

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

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

Desmond Fletcher, Chair
Christian Cooper, Vice Chair
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, Acting Manager

FINISHED AGENDA & MINUTES

CALL TO ORDER (5:31 PM)

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

ROLL CALL (5:31 PM)

Commissioners Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter

Present: Gilberg, Dianne McNinch, Justin Morgan, Maria Norvell,
Christian Cooper and Desmond Fletcher

Commissioners Joni Ricks-Oddie

Absent:

Also present: Patrick Weithers, Acting Manager; Terrance Pham, Special Investigator; Monica Kilaita, Deputy City Attorney; Lloyd Cox, Commander, Long Beach Police Department; Dina Zapalski, Commander, Long Beach Police Department; Jonathan Nagayama, City Clerk Specialist.

CONSENT CALENDAR (5:31 PM)

Passed the Consent Calendar

A motion was made by Vice Chair Cooper, seconded by Commissioner Norvell, to approve Consent Calendar Item. The motion carried by the following vote:

Yes: 8 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Dianne McNinch, Justin Morgan, Maria Norvell, Christian Cooper and Desmond Fletcher

Abstain: 1 - Porter Gilberg

Absent: 1 - Joni Ricks-Oddie

1. [19-055CP](#) 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>
18-159	Failure to Investigate & Unbecoming Conduct
18-176	Failure to Take Report
18-193	Misappropriation of Property
18-174	Unbecoming Conduct

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

REGULAR AGENDA (5:32 PM)

2. [19-056CP](#) Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, August 8, 2019.

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

Yes: 9 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter Gilberg, Dianne McNinch, Justin Morgan, Maria Norvell, Christian Cooper and Desmond Fletcher

Absent: 1 - Joni Ricks-Oddie

3. [19-057CP](#) Recommendation to receive and file City Manager's Report.

Patrick Weithers, Acting Manager, spoke; and introduced Terrance Pham, Special Investigator.

Terrance Pham, Special Investigator, presented the staff report.

Commissioner Gilberg spoke.

Patrick Weithers, Acting Manager, spoke.

Commissioner Gilberg spoke.

Monica Kilaita, Deputy City Attorney, spoke.

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

Kevin Jackson, Deputy City Manager, spoke.

Commissioner Gilberg spoke.

A dialogue ensued between Commissioner Gilberg and Kevin Jackson, Deputy City Manager.

Vice Chair Cooper spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Commissioner McNinch spoke.

Kevin Jackson, Deputy City Manager, spoke.

Commissioner Gilberg spoke.

Patrick Weithers, Acting Manager, spoke.

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

Yes: 9 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter Gilberg, Dianne McNinch, Justin Morgan, Maria Norvell, Christian Cooper and Desmond Fletcher

Absent: 1 - Joni Ricks-Oddie

4. [19-058CP](#) Recommendation to receive and file update on Commissioners questions or recommendations.

Patrick Weithers, Acting Manager, presented the staff report.

Commissioner Gilberg spoke.

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

Chair Fletcher spoke.

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

A dialogue ensued between Chair Fletcher and Dina Zapalski, Commander, Long Beach Police Department.

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

Yes: 9 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter Gilberg, Dianne McNinch, Justin Morgan, Maria Norvell, Christian Cooper and Desmond Fletcher

Absent: 1 - Joni Ricks-Oddie

PUBLIC COMMENT (5:48 PM)

No members of the public addressed the commission.

MANAGER'S REPORT (5:48 PM)

Patrick Weithers, Acting Manager, announced the hiring process for the full-time investigator position has been completed and a candidate has been chosen; reminded the Commissioners about the upcoming Annual Training on October 25, 2019; responded to

Commissioners questions from the August 8, 2019 meeting; and acknowledged and thanked Commander Lloyd Cox who will be retiring from the Long Beach Police Department.

Lloyd Cox, Commander, Long Beach Police Department, spoke.

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

Commissioner Norvell spoke.

Vice Chair Cooper spoke.

Commissioner McNinch spoke.

Commissioner Adams Jr. spoke.

Chair Fletcher spoke.

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

There were no remarks from the Chair or Commissioners.

RECESS TO CLOSED SESSION (6:00 PM)

At 6:00 PM, there being no objection, Chair Fletcher recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (11:01 PM)

At 11:01 PM, Chair Fletcher reconvened the meeting.

ROLL CALL (11:01 PM)

Commissioners Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter

Present: Gilberg, Dianne McNinch, Justin Morgan, Maria Norvell,
Christian Cooper and Desmond Fletcher

Commissioners Joni Ricks-Oddie

Absent:

5. [19-059CP](#) 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. 18-191 Commissioners voted 8-1 on Allegation No. 1 - Unbecoming Conduct and 7-2 on Allegation No. 2 - Bias Based Policing for Officer accused;

[2] Case No. 18-173 Commissioners voted 8-0 on Allegation No. 1 - Use of Force for Officer accused;

[3] Case No. 18-150 Commissioners voted 7-2 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[4] Case No. 18-175 Commissioners voted 8-1 on Allegation No. 1 - Failure to Take Action and 7-2 on Allegation No. 2 - Failure to Take Action for First and Second Officers accused;

[5] Case No. 18-172 Commissioners voted 9-0 on Allegation Nos. 1 - Use of Force and 3 - Unbecoming Conduct for Officer accused, and Allegation No. 2 - Unbecoming Conduct for First and Second Officers accused;

[6] Case No. 18-167 Commissioners voted 9-0 on Allegation Nos. 1 - Unbecoming Conduct and 2 - Improper Arrest for First, Second, Third, and Fourth Officers accused;

[7] Case No. 18-170 Commissioners voted 9-0 on Allegation No. 1 - Personal Search and 3 - Bias Based Policing, and 6-3 on Allegation No. 2 - Sexual Misconduct for Officer accused;

[8] Case No. 18-157 Case No. 18-194 Commissioners voted 9-0 on Allegation Nos. 1 - Use of Force, 2 - Unbecoming Conduct, 3 - Use of Force, and 5 - Unbecoming Conduct, and 7-2 on Allegation No. 4 - Unbecoming Conduct for Officer accused;

[9] Case No. 18-190 Commissioners voted 9-0 on Allegation Nos. 1 - Unbecoming Conduct for First and Second Officers accused, 2 - Failure to Care for Property for Officer accused, and 3 - Use of Force for First, Second, Third, and Fourth Officers accused;

[10] Case No. 18-151 Commissioners voted 9-0 on Allegation Nos. 1 - Misuse of Authority and 2 - Unbecoming Conduct for First and Second Officers accused;

[11] Case No. 18-160 Commissioners voted 9-0 on Allegation Nos. 1 - Use of Force and 2 - Use of Force for First and Second Officers accused;

[12] Case No. 18-200 Commissioners voted 9-0 on Allegation Nos. 1 - Improper Arrest and 2 - Misappropriation of Property for First, Second, and Third Officers accused; and

[13] Case No. 18-168 Commissioners voted 9-0 on Allegation Nos. 1 - Bias Based Policing and 2 - Use of Force for First and Second Officers accused, 5 - Use of Force, 6 - Use of Force, and 7 - Use of Force for Officer accused, 3 - Use of Force, 8 - Use of Force, and 9 - Unbecoming Conduct for First, Second, Third and Fourth Officers accused, and 6-3 on Allegation No. 4 - Use of Force for Officer accused.

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

Yes: 9 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter Gilberg, Dianne McNinch, Justin Morgan, Maria Norvell, Christian Cooper and Desmond Fletcher

Absent: 1 - Joni Ricks-Oddie

PUBLIC COMMENT (11:08 PM)

No members of the public addressed the commission.

ADJOURNMENT (11:08 PM)

At 11:08 PM, there being no objection, Chair Fletcher declared the meeting adjourned.

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NOTE:

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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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