

**CITIZENS' POLICE REVIEW BOARD
MEETING OF THURSDAY, February 5, 2009 – 6:15 P.M.
City Hall, Hearing Room #1**

I. CALL TO ORDER BY CHAIRPERSON CARA KOPOWSKI at 6:15 P.M.

II. ROLL CALL AND ATTENDANCE

Present: Chairperson Cara Kopowski
Vice Chairperson Tina Allen
Commissioner Donna Duhe
Commissioner Matthew Hudson
Commissioner Risha Jamison
Commissioner Susan Shawl

Substitute Hearing Officer, Mario Andrews / Board Counsel

Sean P. Quinlan, CPRB Interim Executive Director
Audrey Montana, CPRB Investigator
Karen Tom, CPRB Investigator
Patrick Caceres, Policy Analyst/Outreach Coordinator
Delores A. Pontiflet, Executive Assistant (Note Taker)

Excused: Commissioner Qa'id Aqeel

III. APPROVAL OF MINUTES OF January 15, 2009 MEETING

Commissioner Hudson moved to approve the minutes of January 15, 2009 meeting. Vice Chairperson Allen seconded. The **motion carried. The Board voted unanimously 6-0-0.**

IV. OPEN FORUM

Sanjiv Handa, East Bay News Service discussed six issues:

- 1) Dan Lindheim has been appointed the new City Administrator.
- 2) Dorlista Reed is the new Public Safety Coordinator
- 3) City Council requested that the Mayor do a nationwide search for a new police chief.
- 4) Councilmember's had appeared on local television stating that it is not true that the police department is reversing their civilianization policy.
- 5) Community Policing Advisory Board.
- 6) Budget will be released the first week of April.

Janet King – Native American Community spoke about a forum her group recently had with members of OPD and how inappropriate it was for the police to attend the forum wearing guns.

Banafsheh Akhlaghi – Western Regional Directory of Amnesty International spoke on the issue of Oscar Grant and the Human Rights violations in the City of Oakland, and also the City of Oakland's abuse of power. Ms Akhlaghi informed the Board that this incident is being broadcast internationally and Amnesty International is calling for the creation of an independent internal affairs division and also an independent police commission for BART and the City of Oakland.

Danny Garcia – President of National Organization of Families which advocates for families who have had loved ones shot and killed by law enforcement. Mr. Garcia asked for justice for the family of Oscar Grant. He also informed the Board that his organization filed and were denied a permit to march for the stolen lives of family members murdered by law enforcement.

Rita Akayama – March for Stolen Lives expressed her views regarding the recent shooting deaths of citizens by law enforcement and also the denial of a permit to hold a march by the Mayor's office.

Rashidah Grinage – PUEBLO asked the audience if they trusted investigations done by internal affairs.

Ms Grinage also stated that the City of Oakland spends millions of dollars each year for IAD which investigates complaints that citizens bring against police officers. It is time for a change, because internal affairs is a meaningless exercise in futility. Ms Grinage also stated that the citizens want all complaints to go to the CPRB and that IAD should be shutdown. The City needs to have an agency that is independent of the police department and that is staffed by civilians that do not work within the police department so they can have some reasonable assurance that investigations will be conducted professionally, objectively and impartially. Ms Grinage further stated that there needs to be a police commission in this City that has the power to impose discipline on officers because the CPRB does not. It is time to shut internal affairs down and give resources to the CPRB and to create a police commission.

Akili Banjo – Spoke of her uncle Casper Banjo and how he was an internationally know artists. Ms Banjo also stated that the officer who shot her uncle had an excessive force issue from another city where he worked prior to coming to Oakland. Ms. Banjo also spoke on the issue of police using non-lethal weapons.

Everdean Shurn – Sister of Casper Banjo spoke on the shooting of her brother and how her brother more than likely was having a seizure when he was approached by the police officers. She stated he had seizures since childhood.

LaVonne McIntush – Concerned citizen who spoke about being denied the permit to hold a peaceful march.

Kris Longoria – Native American Community spoke about a Forum her group recently had with members of OPD and how officers showed up wearing guns. Ms Longoria also spoke about diversity training. She asked why was it that an officer who shoots someone is placed on "paid" administrative leave. Why should the officer get paid it seems like he is being compensated?

Morning Star Gali – Spoke about Andrew Moppin and the accountability of police officers. It seems like the officers are being rewarded because they are still being paid a salary while on leave for shooting someone.

Irene Pfeffer – Grandmother of Andrew Moppin wanted to know why it took a year to obtain the police report.

Cindi Adams – Bay area Community member spoke on the subject of the police overseeing of themselves and that they will never find themselves guilty. Ms. Adams also informed the Board that had a better review panel been in place the officer who previously shot another individual would probably not have been back on the street to shoot Andrew Moppin, there needs to be better oversight in Oakland.

V. AGENDA DISCUSSION

Interim Executive Director Sean Quinlan suggested that an item regarding the civilianization of Internal Affairs be placed on the March 12, 2009 agenda for discussion.

Commissioner Shawl moved and Commissioner Hudson seconded the motion to place the Civilianization of Internal Affairs on the March 12, 2009 agenda. The Board vote was unanimous.

VI. STAFF REPORTS

Pending Cases as of 2/5/09: Interim Executive Director Sean Quinlan informed the Board that there were 66 pending complaints, 52 complaints are active CPRB complaints and 14 tolled complaints. Since the last report no new complaints have been filed.

VII. DIRECTOR'S REPORT

Interim Executive Director Quinlan informed the Board as to a follow up on the officer involved shooting statistics for 2004-2008 the CPRB has received new statistical information as outlined in Attachment #3. An adjustment should be made to include Andrew Moppin who is Native American and also to include that Casper Banjo was 71 years of age.

VIII. LETTER TO CHIEF TUCKER

Interim Executive Director Quinlan informed the Board that the mediation letter had been delivered to Chief Tucker's office. The Chief's office and the OPOA are in favor of the idea of mediation however, the Board must understand that it is strictly voluntary.

IX. TACTICAL TRAINING – Presented by Sgt. Carlos Gonzalez

Sgt. Carlos Gonzalez gave an over view of the tactical communications training that officers are taught.

X. CLOSED SESSION

Began at 8:06 p.m.

PROPOSED POLICY STATEMENT ADOPTED

Law enforcement's need for a variety of force options should be balanced with the public's demand that individuals are subdued with a minimal amount of force necessary to effect compliance. Therefore, bean bag rounds and the accompanying 12 gauge shotguns should be made available to and carried by all Oakland Police Department patrol sergeants and other designated personnel. The Oakland Police Department should make a concerted effort to train and equip all patrol sergeants and other designated personnel in the use of "Drag Stabilized Flexible Baton Rounds" (Bean bag rounds) which are fired from a 12 gauge shotgun.

Commissioner Hudson moved and Vice Chairperson Allen seconded the motion to adopt the proposed policy statement. The **Board vote was unanimous.**

The board reconvened open session at 11: 38 p.m.

4. OPEN SESSION DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION MATTERS
(None.)

5. BY MOTION AND VOTE IN OPEN SESSION BOARD PANEL ELECTS EITHER TO DISCLOSE NONCONFIDENTIAL INFORMATION OR TO DISCLOSE CONFIDENTIAL INFORMATION WHICH THE MAJORITY DEEMS TO BE IN THE PUBLIC INTEREST.

(None.)

XII. ADJOURNMENT

The Board adjourned at 11:40 p.m.