

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

Patrick Weithers, Manager of the CPCC

**CITIZEN POLICE COMPLAINT COMMISSION MEETING VIA TELECONFERENCE
PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

THE CIVIC CHAMBERS WILL BE CLOSED TO THE PUBLIC

**PUBLIC WILL HAVE THE OPTION TO USE eCOMMENT TO PROVIDE COMMENTS ON
AGENDA ITEMS. WRITTEN COMMENTS MAY ALSO BE SUBMITTED BY EMAIL TO
PATRICK.WEITHERS@LONGBEACH.GOV**

CALL TO ORDER

ROLL CALL

CONSENT CALENDAR

1. 20-026CP 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>
19-125	Unbecoming Conduct
19-145	Failure to Take Action & Unbecoming Conduct
19-136	Unbecoming Conduct
19-148	Failure to Take Report
19-143	Unbecoming Conduct
19-118	Failure to Take Report

Suggested Action: Approve recommendation.

REGULAR AGENDA

2. 20-027CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, May 14, 2020.

Suggested Action: Approve recommendation.
3. 20-028CP Recommendation to receive and file an overview of the CPCC Mandate.

Suggested Action: Approve recommendation.
4. 20-029CP Recommendation to receive and file a discussion on Commissioners requests for CPCC reform.

Suggested Action: Approve recommendation.
5. 20-030CP Recommendation to receive and file City Manager's Report.

Suggested Action: Approve recommendation.

MANAGER'S REPORT

REMARKS FROM THE CHAIR & COMMISSIONERS

RECESS TO CLOSED SESSION

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

RECONVENE FROM CLOSED SESSION

6. 20-031CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Suggested Action: Approve recommendation.

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. 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.

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**CITY OF LONG BEACH
CITIZEN POLICE COMPLAINT
COMMISSION MINUTES**

**THURSDAY, MAY 14, 2020
TELECONFERENCE, 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

Patrick Weithers, Manager of the CPCC

FINISHED AGENDA & DRAFT MINUTES

**CITIZEN POLICE COMPLAINT COMMISSION MEETING VIA TELECONFERENCE
PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

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PATRICK.WEITHERS@LONGBEACH.GOV**

CALL TO ORDER (5:33 PM)

At 5:33 PM, Chair Fletcher called the meeting to order.

ROLL CALL (5:33 PM)

Commissioners Leonard Adams Jr., James Ahumada, Dana Buchanan, Porter
Present: Gilberg, Dianne McNinch, Justin Morgan, Christian Cooper and
Desmond Fletcher

Commissioners Veronica Garcia and Maria Norvell
Absent:

Also present: Kevin Jackson, Deputy City Manager; Patrick Weithers, Manager of the CPCC; Terrance Pham, Special Investigator; Chris Crisostomo, Special Investigator; Sarah Green, Deputy City Attorney, Dina Zapalski, Commander, Long Beach Police Department; Kyle Smith, City Clerk Specialist; Jonathan Nagayama, City Clerk Specialist.

CONSENT CALENDAR (5:34 PM)

Passed the Consent Calendar

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

Yes: 5 - James Ahumada, Dana Buchanan, Justin Morgan, Christian Cooper and Desmond Fletcher

Abstain: 2 - Leonard Adams Jr. and Porter Gilberg

Absent: 3 - Veronica Garcia, Dianne McNinch and Maria Norvell

1. 20-019CP Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

<u>CPC NO.</u>	<u>ALLEGATION(S)</u>
19-113	Profanity & Unbecoming Conduct
19-099	Dishonesty & Misuse of Authority
19-103	Failure to Investigate & Failure to Take Action
19-114	Unbecoming Conduct
19-122	Failure to Take Report

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

REGULAR AGENDA (5:35 PM)

2. 20-020CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, April 9, 2020.

A motion was made by Vice Chair Cooper, seconded by Commissioner Morgan, to approve recommendation. The motion carried by the following vote:

Yes: 6 - James Ahumada, Dana Buchanan, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Abstain: 1 - Leonard Adams Jr.

Absent: 3 - Veronica Garcia, Dianne McNinch and Maria Norvell

3. 20-021CP

Recommendation to receive and file discussion on CPCC Case Videos.

Patrick Weithers, Manager of the CPCC, presented the staff report.

Commissioner Morgan spoke.

Commissioner Adams Jr. spoke.

Vice Chair Cooper spoke.

Commissioner Buchanan spoke.

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Sarah Green, Deputy City Attorney, spoke.

A dialogue ensued between Commissioner Gilberg and Sarah Green, Deputy City Attorney.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Ahumada spoke.

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Sarah Green, Deputy City Attorney, spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Jonathan Nagayama, City Clerk Specialist, spoke.

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

Yes: 7 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Absent: 3 - Veronica Garcia, Dianne McNinch and Maria Norvell

MANAGER'S REPORT (5:54 PM)

Patrick Weithers, Manager of the CPCC, announced one eComment was submitted and updated the Commission that the 2019 CPCC Annual Report is almost finished.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Jonathan Nagayama, City Clerk Specialist, spoke.

A dialogue ensued between Commissioner Gilberg and Jonathan Nagayama, City Clerk Specialist.

REMARKS FROM THE CHAIR & COMMISSIONERS (5:55 PM)

Commissioner Gilberg spoke.

Jonathan Nagayama, City Clerk Specialist, spoke.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

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

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

Chair Fletcher spoke.

Kevin Jackson, Deputy City Manager, 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 (10:53 PM)

At 10:53 PM, Chair Fletcher reconvened the meeting.

ROLL CALL (10:53 PM)

Commissioners Leonard Adams Jr., James Ahumada, Dana Buchanan, Porter

Present: Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Commissioners Veronica Garcia, Dianne McNinch and Maria Norvell

Absent:

4. 20-022CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Chair Fletcher reported out from Closed Session the following actions taken:

[1] Case No. 19-089 Commissioners voted 7-0-1 on Allegation No. 1 - Improper Arrest for First and Second Officers accused and 5-2-1 on Allegation No. 4 - Improper Arrest for First and Second Officers accused;

[2] Case No. 19-073 Commissioners voted 8-0 on Allegation Nos. 1 - Unbecoming Conduct, 2 - Unbecoming Conduct, 3 - Unbecoming Conduct, 4 - Unbecoming Conduct and 5 - Dishonesty for Officer accused;

[3] Case No. 19-093 Commissioners voted 8-0 on Allegation Nos. 1 - Failure to Investigate for First and Second Officers accused and 2 - Unbecoming Conduct for Officer accused;

[4] Case No. 19-109 Commissioners voted 8-0 on Allegation No. 1 - Use of Force for First, Second, Third, Fourth and Fifth Officers accused;

[5] Case No. 19-088 Commissioners voted 8-0 on Allegation No. 1 - Dishonesty for Officer accused;

[6] Case No. 19-083 Commissioners voted 8-0 on Allegation No. 1 - Unbecoming Conduct for First and Second Officers accused;

[7] Case No. 19-102 Commissioners voted 8-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[8] Case No. 19-098 Commissioners voted 8-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[9] Case No. 19-100 Commissioners voted 8-0 on Allegation No. 1 - Sexual Misconduct for First and Second Officers accused;

[10] Case No. 19-110 Commissioners voted 7-1 on Allegation No. 1 - Unbecoming Conduct for First and Second Officers accused;

[11] Case No. 19-105 Commissioners voted 5-3 on Allegation No. 1 - Sexual Misconduct for Officer accused;

[12] Case No. 19-085 Commissioners voted 8-0 on Allegation No. 1 - Misappropriation of Property for Officer accused;

[13] Case No. 19-160 Commissioners voted 8-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused; and

[14] Case No. 19-116 Commissioners voted 8-0 on Allegation No. 1 - Bias Based Policing for First and Second Officers accused.

A motion was made by Commissioner Ahumada, seconded by Vice Chair Cooper, to approve recommendation. The motion carried by the following vote:

Yes: 7 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Absent: 3 - Veronica Garcia, Dianne McNinch and Maria Norvell

5. 20-025CP eComments received for the Citizen Police Complaint Commission meeting of Thursday, May 14, 2020.

This CP-Agenda Item was received and filed.

ADJOURNMENT (11:00 PM)

At 11:00 PM, there being no objection, Chair Fletcher declared the meeting adjourned.

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CITY OF
LONG BEACH
Citizen Police Complaint Commission
City Manager Report

Reported June 2020 Regarding the January 2020 Meeting

All peace officer personnel records, including information relating to specific deliberations of the Citizen Police Complaint Commission and findings by the City Manager, shall be kept confidential to the extent required by law. In order to comply with this requirement, certain information may have been withheld in this report.

After its **January 9, 2020** meeting, the Citizen Police Complaint Commission submitted recommendations to the City Manager.

The Commission's recommendations and the City Manager's findings for some allegations considered during the **January 9, 2020** meeting are:

COMMISSION

- Sustained – 5 allegations
- Not Sustained – 4 allegations
- Exonerated - 11 allegations
- Unfounded – 19 allegations
- Other – 2 allegations
- Receive and File – 0 allegations

CITY MANAGER

Sustained– 2 allegations (CS, AE)
 Not Sustained – 4 allegations
 Exonerated – 10 allegations (AE)
 Unfounded – 23 allegations (CS)
 Other – 1 allegation (CS)
 Receive and File – 1 allegation (AE)

Findings Codes – **CS** (Compelled Statements), **AE** (Additional Confidential Evidence), **DO** (Difference in Opinion)

The Commission submitted recommendations for the Long Beach Police Department (LBPD) to have officers handle rape cases in a way that shows the officers care about what occurred. They also request that those types of cases be handled by department guidelines. The Commission recommended that officers be retrained on the use of body worn cameras, particularly when to activate them and when to keep them on. Additionally, the Commission requests that officers be

CITY OF
LONG BEACH
Citizen Police Complaint Commission
City Manager Report

retrained on verifying license plates that are run. Further, The Commission respectfully requests that off-duty officers use normal citizen channels to report incidents. The Commission requests that the LBPD review an officer's conduct in regard to searching through bags during the search of a residence. They also request that the LBPD create a policy on Welfare Checks, and recommended that the LBPD consider a policy for officers to leave a note or card stating that they were at a citizens residence, when dispatched to a residence and no one is home.

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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

Patrick Weithers, Manager of the CPCC

CLOSED SESSION

**CITIZEN POLICE COMPLAINT COMMISSION MEETING VIA TELECONFERENCE
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Closed Session pursuant to Section 54957 of the California Government Code for the purpose of consideration of personnel discipline matters.

1. 20-032CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	19-107	Failure to Take Action, Unbecoming Conduct & Bias Based Policing
	19-108	Unbecoming Conduct & Dishonesty
	19-115	Use of Force, Improper Search & Unbecoming Conduct
	19-124	Use of Force
	19-121	Improper Arrest & Failure to Take Action
	19-097	Unbecoming Conduct & Failure to Care for Property
	19-149	Dishonesty & Improper Arrest
	19-106	Misappropriation of Property & Unbecoming Conduct

(Agenda Item No. 1 continued on Page 2.)

<u>CPCO NO.</u>	<u>ALLEGATION(S)</u>
19-144	Unbecoming Conduct
19-104	Harassment & Unbecoming Conduct
19-117	Unbecoming Conduct
19-127	Sexual Misconduct

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