CALL TO ORDER

ROLL CALL

CONSENT CALENDAR

1. 16-048CP Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

<table>
<thead>
<tr>
<th>CPCC NO.</th>
<th>ALLEGATION(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>16-093</td>
<td>Failure to Care for Property</td>
</tr>
<tr>
<td>15-273</td>
<td>Use of Force</td>
</tr>
<tr>
<td>15-244</td>
<td>Failure to Take Action</td>
</tr>
<tr>
<td>15-217</td>
<td>Use of Force</td>
</tr>
<tr>
<td>15-194</td>
<td>Failure to Investigate</td>
</tr>
<tr>
<td>15-228</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-225</td>
<td>Failure to Investigate</td>
</tr>
<tr>
<td>14-002</td>
<td>Use of Force</td>
</tr>
<tr>
<td>15-067</td>
<td>Improper Search/Improper Detention</td>
</tr>
<tr>
<td>15-231</td>
<td>Improper Search/Failure to Care for Property/Unbecoming Conduct</td>
</tr>
</tbody>
</table>

REGULAR AGENDA

2. 16-049CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, August 11, 2016.

Suggested Action: Approve recommendation.

PUBLIC COMMENT

Members of the public have a five-minutes 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.
PUBLIC COMMENT

Members of the public have a five-minutes 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.

3. 16-050CP Recommendation to receive and file City Manager’s Report.

Suggested Action: Approve recommendation.

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. 16-051CP Recommendation to receive Commission’s vote and refer findings to the City Manager.

Suggested Action: Approve recommendation.

ADJOURNMENT

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

jn

Date: 9/2/16
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.
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 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
FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (6:30 PM)

At 6:30 PM, Chair Price called the meeting to order.

ROLL CALL (6:31 PM)

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

Commissioners Alvaro Castillo
Absent:

Also present: Anitra Dempsey, Executive Director, Citizen Police Complaint Commission;
Celenia Perez, Special Investigator; Patrick Weithers, Special Investigator; Steve
Lauricella, Commander; Karen Moore, City Clerk Assistant; Carolyn Hill, City Clerk
Specialist.

CONSENT CALENDAR (6:31 PM)

Passed the Consent Calendar

A motion was made by Commissioner Añorve, seconded by
Commissioner Clement, to approve Consent Calendar Item. The
motion carried by the following vote:
Yes: 8 - Raúl Añorve, Beekman "Terry" Beebe, Josephine Castellanos, José M. Flores, Richard Lindemann, David Clement, Miles Nevin and Jeff Price

Abstain: 1 - Suely Saro

Absent: 1 - Alvaro Castillo

1. 16-041CP

Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

<table>
<thead>
<tr>
<th>CPCC NO.</th>
<th>ALLEGATION(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>16-002</td>
<td>Sexual Misconduct</td>
</tr>
<tr>
<td>15-220</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-188</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-208</td>
<td>Failure to Investigate</td>
</tr>
<tr>
<td>15-176</td>
<td>Failure to Care for Property</td>
</tr>
<tr>
<td>15-181</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-206</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-207</td>
<td>Failure to Take Report</td>
</tr>
<tr>
<td>15-243</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-235</td>
<td>Improper Arrest and Unbecoming Conduct</td>
</tr>
<tr>
<td>15-069</td>
<td>Discourteous and Unbecoming Conduct</td>
</tr>
<tr>
<td>15-061</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-031</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-150</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>16-095</td>
<td>Unbecoming Conduct</td>
</tr>
</tbody>
</table>

(Agenda Item No. 1 continued on page 2.)

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

16-047CP

<table>
<thead>
<tr>
<th>CPCC NO.</th>
<th>ALLEGATION(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-216</td>
<td>Misappropriation of Property, Improper Detention and Improper Arrest</td>
</tr>
<tr>
<td>15-212</td>
<td>Dishonesty and Misuse of Authority</td>
</tr>
<tr>
<td>15-120</td>
<td>Failure to Take Report</td>
</tr>
<tr>
<td>15-121</td>
<td>Failure to Investigate</td>
</tr>
<tr>
<td>15-219</td>
<td>Unbecoming Conduct</td>
</tr>
<tr>
<td>15-223</td>
<td>Failure to Take Action</td>
</tr>
</tbody>
</table>
15-238  Use of Force  
15-222  Unbecoming Conduct  
16-105  Use of Force  
15-229  Unbecoming Conduct  
16-040  Failure to Care for Property

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

REGULAR AGENDA (6:32 PM)

2.  16-042CP  Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting held Thursday, July 14, 2016.

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

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

   Abstain: 3 - Raúl Añorve, Josephine Castellanos and Suely Saro

   Absent: 1 - Alvaro Castillo

3.  16-043CP  Recommendation to receive and file an overview of the Citizen Police Complaint Commission Hearings.

   Monica Kilaita, Deputy City Attorney, presented a PowerPoint presentation.

   Chair Price spoke.

   Stephen Downing spoke; and submitted information.

   Tom Beck spoke.
A motion was made by Commissioner Beebe, seconded by Commissioner Clement, to approve recommendation. The motion carried by the following vote:

**Yes:** 9 - Raúl Añorve, Beekman "Terry" Beebe, Josephine Castellanos, José M. Flores, Richard Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff Price

**Absent:** 1 - Alvaro Castillo

4. **16-044CP**

Recommendation to receive and file City Manager's Report.

Anitra Dempsey, Executive Director, presented the staff report.

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

**Yes:** 7 - Beekman "Terry" Beebe, José M. Flores, Richard Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff Price

**Abstain:** 2 - Raúl Añorve and Josephine Castellanos

**Absent:** 1 - Alvaro Castillo

**EXECUTIVE DIRECTOR'S REPORT (6:56 PM)**

Anitra Dempsey, Executive Director, presented the Executive Director's report.

**REMARKS FROM THE CHAIR AND COMMISSIONER (6:57 PM)**

Vice Chair Nevin spoke.

Commissioner Beebe spoke.

Commissioner Clement spoke.

Commissioner Flores spoke.

Commissioner Castellanos spoke.

Commissioner Saro spoke.
Commissioner Lindemann spoke.

Commissioner Añorve spoke.

Anitra Dempsey, Executive Director, spoke.

Commissioner Saro spoke.

Vice Chair Nevin spoke.

Anitra Dempsey, Executive Director, spoke.

Chair Price spoke.

RECESS TO CLOSED SESSION (7:05 PM)

At 7:05 PM, there being no objection, Chair Price recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (9:08 PM)

At 9:08 PM, Chair Price reconvened the meeting.

ROLL CALL (9:08 PM)

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

Commissioners Alvaro Castillo
  Absent:

5. 16-046CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Chair Price reported out from Closed Session the following actions taken:
 Unbecoming Conduct on First Officer accused; and 8-1 on Allegation No.
 2. Unbecoming Conduct on First and Second Officers accused; [2] Case
No. 16-115 Commissioners voted 9-0 on Allegation No. 1. Use of Force on First Officer accused; and 9-0 on Allegation No. 2. Profanity on First and Second Officers accused; [3] Case No. 15-224 Commissioners voted 8-1 on Allegation No. 1. Bias Based Policing on First Officer accused; and 9-0 on Allegation Nos. 2. Unbecoming Conduct and 3. Unbecoming Conduct on First Officer accused; [4] Case No. 15-234 Commissioners voted 9-0 on Allegation Nos. 1. Improper Search and 2. Failure to Care for Property on First and Second Officers accused; [5] Case No. 15-226 Commissioners voted 8-1 on Allegation No. 1. Unbecoming Conduct on First Officer accused; [6] Case No. 15-283 Commissioners voted 7-2 on Allegation No. 1. Improper Arrest on First and Second Officers accused; [7] Case No. 15-282 Commissioners voted 9-0 on Allegation Nos. 1. Dishonesty, 2. Unbecoming Conduct, and 3. Failure to Book Evidence on First and Second Officers accused; and [8] Case No. 15-227 Commissioners voted 9-0 on Allegation No. 1. Failure to Take Report; and 7-2 on Allegation No. 2. Failure to Investigate on First Officer accused.

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

**Yes:** 9 - Raúl Añorve, Beekman "Terry" Beebe, Josephine Castellanos, José M. Flores, Richard Lindemann, David Clement, Suely Saro, Miles Nevin and Jeff Price

**Absent:** 1 - Alvaro Castillo

**ADJOURNMENT (9:13 PM)**

At 9:13 PM, there being no objection, Chair Price declared the meeting adjourned.
NOTE:

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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.
CLOSED SESSION

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

1. 16-052CP

   CPCC NO.  ALLEGATION(S)
   15-259 Failure to Investigate and Unbecoming Conduct.
   15-256 Use of Force.
   15-233 Misuse of Authority, Unbecoming Conduct and Failure to Investigate.
   16-009 Use of Force, Improper Detention and Profanity.
   15-276 Use of Force and Unbecoming Conduct.
   16-005 Unbecoming Conduct and Dishonesty.
   15-254 Failure to Investigate, Unbecoming Conduct and Harassment.
   15-245 Misuse of Authority, Unbecoming Conduct and Dishonesty.
   16-120 Bias Based Policing.
   15-253 Unbecoming Conduct.

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

Date: 9/2/16
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