

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

**THURSDAY, AUGUST 11, 2016  
333 W. OCEAN BOULEVARD  
COUNCIL CHAMBER, 6:30 PM**

Jeffrey Price, Chair  
Miles Nevin, Vice Chair  
Raúl A. Añorve, Commissioner  
B. Terhune (Terry) Beebe, Commissioner  
Josephine Castellanos, Commissioner



Alvaro Castillo, Commissioner  
David Clement, Commissioner  
José M. Flores, Commissioner  
Richard Lindemann, Commissioner  
Suely Saro, Commissioner

Anitra Dempsey, Executive Director

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**CALL TO ORDER**

**ROLL CALL**

**CONSENT CALENDAR**

1. 16-041CP 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>
16-002	Sexual Misconduct
15-220	Unbecoming Conduct
15-188	Unbecoming Conduct
15-208	Failure to Investigate
15-176	Failure to Care for Property
15-181	Unbecoming Conduct
15-206	Unbecoming Conduct
15-207	Failure to Take Report
15-243	Unbecoming Conduct
15-235	Improper Arrest and Unbecoming Conduct
15-069	Discourteous and Unbecoming Conduct
15-061	Unbecoming Conduct
15-031	Unbecoming Conduct
15-150	Unbecoming Conduct
16-095	Unbecoming Conduct

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

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<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
15-216	Misappropriation of Property, Improper Detention and Improper Arrest
15-212	Dishonesty and Misuse of Authority
15-120	Failure to Take Report
15-121	Failure to Investigate
15-219	Unbecoming Conduct
15-223	Failure to Take Action
15-238	Use of Force
15-222	Unbecoming Conduct
16-105	Use of Force
15-229	Unbecoming Conduct
16-040	Failure to Care for Property

**Suggested Action:** Approve recommendation.

#### REGULAR AGENDA

2. 16-042CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, July 14, 2016.

**Suggested Action:** Approve recommendation.

#### PUBLIC COMMENT

Members of the public have a five-minutes time limit to address the Commission on items of interest to the public within the Commission's jurisdiction. Each speaker will be limited to five (5) minutes unless that time is extended by the Chair.

3. 16-043CP Recommendation to receive and file an overview of the Citizen Police Complaint Commission Hearings.

**Suggested Action:** Approve recommendation.

4. 16-044CP Recommendation to receive and file City Manager's Report.

**Suggested Action:** Approve recommendation.

#### EXECUTIVE DIRECTOR'S REPORT

#### REMARKS FROM THE CHAIR AND COMMISSIONERS

**RECESS TO CLOSED 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**

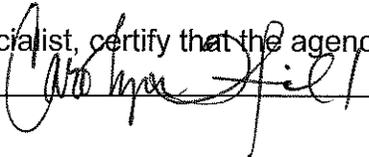
**PUBLIC COMMENT**

Opportunity is given to those members of the public who have not addressed the Commission on non-agenda items. Each speaker is limited to five (5) minutes unless extended by the Chair.

5. 16-046CP Recommendation to receive Commission's vote and refer findings to the City Manager.

**Suggested Action:** Approve recommendation.

**ADJOURNMENT**

I, Carolyn Hill, City Clerk Specialist, certify that the agenda was posted not less than 72 hours prior to the meeting.  Date: 8/5/16

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បើមានការចង់បានឲ្យមានការបកប្រែភាសាផ្ទាល់មាត់ឲ្យអ្នកមិនចេះនិយាយអង់គ្លេស ឬបើមានការចង់បានឲ្យមានដំណោះស្រាយពិសេសដោយយោងតាមមាត្រាច្បាប់ស្តីពី ជនពិការអាមេរិកាំង សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅទៅការិយាល័យសៀវភៅ ក្នុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំ គណៈកម្មការធម្មនុញ្ញ)។

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

**THURSDAY, JULY 14, 2016  
333 W. OCEAN BOULEVARD  
COUNCIL CHAMBER, 6:30 PM**

David Clement, Chair  
B. Terhune (Terry) Beebe, Vice Chair  
Raúl A. Añorve, Commissioner  
Josephine Castellanos, Commissioner  
Alvaro Castillo, Commissioner



José M. Flores, Commissioner  
Richard Lindemann, Commissioner  
Miles Nevin, Commissioner  
Jeffrey Price, Commissioner  
Suely Saro, Commissioner

Anitra Dempsey, Executive Director

**FINISHED AGENDA & DRAFT MINUTES**

**CALL TO ORDER (6:34 PM)**

At 6:34 PM, Chair Clement called the meeting to order.

**ROLL CALL (6:34 PM)**

**Commissioners** Alvaro Castillo, José M. Flores, Richard Lindemann, Miles Nevin,  
**Present:** Jeff Price, Beekman "Terry" Beebe and David Clement  
**Commissioners** Raúl Añorve, Josephine Castellanos and Suely Saro  
**Absent:**

Also present: Anitra Dempsey, Executive Director, Citizen Police Complaint Commission;  
Celenia Perez, Special Investigator; Patrick Weithers, Special Investigator; Steve  
Lauricella, Commander; Carolyn Hill, City Clerk Specialist.

- 1. 16-036CP Recommendation to hold an election for the position of Chair and Vice Chair of the Citizen Police Complaint Commission for 2016 - 2017.

Chair Clement declared the nominations open for Chair.

Commissioner Nevin nominated Commissioner Price for Chair of the Citizen Police Complaint Commission.

There being no further nominations, Chair Clement declared the nominations closed for Chair.

**A motion was made by Vice Chair Beebe, seconded by Chair Clement, to approve recommendation to elect Commissioner Price for Chair of the Citizen Police Complaint Commission. The motion carried by the following vote:**

**Yes:** 7 - Alvaro Castillo, José M. Flores, Richard Lindemann, Miles Nevin, Jeff Price, Beekman "Terry" Beebe and David Clement

**Absent:** 3 - Raúl Añorve, Josephine Castellanos and Suely Saro

Chair Clement declared the nominations open for Vice Chair.

Vice Chair Beebe nominated Commissioner Nevin for Vice Chair of the Citizen Police Complaint Commission.

There being no further nominations, Chair Clement declared the nominations closed for Vice Chair.

Chair-elect Price spoke.

Vice Chair-elect Nevin spoke.

**A motion was made by Vice Chair Beebe, seconded by Commissioner Flores, to approve recommendation to elect Commissioner Nevin for Vice Chair of the Citizen Police Complaint Commission. The motion carried by the following vote:**

**Yes:** 7 - Alvaro Castillo, José M. Flores, Richard Lindemann, Miles Nevin, Jeff Price, Beekman "Terry" Beebe and David Clement

**Absent:** 3 - Raúl Añorve, Josephine Castellanos and Suely Saro

#### **CONSENT CALENDAR (6:39 PM)**

Passed the Consent Calendar

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

**Yes:** 7 - Alvaro Castillo, José M. Flores, Richard Lindemann, Miles Nevin, Jeff Price, Beekman "Terry" Beebe and David Clement

**Absent:** 3 - Raúl Añorve, Josephine Castellanos and Suely Saro

2. 16-037CP 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>
15-027	Failure to Investigate
15-131	Unbecoming Conduct
15-084	Unbecoming Conduct
15-063	Failure To Take Report

Peter Rosenwald spoke.

Anitra Dempsey, Executive Director, spoke.

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

**REGULAR AGENDA (6:44 PM)**

3. 16-038CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, June 9, 2016.

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

**Yes:** 7 - Alvaro Castillo, José M. Flores, Richard Lindemann, Miles Nevin, Jeff Price, Beekman "Terry" Beebe and David Clement

**Absent:** 3 - Raúl Añorve, Josephine Castellanos and Suely Saro

**PUBLIC COMMENT (6:45 PM)**

Linda Burks spoke regarding an incident involving her sons and the Long Beach Police Department.

Diwaine Smith spoke regarding the Long Beach Police Department, Barry Prak, and Credo the police dog.

Karen Harrison spoke regarding her case.

Peter Rosenwald spoke.

Terry Prak spoke regarding her brother Barry Prak who was killed by the Long Beach Police Department.

Maeve Milstead spoke regarding the incident involving the Long Beach Police Department and Barry Prak.

Chair Clement spoke.

**EXECUTIVE DIRECTOR'S REPORT (7:08 PM)**

Anitra Dempsey, Executive Director, provided background of the Citizen Police Complaint Commission; and recognized outgoing Chair Clement and presented him with a token of appreciation.

Vice Chair Beebe spoke.

Chair-elect Price spoke.

Anitra Dempsey, Executive Director, acknowledged outgoing Vice Chair Beebe.

Chair Clement spoke.

**REMARKS FROM THE CHAIR AND COMMISSIONERS (7:16 PM)**

There were no remarks.

**RECESS TO CLOSED SESSION (7:16 PM)**

At 7:16 PM, there being no objection, Chair Clement recessed the meeting to Closed Session.

**RECONVENE FROM CLOSED SESSION (9:57 PM)**

At 9:57 PM, Chair Clement reconvened the meeting.

**ROLL CALL (9:58 PM)**

**Commissioners** Alvaro Castillo, José M. Flores, Richard Lindemann, Miles Nevin,

**Present:** Jeff Price, Beekman "Terry" Beebe and David Clement

**Commissioners** Raúl Añorve, Josephine Castellanos and Suely Saro

**Absent:**

4. 16-039CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Chair Clement reported out from Closed Session the following actions taken: [1] Case No. 15-092 Commissioners voted 6-1 on Allegation No. 1. Dishonesty and 7-0 on Allegation No. 2. Failure to Investigate on First Officer accused; and 7-0 on Allegation No. 3. Unbecoming Conduct on Second Officer accused; [2] Case No. 15-269 Commissioners voted 4-3 on Allegation No. 1. Unbecoming Conduct and 7-0 on Allegation No. 2. Harassment on First Officer accused; [3] Case No. 16-050 Commissioners voted 5-2 on Allegation No. 1. Unbecoming Conduct on First Officer accused; [4] Case No. 15-064 Commissioners voted 7-0 on Allegation Nos. 1. Profanity and 2. Profanity on First Officer accused; 7-0 on Allegation Nos. 3. Use of Force and 4. Unbecoming Conduct on First and Second Officers accused; and 7-0 on Allegation No. 5. Failure to Take Action on First, Second, Third and Fourth Officers accused; [5] Case No. 15-201 Commissioners voted 7-0 on Allegation Nos. 1. Use of Force and 2. Use of Force on First Officer accused; and 7-0 on Allegation No. 3. Use of Force on Second Officer accused; [6] Case No. 15-196 Commissioners voted 7-0 on Allegation No. 1. Failure to Take Action on First Officer accused; [7] Case No. 15-166 Commissioners voted 6-1 on Allegation No. 1. Failure to Investigate; and 7-0 on Allegation No. 2. Bias Based Policing on First Officer accused; [8] Case No. 15-241 Commissioners voted 7-0

on Allegation Nos. 1. Improper Search and 2. Unbecoming Conduct on First Officer accused; 7-0 on Allegation No. 3. Unbecoming Conduct on First and Second Officers accused; and 7-0 on Allegation No. 4. Use of Force on First Officer accused; [9] Case No. 16-052 Commissioners voted 7-0 on Allegation Nos. 1. Unbecoming Conduct and 2. Unbecoming Conduct on First Officer accused; [10] Case No. 15-251 Commissioners voted 6-0 with 1 abstention on Allegation No. 1. Unbecoming Conduct on First Officer accused; and [11] Case No. 15-083 Commissioners voted 4-3 on Allegation No. 1. Improper Entry on First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh Officers accused; 6-1 on Allegation No. 2. Failure to Care for Property on First, Second, Third, Fourth, Fifth, Sixth, Seventh; Eighth, Ninth, Tenth and Eleventh Officers accused; 7-0 on Allegation No. 3. Failure to Care for Property on Twelfth Officer accused; 7-0 on Allegation Nos. 4. Dishonesty, 5. Discourteous Remarks and 6. Misappropriation of Property on Ninth Officer accused.

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

**Yes:** 7 - Alvaro Castillo, José M. Flores, Richard Lindemann, Miles Nevin, Jeff Price, Beekman "Terry" Beebe and David Clement

**Absent:** 3 - Raúl Añorve, Josephine Castellanos and Suely Saro

**ADJOURNMENT (10:03 PM)**

At 10:03 PM, there being no objection, Chair Clement declared the meeting adjourned.

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NOTE:

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

**THURSDAY, AUGUST 11, 2016  
333 W. OCEAN BOULEVARD  
COUNCIL CHAMBER/LOUNGE, 6:30 PM**

Jeffrey Price, Chair  
Miles Nevin, Vice Chair  
Raúl A. Añorve, Commissioner  
B. Terhune (Terry) Beebe, Commissioner  
Josephine Castellanos, Commissioner



Alvaro Castillo, Commissioner  
David Clement, Commissioner  
José M. Flores, Commissioner  
Richard Lindemann, Commissioner  
Suely Saro, Commissioner

Anitra Dempsey, Executive Director

**CLOSED SESSION**

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

1. 16-045CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	15-187	Unbecoming Conduct and Improper Arrest.
	16-115	Use of Force and Profanity.
	15-224	Bias Based Policing and Unbecoming Conduct.
	15-234	Improper Search and Failure to Care for Property.
	15-226	Unbecoming Conduct.
	15-283	Improper Arrest.
	15-282	Dishonest, Failure to Book Evidence and Unbecoming Conduct.
	15-227	Failure to Report and Failure to Investigate.

I, Carolyn Hill, City Clerk Specialist, certify that the agenda was posted not less than 72 hours prior to the meeting. *Carolyn Hill* Date: 8/5/16

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