

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

**THURSDAY, JULY 14, 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

1. 16-036CP Recommendation to hold an election for the position of Chair and Vice Chair of the Citizen Police Complaint Commission for 2016 - 2017.
Suggested Action: Approve recommendation.

CONSENT CALENDAR

2. 16-037CP 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>
15-027	Failure to Investigate
15-131	Unbecoming Conduct
15-084	Unbecoming Conduct
15-063	Failure To Take Report

Suggested Action: Approve recommendation.

REGULAR AGENDA

3. 16-038CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, June 9, 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

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

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.

4. 16-039CP 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. Carolyn Hill Date: 7/8/16

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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.

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បើមានការចង់បានឲ្យមានការបកប្រែភាសាផ្ទាល់មាត់ឲ្យអ្នកមិនចេះនិយាយអង់គ្លេស
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គណៈកម្មការធម្មនុញ្ញ)។

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

**THURSDAY, JUNE 9, 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 (6:34 PM)

At 6:34 PM, Vice Chair Beebe called the meeting to order.

ROLL CALL (6:34 PM)

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

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

CONSENT CALENDAR (6:35 PM)

Passed the Consent Calendar

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

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

Abstain: 1 - Jeff Price

Absent: 3 - Raúl Añorve, Alvaro Castillo and David Clement

1. 16-032CP Recommendation to receive, file and close the following case due to lack of evidence and/or witness cooperation or staff recommendation:

<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
15-214	Unbecoming Conduct

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

REGULAR AGENDA (6:36 PM)

2. 16-033CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, May 12, 2016.

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

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

Abstain: 1 - Jeff Price

Absent: 3 - Raúl Añorve, Alvaro Castillo and David Clement

SECOND ROLL CALL (6:38 PM)

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

Commissioners Raúl Añorve and David Clement

Absent:

PUBLIC COMMENT (6:37 PM)

Martha Cota spoke regarding her case.

Commissioner Castillo joined the meeting.

Vice Chair Beebe spoke.

Deyon Davis spoke regarding his case.

Brenda Caloca spoke on behalf of Martha Cota's case.

Commissioner Price spoke.

Brenda Caloca spoke.

EXECUTIVE DIRECTOR'S REPORT (6:54 PM)

Anitra Dempsey, Executive Director, acknowledged the speakers; reminded the Commissioners of the upcoming election of Chair and Vice Chair; announced former Commissioner Holland was recently named Teacher of the Year for the Long Beach Unified School District; congratulated Commander Hebeish for receiving the Distinguish Service Award and on his promotion to Chief of Staff to Chief of Police Luna; and invited Commander Hebeish to speak and introduced Commander Steve Lauricella.

Commander Hebeish spoke; and introduced Commander Lauricella.

Vice Chair Beebe spoke.

Commander Lauricella spoke.

REMARKS FROM THE CHAIR AND COMMISSIONERS (7:00 PM)

Commissioner Nevin spoke.

Anitra Dempsey, Executive Director, spoke.

RECESS TO CLOSED SESSION (7:02 PM)

At 7:02 PM, there being no objection, Vice Chair Beebe recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (11:02 PM)

At 11:02 PM, Vice Chair Beebe reconvened the meeting.

ROLL CALL (11:02 PM)

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

Commissioners Raúl Añorve and David Clement
Absent:

3. 16-034CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Vice Chair Beebe reported out from Closed Session the following actions taken: [1] Case No. 15-215 Commissioners voted 7-0 and 1 abstention on Allegation Nos. 1. Profanity and 2. Unbecoming Conduct on First Officer accused; [2] Case No. 15-210 Commissioners voted 8-0 on Allegation No. 1. Failure to Investigate on First Officer accused; [3] Case No. 15-087 Commissioners voted 6-0 and 2 abstentions on Allegation Nos. 1. Unbecoming Conduct, 2. Bias Based Policing and 3. Failure to Investigate on First Officer accused; [4] Case No. 14-028 Commissioners voted 6-2 on Allegation No. 1. Profanity on First Officer accused; 6-1 and 1 abstention on Allegation No. 2. Harassment on First Officer accused; 8-0 on Allegation Nos. 3. Improper Arrest and 4. Improper Search on First and Second Officers accused; [5] Case No. 15-122 Commissioners voted 7-1 on Allegation Nos. 1. Improper Search and 2. Improper Arrest on First, Second and Third Officers accused; and 6-2 on Allegation No. 3. Harassment on First, Second and Third Officers accused; [6] Case No. 15-213 Commissioners voted 7-0 and 1 abstention on Allegation Nos. 1. Unbecoming Conduct, 2. Use of Force, 3. Improper Search on First Officer accused; 6-1 with 1 abstention on Allegation No. 4. Intimidation on First Officer accused; and 7-0 with 1 abstention on Allegation Nos. 5. and 6.

Unbecoming Conduct on First Officer accused; [7] Case No. 15-205 Commissioners voted 8-0 on Allegation No. 1. Bias Based Policing; and 7-1 on Allegation No. 2. Dishonesty on First Officer accused; [8] Case No. 15-086 Commissioners voted 8-0 on Allegation No. 1. Unbecoming Conduct on First and Second Officers accused; [9] Case No. 15-101 Commissioners voted 6-1 with 1 abstention on Allegation No. 1. Failure to Take Action on First Officer accused; and 7-0 with 1 abstention on Allegation Nos. 2. Failure to Book Evidence and 3. Unbecoming Conduct on First Officer accused; [10] Case No. 15-209 Commissioners voted 7-1 on Allegation No. 1. Unbecoming Conduct on First Officer accused; and [11] Case No. 15-210 Commissioners voted 6-2 on Allegation No. 1. Use of Force on First and Second Officers accused.

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

Yes: 8 - Josephine Castellanos, Alvaro Castillo, José M. Flores, Richard Lindemann, Miles Nevin, Jeff Price, Suely Saro and Beekman "Terry" Beebe

Absent: 2 - Raúl Añorve and David Clement

ADJOURNMENT (11:08 PM)

At 11:08 PM, there being no objection, Vice Chair Beebe declared the meeting adjourned.

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NOTE:

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CITY OF LONG BEACH
CITIZEN POLICE COMPLAINT
COMMISSION AGENDA

THURSDAY, JULY 14, 2016
333 W. OCEAN BOULEVARD
COUNCIL CHAMBER/LOUNGE, 6:30 PM

David Clement, Chair
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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.

1. 16-040CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	15-092	Dishonesty, Failure to Investigate and Unbecoming Conduct.
	15-269	Unbecoming Conduct and Harassment.
	16-050	Unbecoming Conduct.
	15-064	Profanity, Unbecoming Conduct, Use of Force and Failure to Take Action.
	15-201	Use of Force.
	15-196	Failure to Take Action.
	15-166	Failure to Investigate and Bias Based Policing.
	15-241	Improper Search and Unbecoming Conduct.
	16-052	Unbecoming Conduct.
	15-251	Unbecoming Conduct.
	15-083	Improper Entry, Fail to Care for Property, Dishonesty, Discourteous Remark, Harassment and Misappropriation of Property.

I, Carolyn Hill, City Clerk Specialist, certify that the agenda was posted not less than 72 hours prior to the meeting. Carolyn Hill Date: 7/8/16

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