

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

**THURSDAY, JUNE 13, 2019
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER, 5:30 PM**

Desmond Fletcher, Chair
Christian Cooper, Vice Chair
Leonard Adams Jr., Commissioner
Dana Buchanan, Commissioner



Veronica Garcia, Commissioner
Richard Lindemann, Commissioner
Dianne McNinch, Commissioner
Maria Norvell, Commissioner
Joni Ricks-Oddie, Commissioner

Anitra Dempsey, Executive Director

CALL TO ORDER

ROLL CALL

CONSENT CALENDAR

1. 19-038CP 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>
18-197	Unbecoming Conduct
18-163	Unbecoming Conduct
18-182	Failure to Take Action & Unbecoming Conduct
18-108	Harassment
18-181	Unbecoming Conduct
19-022	Unbecoming Conduct
18-164	Unbecoming Conduct
18-189	Failure to Investigate & Unbecoming Conduct
18-142	Unbecoming Conduct
18-113	Unbecoming Conduct
18-184	Harassment
18-103	Failure to Take Action
18-090	Failure to Take Action
18-118	Unbecoming Conduct
18-166	Unbecoming Conduct
18-209	Unbecoming Conduct
18-158	Unbecoming Conduct

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

<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
18-066	Harassment, Dishonesty, & Unbecoming Conduct
18-041	Bias Based Policing & Unbecoming Conduct
18-025	Unbecoming Conduct
18-114	Use of Force & Unbecoming Conduct
18-115	Improper Arrest
18-102	Unbecoming Conduct & Improper Detention
18-130	Unbecoming Conduct, Profanity, Improper Search & Improper Arrest
18-123	Unbecoming Conduct
18-100	Harassment & Use of Force

Suggested Action: Approve recommendation.

REGULAR AGENDA

2. 19-039CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, May 9, 2019 and Special Meeting of Friday, May 17, 2019.

Suggested Action: Approve recommendation.

3. 19-040CP Recommendation to receive and file City Manager's Report.

Suggested Action: Approve recommendation.

4. 19-041CP Recommendation to receive and file an update on Commissioners questions or recommendations.

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.

RECOGNITION OF OUTGOING COMMISSIONERS

RECOGNITION OF RETIRING EXECUTIVE DIRECTOR

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

5. 19-042CP 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, Jonathan Nagayama, 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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NOTE:

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

**THURSDAY, MAY 9, 2019
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER, 5:30 PM**

Desmond Fletcher, Chair
Christian Cooper, Vice Chair
Leonard Adams Jr., Commissioner
Dana Buchanan, Commissioner



Veronica Garcia, Commissioner
Richard Lindemann, Commissioner
Dianne McNinch, Commissioner
Maria Norvell, Commissioner
Joni Ricks-Oddie, Commissioner

Anitra Dempsey, Executive Director

FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (5:31 PM)

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

ROLL CALL (5:31 PM)

Commissioners Dana Buchanan, Veronica Garcia, Richard Lindemann, Dianne
Present: McNinch, Maria Norvell, Christian Cooper and Desmond
Fletcher

Commissioners Leonard Adams Jr. and Joni Ricks-Oddie
Absent:

Also present: Anitra Dempsey, Executive Director; Patrick Weithers, Special Investigator;
Terrance Pham, Special Investigator; Lloyd Cox, Commander, Long Beach Police
Department; Monica Kilaita, Deputy City Attorney; Jonathan Nagayama, City Clerk Specialist.

CONSENT CALENDAR (5:31 PM)

- 1. 19-024CP 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>
18-062	Unbecoming Conduct
18-089	Unbecoming Conduct

18-091 Unbecoming Conduct
18-073 Unbecoming Conduct

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

Yes: 7 - Dana Buchanan, Veronica Garcia, Richard Lindemann, Dianne McNinch, Maria Norvell, Christian Cooper and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Joni Ricks-Oddie

REGULAR AGENDA (5:31 PM)

2. 19-025CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, April 11, 2019.

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

Yes: 7 - Dana Buchanan, Veronica Garcia, Richard Lindemann, Dianne McNinch, Maria Norvell, Christian Cooper and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Joni Ricks-Oddie

3. 19-026CP Recommendation to receive and file City Manager's Report.

Anitra Dempsey, Executive Director, spoke; and introduced Patrick Weithers, Special Investigator, and Terrance Pham, Special Investigator.

Patrick Weithers, Special Investigator, spoke; and presented the staff report.

Terrance Pham, Special Investigator, spoke; and continued the staff report.

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

Yes: 7 - Dana Buchanan, Veronica Garcia, Richard Lindemann, Dianne McNinch, Maria Norvell, Christian Cooper and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Joni Ricks-Oddie

PUBLIC COMMENT (5:37 PM)

Perry Ball spoke.

Chair Fletcher spoke.

Anitra Dempsey, Executive Director, spoke.

EXECUTIVE DIRECTOR'S REPORT (5:45 PM)

Anitra Dempsey, Executive Director, reminded the Commission the CPCC retreat will take place on Friday, May 17, 2019 and wished all the Mothers a Happy Mother's Day.

REMARKS FROM THE CHAIR AND COMMISSIONERS (5:46 PM)

Chair Fletcher spoke.

Anitra Dempsey, Executive Director, spoke.

Commissioner Norvell spoke.

Commissioner Lindemann spoke.

RECESS TO CLOSED SESSION (5:52 PM)

At 5:52 PM, there being no objection, Chair Fletcher recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (9:53 PM)

At 9:53 PM, Chair Fletcher reconvened the meeting.

ROLL CALL (9:53 PM)

Commissioners Dana Buchanan, Veronica Garcia, Richard Lindemann, Dianne
Present: McNinch, Maria Norvell, Christian Cooper and Desmond
Fletcher

Commissioners Leonard Adams Jr. and Joni Ricks-Oddie
Absent:

4. 19-027CP 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. 18-201 Commissioners voted 7-0 on Allegation No. 1 - Bias Based Policing for Officer accused;

[2] Case No. 18-084 Commissioners voted 7-0 on Allegation No. 1 - Bias Based Policing and 6-0-1 on Allegation No. 2 - Harassment for First and Second Officers accused, and 5-2 on Allegation No. 3 - Unbecoming Conduct for Officer accused;

[3] Case No. 18-099 Commissioners voted 7-0 on Allegation Nos. 1 - Improper Arrest, 2 - Use of Force, and 3 - Unbecoming Conduct for First, Second, and Third Officers accused;

[4] Case No. 18-094 Commissioners voted 4-3 on Allegation No. 1 - Use of Force, and 7-0 on Allegations No. 2 - Improper Search and 3 - Dishonesty for First and Second Officers accused;

[5] Case No. 18-081 Commissioners voted 5-2 on Allegation No. 1 - Profanity for First Officer accused, 7-0 for Second Officer accused, and 7-0 on Allegation Nos. 2 - Improper Arrest and 3 - Use of Force for First and Second Officers accused;

[6] Case No. 18-080 Commissioners voted 7-0 on Allegation No. 1 - Dishonesty and 2 - Unbecoming Conduct for Officer accused;

[7] Case No. 18-085 Commissioners voted 6-0-1 on Allegation No. 1 - Unbecoming Conduct, and 7-0 on Allegations No. 2 - Unbecoming Conduct and 3 - Unbecoming Conduct for Officer accused;

[8] Case No. 18-088 Commissioners voted 6-0-1 on Allegation No. 1 - Improper Arrest for First, Second, and Third Officers accused;

[9] Case No. 18-074 Commissioners voted 7-0 on Allegation No. 1 - Improper Search for Officer accused;

[10] Case No. 18-096 Commissioners voted 4-3 on Allegation No. 1 - Unbecoming Conduct and 5-2 on Allegation No. 2 - Unbecoming Conduct for Officer accused; and

[11] Case No. 18-087 Commissioners voted 7-0 on Allegation No. 1 - Use of Force for Officer accused and 2 - Unbecoming Conduct for First, Second, Third, and Fourth Officers accused.

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

Yes: 7 - Dana Buchanan, Veronica Garcia, Richard Lindemann, Dianne McNinch, Maria Norvell, Christian Cooper and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Joni Ricks-Oddie

PUBLIC COMMENT (9:58 PM)

No members of the public addressed the commission.

ADJOURNMENT (9:58 PM)

At 9:58 PM, there being no objection, Chair Fletcher declared the meeting adjourned.

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

**FRIDAY, MAY 17, 2019
SHORELINE YACHT CLUB
386 SHORELINE DRIVE, 8:00 AM**

Desmond Fletcher, Chair
Christian Cooper, Vice Chair
Leonard Adams Jr., Commissioner
Dana Buchanan, Commissioner



Veronica Garcia, Commissioner
Richard Lindemann, Commissioner
Dianne McNinch, Commissioner
Maria Norvell, Commissioner
Joni Ricks-Oddie, Commissioner

Anitra Dempsey, Executive Director

FINISHED AGENDA & DRAFT MINUTES

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

CALL TO ORDER (8:40 AM)

At 8:40 AM, Chair Fletcher called the meeting to order.

ROLL CALL (8:40 AM)

Commissioners Dana Buchanan, Veronica Garcia, Richard Lindemann, Dianne
Present: McNinch, Maria Norvell, Joni Ricks-Oddie, Christian Cooper and
Desmond Fletcher

Commissioners Leonard Adams Jr.
Absent:

Also present: Anitra Dempsey, Executive Director; Patrick Weithers, Special Investigator; Terrance Pham, Special Investigator; Monica Kilaita, Deputy City Attorney; Lloyd Cox, Commander, Long Beach Police Department; Dominick Scaccia, Sergeant, Long Beach Police Department; Gregory Schirmer, Sergeant, Long Beach Police Department; Robert Smith, Commander, Long Beach Police Department; Jonathan Steinhauser, Sergeant, Long Beach Police Department; Lee Debrabander, Sergeant, Long Beach Police Department; Paul Gallo, Sergeant, Long Beach Police Department; Marcina Riley, MBK Initiative Coordinator.

19-029CP 8:00 AM CONTINENTAL BREAKFAST

This CP-Agenda Item was received and filed.

19-030CP 8:30 AM WELCOME AND OVERVIEW OF THE DAY

This CP-Agenda Item was received and filed.

19-031CP 8:45 AM OFFICER INVOLVED SHOOTINGS (OIS'S) - LAWS,
POLICIES, AND CONSIDERATIONS

This CP-Agenda Item was received and filed.

10:45 AM BREAK

19-032CP 11:00 AM OIS'S (CONT.) INVESTIGATIONS AND REVIEWS

This CP-Agenda Item was received and filed.

12:30 PM LUNCH

19-033CP 1:00 PM BIAS BASED POLICING

This CP-Agenda Item was received and filed.

19-034CP 2:00 PM IMPLICIT BIAS

This CP-Agenda Item was received and filed.

3:00 PM BREAK

19-035CP 3:10 PM CPCC'S LETTERS AND PROCESSES

This CP-Agenda Item was received and filed.

19-036CP 4:00 PM COMMUNITY ENGAGEMENT

This CP-Agenda Item was received and filed.

19-037CP 4:30 PM DEBRIEF

This CP-Agenda Item was received and filed.

5:00 PM ADJOURN

ADJOURNMENT (4:45 PM)

At 4:45 PM, Chair Fletcher declared the meeting adjourned.

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

**THURSDAY, JUNE 13, 2019
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER/LOUNGE, 5:30 PM**

Desmond Fletcher, Chair
Christian Cooper, Vice Chair
Leonard Adams Jr., Commissioner
Dana Buchanan, Commissioner



Veronica Garcia, Commissioner
Richard Lindemann, Commissioner
Dianne McNinch, Commissioner
Maria Norvell, Commissioner
Joni Ricks-Oddie, 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. 19-043CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	18-129	Bias Based Policing & Unbecoming Conduct
	19-072	Improper Detention & Unbecoming Conduct
	18-132	Use of Force & Profanity
	18-121	Unbecoming Conduct
	18-119	Use of Force & Failure to Care for Property
	18-110	Failure to Take Action & Failure to Take Report
	18-112	Improper Search, Bias Based Policing, Use of Force, Misappropriation of Property, Failure to Care for Property, & Unbecoming Conduct
	18-131	Improper Search & Use of Force

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

jn

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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.

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

**បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបរាវ និងកំណត់ហេតុឲ្យ
អ្នកដែលមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅ
ការិយាល័យស្មៀនក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹង
ចាប់ផ្តើមបើកកិច្ចប្រជុំគណកម្មការធម្មនុញ្ញ)។**