

Desmond Fletcher, Chair
Christian Cooper, Vice Chair
James Ahumada, Commissioner
Leonard Adams Jr., Commissioner
Dana Buchanan, Commissioner



Veronica Garcia, Commissioner
Porter Gilberg, Commissioner
Dianne McNinch, Commissioner
Justin Morgan, Commissioner
Maria Norvell, Commissioner

Patrick Weithers, Manager of the CPCC

CALL TO ORDER

ROLL CALL

CONSENT CALENDAR

1. 20-005CP 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>
19-095	Use of Force
19-058	Unbecoming Conduct
19-076	Unbecoming Conduct
19-080	Use of Force & Unbecoming Conduct
19-042	Unbecoming Conduct
19-044	Improper Arrest
19-138	Unbecoming Conduct
19-047	Unbecoming Conduct

Suggested Action: Approve recommendation.

REGULAR AGENDA

2. 20-006CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, January 9, 2019.

Suggested Action: Approve recommendation.

3. 20-008CP Recommendation to adopt the proposed Citizen Police Complaint Commission Meeting Schedule for 2020.

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER FROM THE CITY CLERK

Opportunity to address the Commission (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk prior to 5:30 p.m. 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 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

4. 20-007CP 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.

Note: The Citizen Police Complaint Commission agenda, supporting documents and a video recording of the meeting are available on the Internet at longbeach.legistar.com. Agenda items may also be reviewed in the Office of the City Clerk. Persons interested in obtaining an agenda via-email should subscribe to the City of Long Beach LinkLB System at www.longbeach.gov/linklb.

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CITY OF LONG BEACH
CITIZEN POLICE COMPLAINT
COMMISSION MINUTES

THURSDAY, JANUARY 9, 2020
411 W. OCEAN BOULEVARD
CIVIC CHAMBERS, 5:30 PM

Desmond Fletcher, Chair
Christian Cooper, Vice Chair
James Ahumada, Commissioner
Leonard Adams Jr., Commissioner
Dana Buchanan, Commissioner



Veronica Garcia, Commissioner
Porter Gilberg, Commissioner
Dianne McNinch, Commissioner
Justin Morgan, Commissioner
Maria Norvell, Commissioner

Patrick Weithers, Manager of the CPCC

FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (5:41 PM)

At 5:41 PM, Chair Fletcher called the meeting to order.

ROLL CALL (5:41 PM)

Also present: Patrick Weithers, Manager of the CPCC; Terrance Pham, Special Investigator; Chris Crisostomo, Special Investigator; Sarah Green, Deputy City Attorney; Dina Zapalski, Commander, Long Beach Police Department; Kyle Smith, City Clerk Specialist; Jonathan Nagayama, City Clerk Specialist.

Commissioners Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter
Present: Gilberg, Dianne McNinch and Desmond Fletcher
Commissioners James Ahumada, Justin Morgan, Maria Norvell and Christian
Absent: Cooper

CONSENT CALENDAR (5:42 PM)

- 1. 20-001CP 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>
19-036	Unbecoming Conduct
19-039	Unbecoming Conduct
19-161	Unbecoming Conduct
19-012	Failure to Investigate
19-009	Unbecoming Conduct

19-038 Unbecoming Conduct
19-065 Use of Force

Yes: 5 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia,
Dianne McNinch and Desmond Fletcher

Abstain: 1 - Porter Gilberg

Absent: 4 - James Ahumada, Justin Morgan, Maria Norvell and
Christian Cooper

REGULAR AGENDA (5:43 PM)

2. 20-002CP Recommendation to approve the minutes of the Citizen Police
Complaint Commission Regular Meeting of Thursday, December 12,
2019.

**A motion was made by Commissioner McNinch, seconded by
Commissioner Adams Jr., to approve recommendation. The
motion carried by the following vote:**

Yes: 6 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia,
Porter Gilberg, Dianne McNinch and Desmond Fletcher

Absent: 4 - James Ahumada, Justin Morgan, Maria Norvell and
Christian Cooper

PUBLIC COMMENT (5:44 PM)

Cindy Vera spoke.

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

MANAGER'S REPORT (5:49 PM)

Patrick Weithers, Manager of the CPCC, responded to a question from the Commission regarding the City Manager's process for making final decisions regarding cases; informed the Commissioners that the City Council passed a resolution to compensate all City Boards

and Commissions; told the Commission that the City Manager Report is available on the CPCC website and that he began working on the 2019 CPCC Annual Report; and announced that the CPCC 2020 Annual Retreat will be held on Friday, April 24, 2020.

REMARKS FROM THE CHAIR AND COMMISSIONERS (5:53 PM)

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

A dialogue ensued between Commissioner Gilberg and Patrick Weithers, Manager of the CPCC.

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Dina Zapalski, Commander, Long Beach Police Department, spoke.

A dialogue ensued between Chair Fletcher and Dina Zapalski, Commander, Long Beach Police Department.

RECESS TO CLOSED SESSION (5:56 PM)

At 5:56 PM, there being no objection, Chair Fletcher recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (10:46 PM)

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

ROLLCALL (10:46 PM)

Commissioners Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter

Present: Gilberg, Dianne McNinch and Desmond Fletcher

Commissioners James Ahumada, Justin Morgan, Maria Norvell and Christian

Absent: Cooper

3. 20-003CP Recommendation to receive Commission's vote and refer findings to

the City Manager.

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

[1] Case No. 19-004 Commissioners voted 5-1 on Allegation No. 1 - Misappropriation of Property for Officer accused;

[2] Case No. 19-006 Commissioners voted 6-0 on Allegation No. 1 - Racial Bias for Officer accused;

[3] Case No. 19-025 Commissioners voted 4-2 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[4] Case No. 19-032 Commissioners voted 6-0 on Allegation Nos. 1 - Unbecoming Conduct and 2 - Unbecoming Conduct for First and Second Officers accused;

[5] Case No. 19-050 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[6] Case No. 19-040 Commissioners voted 6-0 on Allegation Nos. 1 - Improper Search for Officer accused and 2 - Sexual Misconduct for First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth Officers accused;

[7] Case No. 19-062 Commissioners voted 4-2 on Allegation No. 1 - Bias Based Policing and 6-0 on Allegation No. 2 - Improper Search for First and Second Officers accused;

[8] Case No. 19-035 Commissioners voted 6-0 on Allegation No. 1 - Failure to Take Action for Officer accused;

[9] Case No. 19-023 Commissioners voted 5-1 on Allegation No. 1 - Unbecoming Conduct for First, Second and Third Officers accused, 4-2 on Allegation No. 1 - Unbecoming Conduct for Fourth Officer accused and 6-0 on Allegation No. 2 - Unbecoming Conduct for First, Second, Third and Fourth Officer accused;

[10] Case No. 19-033 Commissioners voted 6-0 on Allegation No. 1 - Failure to Take Report for Officer accused;

[11] Case No. 19-059 Commissioners voted 5-1 on Allegation Nos. 1 - Unbecoming Conduct and 3 - Unbecoming Conduct, 6-0 on Allegation No. 2 - Unbecoming Conduct and 5-0-1 on Allegation No. 4 - Unbecoming Conduct for Officer accused; and

[12] Case No. 19-048 Commissioners voted 4-1-1 on Allegation No. 1 - Racial Profiling for First Officer accused and 5-1 on Allegation No. 1 - Racial Profiling for Second Officer accused.

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

Yes: 6 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter Gilberg, Dianne McNinch and Desmond Fletcher

Absent: 4 - James Ahumada, Justin Morgan, Maria Norvell and Christian Cooper

PUBLIC COMMENT (10:51 PM)

No members of the public addressed the commission.

ADJOURNMENT

At 10:51 PM, there being no objection, Chair Fletcher declared the meeting adjourned.

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CITY OF LONGBEACH

Citizen Police Complaint Commission 2020 Commission Meetings

<u>MONTH</u>	<u>DATE</u>
JANUARY	9
FEBRUARY	13
MARCH	12
APRIL	9
MAY	14
JUNE	11
JULY	9
AUGUST	13
SEPTEMBER	10
OCTOBER	8
NOVEMBER	12
DECEMBER	9

Note: The *Citizen Police Complaint Commission* meets the Second Thursday¹ of each month in the Council Chamber². Public Session convenes promptly at 5:30 p.m. with private Executive Session immediately following in the Council Lounge³. Your inability to attend either session should be reported to the CPCC executive staff as soon as possible. Your absence will be noted in the Deputy City Clerk's record and the Commission minutes for that month's meeting.

¹ The December 2020 meeting will be held the second Wednesday of December.

² The February 13, 2020 meeting will be held in the City Hall Media Room.

³ Executive Session for the February 13, 2020 meeting will be held in the "Beach" conference room in City Hall.

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Christian Cooper, Vice Chair
James Ahumada, Commissioner
Leonard Adams Jr., Commissioner
Dana Buchanan, Commissioner



Veronica Garcia, Commissioner
Porter Gilberg, Commissioner
Dianne McNinch, Commissioner
Justin Morgan, Commissioner
Maria Norvell, 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. 20-009CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	19-067	Use of Force, Personal Search, Sexual Misconduct & Unbecoming Conduct
	19-053	Failure to Investigate, Bias Based Policing, Failure to Take Action & Unbecoming Conduct
	19-005	Unbecoming Conduct
	19-024	Bias Based Policing & Improper Arrest
	19-049	Use of Force, Unbecoming Conduct & Improper Arrest
	19-153	Failure to Investigate, Failure to Take Action & Unbecoming Conduct
	19-008	Unbecoming Conduct & Failure to Take Action
	19-043	Failure to Take Report
	19-051	Failure to Take Action
	19-063	Improper Detention & Unbecoming Conduct
	19-066	Unbecoming Conduct
	19-086	Use of Force

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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