CITY OF
LONG BEACH

Memorandum

Date: August 6, 2020

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager

Subject: **Citizen Police Complaint Commission Report**

Background

At its June 9, 2020 meeting, the City Council requested the City Manager to report back to the City Council on the Citizen Police Complaint Commission (CPCC), including a summary of investigations over the past five years; and, recommendations for discussion of possible revisions to improve accountability and transparency in the relationship between the Long Beach Police Department (LBPD) and the community.

The City Council suggested recommendations for possible revisions to the CPCC be handled through the reconciliation process, based on input from the CPCC and community listening sessions. This memorandum provides information on CPCC responsibilities and staffing; a five-year summary of investigations; and input from CPCC commissioners, CPCC staff and community members concerning CPCC improvements.

About the CPCC

On April 10, 1990, the Long Beach electorate amended the City's Charter to include Sections 1150-1155 (Attachment A), establishing the CPCC. The amendment grants the CPCC authority to receive, administer and investigate, through an Independent Investigator, allegations of police misconduct with emphasis on excessive force, false arrest, and complaints with racial or sexual overtones.

In August 1990, the City Council nominated, and Mayor Ernie Kell appointed, the first 11 Commissioners, who were sworn in shortly afterward. They received orientation and extensive training to perform their duties. The first meeting was held September 5, 1990.

In January 1991, the Commission adopted its By-laws and Policies and Procedures for processing complaints and conducting business. This initial year was a period of adjustment to a delicate, sensitive and independent function of government in the city of Long Beach.

The CPCC is one of six chartered commissions established to provide feedback and input to the City Manager, Mayor, and City Council on specified matters. In California, there are currently 10 Commission oversight bodies that function like the CPCC, and 19 oversight bodies that function under a different model. Like all commissions, the CPCC provides a rewarding opportunity for Long Beach residents to be directly involved in serving our community.

The mission of the CPCC is to promote an atmosphere of mutual trust and respect between the community and the LBPD, and to ensure that professional police services continue in Long Beach. Operationally, the CPCC is a fact-finding body, supported by administrative and investigative staff of the City Manager's Office. The CPCC is neither an advocate for the complainant nor for police personnel.

While CPCC finding recommendations can result in the accused personnel being disciplined, trained or exonerated, it is not within the CPCC's role to recommend discipline. Additionally, while the CPCC does not set policy regarding police operations, its finding recommendations can result in policy changes and clarifications to best serve the community. Following its review of cases, CPCC finding recommendations are forwarded to the Deputy City Manager, who reviews both the Commission's finding recommendations and Internal Affairs investigation and findings.

The Deputy City Manager makes a determination for a recommended final finding, which is forwarded to the City Manager, who, by City Charter, makes the final determination in matters of alleged police misconduct and policy changes.

Commissioners receive extensive training on LBPD policies and practices and applicable laws, and are informed of the latest court decisions and policies that affect police discipline and personnel investigations. The primary objectives of the CPCC are to conduct thorough investigations into allegations of police misconduct, improve the demeanor of LBPD Officers toward the public, and help maintain community trust in local law enforcement. CPCC By-Laws (Attachment B) guide the operations of the Commission.

CPCC meetings begin at 5:30 pm on the second Thursday of every month at City Hall, 411 West Ocean Boulevard, in the Civic Chambers. Complainants are notified when their cases will be reviewed by the Commission. Community members are welcome to attend the Open Session and can address the Commission during this time. Special meetings that include subject matter presentations or changes in meeting times are posted in compliance with the Brown Act to provide notification to the community. The CPCC reviews cases in closed session as required by state law.

CPCC Complaint Intake and Investigation Process

The CPCC complaint intake and investigation processes are very extensive. Multiple interviews take place, documents and media files are subpoenaed from LBPD and reviewed, and detailed briefs with attachments are prepared for the Commission's review. For detailed information about the intake and investigation processes, please refer to Attachment C.

CPCC Training

CPCC commissioners and staff attend several trainings annually. This includes an annual retreat, annual training by LBPD and several other trainings that take place during open session of Commission meetings. Commission trainings provide members with current information on

laws and LBPD policies and practices to help during the deliberation process. The Commission has received training on topics such as:

- Officer Involved Shootings
- Bias-Based Policing
- Implicit Bias
- Use of Handcuffs and Flexcuffs

CPCC Committees

Since the start of the CPCC, the Commission has formed committees primarily to review and amend CPCC By-laws and Policies and Procedures. Article XI of the CPCC By-laws provides the guidelines of CPCC committees. The Commission can form more than one committee at a time. Examples of committees formed by the Commission formed since its inception are:

Year	Committee
1991	Screening Committee
1991	Policies and Procedures Committee
1993	Rules Committee
2005	By-Laws and Policies and Procedures Committee
2005	Community Relations Committee
2014	CPCC By-Laws Committee

CPCC Staffing

Since 2015, the CPCC staff have consisted of a manager, one full-time investigator and one part-time investigator. Over the past five years, the CPCC has gone through a few transitions from being fully staffed to being understaffed for an extended period, and back to being fully staffed. This has included not only the investigators, but also several part-time, unbudgeted contract temporary administrative staff. In 2020, the CPCC moved away from contract temporary administrative staff and hired a part-time Clerk Typist for consistent administrative support. For a 2015 to 2019 staffing timeline, see Attachment D.

Since 1997, there have been concerns about CPCC's limited staffing. In the 1997 Annual Report, the Commission made the following recommendations:

1. "The Commission recommends that three investigator positions be budgeted in the Police Department and be assigned to the Commission staff to allow the Commission to conduct all investigations in-house. These positions should be in addition to the current CPCC staff, which includes one in-house investigator position. The language of the Charter Amendment speaks in terms of this Commission being a fact-finding body. We need adequate staffing and budget to fulfill our mission. Also, we need much more independence from the Police Department and Internal Affairs to fully serve our purpose."

2. "The Commission recommends a faster investigation turn-around and is presently studying methods to expediate the investigations process. The Police Department is cooperating in addressing this issue and will make recommendations to the Commission."

The ability to brief cases in a timely manner has continued to be a challenge due to staffing capacity and not having access to LBPD's databases like Tiburon, Mideo, California Law Enforcement Telecommunication System (CLETS), and Evidence.com to pull LBPD documents, State documents and body-worn camera footage. Currently, CPCC staff sends subpoenas to LBPD Internal Affairs (IA) and must wait for IA to pull files and provide them to CPCC staff to complete investigations.

Five-Year Summary of Investigations

A five-year summary of CPCC investigations is provided below. The information was compiled from CPCC annual reports for years 2015 through 2019 (Attachment E).

The "Commission Finding Recommendations" column details the 1,635 total finding recommendations made by the Commission from 2015 to 2019. Each number in the column represents the number of each "Finding Type" the Commission recommended. The percentages represent the overall percentage of each "Finding Type" made by the Commission.

The "City Manager Findings" column details the 1,635 total final findings made by the City Manager from 2015 to 2019. Each number in the column represents the number of each final "Finding Type" found by the City Manager. The percentages represent the overall percentage of each final "Finding Type" found by the City Manager.

The "City Manager Alternative Findings" column details a breakdown of the 277 alternative findings the City Manager made that were not the same as the Commission's recommendations. Each number in the column represents the numbers of alternative findings the City Manager made for each "Finding Type." For example, the City Manager chose an alternative finding of "Exonerated" for 36 allegations, instead of choosing the findings the Commission made for those 36 allegations. Another example is the City Manager chose an alternative finding of "Sustained" for five allegations, instead of choosing the findings the Commission made for those five allegations. The percentages represent the proportionate distribution of alternative findings made by the City Manager.

"Total Agreed with Commission" details the number and percentage of findings where the City Manager's final findings were the same as the Commissions recommended findings. Currently the Commission does not receive officer compelled statements or other officer personnel information that is available to the Administration. If the Commission had access to the officer compelled statements, the level of agreement would very likely increase.

Finding Type	Commission Finding Recommendations		City Manager Findings		City Manager Alternative Findings	
Sustained	114	7%	31	2%	5	2%
Other	78	5%	70	4%	31	11%
Exonerated	284	17%	253	15%	36	13%
Unfounded	447	27%	553	34%	137	49%
Receive & File	172	11%	190	12%	24	9%
Not Sustained	538	33%	537	33%	44	16%
Re-investigate	2	<1%	1	<1%	0	0%
Total	1,635	100%	1,635	100%	277	100%
Total Agreed With Commission	1,358	83%				

Input from CPCC Commissioners

At its June 11, 2020 meeting, the Commission provided input on potential CPCC reform ideas. Those ideas have not yet been fully reviewed and do not represent City staff recommendations, but are transmitted to City Council as ideas from the Commission. City staff recommends that any change to the CPCC be done through an outside review from a third-party expert in this area to assist with best practices and align with State law after taking input from all stakeholders, including the Commission, the community and law enforcement. Recommendations provided by individual Commissioners are as follows:

- Allow Commissioners to receive officer compelled statements.
- Commissioners should have the ability to put items on the agenda [Commissioners can currently add agenda items through a vote]
- Concern with why an officer can decline being questioned by the Commission.
- Establish a procedure to have cases presented to the Commission two months before the time out date.
- Extend investigation time beyond one year.
- Eliminate LBPD ride-alongs as an onboarding requirement for new CPCC Commissioners.

- Increase CPCC staff.
- Increase the number of CPCC investigators.
- More transparency on the basis of findings changes by the City Manager.
- Once an officer discovers there's an allegation against them, they should write a police report or citizens report pertaining to the allegations against them.
- People that have been arrested should be allowed to be on the Commission and should be allowed to do LBPD ride-alongs.
- Research other Commissions to see what mandates and powers they have.
- The Commission has concern about officers being able to track down complainants and witnesses.
- The Commission should be able to know how many times an officer had allegations charged against them. The Commission should be able to view an officers Internal Affair's complaint history.
- The Commission should be allowed to review, and change, LBPD policy outside of just recommending policy changes.
- The Commission would like witness interviews video recorded or interview transcribed [Currently only a narrative summary is written based off the audio recorded interview. The CPCC currently is unable to hire a transcriber to transcribe interviews due to budget constraints.]
- The Commission would like written policies and procedures for how to conduct investigations.
- The CPCC annual training should not be hosted by the LBPD.
- Work with State Legislature to amend State law to be able to access more police personnel records and to extend the one-year investigation timeline.
- Would like a policy to address how to create allegations within the complaint even if the complainant doesn't directly articulate it.

Additionally, the City heard a lot of direct input about the CPCC in the reconciliation process and that input is captured in the report to City Council.

CPCC staff also have ideas on how to improve the current system, including ideas about use of technology, quicker access to information, the potential for mediation, providing additional

information to the Commission they do not currently see, additional resources needed, and other ideas that should be reviewed through the outside review process.

Frequently Asked Questions (FAQs)

The CPCC receives certain questions from the public on a consistent basis. CPCC staff has compiled a list of those questions and the answers to an FAQ list (Attachment G).

Next Steps

Input received from the CPCC Commissioners, CPCC staff and community members have provided the foundation for CPCC reform recommendations, which were included in the Framework for Reconciliation presentation to City Council on August 11, 2020. At its July 9, 2020 regular meeting, the CPCC articulated an interest in forming a Committee to study the CPCC's By-laws and Policies and evaluate possible improvements that could be made within its existing authority and others that may require a future amendment to the City Charter. The FY 21 proposed budget proposes setting aside $150,000 in new funding to first conduct an outside third-party expert review for potential changes to the CPCC, including a potential ballot measure, and then ongoing funding to support implementation. Additionally, staff will continue evaluating opportunities for CPCC improvements, proactively and in response to CPCC and Community input.

If you have any questions concerning the operations of the CPCC, please contact Patrick Weithers, Manager of the CPCC at (562) 570-7610.

ATTACHMENT A – CHARTER SECTIONS 1150 -1155
ATTACHMENT B – CPCC BY-LAWS AND POLICIES
ATTACHMENT C – CPCC INTAKE AND INVESTIGATION PROCESS
ATTACHMENT D – CPCC STAFF TIMELINE
ATTACHMENT E – 2015 TO 2019 CPCC ANNUAL REPORTS
ATTACHMENT F – CPCC FAQ

CC: CHARLES PARKIN, CITY ATTORNEY
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REBECCA G. GARNER, ADMINISTRATIVE DEPUTY MANAGER
MONIQUE DE LA GARZA, CITY CLERK (REF. FILE #20-0540)
DEPARTMENT HEADS

ARTICLE XIA. CITIZEN POLICE COMPLAINT COMMISSION

Section 1150. CREATION OF CITIZEN POLICE COMPLAINT COMMISSION.
There is hereby created a Citizen Police Complaint Commission.

Section 1151. MEMBERSHIP AND TERMS OF CITIZEN POLICE COMPLAINT COMMISSION.
The Citizen Police Complaint Commission shall be composed of eleven (11) members who are broadly representative of the racial, ethnic, religious, labor, business, age, gender, sexual orientation, and disabled members of the general public, and who reside in the City of Long Beach. Each member shall be appointed by the Mayor, subject to confirmation by the City Council. There shall be one Commission member appointed to represent each of the nine City Council districts, and two members appointed at large. Each member of the City Council shall nominate an individual to the Mayor to represent each respective Council district.

The term of each member of the Commission shall be for two years; provided, however, that of the eleven members first appointed after the effective date of the Article, a drawing will be held at the first meeting to determine who serves for two years and three years; six shall serve for three years, and five shall serve for two years. No person shall serve more than two full terms. Serving any portion of an unexpired term shall not be counted as service of one term.

Section 1152. INDEPENDENT INVESTIGATOR.

The City Manager shall appoint an Independent Investigator, as needed, who shall serve at the pleasure of the City Manager. The investigator shall have the authority to receive, administer and investigate, at the direction of the Commission, allegations of police misconduct, with emphasis on excessive force, false arrest and complaints with racial or sexual overtones. The investigator shall thereafter report the results of said investigations to the Commission.

The office of the investigator shall be located outside of the Public Safety Building.

Section 1153. POWERS AND DUTIES OF THE COMMISSION.

The Commission shall have the following powers and duties:

A. To receive, and in its discretion to administer and investigate, through the Independent Investigator, allegations of police misconduct, with emphasis on excessive force, false arrest, and complaints with racial or sexual overtones.
B. To conduct a hearing into allegations of police misconduct, when such hearing, in the discretion of the Commission, will facilitate the fact-finding process
C. To subpoena and require the attendance of witnesses, and the production of books and papers pertinent to the investigation and to administer oaths to such witnesses to the extent permissible by law.
D. To thereafter make recommendations concerning allegations of misconduct to the City Manager, who shall have final disciplinary authority.
E. To recommend to the City Council the provision of such staff as is necessary to carry out its powers and duties under this Article. Upon authorization by the City Council the City Manager shall select staff members, who shall serve at the pleasure of the City Manager. The

Commission shall advise the City Manager of the performance of said staff, and the City Manager shall thereafter take such steps as he deems necessary to assure their satisfactory performance.

Section 1154. CONFIDENTIALITY.

The hearing process shall be open to the public to the extent legally possible and insofar as it does not conflict with state or federal law.

Section 1155. REVIEW AND EVALUATION.

On or before July 1, 1992, the Charter Amendment Committee of the City Council shall meet and evaluate the operation of the amendments to the Charter adopted by this Proposition on the April 1990 ballot. On or before January 1, 1993, the Charter Amendment Committee shall report its findings, in writing, together with any recommendations it wishes to make to the City Council. Thereafter, the City Council shall receive said report, findings and recommendations and take such implementing action as it deems appropriate and necessary.

BY-LAWS

Amendments to the Bylaws
Adopted February 11, 2016

ARTICLE I
DEFINITION

Section 1.	As used in these by-laws, unless a different meaning clearly appears from the context: A. "Commission" and "CPCC" shall mean the City of Long Beach Citizen Police Complaint Commission. B. "Commissioners" shall mean the members of the Commission. C. "Executive Director" shall mean the city employee appointed by the City Manager to (1) oversee the Commission's business; (2) direct the Commission's staff and support team; (3) receive allegations of police employee misconduct, and (4) exercise any other delegated authorities. D. "Independent Investigator" shall mean the person(s) appointed by the City Manager to receive, or investigate, at the direction of the Commission, allegations of police misconduct. E. "City" shall mean the City of Long Beach.

ARTICLE II
AUTHORITY, POWERS, DUTIES

Section 1.	The Commission shall have all of the authority, powers, and duties conveyed by Section 1153 of the City Charter.
Section 2.	These by-laws do not, and are not intended, to exceed the powers given to the Commission by the City Charter and/or ordinances.

ARTICLE III
COMMISSIONERS

Section 1.	Eleven (11) Commissioners shall be selected as follows: A. Each of the nine City Councilpersons shall nominate to the City Mayor one (1) resident from his or her district to serve in the district Commissioner positions; B. The City Mayor shall appoint one nominee from each Council district to serve in district Commissioner positions and two residents to serve in at-large Commissioner positions;

	C. All appointees shall be confirmed by a majority vote of the City Council; D. The Commission shall be broadly representative of the population of the City in terms of race, ethnicity, age, gender, sexual orientation, religion, labor or business affiliation, and physical disability.
Section 2.	Commission vacancies shall be filled in the same manner as original appointments, to fill unexpired terms.
Section 3.	Each Commissioner must reside in the City at the time of nomination and throughout his/her service on the Commission. Each member (other than at-large members) must maintain residence within the council district from which he/she was appointed during his/her service on the Commission.
Section 4.	Commissioners who fail to maintain the residence requirements must resign from the Commission or be removed in accordance with Municipal Code 2.18.050.

ARTICLE IV
TERMS OF SERVICE

Section 1.	The term of office shall be two (2) years.
Section 2.	No Commissioner shall serve more than two (2) full terms.
Section 3.	Serving a portion of an unexpired term shall not be counted as service of one term.
Section 4.	Terms of office shall terminate on the second Thursday of July. Terms of office for Commissioners representing Council Districts #1, #2, #6 and #9, and one at-large Commissioner, shall be commence in even-numbered years. Terms of officer for Commissioners representing Council Districts #3, #4, #5, #7 and #8, and one at-large member, shall be commence in odd-numbered years. A replacement schedule shall be maintained by the City Clerk and the Executive Director to show when each Commissioner's term expires.

ARTICLE V
REMOVAL FROM OFFICE

Section 1.	Pursuant to City Charter Article V, Section 540, "[t]he Mayor may remove any member of a Charter-mandated commission at any time, with the concurrence of two-thirds (2/3) of the members of the City Council."
Section 2.	Commissioners may be removed from the Commission by a majority vote of the City Council for the following causes:

	A. Absence from three consecutive meetings, including Commission meetings, training meetings, and assigned hearings, without official permission expressed in the minutes; B. Incompetence, malfeasance, misfeasance, neglect of duty, or conviction of a crime involving moral turpitude; C. Refusal or resign from the Commission when no longer a resident of the City or, except in the case of at-large commissioners, the district from which appointed; or D. Failure to comply with the confidentiality requirements described in Article X below.
Section 3.	Commissioners may be declared malfeasant and recommended for dismissal by a majority vote of the Commission for the following reasons: A. Failure to receive training required for preparation to perform the duties of a Commissioner; or B. Failure to assume and fulfill assigned responsibilities, particularly those related to investigations and hearings before the Commission.

ARTICLE VI
COMPENSATION

Section 1.	Commissioners shall receive no compensation for the performance of their official duties on the Commission, unless compensation is expressly provided by the City Council.

ARTICLE VII
OFFICERS

Section 1.	The Commission shall have at least two officers, Chair and Vice Chair, and such other officers it deems necessary.
Section 2.	The Chair shall preside over all meetings of the Commission and shall have the same rights as other commissioners, including the right to vote on all matters. The Chair shall sign all documents on behalf of the Commission after such documents have been approved by the Commission and shall perform such other duties and delegated responsibilities as may be imposed upon the Chair by the Commission.
Section 3.	In the absence of the Chair, the Vice Chair shall assume all the duties and power of the Chair. In the absence of the Chair, all actions taken by the Vice Chair shall have the same force and effect as if taken by the Chair.

Section 4.	The election of officers shall be conducted annually at the first meeting in July in accordance with the most recent edition of Roberts Rules of Order.
Section 5.	All officers shall be elected by the Commission for a term of one year. No Commissioner may serve two successive years in the same office.
Section 6.	In the event of the resignation or removal of the Chair during the year, the Vice Chair shall become the Chair and a new election shall be held for Vice Chair. In the event of the resignation or removal of any other officer, a new election shall be held to fill the vacant office.
Section 7.	If the Chair and Vice Chair are both absent at any meeting of the Commission, the Commission shall elect a Chair Pro Tem who shall perform all duties of the Chair. All actions taken by the Chair Pro Tem shall have the same force and effect as if taken by the Chair.

ARTICLE VIII
MEETINGS

Section 1.	The most recent edition of the Roberts Rules of Order shall apply to the conduct of the Commission's meetings to the extent that they do not conflict with the Commission's by-laws, in which case the by-laws shall apply.
Section 2.	Regular meetings of the Commission shall be held on the second Thursday of each month at 5:30 p.m. in the City Council Chamber, 411 West Ocean Boulevard, unless otherwise agreed upon in advance by the Commission.
Section 3.	Special meetings of the Commission may be convened at the call of the Chair, or of the Vice Chair in the absence of the Chair. Upon petition of six Commissioners, the Chair shall be required to call a meeting of the Commission within one week. Commissioners will be given at least 24 hours noticing before any special meeting. The notice and agenda for any special meeting will be distributed in accordance with Section 54956 of the California Government Code.
Section 4.	All meetings of the Commission shall be open to the public and, whenever possible, shall be held in a City-owned facility. Notice shall be given to the public prior to convening of any meeting, in accordance with the Brown Act, Section 54950 et seq. of the California Government Code.
Section 5.	A majority of all Commissioners shall constitute a quorum for the transaction of business. A motion shall carry upon the affirmative vote of the majority of the members present at any meeting.
Section 6.	A quorum being present, the order of business at the meetings of the Commission may include the following:

	A. Roll Call B. Minutes of Previous Meeting C. Staff Reports D. Chair's Report E. Committee Reports F. Unfinished Business G. New Business H. Public Participation I. Next Meeting J. Recess to personnel or closed session if required. K. Adjournment
Section 7.	A Commission meeting may be cancelled by the Chair due to a lack of a quorum, lack of sufficient agenda voting items, or for any reasonable cause as determined by the Chair.
Section 8.	Minutes of each Commission meeting shall be kept and filed with the City Clerk, and copies shall be sent to the Mayor and City Manager.
Section 9.	The Commission may promulgate such rules, regulations, policies and procedures for its conduct, as it deems necessary.
Section 10.	All adopted rules, regulations, policies, and procedures shall be filed within five (5) business days with the City Clerk and shall bear the signature of the Chair and the date they were adopted.
Section 11.	The annual meeting shall be the July meeting.
Section 12.	Special Commissioner training meetings shall be conducted at sites to be determined. No business other than training shall be conducted at such meetings. Appropriate notices shall be posted in accordance with the Brown Act.
Section 13.	Commissioners shall attend at least one training day every year and one Long Beach Police Department ride-along in their first 60 days of City Council approval as a Commissioner.
Section 14.	New Commissioners shall attend an orientation meeting prior to their participation in their first Commission meeting.

ARTICLE IX
INVESTIGATIONS AND HEARINGS

Section 1.	Investigations and hearings shall be conducted in accordance with the Policies and Procedures for processing complaints against police officers adopted by the Commission.
Section 2.	The hearing process shall be open to the public to the extent legally possible and insofar as it does not conflict with state or federal law, as required by Section 1153 of the City Charter.
Section 3.	Investigations and hearings shall be conducted solely to determine facts and to make recommendations to the City Manager.
Section 4.	Hearings shall be scheduled as needed.

ARTICLE X
CONFIDENTIALITY

Section 1.	All personnel records, investigative reports, documents generated within the Long Beach Police Department, information relating to deliberations of the Commission, and other matters, shall be kept confidential to the extent required by law.

ARTICLE XI
COMMITTEES

Section 1.	The Chair may appoint special committees as needed. Each shall consist of an appointed Chairperson and at least two other Commissioners.
Section 2.	Committee appointments should be made to ensure a diversity of viewpoints to the greatest extent possible, in accordance with Section 1151 of the City Charter.
Section 3.	The Commission Chair shall be an ex-officio member of all committees.

ARTICLE XII
REPORT TO CITY

Section 1.	The Commission shall present an annual written report of its activities for the period of the previous July through June to the Mayor and City Council. The Commission may also make appropriate recommendations. The report shall include, but is not limited to, the following: A. The name of the Commission; B. The Commission's goals, objectives, and functions;

	C. Reference, by category, to all reports and recommendations presented to the City Manager; D. The number of meetings held; E. The number of hearings conducted; F. Attendance records of all commissioners; G. The amount of money expended in support of the Commission, if known; and H. A list of City personnel who regularly assist the Commission.
Section 2.	The report should be submitted by December 31 of each year.

ARTICLE XIII
AMENDMENT OF BY-LAWS

Section 1.	These By-Laws may be amended at any regular meeting of the Commission by majority vote of the commissioners present, provided that notice of such amendment shall have been given at the previous regular meeting and in accordance with any and all applicable laws.

CHRONOLOGY OF AMENDMENTS AND ADOPTIONS:

November 7, 1990	Original Adoption
November 11, 1993	Adoption Amended
June 10, 1999	Adoption Amended
December 14, 2000	Amendment Adopted
February 11, 2016	Amendment Adopted

Respectfully Submitted:

Jeffrey Price, Chair
Citizen Police Complaint Commission

POLICIES

CITY OF LONG BEACH
CITIZEN POLICE COMPLAINT COMMISSION
POLICIES AND PROCEDURES

AUTHORITY: Article VII §§ 8 and 9; City of Long Beach Citizen Police Complaint Commission By-Laws.

I. Purpose:
To establish guidelines for the receipt and processing of allegations of police employee misconduct as set forth in Sections 1150 and 1155 of the Long Beach City Charter.

II. Scope:
These guidelines are applicable in addressing allegations of misconduct by employees of the Long Beach Police Department filed on or after April 11, 1990.

III. Amendment:

These Policies and Procedures may be amended at any regular meeting of the Commission by a majority vote of the Commissioners present, provided that notice of such amendment shall have been given at the previous regular meeting and complies with any and all applicable laws.

IV. Definitions:

In addition to the terms already defined in the Commission's By-Laws, the following terms shall have the stated meaning:

A. Complaint: Allegation(s) of misconduct against an employee(s) of the Long Beach Police Department.
B. Complainant: The person filing the complaint.
C. Complaints with Racial Overtones: Any allegation that is based upon a real or perceived adverse action(s) taken against a person(s) based on his or her race, ethnic background or minority group.
D. Complaints with Sexual Overtones: Any allegation that is based upon a real or perceived adverse action(s) taken against a person(s) based upon his or her sex, gender, gender identity or sexual orientation.
E. Employee of the Long Beach Police Department: Any employee in the Long Beach Police Department who is a sworn peace officer or an employee who provides customer service, including the arrest, detention, search, transportation, or incarceration of any person.
F. Executive Force: Unreasonable or unnecessary force used by an employee of the Long Beach Police Department against a person(s) without legal or moral justification.
G. False Arrest: An arrest that is not made in compliance with California Penal Code § 836.
H. Force: Any action to control a person or to overcome resistance through the use of physical strength, weaponless defense techniques, pain compliance techniques, defensive weapons, or a combination thereof.

I. Misconduct: An allegation against an employee of the Long Beach Police Department, which, if true, may constitute a violation of a law, rule, regulation, or policy.
J. Probable Cause: A condition where facts and circumstances known to the officer warrant a reasonable person to believe that a particular person has committed a crime.
K. Respondent: An employee of the Long Beach Police Department against whom a complaint is filed.
L. Witness: Any person who has information relevant to the complaint.

VI. Receiving and Processing Complaints:

A. Where to File: Allegations of police employee misconduct may be filed with the CPCC Office, or with any appropriate agency.
B. How to File: All allegations of police employee misconduct may be made telephonically, in writing, or in person. Complaints may be made anonymously or by a person not directly involved in the incident.
C. Time Element: Complaints filed directly with the CPCC must be filed within one year of the date of the alleged police employee misconduct.
D. Complaint Investigation: All complaints shall be conducted in a fair, ethical, and objective manner. The investigator is a finder of fact. Personal opinion shall not be contained in the investigator's report.

    1. The Independent Investigator should strive to complete any investigation within 90 days of assignment.
    2. Interviews
        a. The Independent Investigator may interview any person the investigator determines may have information related to the allegation(s) of misconduct, including but not limited to Complainant, Respondent(s), and Witness(es).
        b. Any statements obtained by the investigator should be summarized by the investigator, and whenever possible, agreed to by the person being interviewed.
        c. The investigator shall collect all relevant information including all documentation available relative to the allegation(s).
    3. The investigator shall compile all information and evidence into a written report.

E. Commission Review, Findings and Recommendations:

    1. The CPCC shall review the complaint with the stated allegations of misconduct and the investigative data.
    2. The CPCC shall conduct its review in closed session in accordance with applicable laws and regulations.
    3. For each allegation of misconduct, the CPCC shall render one of the following findings by majority vote:
        a. Receive & File
        b. Unfounded
        c. Exonerated
        d. Not Sustained
        e. Sustained
        f. Other/Training

g. Re-Investigate

F. No Further Action: The CPCC Executive Director can close causes as "No Further Action" due to lack of witness cooperation or insufficient information. These cases shall appear on the meeting agenda's consent calendar.

G. Post-Commission Process:

1. The Commission, by majority vote of those present, may hold a public hearing on any matter within its jurisdiction.
2. Hearings will be conducted by the Commission.
3. The Commission may request or subpoena the complaining parties, witnesses, and involved Police Department employees to appear before it to answer questions or provide information.
4. Hearings shall be open to the extent permissible by law.
5. The Commission shall follow an informal hearing procedure in conducting its investigation of individual complaints.
6. Citizen or Police Department employee witnesses shall be questioned by the Commission or staff only.
7. There shall be no cross-examination by Police Department employees, citizen witnesses, the Complainant, or their respective counsel.
8. All records relating to the investigation pertinent to the complaint shall be made available to the Commission to the extent permissible by applicable federal, state, and local law, and applicable contractual agreements.
9. Subpoenas shall be authorized by a majority vote of the full Commission present and shall be issued by the Executive Director and served by the Independent Investigator of their designee.
10. The CPCC shall make no findings during the hearing. At the conclusion of the hearing, the Clerk shall make a record available to the CPCC for consideration in closed session.

VI. Complaint File

The Commission shall maintain a confidential central register of all complaints filed with the CPCC. All files, documents, and related materials shall be kept and preserved for five years after the completion of the case by the CPCC, and after the recommendation has been reviewed by the City Manager. In the event the investigation is suspended, all evidence relevant to the complaint shall be preserved and maintained while such investigation is suspended.

VII. Confidentiality:

A. The Executive Director, Independent Investigator, and Commissioners shall keep confidential all information received in the process of receiving, investigating, and reviewing a complaint to the extent required by law.
B. Failure to comply with this policy shall be grounds for removing a Commissioner from the Commission.
C. Only the City Manager can make public the disposition of a complaint investigated by the CPCC.

VIII. Ancillary Matter: If in the course of Commission deliberations, the Commission finds that consideration should be addressed to policy, training, supervision, or other issues, the Commission may refer such suggestions to the City Manager.

Chronology of Amendments and Adoptions:

January 2, 1991	Original Adoption
July 3, 1991	Adoption Amended
March 4, 1992	Adoption Amended
June 10, 1999	Amendment Adopted
December 14, 2000	Amendment Adopted
August 9, 2001	Amendment Adopted
March 10, 2016	Amendment Adopted

Respectfully Submitted:

David Clement, Chair
Citizen Police Complaint Commission

Complaint Process

Complaints can either be filed directly with the CPCC, or with the Long Beach Police Department (LBPD). There are two, independent, concurrent investigations that take place with every complaint filed. They are the CPCC investigation and the LBPD Internal Affairs (IA) investigation. Any complaint that is filed with the CPCC is also sent to Internal Affairs to investigate as well. And vice versa, any Complaint that is filed with LBPD is sent over to the CPCC to investigate.

Several factors contribute to the number of complaints filed each year, including public awareness of the CPCC and its function, police conduct toward the public, media focus, and community concerns.

CPCC Complaint Intake Process

Complaints can be filed directly with the CPCC by phone, mail, email and in person. After a complaint is filed, allegations are determined by CPCC Investigators based on the complainant's verbal or written statement. The complainant summary, statements, allegations and any evidence provided by the complainant is then sent to Internal Affairs to investigate the complaint as well. As a result, there are two separate, independent and concurrent investigations that take place for each complaint filed. Once Internal Affairs completes their investigation of a complaint filed through the CPCC, they send over a case summary which contains the allegations they investigated. Which will usually be the same allegations the CPCC determined. Occasionally, Internal Affairs may include additional allegations, which would be listed on their completed case summary. If additional allegations are included, the CPCC will investigate the additional allegations and include them in the final brief for Commission review.

Often, complainants state that they have "specific" allegations they want to file a complaint for in their statements. Within those same statements, they may allege other actions occurred, but do not want to file a complaint about those other alleged actions. The CPCC will investigate the specific allegations that the complainant wants investigated, but if the other alleged actions that the complainant stated falls under the priority of the Commission (Bias Based Policing, Use of Force, Sexual Misconduct), may violate LBPD policy, or touches on an issue the Commission has had concern about, the CPCC will add those additional allegations to the complaint for investigation.

LBPD Complaint Intake Process

All complaints filed directly with the LBPD are sent over to the CPCC to investigate as well. Again, as a result, there are two separate, independent and concurrent investigations that take place for each complaint filed. When the LBPD send over complaints filed through them to the CPCC, depending how the complaint was filed through the LBPD (Complaint form, phone, mail, email, in the field through a field

Sergeant), they either initially send the written complaint (form, email, letter, etc.), or complainant statement summary (phone, in the field through a Sergeant). In addition to that, a case summary will be sent over containing the allegations that Internal Affairs determined based on the Complainant's statements. The CPCC will always investigate the exact allegations that Internal Affairs determines from complaints initially filed directly through the LBPD.

The CPCC may investigate additional allegations, which would be in addition to the allegations Internal Affairs investigated, from a complaint filed directly through the LBPD if it touches on an issue the Commission has had concern about.

CPCC Investigation Process

Once the CPCC receives a compliant, it is assigned to an investigator. Once assigned, the CPCC sends a subpoena duces tecum to Internal Affairs for full and complete documents and evidence, including all attachments, supplemental reports, photos, audio and video recordings, etc. The investigator will reach out to the complainant and any witnesses to obtain statements regarding the alleged incident. The Investigator will also attempt to obtain any evidence from complainants or witnesses in relation to the complaint. There are a lot of instances where there is a lack of contact and cooperation from complainants and witnesses. In these instances, they do not answer the phone and do not ever call back after voicemails are left. There are times when complainants refuse to provide any evidence they state that they have as well.

Once all requested information is obtained from Internal Affairs, additional follow-up with witnesses or the complainant may occur due to certain information that may be in documents or certain things that may be seen in body worn camera footage. Once the investigation concludes, either a brief is prepared for Commission review or the case is given a disposition of "No Further Action." The briefs contain the allegations against the accused officers, a factual background of the alleged incident, complainant statement(s), witness statements (if applicable), investigation notes, LBPD policy and training bulletin references, and any attachments such as written complaints, police reports, call history's, and jail documents to name a few. Currently the Commission does not receive officer compelled information such as officer statements or anything that would be in an officer's personnel file.

A complaint/case can contain one or several allegations with one or several accused officers. If there is more than one officer accused in an allegation, the total number of allegations includes findings recommendations for all accused officers. For example, if three officers are accused of excessive use of force in one incident, the CPCC renders finding recommendations on each officer.

During the monthly CPCC meeting, the Commission takes a recess from Open Session and reconvenes in Executive/Closed Session to discuss the cases and to recommend findings on each allegation. The Commission then reconvenes in Open Session to report their vote on each allegation without violating confidentiality requirements. Because each

complaint is a personnel matter, the public is not allowed to attend the Executive/Closed Session.

The Commission's findings recommendations are submitted to the City Manager, who reviews both the Commission's recommendations and Internal Affairs findings. During this process, the City Manager reviews confidential officer personnel information that is not available to the Commission. After review, the City Manager provides the final disposition to the Complainant in writing.

Allegations

When investigating a case, CPCC investigators use one of several allegation codes to reference a particular action of officer misconduct that a complainant alleges occurred. Please see the allegation codes below:

• Dishonesty	• Improper Entry	• Racial Bias
• Discourteous	• Harassment	• Racial Profiling
• Discourteous Remark	• Improper Arrest	• Racial Remark
• Domestic Violence	• Improper Detention	• Residence Search
• Failure to Take Action	• Improper Remark	• Sexual Misconduct
• Failure to Book Evidence	• Intimidation	• Sexual Remark
• Failure to Investigate	• Misuse of Authority	• Unbecoming Conduct
• Failure to Care for Property	• Misappropriation of Property	• Racial Profiling
• Failure to Take Report	• Profanity	• Use of Force
• Gender Bias	• Personal Search	• Unauthorized Tactics
		• Vehicle Search

Findings Categories

After the Commission concludes deliberation on an allegation, they vote to recommend a finding based on the facts and evidence presented to them. The City Manager takes the Commissions findings into consideration when rendering a final finding. Below is a list of all the current finding options and their descriptions.

Misconduct -an act or omission that, if true, violates Long Beach Police Department policy or training.

Standard of Consideration/Proof - preponderance of evidence, meaning the act more likely than not occurred (50% plus a feather).

SUSTAINED

The investigation indicates the alleged act more likely than not occurred and constitutes misconduct

- This finding recommends discipline for the accused
- Discipline can be a letter of reprimand, suspension, demotion or termination

OTHER

The alleged act, although more likely than not occurred, was not misconduct and could be most appropriately handled by training or other means.

EXONERATED

The investigation indicates the alleged act did occur, but the action(s) taken were lawful, proper and justified.

UNFOUNDED

The investigation indicates the alleged act did not occur. Examples: There is no information or evidence that supports the allegation; there is evidence that the alleged act did not occur; or, the individual named in the complaint was not involved.

RECEIVE & FILE

The information received is submitted past the statute of limitations for disciplinary actions; or, the information received does not, on its face, establish misconduct. A case may be reopened if further information or evidence is submitted within the statute of limitations period.

NOT SUSTAINED

The investigation fails to disclose sufficient evidence to prove the alleged act.

RE-INVESTIGATE

When new information comes to the attention of the Commission or when the Commission requests clarification or additional information that could reasonably be obtained.

No Further Action (NFA)

In 1994, the Commission refined its policy to exclude complaints that were invalid on their face and/or were complaints of police service, which were not violations of Police

Department policy. These complaints collectively, are classified as No Further Action (NFA).

As a part of the policy change, the Commission delegated authority to the Executive Director to initially screen new complaints. This expedited the preliminary review process and reduced time spent on frivolous and intentionally misleading complaints of misconduct. The need to redefine the policy was based on a number of complaints that had no foundation in fact to suggest a complaint.

In 2014, with the addition of staff, and to allow the Commission to see more cases, the criteria for the Executive Director to recommend cases with a NFA disposition was changed to:

- Insufficient information
- Lack of witness cooperation
- Staff recommendation

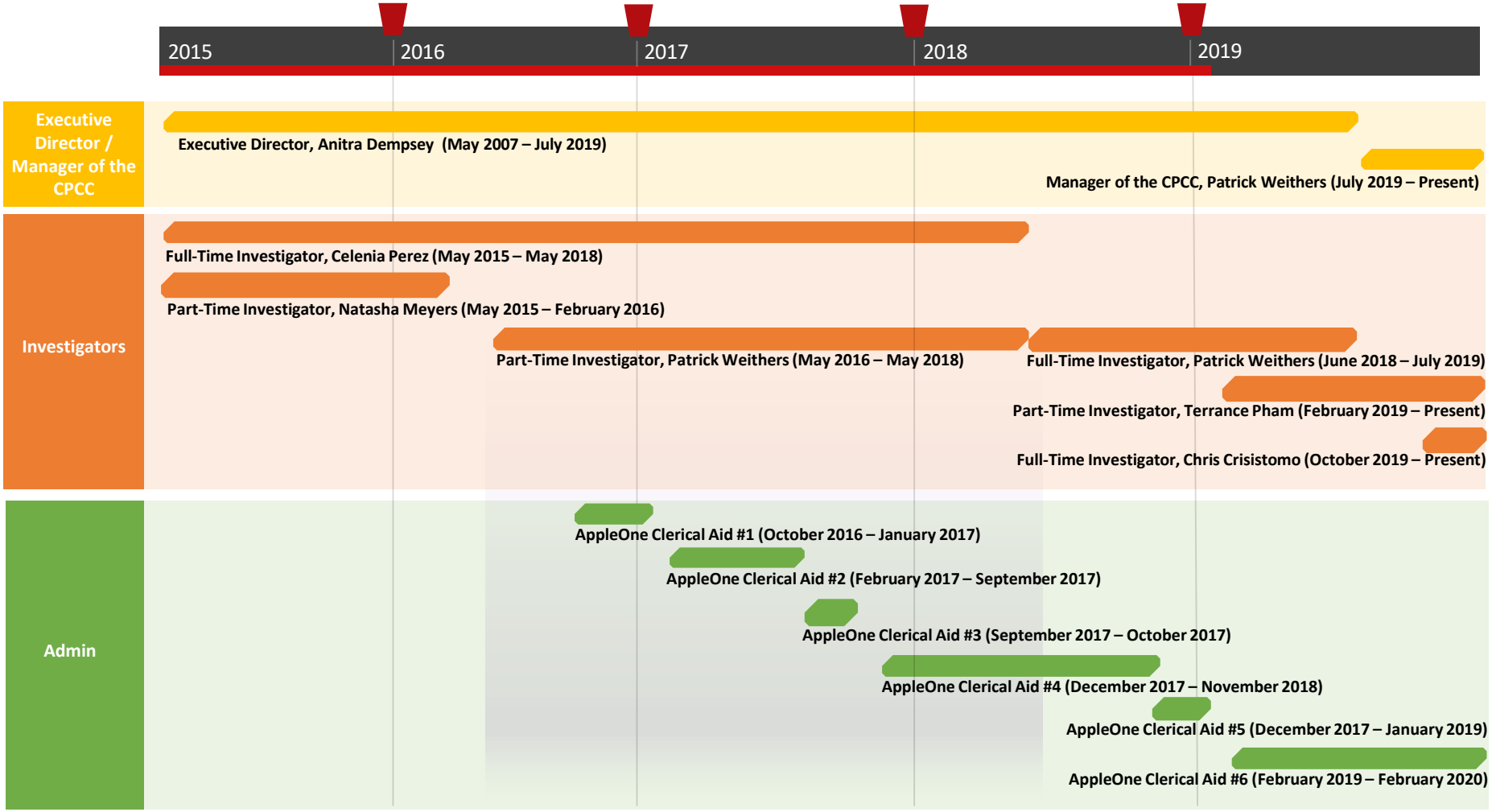
Prior to 2014, the authorized criteria for the Executive Director to recommend cases be closed with an NFA disposition included:

- The accused was never an employee of the LBPD
- The complaint was deemed to have “judicial review,” such as a disputed parking citation
- The facts and information were insufficient to permit resolution or warrant further investigation
- The complainant retracted the allegation(s)
- The actions of the officer regarding the allegation(s) were legal, necessary and proper under the circumstances
- CPCC staff concurred with LBPD’s recommendation of “service” or additional training

Cases that are typically given a disposition of NFA are cases where the complainant withdraws their complaint, contact cannot be made with the complainant and there are no witnesses and no evidence to show anything actually happened, the accused person is not a member of the LBPD, the complainant got Long Beach, CA confused with Long Beach, NY, evidence obtained proves without a doubt that the allegation(s) did not occur.

Attachment D

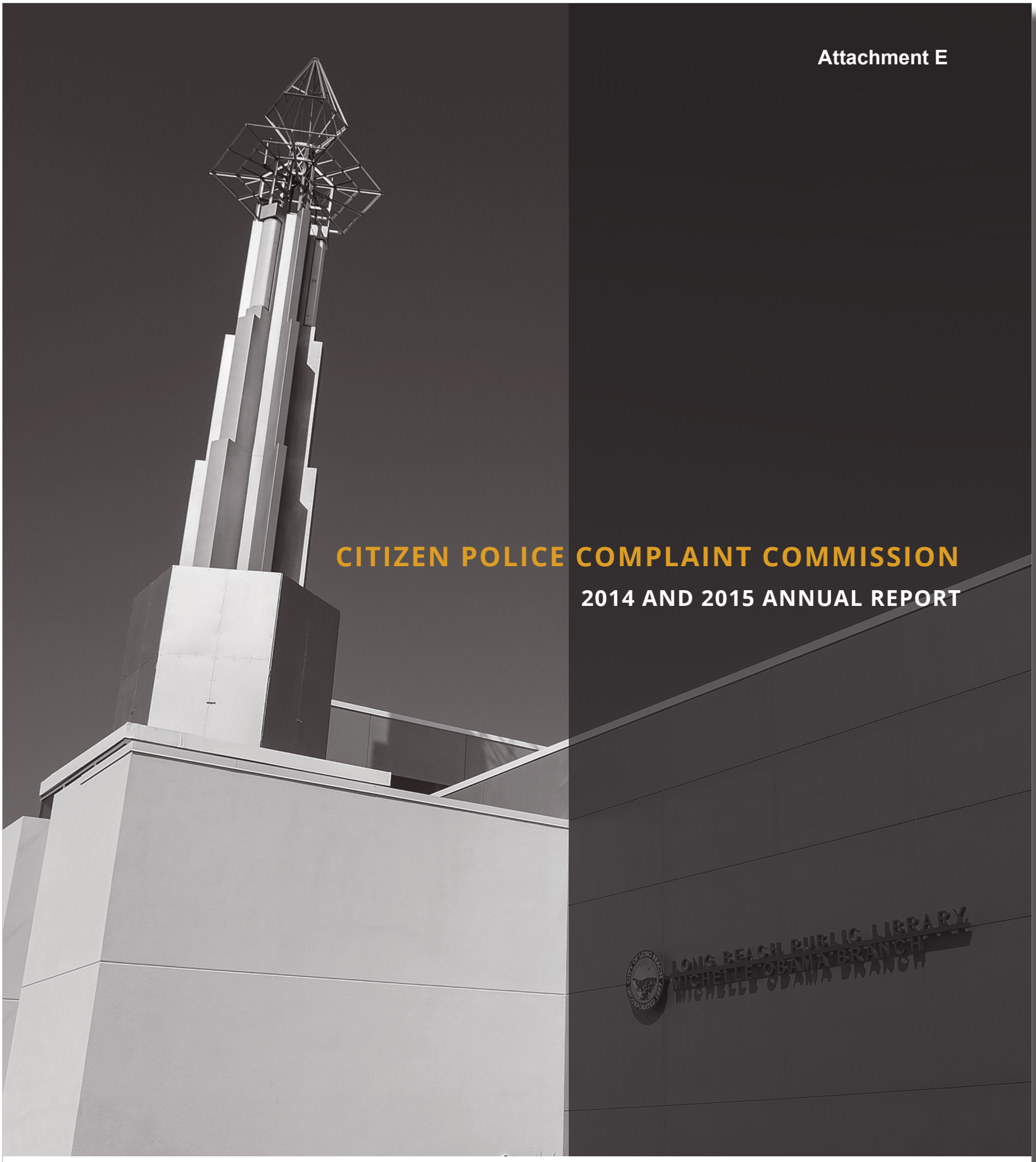
CPCC Staff Timeline, 2015 - 2019



Attachment E

CITIZEN POLICE COMPLAINT COMMISSION

2014 AND 2015 ANNUAL REPORT



CITY OF LONG BEACH

Chairs' Letter

It is our privilege and honor to present the Citizen Police Complaint Commission's 2014 and 2015 Annual Report, which provides important information to the community regarding our independent investigations into allegations of police misconduct.

The last two years have been a time of significant transition for the Citizen Police Complaint Commission (CPCC) as we continue to advance the atmosphere of mutual trust and respect between the community and the Long Beach Police Department, ensure greater accountability, and build capacity to review an increased number of cases.

In these past two years, the CPCC has:

- ***Increased transparency with additional opportunities for public comment at CPCC meetings.***
- ***Increased efficiency through additional staff, technology resources and improvements to notification procedures.***
- ***Increased Commissioner training, including tours of the City's jail and other facilities; ride-alongs with police officers; and,more education on policies regarding Use of Force, Laws of Arrest and Racial Profiling.***

CPCC Commissioners are your neighbors, and they are active in the Long Beach community. They are volunteers trained to make findings on allegations of police misconduct after reviewing reports and evidence related to a complaint. Recommended by the City Council and appointed by the Mayor, they represent the rich diversity throughout the city of Long Beach, and are sensitive to issues regarding police-community relations.

After each CPCC meeting, the Commission's findings are submitted to the City Manager, who has the final authority on the findings. This report contains statistics for cases initiated, received, reviewed, and investigated by the CPCC during the 2014 and 2015 calendar years.

We would like to thank the CPCC's Executive Director, Investigators and staff; the office of the City Manager; the City Clerk's Office; the Department of Technology and Innovation; and, the Long Beach Police Department (LBPD), including the Internal Affairs Division for their support. To our fellow Commissioners, we extend our sincere appreciation for your professionalism and honest dialogue. We know you recognize the trust placed in us to be impartial, objective fact finders of allegations of misconduct. You have made this experience extremely rewarding by sharing perspectives that broaden our viewpoints and extend our capacity to serve all people. It has been an honor to work side by side with each of you.

In closing, we thank the Long Beach community for your honest feedback, recommendations and trust. We know that our work is not always easy, but it is necessary.

Sincerely,
Deborah Holland, 2014 Chair
Jeff Price, 2015 Chair

From the Executive Director

The Citizen Police Complaint Commission's 2014 and 2015 Annual Report details the work of the CPCC, including complaints received, investigated and closed by the CPCC during the 2014 and 2015 calendar years. As in previous years, the report includes a distinction between the overall CPCC workload, which includes cases from the current and previous years, and the number of new complaints filed by the public each year. The report does not reflect the number of community complaints reported to the LBPD each year.

In recent years in Long Beach and across the nation, communities question and express concern about the actions of police officers. Some call for agencies to establish Civilian Oversight Boards (COB) for law enforcement agencies or to reexamine the existing COB's. While determined to balance accountability and fundamental fairness, the CPCC continues to look internally and externally to grow with the changing roles in law enforcement and with the community's expectation of engagement and transparency.

The past two years have seen necessary investments made into building the capacity of the CPCC to best meet its responsibilities to the community. Recent investments include:

- ***Two Investigators, one full-time and one part-time, were added to CPCC staff. This has greatly increased CCPC's overall capacity.***
- ***Acquisition of new software, IA Pro, to better handle the CPCC's data management needs and reporting efficiencies.***
- ***Change in notification procedures regarding new complaints received by the CPCC and LBPD, which has resulted in the CPCC conducting its investigation parallel to that of Internal Affairs.***
- ***Increased community visibility to augment the CPCC's opportunities to apprise the community about the CPCC and its role and responsibilities.***

I thank Mayor Robert Garcia and the City Council for their continued support of the CPCC. I also thank the Commissioners and staff who demonstrate tireless dedication to all aspects of the CPCC; the City Manager; and, the Long Beach Police Department, notably the Internal Affairs Division. The collective professionalism, courtesy, cooperation, and assistance of all involved are appreciated.

Sincerely,

Anitra Dempsey
Executive Director

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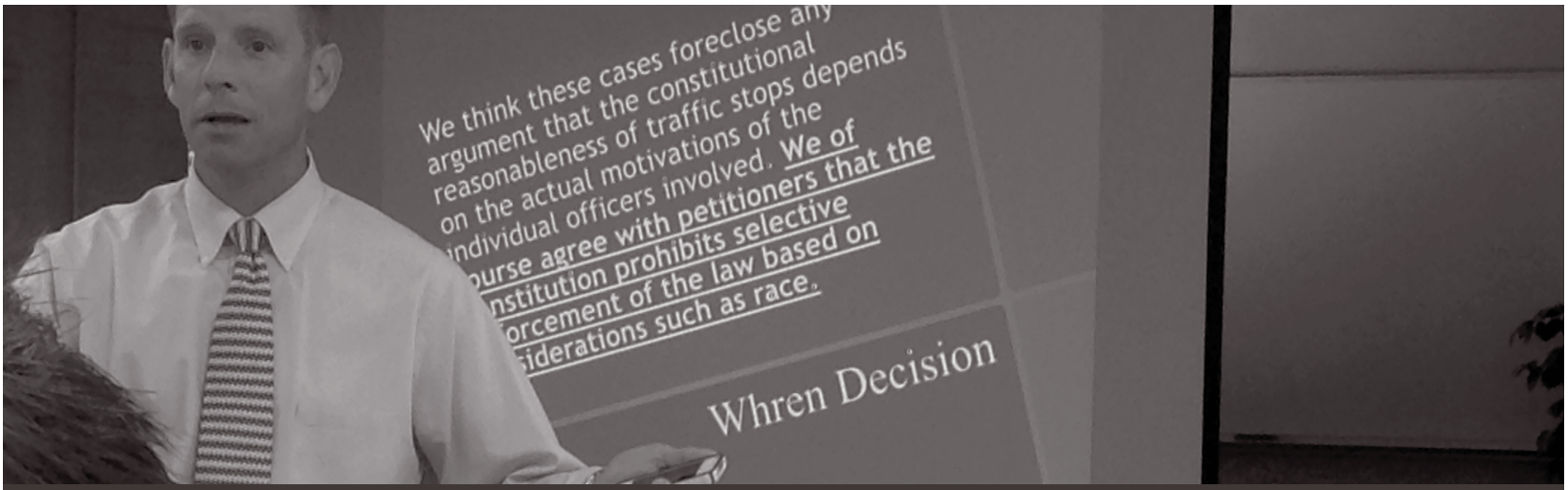
- Attendance Records of CPCC Commissioners
- CPCC Revised Brochure
- CPCC Complaint Forms



About the Citizen Police Complaint Commission

The CPCC was created by a vote of the people in 1990 to review the service provided by members of the LBPD and independently conduct investigations into allegations of police misconduct with an emphasis on excessive force, false arrest and complaints with racial or sexual overtones.

The mission of the CPCC is to promote an atmosphere of mutual trust and respect between the community and the LBPD, and to ensure that professional police services continue in Long Beach.

The CPCC is a Charter Commission, and has the power to issue subpoenas related to a complaint. The CPCC is neither an advocate for the Complainant nor for police personnel. CPCC findings can result in the accused personnel being disciplined, trained or exonerated. The CPCC refers policy recommendations to the City Manager, who can forward the findings to the LBPD for implementation.

While the Commission does not set policy, its findings have resulted in policies being changed or clarified to best serve the community.

CPCC Meetings: CPCC meetings begin at 6:30 pm on the second Thursday of every month at City Hall, 333 West Ocean Blvd., Long Beach, CA, in the City Council Chambers. Complainants are notified when their cases will be reviewed by the Commission. Community members are welcome to attend the Open Session and can address the Commission during this time. Special meetings that include subject matter presentations or changes in meeting times are posted in compliance with the Brown Act to provide notification to the community.

Our Guiding Values

- *Accountability*
- *Integrity*
- *Respect for all people*
- *Respect for the law and those who serve*
- *Transparency*

Executive Summary

This report reflects the work of the CPCC during the 2014 and 2015 calendar years. Included is the number of complaints received, the findings and the disposition of complaints investigated. In this report, CPCC refers to the work of the overall body, including staff and Commissioners. Commission refers to the work of those appointed to fulfill the duties of the charter.

CPCC Investigations

2014

The CPCC investigated 461 allegations from 175 new cases/complaints and 39 cases from previous years.The Commission met 11 times, reviewed 30 cases and rendered findings on 325 allegations, including sustaining one allegation and recommending training on 44 allegations. A total of 232 allegations were closed No Further Action (NFA) due to insufficient evidence, lack of witness cooperation, or staff's recommendation.

2015

The CPCC investigated 742 allegations from 287 new cases/complaints and 49 cases from previous years.The Commission met 14 times during 12 regularly scheduled monthly meetings and two special meetings. They reviewed 60 cases and rendered findings on 282 allegations, including sustaining 40 allegations and recommending training on one allegation. A total of 94 allegations were closed No Further Action (NFA) due to insufficient evidence, lack of witness cooperation, or staff's recommendation.

CPCC Commissioners

DISTRICT 1
B. Terhune Terry Beebe

DISTRICT 2
Susan Glogovac

DISTRICT 2
Raul A. Anorve

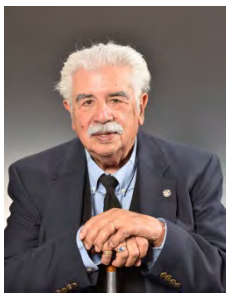
DISTRICT 3
David Clement

DISTRICT 4
Richard Lindemann

DISTRICT 5
Deborah Holland

DISTRICT 5
Alvaro Castillo

DISTRICT 6
Alma Campos



DISTRICT 6
Jose M. Flores

DISTRICT 7
Charlotte Roush

DISTRICT 8
Josephina Castellanos

DISTRICT 9
Manuel Walker

CPCC Commissioners

DISTRICT 9
Crystal Howard Johnson

DISTRICT 7
and AT-LARGE
Jeffrey Price

AT-LARGE
Brian Redar

AT-LARGE
Suely Saro

AT-LARGE
Miles Nevin

Because the 2014 – 2015 Annual Report covers January – December, some Commission seats show two representatives, beginning with the Commissioner who served first in that seat.

The CPCC is comprised of eleven Commissioners: one representing each council district and two at-large members. Per the City Charter, Commissioners must broadly represent the racial, ethnic, religious, labor, business, age, gender, sexual orientation, and disabled members of the general public.

Commissioners are recommended by City Council members and are appointed by the Mayor. Commissioners must reside in the city of Long Beach and in the district they are appointed to represent throughout their service. At-large Commissioners can live anywhere in the city. Commissioners can serve two, two-year terms.

Commissioners provide a valuable insight into the community's perception of, and experience with, members of the LBPD. To apply to the CPCC, visit www.longbeach.gov/mayor/action/commissions/ or contact your City Council office. Contact the CPCC Executive Director (562) 570-6891 to learn about the specific duties and responsibilities of serving on the CPCC.

Commissioners are required to take and pass a Live Scan criminal background check before serving.

Orientation

Before newly appointed Commissioners can review cases, they are required to complete an orientation process that consists of a thorough overview of applicable laws, CPCC policies and procedures, and LBPD policies, procedures and training bulletins. Specific orientation subjects include, but are not limited to:

- ***CPCC Charter, Bylaws, Policies and Procedures;***
- ***CPCC values to the community and the City of Long Beach;***
- ***CPCC and LBPD IA investigative processes;***
- ***Laws and policies about Use of Force, Laws of Arrest and Racial Profiling;***
- ***LBPD Training Bulletins;***
- ***Public Safety Officer's Procedural Bill of Rights;***
- ***Parliamentary Procedures at a Glance;***
- ***What to expect during Public Session;***
- ***What to expect during Closed/Executive Session; and,***
- ***Objectivity Standards.***

Commissioners are required to go on a ride-a-long with the LBPD within 45 days of their appointment and to attend the CPCC's Annual Training.

Training

The CPCC has an Annual Training, usually held at the Long Beach Police Academy, to provide ongoing training on the priorities set by the City Charter: complaints regarding excessive force and false arrest, and complaints with racial or sexual overtones. Specific topics covered during this reporting period are: Use of Force, Racial Profiling, Laws of Arrest, Force Options, Electronic Control Devices, Search and Seizure, and TI Simulator, which allows the Commissioners to participate in "shoot/don't shoot" scenarios. Commissioners ask questions and apply the information to cases they review.
Ongoing training occurs in Open Session as needed, with topics such as bias-based policing and use of force.
The Commission Chair, with input from the Vice Chair, sets priorities for the CPCC during his or her term. During this reporting period, the Commission identified the following priorities:

- ***Additional training for Commissioners to more fully understand the scope, authority, responsibilities and opportunities for the CPCC;***
- ***When possible, consider where the CPCC's and IA's allegations can align to give a clearer analysis of complaints between the two departments;***
- ***Provide reports to the Commission and the community on the City Manager's findings;***
- ***Consider tracking and reporting on trends, such as bicycle stops and bias-based policing; and,***
- ***Update the CPCC's Bylaws and Policies and Procedures regarding hearings.***

Highest Standard of Objectivity

CPCC Commissioners and Staff Tour the Emergency Communication and Operation Center

Commissioners are charged with, and have received training for, remaining objective in all cases they review. Commissioners are diligent about remaining open-minded, and understand their role to ensure the fairest outcome in every case.

The CPCC views objectivity as decisions based on facts and without bias, not decisions solely influenced by personal feelings, interpretations, or prejudice. Commissioners consider alternative viewpoints and all available evidence when deliberating cases, but are prohibited from allowing anything that happens outside the scope of the CPCC's investigation to affect their decision-making, including media reports and information on the Internet.

Commissioners are held to the highest standard of confidentially, and cannot discuss cases outside the scope of their duties. They are prohibited from conducting their own research and from forming opinions about a case until they have sufficiently reviewed all evidence.

Policy Recommendations

The CPCC refers LBPD policy recommendations to the City Manager. During this reporting period, the Commission requested that the City Manager forward the following policy recommendations to the LBPD:

Update policy regarding when the parent or guardian of a juvenile taken into custody is notified of the juvenile's arrest.

When a juvenile was arrested, LBPD officers notified parents or guardians of the arrest within 45 minutes after the juvenile arrived at the Juvenile Facility to be booked. However, there could be a reasonable delay between the time that the police arrested the juvenile and when the juvenile was booked. The Commission relied on the Section 627 (a) of the Welfare and Institution Code, which provides the following:

"When an officer takes a minor before a probation officer at a juvenile hall or to any other place of confinement pursuant to this article, he shall take immediate steps to notify the minor's parent, guardian, or a responsible relative that such minor is in custody and the place where he is being held."

The LBPD updated its policies soon after the Commission's recommendation.

Clarify traffic laws regarding motorists stopping for a school bus on a multiple-lane highway.

The CPCC is not intended to take the place of judicial processes. One of the allegations in a case before the Commission involved a Complainant who had contact with a police officer, and was issued a citation for not stopping on a four-lane street while a school bus was stopped with red flashing lights on the opposite side of the road.

According to California Vehicle Code Sections 22454(a) and (b), drivers must stop their vehicle for any school bus that is stopped for the purpose of loading or unloading school children and displaying a flashing red light signal and stop signal arm. However, drivers need not stop if the school bus is on the opposite side of a multiple-lane highway (two or more lanes of travel in each direction).

The Commission recommended that clarification be made to the officers, and the LBPD provided a Watch Report to Patrol Officers on this soon after the Commission's recommendations. In addition the Commission suggested that the costs associated with the ticket be reimbursed to the Complainant.

Review and appropriately update policies pertaining to the arrest, risk assessment of and cultural sensitivity to lesbian, gay, bisexual, transgender and queer (LGBTQ) individuals who are brought to the LBPD jail.

(cont.)

Policy Recommendations, cont.

After reviewing a complaint, the Commission learned that it was the practice of LBPD to house transgender arrestees based on their biological gender. LGBTQ risk assessment criteria was not clear to the Commission, which recommended to the City Manager that the LBPD review and update its policies in this area.

The LBPD's response states in part:

At the direction of the City Manager's Office, Police Department personnel conducted a review of its Jail Division policies regarding the custody of transgender individuals being held in the Long Beach City Jail. It is of the utmost importance to first describe a portion of the Department's Strategic Vision Principles Core Values, which all employees are expected to know and adhere to.

Strategic Vision Principles -Core Values

- ***Treat people with dignity and respect both internally and externally***
- ***Give people a voice by listening***
- ***Take the time to explain how we do business and why***
- ***Encourage and empower employees to be the best they can be***
- ***Everybody matters***

In addition to the above captioned core values statement, per Long Beach Police Department manual section 3.2 [General Responsibilities], employees are expected and required to "treat all persons equally and with fairness regardless of race, ethnicity, creed, sexual orientation, disability or social status." As the Long Beach Police Department works diligently to foster communities of inclusion and belonging, the manual will be updated to include the transgender classification.

With respect to persons being held in custody of the Long Beach City Jail, the Jail Division works to maintain a facility that is professional, safe, and secure in its treatment of all persons in custody or visiting. A vital part of safety and security includes the proper identification and classification of persons in custody.While responding to the many needs of a diverse community, the LBPD strives to properly identify in custody subjects by standard means such as official state or government identification and fingerprints. It is a priority of Jail Division personnel to ensure all arrestees are treated with dignity and respect while safeguarding their well-being.

As a result of this review process, sworn officers and Jail Division personnel will be trained that, where gender identification is a concern, and when appropriate, the question of How Do You Identify Yourself will be asked and considered during all subsequent contact. How persons identify themselves regarding sexual orientation and/or gender identification will assist Jail Division custody personnel in safeguarding that an arrestee's treatment is free from judgment and criticism.This review was a multi-level internal process by LBPD subject-matter experts that included our LGBTQ Department liaison.

Improvements

Increased Efficiency, Transparency and Accountability

The CPCC is constantly striving to learn and evolve to best serve the community. During this reporting period, the CPCC looked internally and externally to ensure that it is complying with City Charter requirements and to review its authority and opportunities to serve and engage the community. To enhance accountability, Commissioners increased training and directed staff to review and recommend updates to bylaws and processes, including hearing procedures.

Connecting With the Community

- ***The CPCC enhanced its community presence to increase opportunities to inform the community about the CPCC as a resource.***
- ***The CPCC participated in resource fairs, meetings and public forums.***
- ***Staff and Commissioners made presentations to students, neighborhood groups and community-based organizations.***
- ***The CPCC's general informational brochure was updated with contemporary images and easy-to-read formatting. It is available in four languages – English, Spanish, Khmer and Tagalog – and is fully compliant with the City of Long Beach's Language Access Policy. The community has the option of leaving phone messages in English, Spanish, Khmer and Tagalog on the CPCC's customer service phone number (562) 570-6891.***

When updating its Bylaws and Policies and Procedures, the Commission directed that a meeting be held with staff from the Long Beach Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Center to ensure the recommended language pertaining to allegations of sexual overtones is appropriately inclusive.

More Timely Notification of New Complaints Between the CPCC and LBPD Internal Affairs

With the cooperation of the LBPD Internal Affairs, the process of notification between the CPCC and the LBPD was dramatically quickened. Now, each party provides notification to each other generally within ten days of receiving a complaint. Shortly after being notified of the new complaint, CPCC Investigators begin their parallel investigation into complaints submitted directly with the LBPD.

In the past, it was not unusual for the CPCC to be notified weeks or months after a complaint was filed with the LBPD. This delay led to an incongruence in the number of cases each department reported annually.
The benefits of the more timely notification are:

- ***Those who file complaints are contacted by the CPCC soon after the complaint is filed;***
- ***Field investigations are more productive; and,***
- ***There is less discrepancy between the number of complaints the two departments report each year.***

(cont.)

Improvements cont.

Second Open Session for Public Comment

After a Closed Session, the public now has an additional opportunity to address the Commission on non-agenda items.

Investment in Human Resources

During this reporting period, two Investigators – one full-time and one part-time – were added to the CPCC staff, increasing CPCC's capacity to contact involved parties, conduct field investigations and proactively share CPCC resources with the community.

Complainant Confidentiality

Prior to 2014, the CPCC included the Complainant's name to identify cases on monthly meeting agendas, which are publicly available documents. In 2014, the Commissioners considered that, for various reasons, Complainants may not want the community to know that they filed a complaint against a police officer. The Commission decided to give Complainants similar protection afforded to police officers and removed the Complainant's name from public documents, including the meeting agenda. The CPCC firmly believes that this change best serves all who trust it to handle sensitive information and to conduct the best investigation possible.

Investment in Technology

A new software system was acquired to better handle CPCC's data management needs, which will ultimately lead to improved reporting and the ability to track key trends, including police officers who receive multiple complaints in one year. The CPCC also implemented green processes and installed new, energy efficient equipment.

Increased Trainings

- ***Additional training regarding Bias-Based Policing by the California Conference for Equality and Justice (CCEJ) and the LBPD.***
- ***Additional education on policies regarding Use of Force, Laws of Arrest and Racial Profiling.***
- ***Additional ride-alongs with police officers.***
- ***Tours of the City jail and other facilities.***

(cont.)

Improvements cont.

Considerations for the Executive Director to Recommend Closed Cases

With the addition of staff, and to allow the Commission to see more cases, the criteria for the Executive Director to recommend cases with a No Further Action (NFA) disposition was changed to:

- ***Insufficient information.***
- ***Lack of witness cooperation.***
- ***Staff recommendation.***

Prior to 2014, the authorized criteria for the Executive Director to recommend cases be closed with an NFA disposition included:

- ***The accused was never an employee of the LBPD.***
- ***The complaint was deemed to have "judicial review," such as a disputed parking citation.***
- ***The facts and information were insufficient to permit resolution or warrant further investigation.***
- ***The complainant retracted the allegation(s).***
- ***The actions of the officer regarding the allegation(s) were legal, necessary and proper under the circumstances.***
- ***CPCC staff concurred with LBPD's recommendation of "service" or additional training.***

Challenges

The number of cases presented to the Commission each month increased, resulting in a longer Closed Session. Deliberations generally doubled from two hours to four hours per meeting. During this reporting period, the Commission began reconvening in a second Open Session to report its vote. While this allows the public another opportunity to engage the Commission each month, it also extends the time commitment and cost of support resources from the City Clerk's Office, City Hall Security and the Department of Technology and Innovation.

Data migration issues continue to be addressed to ensure consistency of data reporting from year to year, and to incorporate the Commission's recommendation to efficiently and responsibly report on trends.

How the CPCC Works

Filing a Complaint

- *The City Charter requires that complaints against members of the LBPD be also investigated by the CPCC.*
- *Complaints can be filed in person, by phone, email, complaint form or letter.*
- *Complaint forms are available in English, Spanish, Khmer and Tagalog.*

Processing the Complaint

- *The CPCC and the LBPD notify each other of new cases generally within ten days of receiving the complaint.*
- *An Investigator is assigned the case.*
- *The Complainant receives a letter with the case number and contact information for the assigned Investigator.*

Independent Parallel Investigation

- *Subpoenas are issued for relevant documents.*
- *The investigator reviews reports, interviews witnesses and conducts field investigations to collect information relevant to the allegations.*
- *A brief is prepared for the Commissioners, or the case is recommended to be closed with NFA.*

Cases to the Commission

- *Commissioners review the brief and render findings on allegations in Closed Session.*
- *The City Manager reviews both the Commission and IA findings, and provides the final disposition to the complainant in writing.*
- *The City Manager can decide to forward the Commission's recommendations to the Police Chief for implementation.*
- *The Complainant is notified of the City Manager's findings by mail, generally three weeks after the CPCC meeting.*

Filing a Complaint

You can file a complaint if you believe that a member of the LBPD has done something wrong. Call (562) 570-6891, mail a complaint form, send an email, or file a complaint in person at the CPCC office, 333 West Ocean Boulevard, 13th Floor, Long Beach, CA, 90802. Business hours are Monday through Friday, 8:30 a.m. to 4:30 p.m. Appointments are recommended, but not required. Complaints can be made anonymously. Complaint forms are available in person and on-line (www.longbeach.gov/cpcc) in English, Khmer, Spanish, and Tagalog.

It is recommended that the complaint be filed soon after the incident occurs. In general, complaints can be filed directly with the CPCC within one year of the date of the incident or with the LBPD at any time. The CPCC should review all citizen complaints initiated with the LBPD.

To expedite the processing and investigation of complaints, provide as much information as possible regarding the allegations, including witness names, photos, recordings, and other physical evidence that is available.

Third party complaints will be investigated if sufficient information is available. All complaints remain on file for the statutory time period and can be considered when evaluating overall police-community relations.

The Investigative Process

Complaints/cases are assigned to an Investigator who reviews reports, interviews witnesses, and conducts field investigations to collect information relevant to the case. The complaint and the investigative data are submitted to Commissioners for review prior to the monthly meeting.

CPCC Executive Session, Second Open Session and Report on Commission's Vote

During the monthly CPCC meeting, the Commission takes a recess from Open Session and re-convenes in Executive/Closed Session to discuss the cases and to recommend findings on each allegation. The Commission then reconvenes in Open Session to report their vote on each allegation without violating confidentiality requirements. Because each complaint is a personnel matter, the public is not allowed to attend the Executive/Closed Session.

The Commission's findings are submitted to the City Manager, who reviews both the Commission and LBPD findings. The City Manager provides the final disposition to the Complainant in writing.

Citizen Police Complaint Commission Terms

ALLEGATION: a claim or assertion that an LBPD employee has done something illegal or wrong.

BRIEF: the compilation of information pertaining to a complaint, including statements, photos, reports and other evidence.

CASE: a complaint requiring investigation or action.

CLOSED OR EXECUTIVE SESSION: as part of a regular or special meeting, the restricted and/or confidential deliberation on allegations of misconduct concerning LBPD employees.

COMPLAINT: an allegation against an LBPD employee.

COMPLAINANT: the person who files a complaint.

COMMISSION: the Long Beach community members appointed to serve on the CPCC.

CPCC: Commissioners and staff.

DISPOSITION: the final finding for a case.

FINDINGS: the determination of each allegation.

OPEN OR PUBLIC SESSION: the part of a regular or special meeting where the Commission conducts business that is not restricted from being openly discussed.

Findings and Dispositions

EXONERATED: The investigation indicates the alleged act did occur, but the actions taken were justified, lawful and proper.

NOT SUSTAINED: The investigation fails to disclose sufficient evidence to prove or disprove the alleged act. By way of example, the officer(s) deny the allegation and there are no independent or unbiased witnesses to support the complainant's allegation.

OTHER/TRAINING: The investigation indicates the alleged act occurred, but fails to rise to the level of misconduct and would be most appropriately handled by training or other means.

RECEIVE AND FILE: When information is received which, on its face, does not establish misconduct, it is received and filed. The case may be reopened if further information or evidence is submitted within a year of the department's discovery of the alleged act.

RE-INVESTIGATE: When new information comes to the attention of the CPCC or Commissioners, or additional witnesses have been identified and were not interviewed during the initial investigation, the case could be classified as "Re-Investigate."

SUSTAINED: The investigation indicates, by a preponderance of evidence, that the alleged act occurred and said act constitutes misconduct.

UNFOUNDED: The investigation indicates the alleged act did not occur. By way of example, there is no information or evidence that supports the allegation, the complainant has been found to be untruthful, or the individual named in the complaint was not involved.

NO FURTHER ACTION (NFA): The disposition for cases closed, as recommended by the Executive Director, according to the criteria provided by the Commission. NFA complaints can be re-evaluated or appealed to the full CPCC if new information related to the original concern is found within one year of the complaint. Like all complaints, NFA cases remain on file for the statutory period and may be considered when evaluating overall community/police relations.

Staff Information

OFFICE OF THE CITY MANAGER

Patrick H. West
City Manager

Thomas Modica, Assistant
City Manager

Arturo M. Sanchez
Deputy City Manager

Anitra Dempsey
Executive Director
562.570.6892
Anitra.Dempsey@longbeach.gov

Celenia Perez
Special Investigator
562.570.6405
Celenia.Perez@longbeach.gov

Natasha Meyers
Special Investigator
562.570.7610
Natash.Meyers@longbeach.gov

Staff Training

The CPCC is a member of the Association of Workplace Investigators and the National Association for the Civilian Oversight of Law Enforcement. Throughout the year, staff receives certified training to meet the standards of basic investigations. To ensure compliance with the City Charter, foundational training topics include, but are not limited to Laws of Arrest, Public Safety Officer's Procedural Bill of Rights, Racial Profiling and Use of Force/Force Options.

During this reporting period, staff received training in the following areas:

Provided by the National Association for Civilian Oversight of Law Enforcement (NACOLE)

- ***Strategies for Conducting Oversight Investigations at a Systemic Level***
- ***Assessing the Credibility of Witnesses***
- ***Conducting Effective Interviews***
- ***Evaluating the Statements of Complainants, Witnesses and Officers***
- ***Civilian Oversight and Community Participation***
- ***Provided by the California Defense Investigators Association (DIA)***
- ***Deconstructing Police Reports***
- ***Use of Force and Arrest Procedures***
- ***Dealing with Difficult Witnesses***
- ***Documentation and Evidence Collection***

Provided by I-Sight, an online resource for investigators

- ***Writing Effective Investigation Reports***
- ***Handling Ethical Issues in Investigations***
- ***Elicitation Techniques: How to Get the Information You Need in Investigation Interviews***
- ***Investigating Online: Conducting Pre-Interview Research***
- ***10 Leadership Strategies for Investigators***
- ***Ethical Investigation Interviews: The Peace Model***
- ***"Tone from the Top, Bottom and Everywhere in Between"***

Provided by the Association of Workplace Investigators

- ***Workplace Investigations Basic Seminar***

Provided by the City of Long Beach

- ***Language Access Policy, Interpretation Training, Minors as Interpreters***
- ***Language Access Policy, Interpretation Training, Techniques and Ethics***

Provided by Leibert, Cassidy, Whitmore

- ***The Public's Right to Know Vs. Public Safety Officer Privacy Rights***

2014- 2015 Investigations

Several factors contribute to the number of complaints filed each year, including public awareness of the CPCC and its function, police conduct toward the public, media focus, and community concerns.

A complaint/case can contain one or several allegations with one or several accused officers. If there is more than one officer accused in an allegation, the total number of allegations includes findings for all accused officers. For example, if three officers are accused of excessive use of force in one incident, the CPCC renders findings on each officer.

2014

The CPCC investigated 461 allegations from 175 new and 39 cases from previous years.

The Commission met 11 times, reviewed 30 cases and closed 325 allegations, sustaining 12 allegations and recommending training on 44 allegations.

The total number of cases closed was 150 with 325 allegations.

Exonerated:	1	**Sustained Allegations**
No Further Action:	232	Use of force
Not sustained:	45	Unbecoming Conduct
Receive and File:	1	
Sustained:	12	**Training Allegations**
Training:	44	Unbecoming conduct
Unfounded:	1	Use of Force
		Profanity
		Improper entry
		Failure to investigate

Race/Ethnicity and Gender

Identifying one's race/ethnicity and gender are optional when filing a complaint. Because some cases have more than one complainant, the total number of people listed may differ from the total number of cases.

2014	Gender Of Complainant
Asian	**4**
Female	3
Male	1
Black	**65**
Female	21
Male	44
Hispanic	**35**
Female	13
Male	22
Native American	**1**
Male	1
Other	**4**
Female	1
Male	3
Unknown	**33**
Female	18
Male	15
White	**43**
Female	15
Male	28
Total	**185**

2015

With the change in procedures regarding when notification of new complaints is provided to and from the CPCC and LBPD, the CPCC received more complaints in 2015 than it did in the previous year. The increase does not necessarily reflect an increase in community concern during this year.

The CPCC investigated 742 allegations from 287 new cases and 49 cases from previous years.

The Commission met 14 times, including 12 monthly meetings and two special meetings. It reviewed 62 cases and rendered findings on 282 allegations, sustaining 40 allegations and recommending training on one allegation.

The total number of cases closed was 176 with 282 allegations.

Exonerated:	29	**Sustained Alegations**
No Further Action:	94	Use of force
Not sustained:	32	Profanity
Receive and File:	58	Failure to Take Action
Sustained:	40	Improper Arrest
Training:	1	Intimidation
Unfounded:	28	Misuse of Authority
		Training Allegation
		Harrassment

Race/Ethnicity and Gender

Identifying one's race/ethnicity and gender are optional when filing a complaint. Because some cases have more than one complainant, the total number of people listed may differ from the total number of cases.

2015	Gender Of Complainant
Asian	**2**
Female	1
Male	1
Black	**113**
Female	31
Male	82
Hispanic	**65**
Female	19
Male	46
Native American	**3**
Male	3
Other	**9**
Female	3
Male	6
Unknown	**37**
Female	24
Male	13
White	**78**
Female	25
Male	53
Total	**307**

Historical Comparisons Allegations

CATEGORY	2010	2011	2012	2013	2014	2015	2014%	2015%
Bias-Based Policing	*	*	*	*	2	17	0.43%	2.29%
Discourteous	48	16	8	7	0	2	0.00%	0.27%
Discourteous Remark	9	10	6	2	0	0	0.00%	0.00%
Dishonest	29	22	23	17	11	20	2.39%	2.70%
Fail to Book Evidence	1	3	0	0	2	4	0.43%	0.54%
Fail to Care for Property	21	23	16	11	15	39	3.25%	5.26%
Fail to Investigate	23	17	11	21	18	41	3.90%	5.53%
Fail to Take Action	12	29	27	23	5	25	1.08%	3.37%
Fail to Take Report	13	9	19	11	7	24	1.52%	3.23%
Gender Bias	1	1	1	0	0	0	0.00%	0.00%
Harassment	23	14	20	26	13	19	2.82%	2.56%
Harassment / Physical	10	7	5	0	0	0	0.00%	0.00%
Harassment / Sexual	0	0	3	0	0	0	0.00%	0.00%
Harassment / Verbal	1	7	9	5	0	0	0.00%	0.00%
Improper Arrest	23	4	22	7	10	19	2.17%	2.56%
Improper Detention	11	11	9	5	7	9	1.52%	1.21%
Improper Entry	5	11	4	8	6	14	1.30%	1.89%
Improper Search					2	18	0.43%	2.43%
Improper Remark	16	3	7	1	0	0	0.00%	0.00%
Intimidation	8	3	4	7	3	6	0.65%	0.81%
Misappropriation of Property	11	6	25	27	10	19	2.17%	2.56%
Misuse of Authority	5	9	13	10	7	14	1.52%	1.89%
Pending	1	0	28	1	0	0	0.00%	0.00%
Personal Search	6	5	7	7	1	1	0.22%	0.13%
Profanity	42	19	23	15	12	14	2.60%	1.89%
Racial Bias	10	11	9	7	2	8	0.43%	1.08%
Racial Profiling	31	12	28	22	13	1	2.82%	0.13%
Racial Remark	6	4	9	0	0	1	0.00%	0.13%
Residence Search	6	4	1	4	2	0	0.43%	0.00%
Sexual Misconduct	0	3	0	1	0	0	0.00%	0.00%
Sexual Remark	0	1	0	1	0	0	0.00%	0.00%
Unauthorized Tactics	4	0	0	0	0	0	0.00%	0.00%
Unbecoming Conduct	107	104	191	151	226	282	49.02%	38.01%
Use of Force	147	109	151	91	79	145	17.14%	19.54%
Vehicle Search	9	2	3	0	7	0	1.52%	0.00%
Number of Allegations Filed	**639**	**479**	**654**	**488**	**461**	**742**	**100.00%**	**100.00%**

Attendance Record - January – June 2014

Meetings: 2nd Thursday of every month, beginning at 6:30 P.M.
Council Chambers, 333 West Ocean Blvd., Long Beach, CA
CHAIR: Deborah Holland (7/13 – 6/14)

Commissioner (District)	Jan	Feb	Mar	April	May	June
Beebe, Terry (1) Appt. 5/20/14						P
Glogovac, Susan (2) Appt.7/7/12 / Resigned 1/2014	P	R	R	Dark	R	R
Añorve, Raúl (2) Appt.4/1/14 Interim Term 4/2014 – 6/2014					*	P
McGilton-McGlamery, Rick +(3) Termed 6/2013	Ex	P	P	Dark		
Clement, David (3) Appt. 4/1/14					*	Ex
Vacant (4)						
Holland, Debbie (5) Appt.10/2011	P	P	P	Dark	P	P
Vacant (6)						
Roush, Charlotte (7) Appt. 7/10	P	P	P	Dark	P	P
Josie Castellanos (8) Appt. 7/9/13	P	P	Ex	Dark	Ex	P
Walker, Manuel (9) Appt. 7/12	P	P	P	Dark	P	P
Jeffrey Price (At Large) Appt. 7/12	P	P	P	Dark	Ex	P
Brian Redar (At Large) Appt. 7/12	P	P	P	Dark	P	P

P Present	**A** Absent	**EX** Excused Absence	Non Commission
R Resigned	**DARK** No Meeting	**X** Early Departure	Vacant
***** Pending	**+** Term Extended	**DARK / NQ** No Meeting / No Quroum	Termed out

Attendance Record - July – December 2014

Meetings: 2nd Thursday of every month, beginning at 6:30 P.M.
Council Chambers, 333 West Ocean Blvd., Long Beach, CA
Chair: Jeffrey Price (7/14-6/15)

Commissioner (District)	July	Aug	Sept	Oct	Nov	Dec
Beebe, Terry (1) Appt. 5/20/14	Ex	P	P	P	P	P
Añorve, Raúl (2) Appt.4/1/14 Interim Term 4/2014 – 6/2014	P	P	Ex	Ex	Ex	P
Clement, David (3) Appt. 4/14	P	P	P	P	P	P
Vacant (4)						
Holland, Debbie (5) Appt.10/2011	P	P	P	P	P	Ex
Campos, Alma (6) Appt. 10/21/14				*	P	P
Roush, Charlotte (7) Appt. 7/10	P	P	P	Ex	P	P
Josie Castellanos (8) Appt. 7/9/13	P	Ex	P	P	P	Ex
Walker, Manuel (9) Appt. 7/12	P	P	P	R	R	R
Howard-Johnson, Crystal (9) Appt. 10/14				*	P	Ex
Jeffrey Price (At Large) Appt. 7/12	P	P	P	P	P	P
Brian Redar (At Large) Appt. 7/12	P	P	P	P	P	P

P Present	**A** Absent	**EX** Excused Absence	Non Commission
R Resigned	**DARK** No Meeting	**X** Early Departure	Vacant
* Pending	+ Term Extended	**DARK / NQ** No Meeting / No Quroum	Termed out

Attendance Record - January – June 2015

Meetings: 2nd Thursday of every month, beginning at 6:30 P.M.
Council Chambers, 333 West Ocean Blvd., Long Beach, CA
CHAIR: Jeffrey Price (7/14 – 6/15)

Commissioner (District)	Jan	Feb	Mar	Mar SPECIAL	April	May	June
Beebe, Terry (1) Appt. 5/20/14	Ex	P	P	P	P	P	P
Añorve, Raúl (2) Appt.4/1/14 Interim Term 4/2014 – 6/2014	P	P	Ex	P	P	Ex	P
Clement, David (3) Appt. 4/14	P	P	P		P	P	P
Vacant (4)							
Holland, Debbie (5) Appt.10/2011	P	P	P	Ex	P	P	P
Campos, Alma (6) Appt. 10/21/14	Ex	Ex	P	P	Ex	P	
Roush, Charlotte (7) Appt. 7/10	P	P	P		Ex	Ex	P
Josie Castellanos (8) Appt. 7/9/13	P	P	P	P	P	P	Ex
Howard-Johnson, Crystal (9) Appt. 10/14	P	P	P	P	P	P	Ex
Jeffrey Price (At Large) Appt. 7/12	P	P	Ex	Ex	P	P	P
Brian Redar (At Large) Appt. 7/12	Ex	P	P	P	P	Ex	Ex

P Present	**A** Absent	**EX** Excused Absence	Non Commission
R Resigned	**DARK** No Meeting	**X** Early Departure	Vacant
***** Pending	**+** Term Extended	**DARK / NQ** No Meeting / No Quroum	Termed out

Attendance Record - July – December 2015

Meetings: 2nd Thursday of every month, beginning at 6:30 P.M.
Council Chambers, 333 West Ocean Blvd., Long Beach, CA

Commissioner (District)	July	Aug	Sep	Oct	Nov	Dec 3	Dec 10
Beebe, Terry (1) Appt. 5/20/14	Ex	P	P	P	P	Ex	P
Añorve, Raúl (2) Appt.4/1/14 Interim Term 4/2014 – 6/2014	Ex	P	Ex	Ex	P	P	P
Clement, David (3) Appt. 4/14	P	P	P	P	Ex	P	P
Richard Lindemann (4) Appt. 8/11/15				P	P	Ex	A
Holland, Debbie (5) Appt.10/2011	P	P					
Castillo, Alvaro (5) Appt. 8/11/15		*	*	P	Ex	P	P
Flores, Jose (6) Appt. 8/11/15		P	P	P	P	P	Ex
Roush, Charlotte (7) Appt. 7/10	P	P	P				
Jeffrey Price (7) Appt. 8/11/15	*	P	Ex	Ex	Ex	P	P
Josie Castellanos (8) Appt. 7/9/13	P	P	Ex	Ex	P	P	P
Howard-Johnson, Crystal (9) Appt. 10/14	P	P	P	Ex	Ex	P	P
Brian Redar (At Large) Appt. 7/12	X	X	X	X	X	X	X
Saro, Suely (At Large) Appt. 8/15	X	P	P	P	Ex	P	P
Jeffrey Price (At Large) Appt. 7/12	P	X	X	X	X	X	X
Nevin, Miles (At Large) Appt. 8/15		P	P	Ex	P	Ex	P

P Present	**A** Absent	**EX** Excused Absence	Non Commission
R Resigned	**DARK** No Meeting	**X** Early Departure	Vacant
***** Pending	**+** Term Extended	**DARK / NQ** No Meeting / No Quroum	Termed out

CPCC Information Brochures

Citizen Police Complaint Commission

CITY OF LONG BEACH

MISSION

The Citizen Police Complaint Commission (CPCC) was created by a vote of the people to independently investigate allegations of police misconduct with emphasis on excessive force, false arrest and complaints of racial or sexual overtones.

The mission of the CPCC is to promote an atmosphere of mutual trust and respect between the community and the Long Beach Police Department, and to ensure that professional police services continue in Long Beach.

WHO MAY FILE

Anyone who believes that there has been misconduct by a Long Beach Police Department employee, may file a complaint. The CPCC may not conduct investigations of other law enforcement agencies.

HOW TO FILE

A complaint can be made in person, by telephone, by mail, by email, or by a person not directly involved in the incident. Complaints can also be made anonymously. A formal complaint is required to initiate an investigation. The complainant will be personally contacted by a CPCC investigator to gain additional facts and incident information. Third party complaints will be reviewed and investigated, if sufficient information is available. The Commission adheres to all applicable laws when processing and investigating allegations of misconduct by police personnel.

WHO SERVES ON THE COMMISSION?

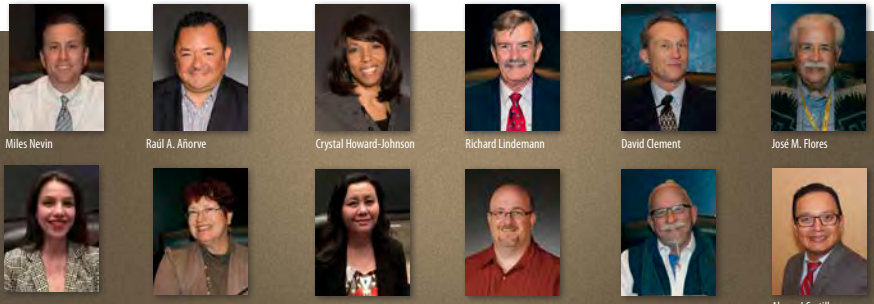
Commissioners are nominated by members of the City Council and are appointed by the Mayor to represent the rich diversity of the city. The Commission is comprised of 11 volunteer members, nine representing each council district and two at-large. They are chosen because of their sensitivity to the concerns of the community, and receive extensive and ongoing training in the laws, policies and practices of the Police Department. They are kept informed of the latest court decisions and community perceptions. Commissioners are eligible to serve two, two-year terms.

COMMISSION MEETINGS

The CPCC meets on the second Thursday of each month in the City Council Chamber, 333 West Ocean Boulevard. The meeting begins promptly at 6:30 p.m. and is open to the public. To address the Commission, arrive 15 minutes early and complete a speaker's card, which can be obtained from the attending City Clerk Specialist.

Cases are discussed in Executive Session, which is closed to the public under authority of the Brown Act.

CITIZEN POLICE COMPLAINT COMMISSIONERS AND STAFF



Miles Nevin, Raúl A. Añorve, Crystal Howard-Johnson, Richard Lindemann, David Clement, José M. Flores, Celenia Perez, Josephine Castellanos, Suely Saro, Jeffrey Price, Beekman "Terry" Beebe, Alvaro J Castillo

Comisión de Ciudadanos para Quejas Contra la Policía

CITY OF LONG BEACH

Komisyon ng Citizen Police Complaint

CITY OF LONG BEACH

របណ:កគមមការ
ទរបរបាល
ទទួល់ណដ ីកពា ្ជ
ពលរដ្ឋ

CITY OF LONG BEACH

Complaint Forms

COMPLAINT CONTROL FORM

Citizen Police Complaint Commission
Long Beach, CA

PLEASE PRINT OR TYPE – FILL IN AS COMPLETELY AS POSSIBLE

NAME	RESIDENCE ADDRESS (INCLUDE CITY, STATE AND ZIP CODE)	
HOME/CELL TELEPHONE	WORK TELEPHONE	
LOCATION OF OCCURRENCE	DATE/TIME OF OCCURENCE	DATE/TIME REPORTED
DATE OF BIRTH (Optional)	SEX	ETHNICITY/NATIONAL ORIGIN (Optional)

WERE YOU ARRESTED? YES [ ] NO [ ]	DATE/TIME	INJURIES TO ANYONE? YES [ ] NO [ ]	VISIBLE INJURIES? YES [ ] NO [ ]	H

OFFICER(S) INVOLVED: NO. 1 NO. 2 NO. 3	BADGE/ID #	DESCRIPTION OF OFFICER

WITNESS(ES) (Please give full name(s), work and home addresses, home/cell/work telephone numbers, r
relative, other party.)
NO. 1
NO. 2
NO. 3

DESCRIPTION OF INCIDENT: Write a brief paragraph describing the circumstances of the incident. Also pr
documentation/photos/recordings that you may have to support your complaint.

SIGNATURE	DATE SIGNED

ទម្រង់បែបបទត្អូកពាក្យបណ្តឹង

គណៈកម្មការទទួលបន្ទុកបណ្តឹងប្រជាពលរដ្ឋ
ឡុងប៊ីច (កាលីហ្វ័រញ៉ា)

សូមមេត្តាជោះពុម្ព ឬភាយបញ្ជាលអក្សរ – ប់ពេញឱ្យបានសព្វគ្រប់តាមដែលអាចធ្វើទៅបាន

ឈ្មោះ	អាសយដ្ឋានទីលំនៅ (មានផ្លាអាទិ៍ ឈ្មោះទីក្រុង, រដ្ឋ នឹងហ្ស៊ីពកូដ)	
ទូរសព្ទនៅផ្ទះ/ដៃ	ទូរសព្ទកន្លែងធ្វើការ	
ទីកន្លែងកើតហានភ័យ	កាលបរិច្ឆេទ/ពេលម៉ោងនៃការណ៍	កាលបរិច្ឆេទ/ពេលម៉ោងដែលបានកត់ការណ៍
ថ្ងៃខែឆ្នាំកំណើត (ស្រេចចិត្ត)	ភេទ	ជាតិពន្ធ/ដើមកំណើតជាតិសាសន៍ (ស្រេចចិត្ត)

តើគេបានចាប់ខ្លួនអ្នកឬ? ជាទ/ចាស [ ] ទេ [ ]	កាលបរិច្ឆេទ/ពេលម៉ោង	មានបន្ទុរបួសស្នាមចំពោះអ្នកណាម្នាក់ឬ? ជាទ/ចាស [ ] ទេ [ ]	មានបួសដែលអាចមើលឃើញជាក់ស្តែង? ជាទ/ចាស [ ] ទេ [ ]	មានបានថតរូបទេ? ជាទ/ចាស [ ] ទេ [ ]

មន្ត្រីប៉ូលីស(នានា)ដែលពាក់ព័ន្ធ: លេខរៀងទី 1 លេខរៀងទី 2 លេខរៀងទី 3	ផ្លាកសម្គាល់/ID #	សេចក្តីបរិយាយរបស់មន្ត្រីប៉ូលីស

សាក្សី(នានា) (សូមមេត្តាជ្រាប់ឈ្មោះពេញ(នានា), អាសយដ្ឋានកន្លែងធ្វើការ នឹងផ្ទះ, លេខទូរសព្ទនៅផ្ទះ/ដៃ/កន្លែងធ្វើការ, ទំនាក់ទំនងក្រុសារ: មិត្ត, សាច់ញាតិ, ភាគីផ្សេង។)
លេខរៀងទី 1
លេខរៀងទី 2
លេខរៀងទី 3

សរសេរសង្ខេបអំពីបណ្តឹងដោយរួមមានយ៉ាងណាក់លាក់នូវអ្វីដែលអ្នកគិតឃើញថា កម្លាំងប៉ូលីសបានធ្វើខុស។ ផ្តល់នូវឯកសារបញ្ជាក់/រូបថត/ខ្សែអាត់ថតសំឡេងដែលអ្នកអាចមានដើម្បីការពារបណ្តឹងរបស់អ្នក។ សូមកុំស្លាក់ស្ទ្រីរប្រើប្រាស់ទំព័របន្ថែម (ក្នុងករណីចាំបាច់)

ហត្ថលេខា	ខែថ្ងៃឆ្នាំចុះហត្ថលេខា

Complaint Forms

Blg. ng CPCC/Imbestigador	**FORM NG KONTROL NG REKLAMO** **KOMISYON NG REKLAMO SA PULIS NG MAMAMAYAN** Long Beach, California	Blg. ng LBDP ng Panloob na Gawain

Pangalan ng File ng Kaso	Address ng Tirahan (isama ang Lungsod, Estado, Zip)
Telepono sa Tirahan) / Telepono sa Negosyo	Uri ng Reklamo

Lokasyon ng Kaganapan	Petsa/Oras ng Kaganapan	Petsa/Oras ng Pag-uulat	Iniulat ni CPCC [ ] Sulat [ ] LBPD [ ] Telepono [ ] Iba pa [ ] Personal na Pakikipag-ugnayan [ ]
Pangalan ng Cross Reference	Petsa ng Kapanganakan (opt) / Kasarian	Lahi/Bansang Pinagmulan (opt)	

Naaresto? Oo [ ] Hindi [ ]	Oras/Petsa	Mga pinsala sa anumang Mga Partido? Oo [ ] Hindi [ ]	Mga Nakikitang Pinsala? Oo [ ] Hindi [ ]	Mga Nakuhang Larawan Oo [ ] Hindi [ ]

Kung Napinsala, ilarawan ang mga pinsala

(Mga) Empleyadong Sangkot Blg. 1 Blg. 2	Tsapa/# ng ID	Paglalarawan

Mga Saksi (Mga Buong Pangalan, Address, Numero ng Telepono (tirahan/trabaho)

Blg. 1

Blg. 2

Tinanggap ang Reklamo Ni	Petsa ng Komisyon	Mga Napag-alaman ng Komisyon

`

FORMA PARA EL CONTROL DE LAS QUEJAS

Comisión de Ciudadanos para las Quejas Contra la Policía
Long Beach, CA

FAVOR DE ESCRIBIR EN LETRA DE MOLDE O A MÁQUINA-LLENE TODA LA INFORMACIÓN POSIBLE

NOMBRE COMPLETO	DIRECCIÓN DE RESIDENCIA (NCLUYA LA CIUDAD, EDO. Y CÓDIGO POSTAL)	
TELÉFONO DE SU CASA/CELULAR	TELÉFONO DEL TRABAJO	
LUGAR DONDE OCURRIÓ	FECHA Y HORA EN QUE OCURRIÓ	FECHA/HORA QUE LO REPORTÓ
FECHA DE NACIMIENTO (Opcional)	SEXO	ORIGEN NACIONAL/ÉTNICO (Opcional)

¿FUE UD. ARRESTADO? SÍ [ ] NO [ ]	FECHA/HORA	¿ALGUIÉN SALIÓ LESIONADO? SÍ [ ] NO [ ]	¿LESIONES VISIBLES? SÍ [ ] NO [ ]	¿TOMARON FOTOS? SÍ [ ] NO [ ]

AGENTES(S) IMPLICADOS NO. 1 NO. 2 NO. 3	NO. DE PLACA DE POLICÍA	DESCRIPCIÓN DE AGENTE DE POLICÍA

TESTIGO(S) (Favor dar nombre(s) completo(s), direcciones del trabajo y de casa, nos. de teléfono de casa/celular, relación: Amigo, pariente, otra parte.)
NO. 1

NO. 2

NO. 3

DESCRIPCIÓN DEL INCIDENTE: Escriba un breve párrafo que describa las circunstancias del incidente. Facilite también una copia de cualquier documento/fotos/grabaciones que usted pudiera tener en apoyo de su queja.

FIRMA	FECHA EN QUE SE FIRMA

City of Long Beach
333 W. Ocean Blvd.
Long Beach, CA 90802

Visit us at www.longbeach.gov

facebook.com/CityofLongBeachCA

@LongBeachCity

This information is available in alternative format by request at 562.570.6711.

For an electronic version of this document, visit our website at www.longbeach.gov.

Attachment E

Annual Report 2016

CITIZEN POLICE COMPLAINT COMMISSION

CITY OF
LONG BEACH

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Manager of CPCC Summary

The Citizen Police Complaint Commission's 2017 Annual Report details the work of the CPCC, including complaints received, investigated and closed by the CPCC during the 2017 calendar year. As in previous years, the report includes a distinction between the overall CPCC workload, which includes cases from the current and previous years, and the number of new complaints filed by the public during the year. The report does not reflect the number of community complaints reported to the LBPD each year.

In recent years in Long Beach and across the nation, communities question and express concern about the actions of police officers. Some call for agencies to establish Civilian Oversight Boards (COB) for law enforcement agencies or to reexamine the existing COB's. While determined to balance accountability and fundamental fairness, the CPCC continues to look internally and externally to grow with the changing roles in law enforcement and with the community's expectation of engagement and transparency. 2017 saw necessary investments made into building the capacity of the CPCC to best meet its responsibilities to the community.

I thank Mayor Robert Garcia and the City Council for their continued support of the CPCC. I also thank the Commissioners and staff who demonstrate tireless dedication to all aspects of the CPCC; the City Manager; and, the Long Beach Police Department, notably the Internal Affairs Division. The collective professionalism, courtesy, cooperation, and assistance of all involved are appreciated.

Sincerely,

Patrick Weithers, Manager of CPCC

Executive Summary

This report reflects the work of the CPCC during the 2016 calendar year. Included is the number of complaints received, the findings and the disposition of complaints investigated. In this report, CPCC refers to the work of the overall body, including staff and Commissioners. Commission refers to the work of those appointed to fulfill the duties of the charter.

The CPCC is comprised of eleven Commissioners: one representing each council district and two at-large members. Per the City Charter, Commissioners must broadly represent the racial, ethnic, religious, labor, business, age, gender, sexual orientation, and disabled members of the general public.

Commissioners are recommended by City Council members and are appointed by the Mayor. Commissioners must reside in the city of Long Beach and in the district they are appointed to represent throughout their service. At-large Commissioners can live anywhere in the city. Commissioners can serve two, two-year terms.

Commissioners provide a valuable insight into the community's perception of, and experience with, members of the LBPD. To apply to the CPCC, visit www.longbeach.gov/mayor/action/commissions/ or contact your City Council office. Contact the Manager of the CPCC at (562) 570-6891 to learn about the specific duties and responsibilities of serving on the CPCC.

Commissioners are required to take and pass a Live Scan criminal background check before serving.

Commissioner Orientation

Before newly appointed Commissioners can review cases, they are required to complete an orientation process that consists of a thorough overview of applicable laws, CPCC policies and procedures, and LBPD policies, procedures and training bulletins. Specific orientation subjects include, but are not limited to:

- CPCC Charter, Bylaws, Policies and Procedures
- CPCC values to the community and the City of Long Beach
- CPCC and LBPD IA investigative processes
- Laws and policies about Use of Force, Laws of Arrest and Racial Profiling
- LBPD Training Bulletins
- Public Safety Officer's Procedural Bill of Rights
- Parliamentary Procedures at a Glance
- What to expect during Public Session
- What to expect during Closed/Executive Session
- Objectivity Standards.

CPCC Commissioners

**Because the 2016 Annual Report covers January-December, some Commission seats show two representatives, beginning with the commissioner who served first in that seat.*

DISTRICT 1
Beekman "Terry" Beebe

DISTRICT 2
Raul Anorve

DISTRICT 3
David Clement

DISTRICT 4
Richard Lindemann

DISTRICT 5
Alvaro Castillo

DISTRICT 6
Jose M. Flores

DISTRICT 7
Jeff Price

DISTRICT 8
Josephine Castellanos

DISTRICT 9
Crystal Howard-Johnson

AT-LARGE
Suley Saro

AT-LARGE
Miles Nevin

2016

Staff and Support Staff

OFFICE OF THE CITY MANAGER

PATRICK H. WEST
City Manager

ARTURO SANCHEZ
Deputy City Manager

THOMAS MODICA
Assistant City Manager

ANITRA DEMPSEY
Executive Director
562.570.6892
Anitra.Dempsey@longbeach.gov

INVESTIGATORS

CELENIA PEREZ
Special Investigator
562.570.6405
Celenia.Perez@longbeach.gov

PATRICK WEITHERS
Special Investigator
562.570.7610
Patrick.Weithers@longbeach.gov

OFFICE OF THE CITY CLERK

JONATHAN NAGAYAMA
City Clerk Specialist

CAROLYN HILL
City Clerk Specialist

OFFICE OF THE CITY ATTORNEY

MONICA KILAITA
Deputy City Attorney

About the Citizen Complaint Commission

The CPCC was created by a vote of the people in 1990 to review the service provided by members of the LBPD and independently conduct investigations into allegations of police misconduct with an emphasis on excessive force, false arrest and complaints with racial or sexual overtones.

The mission of the CPCC is to promote an atmosphere of mutual trust and respect between the community and the LBPD, and to ensure that professional police services continue in Long Beach.

The CPCC is a Charter Commission, and has the power to issue subpoenas related to a complaint. The CPCC is neither an advocate for the Complainant nor for police personnel. CPCC findings can result in the accused personnel being disciplined, trained or exonerated. The CPCC refers policy recommendations to the City Manager, who can forward the findings to the LBPD for implementation.

While the Commission does not set policy, its findings have resulted in policies being changed or clarified to best serve the community.

CPCC Meetings

CPCC meetings begin at 5:30 pm on the second Thursday of every month at City Hall, 411 West Ocean Blvd., Long Beach, CA, in the City Council Chambers. Complainants are notified when their cases will be reviewed by the Commission. Community members are welcome to attend the Open Session and can address the Commission during this time. Special meetings that include subject matter presentations or changes in meeting times are posted in compliance with the Brown Act to provide notification to the community.

Our Guiding Values

ACCOUNTABILITY

INTEGRITY

RESPECT FOR ALL PEOPLE

RESPECT FOR THE LAW AND THOSE WHO SERVE

TRANSPARENCY

Highest Standard of Objectivity

Commissioners are charged with and receive training to remain objective in all cases they review. Commissioners must remain open-minded and understand their role to ensure the fairest outcome in every case.

The CPCC views objectivity as decisions based on facts and without bias, not decisions solely influenced by personal feelings, interpretations, or prejudice. Commissioners consider alternative viewpoints and all available evidence when deliberating cases, and are prohibited from allowing anything that happens outside the scope of the CPCC's investigation to affect their decision-making, including media reports and information on the internet.

Commissioners are held to the highest standard of confidentially and cannot discuss cases outside the scope of their duties. They are prohibited from conducting their own research and forming opinions about a case until they have sufficiently reviewed all evidence.

How the CPCC works

Filing a Complaint

You can file a complaint if you believe that a member of the LBPD has done something wrong. Call (562) 570-6891, mail a complaint form, send an email, or file a complaint in person at the CPCC office, 411 West Ocean Boulevard, 1st Floor, Long Beach, CA, 90802. Business hours are Monday through Friday, 8:30 a.m. to 4:30 p.m. Appointments are recommended, but not required. Complaints can be made anonymously. Complaint forms are available in person and on-line (www.longbeach.gov/cpcc) in English, Khmer, Spanish, and Tagalog.

It is recommended that the complaint be filed soon after the incident occurs. In general, complaints can be filed directly with the CPCC within one year of the date of the incident or with the LBPD at any time. The CPCC should review all citizen complaints initiated with the LBPD.

To expedite the processing and investigation of complaints, provide as much information as possible regarding the allegations, including witness names, photos, recordings, and other physical evidence that is available.

Third party complaints will be investigated if sufficient information is available. All complaints remain on file for the statutory time period and can be considered when evaluating overall police-community relations.

The Investigative Process

Complaints/cases are assigned to an Investigator who reviews reports, interviews witnesses, and conducts field investigations to collect information relevant to the case. The complaint and the investigative data are submitted to Commissioners for review prior to the monthly meeting.

CPCC Workload

Several factors contribute to the number of complaints filed each year, including public awareness of the CPCC and its function, police conduct toward the public, media focus, and community concerns.

A complaint/case can contain one or several allegations with one or several accused officers. If there is more than one officer accused in an allegation, the total number of allegations includes finding recommendations for all accused officers. For example, if three officers are accused of excessive use of force in one incident, the CPCC renders finding recommendations on each officer.

CPCC Executive Session, Second Open Session and Report on Commission's Vote

During the monthly CPCC meeting, the Commission takes a recess from Open Session and re-convenes in Executive/ Closed Session to discuss the cases and to recommend findings on each allegation. The Commission then reconvenes in Open Session to report their vote on each allegation without violating confidentiality requirements. Because each complaint is a personnel matter, the public is not allowed to attend the Executive/Closed Session.

The Commission's finding recommendations are submitted to the City Manager, who reviews both the Commission and LBPD findings. The City Manager provides the final disposition to the Complainant in writing.

How the CPCC Works

FILING A COMPLAINT

- The City Charter requires that complaints against members of the LBPD be also investigated by the CPCC.
- Complaints can be filed in person or by phone, email, complaint form or letter.
- Complaint forms are available in English, Spanish, Khmer and Tagalog.

PROCESSING THE COMPLAINT

- The CPCC and the LBPD notify each other of new cases, generally within ten days of receiving the complaint.
- A CPCC Investigator is assigned to the case.
- The Complainant receives a letter with the case number and contact information for the assigned CPCC Investigator.

INDEPENDENT PARALLEL INVESTIGATION

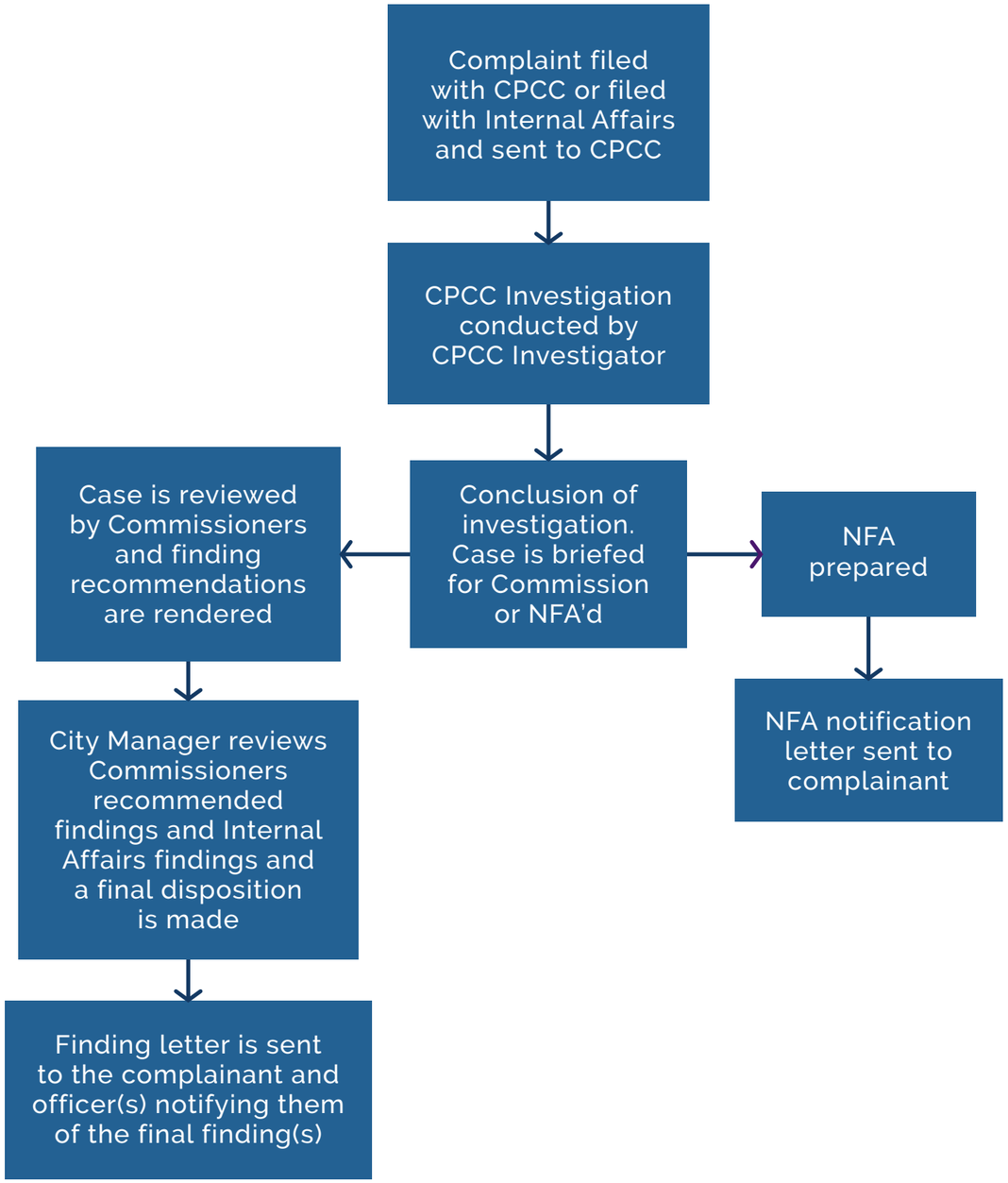
- Subpoenas are issued for relevant documents.
- The CPCC Investigator reviews reports, video, audio, interviews witnesses, collects any other relevant documentation and conducts field investigations to collect information relevant to the allegations.
- A brief is prepared for the Commissioners, or the case is recommended to be closed with NFA.

CASES TO THE COMMISSION

- Commissioners review the brief and render findings recommedations on allegations in Closed Session.
- The City Manager reviews both the CPCC recommendations and Internal Affairs findings, and provides the final disposition to the complainant in writing.
- The City Manager can decide to forward the Commission's recommendations to the Police Chief for implementation.
- The Complainant is notified of the City Manager's findings by mail.

CPCC Investigation Workflow

Attachment E



Annual Training

The CPCC has an Annual Training, usually held at the Long Beach Police Academy, to provide ongoing training on the priorities set by the City Charter: complaints regarding excessive force and false arrest, and complaints with racial or sexual overtones. The 2016 training session was held at the Museum of Tolerance to focus on specific matters such as bias based policing, bigotry and the changing role of law enforcement. During these trainings Commissioners ask questions and apply the information to cases they review.

Staff Training

The CPCC is a member of the Association of Workplace Investigators and the National Association for the Civilian Oversight of Law Enforcement. Throughout the year, staff receives certified training to meet the standards of basic investigations. To ensure compliance with the City Charter, foundational training topics include, but are not limited to Laws of Arrest, Public Safety Officer's Procedural Bill of Rights, Racial Profiling and Use of Force/Force Options.

During this reporting period, staff received training in the following areas:

FORCE SCIENCE INSTITUTE: FORCE SCIENCE TRAINING

OFFICE OF JUVENILE AND DELINQUENCY PREVENTION WEBINAR: IMPLICIT BIAS AND SELF-THREATS

ASSOCIATION OF WORKPLACE INVESTIGATORS: WORKPLACE INVESTIGATION BASICS TRAINING

INTERMEDIATE LEVEL BUSINESS WRITING CLASS

CPCC SPECIAL TRAINING AT MUSEUM OF TOLERANCE

I-SIGHT, AN ONLINE RESOURCE FOR INVESTIGATORS

Investigating Online: Conducting Pre-Interview Research

10 Leadership Strategies for Investigators

Investigation Report Writing: A Nuts and Bolts Approach

Case and Allegations Summary

227 CASES OPENED
609 INSTANCES OF MISCONDUCT WERE ALLEGED
247 OFFICERS HAD AT LEAST ONE ALLEGATION OF MISCONDUCT
28% HAD MORE THAN ONE ALLEGATION OF MISCONDUCT
188 CASES INVESTIGATED AND CLOSED
110 CASES CONTAINING 364 ALLEGATIONS WERE PRESENTED TO THE COMMISSION
78 CASES CONTAINING 147 ALLEGATIONS WERE NFA'S

Race / Ethnicity and Gender

Identifying one's race/ethnicity and gender are optional when filing a complaint. Because some cases have more than one complainant, the total number of people listed may differ from the total number of cases.

	ASIAN	BLACK	HISPANIC	NATIVE AMERICAN	OTHER	PACIFIC ISLANDER	UNKNOWN	WHITE
FEMALE	3	23	27	0	5	2	10	21
MALE	3	53	38	2	2	1	11	33
UNKNOWN	0	0	0	0	0	0	3	0

Allegation Breakdown for Cases Opened

1. Unbecoming Conduct – **180**
2. Use of Force – **109**
3. Failure to Take Action – **41**
4. Failure to Investigate – **38**
5. Failure to Care for Property – **37**
6. Bias Based Policing – **32**
7. Dishonesty – **25**
8. Failure To Take Report – **23**
9. Improper Arrest – **19**
10. Harassment – **17**
11. Intimidation – **16**
12. Misappropriation of Property – **14**
13. Misuse of Authority – **13**
14. Profanity – **12**
15. Improper Entry – **10**
16. Improper Search – **10**
17. Improper Detention – **5**
18. Vehicle Search – **2**
19. Racial Profiling – **2**
20. Failure to Book Evidence – **2**
21. Gender Bias – **1**
22. Improper Remark – **1**

Caseloads and Case Closures

The CPCC opened 227 new cases and closed 188 cases, most of which were opened in previous years.

The Commission met 12 times, and reviewed 110 cases containing 364 allegations. The Commission recommended sustained for 18 allegations and recommended "Other" for 8 allegations.

A total of 78 cases were closed with a disposition of No Further Action (NFA) containing 147 allegations due to insufficient evidence, lack of witness cooperation, or staff's recommendation.

Allegation Totals Presented to Commission By Type

1. Unbecoming Conduct – **139**
2. Use of Force – **68**
3. Failure To Care For Property – **18**
4. Dishonesty – **17**
5. Harassment – **16**
6. Failure to Investigate – **16**
7. Bias Based Policing – **13**
8. Improper Entry – **13**
9. Improper Arrest – **12**
10. Improper Search – **11**
11. Profanity – **9**
12. Misuse of Authority – **8**
13. Improper Detention – **4**
14. Intimidation – **4**
15. Failure to Take Report – **6**
16. Failure to Take Action – **3**
17. Failure to Book Evidence – **3**
18. Misappropriation of Property – **2**
19. Discourteous Remark – **1**
20. Racial Bias – **1**

NFA Allegation Totals By Type

1. Unbecoming Conduct – **64**
2. Failure to Investigate – **14**
3. Use of Force – **10**
4. Failure to Take Report – **10**
5. Failure to Care for Property – **9**
6. Dishonesty – **8**
7. Harassment – **8**
8. Failure To Take Action – **4**
9. Misappropriation of Property – **4**
10. Improper Detention – **3**
11. Improper Arrest - **3**
12. Profanity – **2**
13. Discourteous – **1**
14. Failure to Book Evidence – **1**
15. Misuse of Authority – **1**
16. Racial Profiling – **1**
17. Sexual Misconduct – **1**
18. Improper Search – **1**
19. Intimidation – **1**
20. Bias Based Policing – **1**

Commission Finding Recommendations

1. Sustained – **18**
2. Other – **8**
3. Exonerated – **74**
4. Unfounded – **77**
5. Receive and File – **44**
6. Not Sustained – **142**
7. Re-investigate – **1**

Sustained Commission Allegations

1. Unbecoming Conduct
2. Use of Force
3. Profanity
4. Improper Detention
5. Misuse of Authority
6. Failure to Take Report
7. Failure to Take Action
8. Harassment
9. Failure to Investigate
10. Failure to Care for Property

"Other" Commission Allegations

1. Unbecoming Conduct
2. Use of Force
3. Improper Arrest
4. Failure to Care for Property

City Manager Findings

1. Sustained – **10**
2. Other – **6**
3. Exonerated – **56**
4. Unfounded – **93**
5. Receive and File – **47**
6. Not Sustained – **152**

Sustained City Manager Allegations

1. Unbecoming Conduct
2. Profanity
3. Harassment
4. Failure to Take Action
5. Failure to Take Report
6. Improper Search

"Other" City Manager Allegations

1. Unbecoming Conduct
2. Improper Arrest
3. Misuse of Authority
4. Failure to Care for Property

Proposed Amendments to the CPCC By-Law's and Policies & Procedures

At the end of 2014, the CPCC Chair convened a committee to review the CPCC's By-Laws and Policies & Procedures. The committee reported that its intent was to clarify the governing documents and to reduce redundancies. The committee's recommendations were forwarded to the City Attorney's Office for review, presented to the Commission in January 2016 and adopted in February 2016.

Commissioners requested that the Policies and Procedures Section V (Definitions), subsection D (complaints with Sexual Overtones) be reviewed to consider a clearer and more inclusive term and definition. At the regularly scheduled February 2016 Citizen Police Complaint Commission (CPCC) meeting, Commissioners voted to accept the recommended changes to its By-Laws.

Policy Recommendations

The CPCC refers LBPD policy recommendations to the City Manager. During this reporting period, the Commission requested that the City Manager forward the following policy recommendations to the LBPD:

The Commissioners requested that the Chief of Police review and take appropriate action, if any, concerning the off-duty conduct of an officer.

The case package included information that suggested the accused officer might have had a pattern of conduct when off duty.

Review and update policies regarding arrestees wearing religious head garments, hijabs, and turbans.

The commission recommends that the LBPD consider the Dearborn Michigan's policy in this area.

Clarification regarding policies and procedures when juveniles are arrested at school, including information on how, when, and where an arrested student is handcuffed.

LBPD RESPONSE:
There are no unique laws nor written policy that govern the arrest of a juvenile or adult on a school campus. The long beach police department has a practice of involving school staff in such incidents, as appropriate. The discretion lies with the arresting officer.

The same handcuffing policies apply to all arrests, so it is the discretion of the officer as to when they should be applied (whether immediately, or once they are out of the class environment).

Parents/Guardians are notified of juveniles arrested during the initial booking process (so shortly after being taken into custody).

Arrested juveniles are read the Miranda Admonition and offered a parent or lawyer prior to an interview. If the juvenile waives, they will be questioned (additionally, some younger juveniles will be given what is known as the "Gladys R" which is used to determine if a child knows the difference between a lie and the truth).

Citizen Police Complaint Commission Vernacular

ALLEGATION: A claim or assertion that an LBPD employee has done something illegal or wrong.

BRIEF: The compilation of information to a complaint, including statements, photos, reports and other evidence.

CASE: A complaint requiring investigation or action.

CLOSED OR EXECUTIVE SESSION: As part of a regular or special meeting, the restricted and/or confidential deliberation on allegations of misconduct concerning LBPD employees.

COMPLAINT: An allegation against an LBPD employee.

COMPLAINANT: Person who files a complaint.

COMMISSION: The Long Beach community members appointed to serve on the CPCC.

CPCC: Commissioners and staff.

DISPOSITION: The final finding for a case.

FINDINGS: The determination of each allegation.

OPEN OR PUBLIC SESSION: Part of a regular or special meeting where the Commission conducts business that is not restricted from being openly discussed.

Definitions for Findings and Dispositions

SUSTAINED: The investigation indicates the alleged act more likely than not occurred and constitutes misconduct

- This finding recommends discipline for the accused
- Discipline can be a letter of reprimand, suspension, demotion or termination

OTHER: The alleged act, although more likely than not occurred, was not misconduct and could be most appropriately handled by training or other means.

EXONERATED: The investigation indicates the alleged act did occur, but the action(s) taken were lawful, proper and justified.

UNFOUNDED: The investigation indicates the alleged act did not occur. Examples: There is no information or evidence that supports the allegation; there is evidence that the alleged act did not occur; or, the individual named in the complaint was not involved.

RECEIVE AND FILE: The information received is submitted past the statute of limitations for disciplinary actions; or, the information received does not, on its face, establish misconduct. A case may be reopened if further information or evidence is submitted within the statute of limitations period.

NOT SUSTAINED: The investigation fails to disclose sufficient evidence to prove the alleged act.

REINVESTIGATE: When new information comes to the attention of the Commission or when the Commission requests clarification or additional information that could reasonably be obtained.

NO FURTHER ACTION (NFA): The disposition for cases closed, as recommended by the Manager of the CPCC, according to the criteria provided by the Commission. NFA complaints can be re-evaluated or appealed to the full Commission if new information related to the original concern is found within one year of the complaint. Like all complaints, NFA cases remain on file for the statutory period and may be considered when evaluating overall community/police relations.

Commissioners and Attendance Records

Because the 2016 Annual Report covers January through December, some Commission seats show two representatives, beginning with the Commissioner who served first in that seat.

The attendance status reflects roll call and each vote. If a Commissioner arrives late or leaves early, he/she might be absent for one roll call or vote, but not for the other roll call or for the entire meeting.

Attendance Record – January 2016 – June 2016
Meetings: 2nd Thursday of every month, beginning at 6:30 P.M.
Council Chambers, 333 W. Ocean Blvd. Long Beach, CA 90802

CHAIR: David Clement

COMMISSIONER (DISTRICT)	JAN	FEB	MAR	APR	MAY	JUN
BEEKMAN, "TERRY" BEEBE Appt. 7/10/14 (1)	P	P	P	P	P	P
ANORVE, RAUL Appt. 7/9/15 (2)	EX	P	EX	P	P	EX
CLEMENT, DAVID Appt. 7/10/14 (3)	P	P	P	P	P	EX
LINDEMANN, RICHARD Appt. 7/10/14 (4)	P	P	P	P	P	P
CASTILLO, ALVARO Appt. 7/9/15 (5)	P	EX	P	EX	P	P
M. FLORES, JOSE Appt. 7/9/15 (6)	P	P	P	P	P	P
PRICE, JEFFREY Appt. 7/12/12 (7)	P	P	EX	P	EX	P
CASTELLANOS, JOSEPHINE Appt. 7/11/13 (8)	P	P	P	EX	P	P
HOWARD-JOHNSON, CRYSTAL Appt. 7/9/15 (9)	EX	EX				
SARO, SUELY (AT LARGE) Appt. 7/9/15	EX	P	P	EX	P	P
NEVIN, MILES (AT LARGE) Appt. 7/9/15	P	P	EX	EX	P	P

P	PRESENT	A	ABSENT	EX	EXCUSED ABSENT		NON COMMISSION
R	RESIGNED	DARK	NO MEETING	X	EARLY DEPARTURE		VACANT
*	PENDING	+	TERM EXTENDED	DARK/NQ	NO MEETING/ NO QUORUM		TERMED OUT

Attachment E

Commissioners and Attendance Records

Because the 2016 Annual Report covers January through December, some Commission seats show two representatives, beginning with the Commissioner who served first in that seat.

The attendance status reflects roll call and each vote. If a Commissioner arrives late or leaves early, he/she might be absent for one roll call or vote, but not for the other roll call or for the entire meeting.

Attendance Record – July 2016 – December 2016
Meetings: 2nd Thursday of every month, beginning at 6:30 P.M.
Council Chambers, 333 W. Ocean Blvd. Long Beach, CA 90802

CHAIR: Jeffrey Price

COMMISSIONER (DISTRICT)	JUL	AUG	SEPT	OCT	NOV	DEC
BEEKMAN, "TERRY" BEEBE Appt. 7/10/14 (1)	P	P	EX	P	P	EX
ANORVE, RAUL Appt. 7/9/15 (2)	EX	P	EX	P	P	P
CLEMENT, DAVID Appt. 7/10/14 (3)	P	P	P	P	EX	P
LINDEMANN, RICHARD Appt. 7/10/14 (4)	P	P	P	P	P	P
CASTILLO, ALVARO Appt. 7/9/15 (5)	P	EX	P	P	P	P
M. FLORES, JOSE Appt. 7/9/15 (6)	P	P	P	P		
PRICE, JEFFREY Appt. 7/12/12 (7)	P	P	P	EX	P	EX
CASTELLANOS, JOSEPHINE Appt. 7/11/13 (8)	EX	P	P	P	P	P
VACANT (9)						
SARO, SUELY (AT LARGE) Appt. 7/9/15	EX	P	P	P	EX	P
NEVIN, MILES (AT LARGE) Appt. 7/9/15	P	P	P	P	EX	P

P	PRESENT	A	ABSENT	EX	EXCUSED ABSENT		NON COMMISSION
R	RESIGNED	DARK	NO MEETING	X	EARLY DEPARTURE		VACANT
*	PENDING	+	TERM EXTENDED	DARK/NQ	NO MEETING/ NO QUORUM		TERMED OUT

CPCC Complaint Forms

COMPLAINT CONTROL FORM

Citizen Police Complaint Commission
Long Beach, CA

PLEASE PRINT OR TYPE – FILL IN AS COMPLETELY AS POSSIBLE

NAME		RESIDENCE ADDRESS (INCLUDE CITY, STATE AND ZIP CODE)		
HOME/CELL TELEPHONE		WORK TELEPHONE		
LOCATION OF OCCURRENCE		DATE/TIME OF OCCURENCE	DATE/TIME REPORTED	
DATE OF BIRTH (Optional)		SEX	ETHNICITY/NATIONAL ORIGIN (Optional)	
WERE YOU ARRESTED? YES [ ] NO [ ]	DATE/TIME	INJURIES TO ANYONE? YES [ ] NO [ ]	VISIBLE INJURIES? YES [ ] NO [ ]	PHOTOS TAKEN? YES [ ] NO [ ]
OFFICER(S) INVOLVED: NO. 1 NO. 2 NO. 3		BADGE/ID #	DESCRIPTION OF OFFICER	

WITNESS(ES) (Please give full name(s), work and home addresses, home/cell/work telephone numbers, relationship: friend, relative, other party.)
NO. 1
NO. 2
NO. 3

DESCRIPTION OF INCIDENT: Write a brief paragraph describing the circumstances of the incident. Also provide a copy of any documentation/photos/recordings that you may have to support your complaint.

SIGNATURE	DATE SIGNED

FORMA PARA EL CONTROL DE LAS QUEJAS

Comisión de Ciudadanos para las Quejas Contra la Policía
Long Beach, CA

FAVOR DE ESCRIBIR EN LETRA DE MOLDE O A MÁQUINA-LLENE TODA LA INFORMACIÓN POSIBLE

NOMBRE COMPLETO		DIRECCIÓN DE RESIDENCIA (INCLUYA LA CIUDAD, EDO. Y CÓDIGO POSTAL)		
TELÉFONO DE SU CASA/CELULAR		TELÉFONO DEL TRABAJO		
LUGAR DONDE OCURRIÓ		FECHA Y HORA EN QUE OCURRIÓ	FECHA/HORA QUE LO REPORTÓ	
FECHA DE NACIMIENTO (Opcional)		SEXO	ORIGEN NACIONAL/ÉTNICO (Opcional)	
¿FUE UD. ARRESTADO? SÍ [ ] NO [ ]	FECHA/HORA	¿ALGUIÉN SALIÓ LESIONADO? SÍ [ ] NO [ ]	¿LESIONES VISIBLES? SÍ [ ] NO [ ]	¿TOMARON FOTOS? SÍ [ ] NO [ ]
AGENTES(S) IMPLICADOS NO. 1 NO. 2 NO. 3		NO. DE PLACA DE POLICÍA	DESCRIPCIÓN DE AGENTE DE POLICÍA	

TESTIGO(S) (Favor dar nombre(s) completo(s), direcciones del trabajo y de casa, nos. de teléfono de casa/celular, relación: Amigo, pariente, otra parte.)
NO. 1
NO. 2
NO. 3

DESCRIPCIÓN DEL INCIDENTE: Escriba un breve párrafo que describa las circunstancias del incidente. Facilite también una copia de cualquier documento/fotos/grabaciones que usted pudiera tener en apoyo de su queja.

FIRMA	FECHA EN QUE SE FIRMA

Blg. ng CPCC/Imbestigador	**FORM NG KONTROL NG REKLAMO** **KOMISYON NG REKLAMO SA PULIS NG MAMAMAYAN** Long Beach, California	Blg. ng LBDP ng Panlocob na Gawain
Pangalan ng File ng Kaso	Address ng Tirahan (isama ang Lungsod, Estado, Zip)	
Telepono sa Tirahan) / Telepono sa Negosyo	Uri ng Reklamo	
Lokasyon ng Kaganapan	Petsa/Oras ng Kaganapan / Petsa/Oras ng Pag-ulat	Inulat ni: CPCC [ ] Sulat [ ]; LBPD [ ] Telepono [ ]; Iba pa [ ] Personal na Pakikipag-ugnayan [ ]
Pangalan ng Cross Reference	Petsa ng Kapanganakan (opt) / Kasarian / Lahi/Bansang Pinagmulan (opt)	
Nareste? Oo [ ] Hindi [ ]	Oras/Petsa	Mga pinsala sa anumang Mga Partido? Oo [ ] Hindi [ ]; Mga Nakikitang Pinsala? Oo [ ] Hindi [ ]; Mga Nakuhang Larawan Oo [ ] Hindi [ ]
Kung Napinsala, ilarawan ang mga pinsala		
(Mga) Empleyadong Sangkot: Blg. 1, Blg. 2	Tsapa/# ng ID	Paglalarawan
Mga Saksi (Mga Buong Pangalan, Address, Numero ng Telepono (tirahan/trabaho): Blg. 1, Blg. 2		
Tinanggap ang Reklamo Ni	Petsa ng Komisyon	Mga Napag-alaman ng Komisyon

ទម្រង់បែបបទត្រួតពិនិត្យបណ្តឹង

គណៈកម្មការបន្ទុកបណ្តឹងប្រជាពលរដ្ឋលើកម្លាំងប៉ូលីសរបស់ទីក្រុង
ឡុងប៊ីច (ការហ្ស៊ីវអ៊ីស)

សូមអក្ខរាវិរាមរឺសរសេរ - បំពេញព័ត៌មានសម្រាប់តាមដានតាមដានបានច្រើនតាមដែលអាចធ្វើបាន

ឈ្មោះ		អាសយដ្ឋានលំនៅដ្ឋាន (រួមបញ្ចូលទាំង ឡូតូ ដីក្រុង, រដ្ឋ និងលេខកូដក្រុង)	
ទូរស័ព្ទផ្ទះ/ដៃ		ទូរស័ព្ទការិយាល័យ	
ទីកន្លែងកើតហេតុ		កាលបរិច្ឆេទ/ពេលវេលានៃហេតុ	កាលបរិច្ឆេទ/ពេលវេលានៃរបាយការណ៍
ថ្ងៃខែឆ្នាំកំណើត (ស្រេចចិត្ត)		ភេទ	ជាតិកម្ម/វប្បធម្មជាតិកំណើត (ស្រេចចិត្ត)
តើអ្នកត្រូវបានចាប់ខ្លួនឬទេ? បាទ/ចាស [ ] ទេ [ ]	កាលបរិច្ឆេទ/ពេលវេលា	មានបុគ្គលម្នាក់រងរបួសដោយសារតែ ការមកដល់? បាទ/ចាស [ ] ទេ [ ]	មានលក្ខណៈមើលឃើញ ការរងរបួសទេ? បាទ/ចាស [ ] ទេ [ ]
មន្ត្រីប៉ូលីសដែលចូលរួមការកាន់ទី: លេខ១ លេខ២ លេខ3	ផ្នែកសម្គាល់លេខ #	លេខស្នាមរាងកាយមន្ត្រីប៉ូលីស	

សាក្សីនានា: (សូមផ្តល់ឈ្មោះពេញ(នាម), អាសយដ្ឋានការងារនិងផ្ទះ, លេខទូរស័ព្ទនៅផ្ទះ/ការងារ/ទូរស័ព្ទចល័ត, ទំនាក់ទំនងគ្រួសារ: មិត្ត, សាច់ញាติ, ភាគីផ្សេង។)
លេខ១
លេខ២
លេខ3

សង្ខេបសម្រាប់ការកត់ត្រាបណ្ដឹងដោយប្រុងប្រយ័ត្នអំពីការពិពណ៌នាមួយកថាខណ្ឌ ក្នុងកំឡុងពេលដែលអ្នកធ្វើការ។ ផ្ដល់ជូនក៏ត្រូវចម្លងឯកសារ/ការថតរូប/ការថតសម្លេងដែលអ្នកមានលទ្ធភាពដើម្បីការពារបណ្ដឹងរបស់អ្នក។

ហត្ថលេខា	ថ្ងៃខែឆ្នាំដែលបានចុះហត្ថលេខា

Attachment E

Commissioner Elect Orientation Checklist

- ☐ Agreement to Standards of Conduct
- ☐ Courier Service Form
- ☐ Ride Along with LBPD
- ☐ Media Policy
- ☐ Policy Regarding Witnessing Possible Police Misconduct

- ☐ CPCC Charter
- ☐ By-Laws
- ☐ Policies & Procedures
- ☐ Public Safety Officer's Bill of Rights
- ☐ Parliamentary Procedures at a Glance
- ☐ Allegation Codes
- ☐ Findings
- ☐ Phonetic and Alpha Codes

- ☐ CPCC values to the community and the City of Long Beach
- ☐ CPCC and IA investigative processes
- ☐ What to expect during Public Session
- ☐ What to expect during Executive Session
- ☐ Annual training and Special Meetings

After completing orientation, Commissioners sign and

I acknowledge that I have completed the Citizen Police Complaint Commission orientation.

SIGN NAME _____ DATE _____

APPENDIX F

Attachment E

City Manager Report

CITY OF
LONG BEACH
Citizen Police Complaint Commission
City Manager Report

December 2016

All peace officer personnel records, including information relating to specific deliberations of the Citizen Police Complaint Commission and findings by the City Manager, shall be kept confidential to the extent required by law. In order to comply with this requirement, certain information may have been withheld in this report.

After its November 30**, 2016** Special Meeting, the Citizen Police Complaint Commission submitted recommendations to the City Manager.

The Commission's recommendations and the City Manager's findings for some allegations considered during the November 30, 2016 Special Meeting are:

COMMISSION	CITY MANAGER
• Not sustained – 17 allegations	Not sustained –17 allegations
• Unfounded – seven allegations	Unfounded – seven allegations
• Exonerated – 10 allegations	Exonerated – 10 allegation

The Commission did not submit recommendations or questions to the City Manager regarding cases it reviewed during this meeting.

Per the City Charter, the CPCC investigates allegations of police misconduct and submits its finding recommendations to the City Manager, who has the final authority on these findings. Starting in 2016, at the Commission's request, a report of the City Manager's findings has been made available to the Commission and to the public, when possible. The report includes all Commission finding recommendations, including Sustained and Other, as well as any recommendations made after discussing a case on the agenda. Because all investigations are personnel matters, information that might connect the finding with a specific accused Officer is left off the report.

City of Long Beach
411 W. Ocean Blvd.
Long Beach, CA 90802

Visit us at www.longbeach.gov
@LongBeachCity

To request this information in an alternative format or to request a reasonable accommodation, please contact City Manager's Office at Patrick.Weithers@longbeach.gov or (562) 570-6711. A minimum of three (3) business days is requested to ensure availability. Reasonable attempts will be made to accommodate request made within less than three (3) business days.

Attachment E

Annual Report 2017

CITIZEN POLICE COMPLAINT COMMISSION

CITY OF
LONG BEACH

Table of Contents

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3 COMMISSIONER ORIENTATION

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6 ABOUT THE CPCC

7 HIGHEST STANDARD OF OBJECTIVITY

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11 STAFF TRAINING

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12 2017 CPCC REPORT

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Manager of CPCC Summary

The Citizen Police Complaint Commission's 2017 Annual Report details the work of the CPCC, including complaints received, investigated and closed by the CPCC during the 2017 calendar year. As in previous years, the report includes a distinction between the overall CPCC workload, which includes cases from the current and previous years, and the number of new complaints filed by the public during the year. The report does not reflect the number of community complaints reported to the LBPD each year.

In recent years in Long Beach and across the nation, communities question and express concern about the actions of police officers. Some call for agencies to establish Civilian Oversight Boards (COB) for law enforcement agencies or to reexamine the existing COB's. While determined to balance accountability and fundamental fairness, the CPCC continues to look internally and externally to grow with the changing roles in law enforcement and with the community's expectation of engagement and transparency. 2017 saw necessary investments made into building the capacity of the CPCC to best meet its responsibilities to the community.

I thank Mayor Robert Garcia and the City Council for their continued support of the CPCC. I also thank the Commissioners and staff who demonstrate tireless dedication to all aspects of the CPCC; the City Manager; and, the Long Beach Police Department, notably the Internal Affairs Division. The collective professionalism, courtesy, cooperation, and assistance of all involved are appreciated.

Sincerely,

Patrick Weithers, Manager of CPCC

Executive Summary

This report reflects the work of the CPCC during the 2017 calendar year. Included is the number of complaints received, the findings and the disposition of complaints investigated. In this report, CPCC refers to the work of the overall body, including staff and Commissioners. Commission refers to the work of those appointed to fulfill the duties of the charter.

The CPCC is comprised of eleven Commissioners: one representing each council district and two at-large members. Per the City Charter, Commissioners must broadly represent the racial, ethnic, religious, labor, business, age, gender, sexual orientation, and disabled members of the general public.

Commissioners are recommended by City Council members and are appointed by the Mayor. Commissioners must reside in the city of Long Beach and in the district they are appointed to represent throughout their service. At-large Commissioners can live anywhere in the city. Commissioners can serve two, two-year terms.

Commissioners provide a valuable insight into the community's perception of, and experience with, members of the LBPD. To apply to the CPCC, visit www.longbeach.gov/mayor/action/commissions/ or contact your City Council office. Contact the Manager of the CPCC at (562) 570-6891 to learn about the specific duties and responsibilities of serving on the CPCC.

Commissioners are required to take and pass a Live Scan criminal background check before serving.

Commissioner Orientation

Before newly appointed Commissioners can review cases, they are required to complete an orientation process that consists of a thorough overview of applicable laws, CPCC policies and procedures, and LBPD policies, procedures and training bulletins. Specific orientation subjects include, but are not limited to:

- CPCC Charter, Bylaws, Policies and Procedures
- CPCC values to the community and the City of Long Beach
- CPCC and LBPD IA investigative processes
- Laws and policies about Use of Force, Laws of Arrest and Racial Profiling
- LBPD Training Bulletins
- Public Safety Officer's Procedural Bill of Rights
- Parliamentary Procedures at a Glance
- What to expect during Public Session
- What to expect during Closed/Executive Session
- Objectivity Standards.

CPCC Commissioners

**Because the 2017 Annual Report covers January-December, some Commission seats show two representatives, beginning with the commissioner who served first in that seat.*

DISTRICT 1
Beekman "Terry" Beebe

DISTRICT 2
Raul Anorve

DISTRICT 3
David Clement

DISTRICT 3
Christian Cooper

DISTRICT 4
Richard Lindemann

DISTRICT 5
Alvaro Castillo

DISTRICT 6
Leonard Adams

DISTRICT 7
Jeff Price

DISTRICT 8
Josephine Castellanos

DISTRICT 8
Desmond Fletcher

DISTRICT 9
Rianne Howard

AT-LARGE
Suley Saro

AT-LARGE
Miles Nevin

2017

Staff and Support Staff

OFFICE OF THE CITY MANAGER

PATRICK H. WEST
City Manager

KEVIN JACKSON
Deputy City Manager

THOMAS MODICA
Assistant City Manager

ANITRA DEMPSEY
Executive Director
562.570.6892
Anitra.Dempsey@longbeach.gov

INVESTIGATORS

CELENIA PEREZ
Special Investigator
562.570.6405
Celenia.Perez@longbeach.gov

PATRICK WEITHERS
Special Investigator
562.570.7610
Patrick.Weithers@longbeach.gov

OFFICE OF THE CITY CLERK

JONATHAN NAGAYAMA
City Clerk Specialist

OFFICE OF THE CITY ATTORNEY

MONICA KILAITA
Deputy City Attorney

About the Citizen Complaint Commission

The CPCC was created by a vote of the people in 1990 to review the service provided by members of the LBPD and independently conduct investigations into allegations of police misconduct with an emphasis on excessive force, false arrest and complaints with racial or sexual overtones.

The mission of the CPCC is to promote an atmosphere of mutual trust and respect between the community and the LBPD, and to ensure that professional police services continue in Long Beach.

The CPCC is a Charter Commission, and has the power to issue subpoenas related to a complaint. The CPCC is neither an advocate for the Complainant nor for police personnel. CPCC findings can result in the accused personnel being disciplined, trained or exonerated. The CPCC refers policy recommendations to the City Manager, who can forward the findings to the LBPD for implementation.

While the Commission does not set policy, its findings have resulted in policies being changed or clarified to best serve the community.

CPCC Meetings

CPCC meetings begin at 5:30 pm on the second Thursday of every month at City Hall, 411 West Ocean Blvd., Long Beach, CA, in the City Council Chambers. Complainants are notified when their cases will be reviewed by the Commission. Community members are welcome to attend the Open Session and can address the Commission during this time. Special meetings that include subject matter presentations or changes in meeting times are posted in compliance with the Brown Act to provide notification to the community.

Our Guiding Values

ACCOUNTABILITY

INTEGRITY

RESPECT FOR ALL PEOPLE

RESPECT FOR THE LAW AND THOSE WHO SERVE

TRANSPARENCY

Highest Standard of Objectivity

Commissioners are charged with and receive training to remain objective in all cases they review. Commissioners must remain open-minded and understand their role to ensure the fairest outcome in every case.

The CPCC views objectivity as decisions based on facts and without bias, not decisions solely influenced by personal feelings, interpretations, or prejudice. Commissioners consider alternative viewpoints and all available evidence when deliberating cases, and are prohibited from allowing anything that happens outside the scope of the CPCC's investigation to affect their decision-making, including media reports and information on the internet.

Commissioners are held to the highest standard of confidentially and cannot discuss cases outside the scope of their duties. They are prohibited from conducting their own research and forming opinions about a case until they have sufficiently reviewed all evidence.

How the CPCC works

Filing a Complaint

You can file a complaint if you believe that a member of the LBPD has done something wrong. Call (562) 570-6891, mail a complaint form, send an email, or file a complaint in person at the CPCC office, 411 West Ocean Boulevard, 1st Floor, Long Beach, CA, 90802. Business hours are Monday through Friday, 8:30 a.m. to 4:30 p.m. Appointments are recommended, but not required. Complaints can be made anonymously. Complaint forms are available in person and on-line (www.longbeach.gov/cpcc) in English, Khmer, Spanish, and Tagalog.

It is recommended that the complaint be filed soon after the incident occurs. In general, complaints can be filed directly with the CPCC within one year of the date of the incident or with the LBPD at any time. The CPCC should review all citizen complaints initiated with the LBPD.

To expedite the processing and investigation of complaints, provide as much information as possible regarding the allegations, including witness names, photos, recordings, and other physical evidence that is available.

Third party complaints will be investigated if sufficient information is available. All complaints remain on file for the statutory time period and can be considered when evaluating overall police-community relations.

The Investigative Process

Complaints/cases are assigned to an Investigator who reviews reports, interviews witnesses, and conducts field investigations to collect information relevant to the case. The complaint and the investigative data are submitted to Commissioners for review prior to the monthly meeting.

CPCC Workload

Several factors contribute to the number of complaints filed each year, including public awareness of the CPCC and its function, police conduct toward the public, media focus, and community concerns.

A complaint/case can contain one or several allegations with one or several accused officers. If there is more than one officer accused in an allegation, the total number of allegations includes finding recommendations for all accused officers. For example, if three officers are accused of excessive use of force in one incident, the CPCC renders finding recommendations on each officer.

CPCC Executive Session, Second Open Session and Report on Commission's Vote

During the monthly CPCC meeting, the Commission takes a recess from Open Session and re-convenes in Executive/Closed Session to discuss the cases and to recommend findings on each allegation. The Commission then reconvenes in Open Session to report their vote on each allegation without violating confidentiality requirements. Because each complaint is a personnel matter, the public is not allowed to attend the Executive/Closed Session.

The Commission's finding recommendations are submitted to the City Manager, who reviews both the Commission and LBPD findings. The City Manager provides the final disposition to the Complainant in writing.

How the CPCC Works

FILING A COMPLAINT

- The City Charter requires that complaints against members of the LBPD be also investigated by the CPCC.
- Complaints can be filed in person or by phone, email, complaint form or letter.
- Complaint forms are available in English, Spanish, Khmer and Tagalog.

PROCESSING THE COMPLAINT

- The CPCC and the LBPD notify each other of new cases, generally within ten days of receiving the complaint.
- A CPCC Investigator is assigned to the case.
- The Complainant receives a letter with the case number and contact information for the assigned CPCC Investigator.

INDEPENDENT PARALLEL INVESTIGATION

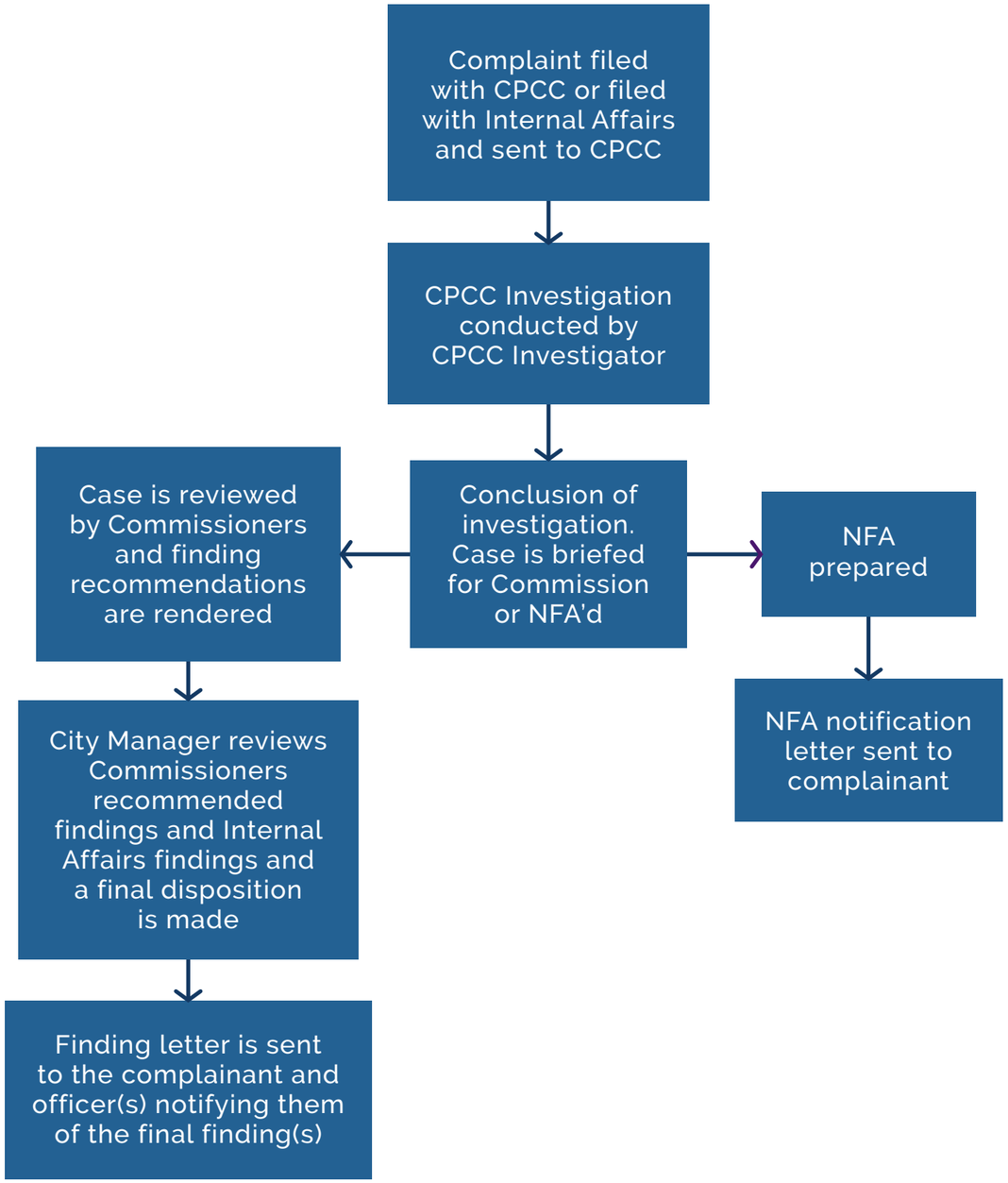
- Subpoenas are issued for relevant documents.
- The CPCC Investigator reviews reports, video, audio, interviews witnesses, collects any other relevant documentation and conducts field investigations to collect information relevant to the allegations.
- A brief is prepared for the Commissioners, or the case is recommended to be closed with NFA.

CASES TO THE COMMISSION

- Commissioners review the brief and render findings recommedations on allegations in Closed Session.
- The City Manager reviews both the CPCC recommendations and Internal Affairs findings, and provides the final disposition to the complainant in writing.
- The City Manager can decide to forward the Commission's recommendations to the Police Chief for implementation.
- The Complainant is notified of the City Manager's findings by mail.

CPCC Investigation Workflow

Attachment E



Annual Training

Commissioners received the following presentations and/or trainings:

HEARINGS AND SUBPOENAS

RESOURCES PERTAINING TO MENTAL HEALTH, HOMELESSNESS & OFFICE OF EQUITY

CONFLICTS OF INTERESTS, RECUSALS AND QUORUMS

CPCC Retreat

With the CPCC charter and all applicable laws as the foundation, Commissioners and staff had its first retreat to learn more about how the CPCC staff works, to learn more about each other, and to engage the community in 2017. The Authority and Opportunities Retreat included an overview of the charter, implicit bias training, team-building exercises and discussion about the authority and opportunities for the commission. The Commission recommended annual retreats for continued opportunities to learn and grow.

Staff Training

The CPCC is a member of the Association of Workplace Investigators and the National Association for the Civilian Oversight of Law Enforcement (NACOLE). Throughout the year, staff receives certified training to meet the standards of basic investigations. To ensure compliance with the City Charter, foundational training topics include, but are not limited to Laws of Arrest, Public Safety Officer's Procedural Bill of Rights, Racial Profiling and Use of Force/Force Options.

During this reporting period, staff received training in the following areas:

CITY OF LONG BEACH OFFICE OF EQUITY: MBK LONG BEACH IMPLICIT BIAS TRAINING

EPISERVER CONTENT MANAGEMENT SYSTEM (CMS) TRAINING

PUBLIC AGENCY TRAINING COUNCIL: INTERNAL AFFAIRS CONFERENCE AND CERTIFICATION

I-SIGHT, AN ONLINE RESOURCE FOR INVESTIGATORS

Establishing an Ethics Code for Investigators

Investigation Interview Planning: What to Do Before the interview

Strategic Use of Evidence in Investigation Interviews

Changed Meeting Time to 5:30 pm

The number of cases presented to the Commission each month increased, resulting in a longer Closed Session. Deliberations generally doubled from two hours to four hours per meeting. the Commission began reconvening in a second Open Session to report its vote. While this allows the public another opportunity to engage the Commission each month, it also extends the time commitment and cost of support resources from the City Clerk's Office, City Hall Security and the Department of Technology and Innovation. To reduce the financial and physical strain of late nights, the Commission amended its by-laws to begin public session one hour earlier, at 5:30 pm instead of 6:30 pm.

Case and Allegations Summary

184 CASES OPENED
499 INSTANCES OF MISCONDUCT WERE ALLEGED
224 OFFICERS HAD AT LEAST ONE ALLEGATION OF MISCONDUCT
21% HAD MORE THAN ONE ALLEGATION OF MISCONDUCT
268 CASES INVESTIGATED AND CLOSED
99 CASES CONTAINING 381 ALLEGATIONS WERE PRESENTED TO THE COMMISSION
169 CASES CONTAINING 369 ALLEGATIONS WERE NFA'S

Race / Ethnicity and Gender

Identifying one's race/ethnicity and gender are optional when filing a complaint. Because some cases have more than one complainant, the total number of people listed may differ from the total number of cases.

	ASIAN	BLACK	HISPANIC	NATIVE AMERICAN	OTHER	PACIFIC ISLANDER	UNKNOWN	WHITE
FEMALE	0	31	19	0	1	4	8	22
MALE	1	43	26	0	5	0	8	18
UNKNOWN	0	0	0	0	0	0	3	0

Allegation Breakdown for Cases Opened

1. Unbecoming Conduct – **177**
2. Use of Force – **104**
3. Bias Based Policing – **32**
4. Failure to Take Action – **30**
5. Failure to Investigate – **30**
6. Dishonesty – **21**
7. Harassment – **19**
8. Improper Arrest – **16**
9. Failure To Take Report – **14**
10. Gender Bias – **7**
11. Improper Search – **7**
12. Profanity – **6**
13. Misuse of Authority – **6**
14. Improper Remark – **6**
15. Sexual Misconduct – **5**
16. Failure To Care For Property – **4**
17. Personal Search – **4**
18. Improper Detention – **3**
19. Intimidation – **3**
20. Misappropriation of Property – **2**
21. Improper Entry – **2**
22. Vehicle Search – **1**

Caseloads and Case Closures

The CPCC opened 184 new cases and closed 268 cases, most of which were opened in previous years.

The Commission met 12 times, and reviewed 99 cases containing 381 allegations. The Commission recommended sustained for 26 allegations and recommended "Other" for 20 allegations.

A total of 169 cases were closed with a disposition of No Further Action (NFA) containing 369 allegations due to insufficient evidence, lack of witness cooperation, or staff's recommendation.

Allegation Totals Presented to Commission By Type

1. Unbecoming Conduct – **99**
2. Use of Force – **67**
3. Failure To Take Action – **35**
4. Failure To Investigate – **29**
5. Failure To Care For Property – **23**
6. Dishonesty – **20**
7. Harassment – **16**
8. Bias Based Policing – **16**
9. Failure To Take Report – **15**
10. Intimidation – **14**
11. Improper Arrest – **11**
12. Misuse of Authority – **8**
13. Improper Search – **6**
14. Profanity – **6**
15. Improper Detention – **4**
16. Racial Profiling – **4**
17. Improper Entry – **2**
18. Vehicle Search – **2**
19. Improper Remark – **1**
20. Personal Search – **1**
21. Misappropriation of Property – **1**
22. Gender Bias – **1**

NFA Allegation Totals By Type

1. Unbecoming Conduct – **126**
2. Use of Force – **69**
3. Bias Based Policing – **21**
4. Failure to Take Action – **21**
5. Failure to Care for Property – **17**
6. Harassment – **15**
7. Dishonesty – **14**
8. Failure to Investigate – **13**
9. Misappropriation of Property – **13**
10. Failure to Take Report – **12**
11. Misuse of Authority - **10**
12. Improper Entry – **10**
13. Improper Arrest – **9**
14. Improper Search – **6**
15. Profanity – **6**
16. Intimidation – **4**
17. Failure to Book Evidence – **2**
18. Improper Detention – **1**

Commission Finding Recommendations

1. Sustained – **26**
2. Other – **20**
3. Exonerated – **60**
4. Unfounded – **49**
5. Receive and File – **68**
6. Not Sustained – **158**

Sustained Commission Allegations

1. Unbecoming Conduct
2. Use of Force
3. Failure to Investigate
4. Failure to Take Action
5. Failure To Take Report
6. Vehicle Search
7. Failure to Care for Property

"Other" Commission Allegations

1. Unbecoming Conduct
2. Use of Force
3. Failure To Investigate
4. Personal Search
5. Improper Detention
6. Failure To Take Action

City Manager Findings

1. Sustained – **11**
2. Other – **17**
3. Exonerated – **56**
4. Unfounded – **63**
5. Receive and File – **72**
6. Not Sustained – **162**

Sustained City Manager Allegations

1. Unbecoming Conduct
2. Failure to Care for Property
3. Failure to Take Report

"Other" City Manager Allegations

1. Unbecoming Conduct
2. Use of Force
3. Failure to Take Action
4. Improper Detention
5. Failure To Investigate

CPCC Policy Questions & Recommendations

The CPCC refers LBPD policy recommendations to the City Manager. During this reporting period, the Commission requested that the City Manager forward the following policy recommendations to the LBPD:

1. **The Commission recommended that the LBPD consider policy to notify victims when a suspect is released from custody.**
2. **The Commission recommended that the LBPD consider updating policy regarding property going in and out.**
3. **The Commission requested that the LBPD provide documents regarding transgender arrestees, procedural justice regarding transgender arrestees, and requested additional information regarding the training/policy of identifying gender on the face page of police reports.**
4. **The Commission recommended that the LBPD update policy and practice regarding officers and supervisors transporting people who are not arrested.**
5. **The Commission recommended that the LBPD conduct a department-wide training regarding handling restraining orders.**
6. **The Commission requested that the City Manager direct the Chief of Police to consider college interns/volunteers to assist detectives with the phone calls.**
7. **The Commission requested that the City Manager direct the Chief of Police to implement a system to show that arrestees are aware that their property must be claimed within 90 days. Additionally, they suggested to have the arrestee initial and date the Inmate Property Receipt when booked.**
8. **The Commission requested that there be on-going training for all officers regarding cell phone use and driving safely.**
9. **The Commission recommended that the LBPD review/update policy, if necessary, regarding safety measures (driving).**
10. **The Commission recommended that the LBPD clarify its practices regarding citing vehicles within same block.**
11. **The Commission requested clarification regarding the general duties of an Explorer when on a ride along. In addition, the Commission wanted to know what the rules were regarding Explorers searching people or property.**
12. **The Commission requested that VIPS not receive special treatment.**

LBPD Changes as a result of CPCC Recommendations

The LBPD made the following responses as a result of some of the policy recommendations made by the Commission in 2017:

The Commission recommended that the LBPD update policy and practice regarding officers and supervisors transporting people who are not arrested.

LBPD RESPONSE:
Although it is common practice for officers to broadcast on the radio when they are transporting a citizen, existing policy does not require police officers to document a citizen transport by notifying a supervisor or the Communication Center, nor does it require the officer to be on a call or investigation, or make a note in their unit history.

To help protect the department and our officers and still provide the best possible service to our citizens and guests, it is recommended language be added to the existing policy requiring officers to, at minimum, add a note in their unit history of the transport to include: whether the subject is an adult or juvenile; their gender; and the location where the subject is being transported from and to. Additionally, since a waiver of liability has not been obtained, a prohibition against making enforcement stops or engaging in pursuits should also be included (similar to that of the policy for transporting prisoners).

The Commission recommended that the LBPD conduct a department-wide training regarding handling restraining orders.

LBPD RESPONSE:
A recent management review by the Training Division determined that In-service training on restraining orders was last distributed in 2015. The Training Division has reviewed and updated the In-service training bulletin and scheduled it for delivery to all sworn employees, by policy tracker, during the month of August. Attached is a copy of the In-service bulletin.

The Commission requested that the City Manager direct the Chief of Police to consider college interns/volunteers to assist detectives with the phone calls.

LBPD RESPONSE:
Adult and Juvenile Investigation Details currently use non-sworn personnel to assist with tasks that detectives need assistance with completing. These details will look to expand the duties of the non-sworn personnel to assist with returning phone calls and emails.

The Commission requested that the City Manager direct the Chief of Police to implement a system to show that arrestees are aware that their property must be claimed within 90 days. Additionally, they suggested to have the arrestee initial and date the Inmate Property Receipt when booked.

LBPD RESPONSE:
Due to a complaint and subsequent civil lawsuit regarding inmate property that was destroyed, it has become necessary to modify our practice as it pertains to inmates acknowledging their property dispositions.

The Commission recommended that the LBPD clarify its practices regarding citing vehicles within same block.

LBPD RESPONSE:
The department does not have a policy or practice related to citing of vehicles within the same hundred block.

The Commission requested that there be on-going training for all officers regarding cell phone use and driving safely. The Commission recommended that the LBPD review/update policy, if necessary, regarding safety measures (driving).

The Commission requested that the City Manager direct the Chief of Police to consider college interns/volunteers to assist detectives with the phone calls.

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LBPD RESPONSE:
The department does not have a policy or practice related to citing of vehicles within the same hundred block.

The Commission requested that there be on-going training for all officers regarding cell phone use and driving safely. The Commission recommended that the LBPD review/update policy, if necessary, regarding safety measures (driving).

LBPD RESPONSE:
Officers receive driver awareness update training every two years as part of the Peace Officers Standards and Training program. The training consists of safe driving habits and practical defensive driving exercises. The most recent training took place during the first trimester of 2018. Additional training is provided to officers via in-service training bulletins which summarize legal updates on vehicle code section changes.

California Vehicle Code 23123.S(a) states, "a person shall not drive a motor vehicle while holding and operating a handheld wireless telephone or an electronic wireless communications device unless the wireless telephone or electronic wireless communications device is specifically designed and configured to allow voice-operated and hands-free operation, and it is used in that manner while driving." While an exemption exists for police related business, caution must be exercised as many collisions can be attributed to distracted driving. Additionally, California Vehicle Code 27602(a) prohibits the display of a video signal that produces entertainment, in a motor vehicle, if the display is visible to the driver, and there is no exemption for police related business.

The Training Division recently distributed an in-service training bulletin, TB #2018- 9, highlighting the risks associated with driving while using electronic devices, whether for police business or as navigation aids. The bulletin also reminded officers that loafing, failure to be attentive to police business, is prohibited activity per LBPD Manual Section 3.5. During future driver update training, officers will be reminded that while electronic devices may be used for police business, it is safer to stop driving before using them.

The Commission requested that VIPS not receive special treatment.

LBPD RESPONSE:
The Police Department has always and continues to direct its employees that VIP's will be held accountable for their actions and face the same consequences as any other citizen.

The Commission requested clarification regarding the general duties of an Explorer when on a ride along. In addition, the Commission wanted to know what the rules were regarding Explorers searching people or property.

LBPD RESPONSE:
Explorer Post #295 is sponsored by the Long Beach Police Officers Association and is a charter member of "Learning for Life" through the Boy Scouts of America. There is a manual of policies and procedures that is given to each Explorer that outlines the policies, procedures, and rules/regulations of the Post.

In June 2017, it was determined that Explorer Manual Section 070.40, which addressed the ride-along program needed to be updated. This was done primarily because patrol Sergeants had come across several instances in which questions arose regarding Explorers and what they could, or could not do while on a ride along. In July of 2018, manual section 070.40 was revised to address concerns raised by patrol supervisors. Additionally, Explorer specific "Ride Along Guidelines" were created and added to the back of the Ride Along waiver that outline the rules for both the Explorer going on the ride along, as well as the Officer assigned to take them. These revisions, which are outlined in this memorandum, were reviewed and approved by the Patrol Bureau and have been distributed department wide. The updated Ride Along Program information is listed below:

RIDE ALONG PROGRAM

The Explorer ride along program is an integral part of the training and experience of a police Explorer. The following guidelines will assist the Explorer, the Post, and the Long Beach Police Department to identify the functions of an Explorer while on a ride along. The Post Coordinator shall have the final authority on all matters pertaining to Explorers and the ride along program.

The Explorer must obtain permission from the Post Coordinator at the weekly meeting prior to the anticipated ride along date.

The Explorer and the parents/guardians of the Explorer (if under 18) must sign proper waiver form(s). The Explorer and the parents/guardians of the Explorer (if under 18) will complete the LBPD waiver form (assuming risk of injury/damage)

The Explorer will submit the completed waiver form to the on-duty patrol supervisor PRIOR to the shift

All events, meetings, training, or other special circumstances have priority over a ride along.

No Explorer shall participate in a ride along if they do not attend the prior week's Explorer meeting or other required events (8 hours of community service and weekly meetings). If the ride along was denied by the Post Coordinator and the Explorer goes on a ride along anyway, they are subject to termination.

Each Explorer must complete and pass a ride along test with an 80% or higher to participate in the program.

The Explorer will ride in a clean and complete uniform and have their Explorer identification card with them.

No Explorer shall search any person(s) that are being detained by the LBPD.

No Explorer shall participate in a ride along more than 1 shift per day, with a maximum of 2 shifts per month,

No Explorer shall be on a ride along past 2330 hrs (1130 PM) unless they are over the age of 18.

Explorers shall not engage in foot pursuits of suspects while on a ride along.

Explorers shall not engage in, or become involved in a use of force UNLESS the assigned sworn police officer either requests or is in obvious need of assistance. The Explorer shall also use the police radio to ask for assistance
.
Explorers shall not be unsupervised while filling out field interview cards (FI cards), interviewing subjects or filling out forms (tow sheets, booking forms, etc.)

Explorers are riding in the capacity of an observer ONLY and are under complete supervision of the Officer they are riding with. Any violation of these rules may result in the termination of the ride along by the sworn officer.

Seatbelts shall be worn at all times during the ride along.

Cell phones are permitted, but NO RECORDING OF ANY KIND IS ALLOWED.

Explorers shall not post any information related to the ride along to any social media sites without authorization.

Attachment E

Citizen Police Complaint Commission Vernacular

ALLEGATION: A claim or assertion that an LBPD employee has done something illegal or wrong.

BRIEF: The compilation of information to a complaint, including statements, photos, reports and other evidence.

CASE: A complaint requiring investigation or action.

CLOSED OR EXECUTIVE SESSION: As part of a regular or special meeting, the restricted and/or confidential deliberation on allegations of misconduct concerning LBPD employees.

COMPLAINT: An allegation against an LBPD employee.

COMPLAINANT: Person who files a complaint.

COMMISSION: The Long Beach community members appointed to serve on the CPCC.

CPCC: Commissioners and staff.

DISPOSITION: The final finding for a case.

FINDINGS: The determination of each allegation.

OPEN OR PUBLIC SESSION: Part of a regular or special meeting where the Commission conducts business that is not restricted from being openly discussed.

Definitions for Findings and Dispositions

SUSTAINED: The investigation indicates the alleged act more likely than not occurred and constitutes misconduct

- This finding recommends discipline for the accused
- Discipline can be a letter of reprimand, suspension, demotion or termination

OTHER: The alleged act, although more likely than not occurred, was not misconduct and could be most appropriately handled by training or other means.

EXONERATED: The investigation indicates the alleged act did occur, but the action(s) taken were lawful, proper and justified.

UNFOUNDED: The investigation indicates the alleged act did not occur. Examples: There is no information or evidence that supports the allegation; there is evidence that the alleged act did not occur; or, the individual named in the complaint was not involved.

RECEIVE AND FILE: The information received is submitted past the statute of limitations for disciplinary actions; or, the information received does not, on its face, establish misconduct. A case may be reopened if further information or evidence is submitted within the statute of limitations period.

NOT SUSTAINED: The investigation fails to disclose sufficient evidence to prove the alleged act.

REINVESTIGATE: When new information comes to the attention of the Commission or when the Commission requests clarification or additional information that could reasonably be obtained.

NO FURTHER ACTION (NFA): The disposition for cases closed, as recommended by the Manager of the CPCC, according to the criteria provided by the Commission. NFA complaints can be re-evaluated or appealed to the full Commission if new information related to the original concern is found within one year of the complaint. Like all complaints, NFA cases remain on file for the statutory period and may be considered when evaluating overall community/police relations.

Attachment E

Commissioners and Attendance Records

Because the 2018 Annual Report covers January through December, some Commission seats show two representatives, beginning with the Commissioner who served first in that seat.

The attendance status reflects roll call and each vote. If a Commissioner arrives late or leaves early, he/she might be absent for one roll call or vote, but not for the other roll call or for the entire meeting.

Attendance Record – January 2017 – June 2017
Meetings: 2nd Thursday of every month, beginning at 5:30 P.M.
Council Chambers, 333 W. Ocean Blvd. Long Beach, CA 90802

CHAIR: Jeffrey Price

COMMISSIONER (DISTRICT)	JAN	FEB	MAR	APR	MAY	JUN
BEEKMAN, "TERRY" BEEBE Appt. 7/10/14 (1)	P	P	P	P	P	P
ANORVE, RAUL Appt. 7/9/15 (2)	EX	P	EX	P	P	EX
CLEMENT, DAVID Appt. 7/10/14 (3)	P	P	P	P	P	EX
LINDEMANN, RICHARD Appt. 7/10/14 (4)	P	P	P	P	P	P
CASTILLO, ALVARO Appt. 7/9/15 (5)	P	EX	P	EX	P	P
M. FLORES, JOSE Appt. 7/9/15 (6)	P	P	P	P	P	P
PRICE, JEFFREY Appt. 7/12/12 (7)	P	P	EX	P	EX	P
CASTELLANOS, JOSEPHINE Appt. 7/11/13 (8)	P	P	P	EX	P	P
HOWARD-JOHNSON, CRYSTAL Appt. 7/9/15 (9)	EX	EX				
SARO, SUELY (AT LARGE) Appt. 7/9/15	EX	P	P	EX	P	P
NEVIN, MILES (AT LARGE) Appt. 7/9/15	P	P	EX	EX	P	P

P	PRESENT	A	ABSENT	EX	EXCUSED ABSENT		NON COMMISSION
R	RESIGNED	DARK	NO MEETING	X	EARLY DEPARTURE		VACANT
*	PENDING	+	TERM EXTENDED	DARK/NQ	NO MEETING/ NO QUORUM		TERMED OUT

Commissioners and Attendance Records

Because the 2018 Annual Report covers January through December, some Commission seats show two representatives, beginning with the Commissioner who served first in that seat.

The attendance status reflects roll call and each vote. If a Commissioner arrives late or leaves early, he/she might be absent for one roll call or vote, but not for the other roll call or for the entire meeting.

Attendance Record – July 2017 – December 2017
Meetings: 2nd Thursday of every month, beginning at 5:30 P.M.
Council Chambers, 333 W. Ocean Blvd. Long Beach, CA 90802

CHAIR: Miles Nevin

COMMISSIONER (DISTRICT)	JUL	AUG	SEPT	OCT	NOV	DEC
BEEKMAN, "TERRY" BEEBE Appt. 7/10/14 (1)	P	P	EX	P	P	EX
ANORVE, RAUL Appt. 7/9/15 (2)	EX	P	EX	P	P	P
CLEMENT, DAVID Appt. 7/10/14 (3)	P	P	P	P	EX	P
LINDEMANN, RICHARD Appt. 7/10/14 (4)	P	P	P	P	P	P
CASTILLO, ALVARO Appt. 7/9/15 (5)	P	EX	P	P	P	P
M. FLORES, JOSE Appt. 7/9/15 (6)	P	P	P	P		
PRICE, JEFFREY Appt. 7/12/12 (7)	P	P	P	EX	P	EX
CASTELLANOS, JOSEPHINE Appt. 7/11/13 (8)	EX	P	P	P	P	P
VACANT (9)						
SARO, SUELY (AT LARGE) Appt. 7/9/15	EX	P	P	P	EX	P
NEVIN, MILES (AT LARGE) Appt. 7/9/15	P	P	P	P	EX	P

P	PRESENT	A	ABSENT	EX	EXCUSED ABSENT		NON COMMISSION
R	RESIGNED	DARK	NO MEETING	X	EARLY DEPARTURE		VACANT
*	PENDING	+	TERM EXTENDED	DARK/NQ	NO MEETING/ NO QUORUM		TERMED OUT

CPCC Complaint Forms

COMPLAINT CONTROL FORM

Citizen Police Complaint Commission
Long Beach, CA

PLEASE PRINT OR TYPE – FILL IN AS COMPLETELY AS POSSIBLE

NAME	RESIDENCE ADDRESS (INCLUDE CITY, STATE AND ZIP CODE)	
HOME/CELL TELEPHONE	WORK TELEPHONE	
LOCATION OF OCCURRENCE	DATE/TIME OF OCCURENCE	DATE/TIME REPORTED
DATE OF BIRTH (Optional)	SEX	ETHNICITY/NATIONAL ORIGIN (Optional)

WERE YOU ARRESTED?	DATE/TIME	INJURIES TO ANYONE?	VISIBLE INJURIES?	PHOTOS TAKEN?
YES [ ] NO [ ]		YES [ ] NO [ ]	YES [ ] NO [ ]	YES [ ] NO [ ]

OFFICER(S) INVOLVED:	BADGE/ID #	DESCRIPTION OF OFFICER
NO. 1 NO. 2 NO. 3		

WITNESS(ES) (Please give full name(s), work and home addresses, home/cell/work telephone numbers, relationship: friend, relative, other party.)
NO. 1
NO. 2
NO. 3

DESCRIPTION OF INCIDENT: Write a brief paragraph describing the circumstances of the incident. Also provide a copy of any documentation/photos/recordings that you may have to support your complaint.

SIGNATURE	DATE SIGNED

FORMA PARA EL CONTROL DE LAS QUEJAS

Comisión de Ciudadanos para las Quejas Contra la Policía
Long Beach, CA

FAVOR DE ESCRIBIR EN LETRA DE MOLDE O A MÁQUINA-LLENE TODA LA INFORMACIÓN POSIBLE

NOMBRE COMPLETO	DIRECCIÓN DE RESIDENCIA (INCLUYA LA CIUDAD, EDO. Y CÓDIGO POSTAL)	
TELÉFONO DE SU CASA/CELULAR	TELÉFONO DEL TRABAJO	
LUGAR DONDE OCURRIÓ	FECHA Y HORA EN QUE OCURRIÓ	FECHA/HORA QUE LO REPORTÓ
FECHA DE NACIMIENTO (Opcional)	SEXO	ORIGEN NACIONAL/ÉTNICO (Opcional)

¿FUE UD. ARRESTADO?	FECHA/HORA	¿ALGUIEN SALIÓ LESIONADO?	¿LESIONES VISIBLES?	¿TOMARON FOTOS?
SÍ [ ] NO [ ]		SÍ [ ] NO [ ]	SÍ [ ] NO [ ]	SÍ [ ] NO [ ]

AGENTES(S) IMPLICADOS	NO. DE PLACA DE POLICÍA	DESCRIPCIÓN DE AGENTE DE POLICÍA
NO. 1 NO. 2 NO. 3		

TESTIGO(S) (Favor dar nombre(s) completo(s), direcciones del trabajo y de casa, nos. de teléfono de casa/celular, relación: Amigo, pariente, otra parte.)
NO. 1
NO. 2
NO. 3

DESCRIPCIÓN DEL INCIDENTE: Escriba un breve párrafo que describa las circunstancias del incidente. Facilite también una copia de cualquier documento/fotos/grabaciones que usted pudiera tener en apoyo de su queja.

FIRMA	FECHA EN QUE SE FIRMA

Blg. ng CPCC/Imbestigador	FORM NG KONTROL NG REKLAMO KOMISYON NG REKLAMO SA PULIS NG MAMAMAYAN Long Beach, California	Blg. ng LBDP ng Panlood na Gawain
Pangalan ng File ng Kaso	Address ng Tirahan (isama ang Lungsod, Estado, Zip)	
Telepono sa Tirahan)	Telepono sa Negosyo	Uri ng Reklamo

Lokasyon ng Kaganapan	Petsa/Oras ng Kaganapan		Petsa/Oras ng Pag-ulat	Inulat ni CPCC [ ] Sulat [ ] LBPD [ ] Telepono [ ] Iba pa [ ] Personal na Pakikipag-ugnayan [ ]
Pangalan ng Cross Reference	Petsa ng Kapenganakan (opt)	Kasarian	Lahi/Bansang Pinagmulan (opt)	

Naaresto?	Oras/Petsa	Mga pinsala sa anumang Mga Partido?	Mga Nakikitang Pinsala?	Mga Nakuhang Larawan
Oo [ ] Hindi [ ]		Oo [ ] Hindi [ ]	Oo [ ] Hindi [ ]	Oo [ ] Hindi [ ]

Kung Napinsala, ilarawan ang mga pinsala

(Mga) Empleyadong Sangkot	Tsapa/#ng ID	Paglalarawan
Blg. 1 Blg. 2		

Mga Saksi (Mga Buong Pangalan, Address, Numero ng Telepono (tirahan/trabaho)
Blg. 1
Blg. 2

Tinanggap ang Reklamo Ni	Petsa ng Komisyon	Mga Napag-alaman ng Komisyon

ទម្រង់បែបបទត្រួតពិនិត្យបណ្តឹង

គណៈកម្មការបន្ទុកបណ្តឹងរបស់ប្រជាពលរដ្ឋ
ឡុងប៊ីច (ការពារប៉ូលីស)
ក្រុងឡុងប៊ីច

សូមសរសេរជាអក្សរធំ ឬវាយបញ្ចូលអត្ថន្តន័យ - បំពេញឲ្យបានពេញលេញតាមដែលអាចធ្វើបាន

ឈ្មោះ	អាសយដ្ឋានទីលំនៅ (រួមបញ្ចូលទីក្រុង, រដ្ឋ និងលេខកូដតំបន់)	
ទូរស័ព្ទដៃផ្ទះ/ដៃ	ទូរស័ព្ទការងារ	
ទីកន្លែងកើតហេតុ	កាលបរិច្ឆេទ/ពេលវេលានៃហេតុ	កាលបរិច្ឆេទ/ពេលវេលានៃរបាយការណ៍
ថ្ងៃខែឆ្នាំកំណើត (ស្មគ្រចិត្ត)	ភេទ	ជាតិសាសន៍/ដើមកំណើតជាតិសាស្ត្រ (ស្មគ្រចិត្ត)

តើអ្នកបានចាប់ខ្លួនឬទេ?	កាលបរិច្ឆេទ/ពេលវេលា	បានរងរបួស/ពេលឈឺ	តើមានអ្នកណាម្នាក់ត្រូវរងរបួសដែរឬទេ?	តើមានស្នាមជាំដែរឬទេ?	តើបានថតរូបទេឬអត់?
បាទ/ចាស [ ] ទេ [ ]			បាទ/ចាស [ ] ទេ [ ]	បាទ/ចាស [ ] ទេ [ ]	បាទ/ចាស [ ] ទេ [ ]

មន្ត្រីប៉ូលីស(ចោទប្រកាន់):	ផ្នែកកាតព្វកិច្ច/ID #	អង្គភាពស្នាក់នៅ/ពិពណ៌នាមន្ត្រីប៉ូលីស
លេខ១ [ ] លេខ២ [ ] លេខ៣ [ ]		

សាក្សី(ចោទ): (សូមបញ្ជាក់ឈ្មោះពេញ(ឪពុក), អាសយដ្ឋានការងារ/ផ្ទះ, លេខទូរស័ព្ទ(ផ្ទះ/ដៃ/ការងារ), ទំនាក់ទំនងជ្រកកោះ: មិត្ត, សាច់ញាតិ, ភាគីផ្សេង)
លេខ១ [ ]
លេខ២ [ ]
លេខ៣ [ ]

សេចក្តីពិពណ៌នា: សរសេរកថាខណ្ឌខ្លីមួយអំពីស្ថានភាពនានានៃហេតុការណ៍ នៅក្នុងនោះ ផ្តល់នូវសម្រង់ឯកសារ ១ ដែលអ្នកមានដើម្បីគាំទ្រដល់ការតវ៉ារបស់អ្នក។ សូមកត់ត្រាការណ៍ក្នុងក្រដាសទី៣ ដែលមានការតវ៉ារ ១ ដែលមានការតវ៉ារ ២

Commissioner Elect Orientation Checklist

- ☐ Agreement to Standards of Conduct
- ☐ Courier Service Form
- ☐ Ride Along with LBPD
- ☐ Media Policy
- ☐ Policy Regarding Witnessing Possible Police Misconduct

- ☐ CPCC Charter
- ☐ By-Laws
- ☐ Policies & Procedures
- ☐ Public Safety Officer's Bill of Rights
- ☐ Parliamentary Procedures at a Glance
- ☐ Allegation Codes
- ☐ Findings
- ☐ Phonetic and Alpha Codes

- ☐ CPCC values to the community and the City of Long Beach
- ☐ CPCC and IA investigative processes
- ☐ What to expect during Public Session
- ☐ What to expect during Executive Session
- ☐ Annual training and Special Meetings

After completing orientation, Commissioners sign and

I acknowledge that I have completed the Citizen Police Complaint Commission orientation.

SIGN NAME _____ DATE _____

Attachment E

City Manager Report

CITY OF
LONG BEACH
Citizen Police Complaint Commission
City Manager Report

January 2017

All peace officer personnel records, including information relating to specific deliberations of the Citizen Police Complaint Commission and findings by the City Manager, shall be kept confidential to the extent required by law. In order to comply with this requirement, certain information may have been withheld in this report.

After its December 8**, 2016** Special Meeting, the Citizen Police Complaint Commission submitted recommendations to the City Manager.

The Commission's recommendations and the City Manager's findings for some allegations considered during the December 8, 2016 Meeting are:

COMMISSION	CITY MANAGER
• Not sustained – 6 allegations	Not sustained –6 allegations
• Receive & File – 5 allegations	Receive & File – 5 allegations
• Exonerated – 6 allegations	Exonerated – 6 allegation
• Re-Investigate – 8 allegations	Re-Investigate – 8 allegations

The Commission did not submit recommendations or questions to the City Manager regarding cases it reviewed during this meeting.

Per the City Charter, the CPCC investigates allegations of police misconduct and submits its finding recommendations to the City Manager, who has the final authority on these findings. At the Commission's request, a report of the City Manager's findings has been made available to the Commission and to the public, when possible. The report includes all Commission finding recommendations, including Sustained and Other, as well as any recommendations made after discussing a case on the agenda. Because all investigations are personnel matters, information that might connect the finding with a specific accused Officer is left off the report.

City of Long Beach
411 W. Ocean Blvd.
Long Beach, CA 90802

Visit us at www.longbeach.gov
@LongBeachCity

To request this information in an alternative format or to request a reasonable accommodation, please contact City Manager's Office at Patrick.Weithers@longbeach.gov or (562) 570-6711. A minimum of three (3) business days is requested to ensure availability. Reasonable attempts will be made to accommodate request made within less than three (3) business days.

Attachment E

Annual Report 2018

CITIZEN POLICE COMPLAINT COMMISSION

CITY OF
LONG BEACH

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Manager of CPCC Summary

The Citizen Police Complaint Commission's 2018 Annual Report details the work of the CPCC, including complaints received, investigated and closed by the CPCC during the 2018 calendar year. As in previous years, the report includes a distinction between the overall CPCC workload, which includes cases from the current and previous years, and the number of new complaints filed by the public during the year. The report does not reflect the number of community complaints reported to the LBPD each year.

In recent years in Long Beach and across the nation, communities question and express concern about the actions of police officers. Some call for agencies to establish Civilian Oversight Boards (COB) for law enforcement agencies or to reexamine the existing COB's. While determined to balance accountability and fundamental fairness, the CPCC continues to look internally and externally to grow with the changing roles in law enforcement and with the community's expectation of engagement and transparency. 2018 saw necessary investments made into building the capacity of the CPCC to best meet its responsibilities to the community.

I thank Mayor Robert Garcia and the City Council for their continued support of the CPCC. I also thank the Commissioners and staff who demonstrate tireless dedication to all aspects of the CPCC; the City Manager; and, the Long Beach Police Department, notably the Internal Affairs Division. The collective professionalism, courtesy, cooperation, and assistance of all involved are appreciated.

Sincerely,

Patrick Weithers, Manager of CPCC

Executive Summary

This report reflects the work of the CPCC during the 2018 calendar year. Included is the number of complaints received, the findings and the disposition of complaints investigated. In this report, CPCC refers to the work of the overall body, including staff and Commissioners. Commission refers to the work of those appointed to fulfill the duties of the charter.

The CPCC is comprised of eleven Commissioners: one representing each council district and two at-large members. Per the City Charter, Commissioners must broadly represent the racial, ethnic, religious, labor, business, age, gender, sexual orientation, and disabled members of the general public.

Commissioners are recommended by City Council members and are appointed by the Mayor. Commissioners must reside in the city of Long Beach and in the district they are appointed to represent throughout their service. At-large Commissioners can live anywhere in the city. Commissioners can serve two, two-year terms.

Commissioners provide a valuable insight into the community's perception of, and experience with, members of the LBPD. To apply to the CPCC, visit www.longbeach.gov/mayor/action/commissions/ or contact your City Council office. Contact the Manager of the CPCC at (562) 570-6891 to learn about the specific duties and responsibilities of serving on the CPCC.

Commissioners are required to take and pass a Live Scan criminal background check before serving.

Commissioner Orientation

Before newly appointed Commissioners can review cases, they are required to complete an orientation process that consists of a thorough overview of applicable laws, CPCC policies and procedures, and LBPD policies, procedures and training bulletins. Specific orientation subjects include, but are not limited to:

- CPCC Charter, Bylaws, Policies and Procedures
- CPCC values to the community and the City of Long Beach
- CPCC and LBPD IA investigative processes
- Laws and policies about Use of Force, Laws of Arrest and Racial Profiling
- LBPD Training Bulletins
- Public Safety Officer's Procedural Bill of Rights
- Parliamentary Procedures at a Glance
- What to expect during Public Session
- What to expect during Closed/Executive Session
- Objectivity Standards.

CPCC Commissioners

Because the 2018 Annual Report covers January-December, some Commission seats show two representatives, beginning with the commissioner who served first in that seat.

DISTRICT 1
Beekman "Terry" Beebe

DISTRICT 1
Dianne McNinch

DISTRICT 2
Raul Anorve

DISTRICT 3
Christian Cooper

DISTRICT 4
Richard Lindemann

DISTRICT 5
Veronica Garcia

DISTRICT 6
Leonard Adams

DISTRICT 7
Maria Norvell

DISTRICT 8
Desmond Fletcher

DISTRICT 9
Rianne Howard

DISTRICT 9
Dr. Joni Ricks-Oddie

AT-LARGE
Suely Saro

AT-LARGE
Miles Nevin

AT-LARGE
Dana Buchanan

2018

Staff and Support Staff

OFFICE OF THE CITY MANAGER

PATRICK H. WEST
City Manager

KEVIN JACKSON
Deputy City Manager

THOMAS MODICA
Assistant City Manager

ANITRA DEMPSEY
Executive Director
562.570.6892
Anitra.Dempsey@longbeach.gov

INVESTIGATORS

CELENIA PEREZ
Special Investigator
562.570.6405
Celenia.Perez@longbeach.gov

PATRICK WEITHERS
Special Investigator
562.570.7610
Patrick.Weithers@longbeach.gov

OFFICE OF THE CITY CLERK

JONATHAN NAGAYAMA
City Clerk Specialist

OFFICE OF THE CITY ATTORNEY

MONICA KILAITA
Deputy City Attorney

About the Citizen Complaint Commission

The CPCC was created by a vote of the people in 1990 to review the service provided by members of the LBPD and independently conduct investigations into allegations of police misconduct with an emphasis on excessive force, false arrest and complaints with racial or sexual overtones.

The mission of the CPCC is to promote an atmosphere of mutual trust and respect between the community and the LBPD, and to ensure that professional police services continue in Long Beach.

The CPCC is a Charter Commission and has the power to issue subpoenas related to a complaint. The CPCC is neither an advocate for the Complainant nor for police personnel. CPCC findings can result in the accused personnel being disciplined, trained or exonerated. The CPCC refers policy recommendations to the City Manager, who can forward the recommendations to the LBPD for implementation.

While the Commission does not set policy, its policy recommendations have resulted in policies being changed or clarified to best serve the community.

CPCC Meetings

CPCC meetings begin at 5:30 pm on the second Thursday of every month at City Hall, 411 West Ocean Blvd., Long Beach, CA, in the City Council Chambers. Complainants are notified when their cases will be reviewed by the Commission. Community members are welcome to attend the Open Session and can address the Commission during this time. Special meetings that include subject matter presentations or changes in meeting times are posted in compliance with the Brown Act to provide notification to the community.

Our Guiding Values

ACCOUNTABILITY

INTEGRITY

RESPECT FOR ALL PEOPLE

RESPECT FOR THE LAW AND THOSE WHO SERVE

TRANSPARENCY

Highest Standard of Objectivity

Commissioners are charged with and receive training to remain objective in all cases they review. Commissioners must remain open-minded and understand their role to ensure the fairest outcome in every case.

The CPCC views objectivity as decisions based on facts and without bias, not decisions solely influenced by personal feelings, interpretations, or prejudice. Commissioners consider alternative viewpoints and all available evidence when deliberating cases, and are prohibited from allowing anything that happens outside the scope of the CPCC's investigation to affect their decision-making, including media reports and information on the internet.

Commissioners are held to the highest standard of confidentially and cannot discuss cases outside the scope of their duties. They are prohibited from conducting their own research and forming opinions about a case until they have sufficiently reviewed all evidence.

How the CPCC works

Filing a Complaint

You can file a complaint if you believe that a member of the LBPD has done something wrong. Call (562) 570-6891, mail a complaint form, send an email, or file a complaint in person at the CPCC office, 411 West Ocean Boulevard, 1st Floor, Long Beach, CA, 90802. Business hours are Monday through Friday, 8:30 a.m. to 4:30 p.m. Appointments are recommended, but not required. Complaints can be made anonymously. Complaint forms are available in person and on-line (www.longbeach.gov/cpcc) in English, Khmer, Spanish, and Tagalog.

It is recommended that the complaint be filed soon after the incident occurs. In general, complaints can be filed directly with the CPCC within one year of the date of the incident or with the LBPD at any time. The CPCC should review all citizen complaints initiated with the LBPD.

To expedite the processing and investigation of complaints, provide as much information as possible regarding the allegations, including witness names, photos, recordings, and other physical evidence that is available.

Third party complaints will be investigated if sufficient information is available. All complaints remain on file for the statutory time period and can be considered when evaluating overall police-community relations.

The Investigative Process

Complaints/cases are assigned to an Investigator who reviews reports, interviews witnesses, and conducts field investigations to collect information relevant to the case. The complaint and the investigative data are submitted to Commissioners for review prior to the monthly meeting.

CPCC Workload

Several factors contribute to the number of complaints filed each year, including public awareness of the CPCC and its function, police conduct toward the public, media focus, and community concerns.

A complaint/case can contain one or several allegations with one or several accused officers. If there is more than one officer accused in an allegation, the total number of allegations includes finding recommendations for all accused officers. For example, if three officers are accused of excessive use of force in one incident, the CPCC renders finding recommendations on each officer.

CPCC Executive Session, Second Open Session and Report on Commission's Vote

During the monthly CPCC meeting, the Commission takes a recess from Open Session and re-convenes in Executive/Closed Session to discuss the cases and to recommend findings on each allegation. The Commission then reconvenes in Open Session to report their vote on each allegation without violating confidentiality requirements. Because each complaint is a personnel matter, the public is not allowed to attend the Executive/Closed Session.

The Commission's finding recommendations are submitted to the City Manager, who reviews both the Commission and LBPD findings. The City Manager provides the final disposition to the Complainant in writing.

How the CPCC Works

FILING A COMPLAINT

- The City Charter requires that complaints against members of the LBPD be also investigated by the CPCC.
- Complaints can be filed in person or by phone, email, complaint form or letter.
- Complaint forms are available in English, Spanish, Khmer and Tagalog.

PROCESSING THE COMPLAINT

- The CPCC and the LBPD notify each other of new cases, generally within ten days of receiving the complaint.
- A CPCC Investigator is assigned to the case.
- The Complainant receives a letter with the case number and contact information for the assigned CPCC Investigator.

INDEPENDENT PARALLEL INVESTIGATION

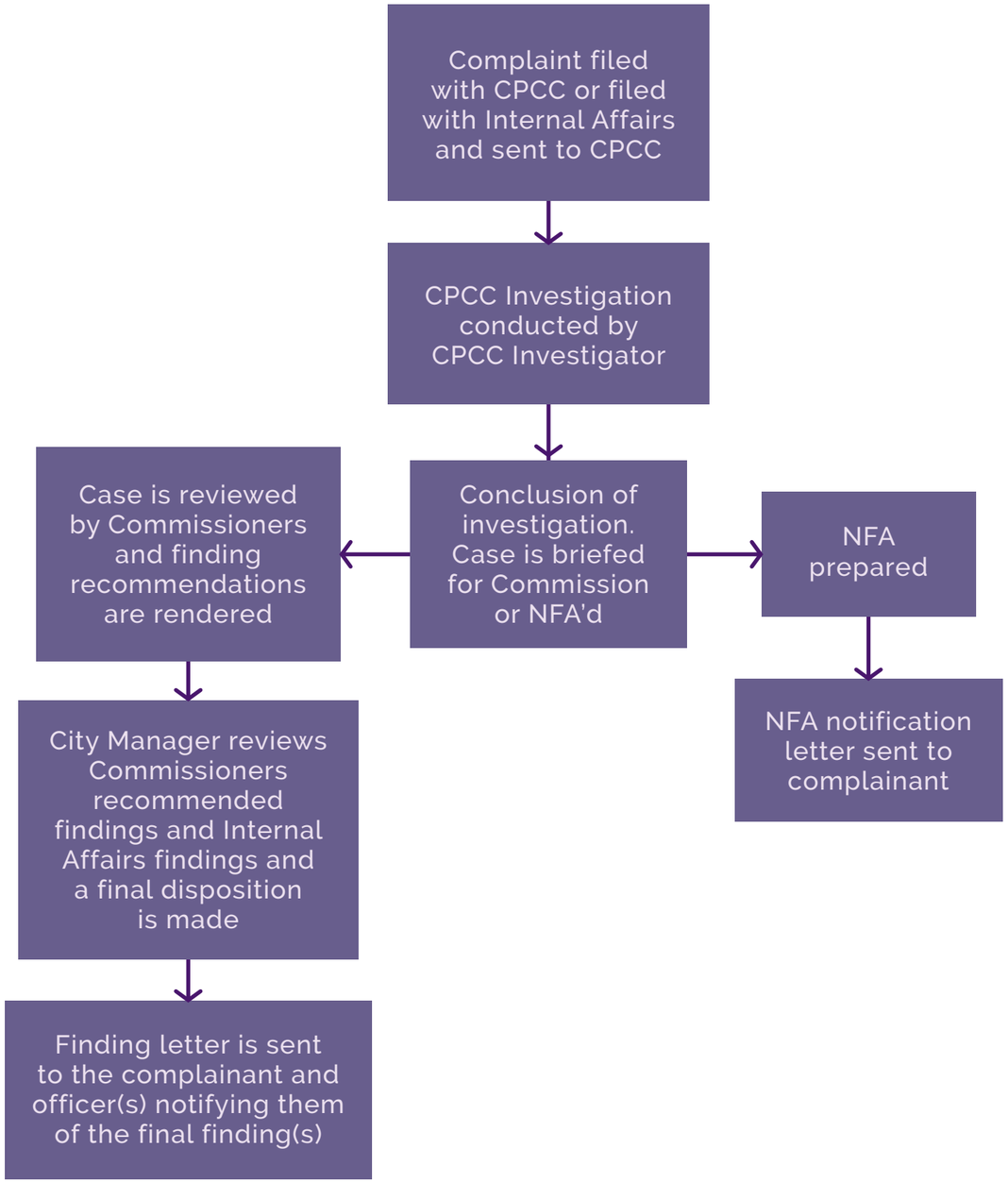
- Subpoenas are issued for relevant documents.
- The CPCC Investigator reviews reports, video, audio, interviews witnesses, collects any other relevant documentation and conducts field investigations to collect information relevant to the allegations.
- A brief is prepared for the Commissioners, or the case is recommended to be closed with NFA.

CASES TO THE COMMISSION

- Commissioners review the brief and render findings recommedations on allegations in Closed Session.
- The City Manager reviews both the CPCC recommendations and Internal Affairs findings, and provides the final disposition to the complainant in writing.
- The City Manager can decide to forward the Commission's recommendations to the Police Chief for implementation.
- The Complainant is notified of the City Manager's findings by mail.

CPCC Investigation Workflow

Attachment E



Attachment E

Annual Training

The CPCC has an Annual Training, usually held at the Long Beach Police Academy, to provide ongoing training on the priorities set by the City Charter: complaints regarding excessive force and false arrest, and complaints with racial or sexual overtones. The 2018 training session was focused on specific matters such as laws of arrest, biased based policing, patrol operations, training & force options and officer involved shooting investigations. During these trainings Commissioners ask questions and apply the information to cases they review.

Ongoing training occurs in Open Session as needed, with topics such as bias-based policing and use of force.

Commissioners received the following presentations and/or trainings:

CLOSED SESSION PROCEDURES

PRESENTATION ON THE RALPH M. BROWN ACT

CPCC Retreat

With the CPCC charter and all applicable laws as the foundation, Commissioners and staff had its second retreat to learn more about how the CPCC staff works, to learn more about each other, and to engage the community in 2018. The retreat included a training on making credibility determinations, community credibility, commission credibility and gang injunctions.

Staff Training

The CPCC is a member of the Association of Workplace Investigators and the National Association for the Civilian Oversight of Law Enforcement (NACOLE). Throughout the year, staff receives certified training to meet the standards of basic investigations. To ensure compliance with the City Charter, foundational training topics include, but are not limited to Laws of Arrest, Public Safety Officer's Procedural Bill of Rights, Racial Profiling and Use of Force/Force Options.

During this reporting period, staff received training in the following areas:

HOMELAND SECURITY INVESTIGATIONS (HSI) CITIZEN'S ACADEMY

I-SIGHT, AN ONLINE RESOURCE FOR INVESTIGATORS
5 Benefits of Using Reciprocity in Investigation Interviews

Case and Allegations Summary

196 CASES OPENED
638 INSTANCES OF MISCONDUCT WERE ALLEGED
277 OFFICERS HAD AT LEAST ONE ALLEGATION OF MISCONDUCT
22% HAD MORE THAN ONE ALLEGATION OF MISCONDUCT
171 CASES INVESTIGATED AND CLOSED
75 CASES CONTAINING 220 ALLEGATIONS WERE PRESENTED TO THE COMMISSION
96 CASES CONTAINING 211 ALLEGATIONS WERE NFA'S

Race / Ethnicity and Gender

Identifying one's race/ethnicity and gender are optional when filing a complaint. Because some cases have more than one complainant, the total number of people listed may differ from the total number of cases.

	ASIAN	BLACK	HISPANIC	NATIVE AMERICAN	OTHER	PACIFIC ISLANDER	UNKNOWN	WHITE
FEMALE	2	21	17	1	4	0	9	14
MALE	3	57	28	0	3	1	8	31
UNKNOWN	0	0	0	0	0	0	8	0

Allegation Breakdown for Cases Opened

1. Unbecoming Conduct – **260**
2. Use of Force – **129**
3. Improper Search – **39**
4. Improper Arrest – **33**
5. Bias Based Policing – **25**
6. Failure to Take Action – **19**
7. Failure to Investigate – **19**
8. Failure to Take Report – **16**
9. Harassment – **16**
10. Failure to Care for Property – **15**
11. Misappropriation of Property – **12**
12. Profanity – **12**
13. Dishonesty – **10**
14. Misuse of Authority – **8**
15. Improper Detention – **7**
16. Personal Search – **5**
17. Sexual Misconduct – **4**
18. Vehicle Search – **3**
19. Racial Profiling – **1**
20. Racial Remark – **1**
21. Racial Bias – **1**
22. Improper Entry – **1**
23. Failure to Book Evidence – **1**
24. Residence Search - **1**

2018 CPCC Report

Attachment E

Caseloads and Case Closures

The CPCC opened 196 new cases and closed 171 cases, most of which were opened in previous years.

The Commission met 11 times, and reviewed 75 cases containing 220 allegations. The Commission recommended sustained for 16 allegations and recommended "Other" for 30 allegations.

A total of 96 cases were closed with a disposition of No Further Action (NFA) containing 211 allegations due to insufficient evidence, lack of witness cooperation, or staff's recommendation.

Allegation Totals Presented to Commission By Type

1. Unbecoming Conduct – **67**
2. Use of Force – **52**
3. Bias Based Policing – **22**
4. Dishonesty – **10**
5. Failure to Take Action – **9**
6. Improper Search – **8**
7. Harassment – **8**
8. Failure to Investigate – **7**
9. Misuse of Authority – **7**
10. Gender Bias – **6**
11. Improper Arrest – **5**
12. Sexual Misconduct – **4**
13. Personal Search – **4**
14. Profanity – **4**
15. Improper Detention – **2**
16. Failure to Take Report – **1**
17. Vehicle Search – **1**
18. Residence Search – **1**
19. Intimidation – **1**
20. Failure To Care For Property – **1**

NFA Allegation Totals By Type

1. Unbecoming Conduct – **91**
2. Use of Force – **39**
3. Failure to Investigate – **15**
4. Failure to Take Action – **9**
5. Bias Based Policing - **8**
6. Improper Arrest – **7**
7. Misappropriation of Property – **7**
8. Failure to Take Report – **6**
9. Improper Remark – **6**
10. Improper Search – **5**
11. Failure To Care For Property – **4**
12. Harrasment – **3**
13. Dishonesty – **3**
14. Profanity – **2**
15. Improper Entry – **2**
16. Improper Detention – **1**
17. Intimidation – **1**
18. Personal Search – **1**
19. Sexual Misconduct - **1**

Commission Finding Recommendations

1. Sustained – **16**
2. Other – **30**
3. Exonerated – **42**
4. Unfounded – **88**
5. Receive and File – **1**
6. Not Sustained – **43**

Sustained Commission Allegations

1. Unbecoming Conduct
2. Failure to Investigate
3. Failure to Take Report
4. Improper Arrest
5. Improper Search
6. Failure to Care for Property

"Other" Commission Allegations

1. Unbecoming Conduct
2. Use of Force
3. Improper Detention
4. Failure to Take Action
5. Improper Search
6. Gender Bias

City Manager Findings

1. Sustained – **2**
2. Other – **26**
3. Exonerated – **44**
4. Unfounded – **90**
5. Receive and File – **10**
6. Not Sustained – **48**

Sustained City Manager Allegations

1. Failure to Investigate

"Other" City Manager Allegations

1. Unbecoming Conduct
2. Use of Force
3. Failure to Take Action
4. Improper Search
5. Improper Detention
6. Failure to Take Report
7. Failure to Care for Property

CPCC Policy Questions & Recommendations

The CPCC refers LBPD policy recommendations to the City Manager. During this reporting period, the Commission requested that the City Manager forward the following policy recommendations to the LBPD:

1. **The Commission request clarification on what happens after an officer searches a car. They also recommended that the LBPD consider a policy regarding completing an inventory sheet, even if car is not towed.**

2. **The Commission recommended that the LBPD review and update policy regarding accepting electronic proof of insurance. The Commission believes this should not be the Officer's discretion.**

3. **The Commission requested that the LBPD review and update/create policy to inform auto records of vehicles towed to our facility so owners calling can be informed immediately as to the whereabouts of their vehicles.**

4. **The Commission requested LBPD policies and procedures concerning the handling of property of juveniles who are arrested.**

5. **The Commission requested a general overview regarding TAP cards and LBPD's enforcement on the Metro rail due to the Commission seeing an increase in the complaints there.**

LBPD Changes as a result of CPCC Recommendations

The LBPD made the following responses as a result of some of the policy recommendations made by the Commission in 2018:

The Commission requested LBPD policies and procedures concerning the handling of property of juveniles who are arrested.

LBPD RESPONSE:
The following information was learned. This information was obtained via research of the Long Beach Police Department Manual, Training Bulletins, Jail Standard Operating Procedures Manual and discussions with current jail supervisors.

- There is no specific mention in any department document regarding the practice/procedure of handling the property of juveniles that have been arrested.

- The existing practice of jailers that handle the booking of arrested juveniles is as follows:

  Juveniles being booked at the Juvenile Booking facility have all property removed from them.

  All property removed is recorded by the arresting officer on the juvenile's booking sheet.

  All property on the booking sheet is itemized and recorded in Tiburon and appears on the Los Angeles County booking face sheet, including bulk items like backpacks and skateboards.

  Any item classified as evidence is taken and booked into evidence under regular departmental protocols.

  Any contraband that is not allowed to be booked into property, such as liquids, alcohol, and vape pen cartridges, are typically photographed, noted in the report, and then disposed of safely at the juvenile booking facility.

Arrested juveniles are either transferred to Los Padrinos or released to the custody of their parent(s) and/or legal guardian(s) after completing booking. In all releases, the property of the arrested juvenile goes with the juvenile. Except for items determined to be evidence, no items are retained by Police Department personnel.

he Commission requested a general overview regarding TAP cards and LBPD's enforcement on the Metro rail due to the Commission seeing an increase in the complaints there.

LBPD RESPONSE:
The Long Beach Police Department and the City of Long Beach entered a contract with L.A. Metro to provide law enforcement services on the Metro Blue Line within the City of Long Beach beginning on July 1, 2017. The Police Department provides services to support Metro's day to day operations as a supplement to Metro Transit Security Officers and Metro contracted civilian security services. Under the contract, the Long Beach Police Department provides law enforcement services for eight Blue Line Stations and adjacent Metro properties while collaborating on the following priorities:

- Decrease response times to emergency, priority and routine calls for service

- Increase law enforcement and security visibility across the transit system

- Deter crime - to include vandalism and graffiti

- Reduce vulnerability to terrorism

- Enforce Metro's Customer Code of Conduct, pertaining to criminal violations

- Reduce fare evasion

The Metro Transportation Detail has an outstanding relationship with the Metro Systems Security & Law Enforcement Division and our Metro Transportation Detail officers enjoy an equally successful relationship with the Metro Fare Compliance Officers. Our working relationship with the Fare Compliance Officers is a mutually beneficial relationship. The Fare Compliance Officers are primary in the enforcement of fare compliance and our officers are secondary as a back-up to their enforcement efforts. Together, we have been able to significantly reduce crime on the platforms and trains within Long Beach. This relationship works well as our officers can rely on both the California Penal Code and other various code violations as well as the Metro Customer Code of Conduct.

In addition to the response above, the LBPD gave details on Metro TAP cards, ticketing on the Blue Line platforms and trains, new Blue Line closure and how it works when Blue Line trains are operating.

Attachment E

Citizen Police Complaint Commission Vernacular

ALLEGATION: A claim or assertion that an LBPD employee has done something illegal or wrong.

BRIEF: The compilation of information to a complaint, including statements, photos, reports and other evidence.

CASE: A complaint requiring investigation or action.

CLOSED OR EXECUTIVE SESSION: As part of a regular or special meeting, the restricted and/or confidential deliberation on allegations of misconduct concerning LBPD employees.

COMPLAINT: An allegation against an LBPD employee.

COMPLAINANT: Person who files a complaint.

COMMISSION: The Long Beach community members appointed to serve on the CPCC.

CPCC: Commissioners and staff.

DISPOSITION: The final finding for a case.

FINDINGS: The determination of each allegation.

OPEN OR PUBLIC SESSION: Part of a regular or special meeting where the Commission conducts business that is not restricted from being openly discussed.

Definitions for Findings and Dispositions

SUSTAINED: The investigation indicates the alleged act more likely than not occurred and constitutes misconduct

- This finding recommends discipline for the accused
- Discipline can be a letter of reprimand, suspension, demotion or termination

OTHER: The alleged act, although more likely than not occurred, was not misconduct and could be most appropriately handled by training or other means.

EXONERATED: The investigation indicates the alleged act did occur, but the action(s) taken were lawful, proper and justified.

UNFOUNDED: The investigation indicates the alleged act did not occur. Examples: There is no information or evidence that supports the allegation; there is evidence that the alleged act did not occur; or, the individual named in the complaint was not involved.

RECEIVE AND FILE: The information received is submitted past the statute of limitations for disciplinary actions; or, the information received does not, on its face, establish misconduct. A case may be reopened if further information or evidence is submitted within the statute of limitations period.

NOT SUSTAINED: The investigation fails to disclose sufficient evidence to prove the alleged act.

REINVESTIGATE: When new information comes to the attention of the Commission or when the Commission requests clarification or additional information that could reasonably be obtained.

NO FURTHER ACTION (NFA): The disposition for cases closed, as recommended by the Manager of the CPCC, according to the criteria provided by the Commission. NFA complaints can be re-evaluated or appealed to the full Commission if new information related to the original concern is found within one year of the complaint. Like all complaints, NFA cases remain on file for the statutory period and may be considered when evaluating overall community/police relations.

Attachment E

Commissioners and Attendance Records

Because the 2018 Annual Report covers January through December, some Commission seats show two representatives, beginning with the Commissioner who served first in that seat.

The attendance status reflects roll call and each vote. If a Commissioner arrives late or leaves early, he/she might be absent for one roll call or vote, but not for the other roll call or for the entire meeting.

Attendance Record – January 2018 – June 2018
Meetings: 2nd Thursday of every month, beginning at 5:30 P.M.
Council Chambers, 333 W. Ocean Blvd. Long Beach, CA 90802

CHAIR: Miles Nevin

COMMISSIONER (DISTRICT)	JAN	FEB	MAR	APR	MAY	JUN
BEEKMAN, "TERRY" BEEBE Appt. 7/10/14 (1)	P	EX	EX	P	P	EX
ANORVE, RAUL Appt. 7/9/15 (2)	P	EX	P	P	EX	P
CLEMENT, DAVID Appt. 7/10/17 (3)	P	P	P	P	P	P
LINDEMANN, RICHARD Appt. 7/10/14 (4)	P	P	P	P	P	P
VACANT (5)						
ADAMS, LEONARD Appt. 4/13/17 (6)	P	P	P	P	P	P
VACANT (7)						
FLETCHER, DESMOND Appt. 8/10/17 (8)	P	P	P	P	P	P
HOWARD, RIANNE Appt. 4/13/17 (8)	P	P	EX	EX	EX	EX
SARO, SUELY (AT LARGE) Appt. 7/9/15	P	P	P	P	P	P
NEVIN, MILES (AT LARGE) Appt.	P	EX	P	EX	P	

P	PRESENT	A	ABSENT	EX	EXCUSED ABSENT		NON COMMISSION
R	RESIGNED	DARK	NO MEETING	X	EARLY DEPARTURE		VACANT
*	PENDING	+	TERM EXTENDED	DARK/NQ	NO MEETING/ NO QUORUM		TERMED OUT

Commissioners and Attendance Records

Because the 2018 Annual Report covers January through December, some Commission seats show two representatives, beginning with the Commissioner who served first in that seat.

The attendance status reflects roll call and each vote. If a Commissioner arrives late or leaves early, he/she might be absent for one roll call or vote, but not for the other roll call or for the entire meeting.

Attendance Record – July 2018 – December 2018
Meetings: 2nd Thursday of every month, beginning at 5:30 P.M.
Council Chambers, 333 W. Ocean Blvd. Long Beach, CA 90802

CHAIR: Suley Saro

COMMISSIONER (DISTRICT)	JUL	AUG	SEPT	OCT	NOV	DEC
MCNINCH, DIANE Appt. 7/12/18 (1)	P	P	P	P	P	P
VACANT (2)						
COOPER, CHRISTIAN Appt. 7/13/17 (3)	P	P	P	P	P	P
LINDEMANN, RICHARD Appt. 7/10/14 (4)	P	EX	P	P	P	P
GARCIA, VERONICA Appt. 7/12/18 (5)	P	P	P	P	P	P
ADAMS, LEONARD Appt. 4/13/17 (6)	P	EX	P	P	P	P
NORVELL, MARIA Appt. 7/12/18 (7)	P	P	P	P	P	EX
FLETCHER, DESMOND Appt. 8/10/17 (8)	P	P	EX	P	EX	P
RICKS-ODDIE, JONI Appt. 7/12/18 (9)	P	P	EX	P	EX	P
SARO, SUELY (AT LARGE) Appt. 7/9/15	P	P	P	P	P	P
NEVIN, MILES (AT LARGE) Appt. 7/12/18	P	P	P	P	P	P

P	PRESENT	A	ABSENT	EX	EXCUSED ABSENT		NON COMMISSION
R	RESIGNED	DARK	NO MEETING	X	EARLY DEPARTURE		VACANT
*	PENDING	+	TERM EXTENDED	DARK/NQ	NO MEETING/ NO QUORUM		TERMED OUT

Attachment E

CPCC Complaint Forms

COMPLAINT CONTROL FORM
Citizen Police Complaint Commission
Long Beach, CA

PLEASE PRINT OR TYPE – FILL IN AS COMPLETELY AS POSSIBLE

NAME	RESIDENCE ADDRESS (INCLUDE CITY, STATE AND ZIP CODE)	
HOME/CELL TELEPHONE	WORK TELEPHONE	
LOCATION OF OCCURRENCE	DATE/TIME OF OCCURENCE	DATE/TIME REPORTED
DATE OF BIRTH (Optional)	SEX	ETHNICITY/NATIONAL ORIGIN (Optional)

WERE YOU ARRESTED?	DATE/TIME	INJURIES TO ANYONE?	VISIBLE INJURIES?	PHOTOS TAKEN?
YES [ ] NO [ ]		YES [ ] NO [ ]	YES [ ] NO [ ]	YES [ ] NO [ ]

OFFICER(S) INVOLVED:	BADGE/ID #	DESCRIPTION OF OFFICER
NO. 1		
NO. 2		
NO. 3		

WITNESS(ES) (Please give full name(s), work and home addresses, home/cell/work telephone numbers, relationship: friend, relative, other party.)
NO. 1
NO. 2
NO. 3

DESCRIPTION OF INCIDENT: Write a brief paragraph describing the circumstances of the incident. Also provide a copy of any documentation/photos/recordings that you may have to support your complaint.

SIGNATURE	DATE SIGNED

FORMA PARA EL CONTROL DE LAS QUEJAS
Comisión de Ciudadanos para las Quejas Contra la Policía
Long Beach, CA

FAVOR DE ESCRIBIR EN LETRA DE MOLDE O A MÁQUINA-LLENE TODA LA INFORMACIÓN POSIBLE

NOMBRE COMPLETO	DIRECCIÓN DE RESIDENCIA (INCLUYA LA CIUDAD, EDO. Y CÓDIGO POSTAL)	
TELÉFONO DE SU CASA/CELULAR	TELÉFONO DEL TRABAJO	
LUGAR DONDE OCURRIÓ	FECHA Y HORA EN QUE OCURRIÓ	FECHA/HORA QUE LO REPORTÓ
FECHA DE NACIMIENTO (Opcional)	SEXO	ORIGEN NACIONAL/ÉTNICO (Opcional)

¿FUE UD. ARRESTADO?	FECHA/HORA	¿ALGUIEN SALIÓ LESIONADO?	¿LESIONES VISIBLES?	¿TOMARON FOTOS?
SÍ [ ] NO [ ]		SÍ [ ] NO [ ]	SÍ [ ] NO [ ]	SÍ [ ] NO [ ]

AGENTES(S) IMPLICADOS	NO. DE PLACA DE POLICÍA	DESCRIPCIÓN DE AGENTE DE POLICÍA
NO. 1		
NO. 2		
NO. 3		

TESTIGO(S) (Favor dar nombre(s) completo(s), direcciones del trabajo y de casa, nos. de teléfono de casa/celular, relación: Amigo, pariente, otra parte.)
NO. 1
NO. 2
NO. 3

DESCRIPCIÓN DEL INCIDENTE: Escriba un breve párrafo que describa las circunstancias del incidente. Facilite también una copia de cualquier documento/fotos/grabaciones que usted pudiera tener en apoyo de su queja.

FIRMA	FECHA EN QUE SE FIRMA

FORM NG KONTROL NG REKLAMO
KOMISYON NG REKLAMO SA PULIS NG MAMAMAYAN
Long Beach, California

Blg. ng CPCC/imbestigador		Blg. ng LBDP ng Panlocb na Gawain
Pangalan ng File ng Kaso	Address ng Tirahan (isama ang Lungsod, Estado, Zip)	
Telepono sa Tirahan) / Telepono sa Negosyo	Uri ng Reklamo	

Lokasyon ng Kaganapan	Petsa/Oras ng Kaganapan	Petsa/Oras ng Pag-ulat	Inulat ni
			CPCC [ ] Sulat [ ] LBPD [ ] Telepono [ ] Iba pa [ ] Personal na Pakikipag-ugnayan [ ]

Pangalan ng Cross Reference	Petsa ng Kapenganakan (opt)	Kasarian	Lahi/Bansang Pinagmulan (opt)

Naaresto?	Oras/Petsa	Mga pinsala sa anumang Mga Partido?	Mga Nakikitang Pinsala?	Mga Nakuhang Larawan
Oo [ ] Hindi [ ]		Oo [ ] Hindi [ ]	Oo [ ] Hindi [ ]	Oo [ ] Hindi [ ]

Kung Napinsala, ilarawan ang mga pinsala

(Mga) Empleyadong Sangkot	Tsapa/ID ng ID	Paglalarawan
Blg. 1		
Blg. 2		

Mga Saksi (Mga Buong Pangalan, Address, Numero ng Telepono (tirahan/trabaho)
Blg. 1
Blg. 2

Tinanggap ang Reklamo Ni	Petsa ng Komisyon	Mga Napag-alaman ng Komisyon

ទម្រង់បែបបទត្រួតពិនិត្យបណ្តឹង
គណៈកម្មការបន្ទុកបណ្តឹងប្រជាពលរដ្ឋប៉ះទង្គិចនគរបាល
ឡុងប៊ីច (ការពារ)

ស្ថានីយ៍ការពារ ឡូសង់ជ្រុងមហាផ្លូ - ២៣ យ៉ាងតិចនៅពេលដែលអ្នកបានដាក់ពាក្យ

ឈ្មោះ	អាសយដ្ឋានទីលំនៅ (រួមបញ្ចូលទីក្រុង, រដ្ឋ និងលេខកូដតំបន់)	
ទូរស័ព្ទដៃនិងផ្ទះ/ដី	ទូរស័ព្ទការងារ	
ទីកន្លែងកើតហេតុ	កាលបរិច្ឆេទ/ពេលវេលានៃហេតុ	កាលបរិច្ឆេទ/ពេលវេលានៃរបាយការណ៍
ថ្ងៃខែឆ្នាំកំណើត (ស្មគ្រចិត្ត)	ភេទ	ជាតិសាស្ត្រ/បច្ចុប្បន្ននៃជាតិសាសន៍ (ស្មគ្រចិត្ត)

តើអ្នកបានចាប់ខ្លួនឬអត់?	កាលបរិច្ឆេទ/ពេលវេលា	តើមានអ្នកណាមួយរងរបួសអត់?	តើមានអ្នកណាមួយមានការរងរបួសដែលមើលឃើញអត់?	តើបានថតរូបអត់?
បាទ/ចាស [ ] ទេ [ ]		បាទ/ចាស [ ] ទេ [ ]	បាទ/ចាស [ ] ទេ [ ]	បាទ/ចាស [ ] ទេ [ ]

មន្ត្រីប៉ូលីសដែលពាក់ព័ន្ធ:	ផ្នាក់ឥស្សរិយយ/ID #	អត្តសញ្ញាណប័ណ្ណមន្ត្រីប៉ូលីស
លេខ១ៈ ២		
លេខ១ៈ ២		
លេខ១ៈ ២		

សាក្សីនានា: (សូមរាយឈ្មោះពេញ,លេខផ្ទះ,លេខការងារ(ទីតាំ), អាសយដ្ឋានទីកន្លែងធ្វើការ ទីតាំ, លេខទូរស័ព្ទដៃ/ផ្ទះ/ការងារ,ទំនាក់ទំនងក្រុមការ: មិត្ត, សាច់ញាតិ, ភាគីផ្សេង)
លេខ១ៈ ២
លេខ១ៈ ២
លេខ១ៈ ២

សង្ខេបពីហេតុការណ៍: សរសេរកថាខណ្ឌខ្លីមួយដោយពិពណ៌នាពីកាលៈទាក់ទងនឹងហេតុការណ៍ ។ ក្នុងពេលដូចគ្នានេះផងដែរ ត្រូវផ្តល់នូវច្បាប់ចម្លងនៃឯកសារ/ស្ថិតិ/ការថតសម្លេងណាមួយ ដែលអ្នកអាចមានដើម្បីគាំទ្រដល់ការបណ្តឹងនៃរបស់អ្នក។ សូមកត់ត្រាការណ៍ត្រូវនិងប្រាសចាកទាំងប្រមូល (ក្នុងនោះណាមួយ)

ហត្ថលេខា	ថ្ងៃដែលអ្នកបានចុះហត្ថលេខា

Commissioner Elect Orientation Checklist

- ☐ Agreement to Standards of Conduct
- ☐ Courier Service Form
- ☐ Ride Along with LBPD
- ☐ Media Policy
- ☐ Policy Regarding Witnessing Possible Police Misconduct

- ☐ CPCC Charter
- ☐ By-Laws
- ☐ Policies & Procedures
- ☐ Public Safety Officer's Bill of Rights
- ☐ Parliamentary Procedures at a Glance
- ☐ Allegation Codes
- ☐ Findings
- ☐ Phonetic and Alpha Codes

- ☐ CPCC values to the community and the City of Long Beach
- ☐ CPCC and IA investigative processes
- ☐ What to expect during Public Session
- ☐ What to expect during Executive Session
- ☐ Annual training and Special Meetings

After completing orientation, Commissioners sign and

I acknowledge that I have completed the Citizen Police Complaint Commission orientation.

_____ _____

SIGN NAME DATE

City Manager Report

CITY OF
LONG BEACH
Citizen Police Complaint Commission
City Manager Report

January 2018

All peace officer personnel records, including information relating to specific deliberations of the Citizen Police Complaint Commission and findings by the City Manager, shall be kept confidential to the extent required by law. In order to comply with this requirement, certain information may have been withheld in this report.

After its December 14, 2017 meeting, the Citizen Police Complaint Commission submitted recommendations to the City Manager.

The Commission's recommendations and the City Manager's findings for some allegations considered during the December 14, 2017 meeting are:

COMMISSION	CITY MANAGER
• Not sustained – 10 allegations	Not sustained – 10 allegations
• Exonerated – 6 allegations	Exonerated – 6 allegations
• Other Training – 4 allegations	Other Training – 4 allegations
• Unfounded – 16 allegations	Unfounded – 16 allegations

The Commission requested clarification regarding the following:

- Duties of LBPD Explorers
- LBPD's practice regarding issuing parking citations in the same hundred block for multiple violators

Per the City Charter, the CPCC investigates allegations of police misconduct and submits its finding recommendations to the City Manager, who has the final authority on these findings. At the Commission's request, a report of the City Manager's findings has been made available to the Commission and to the public, when possible. The report includes all Commission finding recommendations, including Sustained and Other, as well as any recommendations made after discussing a case on the agenda. Because all investigations are personnel matters, information that might connect the finding with a specific accused Officer is left off the report.

City of Long Beach
411 W. Ocean Blvd.
Long Beach, CA 90802

Visit us at www.longbeach.gov
@LongBeachCity

To request this information in an alternative format or to request a reasonable accommodation, please contact City Manager's Office at Patrick.Weithers@longbeach.gov or (562) 570-6711. A minimum of three (3) business days is requested to ensure availability. Reasonable attempts will be made to accommodate request made within less than three (3) business days.

Attachment E

Annual Report 2019

CITIZEN POLICE COMPLAINT COMMISSION

CITY OF LONG BEACH

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17 CPCC Trainings

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24 LBPD Changes as a Result of CPCC Recommendations

25 Appendix

Acknowledgement of Chairs

Citizen Police Complaint Commission (CPCC) Commissioners are your neighbors, and they are active in the Long Beach community. They are independent of the LBPD but are trained to make finding recommendations on allegations of police misconduct after reviewing reports and evidence related to a complaint. These commissioners are recommended by the Mayor and appointed by the City Council; they represent the rich diversity throughout the city of Long Beach and are sensitive to issues regarding police-community relations.

To our fellow Commissioners, we extend our sincere appreciation for your professionalism and honest dialogue and dedication to reviewing all submitted material. We know you recognize the trust placed in us to be impartial, objective fact finders of allegations of misconduct. You have made this experience extremely rewarding by sharing perspectives that broaden our viewpoints and extend our capacity to serve all people. It has been an honor to work side by side with each of you.

We would like to thank the CPCC's former Executive Director, Manager of the CPCC, Investigators and staff; the office of the City Manager; the City Clerk's Office; the City Attorney's Office; the Department of Technology and Innovation; and, the Long Beach Police Department (LBPD), including the Internal Affairs Division for their support.

In closing, we thank the Long Beach community for your honest feedback, participation in open session, recommendations and trust. We know that our work is not always easy, as we address sensitive issues. However, this work is necessary to give our fellow community members a place where their concerns can be independently heard.

Sincerely,

Desmond Fletcher, Chair,
March 2019 through June 2020

Suely Saro, Chair,
July 2018 through February 2019

Manager of CPCC Summary

Patrick Weithers, CPCC Manager

The Citizen Police Complaint Commission has undergone some major progressive changes in 2019. Our investigators have worked meticulously to address a backlog of cases from the previous years. The CPCC has seen a 36 – 67% increase in the number of cases briefed each month for the Commission to review. This has allowed the commission to gradually review cases further away from the case expiration date. While we have confronted several challenges, I am confident that the CPCC is on track to serve its primary mission over the next year.

This report reflects the work of the CPCC during the 2019 calendar year. Included is the number of cases/complaints opened, allegations opened, cases reviewed by the commission, allegations reviewed by the Commission, cases closed with no further action and allegations closed with no further action. In this report, CPCC refers to the work of the overall body, including staff and Commissioners. Commission refers to the work of those appointed to fulfill the duties of the charter.

I thank Mayor Robert Garcia and the City Council for their continued support of the CPCC. I would also like to thank the CPCC Commissioners and staff who put so much time and effort into investigating cases, preparing briefs and deliberating over cases late into the night. Your hard work and dedication are greatly appreciated. I would also like to thank the City Manager, City Attorney's Office, City Clerk's Office and the Long Beach Police Department, notably the Internal Affairs Division. The collective professionalism, courtesy, cooperation, and assistance of all involved is appreciated.

Internal Reforms

In 2019, several critical reforms were implemented to help the flow of caseloads and enhance transparency. I implemented a case tracking system for investigators to manage their caseloads on a monthly basis. This has resulted in several investigations being completed earlier and has helped tremendously with presenting cases to the Commission sooner. In an effort to enhance transparency, the Commission voted to revise the City Manager Reports to explain why a finding recommendation the Commission recommended was a different finding than the final disposition of the City Manager. The implementation of the revised City Manager reports began in 2020. CPCC staff also prepared and implemented changes to public records request laws under Senate Bill 1421, which will enhance transparency. Changes included flagging all cases that fall under Senate Bill 1421 requirements to be readily available for Public Records Requests.

Staffing

In February and October 2019, we were able to fill both vacant investigator positions, bringing the CPCC back to full staffing. Both investigators have contributed greatly to the reduction in open cases and timeframe in which cases are presented to the Commission.

Commissioner Additions

In 2019, three new Commissioners were appointed to the commission representing District 2, District 4 and one At-Large seat.

Challenges

The length of time spent on deliberation in closed session increased significantly due to more cases being presented to the Commission and more video evidence being made available for the Commission to review. The Commission reviews a large amount of body-worn camera videos due to the implementation of body worn camera testing within the Long Beach Police Department. Meetings often adjourn between 10:00 pm and midnight. We are working on finding ways to decrease the length of meetings and at the same time, ensure the Commission continues to receive all available information to render finding recommendations on cases.

The Future

In 2020, the CPCC will explore the implementation of a Mediation Program. Mediation has been a very successful tool in cities across the United States, helping to bridge the gap in police & community relations. We will continue to shorten the timeframe in which cases are presented to the Commission.

We are enthusiastic to continue enhancing the CPCC's efforts and I am personally excited to continue to work with CPCC Commissioners to implement their new ideas and recommendations.

Patrick Weithers, CPCC Manager

Retirement of Executive Director Anitra Dempsey

After working for the City of Long Beach for 30 years, more than 20 of which were with the City Manager's Office. CPCC Executive Director Anitra Dempsey retired from the City in July 2019. Anitra was a huge asset to the CPCC and implemented many positive changes to help the CPCC progress in a variety of ways over the years. The CPCC staff and Commissioners wish her the absolute best in her retirement.

CPCC Commissioners

**Because the 2019 Annual Report covers January-December, some Commission seats show two representatives, beginning with the commissioner who served first in that seat.*

DISTRICT 1
Dianne McNinch

DISTRICT 2
Porter Gilberg

DISTRICT 3
Christian N. Cooper

DISTRICT 4
Richard Lindemann

DISTRICT 4
Justin Morgan

DISTRICT 5
Veronica Garcia

DISTRICT 6
Leonard Adams

DISTRICT 7
Maria Norvell

DISTRICT 8
Desmond Fletcher

DISTRICT 9
Dr. Joni Ricks-Oddie

AT-LARGE
Dana Buchanan

AT-LARGE
Suely Saro

AT-LARGE
James Ahumada

Newly Appointed Commissioners

Porter Gilberg – District 2

Porter Gilberg is the Executive Director for The LGBTQ Center of Long Beach, one of the largest LGBTQ community centers in the United States. He oversees all operations, programs, outreach efforts, events, advocacy, fund development, budgeting, and communications. He also serves as a commissioner on the Los Angeles County Commission on Human Relations, as Vice-President on the 4th Street Business Association Board of Directors, as Board Secretary for the national organization CenterLink, and on the Advisory Boards for the Long Beach Trauma Recovery Center and California State University Long Beach Master of Public Health Program. He has previously served as Vice President for the Alamitos Beach Neighborhood Association, on the Mayor's Everyone Home Homeless Advisory Task Force, on the Long Beach Violence Prevention Plan Steering Committee, and numerous other committees and work groups seeking to improve our communities. Gilberg has lived in Long Beach for more than 15 years and is a resident of the Second District.

Justin Morgan – District 4

Justin Morgan is a 4th District resident and a former educator. He has an M.Ed. from Pepperdine University and was an independent school teacher in Palo Alto, Los Angeles, and Long Beach for 12 years, as well as an academic administrator at UC Berkeley. He is a member of the National Council of Teachers of Mathematics; a Phi Delta and Kappa International Education Academic Honors Society Member; currently serves on his son's elementary school's Governance Site Council; and is the representative for the Superintendent's Forum for LBUSD. He is the co-founder and CEO of a management application start-up company founded in Long Beach.

James Ahumada – At-Large

James is a 1st District resident and he currently works as the Senior Communications Manager for the CSULB Associated Students, Incorporated. In that capacity, he oversees communications, media and strategy for the ASI of CSULB. He is a graduate of Leadership Long Beach, is a member of the CSULB Alumni Association Board, is involved in numerous community organizations, and is active across the CSULB campus.

2019

Staff and Support Staff

OFFICE OF THE CITY MANAGER

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City Manager

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Assistant City Manager

KEVIN JACKSON
Deputy City Manager

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THOMAS MODICA
Acting City Manager

REBECCA GARNER
Acting Assistant City Manager

TERESA CHANDLER
Interim Deputy City Manager

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OFFICE OF THE CITY CLERK

JONATHAN NAGAYAMA
City Clerk Specialist

KYLE SMITH
City Clerk Specialist

OFFICE OF THE CITY ATTORNEY

SARAH GREEN
Deputy City Attorney

MONICA KILAITA
Deputy City Attorney

PRESENT

Staff and Support Staff

OFFICE OF THE CITY MANAGER

THOMAS MODICA
City Manager

LINDA F. TATUM
Assistant
City Manager

KEVIN JACKSON
Deputy City Manager

TERESA CHANDLER
Deputy
City Manager

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OFFICE OF THE CITY CLERK

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City Clerk Specialist

KYLE SMITH
City Clerk Specialist

OFFICE OF THE CITY ATTORNEY

SARAH GREEN
Deputy City Attorney

About the Citizen Complaint Commission

The CPCC was created by a vote of the people in 1990 to review the service provided by members of the LBPD and independently conduct investigations into allegations of police misconduct with an emphasis on excessive force, false arrest and complaints with racial or sexual overtones.

The mission of the CPCC is to promote an atmosphere of mutual trust and respect between the community and the LBPD, and to ensure that professional police services continue in Long Beach.

The CPCC is a Charter Commission and has the power to issue subpoenas related to a complaint. The CPCC is neither an advocate for the Complainant nor for police personnel. CPCC findings can result in the accused personnel being disciplined, trained or exonerated. The CPCC refers policy recommendations to the City Manager, who can forward the recommendations to the LBPD for implementation.

While the Commission does not set policy, its policy recommendations have resulted in policies being changed or clarified to best serve the community.

Our Guiding Values

ACCOUNTABILITY

INTEGRITY

RESPECT FOR ALL PEOPLE

RESPECT FOR THE LAW AND THOSE WHO SERVE

TRANSPARENCY

CPCC Meetings: CPCC meetings begin at 5:30 pm on the second Thursday of every month at City Hall, 411 West Ocean Blvd., Long Beach, CA, in the City Council Chambers. Complainants, those who filed complaints, are notified when their cases will be reviewed by the Commission. Community members are welcome to attend the Open Session and can address the Commission during this time. Special meetings that include subject matter presentations or changes in meeting times are posted in compliance with the Brown Act to provide notification to the community.

Commission Priorities

The Commission Chair, with input from the Vice Chair, sets priorities for the CPCC during his or her term. During this reporting period, the Commission identified the following priorities:

PROVIDE MORE TRANSPARENCY ON CITY MANAGER REPORTS

FIGURING OUT A WAY TO VIEW CASE VIDEOS PRIOR TO MEETINGS

HAVE CASES PRESENTED TO THE COMMISSION AT LEAST TWO MONTHS MINIMUM BEFORE THE ONE-YEAR CASE TIME-OUT DATE

Highest Standard of Objectivity

Commissioners are charged with and receive training to remain objective in all cases they review. Commissioners must remain open-minded and understand their role to ensure the fairest outcome in every case.

The CPCC views objectivity as decisions based on facts and without bias, not decisions solely influenced by personal feelings, interpretations, or prejudice. Commissioners consider alternative viewpoints and all available evidence when deliberating cases, and are prohibited from allowing anything that happens outside the scope of the CPCC's investigation to affect their decision-making, including media reports and information on the internet.

Commissioners are held to the highest standard of confidentially and cannot discuss cases outside the scope of their duties. They are prohibited from conducting their own research and forming opinions about a case until they have sufficiently reviewed all evidence.

Connected with the Community

- The CPCC continued to be strategic about its community presence to increase opportunities to inform the community about the CPCC as a resource, and to hear concerns and recommendations.
- The Commission Chair and Vice chair initiated a community engagement committee and made presentations to neighborhood groups and community-based organizations.

CPCC Workload

Several factors contribute to the number of complaints filed each year, including public awareness of the CPCC and its function, police conduct toward the public, media focus, and community concerns.

A complaint/case can contain one or several allegations with one or several accused officers. If there is more than one officer accused in an allegation, the total number of allegations includes findings recommendations for all accused officers. For example, if three officers are accused of excessive use of force in one incident, the CPCC renders finding recommendations on each officer.

Serving on the CPCC

Before newly appointed Commissioners can review cases, they are required to complete an orientation process that consists of an overview of applicable laws and CPCC policies and procedures. The orientation also includes discussion about the history of the CPCC, perceptions and realities about the Commission's work, and the CPCC's value to the city of Long Beach. See more orientation information in Appendix E.

Filing a Complaint

You can file a complaint if you believe that a member of the LBPD has violated your rights. Call (562) 570-6891, mail a complaint form, send an email, or file a complaint in person at the CPCC office, 411 West Ocean Boulevard, 1st Floor, Long Beach, CA, 90802. Business hours are Monday through Friday, 8:30 a.m. to 4:30 p.m. Appointments are recommended, but not required. Complaints can be made anonymously. Complaint forms are available in person and on-line: http://www.longbeach.gov/citymanager/cpcc/filing-a-complaint/ in English, Khmer, Spanish, and Tagalog.

It is recommended that the complaint be filed soon after the incident occurs. In general, complaints can be filed directly with the CPCC within one year of the date of the incident or with the LBPD at any time.

To expedite the processing and investigation of complaints, provide as much information as possible regarding the allegations, including witness names, photos, recordings, and other physical evidence that is available.

Third party complaints will be investigated if sufficient information is available. All complaints remain on file for the statutory time period and can be considered when evaluating overall police-community relations.

The Investigative Process

Complaints/cases are assigned to an Investigator who reviews reports, video and audio recordings, interviews witnesses, and conducts field investigations to collect information relevant to the case. The complaint and the investigative data are submitted to Commissioners for review prior to the monthly meeting.

In 1994, the Commission refined its policy to exclude complaints that were invalid on their face and/or were complaints of police service, which were not violations of Police Department policy. These complaints collectively, are classified as No Further Action (NFA).

As a part of the policy change, the Commission delegated authority to the Executive Director to initially screen new complaints. This expedited the preliminary review process and reduced time spent on frivolous and intentionally misleading complaints of misconduct. The need to redefine the policy was based on a number of complaints that had no foundation in fact to suggest a complaint.

In 2014, With the addition of staff, and to allow the Commission to see more cases, the criteria for the Executive Director to recommend cases with a NFA disposition was changed to:

- Insufficient information
- Lack of witness cooperation
- Staff recommendation

Prior to 2014, the authorized criteria for the Executive Director to recommend cases be closed with an NFA disposition included:

- The accused was never an employee of the LBPD.
- The complaint was deemed to have "judicial review," such as a disputed parking citation.
- The facts and information were insufficient to permit resolution or warrant further investigation.
- The complainant retracted the allegation(s).
- The actions of the officer regarding the allegation(s) were legal, necessary and proper under the circumstances.
- CPCC staff concurred with LBPD's recommendation of "service" or additional training

CPCC Executive Session, Second Open Session and Report on Commission's Vote

During the monthly CPCC meeting, the Commission takes a recess from Open Session and reconvenes in Executive/Closed Session to discuss the cases and to recommend findings on each allegation. The Commission then reconvenes in Open Session to report their vote on each allegation without violating confidentiality requirements. Because each complaint is a personnel matter, the public is not allowed to attend the Executive/Closed Session.

The Commission's findings recommendations are submitted to the City Manager, who reviews both the Commission's recommendations and LBPD findings. The City Manager provides the final disposition to the Complainant in writing. See Appendix F for more information.

How the CPCC Works

FILING A COMPLAINT

- The City Charter requires that complaints against members of the LBPD be also investigated by the CPCC.
- Complaints can be filed in person or by phone, email, complaint form or letter.
- Complaint forms are available in English, Spanish, Khmer and Tagalog.

PROCESSING THE COMPLAINT

- The CPCC and the LBPD notify each other of new cases, generally within ten days of receiving the complaint.
- A CPCC Investigator is assigned to the case.
- The Complainant receives a letter with the case number and contact information for the assigned CPCC Investigator.

INDEPENDENT PARALLEL INVESTIGATION

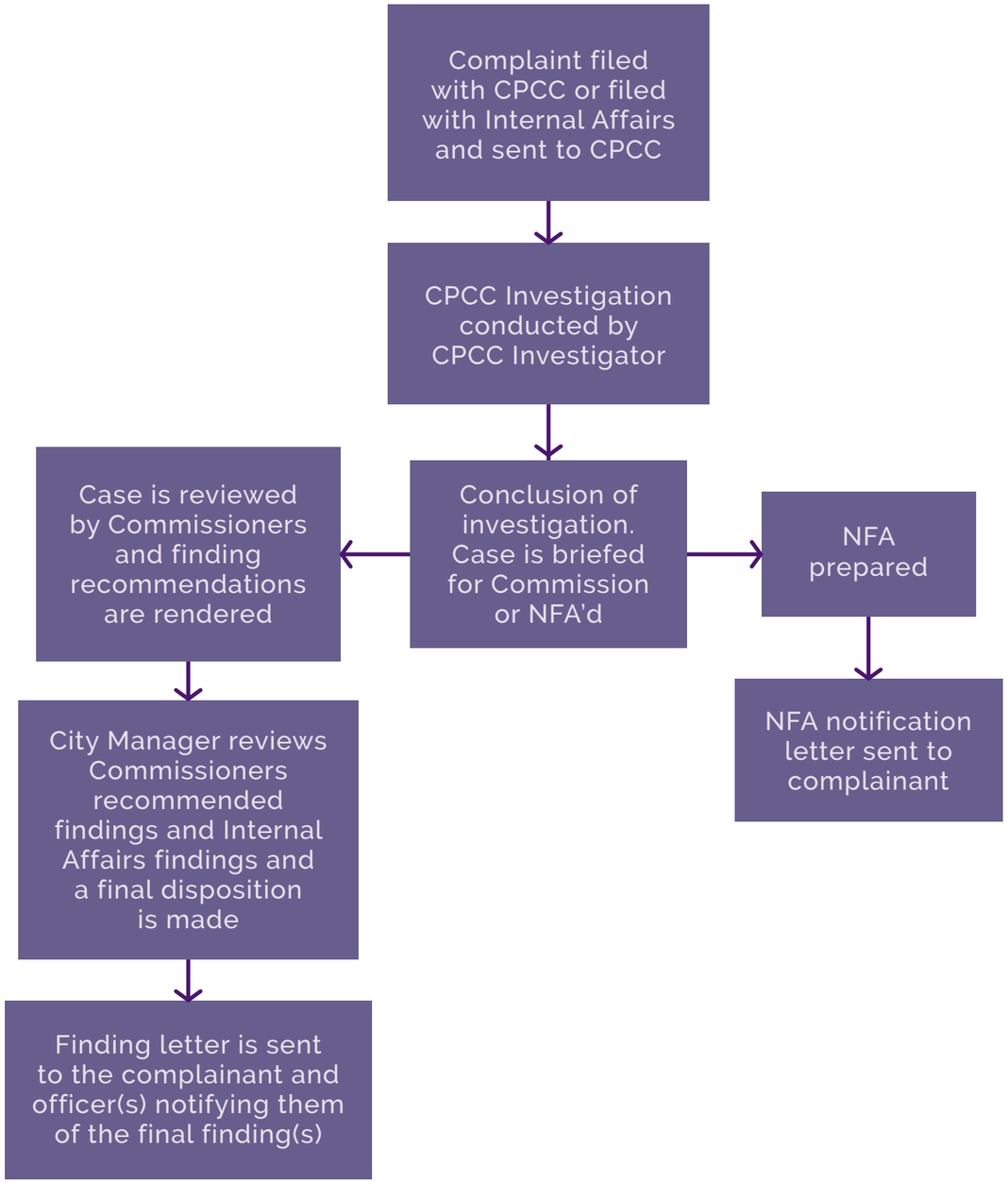
- Subpoenas are issued for relevant documents.
- The CPCC Investigator reviews reports, video, audio, interviews witnesses, collects any other relevant documentation and conducts field investigations to collect information relevant to the allegations.
- A brief is prepared for the Commissioners, or the case is recommended to be closed with NFA.

CASES TO THE COMMISSION

- Commissioners review the brief and render findings recommedations on allegations in Closed Session.
- The City Manager reviews both the CPCC recommendations and Internal Affairs findings, and provides the final disposition to the complainant in writing.
- The City Manager can decide to forward the Commission's recommendations to the Police Chief for implementation.
- The Complainant is notified of the City Manager's findings by mail.

CPCC Investigation Workflow

Attachment E



CPCC Retreat

With the CPCC Charter and all applicable laws as the foundation, Commissioners and staff had its annual retreat to learn more about how LBPD investigations are conducted, how CPCC staff works, to learn more about each other, and to engage the community in 2019. Commissioners received the following presentations and/or trainings during the Annual Retreat:

OFFICER INVOLVED SHOOTINGS (OIS'S) – LAW'S, POLICIES, AND CONSIDERATIONS

OIS INVESTIGATIONS AND REVIEWS

BIAS-BASED POLICING

IMPLICIT BIAS

CPCC'S LETTERS AND PROCESSES

COMMUNITY ENGAGEMENT, PRESENTED BY THE CHAIR AND VICE CHAIR

Annual Training

The CPCC has an Annual Training, which is held at the Long Beach Police Academy. This provides ongoing training on the priorities set by the City Charter.

Specific topics covered during this training were:

LAWS OF ARREST

BIAS BASED POLICING

BODY-WORN CAMERAS

LBPD POLICY AND PROCEDURES

PATROL OPERATIONS TRAINING & FORCE OPTIONS WITH FLEX CUFFS DEMO

CALL SCENARIOS

Staff Training

The CPCC is a member of the Association of Workplace Investigators and the National Association for the Civilian Oversight of Law Enforcement (NACOLE). Throughout the year, staff receives certified training to meet the standards of basic investigations and civilian oversight. To ensure compliance with the City Charter, foundational training topics include, but are not limited to Laws of Arrest, Public Safety Officer's Procedural Bill of Rights, Racial Profiling and Use of Force/Force Options.

During this reporting period, staff attended a civilian oversight symposium and received training in the following areas:

SYMPOSIUMS
San Francisco Department of Police Accountability: Symposium on Civilian Oversight, Accountability, and Transparency of Law Enforcement in California

DIFFICULT CONVERSATIONS WORKSHOP
Provided by Liebert Cassidy Whitmore

INTERVIEWING CHILDREN IN AN INVESTIGATIVE SETTING, MORE THAN MEETS THE EYE WEBINAR
Provided by I-Sight, an online resource for investigators

INVESTIGATION INTERVIEWS, NEW CHALLENGES AND EMERGING TRENDS FOR 2019 WEBINAR
Provided by I-Sight, an online resource for investigators

CPCC staff has also previously received certifications/licenses in:

INTERNAL AFFAIRS CERTIFICATION (PUBLIC AGENCY TRAINING COUNCIL)

CALIFORNIA PRIVATE INVESTIGATOR LICENSE

TEXAS PRIVATE INVESTIGATOR LICENSE

P.O.S.T. BASIC TRAFFIC COLLISION INVESTIGATIONS COURSE

P.O.S.T. 832 PC COURSE – LAWS OF ARREST COURSE

Other

Presentations and trainings provided to the Commission during Open Session were:

PRESENTATION ON SENATE BILL 1421

REPORT ON COMMUNITY ENGAGEMENT

PRESENTATION ON CITY MANAGER'S FINDINGS

Attachment E

Case and Allegations Summary

173 CASES OPENED
493 INSTANCES OF MISCONDUCT WERE ALLEGED
201 OFFICERS HAD AT LEAST ONE ALLEGATION OF MISCONDUCT
24% HAD MORE THAN ONE ALLEGATION OF MISCONDUCT
211 CASES INVESTIGATED AND CLOSED
120 CASES CONTAINING 483 ALLEGATIONS WERE PRESENTED TO THE COMMISSION
91 CASES CONTAINING 225 ALLEGATIONS WERE NFA'S

The most common complaint allegations for newly opened cases had to do with Conduct Unbecoming of an Officer (Unbecoming Conduct), Use of Force, Sexual Misconduct, Bias Based Policing, Failing to Care for Property and Failing to Take Action.

Race / Ethnicity and Gender

Identifying one's race/ethnicity and gender are optional when filing a complaint. Because some cases have more than one complainant, the total number of people listed may differ from the total number of cases.

	ASIAN	BLACK	HISPANIC	NATIVE AMERICAN	OTHER	PACIFIC ISLANDER	UNKNOWN	WHITE
FEMALE	2	26	11	1	3	2	18	15
MALE	2	32	21	1	5	0	13	27
UNKNOWN	0	0	0	0	0	0	6	0

Allegation Breakdown for Cases Opened

1. Unbecoming Conduct – **216**
2. Use of Force – **60**
3. Sexual Misconduct – **25**
4. Bias Based Policing – **23**
5. Failure to Care for Property – **22**
6. Failure to Take Action – **20**
7. Improper Arrest – **19**
8. Failure to Take Report – **18**
9. Dishonesty – **13**
10. Failure to Investigate – **13**
11. Misappropriation of Property – **12**
12. Improper Search – **10**
13. Improper Detention – **7**
14. Profanity – 6
15. Personal Search – **6**
16. Misuse of Authority – **4**
17. Harassment – **4**
18. Improper Remark – **4**
19. Vehicle Search – **3**
20. Racial Profiling – **2**
21. Racial Remark – **2**
22. Racial Bias – **1**
23. Domestic Violence – **1**
24. Improper Entry – **1**
25. Intimidation – **1**

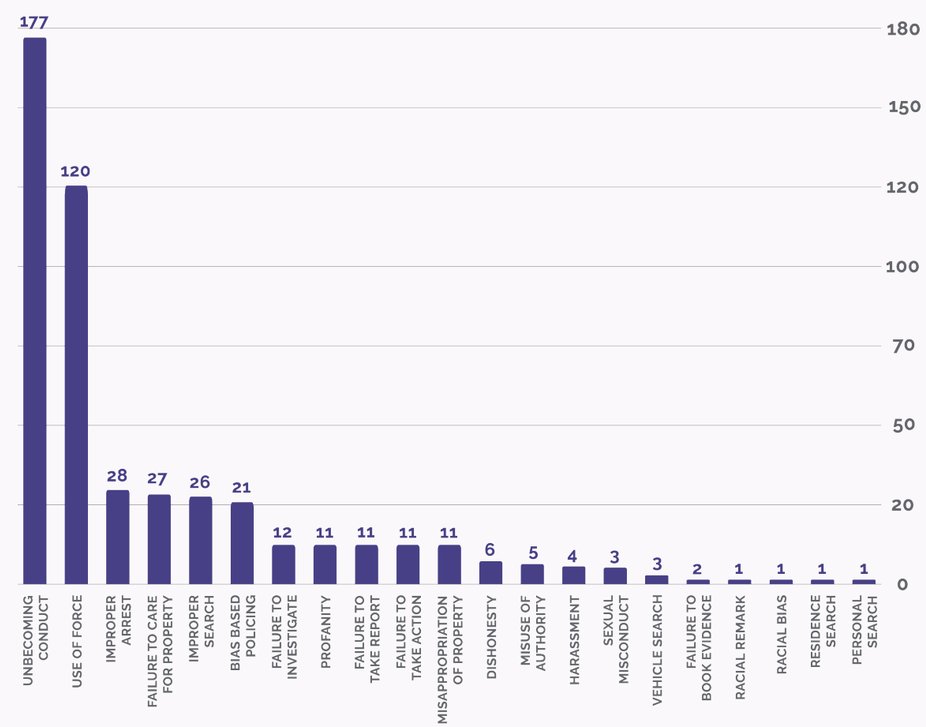
Caseloads and Case Closures

The CPCC opened **173** new cases and closed **211** cases, most of which were from previous years. **One** case was opened in 2014. **Two** cases were opened in 2016. **Three** cases were opened in 2017. **173** cases were opened in 2018. And **32** cases were opened in 2019.

The Commission met **12** times, and reviewed **120** cases containing **483** allegations. The Commission sustained **52** allegations and recommended "Other" on **19** allegations.

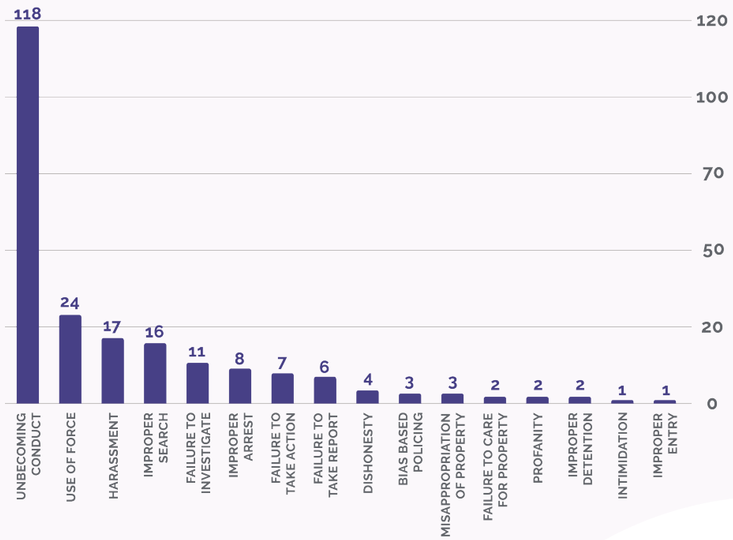
A total of **91** cases were closed with a disposition of No Further Action (NFA) containing **225** allegations due to insufficient evidence, lack of witness cooperation, or staff's recommendation.

Allegation Totals Presented to the Commission by Type



2019 CPCC Report

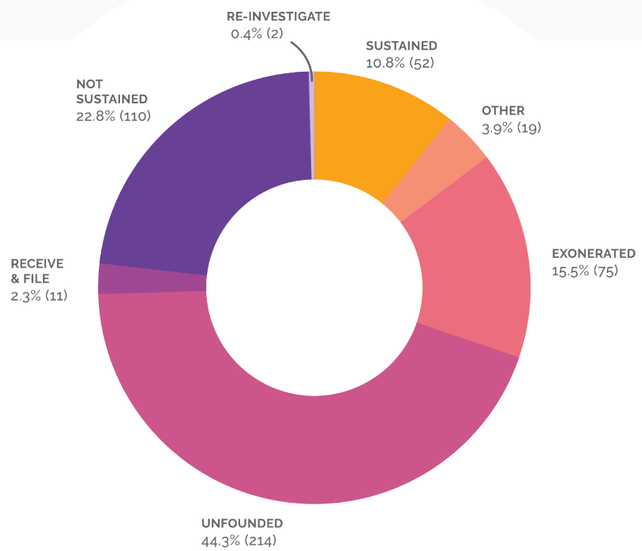
Attachment E



NFA Allegation Totals by Type

Commission Finding Recommendations

The Commission recommended Sustained for **11%** of the allegations they reviewed.



Sustained Commission Allegations

1. Unbecoming Conduct
2. Use of Force
3. Bias Based Policing
4. Failure to Investigate
5. Failure to Take Report
6. Improper Search
7. Vehicle Search
8. Sexual Misconduct
9. Misuse of Authority
10. Harassment
11. Failure to Care for Property

"Other" Commission Allegations

1. Unbecoming Conduct
2. Use of Force
3. Improper Arrest
4. Failure to Investigate

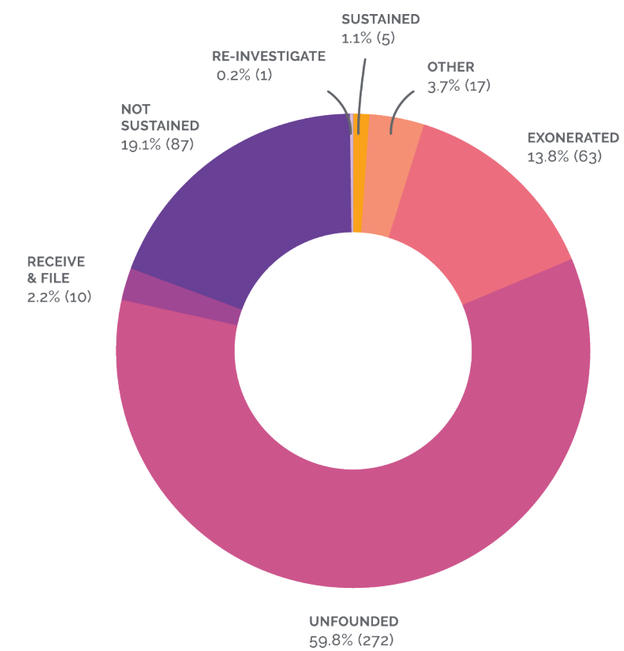
City Manager Findings*1

147 of the Commission's **483** recommended findings ultimately resulted in a different final finding.

*Tolling

A tolled case occurs when a special condition extends the legal deadline for finishing an investigation. A common example of this is when an officer is on medical leave and as a result, unavailable for questioning.

Due to **three** cases being tolled/pending in 2019, City Manager findings have not yet been rendered on the **28** allegations of those cases.



Sustained City Manager Allegations

1. Unbecoming Conduct
2. Use of Force
3. Failure to Take Report
4. Improper Search

"Other" City Manager Allegations

1. Unbecoming Conduct
2. Use of Force
3. Profanity
4. Failure to Take Action
5. Improper Search
6. Misuse of Authority

The CPCC refers LBPD policy recommendations to the City Manager. During this reporting period, the Commission requested that the City Manager forward the following to the LBPD:

1. **Information about the objective standards for using flex cuffs for handcuffs, including information regarding how tight flex cuffs can be placed and how long the flex cuffs should remain on.**
2. **Recommendation to revise/update or create a flex cuffs policy, and for officers to have a tool in the field to cut/remove flex cuffs when handcuffs are placed on.**
3. **Information regarding how long arrestees can remain unclothed in jail.**
4. **Recommendation for the LBPD review and update policy regarding handcuffs. They also requested either a comparative analysis of injuries from handcuffs or information about practices regarding handcuffing.**
5. **Recommendation that an arrest warrant physically be shown to a suspect after being detained and prior to being arrested, if the warrant is premediated.**
6. **Recommendation for the LBPD to look into how calls involving custody issues could be addressed, when a minor opposes to go from one parent to the other.**
7. **Concern about searches continuing when someone is being searched by an officer of the other sex, without policy being clarified about opposite sex searches to the person being searched.**
8. **Recommendation retraining for an officer on use of force and commands.**
9. **Recommendation that a department wide memorandum be released detailing the various types of pepper spray devices.**
10. **Recommendation that translation services should be provided when needed. And officers should follow the policy on translation requests and services.**
11. **Recommendation to see a policy regarding putting cell phones into evidence.**

1. In October 2018, the Commission expressed concern regarding the following:

   RECOMMENDATION: The Police Department arresting someone "solely for smoking a cigarette" at a bus stop and believed that the "no smoking" signs in the bus area are too small. The Commission questioned whether LBPD should be enforcing them.

   The following response was received March 2019:

   RESULT: LBPD believed the 640 (b)(3) CPC violations are being issued lawfully. The LBPD has recommended that larger signage be approved by Long Beach Transit.

2. In February 2019, the Commission recommended the department take the following actions:

   RECOMMENDATION: The Commission saw many complaints regarding handcuffs being too tight. A review and update of the policy regarding handcuffs was requested. The Commission also requested either a comparative analysis of injuries from handcuffs or information about practices regarding handcuffing.

   The following response was received July 2019:

   RESULT: A Watch Report was sent out department wide for officers to document the use of handcuffs, document action taken after inspection of handcuffs if a citizen stated they were too tight, note in the report if handcuffs were properly applied and no adjustment was necessary, and document any action taken after adjustment of handcuffs due to citizen complaining of tightness.

   The LBPD updated their training bulletin on "Search Techniques" to include a section on handcuff fitting and locking. A handcuff refresher training in the form of an in-service bulletin was also distributed to all sworn officers with detailed information on how to double-lock handcuffs and check for fit, with photo examples. During the 2019 CPCC Annual Training at the LBPD Police Academy, handcuffing demonstrations were also provided to the Commissioners.

3. In January 2019, the Commission recommended the department take the following actions:

   RECOMMENDATION: The Commission recommended that LBPD create a policy on the use of zip ties and recommended that LBPD provided officers with a tool in the field to remove zip ties when handcuffs are used (ensuring both handcuffs and zip ties are not used together).

   The following response was received August 2019:

   RESULT: The LBPD identified a tool specific for removal of flex cuffs and made the tool available for officers to use when applicable. Regarding policy, the objective standard for the use of flex cuffs falls under the same policy governing the use of metal handcuffs in the LBPD Manual. A flex cuff demonstration was also provided to the Commissioners during the 2019 CPCC annual training at the LBPD Police Academy.

Citizen Police Complaint Commission Vernacular

ALLEGATION: A claim or assertion that an LBPD employee has done something illegal or wrong.

BRIEF: The compilation of information to a complaint, including statements, photos, reports and other evidence.

CASE: A complaint requiring investigation or action.

CLOSED OR EXECUTIVE SESSION: As part of a regular or special meeting, the restricted and/or confidential deliberation on allegations of misconduct concerning LBPD employees.

COMPLAINT: An allegation against an LBPD employee.

COMPLAINANT: Person who files a complaint.

COMMISSION: The Long Beach community members appointed to serve on the CPCC.

CPCC: Commissioners and staff.

DISPOSITION: The final finding for a case.

FINDINGS: The determination of each allegation.

OPEN OR PUBLIC SESSION: Part of a regular or special meeting where the Commission conducts business that is not restricted from being openly discussed.

Definitions for Findings and Dispositions

SUSTAINED: The investigation indicates the alleged act more likely than not occurred and constitutes misconduct

- This finding recommends discipline for the accused
- Discipline can be a letter of reprimand, suspension, demotion or termination

OTHER: The alleged act, although more likely than not occurred, was not misconduct and could be most appropriately handled by training or other means.

EXONERATED: The investigation indicates the alleged act did occur, but the action(s) taken were lawful, proper and justified.

UNFOUNDED: The investigation indicates the alleged act did not occur.
Examples: There is no information or evidence that supports the allegation; there is evidence that the alleged act did not occur; or, the individual named in the complaint was not involved.

RECEIVE AND FILE: The information received is submitted past the statute of limitations for disciplinary actions; or, the information received does not, on its face, establish misconduct. A case may be reopened if further information or evidence is submitted within the statute of limitations period.

NOT SUSTAINED: The investigation fails to disclose sufficient evidence to prove the alleged act.

RE-INVESTIGATE: When new information comes to the attention of the Commission or when the Commission requests clarification or additional information that could reasonably be obtained.

NO FURTHER ACTION (NFA): The disposition for cases closed, as recommended by the Manager of the CPCC, according to the criteria provided by the Commission. NFA complaints can be re-evaluated or appealed to the full Commission if new information related to the original concern is found within one year of the complaint. Like all complaints, NFA cases remain on file for the statutory period and may be considered when evaluating overall community/police relations.

Commissioners and Attendance Records

Because the 2019 Annual Report covers January through December, some Commission seats show two representatives, beginning with the Commissioner who served first in that seat.

The CPCC is comprised of eleven Commissioners: one representing each council district and two at-large members. Per the City Charter, Commissioners must broadly represent the racial, ethnic, religious, labor, business, age, gender, sexual orientation, and disabled members of the general public.

Commissioners are recommended by Mayor and are confirmed by the City Council. Commissioners must reside in the City of Long Beach and in the district they are appointed to represent throughout their service. At-Large Commissioners can live anywhere in the city. Commissioners can serve two, two-year terms.

Commissioners provide a valuable insight into the community's perception of, and experience with, members of the LBPD. To apply to the CPCC, visit www.longbeach.gov/mayor/action/commissions/ or contact your City Council office. Contact the Manger of the CPCC at (562) 570-6891 to learn about the specific duties and responsibilities of serving on the CPCC.

Commissioners are required to take and pass a Live Scan criminal background check before serving.

The attendance status reflects roll call and each vote. If a Commissioner arrives late or leaves early, he/she might be absent for one roll call or vote, but not for the other roll call or for the entire meeting.

Attachment E

Commissioners and Attendance Records

Attendance Record – January 2019 – June 2019
Meetings: 2nd Thursday of every month, beginning at 5:30 P.M.
Council Chambers, 411 West Ocean Blvd., Long Beach CA

CHAIR: Suely Saro (7/18 – 2/19)
Interim CHAIR: Desmond Fletcher (3/19- 6/19)

COMMISSIONER (DISTRICT)	JAN	FEB	MAR	APR	MAY	JUN
MCNINCH, DIANNE Appt. 7/18/18 (1)	P	P	P	P	P	P
VACANT (2)						
COOPER, CHRISTIAN N. Appt. 7/18/17 (3)	P	P	EX	P	P	P
LINDEMANN, RICHARD Appt. 8/11/15 (4)	P	P	P	P	P	P
GARCIA, VERONICA Appt. 7/1/18 (5)	P	P	P	EX	P	P
ADAMS, LEONARD Appt. 3/7/17 (6)	EX	P	P	EX	EX	P
NORVELL, MARIA Appt. 7/1/18 (7)	P	P	P	P	P	P
FLETCHER, DESMOND Appt. 7/18/17 (8)	P	P	P	P	P	P
RICKS-ODDIE, DR. JONI Appt. 7/1/18 (9)	P	EX	P	P	EX	P
SARO, SUELY (AT LARGE) Appt. 8/11/15	EX	P	R			
BUCHANAN, DANA (AT LARGE) Appt. 7/1/18	P	P	P	P	P	EX

P	PRESENT	**A**	ABSENT	**EX**	EXCUSED ABSENT		NON COMMISSION
R	RESIGNED	**DARK**	NO MEETING	**X**	EARLY DEPARTURE		VACANT
*****	PENDING	**+**	TERM EXTENDED	**DARK/NQ**	NO MEETING/ NO QUORUM		TERMED OUT

Commissioners and Attendance Records

Attendance Record – July 2019 – December 2019
Meetings: 2nd Thursday of every month, beginning at 5:30 P.M.
Council Chambers, 411 West Ocean Blvd., Long Beach CA

CHAIR: Desmond Fletcher (7/19- 6/20)

COMMISSIONER (DISTRICT)	JUL	AUG	SEPT	OCT	NOV	DEC
MCNINCH, DIANNE Appt. 7/18/18 (1)	P	P	P	P	P	P
GILBERG, PORTER Appt. 6/28/19 (2)	P	P	P	P	EX	P
COOPER, CHRISTIAN N. Appt. 7/18/17 (3)	P	P	P	P	EX	P
MORGAN, JUSTIN C. Appt. 6/28/19 (4)	P	P	P	P	P	P
GARCIA, VERONICA Appt. 7/1/18 (5)	P	P	P	EX	P	EX
ADAMS, LEONARD Appt. 3/7/17 (6)	P	P	P	P	P	EX
NORVELL, MARIA Appt. 7/1/18 (7)	P	P	P	EX	P	EX
FLETCHER, DESMOND Appt. 7/18/17 (8)	P	P	P	P	P	P
RICKS-ODDIE, DR. JONI Appt. 7/1/18 (9)	EX	P	EX	EX	P	P
AHUMADA, JAMES (AT LARGE) Appt. 8/8/19			*	P	P	P
BUCHANAN, DANA (AT LARGE) Appt. 7/1/18	P	P	P	P	P	P

P	PRESENT	A	ABSENT	EX	EXCUSED ABSENT		NON COMMISSION
R	RESIGNED	DARK	NO MEETING	X	EARLY DEPARTURE		VACANT
*	PENDING	+	TERM EXTENDED	DARK/NQ	NO MEETING/ NO QUORUM		TERMED OUT

CPCC Complaint Forms

COMPLAINT CONTROL FORM
Citizen Police Complaint Commission
Long Beach, CA

PLEASE PRINT OR TYPE – FILL IN AS COMPLETELY AS POSSIBLE

NAME	RESIDENCE ADDRESS (INCLUDE CITY, STATE AND ZIP CODE)	
HOME/CELL TELEPHONE	WORK TELEPHONE	
LOCATION OF OCCURRENCE	DATE/TIME OF OCCURENCE	DATE/TIME REPORTED
DATE OF BIRTH (Optional)	SEX	ETHNICITY/NATIONAL ORIGIN (Optional)

WERE YOU ARRESTED?	DATE/TIME	INJURIES TO ANYONE?	VISIBLE INJURIES?	PHOTOS TAKEN?
YES [ ] NO [ ]		YES [ ] NO [ ]	YES [ ] NO [ ]	YES [ ] NO [ ]

OFFICER(S) INVOLVED:	BADGE/ID #	DESCRIPTION OF OFFICER
NO. 1		
NO. 2		
NO. 3		

WITNESS(ES) (Please give full name(s), work and home addresses, home/cell/work telephone numbers, relationship: friend, relative, other party.)
NO. 1
NO. 2
NO. 3

DESCRIPTION OF INCIDENT: Write a brief paragraph describing the circumstances of the incident. Also provide a copy of any documentation/photos/recordings that you may have to support your complaint.

SIGNATURE	DATE SIGNED

FORMA PARA EL CONTROL DE LAS QUEJAS
Comisión de Ciudadanos para las Quejas Contra la Policía
Long Beach, CA

FAVOR DE ESCRIBIR EN LETRA DE MOLDE O A MÁQUINA-LLENE TODA LA INFORMACIÓN POSIBLE

NOMBRE COMPLETO	DIRECCIÓN DE RESIDENCIA (INCLUYA LA CIUDAD, EDO. Y CÓDIGO POSTAL)	
TELÉFONO DE SU CASA/CELULAR	TELÉFONO DEL TRABAJO	
LUGAR DONDE OCURRIÓ	FECHA Y HORA EN QUE OCURRIÓ	FECHA/HORA QUE LO REPORTÓ
FECHA DE NACIMIENTO (Opcional)	SEXO	ORIGEN NACIONAL/ÉTNICO (Opcional)

¿FUE UD. ARRESTADO?	FECHA/HORA	¿ALGUIEN SALIÓ LESIONADO?	¿LESIONES VISIBLES?	¿TOMARON FOTOS?
SÍ [ ] NO [ ]		SÍ [ ] NO [ ]	SÍ [ ] NO [ ]	SÍ [ ] NO [ ]

AGENTES(S) IMPLICADOS	NO. DE PLACA DE POLICÍA	DESCRIPCIÓN DE AGENTE DE POLICÍA
NO. 1		
NO. 2		
NO. 3		

TESTIGO(S) (Favor dar nombre(s) completo(s), direcciones del trabajo y de casa, nos. de teléfono de casa/celular, relación: Amigo, pariente, otra parte.)
NO. 1
NO. 2
NO. 3

DESCRIPCIÓN DEL INCIDENTE: Escriba un breve párrafo que describa las circunstancias del incidente. Facilite también una copia de cualquier documento/fotos/grabaciones que usted pudiera tener en apoyo de su queja.

FIRMA	FECHA EN QUE SE FIRMA

FORM NG KONTROL NG REKLAMO
KOMISYON NG REKLAMO SA PULIS NG MAMAMAYAN
Long Beach, California

Blg. ng CPCC/Imbestigador		Blg. ng LBDP ng Panloob na Gawain
Pangalan ng File ng Kaso	Address ng Tirahan (isama ang Lungsod, Estado, Zip)	
Telepono sa Tirahan) / Telepono sa Negosyo	Uri ng Reklamo	

Lokasyon ng Kaganapan	Petsa/Oras ng Kaganapan	Petsa/Oras ng Pag-ulat	Iniulat ni
Pangalan ng Cross Reference	Petsa ng Kapanganakan (opt) / Kasarian	Lahi/Bansang Pinagmulan (opt)	CPCC [ ] Sulat [ ] LBDP [ ] Telepono [ ] Iba pa [ ] Personal na Pakikipag-ugnayan [ ]

Nearesto?	Oras/Petsa	Mga pinsala sa anumang Mga Partido?	Mga Nakikitang Pinsala?	Mga Nakuhang Larawan
Oo [ ] Hindi [ ]		Oo [ ] Hindi [ ]	Oo [ ] Hindi [ ]	Oo [ ] Hindi [ ]

Kung Napinsala, ilarawan ang mga pinsala

(Mga) Empleyadong Sangkot	Tsapa/# ng ID	Paglalarawan
Blg. 1		
Blg. 2		

Mga Saksi (Mga Buong Pangalan, Address, Numero ng Telepono (tirahan/trabaho)
Blg. 1
Blg. 2

Tinanggap ang Reklamo Ni	Petsa ng Komisyon	Mga Napag-alaman ng Komisyon

ទម្រង់បែបបទត្រួតពិនិត្យបណ្តឹង
គណៈកម្មការទទួលបន្ទុកបណ្តឹងប្រជាពលរដ្ឋប្រឆាំងនឹងសន្តិសុខ
ឡុងប៊ីច (ការិយាល័យ)

សូមសរសេរជាអក្សរ ឬវាយម៉ាស៊ីន – បំពេញឱ្យបានគ្រប់ព័ត៌មានដែលអាចធ្វើបាន

ឈ្មោះ:	អាសយដ្ឋានផ្ទះ(រួមបញ្ចូលក្រុង, រដ្ឋ និងលេខកូដតំបន់)	
ទូរស័ព្ទដៃ/ផ្ទះ	ទូរស័ព្ទការិយាល័យ	
ទីកន្លែងកើតហេតុ	កាលបរិច្ឆេទ/ម៉ោងកើតហេតុ	កាលបរិច្ឆេទ/ម៉ោងរាយការណ៍ពីហេតុការណ៍
ថ្ងៃខែឆ្នាំកំណើត (ស្រេចចិត្ត)	ភេទ	ជាតិសាស្ត្រ/វប្បធម៌ជាតិកំណើត (ស្រេចចិត្ត)

តើកម្រោងដោះស្រាយអ្នក?	កាលបរិច្ឆេទ/ម៉ោង	តើមានអ្នកស្លាប់របួសអត់?	តើមានស្នាមរបួសដែលមើលឃើញ?	តើមានថតរូបអត់?
បាទ/ចាស [ ] ទេ [ ]		បាទ/ចាស [ ] ទេ [ ]	បាទ/ចាស [ ] ទេ [ ]	បាទ/ចាស [ ] ទេ [ ]

មន្ត្រីប្រឆាំងសន្តិសុខដែលកន្លងមក:	ផ្លាកលេខ/លេខ #	លក្ខណៈពិពណ្នារបស់មន្ត្រីប្រឆាំង
លេខរៀងទី 1		
លេខរៀងទី 2		
លេខរៀងទី 3		

សាក្សីនានា: (សូមផ្តល់ឈ្មោះពេញ(នានា), អាសយដ្ឋានការងារនិងផ្ទះ, លេខទូរស័ព្ទផ្ទះ/ដៃ/ការងារ, ទំនាក់ទំនងនឹងក្រុមគ្រួសារ: មិត្ត, សាច់ញាតិ, ភាគីផ្សេងៗ)
លេខរៀងទី 1
លេខរៀងទី 2
លេខរៀងទី 3

សេចក្តីពិពណ្នាប្រកបដោយសង្ខេបមួយកថាខណ្ឌនូវព្រឹត្តិការណ៍ដែលកើតឡើង។ ក៏សូមផ្តល់នូវច្បាប់ចម្លងនៃឯកសារ/ការថតរូប/ថតសម្លេងណាមួយដែលអ្នកមានសម្រាប់ការគាំទ្រដល់បណ្តឹងរបស់អ្នក។ សូមកត់សម្គាល់ការកត្តាត្រូវបានកាត់ចេញ (ដោយសារលើសចំណុច)

ហត្ថលេខា	ថ្ងៃខែឆ្នាំដែលហត្ថលេខា

Commissioner Elect Orientation Checklist

- ☐ Agreement to Standards of Conduct
- ☐ Courier Service Form
- ☐ Ride Along with LBPD
- ☐ Media Policy
- ☐ Policy Regarding Witnessing Possible Police Misconduct

- ☐ CPCC Charter
- ☐ By-Laws
- ☐ Policies & Procedures
- ☐ Public Safety Officer's Bill of Rights
- ☐ Parliamentary Procedures at a Glance
- ☐ Allegation Codes
- ☐ Findings
- ☐ Phonetic and Alpha Codes

- ☐ CPCC values to the community and the City of Long Beach
- ☐ CPCC and IA investigative processes
- ☐ What to expect during Public Session
- ☐ What to expect during Executive Session
- ☐ Annual training and Special Meetings

After completing orientation, Commissioners sign and

I acknowledge that I have completed the Citizen Police Complaint Commission orientation.

SIGN NAME _____ DATE _____

City Manager Report

CITY OF
LONG BEACH
Citizen Police Complaint Commission
City Manager Report

April 2019

All peace officer personnel records, including information relating to specific deliberations of the Citizen Police Complaint Commission and findings by the City Manager, shall be kept confidential to the extent required by law. In order to comply with this requirement, certain information may have been withheld in this report.

After its **December 13, 2018** meeting, the Citizen Police Complaint Commission submitted recommendations to the City Manager.

The Commission's recommendations and the City Manager's findings for some allegations considered during the **December 13, 2018** meeting are:

COMMISSION	CITY MANAGER
• Exonerated – 2 allegations	Exonerated – 2 allegations
• Not Sustained - 2 allegations	Not Sustained – 2 allegations
• Unfounded – 11 allegations	Unfounded – 14 allegations
• Other – 3 allegations	Other – 0 allegations
• Receive & File – 1 allegation	Receive & File – 1 allegation

The Commission submitted a request for the Long Beach Police Department to provide a general overview regarding TAP cards and the Long Beach Police Department's enforcement on the Metro rail, because the Commission has seen an increase in complaints there.

Per the City Charter, the CPCC investigates allegations of police misconduct and submits its finding recommendations to the City Manager, who has the final authority on these findings. At the Commission's request, a report of the City Manager's findings has been made available to the Commission and to the public, when possible. The report includes all Commission finding recommendations, including Sustained and Other, as well as any recommendations made after discussing a case on the agenda. Because all investigations are personnel matters, information that might connect the finding with a specific accused Officer is left off the report.

City of Long Beach
411 W. Ocean Blvd.
Long Beach, CA 90802

Visit us at www.longbeach.gov
@LongBeachCity

To request this information in an alternative format or to request a reasonable accommodation, please contact City Manager's Office at Patrick.Weithers@longbeach.gov or (562) 570-6711. A minimum of three (3) business days is requested to ensure availability. Reasonable attempts will be made to accommodate request made within less than three (3) business days.

CPCC FAQ

- **How long does it take to investigate a case?**

  Cases can take up to one year to investigate.

- **When do CPCC meetings take place?**

  CPCC meetings take place on the second Thursday of each month with a start time of 5:30 pm.

- **Where do CPCC meetings take place?**

  CPCC meetings take place in the Council Chambers located at 411 W. Ocean Blvd, Long Beach, CA 90802

- **What time do CPCC meetings take place?**

  CPCC meetings start at 5:30 pm

- **Does the CPCC have subpoena power?**

  Yes. The Commission has the power to subpoena documents from the LBPD and also has the power to subpoena LBPD officers for hearings.

- **What will be given to the Commissioners for my case?**

  The Commission is given all complainant and witness statements obtained as well as any evidence and/or documents obtained throughout the investigation. Body worn camera footage is also shown to the Commission if anything was recorded during a particular incident.

- **How will I know the outcome of my case?**

  Once the City Manager renders final findings for a case, the complainant will receive a letter stating the final findings for each allegation.

- **Do the Commissioners make the final finding?**

  No. Commissioners make findings recommendations. The City Manager makes the final finding in each case.

- **Do I have to provide witness information?**

  No, you do not. But it would be very helpful for a case if any witness information could be provided. This would allow for third party accounts of an alleged incident.