

CITY OF LONG BEACH  
CITIZEN POLICE COMPLAINT  
COMMISSION AGENDA

THURSDAY, JANUARY 9, 2020  
411 W. OCEAN BOULEVARD  
CIVIC CHAMBERS, 5:30 PM

Desmond Fletcher, Chair  
Christian Cooper, Vice Chair  
James Ahumada, Commissioner  
Leonard Adams Jr., Commissioner  
Dana Buchanan, Commissioner  
Veronica Garcia, Commissioner



Porter Gilberg, Commissioner  
Dianne McNinch, Commissioner  
Justin Morgan, Commissioner  
Maria Norvell, Commissioner  
Joni Ricks-Oddie, Commissioner

Patrick Weithers, Manager of the CPCC

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**CALL TO ORDER**

**ROLL CALL**

**CONSENT CALENDAR**

1. 20-001CP Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
19-036	Unbecoming Conduct
19-039	Unbecoming Conduct
19-161	Unbecoming Conduct
19-012	Failure to Investigate
19-009	Unbecoming Conduct
19-038	Unbecoming Conduct
19-065	Use of Force

**Suggested Action:** Approve recommendation.

**REGULAR AGENDA**

2. 20-002CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, December 12, 2019.

**Suggested Action:** Approve recommendation.

**PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK**

Opportunity to address the Commission (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk prior to 5:30 p.m. Each speaker is allowed three (3) minutes to make their comments unless that time is extended by the Chair.

**MANAGER'S REPORT**

**REMARKS FROM THE CHAIR AND COMMISSIONERS**

**RECESS TO CLOSE SESSION**

Recess to Closed Session in the Council Lounge, pursuant to Section 54957 of the California Government Code, for the purpose of consideration of personnel discipline matters.

**RECONVENE FROM CLOSED SESSION**

3. 20-003CP            Recommendation to receive Commission's vote and refer findings to the City Manager.

**Suggested Action:**        Approve recommendation.

**PUBLIC COMMENT**

Opportunity is given to those members of the public who have not addressed the Commission on non-agenda items. Each speaker is limited to three (3) minutes unless extended by the Chair.

**ADJOURNMENT**

I, Kyle Smith, City Clerk Specialist, certify that the agenda was posted not less than 72 hours prior to the meeting.

Note: The Citizen Police Complaint Commission agenda, supporting documents and a video recording of the meeting are available on the Internet at [longbeach.legistar.com](http://longbeach.legistar.com). Agenda items may also be reviewed in the Office of the City Clerk. Persons interested in obtaining an agenda via-email should subscribe to the City of Long Beach LinkLB System at [www.longbeach.gov/linklb](http://www.longbeach.gov/linklb).

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CITY OF LONG BEACH  
CITIZEN POLICE COMPLAINT  
COMMISSION MINUTES

THURSDAY, DECEMBER 12, 2019  
411 W. OCEAN BOULEVARD  
CIVIC CHAMBERS, 5:30 PM

Desmond Fletcher, Chair  
Christian Cooper, Vice Chair  
James Ahumada, Commissioner  
Leonard Adams Jr., Commissioner  
Dana Buchanan, Commissioner  
Veronica Garcia, Commissioner



Porter Gilberg, Commissioner  
Dianne McNinch, Commissioner  
Justin Morgan, Commissioner  
Maria Norvell, Commissioner  
Joni Ricks-Oddie, Commissioner

Patrick Weithers, Manager of the CPCC

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**FINISHED AGENDA & DRAFT MINUTES**

**CALL TO ORDER (5:31 PM)**

At 5:31 PM, Chair Fletcher called the meeting to order.

**ROLL CALL (5:33 PM)**

**Commissioners** James Ahumada, Dana Buchanan, Porter Gilberg, Dianne  
**Present:** McNinch, Justin Morgan, Joni Ricks-Oddie, Christian Cooper  
and Desmond Fletcher

**Commissioners** Leonard Adams Jr., Veronica Garcia and Maria Norvell  
**Absent:**

Also present: Patrick Weithers, Manager of the CPCC; Terrance Pham, Special Investigator; Chris Crisostomo, Special Investigator; Monica Kilaita, Deputy City Attorney; Sarah Green, Deputy City Attorney, Dina Zapalski, Commander, Long Beach Police Department; Kyle Smith, City Clerk Specialist; Pablo Rubio, City Clerk Analyst.

**CONSENT CALENDAR (5:33 PM)**

Commissioner Gilberg spoke.

Monica Kilaita, Deputy City Attorney, spoke.

A dialogue ensued between Commissioner Gilberg and Monica Kilaita, Deputy City Attorney.

Passed the Consent Calendar.

**A motion was made by Commissioner Ricks-Oddie, seconded by Commissioner Morgan, to approve Consent Calendar Item. The motion carried by the following vote:**

**Yes:** 6 - James Ahumada, Dana Buchanan, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie and Desmond Fletcher

**Abstain:** 1 - Porter Gilberg

**Absent:** 4 - Leonard Adams Jr., Veronica Garcia, Maria Norvell and Christian Cooper

1. 19-078CP Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
18-077	Improper Entry & Bias Based Policing
18-154	Improper Arrest, Unbecoming Conduct & Misappropriation of Property
18-155	Unbecoming Conduct
18-161	Use of Force, Dishonest & Unbecoming Conduct
18-178	Profanity
18-203	Failure to Take Report & Unbecoming Conduct
19-007	Unbecoming Conduct, Failure to Investigate & Failure to Take Action
19-010	Use of Force
19-013	Unbecoming Conduct
19-014	Unbecoming Conduct & Failure to Take Report
19-017	Unbecoming Conduct

19-018	Unbecoming Conduct
19-019	Unbecoming Conduct
19-030	Unbecoming Conduct & Intimidation

**A motion was made to approve recommendation on the Consent Calendar.**

**REGULAR AGENDA (5:36 PM)**

2. 19-079CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, November 14, 2019.

**A motion was made by Commissioner Morgan, seconded by Commissioner McNinch, to approve recommendation. The motion carried by the following vote:**

**Yes:** 6 - James Ahumada, Dana Buchanan, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie and Desmond Fletcher

**Abstain:** 1 - Porter Gilberg

**Absent:** 4 - Leonard Adams Jr., Veronica Garcia, Maria Norvell and Christian Cooper

3. 19-080CP Recommendation to receive and file update on Commissioners questions or recommendations.

Patrick Weithers, Manager of the CPCC, spoke; and presented the staff report.

Commissioner Gilberg spoke.

Dina Zapalski, Commander, Long Beach Police Department, spoke.

Commissioner Gilberg spoke.

A dialogue ensued between Commissioner Gilberg and Dina Zapalski, Commander, Long Beach Police Department.

**A motion was made by Commissioner McNinch, seconded by Commissioner Morgan, to approve recommendation. The motion carried by the following vote:**

**Yes:** 7 - James Ahumada, Dana Buchanan, Porter Gilberg, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie and Desmond Fletcher

**Absent:** 4 - Leonard Adams Jr., Veronica Garcia, Maria Norvell and Christian Cooper

4. 19-081CP Recommendation to receive and file presentation on City Manager's Findings.

Patrick Weithers, Manager of the CPCC, spoke; and provided a PowerPoint presentation.

Chair Fletcher spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Commissioner Ricks-Oddie spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Chair Fletcher spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

A dialogue ensued between Commissioner Gilberg and Patrick Weithers, Manager of the CPCC.

Commissioner McNinch spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Chair Fletcher spoke.

Sarah Green, Deputy City Attorney, spoke.

**A motion was made by Commissioner Morgan, seconded by Commissioner McNinch, to approve recommendation. The motion carried by the following vote:**

**Yes:** 8 - James Ahumada, Dana Buchanan, Porter Gilberg, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie, Christian Cooper and Desmond Fletcher

**Absent:** 3 - Leonard Adams Jr., Veronica Garcia and Maria Norvell

**PUBLIC COMMENT (5:58 PM)**

No members of the public addressed the commission.

**MANAGER'S REPORT (5:58 PM)**

Patrick Weithers, Manager of the CPCC informed the commission he plans to bring the CPCC Annual Report to the commission in the Spring of 2020; announced he will email Commissioners potential dates for the CPCC annual training; and wished the Commissioners a happy holiday season.

**REMARKS FROM THE CHAIR AND COMMISSIONERS (5:59 PM)**

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Chair Fletcher spoke.

Commissioner Buchanan spoke.

Patrick Weithers, Manager of the CPCC, spoke.

**RECESS TO CLOSED SESSION (6:02 PM)**

At 6:02 PM, there being no objection, Chair Fletcher recessed the meeting to Closed Session.

**RECONVENE FROM CLOSED SESSION (9:55 PM)**

At 9:55 PM, Chair Fletcher reconvened the meeting.

**ROLL CALL (9:55 PM)**

**Commissioners** James Ahumada, Dana Buchanan, Porter Gilberg, Dianne  
**Present:** McNinch, Justin Morgan, Joni Ricks-Oddie, Christian Cooper  
and Desmond Fletcher

**Commissioners** Leonard Adams Jr., Veronica Garcia and Maria Norvell  
**Absent:**

5. 19-082CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Chair Fletcher spoke.

Vice Chair Cooper reported out from Closed Session the following actions taken:

[1] Case No. 19-034 Commissioners voted 8-0 on Allegation Nos. 1 - Unbecoming Conduct, 2 - Unbecoming Conduct and 3 - Unbecoming Conduct for First and Second Officers accused;

[2] Case No. 19-015 Commissioners voted 5-3 on Allegation No. 1 - Improper Search and 8-0 on Allegation No. 2 - Unbecoming Conduct for First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Officers accused;

[3] Case No. 19-016 Commissioners voted 8-0 on Allegation Nos. 1 - Dishonesty, 2 - Unbecoming Conduct, 3 - Unbecoming Conduct, 4 - Unbecoming Conduct, 5 - Unbecoming Conduct and 6 - Unbecoming Conduct for Officer accused;

[4] Case No. 19-029 Commissioners voted 8-0 on Allegation Nos. 1 - Failure to Care for Property and 2 - Failure to Care for Property for First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Officers accused;

[5] Case No. 19-031 Commissioners voted 8-0 on Allegation Nos. 1 - Use of Force, 2 - Use of Force and 3 - Unbecoming Conduct for Officer accused; and

[6] Case No. 19-004 Commissioners voted 8-0 on Allegation Nos. 1 - Unbecoming Conduct and 3 - Use of Force for First, Second and Third Officers accused, 2 - Use of Force, 4 - Unbecoming Conduct, 7 - Improper Search for Officer accused and 5 - Unbecoming Conduct, 8 - Misappropriation of Property and 9 - Unbecoming Conduct for First and Second Officers accused, and 7-1 on Allegation No. 6 - Use of Force for Officer accused.

**A motion was made by Commissioner Morgan, seconded by Commissioner McNinch, to approve recommendation. The motion carried by the following vote:**

**Yes:** 8 - James Ahumada, Dana Buchanan, Porter Gilberg, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie, Christian Cooper and Desmond Fletcher

**Absent:** 3 - Leonard Adams Jr., Veronica Garcia and Maria Norvell

**PUBLIC COMMENT (10:02 PM)**

No members of the public addressed the commission.

**ADJOURNMENT (10:02 PM)**

At 10:02 PM, there being no objection, Chair Fletcher declared the meeting adjourned.

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CITY OF LONG BEACH  
CITIZEN POLICE COMPLAINT  
COMMISSION AGENDA

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411 W. OCEAN BOULEVARD  
CIVIC CHAMBERS/LOUNGE, 5:30 PM

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Christian Cooper, Vice Chair  
James Ahumada, Commissioner  
Leonard Adams Jr., Commissioner  
Dana Buchanan, Commissioner  
Veronica Garcia, Commissioner



Porter Gilberg, Commissioner  
Dianne McNinch, Commissioner  
Justin Morgan, Commissioner  
Maria Norvell, Commissioner  
Joni Ricks-Oddie, Commissioner

Patrick Weithers, Manager of the CPCC

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**CLOSED SESSION**

Closed Session pursuant to Section 54957 of the California Government Code for the purpose of consideration of personnel discipline matters.

1. 20-004CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	19-004	Misappropriation of Property
	19-006	Racial Bias
	19-025	Unbecoming Conduct
	19-032	Unbecoming Conduct
	19-050	Unbecoming Conduct
	19-040	Improper Search & Sexual Misconduct
	19-062	Bias Based Policing & Improper Search
	19-035	Failure to Take Action
	19-023	Unbecoming Conduct
	19-033	Failure to Take Report
	19-059	Unbecoming Conduct
	19-048	Racial Profiling

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