

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

**THURSDAY, MAY 12, 2022
411 W. OCEAN BOULEVARD
CIVIC CHAMBERS, 5:30 PM**

Dana Buchanan, Chair
Veronica Garcia, Vice Chair
Michele Anderson, Commissioner
Irma Archuleta, Commissioner
Michael L. Bates, Commissioner



Dianne McNinch, Commissioner
Kenneth Shiozaki-Kawamoto, Commissioner
Michael Soto, Commissioner
Merry Taheri, Commissioner
Brent Walmsley, Commissioner

Patrick Weithers, Manager of the CPCC

**CITIZEN POLICE COMPLAINT COMMISSION MEETING IN-PERSON/VIRTUAL
HYBRID MEETING PURSUANT TO AB 361 (GOV. CODE SECTION 54953(e)(1)-(2))**

**JOIN VIA ZOOM, PLEASE DIAL: (213) 338-8477 / MEETING ID: 984 2521 0065
<https://longbeach-gov.zoom.us/j/98425210065>**

**TO PROVIDE PUBLIC COMMENT IN THE ZOOM MEETING RAISE YOUR HAND BY
CLICKING THE HAND ICON WHILE THE ITEM IS BEING READ BY THE CITY CLERK.
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**MEMBERS OF THE PUBLIC HAVE THE OPTION TO USE eCOMMENT TO PROVIDE
COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS MAY ALSO BE SUBMITTED
BY EMAIL TO CITYCLERK@LONGBEACH.GOV**

**PLEASE VIEW THE MEETING FROM YOUR COMPUTER, TABLET, OR SMARTPHONE
VIA: https://longbeach.granicus.com/ViewPublisher.php?view_id=84**

CALL TO ORDER

ROLL CALL

REGULAR AGENDA

1. 22-020CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, April 14, 2022.

Suggested Action: Approve recommendation.

PUBLIC COMMENT

Opportunity to address the Commission (on non-agenda items) Each speaker is allowed three (3) minutes to make their comments unless that time is extended by the Chair.

MANAGER'S REPORT

REMARKS FROM THE CHAIR AND 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

- 2. 22-021CP 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, Kyle Smith, City Clerk Specialist, certify that the agenda was posted not less than 72 hours prior to the meeting.

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

**THURSDAY, APRIL 14, 2022
411 W. OCEAN BOULEVARD
CIVIC CHAMBERS, 5:30 PM**

Dana Buchanan, Chair
Veronica Garcia, Vice Chair
Michele Anderson, Commissioner
Irma Archuleta, Commissioner
Michael L. Bates, Commissioner



Dianne McNinch, Commissioner
Michael Soto, Commissioner
Merry Taheri, Commissioner
Brent Walmsley, Commissioner

Patrick Weithers, Manager of the CPCC

FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (5:34 PM)

At 5:34 PM, Chair Buchanan called the meeting to order.

ROLL CALL (5:34 PM)

Commissioners Irma Archuleta, Michael L. Bates, Michael Soto, Merry Taheri,
Present: Brent Walmsley, Veronica Garcia and Dana Buchanan
Commissioners Michele Anderson and Dianne McNinch
Absent:

Also Present: Patrick Weithers, Manager of the CPCC; Terrance Pham, Special Investigator; Chris Crisostomo, Special Investigator; Anita Lakhani, Deputy City Attorney; Lee DeBrabander, Commander, Long Beach Police Department; Kyle Smith, City Clerk Specialist.

REGULAR AGENDA (5:34 PM)

- 1. 22-014CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, March 10, 2022.

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

Yes: 4 - Irma Archuleta, Michael L. Bates, Brent Walmsley and Veronica Garcia

Abstain: 2 - Merry Taheri and Dana Buchanan

Absent: 3 - Michele Anderson, Dianne McNinch and Michael Soto

2. 22-016CP Recommendation to request for the Long Beach City Attorney's Office to research case law regarding labor representatives and provide a memorandum to the CPCC.

Chair Buchanan spoke.

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

Yes: 6 - Irma Archuleta, Michael L. Bates, Michael Soto, Merry Taheri, Veronica Garcia and Dana Buchanan

No: 1 - Brent Walmsley

Absent: 2 - Michele Anderson and Dianne McNinch

PUBLIC COMMENT (5:38 PM)

No members of the public addressed the Commission.

MANAGER'S REPORT (5:38 PM)

Patrick Weithers, Manager of the CPCC, spoke; and provided the Manager's Report.

Chris Crisostomo, Special Investigator, spoke.

Chair Buchanan spoke.

REMARKS FROM CHAIR AND COMMISSIONERS (5:41 PM)

Commissioner Taheri spoke.

Commissioner Soto spoke.

Commissioner Walmsley spoke.

RECESS TO CLOSED SESSION (5:42 PM)

At 5:42 PM, there being no objection, Chair Buchanan recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (10:46 PM)

At 10:46 PM, Chair Buchanan reconvened the meeting.

ROLL CALL (10:46 PM)

Commissioners Irma Archuleta, Michael L. Bates, Michael Soto, Merry Taheri,

Present: Brent Walmsley, Veronica Garcia and Dana Buchanan

Commissioners Michele Anderson and Dianne McNinch

Absent:

3. 22-015CP Recommendation to receive Commission's vote and refer findings to the City Manager.

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

[1] Case 21-109 Commissioners voted 7-0 on Allegation Nos. 1 - Unbecoming Conduct, 2 - Dishonesty, 3 - Improper Arrest, 6 - Use of Force, 11 - Dishonesty for Officer accused, 4 - Use of Force, 5 - Use of Force, 7 - Use of Force, 8 - Use of Force, 9 - Unbecoming Conduct- and 10 - Unbecoming Conduct for First, Second, Third, and Fourth Officers accused;

[2] Case No. 21-063 Commissioners voted 7-0 on Allegation Nos. 1 - Unbecoming Conduct, 2 - Unbecoming Conduct, 3 - Unbecoming Conduct, 4 - Unbecoming Conduct, 5 - Bias Based Policing for First and Second Officers accused, and 6 - Unbecoming Conduct for First, Second, Third, Fourth, Fifth and Sixth Officers accused;

[3] Case No. 21-071 Commissioners voted 7-0 on Allegation Nos. 1 -

Failure to Take Action, 2 - Failure to Take Action, for First, Second, and Third Officers accused, and 3 - Unbecoming Conduct, and 4 - Unbecoming Conduct for Officer accused;

[4] Case No. 21-101 Commissioners voted 7-0 on Allegation Nos. 1 - Use of Force, 2 - Unbecoming Conduct for First and Second Officers accused, and 3 - Unbecoming Conduct for Officer accused;

[5] Case No. 21-056 Commissioners voted 6-0-1 on Allegation No. 1 - Improper Arrest, 7-0 on Allegation Nos. 2 - Unbecoming Conduct, and 3 - Unbecoming Conduct for First and Second Officers accused;

[6] Case No. 21-052 Commissioners voted 7-0 on Allegation Nos. 1 - Unbecoming Conduct and 2 - Dishonesty for First and Second Officers accused;

[7] Case No. 21-107 Commissioners voted 7-0 on Allegation Nos. 1 - Failure to Take Action and 2 - Unbecoming Conduct for First and Second Officers accused;

[8] Case No. 21-059 Commissioners voted 7-0 on Allegation Nos. 1 - Misuse of Authority and 2 - Intimidation for Officer accused;

[9] Case No. 21-108 Commissioners voted 6-1 on Allegation No. 1 - Use of Force and 7-0 on Allegation No. 2 - Use of Force for First and Second Officers accused;

[10] Case No. 21-023 Commissioners voted 7-0 on Allegation No. 1 - Unbecoming Conduct and 2 - Failure to Investigate for Officers accused;

[11] Case No. 21-053 Commissioners voted 5-2 on Allegation No. 1 - Use of Force for Officer accused, 7-0 on Allegation No. 2 - Unbecoming Conduct for First, Second, Third, and Fourth Officers accused and 6-0-1 for Fifth Officer accused;

[12] Case No. 22-005 Commissioners voted 7-0 on Allegation No. 1 - Use of Force for Officer accused;

[13] Case No. 21-066 Commissioners voted 7-0 on Allegation No. 1 - Failure to Take Action, 2 - Unbecoming Conduct, 3 - Unbecoming

Conduct, 4 - Unbecoming Conduct, and 5 - Misuse of Authority for Officer accused;

[14] Case No. 21-058 Commissioners voted 7-0 on Allegation No. 1 - Use of Force for Officer accused;

[15] Case No. 21-095 Commissioners voted 7-0 on Allegation No. 1 - Failure to Take Action for Officer accused;

[16] Case No. 21-067 Commissioners voted 7-0 on Allegation No. 1 - Failure to Take Action for Employee accused and Long Beach Police Department;

[17] Case No. 21-073 Commissioners voted 7-0 on Allegation No. 1 - Use of Force for First and Second Officers accused;

[18] Case No. 21-110 Commissioners voted 7-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused; and

[19] Case No. 22-014 Commissioners voted 7-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused.

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

Yes: 7 - Irma Archuleta, Michael L. Bates, Michael Soto, Merry Taheri, Brent Walmsley, Veronica Garcia and Dana Buchanan

Absent: 2 - Michele Anderson and Dianne McNinch

4. 22-018CP eComments received for the Citizen Police Complaint Commission meeting of Thursday, April 14, 2022.

This CP-Agenda Item was received and filed.

PUBLIC COMMENT (10:52 PM)

No members of the public addressed the Commission.

ADJOURNMENT (10:53 PM)

At 10:53 PM, there being no objection, Chair Buchanan declared the meeting adjourned.

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Dianne McNinch, Commissioner
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Michael Soto, Commissioner
Merry Taheri, Commissioner
Brent Walmsley, Commissioner

Patrick Weithers, Manager of the CPCC

CLOSED SESSION

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

1. 22-019CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	21-081	Unbecoming Conduct, Harassment, Use of Force, & Sexual Misconduct
	21-050	Unbecoming Conduct, Harassment, & Misappropriation of Property
	21-118	Use of Force
	21-075	Racial Profiling & Unbecoming Conduct
	21-064	Harassment & Intimidation
	21-087	Sexual Misconduct
	22-033	Failure to Investigate
	22-042	Unbecoming Conduct
	21-122	Failure to Take Report
	21-039	Unbecoming Conduct & Dishonesty
	21-038	Dishonesty

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

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