

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

**THURSDAY, MAY 14, 2020
TELECONFERENCE, 5:30 PM**

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



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

Patrick Weithers, Manager of the CPCC

FINISHED AGENDA & DRAFT MINUTES

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

THE CIVIC CHAMBERS WILL BE CLOSED TO THE PUBLIC

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

CALL TO ORDER (5:33 PM)

At 5:33 PM, Chair Fletcher called the meeting to order.

ROLL CALL (5:33 PM)

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

Commissioners Veronica Garcia and Maria Norvell
Absent:

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

CONSENT CALENDAR (5:34 PM)

Passed the Consent Calendar

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

Yes: 5 - James Ahumada, Dana Buchanan, Justin Morgan, Christian Cooper and Desmond Fletcher

Abstain: 2 - Leonard Adams Jr. and Porter Gilberg

Absent: 3 - Veronica Garcia, Dianne McNinch and Maria Norvell

1. 20-019CP Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

| <u>CPCC NO.</u> | <u>ALLEGATION(S)</u> |
|-----------------|---|
| 19-113 | Profanity & Unbecoming Conduct |
| 19-099 | Dishonesty & Misuse of Authority |
| 19-103 | Failure to Investigate & Failure to Take Action |
| 19-114 | Unbecoming Conduct |
| 19-122 | Failure to Take Report |

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

REGULAR AGENDA (5:35 PM)

2. 20-020CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, April 9, 2020.

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

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

Abstain: 1 - Leonard Adams Jr.

Absent: 3 - Veronica Garcia, Dianne McNinch and Maria Norvell

3. 20-021CP Recommendation to receive and file discussion on CPCC Case Videos.

Patrick Weithers, Manager of the CPCC, presented the staff report.

Commissioner Morgan spoke.

Commissioner Adams Jr. spoke.

Vice Chair Cooper spoke.

Commissioner Buchanan spoke.

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Sarah Green, Deputy City Attorney, spoke.

A dialogue ensued between Commissioner Gilberg and Sarah Green, Deputy City Attorney.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Ahumada spoke.

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Sarah Green, Deputy City Attorney, spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Jonathan Nagayama, City Clerk Specialist, spoke.

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

Yes: 7 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Absent: 3 - Veronica Garcia, Dianne McNinch and Maria Norvell

MANAGER'S REPORT (5:54 PM)

Patrick Weithers, Manager of the CPCC, announced one eComment was submitted and updated the Commission that the 2019 CPCC Annual Report is almost finished.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Jonathan Nagayama, City Clerk Specialist, spoke.

A dialogue ensued between Commissioner Gilberg and Jonathan Nagayama, City Clerk Specialist.

REMARKS FROM THE CHAIR & COMMISSIONERS (5:55 PM)

Commissioner Gilberg spoke.

Jonathan Nagayama, City Clerk Specialist, spoke.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

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

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

Chair Fletcher spoke.

Kevin Jackson, Deputy City Manager, 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 (10:53 PM)

At 10:53 PM, Chair Fletcher reconvened the meeting.

ROLL CALL (10:53 PM)

Commissioners Leonard Adams Jr., James Ahumada, Dana Buchanan, Porter

Present: Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Commissioners Veronica Garcia, Dianne McNinch and Maria Norvell

Absent:

4. 20-022CP Recommendation to receive Commission's vote and refer findings to the City Manager.

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

- [1] Case No. 19-089 Commissioners voted 7-0-1 on Allegation No. 1 - Improper Arrest for First and Second Officers accused and 5-2-1 on Allegation No. 4 - Improper Arrest for First and Second Officers accused;
- [2] Case No. 19-073 Commissioners voted 8-0 on Allegation Nos. 1 - Unbecoming Conduct, 2 - Unbecoming Conduct, 3 - Unbecoming Conduct, 4 - Unbecoming Conduct and 5 - Dishonesty for Officer accused;
- [3] Case No. 19-093 Commissioners voted 8-0 on Allegation Nos. 1 - Failure to Investigate for First and Second Officers accused and 2 - Unbecoming Conduct for Officer accused;
- [4] Case No. 19-109 Commissioners voted 8-0 on Allegation No. 1 - Use of Force for First, Second, Third, Fourth and Fifth Officers accused;
- [5] Case No. 19-088 Commissioners voted 8-0 on Allegation No. 1 - Dishonesty for Officer accused;
- [6] Case No. 19-083 Commissioners voted 8-0 on Allegation No. 1 - Unbecoming Conduct for First and Second Officers accused;
- [7] Case No. 19-102 Commissioners voted 8-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;
- [8] Case No. 19-098 Commissioners voted 8-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;
- [9] Case No. 19-100 Commissioners voted 8-0 on Allegation No. 1 - Sexual Misconduct for First and Second Officers accused;
- [10] Case No. 19-110 Commissioners voted 7-1 on Allegation No. 1 - Unbecoming Conduct for First and Second Officers accused;
- [11] Case No. 19-105 Commissioners voted 5-3 on Allegation No. 1 - Sexual Misconduct for Officer accused;
- [12] Case No. 19-085 Commissioners voted 8-0 on Allegation No. 1 - Misappropriation of Property for Officer accused;

[13] Case No. 19-160 Commissioners voted 8-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused; and

[14] Case No. 19-116 Commissioners voted 8-0 on Allegation No. 1 - Bias Based Policing for First and Second Officers accused.

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

Yes: 7 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Absent: 3 - Veronica Garcia, Dianne McNinch and Maria Norvell

5. 20-025CP eComments received for the Citizen Police Complaint Commission meeting of Thursday, May 14, 2020.

This CP-Agenda Item was received and filed.

ADJOURNMENT (11:00 PM)

At 11:00 PM, there being no objection, Chair Fletcher declared the meeting adjourned.

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NOTE:

If written language translation of the Commission agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the Commission meeting.

Kung nais ang pagsasalin ng nakasulat na wika ng agenda ng Komisyon at ang minutes para sa mga taong hindi nagsasalita ng Ingles, mangyaring isagawa ang iyong hiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras ng negosyo bago ang pagpupulong ng Commission.

Si desea obtener la traducción escrita en otro idioma de la agenda y actas de la comisión para personas que no hablan inglés, haga su solicitud por teléfono a la Oficina de la Secretaría Municipal al (562) 570-6101, 72 horas hábiles antes de la reunión de la

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