

# CITIZEN POLICE COMPLAINT COMMISSION (CPCC) MANDATE

By: Patrick Weithers, Manager of the CPCC

# THE CITIZEN POLICE COMPLAINT COMMISSION

The Citizen Police Complaint Commission (CPCC) is one of six chartered commissions established to provide feedback and input to the City Manager, Mayor, and City Council on specified matters. The CPCC investigates allegations of police misconduct and reviews the service provided by members of the Long Beach Police Department. Like all commissions, the CPCC provides a rewarding opportunity for Long Beach residents to be directly involved in serving our community. Commissioners provide a valuable insight into the community's perception of and experience with members of the Long Beach Police Department.

The CPCC is neither an advocate for the complainant nor for the police personnel. Their findings and recommendations to the City Manager can result in the accused personnel being disciplined, trained or exonerated. The Commission cannot recommend specific discipline or penalty. While the Commission does not directly set policy, its findings have resulted in Police Department policies being changed or clarified to best serve the community.

# CHARTER 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.

# LBPD POLICY AND PRACTICE CHANGES FROM CPCC RECOMMENDATIONS / CONCERNS



# TRANSPORTING PEOPLE WHO ARE NOT ARRESTED

**On August 10, 2017 the CPCC made the following policy recommendation:**

- Review and if appropriate, update policy and practice regarding officers and supervisors transporting people who are not arrested

## **Result**

The LBPD added language to their existing policy on “Transporting Citizens” requiring officers to, at minimum add a note in their unit history of the transport to include: whether the person is an adult or juvenile; their gender; and the location where the person is being transported to and from

# DEPARTMENT WIDE TRAINING BULLETIN

**On September 14, 2017 the CPCC made the following recommendation:**

- Consider department wide training regarding the handling of restraining orders

## **Result**

At the time, the last in-service training on restraining orders had been distributed in 2015. The in-service training bulletin was subsequently reviewed, updated and delivered to all sworn employees. The updated training bulletin included language on what officers should do on calls involving Domestic Violence Restraining, Criminal Protective Orders, Emergency Protective Orders and Temporary Restraining Orders, and how to enforce them. Additionally, it states how officers should document calls involving protective orders.

# IMPLEMENTATION OF SYSTEM FOR ARRESTEES PROPERTY

**On November 9, 2017 the CPCC made the following recommendation:**

- Implement a system to show that arrestees are aware that their property must be claimed within 90 days. A suggestion is to have the arrestee initial and date the inmate property receipt when booked

## **Result**

The LBPD modified their practice as it pertained to inmates formally acknowledging their property dispositions with proper documentation. This included updating the routing of an inmate's booking package and having both detention officers and inmates sign and date property related forms when initially brought to the jail, and upon release.

# FLEX CUFF RECOMMENDATION

**On January 10, 2019 the CPCC made the following 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).

## **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 due to their recommendation.



# HANDCUFF RECOMMENDATION

**On February 14, 2019 the CPCC made the following recommendation:**

- The Commission saw many complaints regarding handcuffs being too tight, and requested 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.

## **Result**

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 due to their recommendation.

# UPDATES TO THE COMMISSION UNDER CURRENT MANDATE

- Changes to the Definitions of Findings and Order of Dispositions
  - Addition of Credibility Factors
  - New City Manager Report Format
  - Community Engagement Committee
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