

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

**THURSDAY, MAY 12, 2016
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER, 6:30 PM**

David Clement, Chair
B. Terhune (Terry) Beebe, Vice Chair
Raúl A. Añorve, Commissioner
Josephine Castellanos, Commissioner
Alvaro Castillo, Commissioner



José M. Flores, Commissioner
Richard Lindemann, Commissioner
Miles Nevin, Commissioner
Jeffrey Price, Commissioner
Suely Saro, Commissioner

Anitra Dempsey, Executive Director

CALL TO ORDER

ROLL CALL

CONSENT CALENDAR

1. 16-026CP 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>
15-009	Unbecoming Conduct
15-057	Failure to Take Report
15-053	Harassment
15-052	Use of Force and Unbecoming Conduct

Suggested Action: Approve recommendation.

REGULAR AGENDA

2. 16-027CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meetings held Thursday, March 10, 2016 and April 14, 2016.

Suggested Action: Approve recommendation.

PUBLIC COMMENT

Members of the public have a five-minute 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

RECONVENE FROM CLOSED SESSION

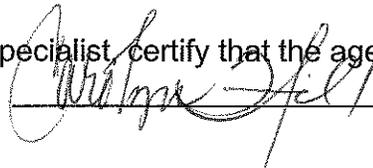
PUBLIC COMMENT

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.

3. 16-028CP 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: 5/10/16

ch

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.

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

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

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

**THURSDAY, MAY 12, 2016
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER/LOUNGE, 6:30 PM**

David Clement, Chair
B. Terhune (Terry) Beebe, Vice Chair
Raúl A. Añorve, Commissioner
Josephine Castellanos, Commissioner
Alvaro Castillo, Commissioner



José M. Flores, Commissioner
Richard Lindemann, Commissioner
Miles Nevin, Commissioner
Jeffrey Price, Commissioner
Suely Saro, 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.

16-029CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	15-218	Misuse of Authority and Unbecoming Conduct.
	15-173	Unbecoming Conduct.
	15-082	Failure to Take Report, Failure to Investigate and Unbecoming Conduct.
	15-101	Failure to Investigate, Failure to Book Evidence and Unbecoming Conduct.
	15-213	Unbecoming Conduct, Use of Force, Improper Search and Intimidation.

I, Carolyn Hill, City Clerk Specialist, certify that the agenda was posted not less than 72 hours prior to the meeting. Carolyn Hill Date: 5/10/16

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

**THURSDAY, MARCH 10, 2016
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER, 6:30 PM**

David Clement, Chair
B. Terhune (Terry) Beebe, Vice Chair
Raúl A. Añorve, Commissioner
Josephine Castellanos, Commissioner
Alvaro Castillo, Commissioner



José M. Flores, Commissioner
Richard Lindemann, Commissioner
Miles Nevin, Commissioner
Jeffrey Price, Commissioner
Suely Saro, Commissioner

Anitra Dempsey, Executive Director

FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (6:35 PM)

At 6:35 PM, Chair Clement called the meeting to order.

ROLL CALL (6:35 PM)

Commissioners Josephine Castellanos, José M. Flores, Richard Lindemann,
Present: Suely Saro, Beekman "Terry" Beebe and David Clement
Commissioners Raúl Añorve, Alvaro Castillo, Miles Nevin and Jeff Price
Absent:

Also present: Anitra Dempsey, Executive Director, Citizen Police Complaint Commission;
Celenia Perez, Special Investigator; Wally Hebeish, Commander, Long Beach Police
Department; Carolyn Hill, City Clerk Specialist.

CONSENT CALENDAR (6:35 PM)

Passed the Consent Calendar

**A motion was made by Commissioner Flores, seconded by
Commissioner Saro, to approve Consent Calendar Item. The
motion carried by the following vote:**

Yes: 6 - Josephine Castellanos, José M. Flores, Richard Lindemann,
Suely Saro, Beekman "Terry" Beebe and David Clement

Absent: 4 - Raúl Añorve, Alvaro Castillo, Miles Nevin and Jeff Price

1. 16-016CP 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>
15-280	Unbecoming Conduct
15-281	Unbecoming Conduct
15-286	Unbecoming Conduct & Dishonesty
15-066	Failure to Investigate

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

REGULAR AGENDA (6:36 PM)

2. 16-017CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, February 11, 2016.

Diana Lejins spoke.

Anitra Dempsey, Executive Director, spoke.

Sharon Cotrell spoke.

David Zink spoke.

Peter Joseph Rosenwald spoke.

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

Yes: 5 - Josephine Castellanos, José M. Flores, Richard Lindemann, Beekman "Terry" Beebe and David Clement

Abstain: 1 - Suely Saro

Absent: 4 - Raúl Añorve, Alvaro Castillo, Miles Nevin and Jeff Price

SECOND ROLL CALL (7:00 PM)

Commissioners Josephine Castellanos, Alvaro Castillo, José M. Flores, Richard
Present: Lindemann, Suely Saro, Beekman "Terry" Beebe and David
Clement

Commissioners Raúl Añorve, Miles Nevin and Jeff Price
Absent:

3. 16-004CP Recommendation to declare proposed Amendment to the Citizen
Police Complaint Commission Policies and Procedures, read and
adopted as read.

Anitra Dempsey, Executive Director, presented the staff report.

Peter Joseph Rosenwald spoke.

Porter Gilbert spoke.

Peter Joseph Rosenwald spoke.

Commissioner Castillo joined the meeting.

**A motion was made by Commissioner Saro, seconded by
Commissioner Castellanos, to approve recommendation. The
motion carried by the following vote:**

Yes: 7 - Josephine Castellanos, Alvaro Castillo, José M. Flores,
Richard Lindemann, Suely Saro, Beekman "Terry" Beebe
and David Clement

Absent: 3 - Raúl Añorve, Miles Nevin and Jeff Price

PUBLIC COMMENT (7:02 PM)

Jeff Loftus spoke regarding his case.

Chair Clement spoke.

Anitra Dempsey, Executive Director, spoke.

David Zink spoke regarding his case.

Chair Clement spoke.

David Zink spoke.

16-024CP Peter Joseph Rosenwald spoke; and distributed information.

This Handout was received and filed.

Anitra Dempsey, Executive Director, spoke.

Peter Joseph Rosenwald spoke.

Chair Clement spoke.

Anitra Dempsey, Executive Director, spoke.

Peter Joseph Rosenwald spoke.

Chair Clement spoke.

John Kendrick spoke regarding his case.

Chair Clement spoke.

Anitra Dempsey, Executive Director, spoke.

Mr. & Mrs. Kerry Williams Sr. spoke regarding their case.

Rachele Smith spoke regarding Freedom of Speech.

Chair Clement spoke.

Anitra Dempsey, Executive Director, spoke.

Sharon Cotrell spoke regarding the Citizen Police Complaint Commission.

Anitra Dempsey, Executive Director, spoke.

A dialogue ensued between Sharon Cotrell and Anitra Dempsey, Executive Director.

Alicia Quiros spoke regarding her case.

Chair Clement spoke.

Diana Lejins spoke regarding the Citizen Police Complaint Commission.

Gray Scott Kimbraugh spoke regarding the Police Department.

Anitra Dempsey, Executive Director, spoke.

Gray Scott Kimbraugh spoke.

Chair Clement spoke.

Commissioner Castillo spoke.

**RECOGNITION OF OUTGOING COMMISSIONER CRYSTAL HOWARD-JOHNSON
(8:07 PM)**

Anitra Dempsey, Executive Director, spoke.

Vice Chair Beebe spoke.

Chair Clement spoke.

Commissioner Saro spoke.

Commissioner Castellanos spoke.

Commissioner Flores spoke.

Commissioner Lindemann spoke.

Anitra Dempsey, Executive Director, spoke.

Roxanne Lockett spoke on behalf of her sister Commissioner Howard-Johnson.

EXECUTIVE DIRECTOR'S REPORT (8:15 PM)

There was no report.

REMARKS FROM THE CHAIR AND COMMISSIONERS (8:15 PM)

There were no remarks.

RECESS TO CLOSED SESSION (8:16 PM)

At 8:16 PM, there being no objection, Chair Clement recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION 10:56 PM)

At 10:56 PM, Chair Clement reconvened the meeting.

4. 16-018CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Chair Clement reported out from Closed Session the following actions taken: [1] Case No. 15-060 Commissioners voted 7-0 on Allegation Nos. 1 and 2 on First and Second Officer accused; [2] Case No. 15-190 Commissioners voted 6-1 on Allegation No. 1 on First Officer accused; [3] Case No. 15-056 Commissioners voted 7-0 on Allegation No. 1 on First Officer accused; and 4-3 on Allegation No. 2 on First and Second Officer accused; [4] Case No. 15-065 Commissioners voted 7-0 on Allegation No. 1 on First Officer accused; and 6-1 on Allegation No. 2 on First and Second Officer accused; [5] Case No. 15-230 Commissioners voted 7-0 on Allegation Nos. 1 - 3 on First, Second and Third Officer accused; [6] Case No. 15-054 Commissioners voted 6-1 on Allegation No. 1 on First Officer accused; 7-0 on Allegation Nos. 2 - 4 on First, Second, Third, and Fourth Officer accused; 5-1-1 on Allegation No. 5 on Fifth Officer accused; and 6-1 on Allegation No. 6 on Sixth Officer accused; [7] Case No. 15-077 Commissioners voted 7-0 on Allegation Nos. 1 and 2; [8] Case No. 15-161 Commissioners voted 7-0 on Allegation No. 1; [9] Case No. 15-062 Commissioners voted 7-0 on Allegation No. 1; and [10] Case No. 15-279 Commissioners voted 7-0 on Allegation Nos. 1 - 4 on First and Second Officer accused.

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

Yes: 7 - Josephine Castellanos, Alvaro Castillo, José M. Flores,
Richard Lindemann, Suely Saro, Beekman "Terry" Beebe
and David Clement

Absent: 3 - Raúl Añorve, Miles Nevin and Jeff Price

ADJOURNMENT (11:01 PM)

At 11:01 PM, there being no objection, Chair Clement declared the meeting adjourned.

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NOTE:

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បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបរាវ: នឹងកំណត់ហេតុឲ្យអ្នកដែលមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅការិយាល័យស្មើនក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំគណកម្មការធម្មនុញ្ញ)។

David Clement, Chair
B. Terhune (Terry) Beebe, Vice Chair
Raúl A. Añorve, Commissioner
Josephine Castellanos, Commissioner
Alvaro Castillo, Commissioner



José M. Flores, Commissioner
Richard Lindemann, Commissioner
Miles Nevin, Commissioner
Jeffrey Price, Commissioner
Suely Saro, Commissioner

Anitra Dempsey, Executive Director

FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (6:36 PM)

At 6:36 PM, Chair Clement called the meeting to order.

ROLL CALL (6:37 PM)

Commissioners Raúl Añorve, José M. Flores, Richard Lindemann, Jeff Price,
Present: Beekman "Terry" Beebe and David Clement

Commissioners Josephine Castellanos, Alvaro Castillo, Miles Nevin and Suely
Absent: Saro

Also present: Anitra Dempsey, Executive Director, Citizen Police Complaint Commission;
Celenia Perez, Special Investigator; Wally Hebeish, Commander, Long Beach Police
Department; Jonathan Nagayama, City Clerk Assistant.

CONSENT CALENDAR (6:37 PM)

Passed the Consent Calendar

A motion was made by Commissioner Price, seconded by Vice Chair Beebe, to approve Consent Calendar Item. The motion carried by the following vote:

Yes: 6 - Raúl Añorve, José M. Flores, Richard Lindemann, Jeff Price, Beekman "Terry" Beebe and David Clement

Absent: 4 - Josephine Castellanos, Alvaro Castillo, Miles Nevin and
Suely Saro

1. 16-020CP 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>
15-095	Unbecoming Conduct & Use of Force

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

PUBLIC COMMENT (6:42 PM)

Robert Mirshafiee spoke.

Latrell Wilson spoke regarding his case.

16-025CP Peter Rosenwald spoke; and distributed information.

This Handout was received and filed.

Chair Clement spoke.

REGULAR AGENDA (6:59 PM)

2. 16-021CP Recommendation to receive and file Objectivity presentation.

Anitra Dempsey, Executive Director, spoke; and provided a PowerPoint presentation.

Peter Rosenwald spoke.

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

Yes: 6 - Raúl Añorve, José M. Flores, Richard Lindemann, Jeff Price, Beekman "Terry" Beebe and David Clement

Absent: 4 - Josephine Castellanos, Alvaro Castillo, Miles Nevin and Suely Saro

EXECUTIVE DIRECTOR'S REPORT (7:06 PM)

There was no report.

REMARKS FROM THE CHAIR AND COMMISSIONERS (7:06 PM)

There were no remarks.

RECESS TO CLOSED SESSION (7:07 PM)

At 7:07 PM, there being no objection, Chair Clement recessed the meeting.

RECONVENE FROM CLOSED SESSION (10:27 PM)

At 10:27 PM, Chair Clement reconvened the meeting.

SECOND ROLL CALL (10:27 PM)

Commissioners Raúl Añorve, José M. Flores, Richard Lindemann, Jeff Price,
Present: Beekman "Terry" Beebe and David Clement

Commissioners Josephine Castellanos, Alvaro Castillo, Miles Nevin and Suely
Absent: Saro

3. 16-022CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Chair Clement reported out from Closed Session the following actions taken: [1] Case No. 15-094 Commissioners voted 6-0 on Allegation Nos. 1 - 3 on First Officer accused; [2] Case No. 15-071 Commissioners voted

6-0 on Allegation Nos. 1 and 2 on First Officer accused; [3] Case No. 15-193 Commissioners voted 6-0 on Allegation Nos. 1 and 2 on First and Second Officer accused; [4] Case No. 15-103 Commissioners voted 6-0 on Allegation No. 1 on First Officer accused; [5] Case No. 15-074 Commissioners voted 6-0 on Allegation No. 1 on First Officer accused; [6] Case No. 15-096 Commissioners voted 6-0 on Allegation No. 1 on First Officer accused; [7] Case No. 15-177 Commissioners voted 4-2 on Allegation Nos. 1 and 2 on First Officer accused; 6-0 on Allegation No. 3 on First Officer accused; and 5-1 on Allegation No. 4 on Second Officer accused; [8] Case No. 15-178 Commissioners voted 6-0 on Allegation Nos. 1, 2, 4 and 5 on First, Second, Third, Fifth and Sixth Officer accused; and 5-1 on Allegation No. 3 on Fourth Officer accused; [9] Case No. 15-068 Commissioners voted 5-1 on Allegation No. 1 and 6-0 on Allegation Nos. 2 and 3 on First Officer accused; [10] Case No. 15-073 Commissioners voted 6-0 on Allegation Nos. 1, 3 and 4 on First, Second and Fourth Officer accused; and 4-2 on Allegation No. 2 on Third Officer accused; [11] Case No. 15-098 Commissioners voted 6-0 on Allegation No. 1 on First Officer accused; and 5-1 on Allegation No. 2 on Second Officer accused; and [12] Case No. 15-091 Commissioners voted 4-2 on Allegation No. 1 on First and Second Officer accused; and 6-0 on Allegation Nos. 2 and 3 on Third and Fourth Officer accused.

Peter Rosenwald spoke.

Chair Clement spoke.

Peter Rosenwald spoke.

Anitra Dempsey, Executive Director, spoke.

Peter Rosenwald spoke.

Robert Mirshafiee spoke.

Anitra Dempsey, Executive Director, spoke.

A dialogue ensued between Robert Mirshafiee and Anitra Dempsey, Executive Director.

Chair Clement spoke.

Peter Rosenwald spoke.

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

Yes: 6 - Raúl Añorve, José M. Flores, Richard Lindemann, Jeff Price, Beekman "Terry" Beebe and David Clement

Absent: 4 - Josephine Castellanos, Alvaro Castillo, Miles Nevin and Suely Saro

ADJOURNMENT (10:44 PM)

At 10:44 PM, there being no objection, Chair Clement declared the meeting adjourned.

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NOTE:

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 comisión.

បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបរាវ: នឹងកំណត់ហេតុឲ្យអ្នកដែលមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅការិយាល័យស្មើនក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំគណកម្មការធម្មនុញ្ញ)។