

CITY OF OAKLAND



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December 9, 2003

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PUBLIC SAFETY COMMITTEE
Oakland, California

Chairperson Reid and Members of the Committee:

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

Pursuant to City of Oakland Ordinance number 12454 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 semi annual report for 2003 pursuant to section 6, paragraph C, subdivision 3 of the ordinance.

Respectfully submitted,

DEBORAH A. EDGERLY
Interim City Manager

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Semi-Annual Report

January 1, 2003—June 30, 2003

CITIZENS' POLICE REVIEW BOARD

OAKLAND, CALIFORNIA



Citizens' Police Review Board Members

Mario Andrews (Chair) February 15, 2004*
Roland Walker (Vice-Chair) February 14, 2003*
John Batarse (Vice Chairperson) February 15, 2004*
Angela Cheung February 15, 2004*
William Hubartt February 15, 2004*
Anthony Loveday February 15, 2005*
Susan Raffanti February 15, 2003*
Mansour Salahu-Din February 15, 2004*
Beneba Thomas February 15, 2005*

* Expiration of Appointment

CPRB Staff

Joyce M. Hicks Executive Director
Delores Pontiflet Executive Assistant to the Director
Audrey Montana Complaint Investigator
Sean Quinlan Complaint Investigator
Victoria Urbi Complaint Investigator
Wendy Jan Policy Analyst / Outreach Coordinator
Larry Carroll CMO Hearing Officer
Josie Phillips CMO Administrative Analyst
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**CITY OF OAKLAND
OFFICE OF THE CITY MANAGER
CITIZENS' POLICE REVIEW BOARD**

1 FRANK OGAWA PL *11TH FL *OAKLAND, CA, 94612 *510-238-3159 * FAX 510-238-7084 TTY# 238-3724
Joyce M. Hicks, Executive Director

December 9, 2003

The Honorable Mayor,
Members of the City Council, and
The Citizens of Oakland

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

On behalf of the Citizens' Police Review Board (CPRB) and its staff, it is my honor to present you with the 2003 Semi-Annual Report. This report examines the complaints filed during the first six months of 2003 and provides you with an overview of the Board's complaint processing activities. It includes a brief analysis of the allegations filed during the first six months of 2003, the locations of the alleged incidents, and the demographic characteristics of the complainants. Additionally, this report presents information about the Board's disposition of complaints along with the Board's disciplinary recommendations to the City Manager pertaining to these complaints. Further, this report provides an update on the status of the Board's policy recommendations made to the Oakland Police Department from 2000 through 2002.

The CPRB is positioned to play a crucial role in police oversight in Oakland by providing the community with a public venue to air complaints and concerns, by making policy recommendations to the police department to improve its effectiveness within the community, and by holding police officers accountable for their actions via evidentiary hearings and disciplinary recommendations to the City Manager. We continue to increase our effectiveness and streamline our processes to provide the community and the police department with consistent, fair, and objective review and recommendations.

We look forward to receiving your continued input and feedback on our processes and the work we are doing.

Sincerely,

Mario Andrews
Chair

Executive Summary

This report is written to satisfy the requirement of CPRB Ordinance, section 6(C)(3) which states that, "No less than twice each year the Board shall issue a detailed statistical report to the Public Safety Committee regarding complaints filed with the Board, the processing of these complaints and their dispositions." A more comprehensive analysis of the complaints filed and processed will be provided in the Board's 2003 Annual Report to assess patterns and trends. Additionally, a complete review of the work of both the Board and its staff, including Board recommendations and staff achievements, will also be provided in the Board's 2003 Annual Report.

During the first six months of 2003, the Board received complaints about 46 distinct episodes of police misconduct from 50 individuals. The Board closed 34 complaints through administrative closure and heard five complaints at evidentiary hearings. Among those five complaints, the Board sustained three out of thirty-three allegations (9% of all the allegations it heard) and forwarded disciplinary recommendations regarding those allegations to the City Manager. Those three allegations arose out of three complaints. The City Manager upheld the recommendations regarding two of the allegations and upheld part of the recommendation for the third allegation.

In March 2003, the Board and its staff welcomed a new Executive Director, Joyce Hicks, to its staff. From the date of her arrival through the end of June 2003, Ms. Hicks has assessed areas for improvement within the CPRB. She has worked on improving the relationship between the CPRB and the community as well as the relationship between the CPRB and the Oakland Police Department. During the first three months of her tenure she worked with the Mayor to fill three vacant regular Board positions and has filled the vacant investigator positions, thus ensuring that the Board and its staff have the resources they need to investigate and hear complaints.

Finally, the 2003 Semi-Annual Report also provides the reader with an update on the status of Board recommendations made in previous years.

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INTRODUCTION

Purpose of the Report

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

CPRB History

Oakland's City Council established the Citizens' Police Review Board in April 1980, with the purpose of reviewing certain complaints of misconduct by police officers or park rangers, conducting fact-finding investigations, and to make advisory reports to the City Manager. On July 30, 1996, the City Council expanded the Board's original jurisdiction to include complaints involving: (1) the excessive use of force; or (2) communications of bias based upon an individual's legally protected status (race, gender, national origin, religion, sexual orientation or disability). (City Ordinance 11905 C.M.S., section 5(A)(1).) Simultaneously, the City Council also granted the Board supplemental jurisdiction over other non-force conduct (City Ordinance 11905 C.M.S., section 5(B)(1)), subpoena power over police officers and park rangers (City Ordinance 11905 C.M.S., section 6(G)(2)), and authorization to mediate final and binding resolution of complaints. (City Ordinance 11905 C.M.S., section 7.)

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

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

ANALYSIS OF COMPLAINTS
FILED BETWEEN
JAN. 1, 2003 — JUNE 30, 2003

Number of Complaints Filed between January 1, 2003 and June 30, 2003

In the first six months of 2003, the CPRB received complaints from 50 individuals who alleged a total of 46 distinct episodes of police misconduct.

Race and Gender of Complainants

A majority of the complainants were African-American (60%) and/or male (68%). *Figure 1* provides a detailed breakdown of the race and gender of the complainants.

Race	Gender	No. of Complainants	% of Complainants
African-American	F	10	20%
African-American	M	20	40%
African-American	No Response	1	2%
Caucasian	F	3	6%
Caucasian	M	8	16%
Other	F	2	4%
Other	M	4	8%
No Response	M	1	2%
Unknown	M	1	2%
Total		50	100%

Figure 1

Age of Complainants

The largest proportion of complainants — 28% — were between the ages of 35 and 44 years old. Twenty-two percent of the complainants were between the ages of 25 and 34 years old. Likewise, 22% of the complainants were between the ages of 45 and 54 years old.

Figure 2 provides more information on the complainants' ages at the time they filed their complaints.

Complainant's Age	No. of Complainants	% of All Complainants
Under 18	0	0%
18-24	5	10%
25-34	11	22%
35-44	14	28%
45-54	11	22%
55-64	3	6%
65 and Older	3	6%
No Response	3	6%
Total	50	100%

Figure 2

Allegations

In the first six months of 2003, the most frequently filed allegation involved the use of excessive force by Oakland police officers. Thirty-six percent of the complainants alleged this behavior. The next most complained of conduct involved the use of rude statements or the making of threats by police officers, with 15% of the complaints alleging this behavior. And, the third most complained of conduct involved police officers' failure to take action, with 9% of the complainants alleging this behavior. *Figure 3* on the following page provides a complete list of all the allegations filed with the Board during the first half of 2003.

Types of Allegations Filed with the Board

Allegation Category	Number of Complainants	Percentage of Complainants
Force	37	36%
Grab/Push/Shove/Trip	(5)	(5%)
Handcuffs Too Tight	(5)	(5%)
Kick	(4)	(4%)
Strike w Fist or Hand	(4)	(4%)
Specifics Unknown	(3)	(3%)
Choke	(2)	(2%)
Other	(2)	(2%)
Shooting Gun at Person or Animal	(2)	(2%)
Strike w Weapon	(2)	(2%)
Use of Gun to Threaten	(2)	(2%)
Use of Patrol Vehicle	(2)	(2%)
Kneed	(1)	(1%)
Resulting in Death	(1)	(1%)
Strike w Unknown Object	(1)	(1%)
Use of Chemical(s)	(1)	(1%)
Verbal Conduct	15	15%
Rude Statements	(13)	(13%)
Threats	(2)	(2%)
Failure to Act	9	9%
Failure to Provide Identification	(5)	(5%)
Failure to Act -- Other	(2)	(2%)
Failure to Investigate	(1)	(1%)
Failure to Write a Report	(1)	(1%)
Entry/Search - Improper	8	8%
Arrest - Improper	6	6%
Bias / Discrimination	6	6%
Property - Damaged/Missing/Seized	6	6%
Untruthfulness	6	6%
In Reporting	(4)	(4%)
In Verbal Statements	(2)	(2%)
Citation - Improper	3	3%
Harassment	2	2%
Civil Disputes - Taking Sides	1	1%
Custody - Improper Treatment	1	1%
Detention/Stop - Improper	1	1%
Planting Evidence	1	1%
Retaliation	1	1%
TOTAL	103	100%

Figure 3

Location of Alleged Incidents

The greatest number of incidents of alleged misconduct occurred in District 3 (37%) and District 1 (15%). Complaints from these two districts alone comprised more than 50% of the complaints. *Figure 4* shows the number of complaints from each council district and *Figure 5* shows the percentage of total complaints from each council district.

Council District	Number of Complaints
District 1	7
District 2	0
District 3	17
District 4	3
District 5	4
District 6	4
District 7	4
Insufficient Information	7
Total	46

Figure 4

Proportion Of Complaints Per District

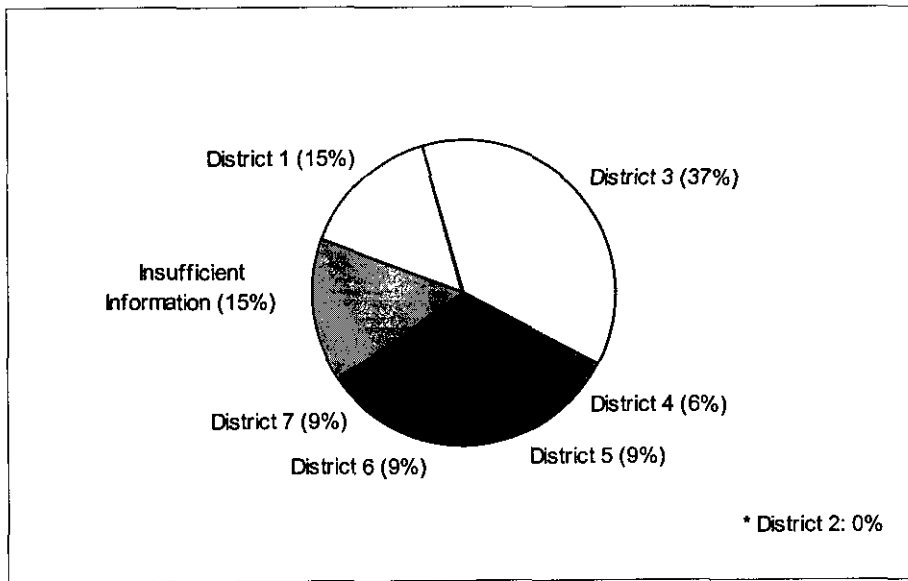


Figure 5

COMPLAINTS CLOSED BETWEEN
JAN. 1, 2003 — JUNE 30, 2003

Number of Complaints Closed between January 1, 2003 and June 30, 2003

The Board closed 39 complaints during the first six months of 2003. *Figure 6* shows the number of cases closed per calendar quarter.

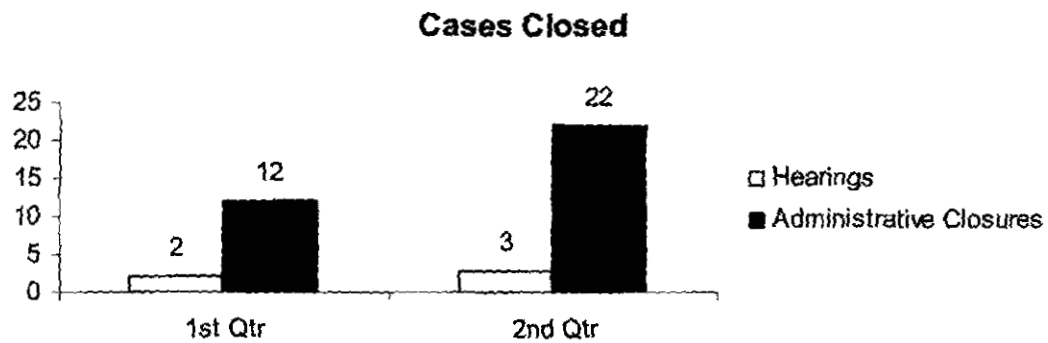


Figure 6

Complaints Closed through Evidentiary Hearings

In the first six months of 2003, the Board heard five complaints at evidentiary hearings and sustained allegations from three of those complaints. *Figure 7*, below, shows the allegations sustained by the Board and the Board's recommendations for officer discipline.

Complaint	Sustained Allegations	Board Recommendation	Not Sustained	Unfounded	Total
Gary Castro (99-05)			6		6
Jessie Godfrey (02-42)	1 -- Improper Entry / Search	Officer Lancaster should receive an oral reprimand for conducting an illegal search.	11	1	13
Michael Williams (02-49)	1 -- Force: Strike w a Weapon	Officer Hoppenhauer should receive a one-day suspension and training on the use fo force.	2		3
Kenyon Osborn (02-146)	1 -- Verbal Conduct: Rude Statements	Officer Turpin should receive an admonishment for using profanity.	4	1	6
Genova Byrd (03-080)			5		5

Figure 7

Analysis of Board Findings

Figure 8 provides an overview of the Board's findings on all the allegations it considered during the first six months of 2003.

	Sustained	Not Sustained	Unfounded	Total
Bias / Discrimination		1		1
Citation - Improper		1		1
Custody - Improper Treatment		1		1
Entry/Search - Improper	1	1		2
Failure to Act - Other		2		2
Force - Choke		1		1
Force - Grab/Push/Shove/Trip		5		5
Force - Handcuffs Too Tight		1		1
Force - Kick		2		2
Force - Other		1		1
Force - Strike w Fist or Hand		1		1
Force - Strike w Unknown Object			1	1
Force - Strike w Weapon	1	4		5
Force - Use of Patrol Vehicle		1		1
Planting Evidence			1	1
Property - Damaged/Missing		3		3
Verbal Conduct - Rude Statements	1	2		3
Verbal Conduct - Threats		1		1
Total	3	28	2	33

Figure 8

City Manager Decisions Regarding Disciplinary Recommendations

When the Board sustains an allegation at a hearing, it forwards a disciplinary recommendation to the City Manager regarding the officer(s) involved. During the first six months of 2003, the Board forwarded disciplinary recommendations, arising out of five complaints, to the City Manager. The City Manager's decisions regarding these recommendations are shown in *Figure 9* below.

	Hearing Date	Date Forwarded	City Manager's Decision
Case #1	2002	2003	Recommendation(s) Upheld In Part
Case #2	2002	2003	Recommendation(s) Upheld
Case #3	2002	2003	Recommendation(s) Upheld
Case #4	2003	2003	Recommendation(s) Upheld
Case #5	2003	2003	Recommendation(s) Upheld in Part

Figure 9

Complaints Closed through Administrative Closure

The Board closed 34 complaints through administrative closure. *Figure 10*, below, shows the various reasons for the closures.

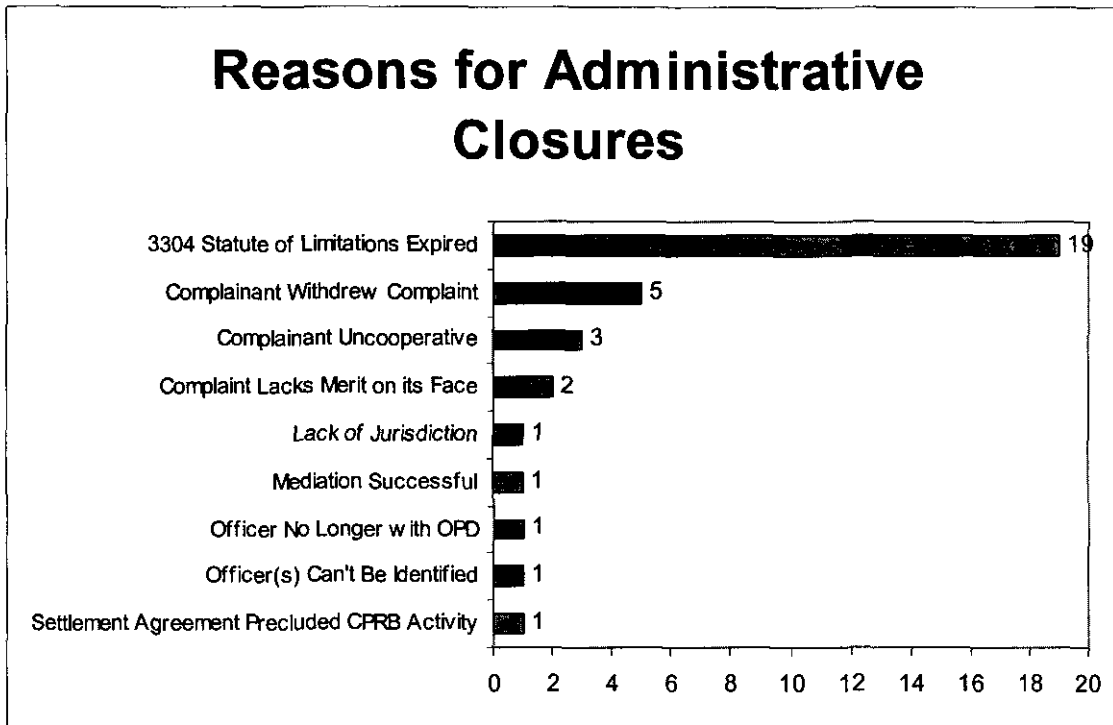


Figure 10

More than half of the complaints were closed because, under California Government Code section 3304, the one-year statute of limitations for bringing disciplinary action against a peace officer had expired. The statute states in part: “[N]o punitive action . . . shall be undertaken for any act, omission, or other allegation of misconduct if the investigation of the allegation is not completed within one year of the public agency’s discovery by a person authorized to initiate an investigation of the allegation of an act, omission or other misconduct.” The high number of administrative closures due to section 3304 reflects the CPRB’s efforts to clear its caseload of complaints on which it can no longer act and also the limitations the Board faced with only one investigator for most of the first six months of 2003.

STAFF ACTIVITY

A New CPRB Director Arrives

On March 3, 2003, the Board and its staff welcomed a new Executive Director to the CPRB, Joyce Hicks. Ms. Hicks has been an employee of the City of Oakland for 26 years. Prior to joining the CPRB she was the Deputy Executive Director of the City's Community and Economic Development Agency and before that she was the Chief Assistant City Attorney for the City Attorney's Office.

On March 27, 2003, Ms. Hicks presented a 90-day plan to the Board and to the public, identifying 20 areas for improvement for the effective operation of the CPRB. See *Appendix B* for a copy of Ms. Hicks's 90-day progress report. A few of Ms. Hicks's achievements during her first three months as the CPRB Director include:

- **Working with the Mayor's office to fill three vacant regular Board member positions.** Three additional Board seats remain vacant but they are for alternate Board member positions.
- **Hiring one additional investigator.** When Ms. Hicks first arrived at the CPRB, her staff consisted of one out of three budgeted complaint investigators. Ms. Hicks hired a second investigator during her first 90 days with the CPRB and a third investigator joined the staff in August, 2003.
- **Reviewing the caseload and presenting 24 cases for administrative closure.**
- **Holding one evidentiary hearing each month beginning March 27, 2003 , using one investigator.**
- **Submitting a draft process to the Board for implementing 3-member panel hearings.** On April 10, 2003, Ms. Hicks submitted a draft process to the Board for implementing 3-member panel hearings. The Board adopted the proposed process on May 8, 2003.

- **Providing Board members with training on the open meeting laws.** On June 12, 2003, Supervising City Attorney Mark Morodomi provided the Board with training on Oakland's open meeting laws.
- **Providing the CPRB's 2002 Annual Report to the Board and to the City Council's Public Safety Committee.** The 2002 Annual Report was presented to the Board on April 10, 2003 and it was subsequently presented to the Public Safety Committee on July 15, 2003.
- **Building a working relationship between the CPRB and the community and between the CPRB and the police department.** On July 8, 2003, Police Chief Richard Word, appearing before the City Council's Public Safety Committee, noted the improved working relationship between the Police Department and the CPRB through Ms. Hicks. Similarly, on July 24, 2003, PUEBLO (People United for a Better Oakland) representative Rashidah Grinage appeared at a Board meeting and praised Ms. Hicks for her leadership of the CPRB and the progress she had made in her first 90-days with the Board.

BOARD RECOMMENDATIONS

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The following information provides an update of Board recommendations made in previous years.

Board Recommendations from 2002

Background for Recommendations One through Seven

California Welfare and Institutions Code, section 5150,¹ permits officers to detain individuals who exhibit signs of mental illness and who appear to pose a danger to themselves or to others. In 2002, the CPRB received complaints alleging that police officers were improperly using section 5150 to detain individuals who did not meet the statute's specific criteria. In February, 2002, the Board held a policy hearing on this issue and made the following recommendations to the police department:

Recommendation Number One

The Board recommended that the police department immediately update its basic training material on section 5150 with readily available resources, such as training material from other police departments with recently renovated programs.

Police Department Response

Since the policy hearing, the police department has added training material from the San Jose Police Department to supplement its training material. Additionally, the police department is in the process of trying to obtain the training material used by the San Francisco Police Department.

Status of Recommendation

Completed.

¹ Section 5150 of California's Welfare and Institutions Code provides that: "When any person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer . . . may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a facility designated by the county and approved by the State Department of Mental Health as a facility for 72-hour treatment and evaluation."

Recommendation Number Two

The Board recommended that the police department 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. The Board recommended that all officers be given cellular phones for this purpose.

Police Department Response

The police department has agreed to train and inform officers of the option to telephone the John George Psychiatric Pavilion in the event that an officer is unsure as to whether a person meets the criteria of section 5150. The police department, however, is unable to provide all officers with cellular phones at this time because of budget constraints.

Status of Recommendation

To be followed up on in the future. The Board will report back to the Public Safety Committee when the training has been implemented.

Recommendation Number Three

The Board recommended that the police department immediately implement a procedure requiring officers to obtain supervisory or expert review of in-the-field decisions before making 5150 detentions.

Police Department Response

Because officers often make split-second decisions in the field, there may be situations in which an officer is unable to obtain review of his/her decision to detain an individual under section 5150. It would, therefore, be impractical and possibly unsafe to require officers to obtain supervisory or expert review of all 5150 detentions; however, in lineup and in Advanced Officer School training, OPD will reiterate that when in doubt, an officer should seek supervisory or expert review.

Status of Recommendation

Completed.

Recommendation Number Four

The Board recommended that the police department 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.

Police Department Response

In order to track the requested information, officers must first be trained to fill out their 5150 report forms with more specificity. The police department will train all officers to fill out these forms with more specificity by the end of November, 2003, through line-up training. However, once the specific information is provided, the department does not have the resources to analyze the data.

CPRB Response

Once the data is obtained, the CPRB policy analyst will analyze a sample of the data to provide the requested information to the Board and to the police department.

Status of Recommendation

To be followed up on in the future. The Board will report back to the Public Safety Committee when the training has been implemented.

Recommendation Number Five

The Board recommended that when section 5150 is initially not an issue during a police contact or stop but later becomes an issue during the contact or stop, the officer should call the Alameda Mobile Crisis Unit or announce the call on the radio so that the Mobile Crisis Unit may respond.

Police Department Response

All police calls are already announced on the radio channel that the Alameda Mobile Crisis Unit listens to.

Status of Recommendation

Completed.

Recommendation Number Six

The Board recommended that the police department 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.

Police Department Response

The police department is currently researching this issue.

Status of Recommendation

To be followed up on in the future.

Recommendation Number Seven

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.

Police Department Response

The department does not have the funds to provide its officers with 40 hours of training on 5150 issues. However, in reviewing the curriculum for the 2003-2004 Advanced Officer School, the Chief will consider adding four hours of training to the Mentally Disordered Person module. Chief Richard Word has also agreed to provide such training during roll calls.

Status of Recommendation

To be followed up on in the future. The Board will report back to the Public Safety Committee to inform it of the Chief Word's ultimate decision with regard to adding the four hours of 5150 training to the Advanced Officer School.

Recommendation Number EightBackground

In 2001, the Board received a complaint that officers had entered a complainant's home while the complainant was away. When the complainant returned to her home, she learned about the police search of her home because her neighbor told her about it.

Board Recommendation

The Board recommended that officers 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-0.3, which is entitled Legal Aspects of Searching Residences, for the purpose of implementing this recommendation.

Police Department Response

The police department has agreed to adopt this recommendation. The recommendation should be implemented by mid-November, 2003.

Status of Recommendation

To be followed up on in the future. The Board will report back to the Public Safety Committee to confirm that officers have been trained to use the "notification" form.

Board Recommendations from 2001

Recommendation Number One

Background

In 2001, five Board hearings were cancelled, three because of last minute officer unavailability.

Board Recommendation

The Board recommended that the police department revise General Order M-3 to provide clear direction to officers about their obligation to cooperate with the CPRB, including giving interviews and attending Board hearings. The General Order should specify the grounds for being relieved from compliance with the CPRB subpoena to attend a hearing, e.g., for illness or injury, and the procedures that must be followed.

Police Department Response

The police department has drafted a revised version of the General Order and has also written a Special Order on this issue. Chief Word is currently reviewing the Special Order.

Status of Recommendation

To be followed up on in the future.

Recommendation Number TwoBoard Recommendation

The police department should assign a point person to be responsible for tracking all CPRB recommendations and concerns to ensure that CPRB recommendations are reviewed in a timely manner and that appropriate action is taken to address those concerns.

Police Department Response

Police Chief Richard Word will be the point person.

Status of Recommendation

Completed.

Recommendation Number ThreeBoard Recommendation

The Chief of Police should attend Board meetings at least two times per year to discuss mutual concerns and interests.

Police Chief Response

Police Chief Richard Word has agreed to attend the Board meetings on the dates the Board reviews its Semi-Annual Report and its Annual Report.

Status of Recommendation

Completed.

Board Recommendation from 2000**Recommendation**Recommendation

The Board recommends that the City Council direct the Police Department to amend Manual of Rules 398.70 [INTERFERING WITH INTERNAL INVESTIGATIONS] to specifically include the CPRB.

Police Department Response

The change has been made.

Status of Recommendation

Completed.

CONCLUSION

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Conclusion

In conclusion, the Board and its staff continue to strive to make improvements in the CPRB processes, both internally — by increasing the number of hearings held during the year and maintaining a full complement of regular Board and staff members — and externally — by making policy recommendations to the police department and working with the department to implement those policy recommendations.

The first six months of 2003 were challenging due to vacancies on the investigative staff. In spite of these challenges, the Board continued to meet, held evidentiary hearings and reduced its backlog through administrative closures. The remaining six months in 2003 should prove even more productive with a staff of three investigators, a policy hearing on crowd control, implementation of three member panels and a Board retreat.

APPENDICES



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

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

Joyce M. Hicks
Executive Director

March 27, 2003

Citizens' Police Review Board
Oakland, CA

RE: Report from Executive Director

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


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

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

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

Very truly yours



Joyce M. Hicks
Executive Director
Citizens' Police Review Board

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PUBLIC SAFETY CMTE.

DEC 9 2003