

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

**SATURDAY, APRIL 1, 2017
WORKFORCE DEVELOPMENT BOARD OFFICE
3447 ATLANTIC AVENUE, 9:00 AM**

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
Richard Lindemann, Commissioner
Suely Saro, Commissioner

Anitra Dempsey, Executive Director

**SPECIAL MEETING (RETREAT)
OF THE CITIZEN POLICE COMPLAINT COMMISSION AGENDA**

CALL TO ORDER

ROLL CALL

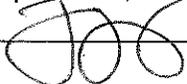
17-019CP	9:00 AM - 9:15 AM	REGISTRATION, CONTINENTAL BREAKFAST AND WELCOME
17-020CP	9:15 AM - 9:45 AM	COMMISSIONER ICE BREAKER (CPCC Staff)
17-021CP	9:45 AM - 10:00 AM	CPCC CHARTER OVERVIEW (CPCC Staff)
17-022CP	10:00 AM - 10:10 AM	BREAK
17-023CP	10:10 AM - 12:10 PM	IMPLICIT BIAS (CCEJ Staff)
17-024CP	12:10 PM - 12:40 PM	LUNCH
17-025CP	12:40 PM - 1:20 PM	"FINDINGS" SCENARIOS (CPCC Staff)
17-026CP	1:20 PM - 1:30 PM	A DAY IN THE LIFE OF THE CPCC (CPCC Staff)
17-027CP	1:30 PM - 1:35 PM	BREAK

CITY OF LONG BEACH
CITIZEN POLICE COMPLAINT COMMISSION
AGENDA

SATURDAY, APRIL 1, 2017
WORKFORCE DEVELOPMENT BOARD OFFICE
3447 ATLANTIC AVENUE, 9:00 AM

17-028CP 1:35 PM - 2:00 PM CLOSING REMARKS, DEBRIEF

17-029CP 2:00 PM ADJOURN

I, Jonathan Nagayama, City Clerk Specialist, certify that the agenda was posted not less than 24 hours prior to the meeting.  _____ Date: 3/30/17

jn

NOTE:

If oral language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the Charter Commission meeting.

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.

Si desea interpretación oral en otro idioma para personas que no hablan inglés o si desea una adaptación especial en conformidad con la Ley de Estadounidenses con Discapacidades, haga su solicitud por teléfono a la Oficina de la Secretaría Municipal al (562) 570-6101, 72 horas hábiles antes de la reunión de la comisión de estatutos.

បើមានការចង់បានឲ្យមានការបកប្រែភាសាផ្ទាល់មាត់ឲ្យអ្នកមិនចេះនិយាយអង់គ្លេស ឬបើមានការចង់បានឲ្យមានដំណោះស្រាយពិសេសដោយយោងតាមមាត្រាច្បាប់ស្តីពី ជនពិការអាមេរិកាំង សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅទៅការិយាល័យស្ម័គ្រ ក្នុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំ កិណាកម្មការធម្មនុញ្ញ)។

If written language translation of the Commission agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the Commission meeting.

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.

Si desea obtener la traducción escrita en otro idioma de la agenda y actas de la comisión para personas que no hablan inglés, haga su solicitud por teléfono a la Oficina de la Secretaría Municipal al (562) 570-6101, 72 horas hábiles antes de la reunión de la

បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបវារៈ និងកំណត់ហេតុឲ្យអ្នកដែលមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើសំណើរអ្នកតាមនូវស័ព្ទដោយហៅការិយាល័យស្មៅនក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំគណកម្មការធម្មនុញ្ញ)។

CPCC FINDINGS

AS DEFINED BY THE COMMISSION

RECEIVE & FILE

When information is received which, on its face, does not establish misconduct it is received and filed. The case may be reopened if further information or evidence is submitted within a year of the department's discovery of the alleged act.

UNFOUNDED

The investigation indicates the alleged act did not occur. By way of example, there is no information or evidence that supports the allegation, the complainant has been found to be untruthful, or the individual named in the complaint was not involved.

EXONERATED

The investigation indicates the alleged act did occur, but the actions taken were justified, lawful and proper.

NOT SUSTAINED

The investigation fails to disclose sufficient evidence to prove or disprove the alleged act. By way of example, the officers deny the allegation and there are no independent or unbiased witnesses to support the complainant's allegation.

SUSTAINED

The investigation indicates by a preponderance of evidence the alleged act occurred and said act constitutes misconduct.

OTHER/TRAINING

The investigation indicates the alleged act occurred, but fails to rise to the level of misconduct and would be most appropriately handled by training or other means.

RE-INVESTIGATE

When new information comes to the attention of the Commission or Commissioners, or additional witnesses have been identified and were not interviewed during the initial investigation, the case could be classified as "Re-Investigate."

Citizen Police Complaint Commission
“Findings” Scenarios
April 1, 2017

Directions: After reading each situation, check the box with the most appropriate finding.

1. Carolyn Jones alleges that while on the crime scene, Officer A. used excessive force when he put her arm in a *chicken wing* maneuver. Officer A. wrote in the report that he used a wrist lock pain compliance hold after giving verbal commands when the complainant refused to leave the restricted area of a crime scene.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

2. Ann Rice alleges that while off-duty, Officer R. left the scene after his personal vehicle hit Rice’s parked and unoccupied car. Witnesses provided the striking vehicle’s license plate. The officer denies the allegation. Video from a nearby store shows the officer driving the car that struck Rice’s car.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

3. Michael “Michelle” Silver has lived as a woman for two years and is scheduled to have gender reassignment surgery. She was involved in a traffic accident and was arrested for DUI. Several police officers responded to the scene of the accident. Officer Jones looked at Michelle’s driver’s license which identifies her as a male named Michael. She alleges that Officer Jones was unprofessional when he repeatedly called her “sir,” “buddy” and “dude.” Mr. Martin who was a passenger in the vehicle with Michelle Silver, did not hear him call her. “Sir”, “buddy” or “dude.”

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

4. Jane Doe said that Officer A. called her an f—ing liar during questioning about whether or not she witnessed a car accident. Officer A. denies the allegation and provided an audio recording of the contact. No profanity is heard on the recording.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

5. Donald Driver alleges Officer Miller racially profiled him when he stopped him as he was walking near the Traffic Circle at 2:00 am. Mr. Driver asked the officer why he was being stopped. Officer Miller advised him that there has been an increase in crime in the area and that he stopped Mr. Driver *to make sure he lives in the area*. Mr. Driver was allowed to leave after seven minutes. Mr. Driver complained that the only reason he was stopped is because of the color of his skin. Mr. Driver stated that the officer did not make any racial comments to him.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

6. Donald Driver alleges Officer Miller was unprofessional when he detained him for 40 minutes as he was walking near the Traffic Circle at 2:00 am. Mr. Driver asked the officer why he was being stopped. Officer Miller advised him that there was an increase in crime in the area. He said that he stopped him *to make sure he lives in the area*.

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7. Betty Boop alleges that Officer Jones called her "stupid" after she told him that she did not know that she had to *completely* stop at a "stop" sign. She said that she thought that she could slow down enough to make sure that no one was in the way. Officer Jones denied the allegation. Two witnesses were listed but not interviewed.

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8. Michael Madison alleges that Officer Day told him to "get on the f—king ground" at the end of a felony vehicle pursuit. Madison acknowledges that he was driving a stolen car and that he was slow in responding to the officer's commands. However, he believes that such language is unprofessional from a sworn officer. Officer Day admits making the comment.

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9. Sharon Stone alleges Officer Smith used profanity while taking a report. Stone was involved in a "fender bender". She explained to Officer Smith her husband was going to be mad about the accident. Officer Smith said, "Your husband? I deal with this petty bulls**t everyday." Officer Smith said he made the comment to lighten the situation.

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10. Candace Jones filed a complaint after seeing a Facebook video that shows Long Beach police officers arrest a man who spit on the sidewalk. She alleges that the officers only arrested him because of his race. The officers and witnesses report that prior to spitting, the man and two other men were involved in a fight with a police officer, which was not captured on the video that was circulating on social media. All suspects were arrested.

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11. Candace Jones filed a complaint after seeing a Facebook video that shows Long Beach police officers arrest a man who spit on the sidewalk. She alleges that the officers only arrested him because of his race. The officers and witnesses report that prior to spitting, the man, along with two other men whose race appeared different than the arrested man, was involved in a fight with a police officer, which was not captured on the video that was circulating on social media. Only the person who spit was arrested.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

12. Carol King attended elementary school in Long Beach, CA. Although she has lived in Utah since she was 12 years old, she uses various forms of social media to keep informed of current events in Long Beach. She read via internet blog that Officer Meehan spit on Occupy Long Beach demonstrators. She is offended that such an incident might have occurred in the city she loves. She does not personally know anyone involved, but insists on filing a complaint. Officer Meehan denies the allegation. No independent witnesses can be located.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

13. Fernando Sanchez alleges Officer Gung-Ho racially profiled him when he stopped him as he walked near the 10th Street and Long Beach Boulevard at 4:00 am and immediately asked, "Are you on parole or probation?" Prior to being detained Mr. Driver, a medical intern, was taking a quick stroll before beginning a 12-hour shift at Community Hospital. He said that as a law abiding person, he is offended that this was the first thing that the officer asked, as if everyone who looks like him is a criminal.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

14. Oswald Smith alleges that Officer Cantankerous was unprofessional during the service of a search warrant when he said, "Your son is a gangsta and thief." Officer Cantankerous admitted making the comment, saying that it is true because the son has been convicted of theft with a gang enhancement.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

15. City Manager North was riding his bicycle to work at 7:00 a.m. Officer East cited him for not having a bicycle license. The municipal code states that bicycles must be licensed. While this requirement has not been changed in the municipal code, Long Beach issued a moratorium on enforcing this ordinance to support the city being "bicycle friendly." Mr. North complained that the officer was unprofessional by issuing the citation.

Unfounded **exonerated** **not sustained** **sustained**
 Receive and file **re-investigate** **other/training**

16. John Deville went to the main police station to file a complaint against a patrol officer who was talking on his cell phone while driving. The person behind the desk told him to fill out a complaint form, which could be found on a desk near the door. When John looked, he could not find a complaint form. Sergeant Apple responded and refused to take a complaint or locate a complaint form. John contacted the CPC and insisted on filing a complaint against the person behind the desk for "blowing him off and telling him to look for a complaint form when one was not there" and against the sergeant for not taking his complaint. Mr. Deville said he has a recording of the sergeant statements but needs to find it.

(front desk personnel)

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(sergeant)

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17. April Summer was spending the night over June Winter's house when officers served a search warrant at 5:00 a.m. The women were told to sit on the curb while the officers conducted the search. April and June later filed a complaint alleging that the officers forced them to remain in the cold for an hour and refused to allow them to get a jacket in 60-degree weather. An investigation determined that the officers who served the warrant are not members of the Long Beach Police Department.

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