges OPD failed to arrest a suspect who made terrorist threats towards the C and her mother.	Interviewed Complainant. Possible mediation.
03-106	Leslie Diane May	VU	5/8/2003	5/7/2004	2/8/2003 #3	Improper procedures		C alleges OPD failed to arrest a suspect who made terrorist threats towards the C and her daughter.	Interviewed Complainant. Possible mediation.
03-119	Gloria Mae Banks	SQ	5/23/2003	5/22/2004	#2	Improper search		C alleges that about 6:15 p.m. on 5/22/03 officers climbed through her front room window without identifying themselves. C asked what was wrong and was allegedly told by police that a criminal act had occurred at the C address. The C states she was told to shut up or she would be taken to jail. Officers came back to the residence at 11:05 p.m. with their guns drawn without a warrant looking for someone the C doesn't know.	Investigation pending
03-119	Steven Burr	SQ	5/23/2003	5/22/2004	#2	Improper search		C states that around 6:15 p.m. on 5/22/03 police entered his room without a search warrant. C was not at home at the time. Officers came back to the residence at 11:00 p.m. handcuffed the C and researched his room looking for someone the C does not know.	Investigation Pending
03-120	Nhantha Moyo	AM	5/23/2003	5/22/2004	#3	Improper procedures		C alleges he called police to enforce a restraining order that was being violated. When the officers arrived they obtained the C and refused to enforce the restraining order.	Investigation Pending
03-121	Jason Cudd	VU	5/23/2003	5/22/2004	5/16/2003 #3	Unprofessional conduct		C alleges he was pulled over by a police officer and searched. The C states that before he was arrested for being an unlicensed driver the police officer made the statement "I can't believe the car is not stolen".	Prepare for 3 member panel.
03-123	David E. Cannon	VU	6/2/2003 (CPRB) (IAD) 5/21/03	5/20/2004	5/17/2003 #3	Improper procedures		C alleges police officers were called to his residence regarding a domestic dispute that did not involve the C. Police officers searched the C's room and opened a safe that contained money and antique guns. Police officers did not leave a list of the property they took. The Oakland Police Dept. returned the guns, but the money is still missing.	Prepare for 3 member panel.
03-130	Craig Anthony Morgan	SQ	5/24/2003	5/23/2004	12/30/2002 #1	Excessive Force		C was involved in a car accident and alleges he was beaten and lost consciousness while improperly handcuffed by police officers.	Investigation pending.
03-131	Fred Scavey	VU	5/24/2003	5/23/2004	4/7/2003 #1	Excessive Force		(Port Case) C alleges on April 7th at the Port of Oakland demonstration he had began to retreat when police officers began to fire wooden bullets. C states that a motorcycle officer pulled up and stated "you better go home or I'm going to F--- you up!"	Preparing for hearing.
03-132	Jacqueline Hutton	VU	6/3/2003	6/2/2004	6/1/2003 #3	Improper procedures		C alleges she was issued a ticket for no front license plate, no insurance passenger, not wearing a seat belt. C states she produced all the proper information and was still given a ticket.	Preparing for 3 member panel.

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APPENDIX H

Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Inv. Completed	Brief Description of Complaint	Notes
03-133	Sheila D. Jones-Moore	VU	5/24/2003	523/2004	UNK	#3 Improper procedures		C alleges she was stopped on the New Jersey bridge for no reason and handcuffed. C license was taken and never returned. C also alleges that on another day she was man handled by Delaware Police for trying to go to the 7th floor of a bldg. C further alleges her cousins house was stormed by Oakland Police Officers.	Prepare for administrative closure.
03-141	Malcolm Boyd	VU	6/16/2003	6/10/2004	6/15/2003	#3 Unprofessional conduct		C alleges he was working at Jack London Square Garage a police officer parked his vehicle in front of the garage's exit there by blocking cars from exiting. The C approached the officer and asked if he could move his vehicle to permit the customers to exit. C alleges the police officer responded to him in a belligerent and demeaning manner and was told to "move on".	Possible mediation or 3 member panel.
03-142	Bernard Osborne	VU	6/16/2003	6/15/2004	UNK	#1 Excessive force		C alleges he was pulled over in his car, the police officer was nude C also alleges he was struck in the face and pulled out of car the car was towed for no reason. C further alleges he had to pay \$509.00 and missed six days of work.	Possible hearing.
03-143	Rory Keller-Dean	AM	11/21/2003	11/20/2004	6/13/2003	#3 Improper procedure		C alleges police officers entered her home w/o a search warrant and ransacked it, found marijuana and tried to arrest the C. The C informed the officers that she had medical documents for the marijuana. C also alleges the police officers had her sign the search warrant after the fact and came back and searched her home a second time w/o a warrant.	
03-148	Michael Ray Henry, Jr & Anna Wiley (mother)	VU	6/30/06 (CPRB) 6/17/03 (IAD)	6/16/2004	6/10/2003	#1 Excessive Force		C alleges he was intentionally chased and hit by an Oakland patrol car driven by Lt. Michael Yuell, resulting in a broken leg. C alleges he was also choked by an officer.	Interviewed Complainant. Will set for hearing January 22, 2004.
03-148	Elliott J Noble (Minor)	VU	7/9/2003	7/8/2004	6/10/2003	#1 Excessive Force		C took pictures of a friend, who was hit by a police car. C alleges officers took his camera, choked him, five officers grabbed his person, and used profanity during DEA investigation. C's mother alleges one officer shouted at her when she inquired about the arrest of her son.	Will set for hearing January 22, 2004.
03-151	David Wilkes	SQ	6/20/2003 (CPRB) May or June 03 (IAD)	6/19/2004	7/23/2002	#3 Improper procedures		C alleges his civil rights were violated by a Walgreens employee and OPD. C alleges he was beaten by security guards and employees. C further alleges that the stores surveillance tape has now been mysteriously blacked out. Also C has provided information on the security guard and an employee showing background information on felony and misdemeanor charges that were bought against them.	Investigation Pending
03-152	Donald H. Jones	AM	6/20/2003	6/19/2004	9/4/2001	#3 Improper procedures		C states he was told by his doctor to give his guns to the police for safekeeping. C went to the police dept. to retrieve his guns and was told that the guns would not be returned and to "have a good day". C returned to police dept on another day and was told that the guns had been destroyed.	Investigation Pending
03-165	Diane Wocall	AM	7/14/2003	7/13/2004	7/9/2003	#3 Improper procedures		Failure to Take Action	Investigation Pending
03-178	Zachary Running Wolf Brown	SQ	7/23/2003	7/22/2004	6/19/2003	#2 Threats		C alleges he was threatened by an officer that the officer would make his life hell and that he would plant drugs on him. C believes that the officer threatened him because C is Native American.	Investigation Pending
03-189	Irene J. Lake	SQ	7/31/2003	7/30/2004	7/29/2003	#2 Threats		C alleges threats.	Investigation Pending
03-189	Maria Johnson	SQ	7/31/2003	7/30/2004	7/29/2003	#2 Threats		C alleges threats and that her daughter, Tiare T. Lake, was falsely arrested.	Investigation Pending
03-191	Ronald Mohammed	AM	8/4/2003	8/3/2004	7/28/2003	#1 Excessive force		C alleges false arrest, excessive force and failure to provide medical attention.	Investigation Pending
03-194	Brian C. Dumbat	SQ	8/7/2003	8/6/2004	7/13/2003	#3 Improper Procedures		C alleges he was stopped in his car for no apparent reason.	Investigation Pending.
03-201	Jowan B. Johnson	SQ	8/7/2003	8/6/2004	8/6/2003	#1 Sexual harassment, excessive force and improper procedures		C alleges officers entered her home unlawfully and claimed that drugs and a gun were found. C further alleges officers pulled a gun on her and her baby and C was arrested. C also alleges that money was taken.	Investigation Pending.

Priority Legend: #1: Complaints involving force, sexual misconduct, discrimination, minors or racial profiling. #2: Complaints involving improper search, untruthfulness or theft. #3: All other complaints.

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APPENDIX U

Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Inv. Completed	Brief Description of Complaint	Notes
03-201	Dontie Johnson	SQ	8/7/2003	8/6/2004	8/6/2003	#1 Sexual harassment, excessive force and improper procedures		C alleges officers entered his home unlawfully and drew their guns on his sister and his niece. C sister was arrested and charged with gun and drug charges. After 2 day the charges were dropped from his sister and the charges were placed on him.	
03-209	Lavita Nell Oliver	SQ	8/18/2003	8/17/2004	8/6/2003	#1 Excessive force and improper procedures		C alleges that officers used excessive force in the shooting death of her mentally disabled brother, Glenn Willis. Officers responded to a 911 call from C to do a welfare check on her brother. The contact resulted in Glenn Willis stabbing an OPD officer and the death of C's brother	
03-211	Kuith L. Smith	SQ	8/22/2003	8/17/2004	7/17/2003	#1 Excessive Force		C alleges excessive force and untruthfulness.	
03-212	Dia M. Scott	VU	8/28/2003	8/27/2004	7/17/2003	#3 Improper Procedure		C alleges she was wrongly issued a ticket for walking against a red light.	
03-213	David T. Bull	SQ	8/20/2003	8/19/2004	unk	#2 Untruthfulness		C alleges officer falsified report and that the officer was untruthful.	
03-221	Michelle Brown	AM	8/28/2003	8/27/2004	6/21/2003	#2 Untruthfulness and improper procedures		C alleges police had her car towed, and filed a false report.	Investigating pending.
03-236	Freddie Lee Davis	SQ	9/16/2003	9/15/2004	4/12/2003	#2 Harassment, profanity, threats and improper search		C alleges that an illegal search was performed on his person when ofc. Koster pulled down his pants and exposed him in the street. C also alleges that ofc. Koster used profanity towards him, and made threats to plant drugs on him.	
03-237	John M. Parker, Jr.	AM	9/18/2003	9/17/2004	9/9/2003	#3 Improper procedures		C alleges he was given a citation for throwing a cigarette out of the window of his vehicle.	Complainant has agreed to mediation, will contact subject officer.
03-238	Veronique P. Perry	AM	9/18/2003	9/17/2004	7/12/2003	#3 Improper procedure and conduct		C alleges she called OPD and reported a burglary and that officers were slow to respond. C also alleges that her stolen items were in her neighbors back yard and C alleges she was told by police officers to go get them herself. C further alleges that the officers refused to take fingerprints and made no attempt to catch the assailants.	Investigation pending.
03-241	Girma Gubrunation	VU	9/18/2003	9/17/2004		#1 Racial discrimination		C alleges that officers injected radium isocopes and other drugs into his system. Will proposed for closure, unable to corroborate.	
03-242	Hugh McGovern	AM	9/23/2003	9/22/2004	9/22/2003	#1 Racial discrimination		C alleges an officer displayed bias in issuing a jay walking ticket.	Investigation pending.
03-243	Duane E. Johnson	VU	9/18/2003	9/17/2004	9/16/2003	#1 Excessive force, Racial discrimination, improper procedures, improper search		C alleges that officers knocked on his door and when he opened the door there were four officers with their guns drawn. C was told to get to the ground C was handcuffed and his apartment searched. Warrant did not have C's name and the C did not look like the suspect	
03-251	Jaynard P. Kyles	AM	9/30/2003	9/29/2004	9/29/2003	#2 Threats, Rudeness		C alleges an officer approached him while he was smoking a cigarette and asked where he lived. C told the officer he lived at Henry Robinson (transitional housing) and the ofc told C only women and children live there. The ofc told C to move 50 ft and then asked C was he on probation. C told the ofc his record was clean. C further alleges that the ofc told him that he would "see him again" C told the ofc "No you won't". C states that he is now afraid and took the comment as a threat.	Investigation pending.
03-252	Kristica I Payne	AM	9/25/2003	9/24/2004	7/18/2003	#1 Racial profiling, discrimination, improper procedure		C alleges she was stopped by an ofc and when C asked why she was pulled over the ofc replied "you know why" the ofc later told the C she was being stopped because her music was too loud. The ofc told C he was giving her a ticket or better yet he was going to tow her car. The C further alleges the ofc left her stranded on the street. C called her mother and they went to Eastmont Mall where C car was and was told her car had been towed because of "sideshow" activity.	Investigation pending.

Priority Legend: #1: Complaints involving force, sexual misconduct, discrimination, minors or racial profiling. #2: Complaints involving improper search, untruthfulness or theft. #3: All other complaints.

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03-261	Alexander Peguis	AM	10/2/2003	10/11/2004	10/11/2004	#1 Excessive force, improper procedures, missing property/money, failure to identify, handcuffing and improper search		C was driving and was stopped by a man who identified himself as OPD civilian clothes officer, no ID or badge was shown to C. The man said he was making a citizen's arrest for DUI. The C's wallet, was put in his car and it was towed. C was taken to Highland Hospital and refused to a take blood test due to religious beliefs (Jehovans Witness) several sheriffs and OPD jumped on him, restrained him a knee was put in his back and they forcibly took a blood sample. C states that the handcuffs were too tight, fingers turned blue. C was later released without his property.	Complainant interviewed. Investigation pending.
03-262	Gurlunda Byrd	AM	10/3/2003	10/2/2004	9/2/2003	#3 Conduct		C's son was killed on 9/2/03 and C was told that two officers tore down her son's memorial in the 3100 block of MLK. C went to investigate the incident and shocked to find the memorial had been torn down. C also states that she spoke to an officer over the phone and asked for her son's belongings and was told that that they had been thrown away. C alleges that the officer seemed to take pride in saying that he had thrown the items away. C states that she was crushed and began to cry.	
03-263	Yarlene B Young	SQ	10/2/2003	10/11/2004	9/30/2003	#2 Improper search and procedures		C was stopped in his vehicle and was not given a reason for the stop. C was handcuffed while still in vehicle, he was pulled out and his person was searched, including the inside of his underwear. C vehicle was searched by four officers including K-9 dog for marijuana. Nothing was found. C was not cited for traffic violations, but a contact card was filled out.	
03-264	Howard Parker	AM	10/2/2003	10/11/2004	7/24/2003	#3 Improper procedures		C alleges he was shot by an assailant who fled in a blk Honda. OPD never questioned him about the shooting. C was hospitalized for four days with no police contact. C needs a letter from OPD stating he cannot for safety reasons live in the 7th Street pier area. This letter is required by the DA's office - Victims of Violent Crimes section to provide funds for C to relocate.	Complainant has agreed to conciliation through Larry Carroll.
03-265	Bobbie Cain	VU	10/6/2003	10/5/2004	10/5/2003	#1 Excessive force, harassment, threats, retaliation, handcuffing		C alleges that an officer beat and choked her son in front of three witnesses because he refused to act as a drug informant. It is alleged that C son has also been harassed the last five months by the same officer.	
03-265	Kalanie Ewing	VU	10/6/2003	10/5/2004	1/5/2003	#1 Excessive force, harassment, threats, retaliation, handcuffing		C alleges that she knows about the ongoing harassment of Nandi "Storm" Cain and that the officer wanted Bobbie Cain's son to be a snitch.	
03-267	Willard F Rankins	AM	10/2/2003	10/11/2004	7/5/2003	#3 Missing property		C was arrested and taken to HGH. C's wallet and keys was given to Ofc. Frazier. Ofc Frazier transported C and his property to OPD jail. C property was missing.	Interviewed C. Investigation pending
03-268	Conrado Oliveira	AM	10/2/2003	10/11/2004	10/11/2003	#1 Excessive force, missing property, failure to take action, improper procedures		C alleges he and a friend were at the Coliseum watching a ball game and his friend took off his shirt and three OPD officers grabbed and handcuffed him. C ran over to his friend and while his friend was handcuffed he fell on his shoulder and head on the concrete stairs. C said, "I saw that happened the C was pushed and handcuffed by the officers. The officers left the C's and his friend's bags and wallets at the Coliseum and the C friend had on only one shoe and no shirt. When C friend was released he asked for his property and was told that there was no property.	Interviewed C. Investigation pending.
03-277	Bao Ngo	SQ	10/11/2003	9/30/2004	8/20/2003	#3 Procedure, Conduct		C is a Minor, he alleges an officer searched his privates and fondled him. The officer ultimately obtained nine rocks of cocaine. Officer told C to spread his legs, squat and cough.	
03-278	Nikole Dalton	VU	10/15/2003	10/14/2004	5/17/2003	#3 rude, unprofessional conduct		C alleges she was had to walk home following a shooting of a person she was riding with. C also alleges that an officer told her to "calm down people get shot in this city everyday" and that her friend was fine he's still breathing.	

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Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Inv. Completed	Brief Description of Complaint	Notes
03-279	Iugenia Fosselle Johnson	AM	10/9/2003	10/8/2004	10/3/2003	#1 Excessive force, threats, rudeness and handcuffing		C alleges she was at KFC eating and a woman stole food and money from the table and ran. C thinks KFC manager mistakenly ID'ed her to OPD and two officers stopped her and took her money and KFC manager ID'ed her. The officer handcuffed the C and dug his nails in her waist/side and left bruises, and allegedly said "I could hurt you" and pushed the C into the police car. Another officer went into KFC to speak w/manager and came back out and said let her go. C states that both officers were grinning and she was given a contact card.	
03-282	Armon D Penny	SQ	10/15/2003	10/14/2004	10/15/2003	#2 Harassment, threats		C alleges he was standing outside of the Oakland Museum and a officer told C he was "soliciting". The officer asked for the C ID. The C further alleges the officer said he would hit the C and knock his glasses off. Another officer approached and threatened to take the C to a psychiatric institution.	
03-287	Richard Cheney, Jr.	SQ	10/20/2003	10/19/2004	10/3/2003	#3 Procedure		C states he was in a physical altercation at a club. Security guards turned him over to police officers and they handcuffed and placed C in a police vehicle. While in the vehicle C alleges a black male on crutches walked over to the patrol car and opened the door and punched the C in the face. Police officers took the man into custody. C states "someone should have been guarding him while he was in police custody."	
03-288	Sherry Hayes Murphy (Aunt of Randy Murphy)	AM	11/12/2003	11/11/2004	10/23/2003	#1 Excessive force, harassment, improper procedures and retaliation		C alleges harassment by a police officer who has conducted searches on her home and arrested her nephew. C further alleges that two officers choked her nephew and shoved him over a fence and rolled him over at least three times even though her nephew stated that he could not feel his legs. C also alleges that the officers tried to make her nephew stand up and when he couldn't they call for an ambulance.	
03-288	Tianna Murphy	AM	11/17/2003	11/16/2004	10/23/2003	#1 Excess force, care of property demeaning, improper procedures, handcuffing		C states that her brother told her that he was sitting on the porch when police drove up and flashed a light in his face. The police got out of their car and told him to open his mouth. An officer grabbed him by the throat and choked him until he couldn't breathe. The C brother further told her that he pushed the officer off of him and ran. A officer was right behind him when he was on top of a fence, the officer grab his foot and pushed him over the fence and he landed on his head. He immediately screamed that he couldn't feel his legs. The officers handcuffed and rolled him over several times and in the process of rolling him over he was being hit. Also the C brother alleges that the one of the officers took \$780.00 from his pocket.	
03-289	Yolanda M. McGill	SQ	10/27/2003	10/26/2004	10/5/2003	#1 Excessive Force, procedure		C alleges her son was upstairs asleep when two officers entered her home without permission or a search warrant. They entered the room where her son was sleeping, woke him up, proceeded to beat him then shot and killed him. C states that her son was unarmed and had not done anything wrong.	
03-290	Murton Craft	VU	10/24/2003	10/23/2004	10/19/2003	#2 Harassment, improper procedures and rudeness		C alleges improper procedure for pulling him over on bogus basis. C claims harassment. C claims that officers inspected his car, cited him without basis and made him undergo DUI testing. C also alleges the officers were rude.	

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APPENDIX II

Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Inv. Completed	Brief Description of Complaint	Notes
03-293	Victoria Figg	SQ	10/30/2003	10/29/2004	10/30/2003	#3 Procedure, untruthfulness		C alleges that OPD has searched her home in the last four months eight times and only showed her a search warrant once. Most of the searches occur when she is at work.	
03-294	Michael Fincuro	VU	11/3/2003	11/2/2004	10/6/2003	#3 Procedure		C alleges that he bought a motor home for \$5,500 and OPD had his motor home towed and stated that it was stolen. C also alleges that OPD took the keys and pink slip to the motor home and he wants it back.	
03-295	Cheryl D Harris	VU	11/4/2003	11/3/2004	10/29/2003			C alleges she spoke with a OPD officer concerning a security guard at Castlemont HS who threw her son up against a wall and busted his lip because he would not sit down. The Officer told the C that the security guard did his job right.	
03-301	Ianya M. Watts	VU	(CPRB) 11/12/2003 (IAD) 7/31/03	11/11/2004	2/1/2003	#1 Force, procedure, conduct, bias, untruthfulness		C alleges illegal splicing of electricity and gas and elevated levels of radiation in her home.	
03-305	Jesse M Garcia	VU	10/27/2003	10/26/2004	10/25/2003	#2 Failure to take action, improper procedures		C alleges his car was stolen. Witness neighbor called police twice to report someone stealing the C car. Police did not come out until entire car was gone. Call was made in the AM police arrived in the PM.	
03-306	Mario McKinley	SQ	11/17/2003	11/16/2004	11/16/2003	#1 Racial bias, threats, failure to identify		C alleges an unidentified police officer performed a walking stop on him along College Avenue adjacent to a Saleway between 3:30 AM and 5:00 AM. The officer allegedly said "boy, what are you doing in this part of town?". The officer refused to ID himself and threatened the C with a jaywalking ticket.	
03-311	Reginald B Wilkins	VU	11/20/2003	11/19/2004	11/11/2003	#1 Force, conduct		C alleges an officer approached him saying "hey what's your name" in a threatening manner. C responded "Why" and the officer instructed the C to get off his bike and the officer grabbed and turned the C around and handcuffed him. C also alleges he began screaming and a crowd gathered. C asked the officer why he was doing this to him and the officer responded that he was looking for a felony suspect and the C fit the description.	
03-312	Deborah M Brooks	SQ	11/18/2003	11/17/2004	11/5/2003	#3 Procedure		C alleges that a police car ran a stop sign and proceeded to drift towards the C's car and only put on its blinker after the C slowed down in order not to get hit.	
03-315	Tracy Christian	SQ	12/1/2003	11/30/2004	11/29/2003	#3 Profanity and Procedure		C alleges an officer entered his home without a warrant used profanity and grabbed her juvenile son.	
03-316	Esma Bulden	AM	12/2/2003	12/1/2004	11/25/2003	#3 Procedure		C alleges she called 911 to report that she was assaulted by an unknown person. The officer arrived and took the report and told the C that he does not investigate this type of crime.	
03-317	Eric Wright	SQ	12/2/2003	12/1/2004	2/17/2001	#1 Racial Bias,		C alleges he was given a ticket improperly and claims racial bias.	
03-319	Willard Thomas	VU	11/25/2003	11/24/2004	?	#3 Demeaning, failure to take action, profanity, threats & rudeness		C was a victim of a carjacking. Officer was unprofessional and insensitive to the C. The C alleges the officer left out facts in the report and the officer threatened the C with physical harm.	
03-323	Heldi Cullen		12/4/2003	12/3/2004				C alleges an officer was antagonistic, unnecessarily loud and refused to call his supervisor. C also alleges she went to the police station to find the officer's supervisor and the officer followed her, stood next to the counter and listening to everything that was said and the officer allegedly stated "I never did anything to you." C further alleges she went into early labor due to stress.	

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Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Inv. Completed	Brief Description of Complaint	Notes
02-61	Hannah K. Moore	VU	12/2/2002 (CPRB) IAD: 12/24/02	12/1/2003	11/24/2002 #1 Racial profiling	HEARING HELD, PENDING CLOSURE - 1 CASE		C. alleges she was cited, her license permanently taken, her car towed, and herself & 3 female friends (all minors) were abandoned on the street at midnight after C briefly illegally parked her car to run out and speak to a friend at Jack London Square in Oakland during a "zero-tolerance" patrol in the area. C alleges (teenage) racial profiling; use of excessive force (misapplication of zero-tolerance policy); rude, unprofessional conduct; untruthfulness in reports (cited for moving violation vs. parking violation). (Complaint of minor Hannah Moore filed by mother Anne Mikke).	
TOLLED - 16 CASES									
00-12	Virgil Waldon	AM	4/11/2000	TOLLED	4/8/2000 #3 force with an officer with previous complaint			C claims OPD officer hit him during car stop and he was falsely arrested for resisting.	TOLLED. Hearing scheduled 11/9/00, CPRB Legal advisor not available & officer's rep. wanted to reschedule hearing. Rescheduled hearing 5/31/01 deferred due to pending litigation.
00-35	Willis Wilson Jr	JG	11/24/2000	8/24/2001 TOLLED Civil Litigation Supr. Ct. 00-98293	2/27/2000	non-priority (supplemental jurisdiction)		Car stolen	TOLLED. Civil litigation.
00-44	George Robinson	AM	6/28/2000	06/28/2001 TOLLED 3/26/01 Pending Civil Litigation (#01- CW-1230; filed 3/26/01) Trial 9/9/02.	6/21/2000 #1 force resulting in serious injury			C was inside a bank. Two OPD officers were called by a bank security guard. An officer asked C's business in the bank, to which C replied, "What do you think, I'm here to rob the bank." The officer kicked C's feet out from under him and threw him to the ground (hit head and chipped tooth). Officer kicked C's legs apart and searched him three times. Injury. Broken tooth	TOLLED.
01-11	Michael Muscadine	AM	2/27/2001	2/27/2002 (2 week Tolling for Criminal charges) Civil litigation Supr. Ct. 2002- 040880 2/14/02.	11/29/2000	#2 force against a minor		C alleges officers "beat up" his son, threatened his son on two different occasions, and later was punched by an officer.	Reinstated 1/10/02. TOLLED.
01-15	Denise Cartigan (deceased - William Wilkins)	RD	4/30/2001	4/30/2002 TOLLED - Civil Litigation 4/24/01 (US D.Ct. C-01- 1102 MMC. Plaintiff Kelly Wilkins) Trial 10/29/02	1/11/2001	#1 force resulting in serious injury		Officers shot and killed Officer William Wilkins.	TOLLED. Subject officer has been activated for military duty on 1/2/02.

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Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Inv. Completed	Brief Description of Complaint	Notes
01-19	Jervis A. Muwwakkil (deceased - Jamil Wheatfall)	AM	5/21/2001	5/22/2002 Complaint filed 4/15/02. (USDC C-02 1799CW)	4/14/2001	#1 force resulting in serious injury (Death)		C alleges officer stopped his son, Jamil Wheatfall, and fatally beat him.	TOLLED.
01-22	Billy Ray Burnus	AM	6/25/2001	TOLLED - Civil Litigation Superior Ct., 2002 036256 Complaint filed 1/2/02. Served 8/13/02	4/18/2001	#2 force against a minor		C is a minor and alleges officers punched him, maced him in the eyes and mouth and dragged him out of the car.	TOLLED.
01-27	Brian Bowman	RD	7/18/2001	8/10/2002 TOLLED 12/5/01	6/2/2001	non-priority (force & supplemental issues)		The C alleges that he was "slammed" to the pavement and hit his elbow on the ground. C also alleges the loss of property (pager) and use of profanity and rudel/degrading language.	TOLLED. Subject officer has been activated for military duty.
01-34	Jane Allison	JG	10/10/2001	10/10/2002 TOLLED - Civil Case filed 6/20/02 USD CT C02-2951 SI	10/9/2001	#1 Excessive force		C alleges that she was thrown to the ground, kicked in the face and had her stomach stepped on. The C was also handcuffed too tightly and had the police car door "slammed" on her left foot causing injury.	TOLLED.
01-37	William Drury III	AM	11/26/2001	11/26/2002 TOLLED - Complaint filed 3/30/02. Superior Ct. 2002 044710.	4/4/2001	#1 Excessive force (serious injury)		C alleges that his girlfriend hit him. The OPD responded and he was arrested. He alleges that the officers use excessive force to affect the arrest.	TOLLED. Investigation ongoing.
02-10	Stueter D Lyne	AM	3/25/2002	TOLLED - Civil Litigation filed 7/24/02 USD CT C02-3537	12/26/2001	Work in progress		C alleges that she was upset that her dog ran off her property, she was calling the dog loudly. OPD officers arrived, arrested her and used excessive force to affect the arrest.	TOLLED.
02-35	Michael Cole	BB	8/22/2002		5/7/2002	#1 Excessive force		C alleges excessive force and planting of evidence.	TOLLED. Criminal investigation pending.
02-22	Jose Ortiz	VU	5/28/2002	Tolled -	5/28/2003	#1 Excessive force		C alleges that excessive force was used when he was taken into custody	TOLLED
03-069	Naiseng Saophon	AM	1/30/2003	TOLLED - Civil Litigation Case filed 7/17/03 USD CT C-03-3342-EMC	1/24/2003	#1 Excessive force		Excessive force, failure to provide medical treatment	TOLLED.
03-033	Gary Duskins	AM	3/6/2003	TOLLED - Civil Litigation 8/5/03 C0 33653 PJH	2/25/2003	#1 Complaint involving a minor and unlawful search		C reported that at 5:15 PM he was in his driveway unloading his van when he heard his neighbor say you are going to the wrong house C turned around to see a squad of police on his stairs preparing to enter his home. C told them they must be at the wrong house but they insisted they had a warrant for his house and were looking for a woman whom they only had a first name and who he knows lives next door, which he told them. The police handcuffed the C and broke down his front door, told his son to get on the floor and held a gun to his head. They searched the house for an hour spending a lot of time in his bedroom and wouldn't let any family members watch as they searched. They left the house in a mess with no apology when they determined they were in the wrong house.	TOLLED.

Priority Legend: #1: Complaints involving force, sexual misconduct, discrimination, minors or racial profiling. #2: Complaints involving improper search, untruthfulness or theft. #3: All other complaints.

**CITIZENS' POLICE REVIEW BOARD
 PENDING CASES
 as of December 17, 2003
 (Total Cases - 100)**

Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Inv. Completed	Brief Description of Complaint	Notes
03-073	Jennifer Hanson	VU	4/11/2003	TOLLED Civil Litigation case filed	4/7/2003	#1 Excessive Force		(Port case) C alleges she was hit in the back with a concussion grenade or a bean bag while trying to leave the Port of Oakland antiwar protest	TOLLED.

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PUBLIC SAFETY CMTE.
MAR 23 2004