CITY OF OAKLAND

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June 9, 2009

PUBLIC SAFETY COMMITTEE
Oakland, California

Chairperson Reid and Members of the Committee:

Subject: **CITIZENS' POLICE REVIEW BOARD 2008 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 2008 Annual Report pursuant to section 6, paragraph C, subdivision 3 of the ordinance.

Respectfully submitted,

P. Caceres

PATRICK J. CACERES
Citizens' Police Review Board
Acting Executive Director

FORWARDED TO THE
PUBLIC SAFETY COMMITTEE:

OFFICE OF THE CITY ADMINISTRATOR

Item: _____
Public Safety Committee
June 9, 2009

CITY OF OAKLAND

CITIZENS' POLICE REVIEW BOARD

2008 ANNUAL REPORT

JANUARY 1, 2008 - DECEMBER 31, 2008

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Citizens' Police Review Board

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CITY OF OAKLAND

Dan Lindheim, City Administrator
Sean P. Quinlan, Interim Executive Director

February 23, 2009

Honorable Mayor, Council Members of the City of Oakland, and Fellow Oakland Residents:

On behalf of the members of the Citizens' Police Review Board (CPRB), I am pleased to present the CPRB's 2008 Annual Report. In 2008, members of the public filed seventy-four complaints with the Board. The Board resolved a total of eighty-nine complaints - two through evidentiary hearings, one by staff recommendation and eighty-six by administrative closures. Staff increased the number of mediated complaints from four in 2007 to seven in 2008. The Board resolved the most complaints in one year since 2005.

The Board forwarded disciplinary recommendations to the City Administrator for three complaints in 2008 and one pending from 2007. The City Administrator upheld three of the four Board's recommendations for officer discipline. In addition, the Board made three policy recommendations in an effort to ensure the safe transport of prisoners. These recommendations came as a result of an evidentiary hearing held on an in-custody death complaint heard in 2008. Two of those recommendations were accepted by the Oakland Police Department and will be included in their future Training Bulletins.

The CPRB staff is moving forward, despite the recent staffing challenges experienced from budget cuts in 2008. The staff is presently operating with limited administrative support and less one complaint investigator, as the position remains vacant to produce salary savings for the next fiscal year. The Board strongly urges the Mayor and City Council to fill the vacant investigator position and increase support staff to maintain the current levels of complaint processing.

For 2008, the CPRB also focused on Board training and community outreach, particularly to the limited English speaking populations of Oakland. The Board plans for next year to engage more with Oakland's youth in effort to help youth become more aware of our services and opportunities to serve on the Board. The CPRB thanks you for your continued support in the investigation of complaints of police misconduct and in the improvement of police policies.

Sincerely,

Cara Kopowski

Cara Kopowski, CPRB Chair

Board Members and Term Expiration Dates

Cara Kopowski, Chair	February 15, 2010
Tina Allen, Vice Chair	February 15, 2009
Qa'id Tauheed Aqeel	February 15, 2009
Donna Duhe	February 15, 2010
Matthew Hudson	February 15, 2010
Risha Jamison	February 15, 2010
Susan Shawl (alternate)	February 15, 2009
Vacant	February 15, 2010
Vacant	February 15, 2009
Vacant	February 15, 2010
Vacant (alternate)	February 15, 2009
Vacant (alternate)	February 15, 2010

CPRB Independent Counsel

Antonio Lawson	Board Counsel

CPRB Staff

Sean P. Quinlan	Interim Executive Director
Patrick J. Caceres	Policy Analyst / Outreach Coordinator
Audrey Montana	Investigator
Karen Tom	Investigator
Delores Pontiflet	Executive Assistant to the Director

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 forum to air its concerns on policy matters and individual cases alleging police misconduct.

Board Photo: Cara Kopowski, Matthew Hudson, Tina Allen, Donna Duhe and Susan Shawl Not in Photo: Risa Jamison and Qa'id Aqeel

Staff Photo: Sean P. Quinlan, Audrey Montana, Karen Tom, Patrick J. Caceres and Delores Pontiflet.

Independent Counsel: Antonio Lawson

Executive Summary

The Citizens' Police Review Board (CPRB) 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. (Ordinance No. 12454 C.M.S., section 6(C)(3).) This report is submitted pursuant to that requirement.

In 2008, the Board received 74 complaints, filed by 76 individuals. These individuals were primarily African-American males, between the ages of 25-34 and 45-54 years old.

Generally, the allegation most frequently filed is for excessive use of force. More specifically, the three allegations most filed were: (1) improper verbal conduct; (2) improper detention; and (3) failure to investigate. The alleged incidents occurred most frequently in City Council Districts 3 and 6, between the times of 1pm-7pm.

The Board resolved 89 complaints; 2 through evidentiary hearings, 1 by staff recommendation and 86 by administrative closures. The total number of complaints resolved is the most since 2005. The CPRB also increased the number of cases mediated from 4 in 2007 to 7 in 2008.

The most allegations sustained were for an individual complaint for untruthfulness in reporting. The Board sustained 4% of the allegations, 15% were voted not to sustain, 45% were unfounded and 36% were exonerated. The Board forwarded four disciplinary recommendations to the City Administrator, and three of those recommendations were upheld.

All officers complied with CPRB investigations and appeared at evidentiary hearings. Twenty-three officers received three or more citizen complaints during a thirty month period. However, no officer had more than one complaint sustained against them during this span of time.

The CPRB held outreach events for the limited English speaking populations of Oakland. One event in Oakland's Chinatown was translated for the mostly Cantonese-speaking audience. Another event held in the Fruitvale District was translated in Spanish. The CPRB also held a timely discussion with members of the public and the Oakland Police Department on officer involved shootings in a policy forum held by the Board.

Lastly, the Board had two policy recommendations accepted by the Oakland Police Department to help ensure the safe transport of prisoners. These recommendation were made after a hearing was held on an in-custody death complaint.

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Purpose of this Report
Oakland City Council Ordinance No. 12454 C.M.S., section 6, subdivision C, paragraph 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
The Oakland City Council established the Citizens' Police Review Board on April 15, 1980, to review certain complaints of misconduct by police officers or park rangers, conduct fact-finding investigations, and make advisory reports to the City Administrator. 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) communication of bias based upon an individual's legally protected status (race, gender, national origin, religion, sexual orientation or disability). (City of Oakland Ordinance #11905 C.M.S., § 5 subd. (A)(1).)

Simultaneously, the City Council also granted the Board supplemental jurisdiction over other non-force conduct, subpoena power over police officers and park rangers and authorization to mediate final and binding resolution of complaints (City of Oakland Ordinance #11905 C.M.S., §§ 5 subd. (B)(1), 6 subd. (G)(2) and 7.)

In 2002, the Oakland 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 Oakland police officers or park rangers and expanded the Board's size from nine members to twelve members, with three of the nine members to serve as alternates. (City of Oakland Ordinance #12444 C.M.S., §§ 5 and 3.)

Additionally, the City Council granted the Board the option of holding evidentiary hearings using three-member panels and permitted Board members to review confidential records from the Oakland Police Department in closed session. (City of Oakland Ordinance #12444 C.M.S., § 6 subds. (G)(11) and (F)(4).)

Also, 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 of Oakland Ordinance #12444 C.M.S., §§ 6 subd. (E)(1) and 5(B).)

On November 12, 2002, the City Council further refined the amendments to the CPRB ordinance and legislated the following: (1) the CPRB staff may make recommendations to the City Administrator regarding cases that are in litigation, (2) CPRB investigations may take up to 180 days from the initial date of filing as opposed to the previously legislated 60 days, and (3) OPD's Internal Affairs Division and the CPRB will use the same complaint form with sequential numbering. (City of Oakland Ordinance #12454 C.M.S., §§ 6 subd. (G)(10)(b) and (8) and 5 subd. (B).)

Lastly, on November 9, 2006, the CPRB adopted closed hearing procedures to comply with the holding of the California Supreme Court in *Copley Press* v. *Superior Court* (2006) 39 Cal4th 1272 to keep officers' identities confidential.

Number of Complaints Filed

In 2008, the CPRB received 74 complaints filed by 76 individuals. *Figure 1* displays the number of complaints that were filed for each month. Most complaints were filed in March and July.

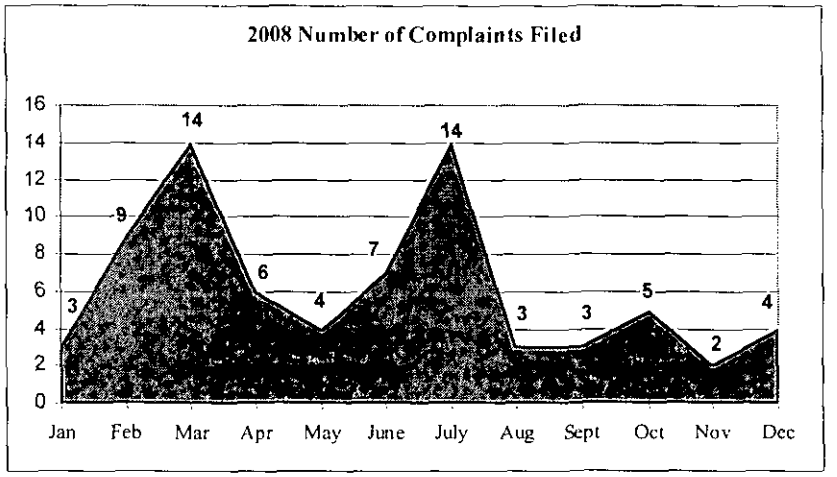


Figure 1

Figure 2 shows the trend of complaints from 2000—2008 as a percent change from the previous year. The most dramatic increase occurred in 2002 when the Board expanded its jurisdiction over the type of complaints it receives. The most complaints filed occurred in 2004 with 130 complaints. *Figure 2* also shows that the number of complaints stabilize beginning in 2005 at approximately 78 complaints filed per year.

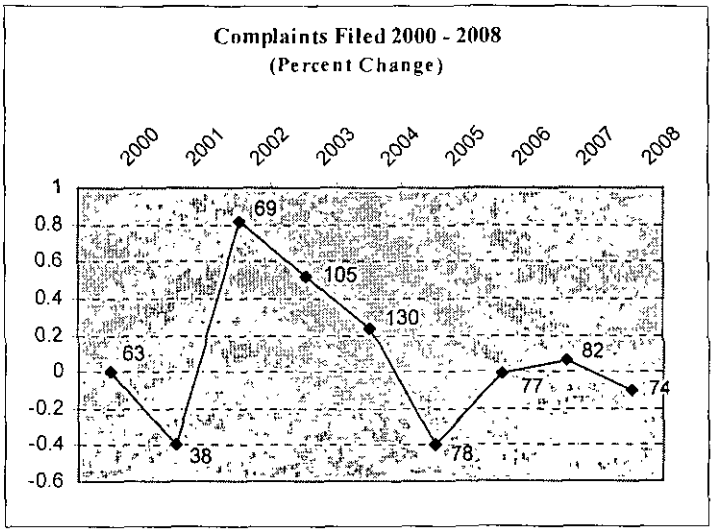


Figure 2

Race and Gender of Complainants

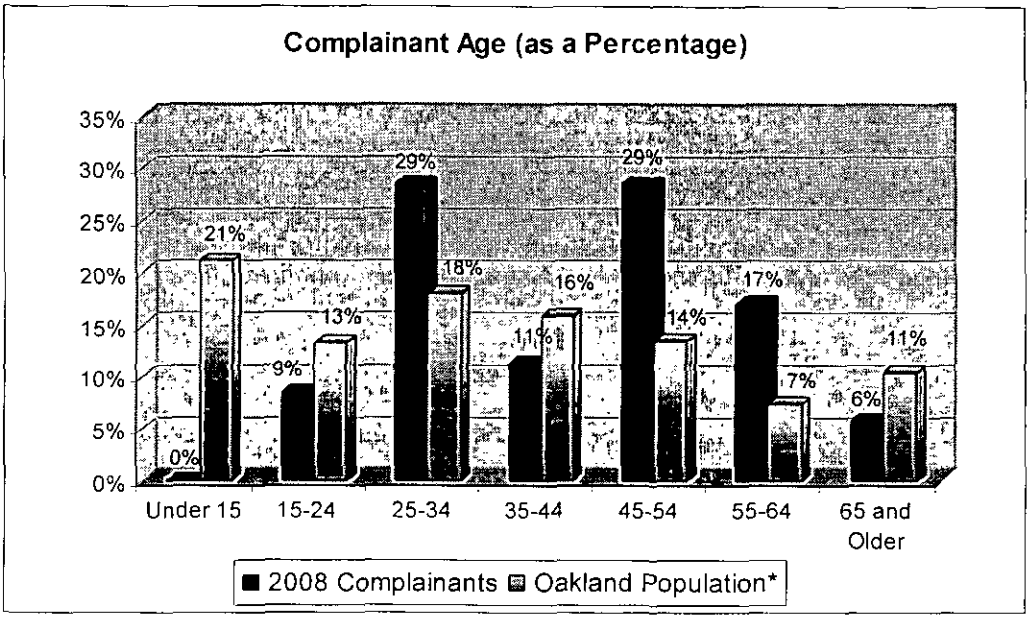
Among the complainants who provided information about their race, 77% were African-American, more specifically, 45% of the complainants were African-American males. Asian-Americans comprised 4%, Caucasians 7% and Hispanic-Americans 11%.

Race	Gender	No. of Complainants	Percent
African-American	F	24	32%
African-American	M	34	45%
Asian-American	F	2	3%
Asian-American	M	1	1%
Caucasian	F	2	3%
Caucasian	M	3	4%
Hispanic-American	F	3	4%
Hispanic-American	M	5	7%
Not Listed	F	1	1%
Not Listed	M	1	1%

Figure 3

Age of 2008 Complainants

Among the complainants who provided information about their age, the greatest number of complainants fell within the age categories of 25-34 and 45-54 years old. See *Figure 4* for a comparison of the complainants' ages to the Oakland population overall.



*Source: U.S. Census Bureau, Census 2000. *Figure 4*

Allegations Filed in 2008

In 2008, 202 allegations were filed. Generally, the allegation most filed was for a type of excessive use of force, but more specifically, the allegations most filed were: (1) improper verbal conduct using rude statements or profanity; (2) improper detention or stop by the police; and (3) failure to properly investigate. The general category of excessive use of force contains a total of 37 allegations, and the largest of the subcategories for force are grabbing, pushing, shoving, etc. *Figure 5* is a complete list of all the allegations filed in 2008.

Allegations Filed in 2008 Con't

Figure 5, is a list of the number of complaints for each allegation by specific sub-categories established by the Citizens' Police Review Board.

Types of Allegations Filed	Distribution	%
Arrest - Improper	9	4.5%
Bias / Discrimination	8	4%
Civil Disputes - Taking Sides	3	1.5%
Citation - Improper	5	2.5%
Custody - Improper Treatment	2	1%
Detention/Stop - Improper	17	8.4%
Entry/Search - Residence or Bldg.	9	4.5%
Failure to Act		
Failure to Act - To Enforce Restraining Order	1	0.5%
Failure to Act - To Investigate	15	7.4%
Failure to Act - To Write A Report	6	3%
Failure to Act - To Provide Identification	2	1%
Failure to Act - To Provide Medical Assistance	3	1.5%
Force		
Force - After Handcuffed	1	0.5%
Force - Choke	2	1%
Force - Grab/Push/Shove/Trip	11	5.4%
Force - Handcuffs Too Tight	6	3%
Force - Handcuffs Unwarranted	3	1.5%
Force - Kick	2	1%
Force - Pointing Firearm	4	2%
Force - Shooting Gun at Person or Animal	2	1%
Force - Strike with Weapon	1	0.5%
Force - Strike with Hand or Unknown Object	3	1.5%
Force - Taser	1	0.5%
Force - Use of Chemical	1	0.5%
Harassment	4	2%
Interfering with an Investigation	1	0.5%
Not Enough Information	1	0.5%
Planting Evidence	5	2.5%
Property - Damaged/Missing/Seized	12	5.9%
Retaliation	1	0.5%
Search		
Search - Person	4	2%
Search - Vehicle	7	3.5%
Sexual Misconduct	1	0.5%
Soliciting Informants Improperly	1	0.5%
Truthfulness - Reporting	12	5.9%
Truthfulness - Verbal Statements	8	4%
Vehicle Towed/Impounded - Improper	8	4%
Verbal Conduct		
Verbal Conduct - Profanity/Rude Statements	19	9.4%
Verbal Conduct - Threats	1	0.5%
Total Allegations Filed	202	100%

Figure 5

2008 Alleged Incidents by City Council District

In 2008, the greatest number of alleged incidents occurred in City Council Districts 3 (34%) and 6 (22%). *Figure 6*, provides the percentage of alleged incidents that occurred in all City Council Districts for 2008.

Council District	No. of Complaints	% of Complaints
1 Jane Brunner	4	5%
2 Pat Kernighan	3	4%
3 Nancy Nadel	25	34%
4 Jean Quan	5	7%
5 Ignacio De La Fuente	7	9%
6 Desley Brooks	16	22%
7 Larry Reid	11	15%
Unknown Address	3	4%
Total	**74**	**100%**

Figure 6

Locations of Alleged Incidents from 2005—2008

The Citizens' Police Review Board is collaborating with the Oakland Police Department and the Office of Information Technology (OIT) in an effort to better analyze the nature and location of citizen complaints.

In past reports, maps have showed that each year the largest number of complaints occurring in Council District 3. Some assumptions were made that the reason for the higher volume of complaints was due to the higher volume for calls for service. *Map 1* shows the alleged incident locations of complaints and the concentration of police calls for service from 2005-2008.

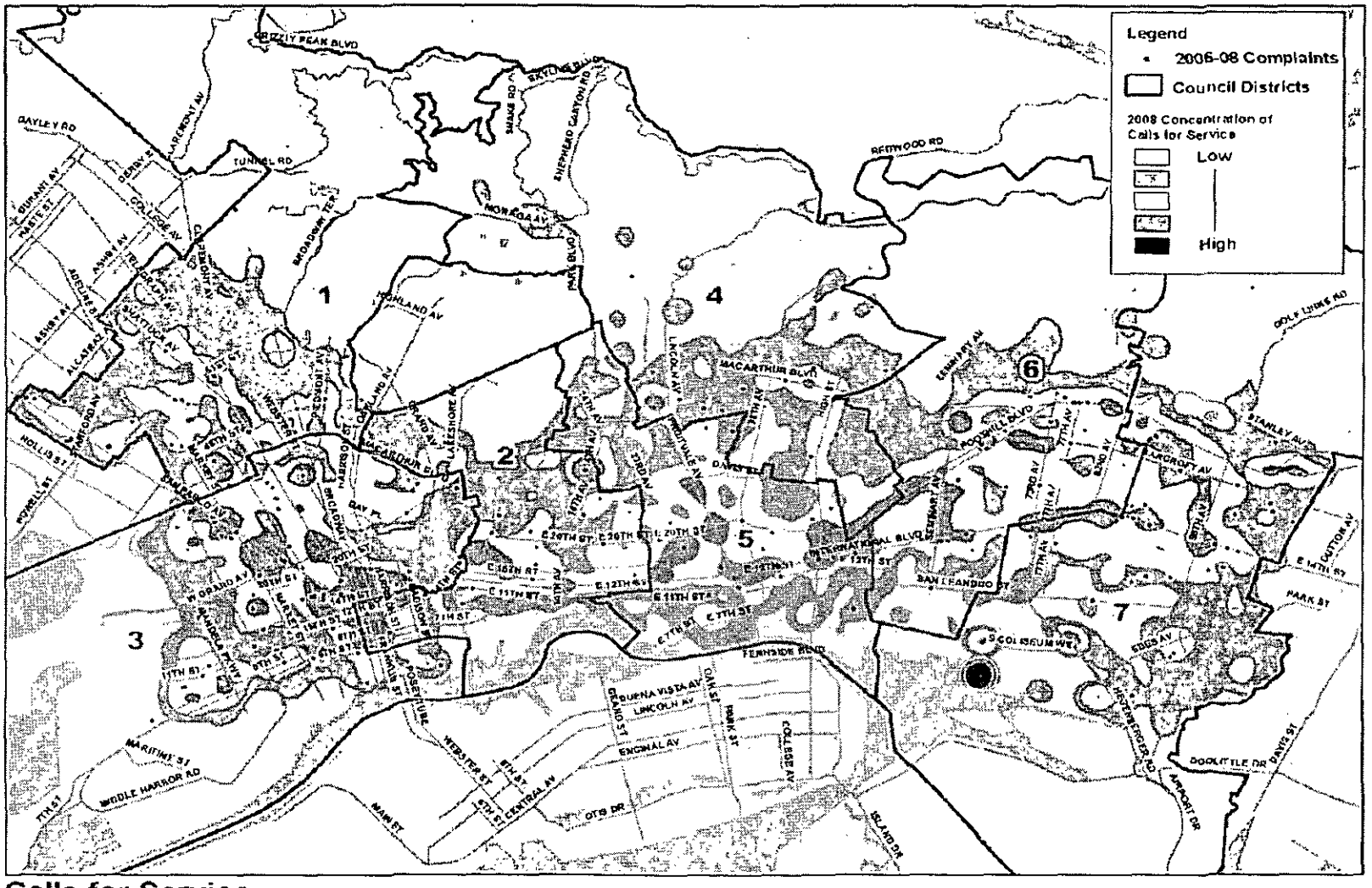
There are high levels of concentrations of calls for service in each council district, however the largest concentration by diameter occurs in the downtown area located in Council District 3. Yet, a large concentration of calls for service does not always lead to high numbers of complaints, as seen on this map in Districts 5 and 7. The greatest concentration occurs in the area immediately neighboring the Coliseum, as represented by the dark red spot, but no complaints are located in this concentrated area.

Surrounding the Coliseum area is a large Latino population where English may be a second language. Therefore, there might exist an added barrier for possible complainants. Our demographic statistics seem to show a possible level of under reporting of this ethnic group.

There are probably more variables than just the number of calls for service contributing to highest number of complaints occurring in Council District 3. Perhaps, the expectations for service are greater for incidents that occur in this area, given its close proximity to the police department. Another reason might be that the calls for service are different than those in other districts. The CPRB plans to continue working with OIT and the Police Department to further study these possible variables.

Map 2 on page 10, depicts the same data as *Map 1,* according to Police Command Areas. The three command areas correspond with the assignments made from the geographic policing model implemented in 2007 by the Oakland Police Department.

The same cluster of complaints found in City Council District 3 are located in Command Area 1, Police Beat 4X.

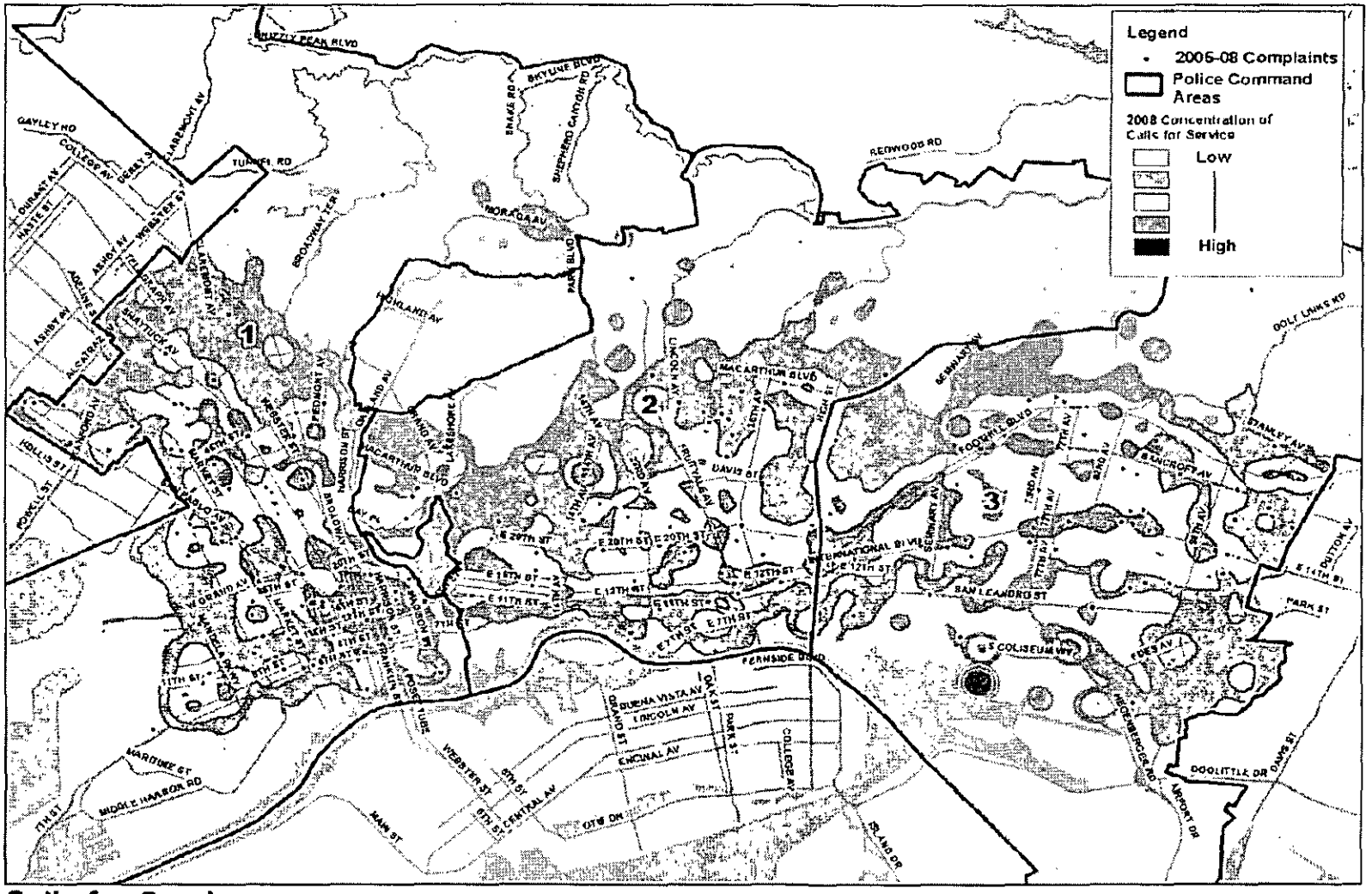


Calls for Service

All calls with selected PD service call types removed, eliminated calls originating from PAD, Eastmont Police Station, and PD parking lots.

Map 1

0 0.7 1.4 Miles



Calls for Service

All calls with selected PD service call types removed, eliminated calls originating from PAB, Eastmont Police Station, and PD parking lots.

Map 2

Time of Alleged Incidents

Figure 7, below, shows the time alleged incidents occurred for complaints filed in 2008. The greatest number of incidents occurred approximately from 1p.m. to 7p.m.

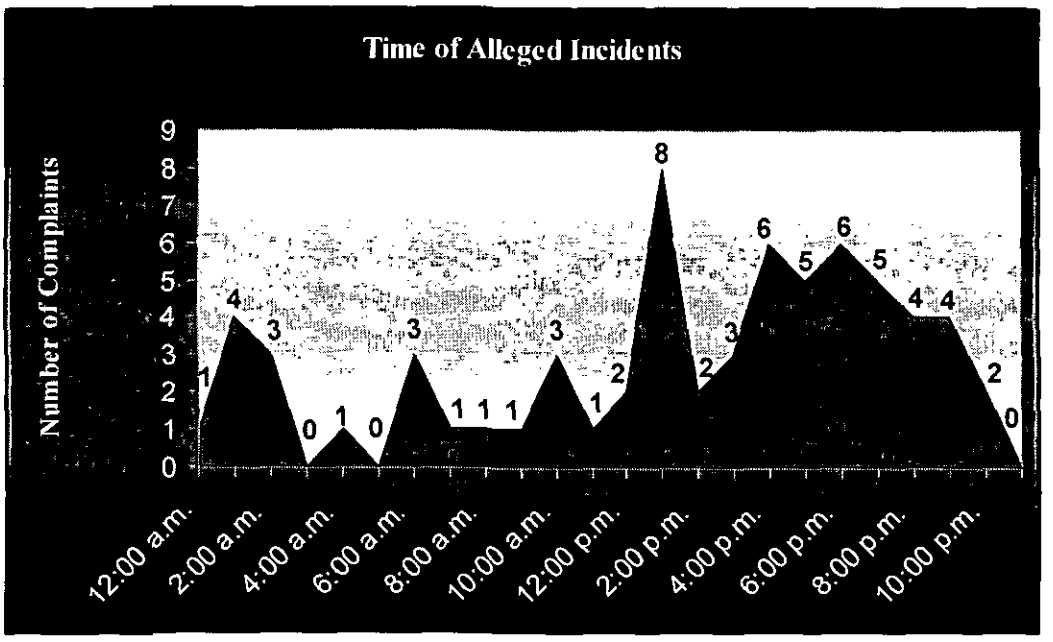


Figure 7

Police Watches
A Shift starts at 5a.m. and ends at 5p.m.
B Shift starts at 8a.m. and ends at 8p.m.
C Shift starts at 11a.m. and ends at 11p.m.
D Shift starts at 1p.m. and ends at 1a.m.
E Shift starts at 5p.m. and ends at 5a.m.
F Shift starts at 8p.m. and ends at 8a.m.

A comparison of the time of alleged incidents with Police Watches shows that most complaints came from incidents during the scheduled C and D Shifts. During the C Shift, 48 complaints came in and 50 complaints were made during the D Shift. These two shifts overlap when the most incidents of complaints occur.

2008 Resolved Complaints

In 2008, the Board resolved eighty nine complaints. The Board closed fifteen more cases than in 2007 - the most number of complaints since 2005. The improvements in investigation efficiencies and the staffing of three investigators for the majority of the year contributed to the Board's ability to increase the number of complaints resolved in 2008. However, with the current hiring freeze on our vacant complaint investigator position, the CPRB anticipates a reduction in the number of complaints resolved for 2009.

A complete copy of our future complaints can be found on the Pending Case List dated January 7, 2009, in *Appendix E.*

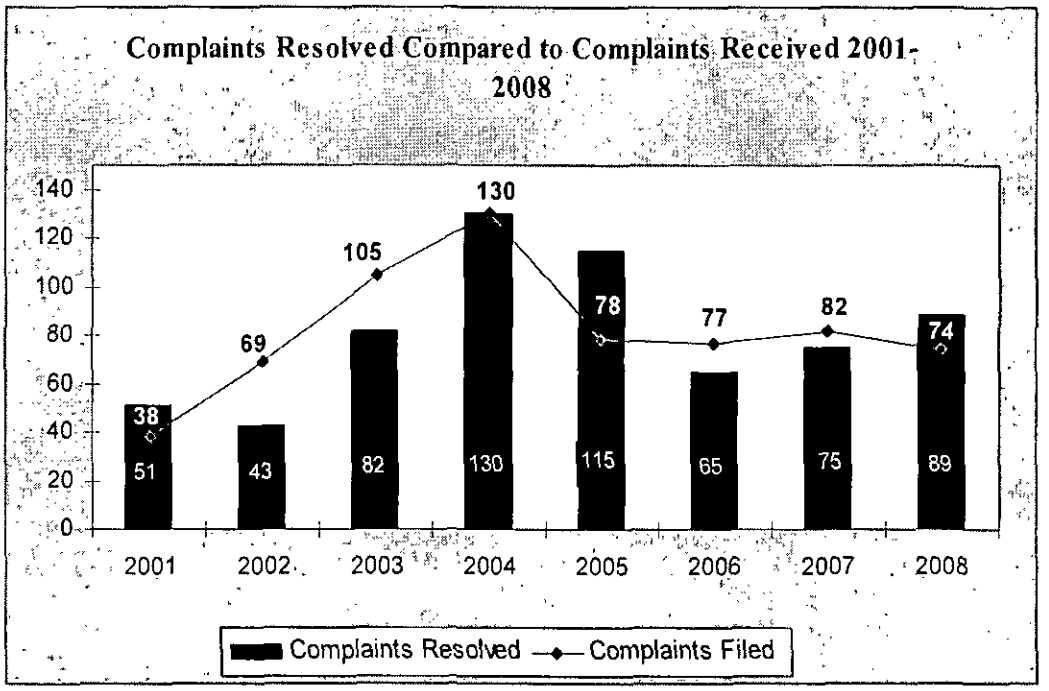


Figure 8

2008 Resolved Complaints

One of the methods the Board uses to ensure police accountability is to provide complainants with evidentiary hearings. These hearings give complainants the opportunity to have the Board hear their complaints, make findings of facts and offer officer disciplinary recommendations.

In 2008, the Board resolved 89 complaints. The Board heard two complaints by evidentiary hearings, 69 complaints were closed through administrative closures, and one complaint was brought directly to the City Administrator because the complainant was incarcerated. A total of 97% of complaints were resolved through the administrative closure process and 3% were resolved through evidentiary hearings or staff recommendation.

Originally, four additional complaints were scheduled for hearings; however two complaints were cancelled because of lawsuits filed. These two complaints were investigated and prepared for hearing, but the attorney's of the complainants filed lawsuits with no advance warning to the investigators.

Figure 9 shows the number of complaints resolved each year since 2001. Beginning in 2006, the number of hearings has decreased as a result of changes in the CPRB hearing process made after the *Copley Press* decision which closed the hearing process to public.

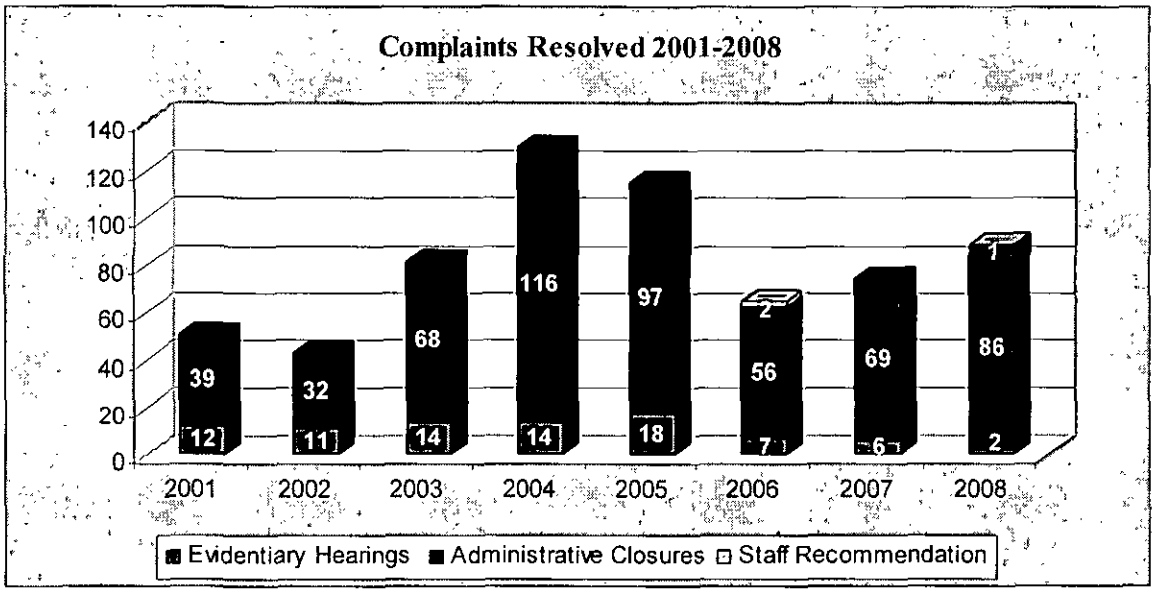


Figure 9

Staff Recommendation

The CPRB Ordinance grants the staff the ability to bring complaint recommendations directly to the City Administrator to review and impose discipline. The CPRB brought one complaint directly to the City Administrator in 2008 because the complainant was be unable to attend an evidentiary hearing. The complainant was incarcerated at the time of the investigation and could not appear, therefore CPRB staff prepared a report of investigation and recommended findings. Below is a chart of the CPRB's staff recommendations for Mr. Graham's complaint.

Complainant/s Recommendation Date	Staff Findings	Allegation Category	Staff Recommendation
Robert Graham	2 Sustained	Failure to Write a Report	The CPRB staff recommends discipline be imposed on the officers involved in the four sustained allegations.
04/16/08	2 Sustained	Truthfulness - Reporting	
	1 Not Sustained	Force - Kick	
	1 Not Sustained	Force - Grab/Push/Shove/Trip	
	2 Not Sustained	Force - Kneed	
	3 Not Sustained	Force - Strike w/ Hand or Unknown Object	
	2 Not Sustained	Failure to Provide Medical Assistance	
	5 Not Sustained	Failure to Investigate	
	1 Not Sustained	Truthfulness - Verbal Statements	

Figure 10

Board Findings at Evidentiary Hearings

The Board findings at evidentiary hearings are based on investigative reports prepared by CPRB investigators which contain officer and witness interview summaries, a list of allegations, disputed and undisputed facts and relevant police policies and laws. At the evidentiary hearings, the Board listens to testimony from the officers, complainants and witnesses. The Board then deliberates on the evidence presented at the hearings and rules on each allegation. Sustained allegations by the Board include disciplinary recommendations. See the chart on page 16 for the Board findings for the complaints heard in 2008.

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 the act(s) alleged by the complainant occurred.

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

Unfounded: At least five Board members concluded 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 at Evidentiary Hearings

In 2008, the Board held two evidentiary hearings and sustained allegations against officers in both complaints. These sustained allegations include the Board's recommendations for officer discipline. The results of the two evidentiary hearings held can be found in *Figure 11.* The Board's recommendations were forwarded to the City Administrator.

Complainant/s Hearing Date	Board Findings	Allegation Category	Board Disciplinary Recommendations
Lula Mae Gamble 05/22/2008	1 Sustained	Search - Person	The Board recommends termination for the two subject officers with three sustained allegations.
	2 Unfounded	Search - Person	
	4 Not Sustained	Search - Person	
	2 Sustained	Custody - Improper Treatment	
	1 Unfounded	Custody - Improper Treatment	
	1 Unfounded	Planting Evidence	
	1 Unfounded	Force - Choke	
	3 Unfounded	Failure to Act - To Provide Medical Assistance	
Olufola Sababu 9/11/2008	1 Sustained	Failure to Investigate	The Board recommends a written reprimand and a three-day suspension for the officer with the two sustained allegations.
	2 Not Sustained	Failure to Investigate	
	1 Sustained	Detention/Stop - Improper	
	3 Unfounded	Detention/Stop - Improper	
	1 Exonerated	Detention/Stop - Improper	
	1 Not Sustained	Detention/Stop - Improper	
	3 Not Sustained	Force - Handcuffs to Tight	
	1 Not Sustained	Force - Twisted Arm	

Figure 11

Disciplinary Recommendations and the City Administrator's Decisions

If the Board determines officer misconduct has occurred, the Board will forward recommendations to the City Administrator who, with the Chief of Police, makes the final decision regarding officer discipline.

The *California Peace Officer's Bill of Rights*, a legislative protection for the personnel records of the Oakland Police Officers, limits the Citizens' Police Review Board's ability to share with the public the City Administrator's final determination of discipline for each complaint. Therefore, the CPRB each year shares in aggregate terms, the number of complaints that the City Administrator accepted of the Board's recommendations for officer discipline.

In 2008, the Board forwarded disciplinary recommendations arising from three complaints in 2008 and one pending from 2007. The City Administrator upheld three of the four Board's recommendations for officer discipline.

Administrative Closures

A complaint is administratively closed after an investigation documented by a written administrative closure report is considered by the Board, and the Board finds no further action is necessary. In 2008, the Board administratively closed 89 complaints. *Figure 15,* below, provides the reasons for the administrative closures.

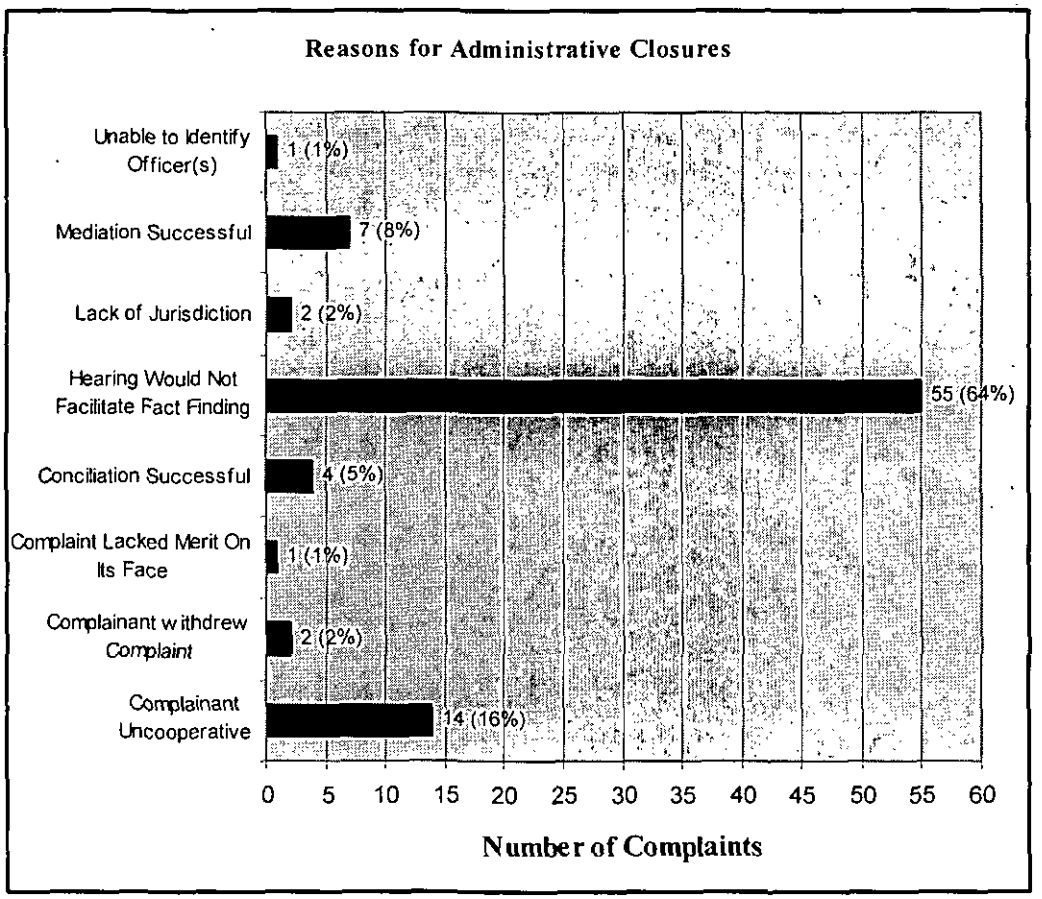


Figure 12

Administrative Closures

Unable to Identify Officer(s)
One complaint was closed because the investigation revealed through a record check, that no OPD activity was found associated with the complainant's listed address. The complainant failed to return the investigator's communications to clarify this discrepancy.

Mediation Was Successful
CPRB staff conducted seven successful mediations in 2008 as compared to the four completed in 2007.

Lack of Jurisdiction
Two complaints were administratively closed because one complaint was against a non-sworn civilian and the CPRB does not have jurisdiction over non-sworn OPD personnel. A second complaint was made by a city employee complaint, and it was recommended by the City Attorney's Office that the CPRB suggest the complaint be pursued through the Civil Service Board.

Hearing Would Not Facilitate Fact-Finding Process
The Board determined that a hearing was unnecessary in fifty-five complaints. 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.

Conciliation Successful
Four CPRB complaints were resolved through an informal resolution between the complainant and the subject officer, without CPRB staff involvement.

Complaint Lacked Merit on Its Face
One complaint was closed because it lacked merit, no officer was reasonably identified and there was no evidence to support the complainant's allegation.

Complainant Withdrew Complaint
Two complaints were withdrawn as requested by the complainants.

Complainant was Uncooperative
In fourteen complaints the complainant failed to respond to an investigator's requests for an interview. In these instances, the complaint was administratively closed because of the complainant's failure to cooperate with the investigation.

Administrative Closures Con't

3304 Statute of Limitations

No complaints were administratively closed because the one-year statute of limitations for bringing disciplinary action against a peace officer had expired. However, due to the budgetary cutbacks and associated loss of an Investigator, lower priority complaints may not be fully investigated prior to the 3304 date lapsing. Staff may be forced to recommend administrative closure for those cases based upon the 3304 Statue of Limitations. Staff will work diligently to avoid this scenario, but realistically sees this occurring due to the lack of investigatory resources.

Board Findings by Allegation Category

In 2008, the CPRB closed eighty-nine complaints, a total of four complaints had sustained allegations; two by evidentiary hearing, one by staff recommendation and one by administrative closure.

Figure 13 shows the percentage of findings for allegations investigated in 2008. Officers were sustained in four percent of allegations investigated, fifteen percent of allegations were not sustained, forty-five percent were unfounded and thirty-six percent were exonerated.

Also, a statistic worth noting is that there were no use of excessive force allegations sustained in 2008. Although excessive use of force was the number one general allegation category alleged in complaints in 2008, no allegations were sustained during the year.

See *Figure 13* for a complete list of allegation heard and decided by the Board for 2008.

Board Findings by Allegation Category

Allegation Category	Sustained	Not Sustained	Unfounded	Exonerated	Total
Arrest - Improper				10	10
Bias / Discrimination			8		8
Citation - Improper		1	2	3	6
Civil Dispute - Taking Sides			1		1
Custody - Improper Treatment	2			1	3
Detention/Stop - Improper	1	3	8	23	35
Failure to Enforce a Restraining Order		1			1
Failure to Properly Investigate	1	7	10	8	26
Failure to Provide Identification		2			2
Failure to Provide Medical Assistance		2	5		7
Failure to Write a Report	2	2	3		7
Failure to Act - Other			1		1
Force - After Handcuffed			1		1
Force - Choke			1		1
Force - Grab/Push/Shove/Trip		2	9	5	16
Force - Kick		1	1		2
Force - Kneed		2			2
Force - Handcuffs Too Tight		4	6		10
Force - Handcuffs Unwarranted				2	2
Force - Pointing Firearm			1	3	4
Force - Shooting Gun at Person or Animal				2	2
Force - Strike w Hand or Unknown Object		2	2		4
Harassment			2		2
Interfering with an Investigation				1	1
Not Enough Information			1		1
Planting Evidence			4		4
Property - Damaged/Missing/Seized		2	5	7	14
Retaliation			1		1
Search - Residence/Bldg.			5	21	26
Search - Person	1	4	5		10
Search - Vehicle			3	6	9
Soliciting Informants Improperly			1		1
Truthfulness - Reporting	3	1	10	2	16
Truthfulness - Verbal Statements		1	8	1	10
Vehicle Towed/Impounded - Improper	1		1	5	6
Verbal Conduct - Profanity/Rude Statements		6	17	1	24
Verbal Conduct - Threats			2		2
Totals	11 (4%)	43 (15%)	124 (45%)	101 (36%)	278

Figure 13

Board Findings by Allegation Category

The CPRB for the first time is reporting the resolved complaint allegations according to the Oakland Police Department's Manual of Rules (M.O.R.) violations. These statistics were gathered and reported in an effort to compare the complaints of the CPRB with the Oakland Police Department's Internal Affairs Division (IAD). The CPRB's allegation categories are unique to our reporting and do not correlate directly with the allegations identified by IAD. Therefore, *Figure 14* displays the associated M.O.R. violations alleged by resolved complaints in 2008. *Figure 14* also shows the percentage of allegations for complaints filed with IAD in 2008. When comparing the two investigations, the graphs show that the CPRB identifies a larger percentage of violations of M.O.R. 314.39 Performance of Duty. However, this is also the largest category of complaints made with Internal Affairs. The CPRB also identified less use of excessive force and improper conduct towards others. This data will contribute to further analysis on the differences and similarities between the investigations of IAD and CPRB of citizen complaints against the police.

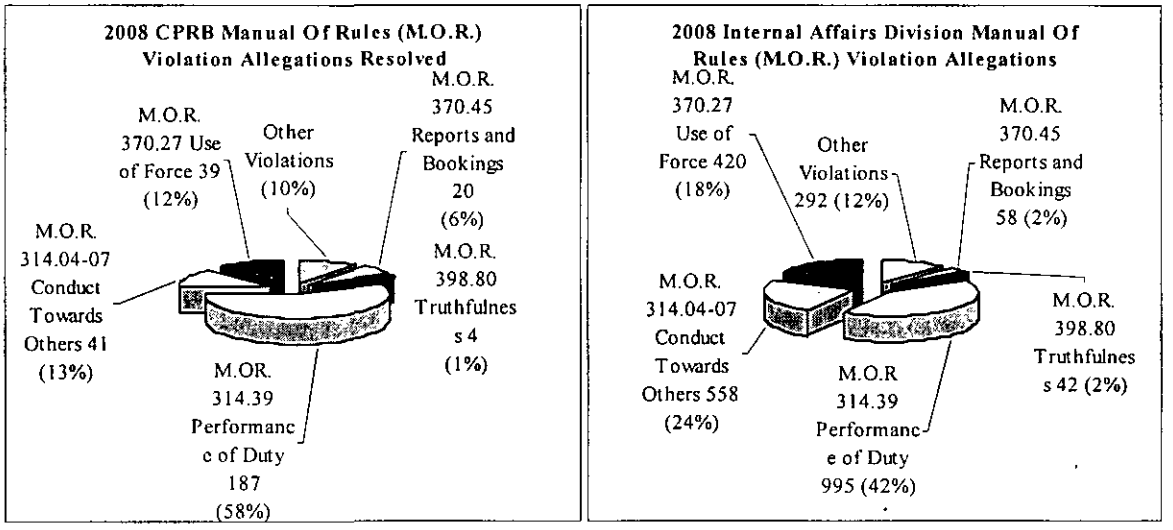


Figure 14

Officer Compliance with CPRB Investigations

Officer compliance with investigations can be summarized into two areas: responding to interview notices and attending hearings.

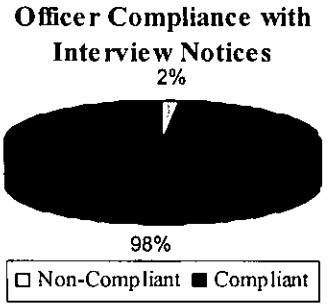
Interview Notices
Officer compliance data is specific to compliance with interview notices and scheduling interviews. Officers are responsible for returning their interview notices to the court liaison within their next three on-duty days. Officers failing to complete the requirements to call and schedule interviews or release Internal Affairs statements are non-compliant with the CPRB interview process.

Appearances at Hearings
Officers who fail to appear at CPRB hearings and who do not make special arrangements for their absence are non-compliant with the CPRB hearing process. Such actions are in violation of the Oakland Police Departmental General Order M-3.2.

Officer Compliance Data

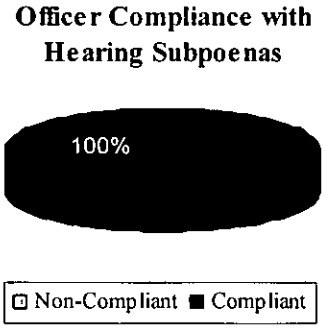
Officer compliance was collected on seventy-six complaints investigated in 2008. Officer compliance for interviews and hearing subpoenas for 2008 occurred with minimal delays.

Interview Notices
Number of Complaints: 76
Number of Interview Notices Sent: 196
Scheduled Interviews: 56
Outstanding Notices: 41
Number of Officers Non-Compliant: 2



Interview Summary
In 2008, 98% of officers replied to interview notices in a timely manner. A total of three officers failed to comply with the terms of the interview notice. Each of these officer delays averaged approximately two months time, leading to delays in the investigators' preparation of complaints for hearings.

Hearing Subpoenas
Number of Hearings: 2
Number of Officer Hearing Subpoenas: 8
Number of Officers Attended: 8
Number of Officers Excused: 0
Number of Officers Non-Compliant: 0



Hearing Summary
In 2008, 100% of the officers subpoenaed complied with the conditions of the subpoena and appeared at the schedule hearings. The Oakland Police Department continues to maintain 100% compliance in this area.

Number of Officers with One or More Complaints from January 1, 2008 to December 31, 2008

The CPRB tracks the number of complaints against each officer. *Figure 15,* below, lists the number of officers with one or more complaints made against them in 2008. Each year, a small number of officers receive multiple complaints in this short period of time. CPRB tracks this data to be aware of potential recurring problems with specific officers. This year there are seven officers with multiple complaints in twelve months. However, these complaints are only allegations of misconduct at this time, and all are currently being investigated.

No. of Officers		% of Officers with Complaints
7	Officers with Two Complaints	9%
71	Officers with One Complaint	91%
78		100%

Figure 15

Number of Officers with One or More Complaints between June 30, 2006 and December 31, 2008

In 2003, the Oakland Police Department (OPD) entered into a settlement agreement in the case of *Delphine Allen v. City of Oakland et al.*, No. C00-4599 TEH (JL). In mandating that OPD institute a Personnel Information Management System (PIMS), the settlement agreement states:

> "Notwithstanding any other provisions of the PIMS policy to be developed, the policy shall include, at a minimum, a requirement that any member or employee who receives three (3) or more citizen complaints during a 30-month period . . . shall be identified as a subject for PIMS intervention."

(Section VII (B)(6)).

In keeping with the spirit of this policy, *Figure 16*, below, provides the number of officers who have had one or more CPRB complaints filed against them between June 30, 2006 and December 31, 2008.

No. of Officers		% of Officers with Complaints
8	Officers with Four Complaints	3%
15	Officers with Three Complaints	6%
56	Officers with Two Complaints	22%
173	Officers with One Complaint	69%
252		100%

Figure 16

Board and Staff Updates

Board Changes and Vacancies
The Board welcomed four new Board members in 2008, Tina Allen, Risha Jamison, Donna Duhe and Susan Shawl. Interviews are currently being conducted to fill the current five vacant positions on the Board. The CPRB has been working diligently with the Mayor's Office to interview potential candidates. The staff hopes to recruit and appoint more youth members in the coming months.

Board Training
An organizational goal for 2008 was to increase the Board's training on current police policies and practices. These training sessions are conducted by the Oakland Police Department and other guests to enhance the knowledge base of our Board. The CPRB holds these training sessions open to the public. The CPRB held a total of four training sessions covering the topics: Weaponless Defense, Handcuffing Techniques, Laws of Arrest, Search and Seizures, and Landlord/Tenant Disputes. These topics are recurring themes in complaints against officers.

Staff Changes and Challenges
As a result of budget cuts and staff re-organizations, the CPRB has lost all direct administrative office support and shares administrative staff with other departments. In addition, a Limited Duration Complaint Investigator was asked to leave as part of budget reductions experienced during Fiscal Year '08-'09. These staff shortages will result in a reduction in cases resolved for the coming year.

Furthermore, the CPRB was identified in the 2007 Equal Access Report as needing a bilingual complaint investigator in order to help provide a fair level of service to the Limited English Speaking populations. The CPRB hopes when the fiscal climate becomes better to hire an investigator with bilingual skills.

Technology Innovations
Geographic Information System (GIS) mapping of complaints is now available online via the CPRB website. The CPRB partnered with the Office of Information Technology (OIT) to create a complaint mapping application for the CPRB website. The CPRB is currently working with OIT to develop a more updated complaint database and to develop online complaint form applications.

Board and Staff Updates Con't

Negotiated Settlement Agreement Update

The CPRB has attended the Negotiated Settlement Agreement's monthly meetings and conferences for the last five years. The CPRB staff sees the practical improvements and technical challenges the Oakland Police Department faces with implementing the proposed reforms.

The following highlights some of the improvements directly impacting the Citizens' Police Review Board.

- Improved investigations of Internal Affairs
- More access to information—monthly meetings and conference updates
- Changes to the Crowd Management policy
- Updates to the General Order M-3 policy
- Public noticing and distribution of complaint forms

While there are significant improvements, there are still a number of outstanding challenges and the failures of the processes to catch such issues including:

- An analysis of stop data to access potential racial profiling
- Controversies over the investigation of the murdered reporter, Chauncey Bailey
- Alleged production and enforcement of false search warrants

The CPRB plans to continue to report on the impact and updates of the progress of the Negotiated Settlement Agreement in our future reports.

Community Outreach

Community Outreach Efforts
The Citizens' Police Review Board utilized significant resources in 2008 in an effort to inform the limited English speaking populations of Oakland about the CPRB's services and current vacancies on the Board.

Chinatown Community Outreach Meeting

Photo: Chinatown neighbor speaks about the increases in motor vehicle break-ins.

On June 4, 2008, the CPRB held a meeting on community policing at the Lincoln Square Recreation Center. The meeting was held in English, but translated for the mostly Cantonese-speaking audience. Councilmember Patricia Kernighan of District 2 and Police Chief Wayne Tucker shared their vision of community policing in Oakland.

Fruitvale District Community Outreach Meeting

Photo: Fruitvale resident shares both good and bad experiences he had with the Oakland Police Department.

On October 9, 2008, the CPRB met with members of the community at the Fruitvale-San Antonio Senior Center. This event was translated in Spanish using a live translator and audio head sets. Councilmember Ignacio De La Fuente of District 5, Captain Rick Orozco of the Oakland Police Department Area 2, and Pat Ruelas, Chair the Neighborhood Crime Prevention Council (NCPC) 21Y, all presented on the topic of community policing. The audience shared a combination of different interactions experienced with police and asked questions to Captain Orozco about specific incidents. An important topic and recurring discussion from the audience involved crime around the Fruitvale BART station and the sobriety check point towing of drivers without licenses.

Community Outreach Con't

Intertribal Friendship House
The shooting death of Andrew Moppin at the end of 2007 by the Oakland Police Department has brought significant criticism by the Native-American Community. Contacts were initially made with members of the Intertribal Friendship House by the CPRB staff given this known concern. This relationship has created new lines of communication between the City, Oakland Police Department and Native American community. However, increased frustrations about the officer-involved shootings from 2007 to 2009 have fueled community unrest. The CPRB and Oakland Police Department are working with members of the community to help provide information and mend community relations with the Native-American community of Oakland.

Officer-Involved Shooting Forum
On December 11, 2008, the CPRB held a forum on officer-involved shootings in Oakland. The forum was open to the public and presentations were given by Sgt. Randy Pope, Deputy Chief Jeffrey Israel, Officer Jeffrey Thomason and Attorney Jim Chanin.

The following are 2004-2008 statistics gathered after the forum based on public interest:

There were 45 officer-involved shootings from 2004-2008

a.) 2004—8,
b.) 2005—9,
c.) 2006—7,
d.) 2007—11,
e.) 2008—10.

36 African-American males
1 African-American female
1 Asian male
6 Hispanic males
1 Native-American male

60% of the cases involved weapons

33% of the cases were fatal

None of the officers were found to be at fault for the investigated cases and the shootings were deemed to all be in compliance with Departmental policy.

From 2004—2008, the City has not paid damages for fatal officer-involved shootings. Two fatal cases are currently pending litigation for incidents that occurred in 2007.

Future Outreach
The CPRB anticipates outreach to the Oakland Police Academies, Laney College and other local community colleges.

2008 Policy Recommendations

In 2008, the Board made three policy recommendations to improve and update current Oakland Police Department (OPD) policies on transporting prisoners. These recommendations were offered after an evidentiary hearing on an in-custody death complaint that was held May 22, 2008.

(1) Use of Safety Belts for Prisoner
Prisoners should be seated in an upright position and wear seat belts during transportation. Seat belts help restrain the prisoner and increase the safety of the prisoner in case of an accident and decrease the likelihood of the prisoner gaining access to contraband or a weapon hidden on them.

(2) Prisoner Positioning in a Vehicle
Proper placement of the prisoner in the vehicle is crucial for officer and prisoner safety purposes. Prisoners should be positioned in the vehicle to:

- Ensure safety and welfare of the officers and prisoners
- Allow for clear observation of the prisoner
- If the transporting officer does not have a partner or cover officer to assist with transport, the prisoner should be placed in the right rear passenger seat. If the transporting officer has a partner or cover officer to assist with transport, the prisoner should be placed in the left rear passenger seat.

(3) Observation of a Prisoner During Transport in a Vehicle
Officers must observe prisoners closely while transporting them. *When transporting a prisoner:*

- An officer should assume that any prisoner could do any of the following: escape, attempt to destroy concealed evidence, and be a potential threat to officer safety.
- If available, have a backup or cover officer in the vehicle to closely monitor the prisoner during transport.

Two of the three policy recommendations on positioning and observing prisoners during transport were accepted by the Chief of Police and City Administrator. These two recommendations will appear as part of the OPD's Training Bulletins. The use of the safety belts for prisoners was not accepted because of the safety concerns for the officer, while reaching across the prisoner's body during seat belting and the cost of installing seat belts in the back seat of many OPD vehicles. These risks and costs have led to the Oakland Police Department not accepting this particular recommendation at this time.

Conclusion

2008 was a year of refocusing for the organization. There were challenges with holding evidentiary hearings as specific circumstances, including unforeseen lawsuits; officer noncompliance with the interview request process; and a complainant that chose not to go forward with his case set for hearing led to the cancellation of previously scheduled hearings. The CPRB also lost key staff in administrative support and investigations. There also remains several vacancies on the Board that are anticipated to be filled in the first six months of next year.

Given these challenges, the CPRB still succeeded in resolving more complaints since 2005 and held a total of seven mediations. The two outreach events to the limited English speaking population of Oakland helped to share information about our services. The CPRB also helped educate the public about police practices and policies, during our policy forum on officer-involved shootings and during Board trainings.

The CPRB is refocusing our limited resources on maintaining a high level of quality in our investigations and bringing to evidentiary hearing the most egregious violations of police misconduct.

More efforts are being placed on outreach to the Oakland youth and utilizing technology to improve efficiencies in the office. Although next year poses significant challenges, the CPRB aims to continue to be a leader in civilian oversight of the police.

CITIZENS' POLICE REVIEW BOARD
STAFF STRATEGIC PLAN: REPORTING PERIOD
JANUARY 1, 2008 TO DECEMBER 31, 2008

ORGANIZATIONAL GOALS

1. Improve Staff job satisfaction and workplace cohesion.

Achieved: Staff performance and job satisfaction has improved. This was achieved through teamwork and resolving to work together to achieve a positive and productive working environment.

2. Improve staff efficiency by properly triaging and processing cases to allow the Investigators more time to focus limited resources on higher priority cases.

Achieved: The case processing system was streamlined by triaging cases at the front end; the Executive Director now writes a detailed investigative outline that guides the Investigatory process from the beginning; forms were changed to expedite noticing the Complainant; and the Executive Assistant now automatically sends status notices to the Complainant at 30, 60 and 90 day intervals; statutory guidelines for case closure regarding Complainant non-compliance is more strictly adhered to.

3. Find salary savings in the budget to hire an EDLE Investigator and a Temporary Contract Administrative Assistant.

Achieved: After consultations with the Budget Office our proposed salary savings were accepted and the needed temporary staff was added. However, due to the recent budgetary cutbacks, the EDLE Investigator and our administrative support person were eliminated.

4. Redistribute case workloads of investigators to improve the quality of investigations and efficiency, which will improve staff job satisfaction and ensure the retention of experienced Investigators.

Achieved: Case loads were realigned between three investigators to achieve parity regarding case assignments, complexity, and priority; tolled cases were taken into consideration when assigning new cases; and all intake duties were transferred to the new EDLE Investigator for the six months he was with the CPRB. However, due to the budgetary cutbacks the EDLE Investigatory position was eliminated. Consequently, the Executive Director assumed an investigatory caseload for the second time in one year and all intake responsibility was shifted to the Executive Assistant.

5. Increase the number of resolved cases through mediation, thereby creating a 'win/win' solution for the Complainants and the subject officers.

Achieved: Resolving lower priority complaints (such as those involving rudeness or a service related issue) through mediation is a Staff priority. We looked at this as an opportunity to achieve a 'win/win' situation for the Complainant and the officers through a better understanding of each party's viewpoint regarding the incident. We have increased the number of cases resolved through mediation by 75%.

6. Increase the number of cases sent directly to the City Administrator for resolution, due to the Complainant being unavailable for a hearing.

Achieved: Cases taken directly to the City Administrator would have ordinarily been scheduled for a hearing before the Board had the Complainant been available. We have increased the number of cases resolved in this manner by 100%.

7. Increase the number of public outreach sessions in City Council districts.

Achieved: Stakeholders have brought to the CPRB's attention that many people did not know about the CPRB, while others thought the CPRB was part of the Internal Affairs Division. In doing organizational research, we discovered several neighborhoods in the City that were underrepresented as Complainants and as Board members. We also identified several communities that had never had an outreach conducted in their community. The CPRB wants to be proactive in searching for prospective Board members in the various communities to achieve diversity on the Board. We have increased the number of outreach sessions by 50%.

8. Increase the number of cases fully investigated within the statutory requirement.

Achieved: We increased the efficiency level of processing cases to allow the investigators more time to focus on their higher priority cases. We streamlined the case processing system in a comprehensive manner and increased the number of cases fully investigated within the statutory requirements by 19%.

9. Increase the number of policy recommendations made to the City Administrator and Chief of Police.

Not Achieved: Improving the performance of OPD has always been one of our organizational priorities. We constantly look for outdated or insufficient OPD policies and make recommendations to rectify the policy deficiencies. The reduction of Staff recommendations was due to four hearings being cancelled for various reasons beyond Staff control. Also, CPRB lost one Complaint Investigator due to citywide budget cuts. Consequently, the Board held

fewer hearings which meant there were a smaller number of opportunities to offer policy recommendations to OPD. Staff intends to improve the number of potential policy recommendations that can be made to OPD in 2009 by increasing the number of hearings though collaborative efforts of Staff to process hearing cases and the possible utilization of three member panels.

10. Increase the number of Board training sessions regarding relevant laws and police procedures.

Achieved: Training is a key element to the Board's success. Credibility and expertise are always an issue when civilians oversee law enforcement. Core competencies were established and the Board was given training in those areas. We improved the number of Board training sessions by 400%.

11. Develop a cost/benefit analysis and budgetary projections for potentially civilianizing Internal Affairs.

Achieved: We are currently in negotiations with the Mayor's Office, City Council, Chief of Police, Internal Affairs Division and the Mayor's Public Safety Task Force to potentially civilianize a portion of IAD after the NSA agreement has run in 2010. We were tasked to compile cost estimates regarding the two proposed options; what the proposed change would mean to our organization, current configuration, and budget; and also to research other models of oversight that could be incorporated into the CPRB to possibly create a hybrid model for our organization.

12. Develop a 'Green Office' initiative to redesign our website allowing e-filing capabilities; move toward electronic case files to reduce paper use and file space; utilize GIS mapping technologies for complaints; and have a multi-lingual phone message.

In Progress: We have been working in concert with IAD to cut down on our 'carbon footprint' and to save the City money on paper and case files. The changes to the web site map were finalized on 8.29.08 and the web site content w be finalized on 9.15.08. As of January of 2009, the CPRB's new website has been ready to go live. As the technology progresses, the e-filing capability will be added to enhance the efficiency and cost effectiveness of our organization.

13. Assist the Mayor's Office in recruiting and processing six new Board members.

In Progress: Three new Board members were identified, interviewed, and are seated as Commissioners. Three additional prospective Board members were identified and interviewed. However, their nomination process was delayed between the Mayor's Office and City

Attorney's Office resulting in their resolutions not making it onto the City Council agenda to be seated at the printing of this report. Staff continues to search for qualified candidates through various contacts and conducting public outreach sessions to encourage the residents of Oakland to serve their community as a CPRB Commissioner.

14. Hold five evidentiary hearings, to include cases presented directly to the City Administrator, in 2008.

Not Achieved: Staff held two evidentiary hearings (07-0486 - Lula Mae Gamble in custody death case and 07-0720 – Olufola Sababu excessive force/improper detention) and sent one excessive force case (06-0797 - Robert Graham) directly to the City Administrator due to the Complainant being unavailable for hearing because of incarceration.

Staff also worked diligently to process the labor intensive case of 07-0692 - Gary King, Jr. shooting death case for hearing. However, the attorney for the King family filed a civil suit just before the case was to be brought before the Board. The King case had to be cancelled for hearing and is now tolled due to civil litigation.

The Board would have heard back-to-back death related cases (which were very labor intensive for staff), in keeping with the Board's prioritization process of hearing the highest priority cases first for hearing.

Staff also prepared two additional cases for hearing and each case was cancelled for hearing for the following reasons: 08-0633 - Charles Grisby case was cancelled due to an officer's non-compliance with the interview request process. The complainant was then notified that his hearing date was temporarily cancelled. However, when Staff tried to re-contact the Complainant to set a new hearing date, the Complainant failed to answer Staff's correspondence for several months. The Complainant has since contacted Staff and stated he had been out-of-town for two months.

The third case to be cancelled was 07-0716 - Anthony Montano. The case was prepared for hearing but, had to be cancelled because the Complainant stated that he no longer wished to pursue a hearing and would rather mediate the case so he could, "end the issue and get on with his life." The Montano case was successfully mediated and then administratively closed. The process of Staff prioritizing their heavy caseloads to investigate and write five hearing reports, only to have three of those cases cancelled for hearing through no fault of their own, has been very time consuming and frustrating. However, Staff looks forward to continuing our hard work in investigating and bringing a greater number of cases before the Board and City Administrator in 2009.

Due to lack of investigatory resources for the foreseeable future, Staff will have to implement alternative methods for processing the most complex cases for hearing and/or to the City Administrator. Investigators can divide the duties for interviews, processing, and writing hearing reports so as to make it less burdensome for an individual investigator with a very large caseload. Staff will also seek to utilize three member panels where appropriate. Staff will

consider the quality of the evidence of the case, availability of the parties, an investigators caseload, and the 3304 statute of limitations.

Board Member Attendance at Board Hearings

Meeting Date	Allen	Aqeel	Dishmon	Duhe	Fuller	Green	Hudson	Jamison	Kopowski	Scates	Alternate Shawl	Alternate Harwood	Alternate Radlow
1/24/08	Yes	Yes	Yes		Yes	Yes	Absent		Yes	Yes			Yes
2/28/08	Yes	Yes	Absent		Yes	Yes	Yes		Yes	Absent			
3/13/08	Yes	Absent	Yes		Yes	Yes	Yes		Absent	Yes		Yes	Yes
4/10/08	Yes	Absent	Yes			Yes	Absent	Yes	Yes	Yes			Yes
5/8/08	Yes					Excused	Yes	Yes	Yes				Yes
5/22/08	Yes	Yes				Excused	Yes	Yes	Yes				Yes
6/4/2008*									Yes				
6/26/08	Excused	Yes				Yes	Yes	Yes	Yes				Yes
7/24/08	Yes	Yes				Yes	Yes	Yes	Yes				
8/14/08	Yes	Yes				Yes	Yes	Yes	Yes				
9/11/08	Yes	Absent				Yes	Yes	Yes	Yes				
10/9/08*	Yes					Yes			Yes				
11/20/08	Yes	Excused		Yes		Yes	Yes	Yes	Yes		Yes		
12/11/08	Yes	Yes		Yes			Excused	Yes	Yes		Yes		

Excused - Member asked to attend but excused Absent - Unexcused absence * Community meeting

2008 Board Member Voting Record on Allegations Heard by Evidentiary Hearing

BOARD MEMBER	Sustain votes	%	Exonerate votes	%	Unfounded votes	%	Not Sustain votes	%	Abstain votes	%	TOTAL votes
Allen	7	3%	94	38%	115	47%	24	10%	5	2%	245
Aqeel	3	3%	49	41%	54	45%	13	11%	0	0%	119
Dishmon	0	0%	46	46%	46	46%	7	7%	0	0%	99
Duhe	1	2%	13	28%	29	63%	3	7%	0	0%	46
Fuller	0	0%	35	45%	36	46%	7	9%	0	0%	78
Green	3	1%	83	39%	92	44%	20	9%	13	6%	211
Harwood	0	0%	7	35%	13	65%	0	0%	0	0%	20
Hudson	6	4%	51	34%	73	49%	19	13%	0	0%	149
Jamison	5	3%	56	35%	76	48%	18	11%	4	3%	159
Kopowski	6	3%	93	40%	109	46%	27	11%	0	0%	235
Radlow	2	1%	58	43%	62	46%	14	10%	0	0%	136
Scates	0	0%	45	46%	46	47%	7	7%	0	0%	98
Shawl	1	2%	13	28%	29	63%	3	7%	0	0%	46

Citizens' Police Review Board Policy Recommendations

Date / Policy	Recommendations	OPD Responses	Status
2007 Officer Recusal	1. An officer should consider the possible appearance of impropriety in dealing with situations where he or she may be personally involved. In civil or criminal matters, where an officer has a personal interest, the officer should consider recusing himself/herself from participating in the investigation of the case if he/she is on duty and should consider calling a sergeant or superior officer to handle the matter. When an officer is off-duty and deciding whether to become personally involved in an incident or call in which he/she has a personal interest, he/she should consider calling a sergeant or superior officer to respond to the scene to avoid the appearance of impropriety.	To be included in OPD Training Bulletin	Adopted
Police Vehicle Pursuits	1. OPD should develop a more restrictive vehicle pursuit policy to permit the pursuit of fleeing suspects for "violent felonies only" based on a standard of reasonable suspicion. An exception should be made for all misdemeanors firearm related violations. Officer can pursue under this exception based on a standard of probable cause.	Included in OPD Departmental General Order J-4 (May 30, 2007) Pursuits may be initiated when there is a reasonable suspicion that a person committed a felony or a firearms related offense, or is a dangerous driver under the influence (DUI) and when there is no immediate unreasonable threat to the public or the officer. The person must clearly exhibit intent to avoid arrest by refusing to stop.	Adopted in Part
	2. OPD should increase the number of hours spent on teaching critical decision making skills.	Included in Departmental General Order J-4	Adopted
	3. OPD should review methods of officer accountability and compliance with pursuits policies.	Included in Departmental General Order J-4	Adopted

Citizens' Police Review Board Policy Recommendations

Date / Policy	Recommendations	OPD Responses	Status
Police Vehicle Pursuits con't	4. OPD should review its pursuit tactics and technology for effectiveness and identify new technologies used by other jurisdictions.	Included in Departmental General Order J-4 (helicopter support) and Training Bulletin III-B.9 (May 30, 2007)	Adopted
	5. OPD should review the adequacy of its data collection and analysis regarding police pursuits.	Included in Departmental General Order J-4	Adopted
	6. CPRB proposed the creation of a Vehicle Pursuit Task Force with representatives from the CPRB, Community Police Advisory Board (CPAB), People United for a Better Oakland (PUEBLO), as well as other community participants. The Task Force was formed to consider and offer opinions on the proposed recommendations.	The Task Force met for three meetings created recommendations.	Adopted
2006 Landlord/ Tenant	1. The Board recommends OPD provide training to its officers on landlord/tenant law.	Initial training occurred in officer line-ups and more formal training is being developed.	Adopted in Part
2005 Ruses	1. The Board recommends OPD develop a policy regarding the creation, management and implementation of ruses.	Declined	Not adopted
2004 Crowd Control	1. At the Pre-incident Planning Meetings, include the Fire Department and ambulance personnel to support OPD's efforts to manage large crowds. The Board recognizes the vital role the ambulance and fire personnel play in situations of this nature	Included in OPD Training Bulletin III-G	Adopted

Citizens' Police Review Board Policy Recommendations

Date / Policy	Recommendations	OPD Responses	Status
Crowd Control con't	2. Utilize "First Aid Stations fixed and/or mobile and/or ambulances" in the event that chemical agents must be deployed: plan for disabled, elderly and children, the safety of bystanders, evaluate availability of other public safety resources, and anticipate potential medical resources.	Included in OPD Training Bulletin III-G	Adopted
	3. *Include in the crowd control policy considera*tions of: occupied buildings in the area, businesses, e.g. hospitals, schools, senior centers, family restaurants, vehicular traffic, and age, health and mobility of those present.	*Included in* OPD Training Bulletin III-G	*Adopted*
	4. Officers must establish a presence commencing at the start of the event by having more community centered policing (e.g. talking with crowd) and by attempting to penetrate the crowd given officer safety. Private security must be part of the Pre-incident Planning Meetings.	Included in OPD Training Bulletin III-G	Adopted
	5. In the Pre-incident planning conduct a risk analysis of the event to determine the sufficient number of law enforcement and public safety personnel.	Included in OPD Training Bulletin III-G	Adopted
	6. As standard procedure consider the use of multiple arrests before deploying chemical agents.	Included in OPD Training Bulletin III-G	Adopted
	7. Dispersal orders need to be given in a manner reasonably believed to be heard and understood by the intended audience including: documentation of the orders at time given and clear instructions on where people are to disperse when public transit is unavailable. Also included in the recommendation is the Oakland Police Department should obtain a better public address system and repeat their dispersal orders every city block.	Included in OPD Training Bulletin III-G	Adopted

Citizens' Police Review Board Policy Recommendations

Date / Policy	Recommendations	OPD Responses	Status
2003 Crowd Control	1. The Police Department should eliminate its use of wooden dowels.	Included in OPD Training Bulletin III-G	Adopted
	2. The Police Department should end its practice of using the sting grenade.	Included in OPD Training Bulletin III-G	Adopted
	3. The CPRB Executive Director and the Chief of Police should collaborate with community representatives to further work on revising OPD's crowd control policy.	Included in OPD Training Bulletin III-G	Adopted
Towing	1. The Police Department should 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.	Included in Special Order No. 8098	Adopted
2002 5150 Detentions	1. 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.	Training complete, but unable to provide cellular phones.	Adopted in Part

Citizens' Police Review Board Policy Recommendations

Date / Policy	Recommendations	OPD Responses	Status
5150 Detentions con't	2. 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.	Declined – the current training is satisfactory given limited resources.	Not adopted
	3. 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.	Training is being conducted with a member of the Alameda County Health Department / Mental Health Crisis Response Team as a co-instructor.	Adopted in Part
	4. 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 Sergeants training has been completed and the officers are receiving their training through Continuing Professional Training courses.	Adopted in Part
Searching Residences	1. 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.*	This recommendation will be considered in the issuing of business cards to all officers and in the future during the accreditation process.	Not Adopted

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Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Brief Description of Complaint	Notes	
ACTIVE AND PENDING - 52 CASES									
07-0484	Dale R. Johnson	AM	7/17/2007	7/15/2008	3/31/2007	#3 Procedure	C alleges he was run over by a car and officers responded but did not prepare a police report. C wants a police report and 911 records.	Investigation pending.	
07-0865	Sandra Villeda	SO	Filed w/IAD on 10/8/07 filed w/CPRB on 11/9/07	10/7/2008	Unknown	#1 Sexual misconduct	C alleges she had a sexual relationship with an officer for a year and was allegedly an informant for the officer.	Will propose for administrative closure on 1/15/09.	
07-0983	Tacuma King	SO	4/15/2008	Filed w/IAD on 12/1/07 Filed w/CPRB on 4/15/08	12/1/2008	#1 Force	C alleges he and his band were invited by Oakland's Park and Recreation Department to participate in the City of Oakland's Christmas Day Parade. C showed up five minutes after the parade started and feels he was not treated professionaly by a police officer. When the C got in line with the rest of the parade he was allegedly told by the officer to get out. C also alleges the officer physically grabbed him by his collar and roughed him up.	Will propose for administrative closure on 1/15/09.	
07-1069	Jermaine Alexander	SO	Filed w/IAD on 1/9/08 Filed w/CPRB on 6/30/08	1/8/09 (IAD)	12/2/2007	#1 Force	C alleges he had a run in with an officer at a gas station and he threw a can of red bull at him for bothering his friend. The next day the C alleges the same officer along with another officer saw him and allegedly accused him of robbery and planted a gun on him and also beat him.	Will propose for administrative closure on 1/15/09.	
08-0130	Victoria Wright	AM	2/8/2008	2/7/2009	2/7/2008	#2 Improper search, untruthfulness	C alleges officers searched her apartment and allegedly found drugs and arrested her boyfriend.	Investigation pending.	
08-0174	Ronald Overton	AM	2/19/2008	2/17/2009	Various dates	#1 Force, threats & profanity	C alleges three incidents took place. (first) C alleges a female and a male officer approached his car and allegedly said he was sleeping in his car. The officer allegedly told the C she was going to give him a ticket for sleeping in his car and to sign the ticket. C states he told the officer he was waiting for his wife. C also alleges the female officer told him to get out of his car, then a male officer opened the car door grabbed his arm and pulled him out of the car. C further alleges his ankles were kicked apart with force. C states he told the female officer he would sign the ticket and she allegedly told him it was too late. C car was searched, lowed and the handcuffs were placed on too tightly and the officers used profanity.	Investigation pending.	

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Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Brief Description of Complaint	Notes	
08-0174	Ronald Overton cont.						(second) C alleges he was having car trouble and pulled over to let his engine cool off when the same officer drove by and saw him. C states the officer made a u-turn and allegedly told the C she was going to arrest him. C alleged he told the officer he had filed a complaint against her and the officer allegedly told the C he was a "fucking liar" and said she did not care, used profanity and threatened him. (third) C alleges he went to Internal Affairs Division of OPD and was allegedly interviewed by an officer who was accusatory and tried to make him admit he was involved in criminal activity at the time of the stops.		
08-0185	Edward Hamilton	SO	2/19/2008	2/18/2009	2/16/2008	#2 Improper search, procedure & untruthfulness	C alleges he was stopped by two officers while on his way to a store. C alleges the officers said he crossed the street against the light. C states he waited until the light was green and the walk signal was on. C further alleges he was handcuffed, searched and detained by the officers who informed the C he had been observed making a drug transaction by another officer. C further alleges this was a lie.	Will propose for administrative closure on 2/5/09.	
08-0215	Gloria Thornton	AM	3/6/2008	3/1/09 (tAD)	2/29/2008	#1 Force	C alleges officers used force to enter her daughter's house and she and other occupants were handcuffed. C also alleges she was lying on the couch because she was not feeling well. C states an officer told her to get up and she guess she was not moving fast enough and was allegedly grabbed by the arm and snatched up.	Investigation pending.	
08-0219	Tatsys Grant	KT	3/6/2008	3/5/2009	1/29/2008	#2 Improper search & untruthfulness	C alleges officers went into her home without permission, searched her bedroom, left her bedroom in a mess, accused her of having a gun and cocaine in her house and wrote a false police report. C said that the officers assumed her boyfriend lived with her and did not have a search warrant when they entered. She is now being evicted by her landlord.	Investigation pending.	

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Case #	Complainant	Inv.	Date Complaint Filed	3304	Date of Incident	Priority	Brief Description of Complaint	Notes	
08-0247	Leonard Jones	KT	3/10/2008	3/9/2009	3/7/2008	#3 Harassment	C alleges that he parked his truck about twelve inches or so from the curb and sat down to eat his sandwich when a patrol car drove up onto the curb and the officers began to ask him questions. An officer told him he was going to write him a ticket because he could not sit on the sidewalk. The C had finished eating and coughed. He may have gagged a bit because he had just finished eating but he did not spit. C was allegedly told by one of the officers that he would write the C a ticket for spitting. C received two tickets one for parking too far from the curb and one for spitting. C did not receive a citation for sitting on the sidewalk. After the incident the C got inside his truck and moved it closer to the sidewalk. He decided to pay the parking ticket but wanted to fight the ticket for spitting.	Will propose for administrative closure on 1/15/09.	
08-0256	Thebati Bryant	KT	3/13/2008	3/12/2009	6/7/2007	#3 Procedure	C alleges after being arrested and released from jail he went to obtain his vehicle which was placed on an evidence hold but released to another person.	Will propose for administrative closure on 1/15/09.	
08-0266	Akili Banko-obo Casper Banjo	AM	Filed w/IAD on 3/17/08 Filed w/CPRB on 7/15/08	3/16/2009	3/14/2008	#1 Force	C alleges an officer shot and killed her uncle. C was told that her uncle pointed a toy gun at officers but witnesses say that he never did.	Hearing to be held on 2/5/09.	
08-0277	Genova Byrd	KT	3/11/2009	3/10/2009	3/9/08	#1 Force, discrimination, procedure and conduct	C alleges that he was stopped for running a red light. He alleges that he told officers that he had a disability and could not take his wallet out of his back pocket without getting up out of his car. Officers refused to allow him to getup and accused him of refusing to comply with orders. One of the officers pulled out a taser and pointed it at the C's neck/head area. C also alleges that he was handcuffed and searched. His wallet was removed by one of the officers. C was cited for running a red light at a street that had no red light signal at all.	Investigation pending.	
08-0295	Kelvin Newsome	AM	3/25/2028	3/23/2009	3/16/2008	#1 Force	C alleges he was falsely arrested because of an ongoing dispute with a neighbor who allegedly gave police false information to have him arrested. C informed an officer several times that the handcuffs were too tight and they were not loosened for 40 minutes after being placed on him.	Will propose for administrative closure on 3/12/09.	
08-0296	Brad Robertson	AM	3/25/2008	3/23/2009	3/16/2008	#1 Force	C was sitting on his porch when officers drove up and allegedly pointed their shotguns at him. C was eventually told by an officer that he was being arrested for pointing a weapon at a person and shooting at that person. C alleges he was falsely arrested because of an ongoing dispute with a neighbor.	Will propose for administrative closure on 3/12/09.	
08-0297	Geruro Fasnarin	KT	3/25/2008	3/22/2009	3/22/2008	#1 Force	C girlfriend alleges the C was getting out of his car at a store on International Blvd. when officers approached him he ran and several officers allegedly caught him and beat him. C was taken to Highland Hospital and charged with Battery against a police officer.	Investigation pending.	

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08-0309	Silvana Lobos	AM	3/7/2008	3/6/2009	2/1/2008	#3 Procedure	C alleges her car was stolen from Summit Hospital parking garage and OPD failed to take action.	Investigation pending.	
08-0430	Ramar Lamar	SQ	4/23/2008	4/14/2009	4/16/2008	#3 Harassment & Threats	C alleges he began to drive away from a curbside while in the process of putting on his seat belt and was pulled over by an officer on a motorcycle. C alleges the officer began to shout at him and threated to "tase" him. C also alleges the officer spoke to him in a disrespectful tone.	Mediation pending.	
08-0455	Lorenzo Hall	AM	Filed w/IAD on 4/29/08 Filed w/CPRB on 5/10/08	4/28/2009	5/23/2008	#2 Improper search	C alleges he was falsely arrested by an OPD officer who also allegedly planted evidence, falsified a report and gave false testimony.	Investigation pending.	
08-0500	Luis Duran	KJ	5/21/2008	5/9/09 (IAD)	5/10/2008	#3 Procedure & conduct	C alleges on several different occasions he has been stopped for mistaken identity, treated roughly and jailed.	Will propose for administrative closure on 1/15/09.	
08-0546	Aliya Karmali	KJ	5/20/2008	4/26/09 (IAD)	4/26/2008	#1 Force	C alleges she was an eye witness to a Black man getting tased by Oakland police on April 26, 2008 in the Lake Merritt area. C alleges the man had been previously punched and was injured. C further alleges the police unnecessarily and brutaly harassed, tased and arrested him.	Investigation pending.	
08-0546	Robert M. Flynn	KJ	9/22/2008	9/21/2009	4/26/2008	#1 Force	Complainant is a co-complainant and alleges he was an eye witness to a Black man getting tased by Oakland police on April 26, 2008 in the Lake Merritt area. C further alleges the police unnecessarily and brutaly harassed, tased and arrested him. C alleges he saw one of the officers pull the man up and hold his face against a wall while another officer tased him in the back.	Investigation pending.	

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08-0571	Jimmie Jackson	AM	Filed w/IAD on 5/27/08 filed w/CPRB on 7/15/08	5/26/2009	5/18/2008	#3 Conduct and procedure	C alleges officers were dispatched to his residence after a call into 911 was disconnected. The 911 operater called the C back and he was told that the officers had to come out even though C and his live in girlfriends dispute was over. C alleges the officers arrived and that he let the officers into his home. One officer questioned him and the officers entered his home laughing. C explained the situation and one of the officers kept calling him "dude" which he resented. C also alleges he was asked if he had every been arrested and he answered yes, in 1977. C stated one officer asked him what was his PFN number C did not know what a PFN number was. C further alleges a sergeant arrived and started asking questions while the other officers searched his home for a cell phone.	Investigation pending.	
08-0633	Charles Grisby	SQ	5/27/2009	5/26/2009	5/25/2008	#1 Force, racial profiling & procedure	C alleges he was confronted by men with guns and he thought he was being carjacked but it turned out that the men were policemen. C further alleges the police pulled him out of his truck, handcuffed him and searched *his truck for weapons. C truck was allegedly towed because his passenger* would not stop arguing with one of the officers. C alleges the officer that gave him the ticket made a statement "Tell your passender to pay for your ticket because he is the reason you are getting your truck towed. C alleges he was given a ticket for reckless driving, having marijuana in his truck and suspended license. C alleges he has a canabis card and his license are not suspended.	Investigation pending.	
08-0636	William Lovan	SO	6/10/2008	6/9/2009	6/7/2008	#2 Improper Search	C alleges that his vehicle was improperly searched and towed. C alleges he stopped at a liquor store and left the keys in the ignition with the car running. C was approached by two officers and asked who the vehicle belonged to and also asked for identification. C alleges he asked for his identification back and was denied and informed that his vehicle was being towed for loud music. C further alleges he made a call to the City Administrator because he was uncomfortable with the situation. C's girlfriend arrived with a spare key and was denied access to the vehicle to recover C's belongings. No consent was given for a search of the vehicle. C alleges he later found out that the officers were looking for a firearm. C acknowledges that he was in possession of a firearm that is legally registered to him.	Investigation pending.	
08-0638	Kevin Hopkins	SQ	Filed w/ IAD on 6/11/08 Filed w/CPRB on 6/23/08	6/10/2009	3/13/2008	#2 Procedure and harassment	C alleges he was carjacked. 911 was called and when officers arrived C alleges he gave them a description of the vehicle and the suspects who were allegedly apprehended. C alleges he did not cooperate with identifying the suspects for fear of retaliation. C further alleges the officers handcuffed *him and he was allegedly told by the officers that he fabricated the whole* incident and he was going to jail for making a false police report. C alleges an ambulance arrived and he was taker to John George Psychiatric Hospital.	Investigation pending.	

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08-0641	Michael Johnson	KT	Filed w/IAD on 6/20/08 Filed w/CPRB on 11/17/08	5/19/2009	5/16/2008	#2 Improper search	C alleges he has a cousin who is on parole or probation and that his residence is not listed as his cousin's address. C further alleges that he was told by officers that his house could be searched without his permission and they proceeded to do so without his consent.	Investigation pending.	
08-0649	Loren Nalls	KJ	filed w/IAD on 6/12/08 Filed w/CPRB on 7/23/08	6/11/2009	6/12/2008	#1 Force	C alleges she was told to pull over by an officer for failure to come to a complete stop at a stop sign. C alleges she told the officer that she did stop at the sign. The officer asked for her drivers license and registration. while getting the information together for the officer another car runs the stop sign and she asks the officer why he is not going after the car. He allegedly said if he wasn't there with her he would have been able to go after him. C stopped looking for her information and grabbed her video camera and tried to record over what was on the disk but it did not work. C stated she and the officer had more words and she put the camera down and gave him her drivers license and registration, he walked to his car and she grabbed the camera.	Hearing to be held on 3/12/09.	
08-0649	Loren nalls cont.						Another officer was involved in another stop and C alleges that officer approached her vehicle and reached inside through her open window reaching for her camera while yelling for her to turn it off. C alleges the officer opened her door and pulled her out and through her face down on the ground and placed her in handcuffs that were too tight.		
08-0675	Ronnie Curry	KT	Filed w/IAD on 6/13/08 Filed w/CPRB on 7/23/08	6/15/2009	6/16/2008	#2 Procedure and untruthfulness	C alleges he was handcuffed and taken to jail after he contacted police regarding his daughter's mother Lolita. C had let his daughter's mother stay the night and the next morning he asked her to leave his apartment. She would not leave and sat down on one of the bags she had with her. C reached around her to remove her bags and she scratched his arms to stop him. She started throwing items around in his apartment and broke out windows in the C's apartment. C has a TRO against her. Lolita left the apartment walking and C was walking behind her when he saw an officer. He explained the situation to the officer and asked that he take her to jail. C was allegedly told by the officer to "Shut the fuck up." and that he would decide who to take to jail. C was arrested for battery.	Will propose for administrative closure on 4/23/09.	

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08-0695	Lorraine Young	SO	Filed w/IAD on 6/25/08 Filed w/CPRB on 6/30/08	6/24/2009	6/25/2008	#1 Incident involving a stop	C alleges inappropriate behavior with a minor.	Investigation pending.	
08-0703	Geneve Williams	KT	10/20/2008	6/25/09 (IAD)	3/1/2008	#1 Force and Harassment	C alleges she is being harassed by certain OPD officers who drive by her house several time a day and come into her yard allegedly looking for drugs. C alleges one of the officers said he would see to it that she lost her section 8. C further alleges that she is experiencing chronic back pain because one of the officers elbowed her in her back and pushed her.	Hearing to be held on 5/14/09.	
08-0703	Ikesha Timms	KT	Filed w/IAD on 6/26/08 Filed w/CPRB on 11/4/08	6/25/2009	3/1/2008	#1 Force and Harassment	C is a co-complainant in case number 08-0703 with Geneve Williams. Due to a previous incident with family members C alleges she was harassed by certain OPD officers. C alleges one of the officers pushed her so hard that she lost her balance and another officer twisted her right arm.	Investigation pending.	
08-0714	Marcel Bullard	SO	6/30/2008	6/29/2009	6/26/2008	#2 Untruthfulness	C alleges he is being harassed by an officer who allegedly has stolen money from him and written a false police report.	Investigation pending.	
08-0733	Guo Huang & Zhang Liu	KT	7/1/2008	6/30/2009	4/24/2008	#1 Force and procedure	C's allege officers broke down their door and rushed into their house twisted Mr. Huang's arm and legs and pointed a gun at his heart. Mrs. Liu saw that a person had a gun and screamed in Chinese for the person not to kill her. An Asian officer entered the house a few minutes later and asked the C's in Cantonese if they spoke english and they answered no. The officer then handed a cell phone to Mr. Huang and told him to talk to his boss who was on the cell phone. The boss spoke to Mr. Huang in Cantonese and told him *that the police who entered his house made a mistake and that his house* was the wrong house and apologized. C also alleges that none of the officers that entered the house gave their names, badge numbers, contact information or incident report number.	Investigation pending.	

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08-0744	Sergio Sanchez (Minor)	AM	Filed w/AD on 7/7/08 Filed w/CPRB on 7/28/08	7/6/2009	7/6/2008	#1 Force	C alleges he was thrown to the ground and kicked in the head by an officer. C alleges he and his cousin were leaving his cousins grandmother's house when some fireworks went off, seconds later a patrol car pulls up and asks them who lit the fireworks. One of the officers allegedly told another officer to ticket the C and that he was the brother of a member of the Norteno gang. The C started to complain and this is when he was allegedly thrown to the ground by the officer.	Investigation pending.	
08-0766	Belinda Mapp	KJ	Filed w/AD on 7/15/08 Filed w/CPRB on 7/23/08	7/14/2009	5/16/2008	#3 Procedure & conduct	C alleges her family members were falsely arrested.	Investigation pending.	
08-0807	Mark Smith	AM	Filed w/AD on 7/23/08 Filed w/CPRB on 7/28/08	7/22/2009	5/26/2008	#3 Procedure & conduct	C alleges he was playing his flute when he was stopped by an officer and placed in handcuffs which the C alleges was cutting into his right wrist. C also alleges the officer confiscated his flute causing it to be mis-adjusted	Investigation pending.	
08-0809	Rodney J. Conerly	AM	7/22/2008	7/21/2009	2/3/2007	#2 Untruthfulness	C alleges an officer wrote a "false report" as to the details of his encounter with him to secure his arrest and conviction.	Investigation pending.	
08-0821	Jeffrey Miller	KT	7/24/2008	7/23/2009	4/23/2008	#1 Force	C was allegedly arrested for burglary and trespassing. C further alleges the officer beat him up, knocked him down and put his foot on him.	Investigation pending.	
08-0829	Janice Johnson	AM	Filed w/AD on 7/29/08 Filed w/CPRB on 8/11/08	7/28/2009	6/22/2008	#3 Procedure	C states her son's death was a homicide not a suicide. C alleges the investigation was deficient because potential witnessess were not interviewed and evidence was allegedly not collected.	Hearing to be held on 6/11/09.	

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08-0882	Henry Scott-Brown	AM	7/29/2008	7/28/2009	7/23/2008	#3 Harassment	C alleges the same two officers are patrolling around her house and harassing people. C also alleges the officers have jailed young males for petty reasons.	Investigation pending.	
08-0897	Victoria Belcher	KT	Filed w/AD on 8/12/08 Filed w/CPRB on 10/17/08	8/10/2009	8/8/2008	#2 Improper search	C alleges officers conducted an illegal search on her apartment. C also alleges she was forced to sign a false statement and was allegedly told by officers that if she did not sign the statement she would go to jail.	Investigation pending.	
08-0905	Kyrha Dahon	KT	Filed w/AD on 8/18/08 Filed w/CPRB on 8/21/08	8/17/2009	7/29/2008	#3 Failure to Act	C alleges on July 29, 2008 a Trustee entered her home by breaking down her side door with the police present. C also alleges that on August 13, 2008 the Trustee assaulted her from behind and she asked for a citizens arrest but the police allegedly did not act upon her request.	Investigation pending.	
08-0983	Tom Emmitt obo The Bander Law Firm	KT	8/28/2008	8/27/2009	8/1/2008	#3 Conduct	C is a process servicer for the Bander law Firm and allegedly attempted to serve a summons on multiple parties including family members of an OPD officer. The OPD officer identified himself as a police officer and prevented the C from serving the summons to the officer's family.	Investigation pending.	
08-0987	Wanda Prinler Conway	SO	7/23/2008	7/22/2009	3/15/2008	#1 Force & Missing property	C alleges she was at a club and saw her daughter's friend being assaulted and she tried to break up the fight. C called the police and when the police came they detained the C, friends and family of the C. C also alleges the officers stepped on her foot causing damage and took her cell phone and never gave it back.	Mediation pending.	
08-0997	Chemzlah Carter	KT	Filed w/AD on 9/2/08 Filed w/ CPRB on 9/4/08	9/9/2009	8/27/2008	#1 Force	C alleges she was riding her bike when a police vehicle allegedly hit the tip of her bike they asked her if she was on probation or parole. C stated she was not and continued on her way. C also alleges one of the officers ran behind her and the other officer was driving the car that hit her. C alleges one of the officers picked her up and slammed her into a gate. C alleges who told the officers that she was pregnant. C was ordered to put her hands behind her back and handcuffed. C further alleges the handcuffs were placed on too tightly. C went to Highland hospital her left hand was swollen and her right hand had welts.	Investigation pending.	
08-1015	Elizabeth Adams	AM	9/10/2008	9/9/2009	8/2/2008	#3 Procedure	C alleges officers burst into her paratment and placed her in handcuffs without an explanation. C also alleges officers performed an illegal search of her apartment. C alleges the officers did not have a search warrant and she did not give them permission to do a search of her home.	Investigation pending.	

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08-1089	Deborah Colbert	AM	10/9/2008	10/8/2009	9/5/2008	#3 Missing Property	C alleges officers came to her residence and conducted a parole search of her brother. During the search officers found a bag containing money hidden behind a dresser that the C says belongs to her and she would like her property back.	Investigation pending.	
08-1154	Olusegun Osowale	AM	10/17/2008	10/15/2009	10/15/2008	#1 Force	C alleges she received a call stating she needed to go to Spectrum Center where her autistic son attends school. C was informed that her son had a seizure while on a field trip and was being cared for by school officials who are trained to handle special needs students. C alleges she was told that two officers stop to investigate what was happening and superseded the authority of the trained school officials and restrained her son in handcuffs. The school officials allegedly told the officers that they had the situation under control and requested the handcuffs be removed so the child could calm down and they refused.	Investigation pending.	
08-1235	Michael Muscadine	AM	Filed w/IAD on 11/1/08 Filed w/CPRB on 11/20/08	11/2/2009	10/3/2008	#2 Procedure	C alleges Police officers and Oakland gang unit did an illegal search of his residence and his vehicle. C also alleges he was not on probation at the time.	Investigation pending.	
08-1247	Martha Higareda	AM	10/3/2008	10/2/2009	9/19/2008	#2 Improper search	C alleges an officer improperly searched her after being stopped for an expired car registration. C alleges the officer touched and hurt her breast.	Investigation pending.	
08-1288	Desmond Dickerson	KT	Filed w/IAD on 11/17/08 Filed w/CPRB on 12/11/08	11/16/2009	11 of 2008	#3 Harassment, profanity & care of property	C alleges he is being harassed by OPD officers. C was sitting with a group of friends when officers pulled up and asked for identification. C alleges one of the officers allegedly told him "That's not what the fuck I asked you for." C gave officers his wallet and it was confirmed he was on probation and the officers handcuffed him. He was taken to jail but was not charged with any crime when released his wallet was not returned to him nor was his ID and other documents.	Investigation pending.	
08-1326	Laquela Harper	KT	Filed w/IAD on 11/25/08 filed w/CPRB on 12/5/08	11/24/2009	11/25/2008	#2 Procedure & conduct	C alleges that OPD officers pulled her son out of her car and handcuffed him for selling drugs and told that he was being arrested. C alleges her son never got out of the car and now her son is traumatized because of being mistakenly identified for someone selling drugs	Investigation pending.	
08-1422	Nina Ambrogio	KT	12/16/2008	12/15/2009	12/15/2008	#3 Profanity & threats	C alleges he was walking through a parking lot and was confronted by an officer who allegedly told the C to "Get the fuck out of my parking lot! I own this parking lot! "If I catch you here again, something will happen to you!"	Investigation pending.	

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08-1430	Desmond Dickerson	XT	Filed w/IAD on 12/4/08 filed w/CPRB on 12/11/08	12/10/2009	12/4/2008	#3 Harassment & retaliation	C alleges he is being harassed by certain OPD officers in retaliation for filing a CPRB complaint and a civil lawsuit against one of the officers from an incident that happened in January of 2008. An officer stopped, handcuffed and allegedly took the C to the Eastmont Substation and was allegedly pointed out to other officers.	Investigation pending.	

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HEARING HELD, PENDING CLOSURE - 0 CASES									

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TOLLED - 14 CASES									
01-15	Denise Carignan (deceased - William Wilkins)	SO	4/30/2001	4/30/2002 TOLLED - Civil Litigation 4/24/01 (US D.Ct. C-01-1102 MMC, Plaintiff Kelly Watkins) Trial 10/28/02	1/11/2001	#1 Force resulting in serious injury	Officers shot and killed Officer William Wilkins.	Case settled	
01-27	Brian Bowman	SO	7/16/2001	6/10/2002 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. Investigation pending	
03-329	Omar Alvarez	SO	12/15/2003	TOLLED	11/30/2003	#1 Excessive force, procedure, conduct.	C alleges he was attending a Raiders game when a commotion broke out C alleges he saw police officers grabbing and throwing people to the ground. C also alleges he was standing about 10 feet away and an officer yelled "take him down" C was grabbed from behind by two officers and forced face down on the ground handcuffed and taken to jail for 5 hours and released.	TOLLED.	
03-329	Ruben Ramirez, Sr.	SO	1/6/2004	TOLLED	11/30/2003	#1 Excessive force, procedure, conduct.	C alleges he was attending a Raiders game with his sons and was told he was arrested by police officers when asked why the officer allegedly grabbed the C by the throat w/two hands and pushed him against a wall and another officer put handcuffs on him. C further alleges that on the way to the police van the officer escorting him allegedly told the C "that it was because of Spicks like him that the Raider games were so F---ed up." After being bailed out of jail C went to Kaiser Hospital and was allegedly told his right hand was sprained.	TOLLED.	
03-329	Rueben Ramirez, Jr.	SO	1/6/2004	TOLLED	11/30/2003	#1 Excessive force, procedure, conduct.	C attended a Raiders game with his father and brother and allegedly saw that a police officer allegedly had his hands around his fathers throat and ran towards him shouting he didn't do anything. C then alleges that he was tripped and jumped on top of with a knee to his back by police officers and his head was slammed onto the concrete, handcuffed and punched four times on the left side of his face.	TOLLED.	
03-329	Ryan Ramirez	SO	1/6/2004	TOLLED	11/30/2003	#1 Excessive force, procedure, conduct.	C attended a Raiders game with his father and brother and saw that a police officer allegedly had his hands around his fathers throat and ran towards his dad and was allegedly taken down by a blow to his head. C further states that two officers were on him with a knee to his head and back and another officer continued hitting him in his face while he was on the ground with handcuffs on.	TOLLED.	

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04-231	Darnell Foster	AM	CPRB 1/14/05 w/IAD 7/26/04	7/25/2005	2/27/2004	#2 Search	C alleges he was approached by two officers and one of the officers embarrassed and humiliated him by pulling his pants and underwear down to his knees and doing a "butt search" in broad daylight while handcuffed. Nothing was found and the C was driven a few blocks and allegedly told by one of the officers "If I were to give you $10 would you risk your life or jeopardize it buy buying cocaine or weed from a drug house." C refused and was allegedly told by the officer the only way you are getting out of this car and not going to jail is by signing a loitering ticket, which the C did.	TOLLED	
04-242	Safa Swaid	SO	7/30/2004	TOLLED - Criminal case pending Alameda County Superior Court #137881 filed 1/27/00	10/1/1999	#2 Procedure, search and untruthfulness	C alleges he as arrested and an illegal search of his premises was done by police officers.	TOLLED. Investigation pending	
05-121	Caesar Johnson	AM	4/1/2005	TOLLED: Wiley C. Manuel Courthouse, Dept. 104 Docket #507943	3/31/2005	#1 Force, procedure and conduct	C alleges an officer pulled him off a motorcycle by his hair, took him to the ground and held his right arm against the motorcycle tail pipe causing an approximate 4 inch burn. The C was then punched, kicked and struck with batons. C's right forearm was fractured when the officer pulled him to a standing position by the handcuffs.	TOLLED.	
05-047	John L. Saucer	SO	4/15/2005	TOLLED: Alameda County Superior Court Rene C. Davidson Courthouse Case #RGO_280050	8/2/2005	#1 Force and Bias/Discrimination	C alleges he was physically assaulted and injured. C also alleges he was told to "shut the fuck up" and statements allegedly made such as "fuck you, you little black ass Negro" and " I am your white devil" and arrested by police officers for no reason.	TOLLED.	
05-158	Melissa Cook	SO	Filed w/IAD 2/17/06 filed w/CPRB 3/2/2006	TOLLED: US District Court Case # 064337 filed 7/14/06	2/17/2006	#1 Force and conduct	C alleges an Oakland police officer pulled his gun out and threatened her children and threatened to "spray the block." C also alleges the officer punched her son on the side of his face and her son is afraid the officer will come to their home and assault the family. The officer was arrested by the Brentwood Police Dept.	TOLLED.	
06-440	Ameir T. Robins	SO	7/17/2006	TOLLED: Alameda County Superior Court filed 12/20/06	6/5/2006	#1 Force, Discrimination, procedure and conduct	C alleges an officer shot and almost killed her son for no reason. C also alleges the officer left her son on the ground covered with a sheet for 30 minutes before calling paramedics. C farther alleges her son was paralyzed and has a broken neck and will never walk again	TOLLED.	

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06-822	Demetrius L. Harvey	AM	6/23/2006	TOLLED: USDC C07-01681 MJJ Filed 3/23/07	12/27/2005	#3 Conduct	C alleges OPD knew he was not one of the individuals on a video tape and was falsely arrested and charged with a crime he did not commit.	TOLLED.	
06-0776	Anthony Jenkins	AM	Filed w/IAD on 9/12/06 Filed w/CPRB on 3/14/07	TOLLED:	9/12/2006	#3 Conduct and untruthfulness	C alleges he was set up by two officers who allegedly planted evidence on him. C also alleges he was threatened with physical force.	Will propose for administrative closure on 1/15/09.	
07-0692	Rashidah Grinage (Gary King)	KT	Filed w/IAD on 9/20/07 filed w/CPRB on 9/24/07	TOLLED: Federal Case Docket #C08-02394-SBA	9/20/2007	#1 Force	C has filed this complaint on behalf of the decedent (Gary W. King) and his family. Mr. King was shot and killed by an OPD officer.	TOLLED. Civil Suit filed.	
08-0092	James Butler	KT	2/7/2008	1/30/09 (IAD)	6/5/2007	#2 Improper search (Strip Search)	C alleges he was stopped by police officers for a traffic violation, pulled from his vehicle handcuffed, stripped searched and falsely arrested.	TOLLED. Case taken to City Administrator.	
08-0101	Desmond Dickerson	KT	Filed w/IAD on 1/31/08 filed w/CPRB on 3/5/2008	TOLLED: US District Court Northern District Case 4-08-CV-03305-CW	1/30/2008	#1 Force	C alleges he was pulled over by police and told to get out of the car. C alleges while he was getting out of his car he was grabbed and pulled out and placed in handcuffs, his chest and face were slammed onto the hood of his car, then grabbed by the hair and handcuffs and his face was slammed into the concrete breaking his two front teeth, one tooth was pushed through his lip and two more teeth through another part of his lip. C alleges he was driven to Highland Hospital to get stitches but never received them. C said he was taken to Santa Rita.	TOLLED. Civil Litigation	

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