

Date: December 2, 2021

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager



Subject: **Citizen Police Complaint Commission (CPCC) Independent Evaluation Update**

Background

As a part of the City of Long Beach (City) Racial Equity and Reconciliation Initiative (Initiative), the City Council provided direction for engaging an outside expert to evaluate the operations of the Citizen Police Complaint Commission (CPCC). The independent evaluation was identified as a short-term action under the Initiative's Goal 3: Redesign police approach to community safety; and Strategy 2: Redesign police oversight and accountability through improved complaint and discipline practices. City Council subsequently approved funding for the evaluation as part of the Fiscal Year (FY) 2021 Budget.

On January 27, 2021, a request for proposals (RFP) process was initiated to seek a qualified firm to evaluate the CPCC. On April 15, 2021, a notice of intent to award a contract to Polis Solutions, Inc. (Polis), of Seattle, WA, was posted. Under this contract, Polis is working with subcontractor Change Integration, of Seattle, WA, forming the Polis-Change Integration evaluation team. The approved work plan for the evaluation was initiated in June 2021. General objectives included in the work plan were: 1) identify ways to improve existing CPC operations; 2) identify options for redesign of the CPCC; 3) identify any related legislative priorities; and 4) produce an implementation roadmap.

Current Status

Consistent with the RFP requirements and approved work plan, Polis-Change Integration has completed the following activities: interviews with internal and external stakeholders; two public listening sessions; a benchmarking study of other oversight models; a review of the CPCC case management system, review of City charter requirements, City policies, procedures and training protocols, and a sample of complaint investigation files. Polis-Change Integration has also observed several CPCC meetings and an Internal Affairs case review meeting and continues to assess public feedback on the CPCC evaluation via an online survey on the [CPCC evaluation webpage](#). The online survey will remain active through December 10, 2021.

With completion of these activities, Polis-Change Integration has identified some preliminary findings and recommendations for additional feedback. Preliminary recommendations include suggestions for improving current CPCC operations and structural changes to the CPCC. On December 3, 2021, Polis-Change Integration will present to the Public Safety Committee on its preliminary findings and recommendations. The Public Safety Committee presentation is attached with this memorandum. A virtual community feedback meeting via Zoom is scheduled for December 14, 2021. Registration information for the community meeting is available on the [CPCC evaluation webpage](#).

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After obtaining additional input on the initial recommendations, Polis-Change Integration will finalize the evaluation and a comprehensive final report with an implementation roadmap and will be available in early 2022 for City Council to provide additional input and direction to staff on next steps. Any substantial structural changes to the CPCC would require a City charter amendment and an extensive meet and confer process with impacted labor organizations, per State law. More detail on the City charter amendment process, meet and confer process, and fiscal impact of the final proposed recommendations will be included in the final report.

If you have any questions, please contact Kevin Jackson, Deputy City Manager, at (562) 570-5028.

ATTACHMENT

CC: CHARLES PARKIN, CITY ATTORNEY
DOUGLAS P. HAUBERT, CITY PROSECUTOR
LAURA L. DOUD, CITY AUDITOR
LINDA F. TATUM, ASSISTANT CITY MANAGER
KEVIN JACKSON, DEPUTY CITY MANAGER
TERESA CHANDLER, DEPUTY CITY MANAGER
APRIL WALKER, ADMINISTRATIVE DEPUTY CITY MANAGER
MONIQUE DE LA GARZA, CITY CLERK
DEPARTMENT HEADS



Evaluation of Long Beach Citizen Police Complaint Commission

Preliminary Findings & Recommendations

AGENDA

- Introductions
- Goals and objectives of the evaluation
- Methodology
- Civilian oversight attributes
- Models of civilian oversight
- Overview of the CPCC and police complaint investigations in the City of Long Beach
- Benchmarking study findings
- Sample of preliminary findings
- Overview of recommendations – two pathways to reform
- Next steps in evaluation
- Questions and comments

INTRODUCTIONS

Polis – Change Integration Team

- Kathryn Olson
- Denise Rodriguez
- Margaret Hornor

EVALUATION GOALS AND OBJECTIVES



Identify Ways to
Improve CPCC
Operations

Review Other Civilian
Oversight Models for
Redesign Options

Recommend
Legislative Priorities
and Implementation
Roadmap

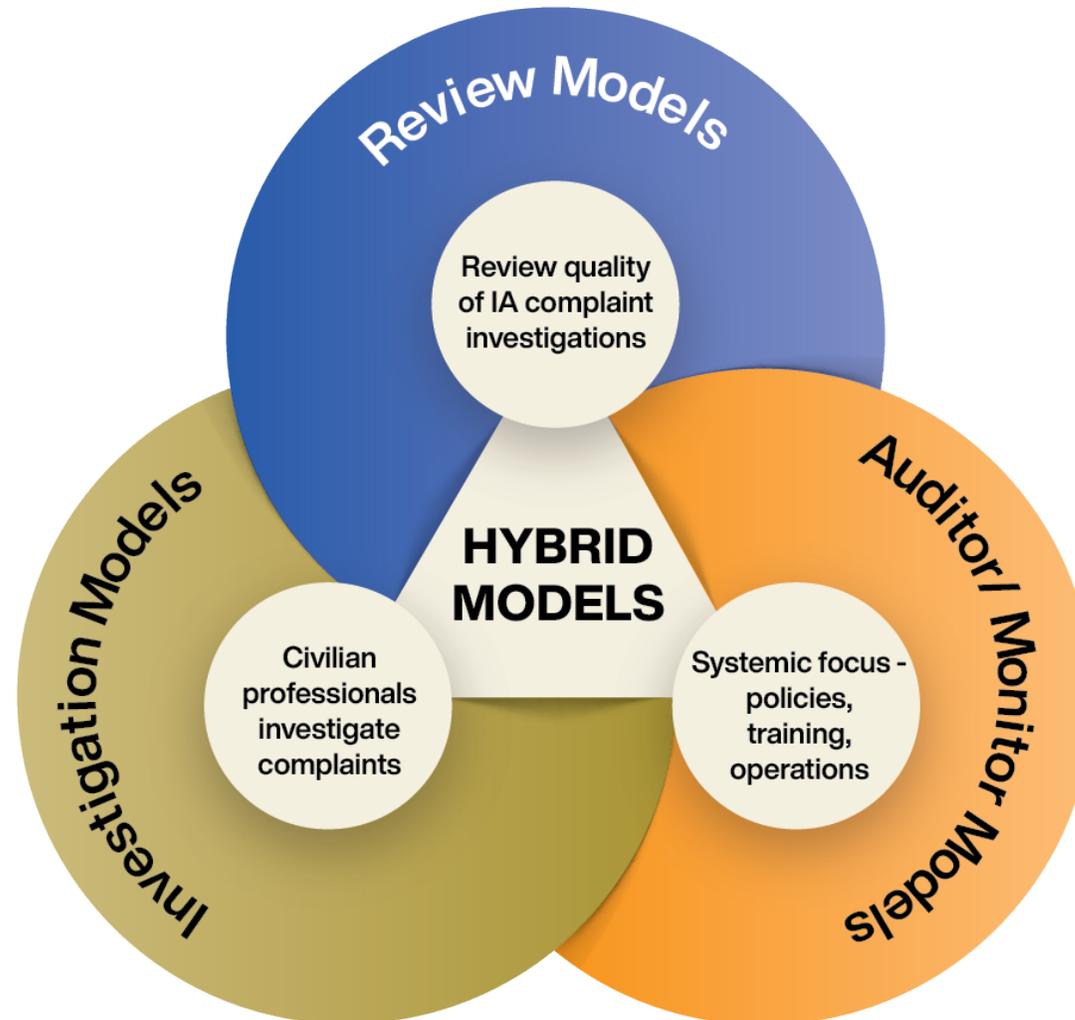
METHODOLOGY

- Stakeholder interviews, meetings, and survey
- Document review – charter amendment, by-laws, policies, training curricula
- Complaint investigation file review
- Observation of CPCC Commission meetings
- Observation of Internal Affairs case review meeting
- CPCC case management system review
- Benchmarking study of other civilian oversight agencies and gap analysis

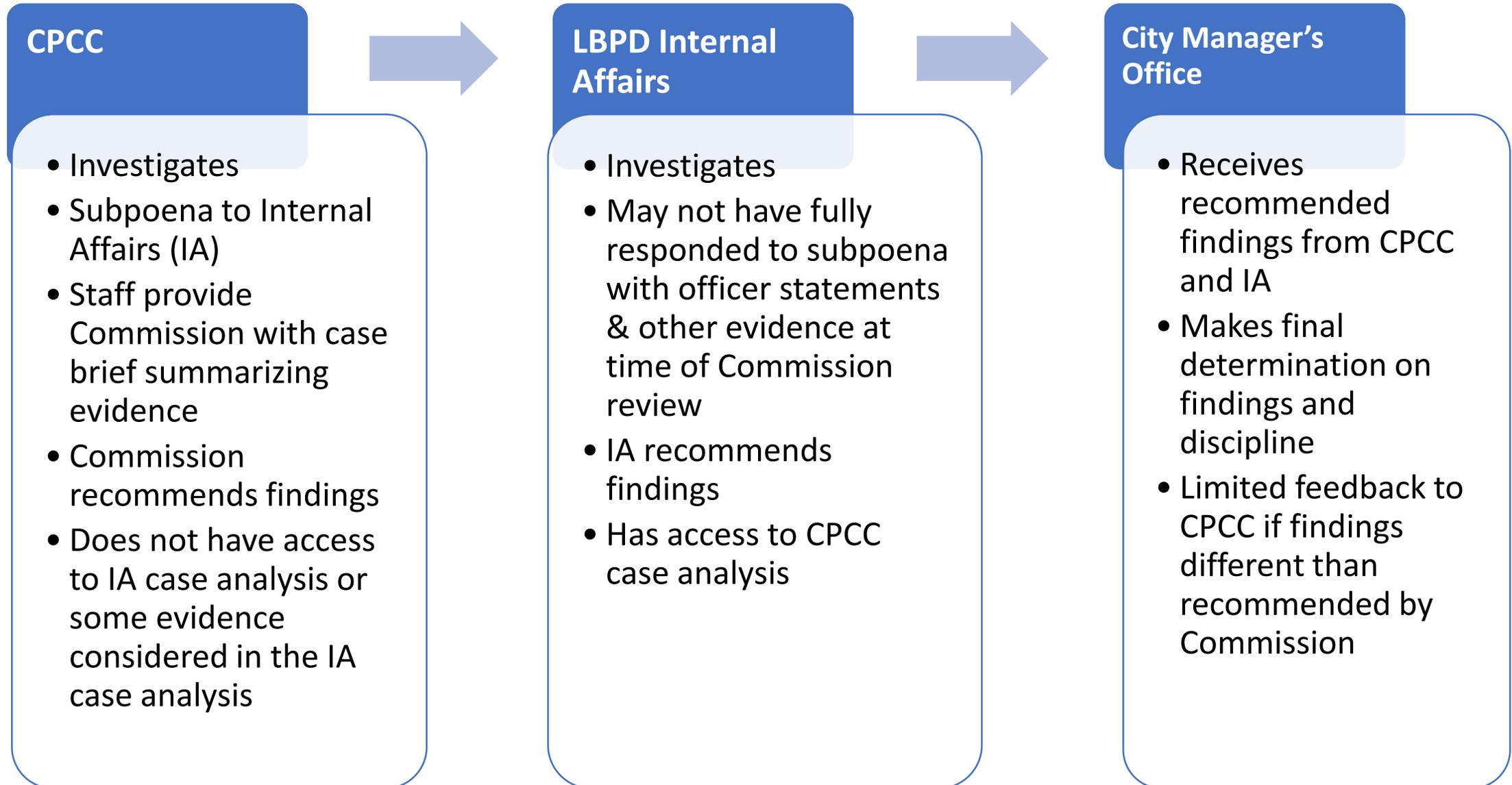


Civilian Oversight Models

(3 Primary Models + Hybrid Models)



CITIZEN POLICE COMPLAINT INVESTIGATIONS IN LONG BEACH



BENCHMARKING STUDY OF OVERSIGHT AGENCIES

- NACOLE survey data + information available to consultants + research and updated information for select agencies
- 26 California (CA) agencies (not including Long Beach CPCC)
- Focus particularly on six CA agencies in similar sized cities
 - Anaheim - Auditor/Monitor with Commission/Board
 - Fresno – Review
 - Oakland - Auditor/Monitor Commission with Investigation Agency
 - Riverside - Review
 - Sacramento – Auditor/Monitor
 - Santa Rosa – Auditor/Monitor
- Four agencies outside of CA in similar sized cities
 - Syracuse, NY – Investigation and Review
 - Kansas City, MO – Auditor/Monitor
 - Miami, FL – Investigation and Review (2002)
 - Atlanta, GA – Investigation and Review (2007)

PRELIMINARY FINDINGS

- Findings related to what works well with current CPCC model
- Findings related to inherent limitations of CPCC model
- Findings related to how the Commission functions, how CPCC and IA interact, and how CPCC fits within the larger structure for determining misconduct complaint investigation findings

NEED FOR RESTRUCTURED OVERSIGHT MODEL

- Limitations inherent in the CPCC model have undermined the goal of civilian oversight - enhanced accountability and transparency.
- Other concerns with how the Commission arrives at recommendations and how CPCC interfaces with Internal Affairs and within the City Manager Office decision-making system do not appear to enhance community trust in LBPD or CPCC's legitimacy as an independent investigative body.

TWO PATHWAYS TO REFORM

- Based on benchmarking study, input from stakeholders, document and case review, and consultant observations, recommend:
 - Restructured Oversight Model for City of Long Beach
 - Interim Changes to the CPCC as Charter Amendment and Legislative Changes are Pursued

PROPOSED RESTRUCTURED MODEL: POLICE AUDITOR/MONITOR WITH REPURPOSED COMMISSION

- Police Auditor/Monitor (Auditor/Monitor oversight model):
 - Address systemic issues, analyze patterns and trends, identify deficiencies in operations, policy, procedures, and training.
 - LBPD must respond to Police Auditor/Monitor's recommendations within 30 days with plan to adopt or explanation as to any rejection, with City Manager resolving any disagreements.
 - IA will continue to conduct all investigations while the Police Auditor/Monitor, or their staff, audit a sample of completed investigations every month for timeliness, thoroughness, and quality.
 - On the front-end Police Auditor/Monitor, or their staff, will review all complaints to ensure appropriate allegations are included.

PROPOSED RESTRUCTURED MODEL: POLICE AUDITOR/MONITOR WITH REPURPOSED COMMISSION (cont.)

- Police Auditor/Monitor has authority to investigate specific types of issues, such as complaints against the Chief or Command Staff, officer-involved-shooting, in-custody death, or other critical incidents.
- Review all major uses of force.
- Authority to roll out to critical incidents.
- Requires broad, direct access to departmental information, databases, etc., which is best resolved through MOU and policy.
- Recruitment and termination by City Council.

PROPOSED RESTRUCTURED MODEL: POLICE AUDITOR/MONITOR WITH REPURPOSED COMMISSION (cont.)

- Repurposed Commission - Commission assumes a different role
 - Provide input to Police Auditor/Monitor on setting auditing priorities, and review and approve recommendations from Police Auditor/Monitor.
 - Solicit input from the community on recommendations under consideration, with each Commissioner bringing input from their respective district.
 - Receive briefings on high-profile incidents.
 - Provide feedback to Police Auditor/Monitor on annual reports with focus on statistical trends and special reports on matters addressed by the Police Auditor/Monitor.
 - Educate and engage with the community and bring community concerns to attention of Police Auditor/Monitor and LBPD.
 - Hold regularly scheduled meetings open to the public, to the extent permitted by law.

PROPOSED RESTRUCTURED MODEL: POLICE AUDITOR/MONITOR WITH REPURPOSED COMMISSION (cont.)

- Recommendations regarding the Police Auditor/Monitor selection process, further specific authorities, and other information provided in full report.
- Anticipated staff required under restructured model
 - Independent Police Auditor/Monitor
 - 1 staff person to support audit function
 - 1 staff person to support use of force and critical incident review function
 - 1 staff person to oversee community engagement and report writing
 - 1 full-time Administrative Assistant supporting Police Auditor/Monitor staff and Commission
- Anticipated budget: \$700,000

PROPOSED INTERIM CHANGES TO THE CPCC

- Transparency
- Training
- Improved functioning
- Perceived or actual conflicts of interest
- Commission structure
- Use “Civilian” instead of “Citizen” in CPCC name

NEXT STEPS

- Presentation to community stakeholders on December 14, 2021
- Consider final input
- Report will be finalized and delivered early 2022
- Roadmap will be developed and included in the final report
- Presentation to the City Council in early 2022

QUESTIONS OR COMMENTS?

Thank you!

If you have any questions or concerns, please contact us at:

info@polis-solutions.org

