

**CITY OF LONG BEACH
CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE E**

**CHARTER AMENDMENT TO ADD A DIRECTOR OF POLICE OVERSIGHT AND A POLICE
OVERSIGHT COMMISSION, WHICH WILL REPLACE THE CITY'S CITIZEN POLICE
COMPLAINT COMMISSION**

On August 9, 2022, the Long Beach City Council placed Measure E on the ballot. This measure would amend the Long Beach City Charter to add a Director of Police Oversight and a Police Oversight Commission, which would replace the Citizen Police Complaint Commission.

City Charter Article XIA established the Citizen Police Complaint Commission ("CPCC") composed of eleven Commissioners, appointed by the Mayor and confirmed by the City Council, with the powers and duties to administer and investigate, through an Independent Investigator appointed by the City Manager, allegations of police misconduct. The CPCC has the authority to conduct hearings; subpoena and require the attendance of witnesses and production of documents pertinent to investigations; and make recommendations concerning misconduct to the City Manager, where the City Manager has the final authority on discipline.

This measure would amend and restate City Charter Article XIA to replace the CPCC with a Police Oversight Director ("Director") and a Police Oversight Commission ("Commission").

The Director would be appointed by the City Council and have the authority to audit all investigations completed by the Police Department's Internal Affairs Division ("IA") for timeliness, thoroughness and quality; review IA's intake of complaints to ensure appropriate allegations are included in IA's investigation; prepare annual reports with a focus on statistical trends and special reports and provide such reports to the Commission and City Council; and review Police Department operations, policy, procedures and training and make recommendations on such review to the Commission and City Council. The Director would have the authority to be on the scene of critical incidents to observe the Police Department's handling of an investigation. The Director would be authorized, upon request of the City Manager, to independently investigate complaints against the Chief of Police and command staff, along with major uses of force involving death or great bodily injury, officer-involved shootings, in-custody death and critical incidents, and would have access to all relevant Police Department records and authority to question witnesses, including Police Department personnel.

The Commission would be composed of seven Commissioners, appointed by the Mayor and confirmed by the City Council. The Commission would provide the Director with auditing priorities based on community feedback and engagement; receive briefings on high-profile incidents; review and approve recommendations made by the Director; and provide feedback on the Director's annual reports and special reports.

There are potential fiscal impacts associated with this measure. The anticipated structural cost increase to the General Fund is estimated to be approximately \$900,000.

A "yes" vote favors the establishment of a Police Oversight Commission and adding a Police Oversight Director to replace the existing Citizen Police Complaint Commission.

A "no" vote opposes the establishment of a Police Oversight Commission and adding a Police Oversight Director and would keep the existing Citizen Police Complaint Commission in place.

A majority of "yes" votes is required for this measure to pass.

The above statement is an impartial analysis of Measure E. If you desire a copy of the measure, please call the Elections Official's office at (562) 570-6101 and a copy will be mailed at no cost to you.

CHARLES PARKIN
City Attorney