

Christian Cooper, Chair
Dana Buchanan, Vice Chair
James Ahumada, Commissioner
Desmond Fletcher, Commissioner
Veronica Garcia, Commissioner



Dianne McNinch, Commissioner
Justin Morgan, Commissioner
Maria Norvell, Commissioner

Patrick Weithers, Manager of the CPCC

**CITIZEN POLICE COMPLAINT COMMISSION MEETING VIA TELECONFERENCE
PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

THE CIVIC CHAMBERS WILL BE CLOSED TO THE PUBLIC

**PUBLIC WILL HAVE THE OPTION TO USE eCOMMENT TO PROVIDE COMMENTS ON
AGENDA ITEMS. WRITTEN COMMENTS MAY ALSO BE SUBMITTED BY EMAIL TO
PATRICK.WEITHERS@LONGBEACH.GOV**

**PLEASE VIEW THE MEETING FROM YOUR COMPUTER, TABLET, OR SMARTPHONE
VIA: https://longbeach.granicus.com/ViewPublisher.php?view_id=84**

CALL TO ORDER

ROLL CALL

REGULAR AGENDA

1. 20-062CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, September 10, 2020 and Special Meeting of Friday, September 18, 2020.

Suggested Action: Approve recommendation.

2. 20-063CP Recommendation to receive and file City Manager's Report.

Suggested Action: Approve recommendation.

MANAGER'S REPORT

REMARKS FROM THE CHAIR AND COMMISSIONERS

RECESS TO CLOSED SESSION

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

RECONVENE FROM CLOSED SESSION

3. 20-064CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Suggested Action: Approve recommendation.

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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NOTE:

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បើមានការចង់បានឲ្យមានការបកប្រែភាសាផ្ទាល់មាត់ឲ្យអ្នកមិនចេះនិយាយអង់គ្លេស ឬបើមានការចង់បានឲ្យមានដំណោះស្រាយពិសេសដោយយោងតាមមាត្រាច្បាប់ស្តីពី ជនពិការអាមេរិកាំង សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅទៅការិយាល័យស្មៀន ក្រុងតាមរយៈលេខ (562) 570-6101 (24 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំ គណកម្មការធម្មនុញ្ញ)។

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

**THURSDAY, SEPTEMBER 10, 2020
TELECONFERENCE, 5:30 PM**

Christian Cooper, Chair
Dana Buchanan, Vice Chair
James Ahumada, Commissioner
Desmond Fletcher, 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

**CITIZEN POLICE COMPLAINT COMMISSION MEETING VIA TELECONFERENCE
PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

CALL TO ORDER (5:32 PM)

At 5:32 PM, Chair Cooper called the meeting to order.

ROLL CALL (5:32 PM)

Commissioners James Ahumada, Desmond Fletcher, Porter Gilberg, Dianne
Present: McNinch, Justin Morgan, Dana Buchanan and Christian Cooper
Commissioners Veronica Garcia and Maria Norvell
Excused:

Also present: Kevin Jackson, Deputy City Manager; Patrick Weithers, Manager of the CPCC; Terrance Pham, Special Investigator; Chris Crisostomo, Special Investigator; Monica Kilaita, Deputy City Attorney, Darren Lance, Lieutenant, Long Beach Police Department; Kyle Smith, City Clerk Specialist; Jonathan Nagayama, City Clerk Analyst.

REGULAR AGENDA (5:34 PM)

- 1. 20-052CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, August 13, 2020.

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

Yes: 7 - James Ahumada, Desmond Fletcher, Porter Gilberg, Dianne McNinch, Justin Morgan, Dana Buchanan and Christian Cooper

Excused: 2 - Veronica Garcia and Maria Norvell

2. 20-053CP Recommendation to appoint members to the By-Laws and Policy Reform Subcommittee.

Chair Cooper spoke.

Commissioner Ahumada spoke.

Commissioner McNinch spoke.

Commissioner Fletcher spoke.

Chair Cooper spoke.

Vice Chair Buchanan spoke.

Monica Kilaita, Deputy City Attorney, spoke.

A dialogue ensued between Vice Chair Buchanan and Monica Kilaita, Deputy City Attorney.

Chair Cooper spoke.

Monica Kilaita, Deputy City Attorney, spoke.

A dialogue ensued between Chair Cooper and Monica Kilaita, Deputy City Attorney.

A motion was made by Commissioner McNinch, seconded by Commissioner Morgan, to approve motion to appoint Commissioner Ahumada, Commissioner McNinch, Commissioner Fletcher, and Chair Cooper to the By-Laws and Policy Reform Subcommittee. The motion carried by the following vote:

Yes: 7 - James Ahumada, Desmond Fletcher, Porter Gilberg, Dianne McNinch, Justin Morgan, Dana Buchanan and Christian Cooper

Excused: 2 - Veronica Garcia and Maria Norvell

3. 20-054CP Recommendation to appoint members to the Community Outreach Subcommittee.

Chair Cooper spoke.

Commissioner Morgan spoke.

Commissioner McNinch spoke.

Vice Chair Buchanan spoke.

Chair Cooper spoke.

A motion was made by Commissioner McNinch, seconded by Commissioner Ahumada, to approve motion to appoint Commissioner Morgan, Commissioner McNinch, Vice Chair Buchanan, and Chair Cooper to the Community Outreach Subcommittee. The motion carried by the following vote:

Yes: 7 - James Ahumada, Desmond Fletcher, Porter Gilberg, Dianne McNinch, Justin Morgan, Dana Buchanan and Christian Cooper

Excused: 2 - Veronica Garcia and Maria Norvell

MANAGER'S REPORT (5:45 PM)

Patrick Weithers, Manager of the CPCC, spoke; and presented the Manager's Report.

REMARKS FROM THE CHAIR AND COMMISSIONERS (5:47 PM)

Chair Cooper spoke.

RECESS TO CLOSED SESSION (5:48 PM)

At 5:48 PM, there being no objection, Chair Cooper recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (10:43 PM)

At 10:43 PM, Chair Cooper reconvened the meeting.

ROLL CALL (10:43 PM)

Commissioners James Ahumada, Desmond Fletcher, Porter Gilberg, Dianne
Present: McNinch, Justin Morgan, Dana Buchanan and Christian Cooper
Commissioners Veronica Garcia and Maria Norvell
Excused:

4. 20-060CP eComments received for the Citizen Police Complaint Commission meeting of Thursday, September 10, 2020.

This CP-Agenda Item was received and filed.

ADJOURNMENT (10:53 PM)

At 10:53 PM, there being no objection, Chair Cooper declared the meeting adjourned.

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Christian Cooper, Chair
Dana Buchanan, Vice Chair
James Ahumada, Commissioner
Desmond Fletcher, Commissioner
Veronica Garcia, Commissioner



Dianne McNinch, Commissioner
Justin Morgan, Commissioner
Maria Norvell, Commissioner

Patrick Weithers, Manager of the CPCC

FINISHED AGENDA & DRAFT MINUTES

**CITIZEN POLICE COMPLAINT COMMISSION MEETING VIA TELECONFERENCE
PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

SPECIAL MEETING

CALL TO ORDER (4:08 PM)

At 4:08 PM, Chair Cooper called the meeting to order.

ROLL CALL (4:08 PM)

Commissioners James Ahumada, Desmond Fletcher, Dianne McNinch, Justin

Present: Morgan, Dana Buchanan and Christian Cooper

Commissioners Veronica Garcia and Maria Norvell

Excused:

Also present: Kevin Jackson, Deputy City Manager; Patrick Weithers, Manager of the CPCC; Terrance Pham, Special Investigator; Chris Crisostomo, Special Investigator; Sarah Green, Deputy City Attorney; Darren Lance, Lieutenant, Long Beach Police Department; Kyle Smith, City Clerk Specialist.

REGULAR AGENDA (4:09 PM)

1. 20-056CP Recommendation to receive Commission's vote and refer findings to the City Manager from the September 10, 2020 Citizen Police Complaint Commission meeting.

Chair Cooper reported out from Closed Session on September 10, 2020, the following actions taken:

[6] Case No. 19-169 Commissioners voted 7-0 on Allegation No. 1 - Sexual Misconduct for Officer accused;

[7] Case No. 19-167 Commissioners voted 7-0 on Allegation Nos. 1 - Unbecoming Conduct and 2 - Bias Based Policing for Officer accused;

[8] Case No. 19-157 Commissioners voted 7-0 on Allegation Nos. 1 - Profanity, 2 - Profanity, 3 - Failure to Take Action, and 4 - Failure to Take Report for Officer accused;

[9] Case No. 19-129 Commissioners voted 7-0 on Allegation Nos. 1 - Racial Profiling for First and Second Officers accused and 2 - Improper Remark for Officer accused;

[10] Case No. 19-154 Commissioners voted 7-0 on Allegation No. 1 - Unbecoming Conduct for the Long Beach Police Department;

[11] Case No. 19-158 Commissioners voted 7-0 on Allegation Nos. 1 - Failure to Investigate and 2 - Improper Remark for Officer accused;

[12] Case No. 19-172 Commissioners voted 5-2 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[13] Case No. 19-182 Commissioners voted 7-0 on Allegation Nos. 1 - Unbecoming Conduct and 2 - Unbecoming Conduct for Officer accused;

[14] Case No. 19-159 Commissioners voted 7-0 on Allegation No. 1 - Failure to Investigate for Officer accused;

[15] Case No. 19-177 Commissioners voted 7-0 on Allegation Nos. 1 - Improper Arrest, 2 - Improper Search, and 3 - Unbecoming Conduct for Officer accused;

[16] Case No. 19-171 Commissioners voted 6-1 on Allegation No. 1 - Use of Force and 7-0 on Allegation No. 2 - Unbecoming Conduct for First and Second Officers accused;

[17] Case No. 19-150 Commissioners voted 6-1 on Allegation No. 1 - Dishonesty for Officer accused;

[18] Case No. 19-168 Commissioners voted 7-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[19] Case No. 19-132 Commissioners voted 5-2 on Allegation No. 1 - Failure to Report for the Long Beach Police Department;

[20] Case No. 19-194 Commissioners voted 7-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused; and

[21] Case No. 19-142 Commissioners voted 7-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused.

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

Yes: 6 - James Ahumada, Desmond Fletcher, Dianne McNinch, Justin Morgan, Dana Buchanan and Christian Cooper

Excused: 2 - Veronica Garcia and Maria Norvell

2. 20-058CP Recommendation to receive and file City Manager's Report.

Patrick Weithers, Manager of the CPCC, spoke.

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

Yes: 6 - James Ahumada, Desmond Fletcher, Dianne McNinch, Justin Morgan, Dana Buchanan and Christian Cooper

Excused: 2 - Veronica Garcia and Maria Norvell

MANAGER'S REPORT (4:19 PM)

Patrick Weithers, Manager of the CPCC, spoke; and presented the Manager's report.

REMARKS FROM THE CHAIR AND COMMISSIONERS (4:22 PM)

Commissioner McNinch spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Sarah Green, Deputy City Attorney, spoke.

Commissioner McNinch spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Chair Cooper spoke.

A dialogue ensued between Chair Cooper and Patrick Weithers, Manager of the CPCC.

Commissioner McNinch spoke.

Commissioner Morgan spoke.

Patrick Weither, Manager of the CPCC, spoke.

Kevin Jackson, Deputy City Manager, spoke.

Vice Chair Buchanan spoke.

Chair Cooper spoke.

Patrick Weithers, Manager of the CPCC, spoke.

A dialogue ensued between Chair Cooper and Patrick Weithers, Manager of the CPCC.

Commissioner Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

Chair Cooper spoke.

RECESS TO CLOSED SESSION (4:32 PM)

At 4:32 PM, there being no objection, Chair Cooper recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (11:27 PM)

At 11:27 PM, Chair Cooper reconvened the meeting.

ROLL CALL (11:27 PM)

Commissioners James Ahumada, Desmond Fletcher, Dianne McNinch, Justin

Present: Morgan, Dana Buchanan and Christian Cooper

Commissioners Veronica Garcia and Maria Norvell

Excused:

3. 20-057CP Recommendation to receive Commission's vote and refer findings to the City Manager.

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

[1] Case No. 20-031 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[2] Case No. 20-005 Commissioners voted 6-0 on Allegation Nos. 1 - Dishonesty, 2 - Unbecoming Conduct and 3 - Improper Remark for Officer accused;

[3] Case No. 19-170 Commissioners voted 6-0 on Allegation Nos. 1 - Improper Arrest, 4 - Use of Force and 5 - Improper Remark for First and Second Officers accused, 6-0 on Allegation Nos. 2 - Unbecoming Conduct, 3 - Unbecoming Conduct, and 6 - Profanity for Officer accused, and 5-1 on Allegation Nos. 7 - Unbecoming Conduct and 8 - Unbecoming

Conduct for Officer accused;

[4] Case No. 19-165 Commissioners voted 6-0 on Allegation Nos. 1 - Improper Detention, 2 - Unbecoming Conduct, 3 - Unbecoming Conduct, 5 - Unbecoming Conduct, 6 - Unbecoming Conduct, and 5-1 on Allegation No. 4 - Improper Search for First and Second Officers accused;

[5] Case No. 19-178 Commissioners voted 6-0 on Allegation Nos. 1 - Failure to Take Action, 2 - Unbecoming Conduct for First and Second Officer accused, and 3 - Improper Remark for Officer accused;

[6] Case No. 19-191 Commissioners voted 6-0 on Allegation Nos. 1 - Improper Detention and 2 - Unbecoming Conduct for Officer accused;

[7] Case No. 20-020 Commissioners voted 6-0 on Allegation Nos. 1 - Improper Arrest, 2 - Unbecoming Conduct for First and Second Officers accused, and 5-1 on Allegation No. 3 - Improper Search for First, Second, Third and Fourth Officers accused;

[8] Case No. 19-181 Commissioners voted 6-0 on Allegation Nos. 1 - Unbecoming Conduct, 2 - Bias Based Policing, and 3 - Failure to Take Action for Officer accused;

[9] Case No. 19-164 Commissioners voted 6-0 on Allegation Nos. 1 - Misuse of Authority, 2 - Unbecoming Conduct, and 3 - Unbecoming Conduct for Officer accused;

[10] Case No. 19-163 Commissioners voted 6-0 on Allegation Nos. 1 - Failure to Take Report and 2 - Unbecoming Conduct for Officer accused;

[11] Case No. 20-003 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[12] Case No. 19-173 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[13] Case No. 19-188 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[14] Case No. 19-189 Commissioners voted 6-0 on Allegation No. 1 -

Failure to Take Action for Officer accused;

[15] Case No. 19-180 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for First, Second, and Third Officers accused;

[16] Case No. 20-016 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[17] Case No. 19-183 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[18] Case No. 20-076 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused; and

[19] Case No. 20-078 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused.

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

Yes: 6 - James Ahumada, Desmond Fletcher, Dianne McNinch, Justin Morgan, Dana Buchanan and Christian Cooper

Excused: 2 - Veronica Garcia and Maria Norvell

4. 20-061CP eComments received for the Citizen Police Complaint Commission meeting of Friday, September 18, 2020.

This CP-Agenda Item was received and filed.

ADJOURNMENT (11:37 PM)

At 11:37 PM, there being no objection, Chair Cooper declared the meeting adjourned.

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Christian Cooper, Chair
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Dianne McNinch, Commissioner
Justin Morgan, Commissioner
Maria Norvell, Commissioner

Patrick Weithers, Manager of the CPCC

CLOSED SESSION

**CITIZEN POLICE COMPLAINT COMMISSION MEETING VIA TELECONFERENCE
PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY
GOVERNOR GAVIN NEWSOM**

THE CIVIC CHAMBERS WILL BE CLOSED TO THE PUBLIC

**PUBLIC WILL HAVE THE OPTION TO USE eCOMMENT TO PROVIDE COMMENTS ON
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PATRICK.WEITHERS@LONGBEACH.GOV**

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

1. 20-066CP Recommendation to select complaining parties, witnesses, and Long Beach Police Department employees for Subpoena for CPCC Case No. 20-061.

2. 20-065CP	<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
	20-004	Failure to Investigate & Unbecoming Conduct
	19-166	Unbecoming Conduct
	20-007	Use of Force & Improper Remark
	20-008	Sexual Misconduct & Use of Force
	20-013	Failure to Care for Property & Use of Force
	20-006	Failure to Investigate, Improper Arrest & Use of Force

(Agenda Item No. 1 continued on page 2)

<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
19-162	Improper Arrest & Bias Based Policing
19-192	Failure to Take Action & Unbecoming Conduct
19-193	Racial Remark & Unbecoming Conduct
20-001	Unbecoming Conduct
19-195	Unbecoming Conduct
19-077	Unbecoming Conduct
19-186	Dishonesty
19-174	Domestic Violence
19-179	Unbecoming Conduct

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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, 24 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, 24 horas hábiles antes de la reunión de la comisión de estatutos.

បើមានការចង់បានឲ្យមានការបកប្រែភាសាផ្ទាល់មាត់ឲ្យអ្នកមិនចេះនិយាយអង់គ្លេស ឬបើមានការចង់បានឲ្យមានដំណោះស្រាយពិសេសដោយយោងតាមមាត្រាច្បាប់ស្តីពី ជនពិការអាមេរិកាំង សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅទៅការិយាល័យស្មៀន ក្រុងតាមរយៈលេខ (562) 570-6101 (24 ម៉ោងធ្វើការមុននឹងចាប់ផ្តើមបើកកិច្ចប្រជុំ គណកម្មការធម្មនុញ្ញ)។

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

**បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបរាវ និងកំណត់ហេតុឲ្យ
អ្នកដែលមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅ
ការិយាល័យស្មៀនក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹង
ចាប់ផ្តើមបើកកិច្ចប្រជុំគណកម្មការធម្មនុញ្ញ)។**