

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

**THURSDAY, DECEMBER 12, 2019
411 W. OCEAN BOULEVARD
CIVIC CHAMBERS, 5:30 PM**

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



Porter Gilberg, Commissioner
Dianne McNinch, Commissioner
Justin Morgan, Commissioner
Maria Norvell, Commissioner
Joni Ricks-Oddie, Commissioner

Patrick Weithers, Manager of the CPCC

FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (5:31 PM)

At 5:31 PM, Chair Fletcher called the meeting to order.

ROLL CALL (5:33 PM)

Commissioners James Ahumada, Dana Buchanan, Porter Gilberg, Dianne

Present: McNinch, Justin Morgan, Joni Ricks-Oddie, Christian Cooper
and Desmond Fletcher

Commissioners Leonard Adams Jr., Veronica Garcia and Maria Norvell

Absent:

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

CONSENT CALENDAR (5:33 PM)

Commissioner Gilberg spoke.

Monica Kilaita, Deputy City Attorney, spoke.

A dialogue ensued between Commissioner Gilberg and Monica Kilaita, Deputy City Attorney.

Passed the Consent Calendar.

A motion was made by Commissioner Ricks-Oddie, seconded by Commissioner Morgan, to approve Consent Calendar Item. The motion carried by the following vote:

Yes: 6 - James Ahumada, Dana Buchanan, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie and Desmond Fletcher

Abstain: 1 - Porter Gilberg

Absent: 4 - Leonard Adams Jr., Veronica Garcia, Maria Norvell and Christian Cooper

1. 19-078CP Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

<u>CPCC NO.</u>	<u>ALLEGATION(S)</u>
18-077	Improper Entry & Bias Based Policing
18-154	Improper Arrest, Unbecoming Conduct & Misappropriation of Property
18-155	Unbecoming Conduct
18-161	Use of Force, Dishonest & Unbecoming Conduct
18-178	Profanity
18-203	Failure to Take Report & Unbecoming Conduct
19-007	Unbecoming Conduct, Failure to Investigate & Failure to Take Action
19-010	Use of Force
19-013	Unbecoming Conduct
19-014	Unbecoming Conduct & Failure to Take Report
19-017	Unbecoming Conduct

19-018	Unbecoming Conduct
19-019	Unbecoming Conduct
19-030	Unbecoming Conduct & Intimidation

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

REGULAR AGENDA (5:36 PM)

2. 19-079CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, November 14, 2019.

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

Yes: 6 - James Ahumada, Dana Buchanan, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie and Desmond Fletcher

Abstain: 1 - Porter Gilberg

Absent: 4 - Leonard Adams Jr., Veronica Garcia, Maria Norvell and Christian Cooper

3. 19-080CP Recommendation to receive and file update on Commissioners questions or recommendations.

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

Commissioner Gilberg spoke.

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

Commissioner Gilberg spoke.

A dialogue ensued between Commissioner Gilberg and Dina Zapalski, Commander, Long Beach Police Department.

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

Yes: 7 - James Ahumada, Dana Buchanan, Porter Gilberg, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie and Desmond Fletcher

Absent: 4 - Leonard Adams Jr., Veronica Garcia, Maria Norvell and Christian Cooper

4. 19-081CP Recommendation to receive and file presentation on City Manager's Findings.

Patrick Weithers, Manager of the CPCC, spoke; and provided a PowerPoint presentation.

Chair Fletcher spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Commissioner Ricks-Oddie spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Chair Fletcher spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

Commissioner McNinch spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Chair Fletcher spoke.

Sarah Green, Deputy City Attorney, spoke.

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

Yes: 8 - James Ahumada, Dana Buchanan, Porter Gilberg, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie, Christian Cooper and Desmond Fletcher

Absent: 3 - Leonard Adams Jr., Veronica Garcia and Maria Norvell

PUBLIC COMMENT (5:58 PM)

No members of the public addressed the commission.

MANAGER'S REPORT (5:58 PM)

Patrick Weithers, Manager of the CPCC informed the commission he plans to bring the CPCC Annual Report to the commission in the Spring of 2020; announced he will email Commissioners potential dates for the CPCC annual training; and wished the Commissioners a happy holiday season.

REMARKS FROM THE CHAIR AND COMMISSIONERS (5:59 PM)

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Chair Fletcher spoke.

Commissioner Buchanan spoke.

Patrick Weithers, Manager of the CPCC, spoke.

RECESS TO CLOSED SESSION (6:02 PM)

At 6:02 PM, there being no objection, Chair Fletcher recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (9:55 PM)

At 9:55 PM, Chair Fletcher reconvened the meeting.

ROLL CALL (9:55 PM)

Commissioners James Ahumada, Dana Buchanan, Porter Gilberg, Dianne

Present: McNinch, Justin Morgan, Joni Ricks-Oddie, Christian Cooper
and Desmond Fletcher

Commissioners Leonard Adams Jr., Veronica Garcia and Maria Norvell

Absent:

5. 19-082CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Chair Fletcher spoke.

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

[1] Case No. 19-034 Commissioners voted 8-0 on Allegation Nos. 1 - Unbecoming Conduct, 2 - Unbecoming Conduct and 3 - Unbecoming Conduct for First and Second Officers accused;

[2] Case No. 19-015 Commissioners voted 5-3 on Allegation No. 1 - Improper Search and 8-0 on Allegation No. 2 - Unbecoming Conduct for First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Officers accused;

[3] Case No. 19-016 Commissioners voted 8-0 on Allegation Nos. 1 - Dishonesty, 2 - Unbecoming Conduct, 3 - Unbecoming Conduct, 4 - Unbecoming Conduct, 5 - Unbecoming Conduct and 6 - Unbecoming Conduct for Officer accused;

[4] Case No. 19-029 Commissioners voted 8-0 on Allegation Nos. 1 - Failure to Care for Property and 2 - Failure to Care for Property for First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Officers accused;

[5] Case No. 19-031 Commissioners voted 8-0 on Allegation Nos. 1 - Use of Force, 2 - Use of Force and 3 - Unbecoming Conduct for Officer accused; and

[6] Case No. 19-004 Commissioners voted 8-0 on Allegation Nos. 1 - Unbecoming Conduct and 3 - Use of Force for First, Second and Third Officers accused, 2 - Use of Force, 4 - Unbecoming Conduct, 7 - Improper Search for Officer accused and 5 - Unbecoming Conduct, 8 - Misappropriation of Property and 9 - Unbecoming Conduct for First and Second Officers accused, and 7-1 on Allegation No. 6 - Use of Force for Officer accused.

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

Yes: 8 - James Ahumada, Dana Buchanan, Porter Gilberg, Dianne McNinch, Justin Morgan, Joni Ricks-Oddie, Christian Cooper and Desmond Fletcher

Absent: 3 - Leonard Adams Jr., Veronica Garcia and Maria Norvell

PUBLIC COMMENT (10:02 PM)

No members of the public addressed the commission.

ADJOURNMENT (10:02 PM)

At 10:02 PM, there being no objection, Chair Fletcher declared the meeting adjourned.

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NOTE:

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