



# CITIZEN POLICE COMPLAINT COMMISSION

# 2006 and 2007 REPORTS

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# CITY OF LONG BEACH

## OFFICE OF THE CITY MANAGER

211 East Ocean Boulevard, Suite 410 • Long Beach, CA 90802 • (562) 570-6892 • FAX (562) 570-7613

CITIZEN POLICE COMPLAINT COMMISSION

April 2009

Honorable Mayor and Members of the City Council  
City of Long Beach  
333 West Ocean Boulevard, 14th Floor  
Long Beach, CA 90802

Dear Honorable Mayor and Members of the City Council:

It is my pleasure to present you with the 2006 and 2007 Citizen Police Complaint Commission (CPCC) Annual Report. Included in the report are the final statistics for the cases reviewed by the Commission within the 2006 and 2007 calendar years.

During this period, the CPCC - through public speaking engagements, participation in conferences, invitations to neighboring cities and postings on the City's website - continued to enjoy increased visibility within the City and the national community policing arena. This ongoing positive recognition speaks highly of the Commission's executive staff, Commissioners and the Commission's policies and procedures.

The Commission provides an opportunity for the public to voice complaints concerning alleged police misconduct with thorough, impartial and timely investigations. The citizens, businesses and visitors of Long Beach have a valuable resource in the CPCC.

I would like to acknowledge the Commission's executive staff and the Commission support staff from the City Clerk's Office for their diligence, awareness and dedication. On behalf of the Commission, I wish to extend my appreciation to Patrick H. West, City Manager, Suzanne Frick Assistant City Manager, and Reginald I. Harrison, Deputy City Manager, for their support, advice and guidance. To my fellow Commissioners, a special thanks for their attentiveness, passion and commitment to the CPCC.

Finally, I would like to thank the people of Long Beach for placing their trust in the members of this Commission. I truly believe the City of Long Beach is well served and a better community because of the efforts of the CPCC and those who support our mission.

Sincerely,

A handwritten signature in cursive script that reads "G. Andrew Jones".

G. Andrew Jones, Chair  
Citizen Police Complaint Commission



# Citizen Police Complaint Commissioners

2006		2007	
Ricardo Linarez <small>Vice Chair 7/05-6/06 Chair 7/06 - 6/07</small>	(District 1)	Ricardo Linarez <small>Chair 7/06-6/07</small>	(District 1)
Trina Schoonmaker	(District 2)	Trina Schoonmaker	(District 2)
Lisa Herbst	(District 3)	Lisa Herbst	(District 3)
G. Andrew Jones	(District 4)	G. Andrew Jones <small>Chair 7/07 – 6/08</small>	(District 4)
Richard Aden	(District 5)	Richard Aden	(District 5)
Lillian Parker	(District 6)	Lillian Parker, Vice <small>Vice Chair 7/06-6/07</small>	(District 6)
Coqueece King	(District 7)	Carolyn Smith Watts	(District 7)
Carolyn Smith Watts	(District 7)	Deanna Bonechea	(District 8)
Deanna Bonechea	(District 8)	Roger Holman	(District 9)
Christopher Hicks <small>Chair 7/05 – 6/06</small>	(District 9)	Andrew J. Tse <small>Vice Chair 7/07 – 6/08</small>	(At-Large)
Roger Holman <small>Appointed 7/06</small>	(District 9)	Alvin Austin	(At-Large)
Andrew J. Tse	(At-Large)	<small>Resigned 2/07</small>	
Alvin Austin	(At-Large)		

## Staff

Anitra Dempsey, Executive Director  
 William Ward, Executive Director (retired)  
 Henry Quan, Special Investigator  
 Anthony Dannan, Special Investigator  
 Alida Grace, Executive Assistant (retired)  
 Daisy Gomez, City Clerk Specialist, Minutes  
 Dina Lopez, City Clerk Specialist, Minutes

## Office of the City Manager

Patrick West, City Manager  
 Suzanne Frick, Assistant City Manager  
 Reginald I. Harrison, Deputy City Manager



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CITIZEN POLICE COMPLAINT COMMISSION

April 2009

Honorable Mayor and Members of the City Council  
City of Long Beach  
333 West Ocean Boulevard, 14th Floor  
Long Beach, CA 90802

Dear Mayor Foster and Members of the City Council:

Provided for your review is the Citizen Police Complaint Commission's (CPCC) 2006 and 2007 Annual Report. These reports detail the complaints received, investigated and closed during the 2006 and 2007 calendar years.

I would like to acknowledge the support that you have shown to the Citizen Police Complaint Commission and its duty to review allegations of police misconduct, to conduct public outreach and to make recommendations.

I thank the Commissioners who bring remarkable insight and commitment to our city. I want to acknowledge the CPCC staff members, in particular Alida Grace who retired after more than 20 years of years of service. I also want to recognize the Long Beach Police Department, especially the Internal Affairs Division, for its professionalism to our mutual goals of ensuring the best service in our communities. These reports detail decreases in actual complaints filed against Long Beach police personnel. During this period, CPCC staff implemented measures to increase customer service outreach including complaint oversight, customer service and community outreach during a time of change.

All involved with the CPCC recognize that community trust is not given; it is earned. We recognize the trust placed in us and are firm in our commitment to accountability, integrity, transparency, respect for the law and those who serve, and respect for all people.

I welcome your comments and will be available to answer questions or provide further information as requested.

Sincerely,

Anitra Dempsey  
Executive Director

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# EXECUTIVE SUMMARY

This report covers the calendar years 2006 and 2007: a period of discussion, change and accomplishment for the Citizen Police Complaint Commission (CPCC).

## MISSION

The mission of the Citizen Police Complaint Commission is to provide independent, impartial, and objective civilian oversight of the Long Beach Police Department under the authority of Sections 1150-1155 of the City Charter. Special emphasis is placed on those complaints from the public involving allegations of excessive force, false arrest, and racial and/or sexual overtones. Civilian oversight is provided by qualified members of the community who are appointed to the Commission by the Mayor and the City Council. The Commission is a fact-finding body, supported by an administrative and investigative staff that relays the Commission's findings and recommendations to the City Manager who, by Charter, makes the final determination in matters of alleged police misconduct.

The goals of the Commission include, but are not limited to, improving the demeanor of the officers toward the public and maintaining community trust in the local law enforcement agency. The Commission endeavors to accomplish these goals by maintaining an atmosphere of mutual trust and understanding between itself, the community and the Police Department.

## VALUES

Accountability, Integrity, Transparency, Respect for the law and those who serve, Respect for all people.

## FUNCTIONS

The CPCC has three primary functions:

1. Fact-finding and making recommendations relative to reported police misconduct to the City Manager. The Commission is neither an advocate for the complainants nor police officers. The CPCC is empowered to conduct hearings and, through the City Attorney's Office, may subpoena witnesses and records when necessary to facilitate the fact-finding process.
2. Representing the people of Long Beach. Individuals who prefer not to complain directly to the Police Department have the option of filing their complaint with the CPCC, which is a completely civilian organization. However, citizen complaints received directly by the Police Department are copied and sent to the Commission for review. At its discretion, the CPCC may exercise its authority to request further investigation on behalf of the complainant.
3. Oversee the investigation process, which is aimed at capturing all facts. Although CPCC investigators review allegations independent of the Police Department, the

Commission or the Executive Director will request further investigation only when the Police Department has not conducted a comprehensive case study or when new information becomes available. The Commission Staff accepts the Police Department's investigation as a basis for their independent review and evaluation. As part of this process, additional interviews of witnesses and complainants, as well as site visits, are routinely conducted by Commission staff. Whenever staff discovers new facts or data, the pertinent information is shared with the Police Department.

## CASES

The total number of cases evaluated by the CPCC has been divided into two categories. The first category enumerates those cases investigated by staff and presented to the Commission for their review. The second category consists of those complaints classified by the CPCC and the Long Beach Police Department as Non-Misconduct, or No Further Action (NFA) by the CPCC. Non-Misconduct cases are forwarded to the CPCC staff for evaluation and concurrence. The criterion for a No Further Action (NFA) classification is fully defined in the Annual Report.

## COMPLAINTS

During this reporting period, 341 complaints were filed by and were thoroughly reviewed by staff in 2006. In 2007, 285 complaints were filed and reviewed by staff. 42 cases in 2006 and 20 cases in 2007 were presented to the Commission during Executive Sessions.

In 2006, 2.8% of the allegations were Sustained; and 0.9% were Sustained in 2007. Additional findings are contained later in this report.

## COMMUNITY OUTREACH

The CPCC staff and Commissioners conduct extensive outreach to educate the community about the mission and functions of the CPCC, assess the needs and concerns of diverse communities, and make services visible and accessible to the public. In 2006 and 2007, the CPCC was represented in numerous local, state and national community forums including the White House Office of Faith-Based and Community Initiatives Round Table Conference, National Association for the Civilian Oversight of Law Enforcement (NACOLE) Conference and the Cambodian Community Police Academy. The CPCC continues to be a reliable community resource.

## CONCLUSION

In 2006 and 2007, the CPCC saw a decrease in the number of complaints filed against Long Beach police personnel. CPCC staff has seen an increase in customer service outreach. Changes have been made to more accurately document the contacts for which the CPCC assists.

## THE CITIZEN POLICE COMPLAINT COMMISSION

On April 10, 1990, the voters of the City of Long Beach approved the creation of the Citizen Police Complaint Commission by adding Sections 1150 – 1155 to the City Charter. This Amendment authorized the Commission to receive and investigate complaints of police misconduct with emphasis on allegations of *Excessive Force, False Arrest, and Racial and/or Sexual Overtones*.

The Commission's primary role is that of fact-finding and making recommendations relative to reported police misconduct to the City Manager. The Commission is neither an advocate for the complainant nor police officer. The Citizen Police Complaint Commission is empowered to conduct hearings and, through the City Attorney's Office, may subpoena witnesses and records when necessary to facilitate the fact-finding process.

The Citizen Police Complaint Commission plays a vital role in representing the people of Long Beach. Individuals who prefer not to complain directly to the Police Department have the option of filing their complaint with the Commission, which is a completely civilian organization. However, citizen complaints received directly by the Police Department are copied and sent to the Commission for review. At its discretion, the Commission may exercise its authority to request further investigation on behalf of the complainant.

The investigative process is aimed at capturing all allegation-related facts. Although Commission investigators review allegations independent of the Police Department, the Commissioners or the Executive Director will request further investigation only when the Police Department has not conducted a comprehensive case study or when new information becomes available.

The Commission staff accepts the Police Department's investigation as a basis for their independent review and evaluation. As part of this process, additional interviews of witnesses and complainants, as well as site visits, are routinely conducted by Commission staff. Whenever staff discovers new facts or data, the pertinent information is shared with the Police Department.

The Citizen Police Complaint Commission serves the community by providing an impartial viewpoint of alleged incidents and applying the "reasonable person's" standard in addressing complaints of police misconduct. The Commission makes findings-of-fact on cases brought before it and submits those findings to the City Manager. Cases heard by the Commission also receive formal review by the Police Chief's senior staff. The Police Chief's disposition of allegations, along with the Commission's findings, are presented to the City Manager for final case determination.

The Commission's findings and recommendations often provide valuable insight into the community's perception of the Police Department. This insight can assist with police personnel training and public relations. It should be noted that the Commission cannot recommend discipline or penalty.

## The Long Beach Model

Since 1990, a greater nationwide emphasis has been placed on the value of providing civilian oversight to the various law enforcement agencies. As a result, professional, non-profit organizations have been instituted to provide support to newly formed, evolving and established civilian oversight/review boards. The National Association for Civilian Oversight of Law Enforcement (NACOLE) is one of these organizations.

NACOLE identifies three distinct models used most frequently by the various boards.

- The first system is described as an **Independent, Investigative** model. This style investigates complaints and, based on the findings, makes recommendations regarding discipline and policy.
- The second system is identified as being a **Monitoring** model. This process reviews the investigations completed by the Police Department's Internal Affairs Division and simply makes findings based on agreement or disagreement with the Internal Affairs investigation. This model may ask for further investigation.
- The third system is described as an **Auditor/Ombudsman** model, having the power to compel evidence. This process reviews Internal Affairs investigations, conducts its own investigations, and conducts investigations not generated by complaints.

The model used by the City of Long Beach varies from the three basic models and has been specifically identified as being a **Hybrid** model. The Long Beach Hybrid process reviews investigations completed by the Long Beach Police Department's Internal Affairs Division and, when the need arises, initiates audits and may conduct additional investigations. The Long Beach CPCC determines findings based on the results of the investigation, but does not recommend discipline.



As the Citizen Police Complaint Commission's system evolves, many community-policing agencies recognize Long Beach as one of the best combinations of all working models. Two California communities, Riverside and Claremont, have adopted the Long Beach model for their review board.

During this reporting period, the following cities/organizations contacted CPCC staff requesting information on the structure and function of the Commission: Inglewood, CA; Burbank, CA; Berkley, CA; Riverside, CA; San Jose, CA; Austin, TX; Miami, FL; the City

of San Diego Harbor Police Department; the Orange County Board of Supervisors; the Fresno County Grand Jury and the ACLU.

To assist these cities with establishing civilian oversight in their communities, the CPCC provided background information, copies of annual reports and in some cases, copies of the Long Beach City Charter that established the CPCC.

### **Goals and Objectives**

From its inception, the long-range goal of the Citizen Police Complaint Commission has been the restoration and maintenance of public trust in its community law enforcement agency. Additionally, the demeanor of police officers, and their interactions with the public is also important to the CPCC. The Commission believes that if it can assure that police officers take appropriate action while interacting with the public, the community will more readily support the police. When the public supports the police, they become personally involved in the law enforcement effort and contribute to crime reduction within the City. A proven benefit of both goals is that cities with low crime rates improve the quality of community life, retain long-term residents, attract new businesses and encourage tourism.

The Commissioners and staff believe the “reasonable person’s standard,” by which the Commission operates, is helping police employees and complainants have a more favorable understanding of Police Department actions. Additionally, this standard is used to ensure that police conduct is appropriate and acceptable, thus diminishing the public’s need to file complaints of misconduct. The desired result is to encourage understanding and harmony between the community and law enforcement. The CPCC has and will continue to strive for preservation of community trust in its law enforcement agency by assuring fairness and accountability.

### **Reports**

Commission meetings are conducted monthly during the calendar year. This schedule enables the Citizen Police Complaint Commission to receive, investigate, deliberate, and make findings regarding a public complaint of police misconduct in a timely manner.

By monitoring complaints and allegations, the Executive Director reports obvious and developing trends related to police misconduct and public perception to the City Manager. As they emerge, these patterns may indicate an increase in specific allegations based on public perception, media attention and/or incidents occurring locally or nationally. This reporting procedure is necessary to assist with police officer review and to assess individual and department training needs.

### **Case Tracking**

The Citizen Police Complaint Commission maintains an ever-evolving database that stores case information on complainants. The tracking system includes details of alleged incidents and the nature of the allegations. Initial incident information is updated as cases progress through the complaint process to their conclusion.

Additionally in mid-2007, the CPCC began to document contacts from community members that do not rise to the level of a complaint.

### **Relationship with Staff and Others**

The Commissioners enjoy an excellent relationship with Commission staff, the Deputy City Manager and the City Manager. The CPCC staff is committed to supporting the Commissioners in every aspect of their responsibilities. Staff provides insight and background to assist the Commissioners in reaching fair and impartial case findings. The staff does not make recommendations of findings or exercise influence over the Commissioners.



### **Selection and Training**

Each year, several CPCC seats become vacant, creating an opportunity for new community members to participate as Commissioners. Effective and meaningful CPCC service begins by ensuring that the Commissioners are prepared to perform their duties and providing ongoing training.

Appointed Commissioners submit their fingerprints and a background investigation is completed. Upon being cleared, the Commissioners receive an orientation from the Executive Director who meets with them individually for approximately three hours on their role and to equip them with the information they will need to perform their duties. Topics include: CPCC By-Laws, Policies and Procedures, Allegation Codes, Use of Force, Police Officer Bill of Rights, Long Beach Police Department Training Bulletins and Officer Involved Shootings.



Ongoing training is an important part of the CPCC function. Because many Commissioners arrive with little background in police operations, the Executive Director and the Internal Affairs Commander arrange an all-day training at the Long Beach Police Academy. In condensed format, the Commissioners have an opportunity to learn about critical decision-making, the legalities and mechanics of making arrests, escalation and de-escalation of force, and proper search techniques.

These training days include practical scenarios where Commissioners assume the role of an officer handling a police call for service. Equipped with simulated weapons that operate like real weapons, Commissioners make critical “shoot,” or “don’t shoot” decisions. Also, Commissioners are required to go on a police “ride-a-long” every two years to experience the perspectives of the patrol officers activities.

Additionally, subject matter experts are routinely invited to the open and/or executive sessions to provide information. During this reporting period, topics included: racial profiling, mental health evaluation, and the Long Beach Police Department's complaint in-take process.

### **Investigative Process**

Although the Commission officially implemented its operational system in 1991, it was not until 1992 that a consistent method of collecting and analyzing data was put into practice. In 1994, the Commission refined its policy to exclude complaints that were invalid and/or were complaints of police service (non-disciplinary), which were not violations of Police Department policy. These complaints, collectively, are classified as No Further Action (NFA).



As a part of the policy change, the Commission delegated authority to the Executive Director to initially screen new complaints. This expedited the preliminary review process and reduced time spent on frivolous and intentionally misleading complaints of misconduct. The need to redefine the policy was based on a number of complaints that had no merit. Additionally, complaints deemed to have “judicial review,” such as traffic and parking citations, are not taken unless there are extenuating circumstances.

In 1996, the Commission staff computerized the complaint tracking process to accurately reflect data available for analysis. The CPCC database provides the statistics and information used for annual analysis and year-to-year comparisons. The stored data is consistent with Commission findings. The most current five-year period of statistics are reflected in this annual report.

## THE COMMUNITY

### Outreach

The CPCC has made an effort to reach the Long Beach community through newspaper, cable television, non-profit, government, faith-based and various professional and cultural organizations. It is not possible to quantify the number of people reached via these venues. However, each contact results in phone calls or requests for clarification of procedures or additional information.



CPCC staff has participated in several community informational forums including: The White House Office of Faith-Based and Community Initiatives Round Table Conference, National Association of the Civilian Oversight of Law Enforcement (NACOLE), National Association for the Advancement of Colored People (NAACP), the City of Long Beach Human Relations Commission, the Youth and Gang Violence Prevention Task Force, Human Dignity Program Community Assistance Team training, CSULB Center for Ethical Leadership Forum, Westside Community Association meeting, Midnight Basketball, and the Cambodian Community Police Academy.

In these forums, CPCC staff provided an overview of the Long Beach citizen police complaint process and discussed the procedure of filling out the complaint form with emphasis on being specific and factual with regard to an allegation of misconduct. The CPCC staff provided scenarios concerning the various types of stops police officers might make. The CPCC staff also discussed the “do’s and don’ts” when detained by law enforcement and supplemented the information with hand-out materials. The CPCC believes that sharing information will foster better police community relations and reduce conflict.



The Commission staff and Commissioners represented the CPCC at community events such as the Veteran’s Day Parade, and the Cambodian New Year’s Parade, the Martin Luther King, Jr. Parade. Commission staff maintains a keen awareness of the many ethnicities that exist in the community and the subtle cultural perceptions that could influence police community relations.

## Customer Service and Community Relations

CPCC staff recognizes that, while many contacts do not warrant a formal complaint, it is important to employ comprehensive problem solving as a priority customer service strategy, including referral to another City department or social service agency if the concern is not police-related. In addition to reviewing and evaluating each complaint and all allegations received, CPCC staff implemented a new procedure to track customer contacts that do not rise to the level of a formal complaint.

Staff observed that while the official number of complaints declined, the request for assistance and the time spent to resolve a problem, make a recommendation or refer the caller to another department or agency was constant. However, this information was not consistently captured. Therefore in mid-2007, staff designed an "internal public assistance form" and implemented a new procedure to document the contacts for assistance and the time spent with each person. The contacts include phone calls, walk-ins and requests written by letter or email. In 2006 and 2007, there were 220 documented contacts that did not rise to the level of a complaint. The average number of minutes spent on each contact was 40 minutes.



CPCC staff also enhanced its communication with the community by changing the NFA letter to more clearly explain the specific reason a complaint was categorized as NFA.

## Meetings

The Commission met eight times in public session during 2006 and ten times in public session in 2007. By Commission policy, these meetings were convened in the City Council Chambers at 6:30 p.m. on the second Thursday of each month unless a special training had been arranged. The public was welcome to participate in these sessions. As a matter of routine, the complaining person or persons are notified approximately one week in advance by mail or telephone of the date, time and location their case is to be heard by the Commission. This gives the complaining party an opportunity to address the Commission and to answer whatever questions the Commissioners might have.

On October 28, 2006, the Commission convened for an all-day training session at the Police Academy. Training was provided by Academy staff and supplemented with an address by Chief Batts, who shared his goals and expectations while discussing the various aspects of training each officer is responsible for knowing. Chief Batts' address and candor was very well-received by all who attended. The Commissioners were very

impressed with the training provided and professionalism of the Academy staff and later wrote them letters of commendation.

Each month after general business was completed, the Commission entered into Executive or Closed Session to discuss specific details of allegations appearing on that meeting's agenda. Following discussion, the Commissioners voted to determine appropriate findings for each case. Executive Session is confidential and the public cannot attend or participate.

Commissioners also had a special study session and toured the City's jail on February 8, 2007.

### **Budget**

The CPCC budget for fiscal year 2006 was \$359,103. The CPCC budget for fiscal year 2007 was \$368,139. Both reflect the costs of personal, non-personal and inter-department items.

### **Hearings and Investigations**

To date, the Commission has not found it necessary to hold a formal hearing where the subpoena or testimony of witnesses was required. The current review process makes formal hearings unnecessary at this time. However, future hearings may be held if an incident having significant public impact occurs. The effectiveness of the hearing process in obtaining facts will remain unknown until such an incident occurs. The police action review process has been cost-effective in obtaining the facts regarding allegations brought before the Commission.

## RELATIONSHIP WITH THE LONG BEACH POLICE DEPARTMENT

### Cooperation Starts at the Top

Under Chief Batts' leadership, the Long Beach Police Department continued to work closely with the CPCC. Chief Batts continued to foster a better understanding between the CPCC and the Long Beach Police Department by permitting ride-alongs for the Commissioners and Commission staff, encouraging open communication with the Police Department's Internal Affairs Division and developing training relative to police procedures and policy. Chief Batts continued to meet with Commission members on an informal basis to discuss issues of mutual concern. These meetings were limited in number of participants so as not to establish a quorum. This spirit of cooperation has continued to help improve police community relations.



### Interaction with the Police Department

The Commissioners commend Chief Batts for allowing them the opportunity to suggest recommendations that may be in conflict with current policy, and for accepting that information in good faith. The Commissioners are fully aware that they do not have the authority to formulate or dictate Police Department policy, as that is the responsibility of the Chief of Police. However, the Commissioners would be remiss if they did not inform the Chief of observations they have made which could assist the Chief in improving the performance of the Department while enhancing the philosophy and concept of community policing.



### Relationship With the Long Beach Police Officer's Association

The Commission and staff have developed and continue to maintain a cooperative relationship with the Long Beach Police Officers' Association. The Police Officers' Association presidents have addressed the Commission and provided insight regarding their role during the Internal Affairs investigative process. Their dialogue has been very informative and productive.

The *Early Warning System* of the Long Beach Police Department tracks those officers receiving a high number of misconduct complaints to determine if the officers are “off track.” Retraining and counseling are tailored to meet the personal needs of these individual officers. The Department closely monitors their progress and evaluates the results. The CPCC is notified, in writing, when the training or corrective action has been completed. The Notice of Completed Training is then placed in the investigative case package maintained by the CPCC.

## 2006 – 2007 ALLEGATIONS AND FINDINGS

Under the authority of Sections 1150-1155 of the City Charter, special emphasis is placed on those complaints from the public involving allegations of **excessive force**, **false arrest**, and **racial and/or sexual overtones**.

The Commission has no control over the number of complaints it receives during a reporting period. Since complaints can be received by phone, mail, in-person visits, via the City's web site or submitted by Internal Affairs, the Commission staff acts on the complaints as they are received. A number of factors contribute to the increase/decrease in the number of citizen complaints, including public awareness of the Commission and its function, perception of police conduct toward the public, media focus and current community issues. The intent of this report is not to make hypothetical conclusions, but to present the statistics as they are compiled and supported by available facts. Therefore, the fluctuation for year-to-year actual total caseload is a result of many factors, none of which are supported by information calculated and tracked by the Commission.

The total number of citizen complaints decreased from 341 in 2006 to 285 in 2007, representing a 16.42% decrease. The total number of allegations decreased from 705 in 2006 to 640 in 2007. The total number of cases presented to the Commission was 42 in 2006 and 20 in 2007. Factors affecting the cases reviewed by the Commission included fewer overall citizen complaints filed.

**Decreases** were noted in the following allegation categories:

- **Use of Force**, declined from 160 in 2006 to 140 in 2007, representing a 12.5% decrease.
- **Sexual Remark/Sexual Misconduct** decreased from four allegations in 2006 to one allegation in 2007, representing a 75% decrease.
- **Discourtesy** decreased from 60 allegations in 2006 to 44 allegations in 2007, representing a 26.66% decrease.
- **Unbecoming Conduct** decreased from 155 allegations in 2006 to 122 allegations in 2007, representing a 20.64% decrease.

Two categories, Gender Bias and Verbal Harassment, received no complaints in 2007.

- **Gender Bias** decreased from two allegations in 2006 to no allegations in 2007, representing a 100% decrease.
- **Verbal Harassment** decreased from one allegation in 2006 to no allegations in 2007, representing a 100% decrease.

**Increases** were noted in the following allegation categories:

- **Failure to Investigate** increased from 13 allegations in 2006 to 23 allegations in 2007, representing a 76.92% increase.
- **Failure to Care for Property** increased from 17 allegations in 2006 to 23 allegations in 2007, representing a 35.92% increase.
- **Improper Arrest** increased from 20 allegations in 2006 to 22 allegations in 2007, representing a 10% increase.
- **Improper Detention** increased from 25 allegations in 2006 to 35 allegations in 2007, representing a 40% increase.
- **Improper Entry** increased from five allegations in 2006 to seven allegations in 2007, representing a 40% increase.
- Overall **Race-Related allegations** (including racial bias, racial profiling and racial remark) increased from 19 allegations in 2006 to 28 allegations in 2007, representing a 67.85% increase.
- **Profanity increased** from 36 allegations in 2006 to 44 allegations in 2007, representing a 22.22% increase.

The following represents the Commission's findings in **2006**, during which time **705 allegations** were reviewed:

Finding	Total	% of Total
Exonerated	16	2.3
No Further Action	624	88.5
Not Sustained	21	3.0
Other/Training	6	0.9
Pending/Preliminary	2	0.3
Received and Filed	2	0.3
Sustained	20	2.8
Unfounded	14	2.0

The following represents the Commission's findings in **2007**, during which time **640 allegations** were reviewed:

Finding	Total	% of Total
Exonerated	22	3.4
No Further Action	530	82.8
Not Sustained	24	3.8
Other/Training	24	3.8
Pending/Preliminary	8	1.3
Sustained	6	0.9
Unfounded	26	4.0

The following represents a five-year complaint trend.

<u>Reporting Year</u>	<u>Number of Investigated Complaints</u>	<u>+/- to Prior Year</u>
2003	406	-5.0%
2004	269	-33.7%
2005	365	+35.6%
2006	341	-6.57%
2007	285	-16.42%

A statistical review of the complaints filed by race\* in 2006 and 2007 are listed below. The percentage shown reflects the proportion of the total complaints for the listed year.

<b>Race</b>	<b>2006</b>	<b>2007</b>
American Indian	1 (0.3%)	2 (0.7%)
Black	149 (42.7%)	120 (41%)
Hispanic	58 (16.6%)	50 (17.1%)
Other (non Asian)	3 (0.9%)	4 (1.4%)
Other (Asian)	11 (3.2%)	5 (1.7)
Pacific Islander	3 (0.9)	2 (0.7)
Unknown	22 (6.3)	11 (3.8)
White	102 (29.2)	96 (32.8)

The Commissioners have noted that a disproportionate number of complaints were from African-Americans. While African-Americans represent only 14.5% of the Long Beach population, the total percentage of complaints by this group amounts to 41% percent of all the complaints received. There were no unusual situations or incidents to explain why there is a trend with regard to there being more complaints by African-Americans.

\*In some cases, there are more than one complainant.

### **Observations and Recommendations**

The major objective for the future continues to be to establish, preserve and encourage an atmosphere of positive police community relations that will strive for fair treatment in all aspects of law enforcement within Long Beach. Maintaining this standard will provide the ideal environment for improved quality of life and increased tourism.

During this reporting period, the Commission observed that the number of complaints declined throughout the past three consecutive years. However, the impact of perceived police misconduct on the complainants and the overall community remains an area of concern. The Commission has considered ways of strengthening the complaint process to meet the public's expectation while maintaining adherence to the laws that protect police officers.

## STATISTICAL COMPARISONS

### COMPLAINTS (CASES) FILED 2003 – 2007

<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
406	269	365	341	285

### COMPLAINT SOURCES 2003 – 2007

<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
<b>CPCC</b> 54	<b>CPCC</b> 38	<b>CPCC</b> 48	<b>CPCC</b> 36	<b>CPCC</b> 41
<b>LBPB</b> 352	<b>LBPB</b> 231	<b>LBPB</b> 317	<b>LBPB</b> 305	<b>LBPB</b> 244

### ALLEGATIONS OF MISCONDUCT 2003 – 2007

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
<b>Use of Force</b>	218	174	170	160	141
<b>Unprofessional Conduct</b>	431	331	407	339	300
<b>Imp. Searches &amp; False Arrest</b>	49	23	22	29	25
<b>Neglect of Duty</b>	258	160	207	177	174

# STATISTICAL INFORMATION FOR 2006 ONLY

## ARREST / INJURED REPORT

Arrested and Injured	16.38%
Arrested but NOT Injured	14.12%
NOT Arrested but Injured	10.17%
NOT Arrested and NOT Injured	59.32%
<b>TOTAL</b>	<b>100.00%</b>

## PERCENT OF ALL COMPLAINTS FILED BY ETHNICITY\*

• African Americans	43%
• American Indian	.3%
• Asians	3%
• Hispanic	17%
• Other (non Asian)	.9%
• Pacific Islander	.9%
• Unknown	6%
• White	29%

**TOTAL 100.00%**

**\*Percentages are rounded.**

# STATISTICAL INFORMATION FOR 2007 ONLY

## ARREST / INJURED REPORT

Arrested and Injured	16.72%
Arrested but NOT Injured	11.71%
NOT Arrested but Injured	11.71%
NOT Arrested and NOT Injured	59.87%
<b>TOTAL</b>	<b>100.00%</b>

## PERCENT OF ALL COMPLAINTS FILED BY ETHNICITY\*

- African Americans 41%
- American Indian .7%
- Asians 2%
- Hispanic 17%
- Other (non Asian) 1%
- Pacific Islander .7%
- Unknown 4%
- White 33%

**TOTAL 100.00%**

**\*Percentages are rounded.**

## TOTAL ALLEGATIONS INVESTIGATED IN 2006 – 705

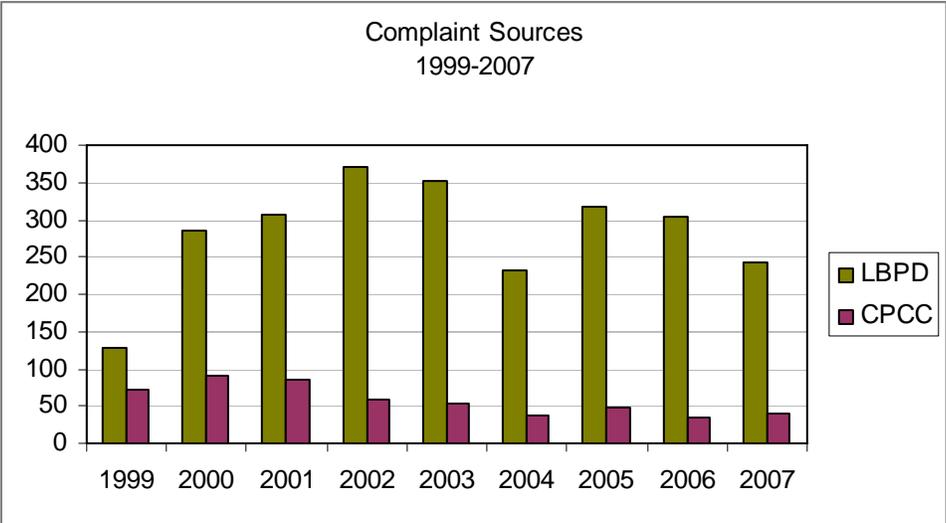
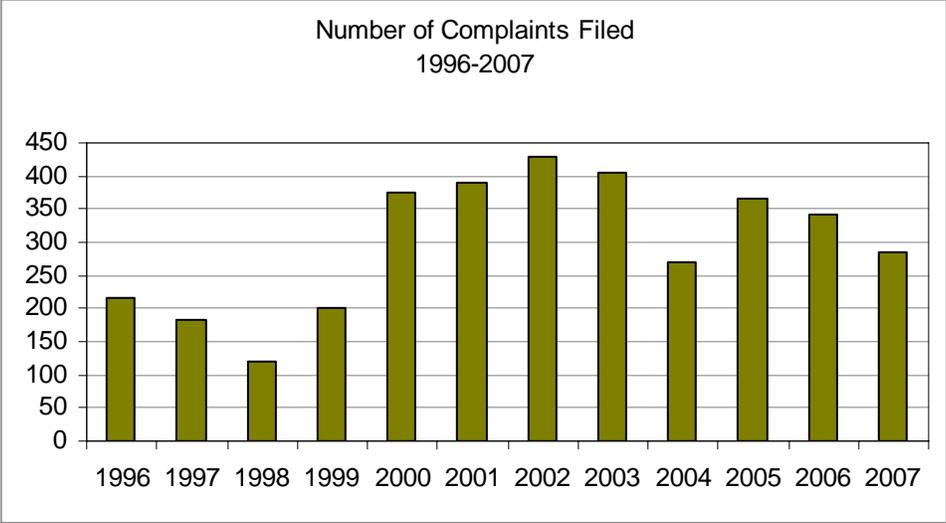
<u>Categories</u>	<u>*NOA</u>	<u>Percentage of Total</u>
Discourtesy	60	8.5%
Discourteous Remark	24	3.4%
Dishonesty	0	0.0%
Failure to Investigate	13	1.8%
Failure to Care for Property	17	2.4%
Failure to Take Action	52	7.4%
Failure to Take Report	18	2.6%
Gender Bias	2	.3%
Harassment	12	1.7%
Harassment / Sexual	0	0.0%
Harassment / Verbal	1	0.1%
Improper Arrests	20	2.8%
Improper Detention	25	3.5%
Improper Entry	5	0.7%
Improper Search / Personal	9	1.3%
Improper Search / Residential	11	1.6%
Improper Search / Vehicle	9	1.3%
Improper Remark	4	0.6%
Improper Use of Force	160	22.7%
Intimidation	13	1.8%
Misuse of Authority	23	3.3%
Misappropriation of Property	4	0.6%
Profanity	36	5.1%
Racial Bias	7	1.0%
Racial Profiling	6	0.9%
Racial Remark	6	0.9%
Sexual Misconduct	4	0.6%
Sexual Remark	0	0.0%
Unbecoming Conduct	155	22.0%
Unauthorized Tactics	9	1.3%
<b>*NOA = Number of allegations filed</b>	<b>TOTALS</b>	<b>705</b>
		<b>100.00%</b>

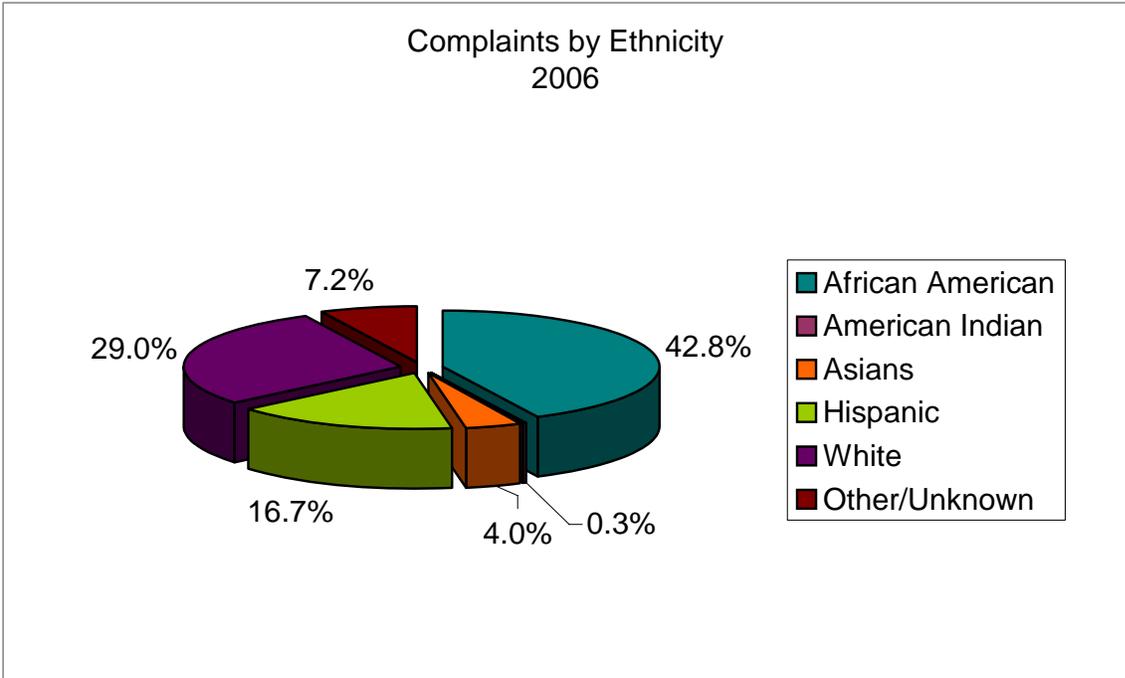
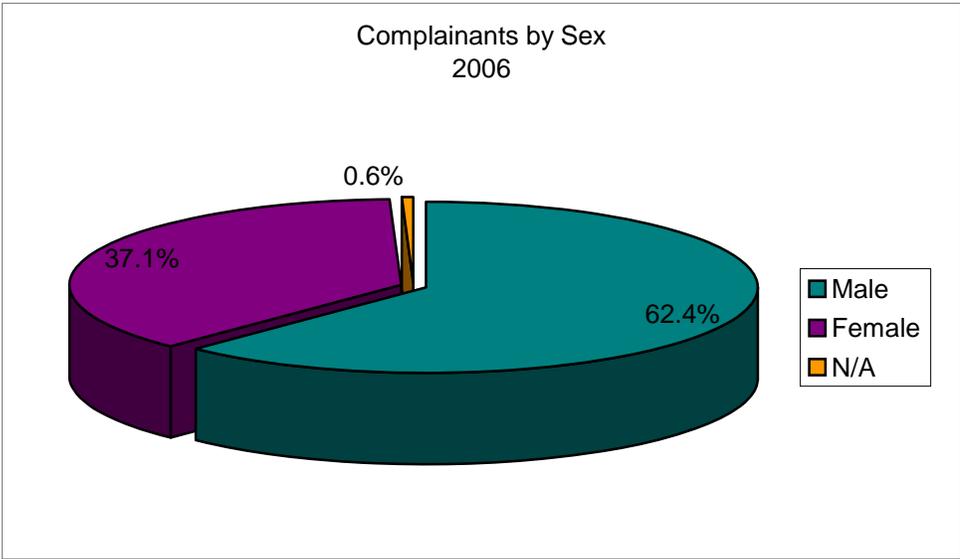
**TOTAL ALLEGATIONS INVESTIGATED IN 2007 – 640**

<u>Categories</u>	<u>*NOA</u>	<u>Percentage of Total</u>
Discourtesy	44	6.9%
Discourteous Remark	19	3.0%
Dishonesty	5	0.8%
Failure to Investigate	23	3.6%
Failure to Care for Property	24	3.8%
Failure to Take Action	28	4.4%
Failure to Take Report	19	3.0%
Gender Bias	0	0.0%
Harassment	8	1.3%
Harassment / Sexual	1	0.2%
Harassment / Verbal	0	0.0%
Improper Arrests	22	3.4%
Improper Detention	35	5.5%
Improper Entry	7	1.1%
Improper Search / Personal	13	2.0%
Improper Search / Residential	6	0.9%
Improper Search / Vehicle	6	0.9%
Improper Remark	10	1.6%
Improper Use of Force	141	22.0%
Intimidation	11	1.7%
Misuse of Authority	11	1.7%
Misappropriation of Property	5	0.8%
Pending	1	0.2%
Profanity	45	7.0%
Racial Bias	5	0.8%
Racial Profiling	13	2.0%
Racial Remark	10	1.6%
Sexual Misconduct	0	0.0%
Sexual Remark	1	0.2%
Unbecoming Conduct	122	19.1%
Unauthorized Tactics	5	0.8%
*NOA = Number of allegations filed	<b>TOTALS 640</b>	<b>100.00%</b>

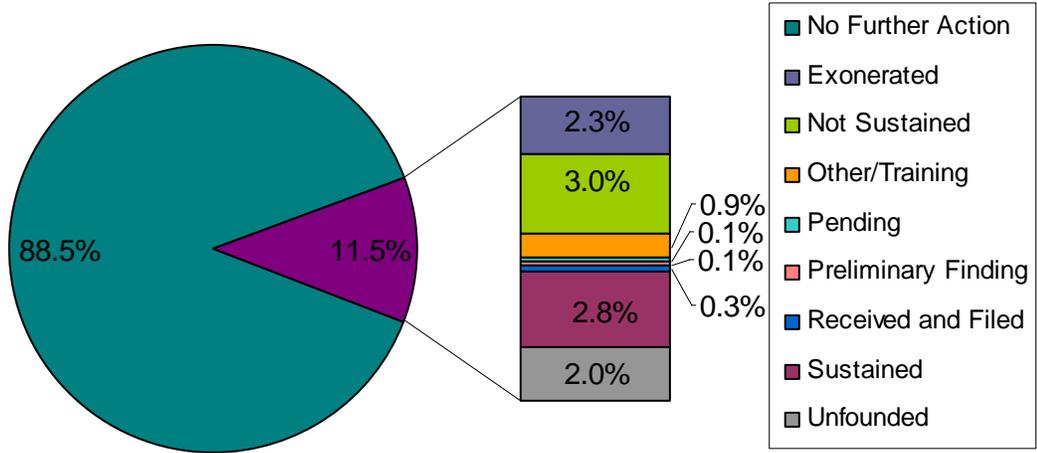
## **Conclusion**

The CPCC is proud to perform civilian oversight in Long Beach. It is through a cooperative relationship with the Long Beach Police Department and collaborative members of the community that the benefits of civilian oversight are fully achieved.

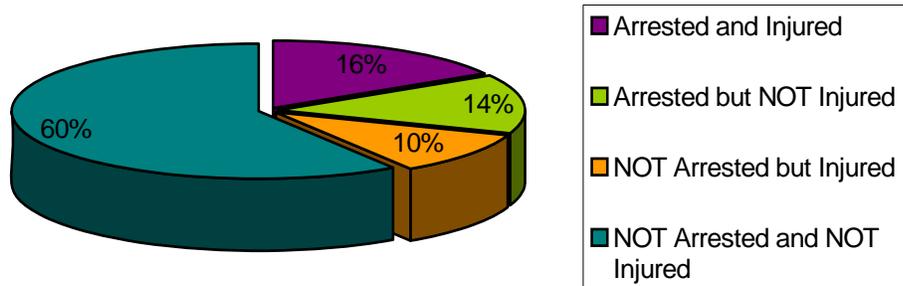


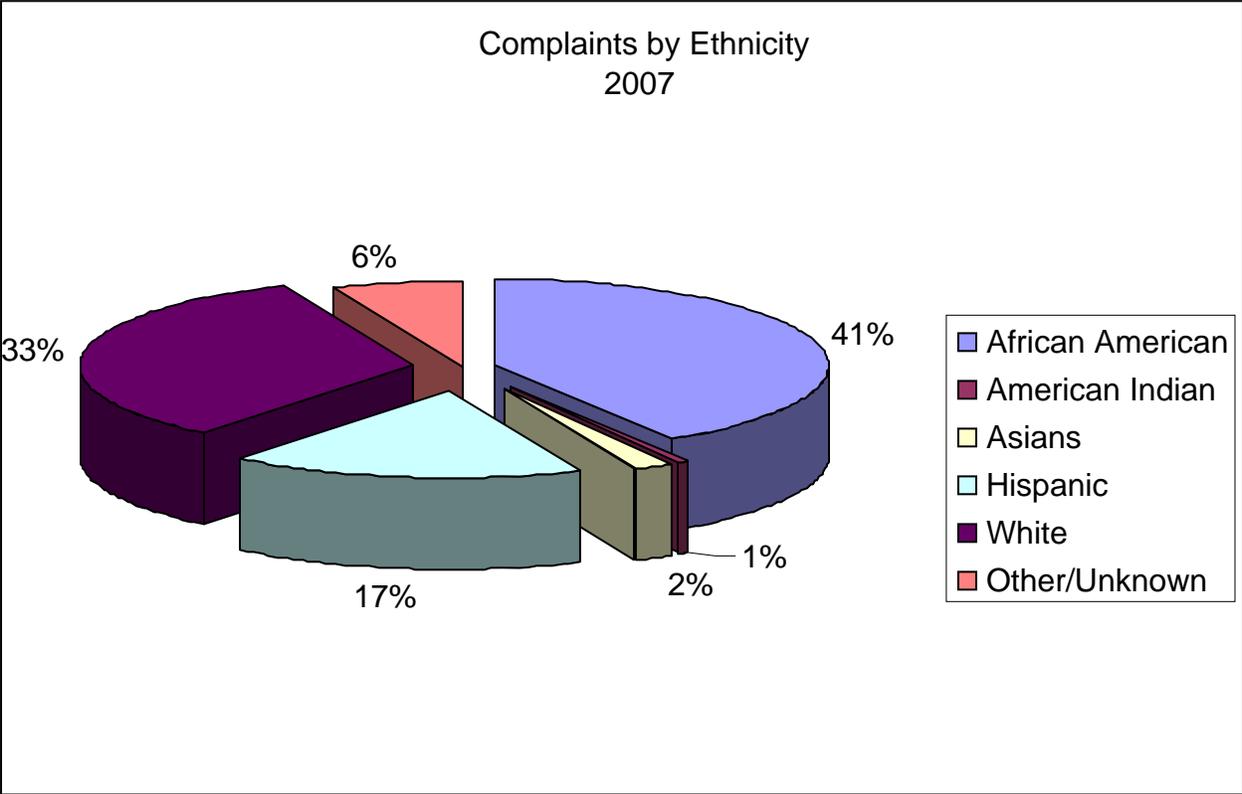
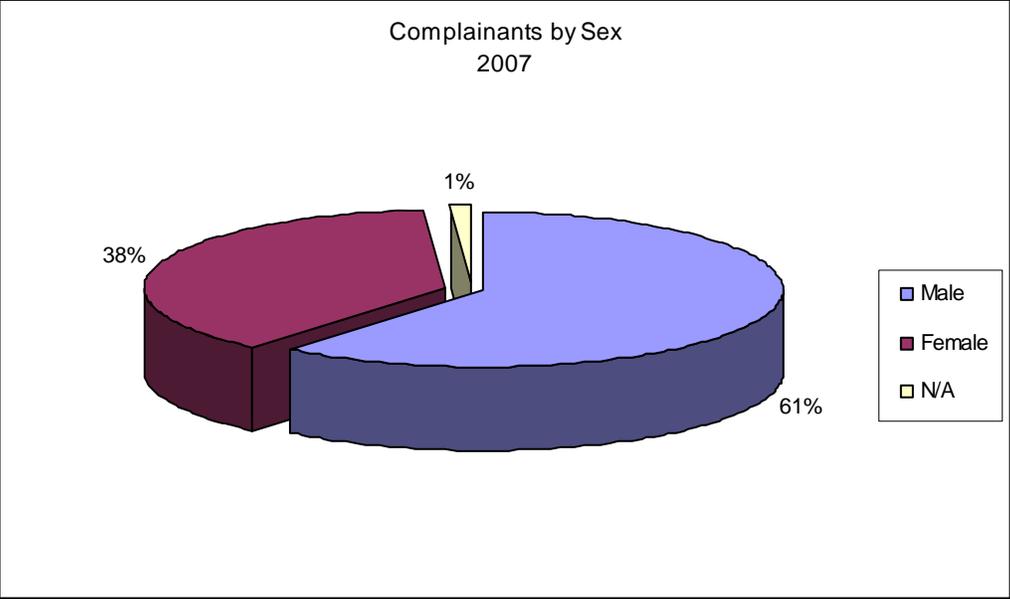


Findings for Allegations  
2006

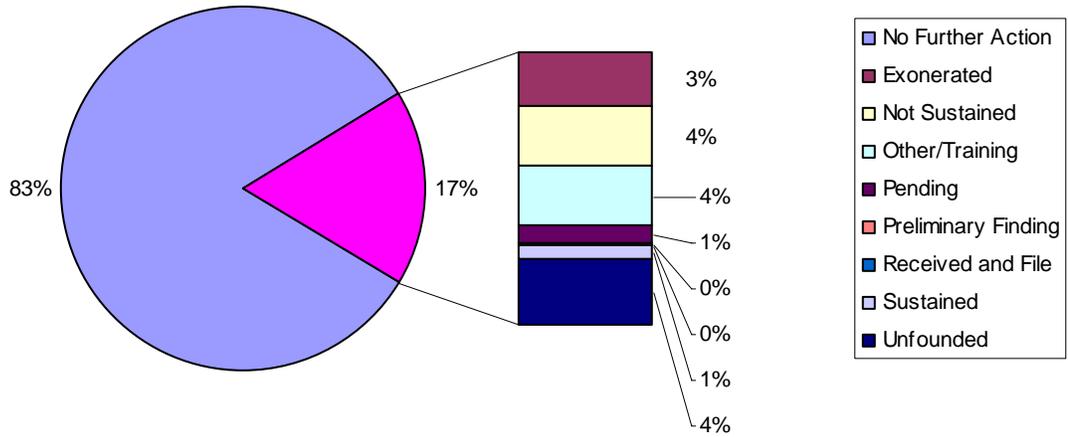


Arrested / Injured Report  
2006

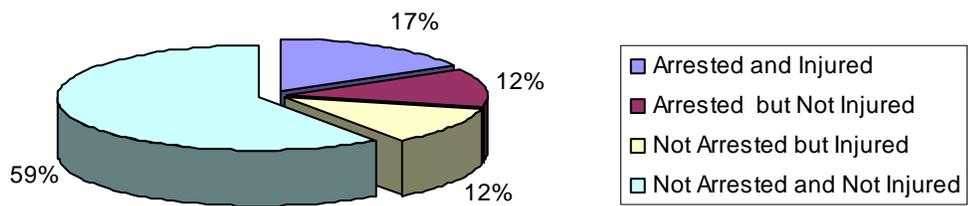




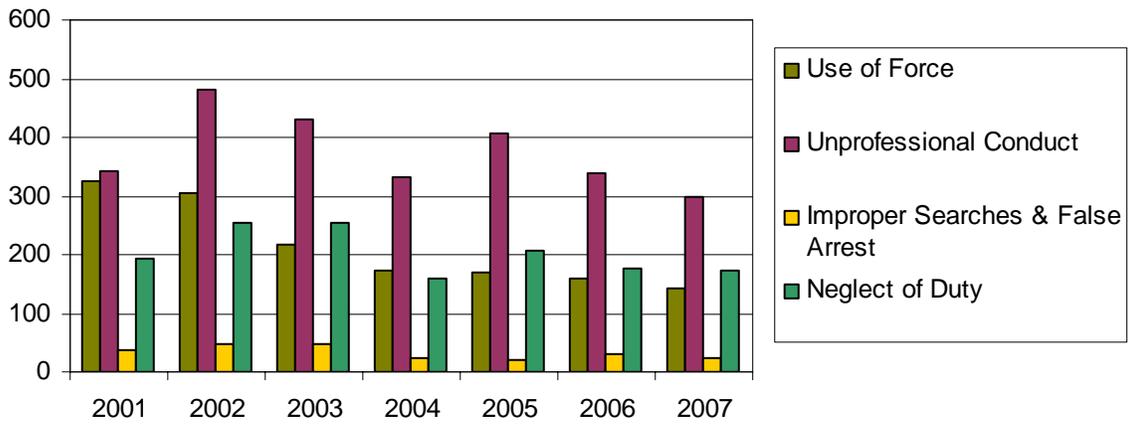
Findings for Allegations  
2007



Arrested/ Injured Report  
2007



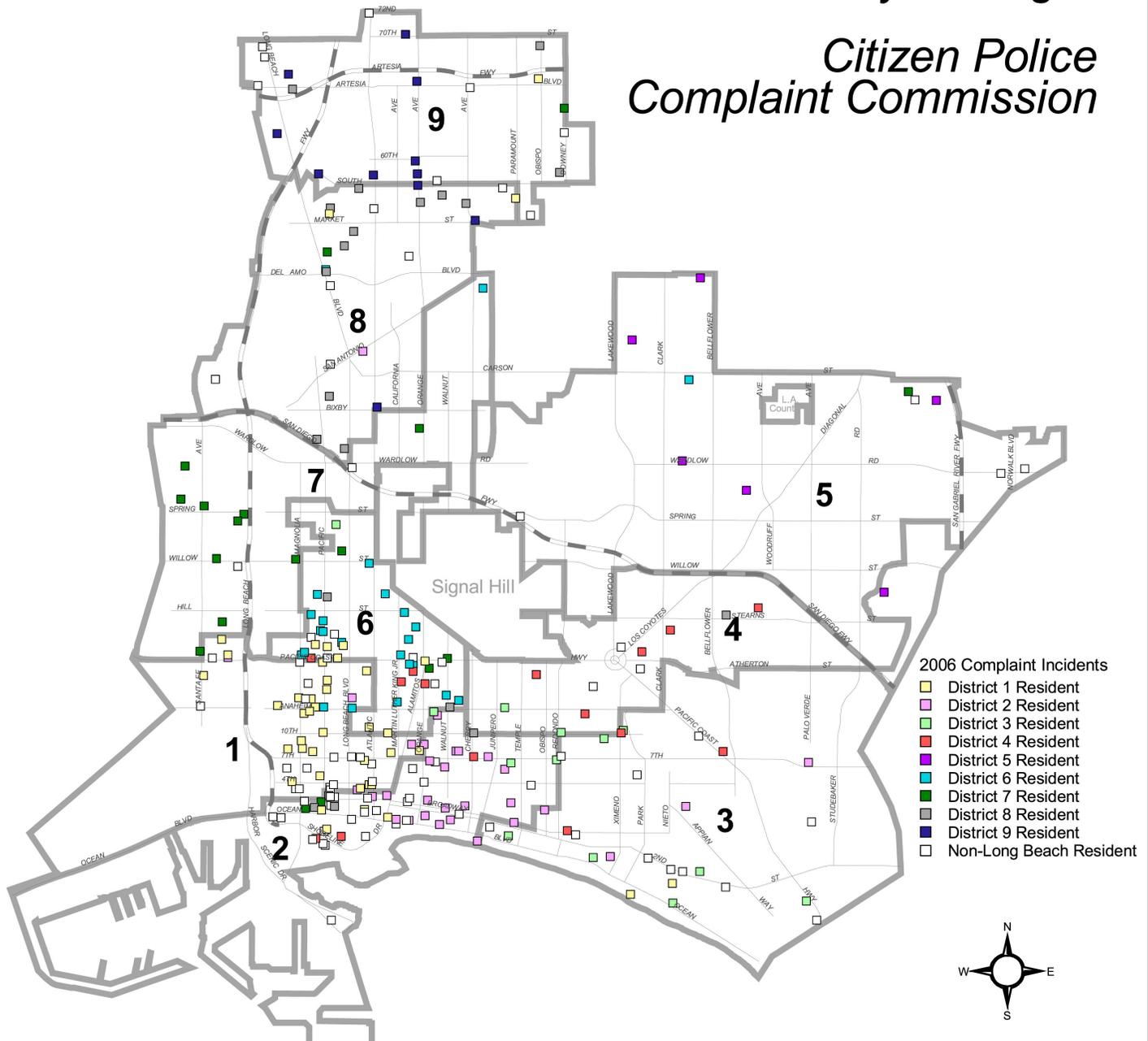
### Allegations of Misconduct



# City of Long Beach

## Office of the City Manager

### Citizen Police Complaint Commission



Ethnicity of 2006 Complainants by Incident Council District

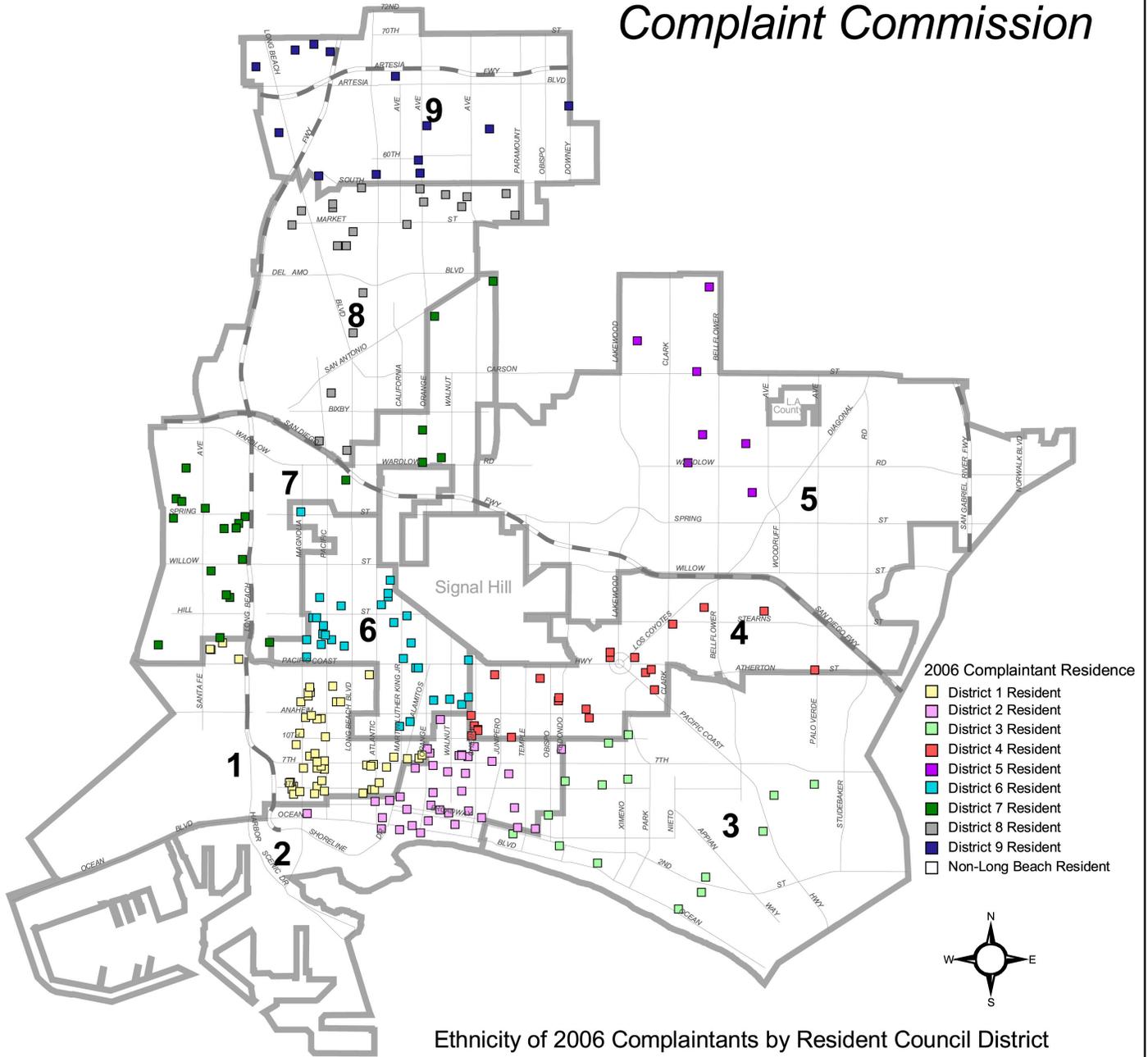
Race_group	CD1	CD2	CD3	CD4	CD5	CD6	CD7	CD8	CD9	Other
American Indian	0	0	0	0	0	0	1	0	0	0
Asian	4	10	1	0	0	1	0	0	33	4
Black	48	73	12	7	5	47	11	22	2	30
Hispanic	40	30	2	4	6	10	17	7	0	6
Unknown	7	8	1	1	0	4	0	3	4	7
White	16	84	30	29	19	7	2	11	5	11
Other	3	8	5	0	0	1	0	0	0	0
Pacific Islander	0	0	1	0	0	3	0	1	0	0
Total	118	213	52	41	30	73	31	44	44	58



# City of Long Beach

## Office of the City Manager

### Citizen Police Complaint Commission



Ethnicity of 2006 Complainants by Resident Council District

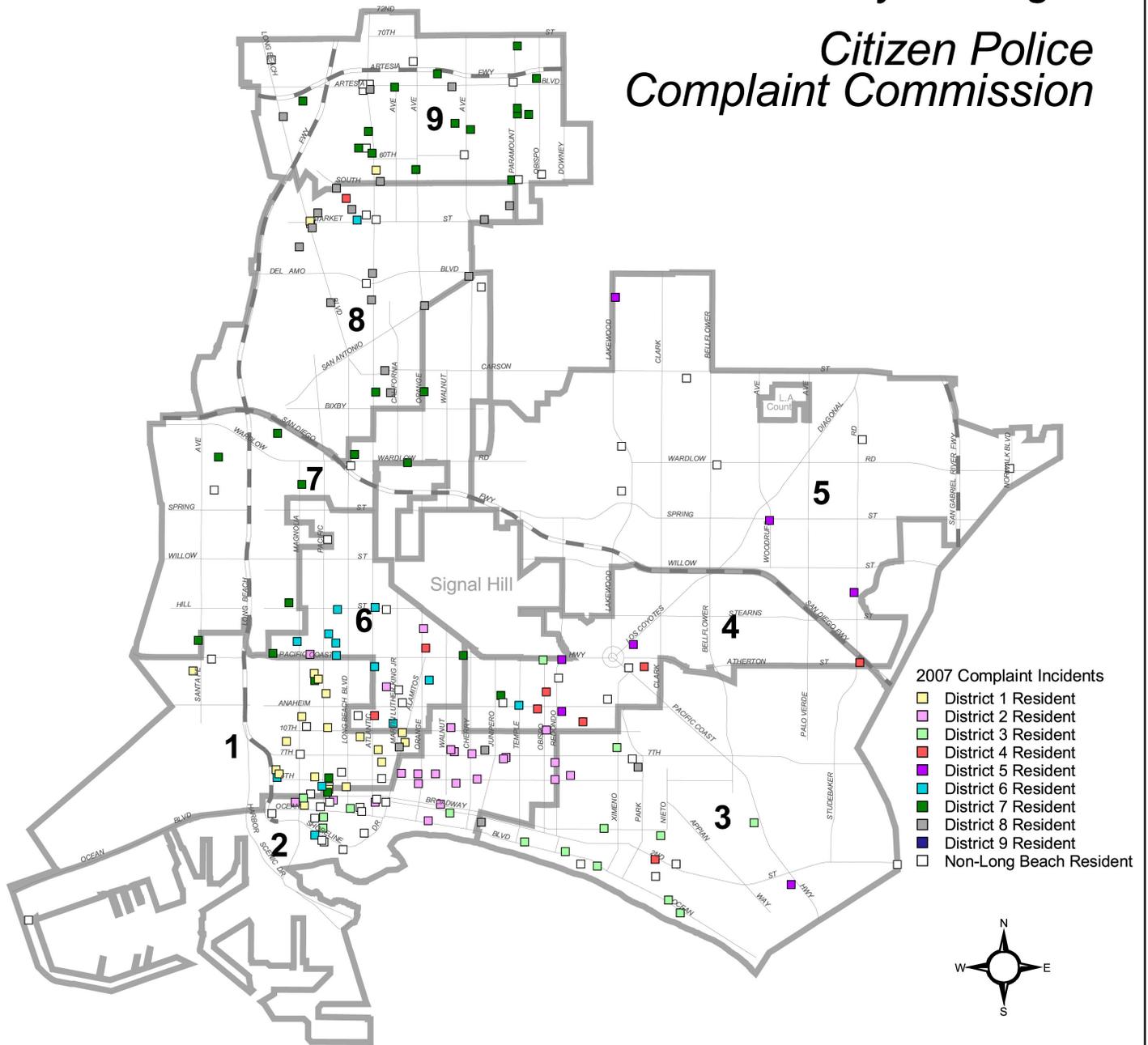
Race group	CD1	CD2	CD3	CD4	CD5	CD6	CD7	CD8	CD9	Other
American Indian	0	0	0	0	0	0	1	0	0	0
Asian	0	2	4	0	0	2	0	0	0	12
Black	45	30	2	16	0	38	13	19	21	104
Hispanic	28	7	0	5	4	8	30	7	0	35
Unknown	0	12	0	0	1	2	0	2	2	16
White	29	32	23	25	13	7	1	12	3	69
Other	0	2	4	4	0	1	1	0	0	5
Pacific Islander	0	0	0	1	0	0	3	1	0	0
<b>Total</b>	<b>102</b>	<b>85</b>	<b>33</b>	<b>51</b>	<b>18</b>	<b>58</b>	<b>49</b>	<b>41</b>	<b>26</b>	<b>241</b>



# City of Long Beach

## Office of the City Manager

### Citizen Police Complaint Commission



Ethnicity of 2007 Complainants by Incident Council District

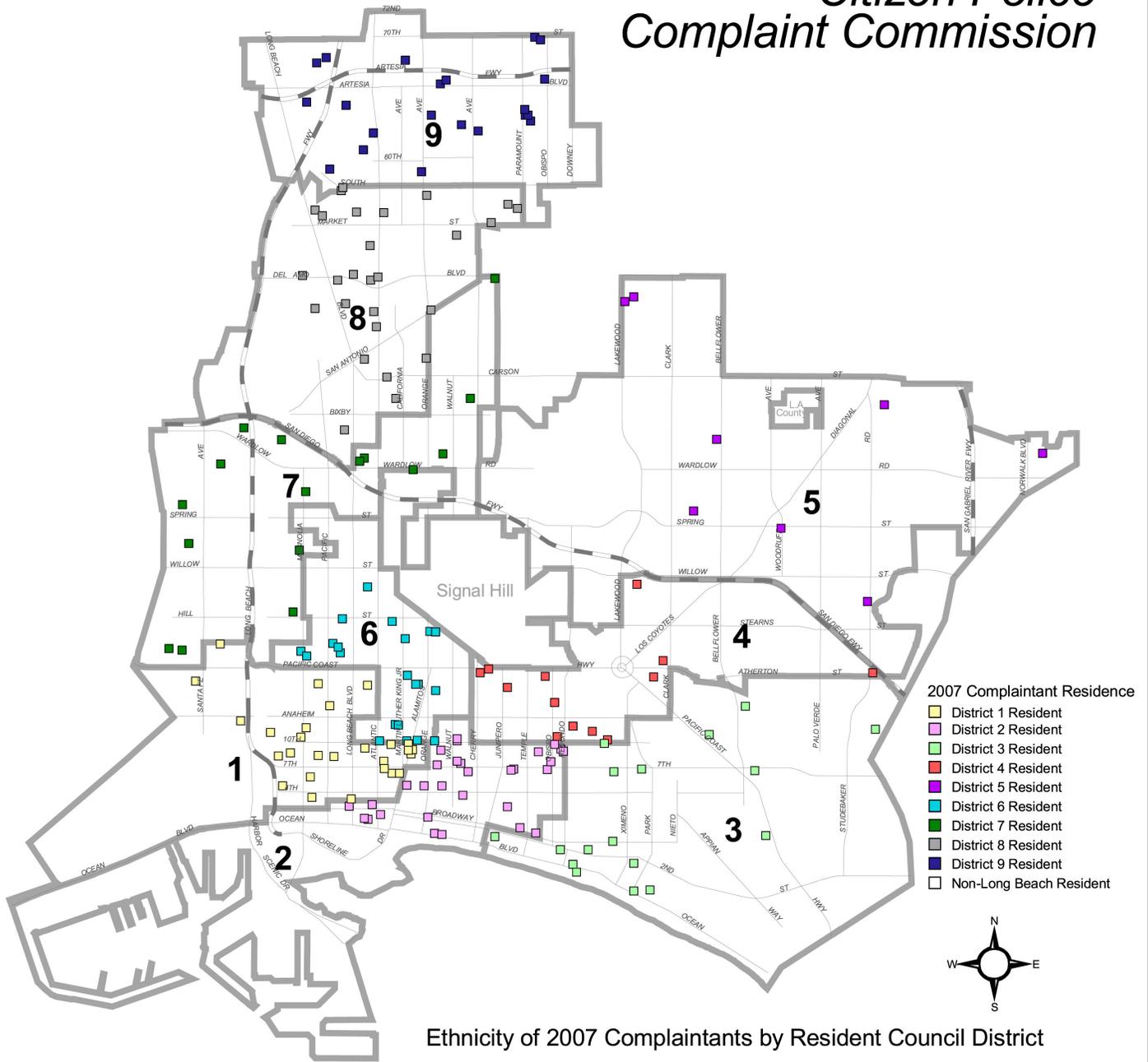
Race_group	CD1	CD2	CD3	CD4	CD5	CD6	CD7	CD8	CD9	Other
American Indian	1	0	0	0	0	0	0	0	0	1
Asian	1	5	0	0	2	0	2	0	0	1
Black	36	37	11	10	6	18	22	31	42	43
Hispanic	17	32	0	13	1	15	1	12	17	5
Unknown	0	5	1	0	2	0	0	0	0	8
White	14	65	27	14	13	4	2	9	15	40
Other	3	19	2	0	1	0	1	0	0	5
Pacific Islander	0	0	0	0	4	0	0	0	0	1
Mideasterner	0	1	1	0	0	0	0	0	0	0
Total	72	164	42	37	29	37	28	52	74	104



# City of Long Beach

## Office of the City Manager

### Citizen Police Complaint Commission



Ethnicity of 2007 Complainants by Resident Council District

Race_group	CD1	CD2	CD3	CD4	CD5	CD6	CD7	CD8	CD9	Other
American Indian	1	1	0	0	0	0	0	0	0	0
Asian	1	2	3	0	0	2	0	0	0	3
Black	25	28	0	6	2	26	20	45	28	76
Hispanic	8	18	1	8	7	7	10	10	11	33
Unknown	0	1	0	2	2	0	0	0	0	11
White	18	27	29	18	2	2	3	8	8	88
Other	3	2	1	0	1	15	3	0	0	6
Pacific Islander	0	0	0	0	0	0	1	0	0	4
Mideasterner	0	0	1	0	0	0	0	0	0	1
Total	56	79	35	34	14	52	37	63	47	222





## Citizen Police Complaint Commission ATTENDANCE RECORD 2006

Meetings: 2<sup>nd</sup> Thursday of every month, beginning at 6:30 P.M.  
Council Chambers, 333 West Ocean Blvd., Long Beach, CA

Commissioner (District)	Jan	Feb	Mar	Apr City Election	May	Jun City Election	Jul	Aug	Sep No cases from IA	Oct	Nov	Dec Holiday Recess
Linarez, Ricardo (1) Vice chair 7/05-7/06 Chair 7/06	P	P	P	DARK	P	DARK	P	P	DARK	P	A	DARK
Schoonmaker, Trina (2)	P	P	P	DARK	P	DARK	P	P	DARK	P	P	DARK
Herbst, Lisa (3)	P	P	EX	DARK	P	DARK	P	EX	DARK	P	P	DARK
Jones, G. Andrew (4)	P	P	EX	DARK	P	DARK	P	EX	DARK	P	P	DARK
Aden, Richard (5)	P	P	P	DARK	P	DARK	EX	P	DARK	P	P	DARK
Parker, Lillian (6) Vice chair 7/06	EX	P	P	DARK	P	DARK	P	P	DARK	P	P	DARK
King, Coqueece (7)	P	EX	P	DARK	P	DARK	R	R	R/DARK	R	R	R
Smith Watts, Carolyn (7) Appointed 7/06							P	P	DARK	P	P	DARK
Bonachea, Deanna (8)	P	P	EX	DARK	P	DARK	P	EX	DARK	EX	P	DARK
Hicks, Christopher (9) CHAIR 7/05-7/06	P	P	P	DARK	P	DARK						
Holman, Roger (9) Appointed 7/06							P	P	DARK	P	P	DARK
Austin II, Alvin (At Large)	P	P	A	DARK	A	DARK	P	EX	DARK	P	P	DARK
Tse, Andrew (At-Large)	P	P	EX	DARK	P	DARK	P	P	DARK	P	P	DARK

CHAIR: Christopher Hicks (Term 7/05 thru 7/06)  
VICE CHAIR: Ricardo Linarez (Term: 7/05 thru 7/06)

CHAIR: Ricardo Linarez (Term: 7/06-7/07)  
VICE CHAIR: Lillian Parker (Term: 7/06-7/07)

KEY: P = Present      A = Absent      EX = Excused Absence      DARK = No Meeting      R = Resigned      \* = Early Departure  
 .... = Non Commission      = Termed-out



*Citizen Police Complaint Commission*  
**ATTENDANCE RECORD**  
 2007

Meetings: 2<sup>nd</sup> Thursday of every month, beginning at 6:30 P.M.  
 Council Chambers, 333 West Ocean Blvd., Long Beach, CA

<b>Commissioner</b> (District)	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>
Linarez, Ricardo (1) Chair 7/06	P	P	P	DARK NQ (yes)	P	P**	P	P	EX	A	P	DARK
Schoonmaker, Trina (2)	P	P	EX	DARK NQ (yes)	P	P	P	P	P	P	P	DARK
Herbst, Lisa (3)	P	P	EX	DARK NQ (no)	P	EX	P	P	P	P	P	DARK
Jones, G. Andrew (4) Chair 7/07	P	P	P	DARK NQ (yes)	EX	P	P	P	P	P	P	DARK
Aden, Richard (5) (term extended 7/07)	P	P	P	DARK NQ (yes)	P	EX	P+	P+	EX+	P	P	DARK
Parker, Lillian (6) Vice Chair 7/06	P	P	P	DARK NQ (yes)	EX	P	P	P	P	EX	P	DARK
Smith Watts, Carolyn (7) Appointed 7/06	P	P	P	DARK NQ (no)	EX	EX	P	P	P	P	P	DARK
Bonachea, Deanna (8) (term extended 7/07)	P	P	P	DARK NQ (no)	EX	P	P+	EX+	P+	EX	P	DARK
Holman, Roger (9) Appointed 7/06	P	EX	EX	DARK NQ (no)	P	EX	EX	EX	EX	R	R	DARK
Austin II, Alvin (At Large)	P	EX/*	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Tse, Andrew (At-Large) Vice Chair 7/07	P	EX	P	DARK NQ (no)	P	P	P	P	P	P	P	DARK

CHAIR: Ricardo Linarez (Term: 7/06-7/07)  
 VICE CHAIR: Lillian Parker (Term: 7/06-7/07)

CHAIR: Andrew Jones (Term: 7/07-7/08)  
 VICE CHAIR: Andrew Tse (Term: 7/07-7/08)

KEY: P = Present      A = Absent      EX = Excused Absence      DARK = No Meeting      R = Resigned      \*\* = Early Departure  
 ----- = Non Commission      = Termed-out      DARK NQ = No Meeting/No Quorum      + = Term Extended

\*Resigned 2/13/07