

CITY OF LONG BEACH
CITIZEN POLICE COMPLAINT
COMMISSION AGENDA

THURSDAY, OCTOBER 13, 2016
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER, 6:00 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

SPECIAL MEETING

CALL TO ORDER

ROLL CALL

CONSENT CALENDAR

1. 16-053CP 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>
16-043	Failure to Care for Property/Unbecoming Conduct
16-053	Unbecoming Conduct
15-249	Unbecoming Conduct
15-278	Failure to Take Report
15-257	Unbecoming Conduct
16-139	Unbecoming Conduct
16-048	Unbecoming Conduct
16-118	Unbecoming Conduct

Suggested Action: Approve recommendation.

REGULAR AGENDA

2. 16-054CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, September 8, 2016.

Suggested Action: Approve recommendation.

3. 16-055CP Recommendation to receive and file City Manager's Report.

Suggested Action: Approve recommendation.

PRESENTATION

4. 16-056CP Recommendation to receive and file presentation on Officer Involved Shooting (OIS) Investigation Procedures.
- 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.

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. 16-057CP 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: 10/16/16

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Kung nais ang interpretasyon ng sinasalitang wika para sa mga taong hindi nagsasalita ng Ingles o kung nais ang isang natatanging tulong ayon sa Americans with Disabilities Act, mangyaring isagawa ang iyong hiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras ng negosyo bago ang pagpupulong ng Charter Commission.

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បើមានការចង់បានឱ្យមានការបកប្រែភាសាផ្ទាល់មាត់ឱ្យអ្នកមិនចេះនិយាយអង់គ្លេស ឬបើមានការចង់បានឱ្យមានដំណោះស្រាយពិសេសដោយយោងតាមមាត្រាច្បាប់ស្តីពី ជនពិការអាមេរិកាំង សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅទៅការិយាល័យសៀវភៅ ក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំ គណៈកម្មការធម្មនុញ្ញ)។

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Kung nais ang pagsasalin ng nakasulat na wika ng agenda ng Komisyon at ang minutes para sa mga taong hindi nagsasalita ng Ingles, mangyaring isagawa ang iyong hiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras ng negosyo bago ang pagpupulong ng Commission.

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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

FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (6:34 PM)

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

ROLL CALL (6:34 PM)

Commissioners Josephine Castellanos, Alvaro Castillo, José M. Flores, Richard

Present: Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff Price

Commissioners Raúl Añorve and Beekman "Terry" Beebe

Absent:

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

CONSENT CALENDAR (6:35 PM)

1. 16-048CP 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>
16-093	Failure to Care for Property
15-273	Use of Force

15-244	Failure to Take Action
15-217	Use of Force
15-194	Failure to Investigate
15-228	Unbecoming Conduct
15-225	Failure to Investigate
14-002	Use of Force
15-067	Improper Search/Improper Detention
15-231	Improper Search/Failure to Care for Property/Unbecoming Conduct

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

Yes: 8 - Josephine Castellanos, Alvaro Castillo, José M. Flores, Richard Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff Price

Absent: 2 - Raúl Añorve and Beekman "Terry" Beebe

REGULAR AGENDA (6:36 PM)

2. 16-049CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, August 11, 2016.

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

Yes: 8 - Josephine Castellanos, Alvaro Castillo, José M. Flores, Richard Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff Price

Absent: 2 - Raúl Añorve and Beekman "Terry" Beebe

PUBLIC COMMENT (6:36 PM)

Brian Apodaca spoke regarding Mr. Uriatre's case.

Commissioner Castillo spoke.

Anitra Dempsey, Executive Director, spoke.

Commissioner Castillo spoke.

Brian Apodaca spoke.

Armando Uriarte spoke regarding his case.

Chair Price spoke.

3. 16-050CP Recommendation to receive and file City Manager's Report.

Anitra Dempsey, Executive Director, presented the staff report.

A motion was made by Commissioner Lindemann, seconded by Commissioner Castillo, to approve recommendation. The motion carried by the following vote:

Yes: 8 - Josephine Castellanos, Alvaro Castillo, José M. Flores, Richard Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff Price

Absent: 2 - Raúl Añorve and Beekman "Terry" Beebe

EXECUTIVE DIRECTOR'S REPORT (6:51 PM)

Anitra Dempsey, Executive Director, thanked the speakers for addressing the Commission regarding their cases; and reminded the Commissioners of the upcoming Retreat scheduled for Saturday, September 17, 2016.

REMARKS FROM THE CHAIR AND COMMISSIONERS (6:51 PM)

Commissioner Castellanos spoke.

Anitra Dempsey, Executive Director, spoke.

Chair Price spoke.

Anitra Dempsey, Executive Director, spoke.

RECESS TO CLOSED SESSION (6:51 PM)

At 6:50 PM, there being no objection, Chair Price recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (10:48 PM)

At 10:48 PM, Chair Price reconvened the meeting.

ROLL CALL (10:48 PM)

Commissioners Josephine Castellanos, Alvaro Castillo, José M. Flores, Richard
Present: Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff
Price

Commissioners Raúl Añorve and Beekman "Terry" Beebe
Absent:

4. 16-051CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Chair Price reported out from Closed Session the following actions taken: [1] Case No. 15-259 Commissioners voted 6-0 with 2 abstentions on Allegation Nos. 1. Unbecoming Conduct and 2. Unbecoming Conduct on First Officer accused; [2] Case No. 15-256 Commissioners voted 7-1 on Allegation No. 1. Use of Force on First and Second Officers accused; [3] Case No. 15-233 Commissioners voted 7-1 on Allegation No. 1. Misuse of Authority on First Officer accused; 6-2 on Allegation No. 2. Unbecoming Conduct on Second Officer accused; 7-1 on Allegation No. 3. Failure to Investigate on First Officer accused; and 8-0 on Second Officer accused; [4] Case No. 16-009 Commissioners voted 5-3 on Allegation No. 1. Use of Force on First Officer accused, 8-0 on Allegation No. 2. Use of Force on First Officer accused, 6-2 on Allegation No. 3. Improper Detention on First Officer accused, and 8-0 on Allegation No. 4. Profanity on First Officer accused; [5] Case No. 15-276 Commissioners voted 8-0 on Allegation Nos. 1. Use of Force, 2. Unbecoming Conduct, 3. Unbecoming Conduct, and 4. Unbecoming Conduct on First and Second Officers accused; [6] Case No. 16-005 Commissioners voted 6-2 on Allegation No. 1. Unbecoming Conduct and 8-0 on Allegation No. 2. Dishonesty on First Officer accused; [7] Case No. 15-254 Commissioners voted 8-0 on

Allegation Nos. 1. Failure to Investigate and 2. Unbecoming Conduct on First Officer accused; [8] Case No. 15-245 Commissioners voted 8-0 on Allegation No. 1. Unbecoming Conduct; 7-1 on Allegation No. 2. Misuse of Authority; 8-0 on Allegation Nos. 3. Dishonesty, 4. Unbecoming Conduct, 5. Unbecoming Conduct and 6. Use of Force on First and Second Officers accused; and 8-0 on Allegation No. 7. Profanity on First Officer accused; [9] Case No. 16-120 Commissioners voted 6-2 on Allegation No. 1. Bias Based Policing on First and Second Officers accused; and [10] Case No. 15-253 Commissioners voted 7-1 on Allegation No. 1. Unbecoming Conduct on First Officer accused.

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

Yes: 8 - Josephine Castellanos, Alvaro Castillo, José M. Flores, Richard Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff Price

Absent: 2 - Raúl Añorve and Beekman "Terry" Beebe

ADJOURNMENT (10:57 PM)

At 10:57 PM, there being no objection, Chair Price declared the meeting adjourned.

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NOTE:

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CITY OF LONG BEACH
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COMMISSION AGENDA

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333 W. OCEAN BOULEVARD
COUNCIL CHAMBER/LOUNGE, 6:00 PM

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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

SPECIAL MEETING

CLOSED SESSION

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

1. 16-058CP	<u>CPCO NO.</u>	<u>ALLEGATION(S)</u>
	16-150	Failure to Care for Property.
	15-255	Bias Based Policing.
	15-258	Use of Force and Profanity.
	15-262	Unbecoming Conduct, Improper Detention and Bias Based Policing.
	16-116	Unbecoming Conduct.
	15-198	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: 10/6/16

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