

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

**THURSDAY, JANUARY 9, 2020
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

Patrick Weithers, Manager of the CPCC

FINISHED AGENDA & MINUTES

CALL TO ORDER (5:41 PM)

At 5:41 PM, Chair Fletcher called the meeting to order.

ROLL CALL (5:41 PM)

Also present: 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.

Commissioners Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter
Present: Gilberg, Dianne McNinch and Desmond Fletcher

Commissioners James Ahumada, Justin Morgan, Maria Norvell and Christian
Absent: Cooper

CONSENT CALENDAR (5:42 PM)

Passed the Consent Calendar.

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

Yes: 5 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Dianne McNinch and Desmond Fletcher

Abstain: 1 - Porter Gilberg

Absent: 4 - James Ahumada, Justin Morgan, Maria Norvell and
Christian Cooper

1. [20-001CP](#) 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>
19-036	Unbecoming Conduct
19-039	Unbecoming Conduct
19-161	Unbecoming Conduct
19-012	Failure to Investigate
19-009	Unbecoming Conduct
19-038	Unbecoming Conduct
19-065	Use of Force

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

REGULAR AGENDA (5:43 PM)

2. [20-002CP](#) Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, December 12, 2019.

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

Yes: 6 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter Gilberg, Dianne McNinch and Desmond Fletcher

Absent: 4 - James Ahumada, Justin Morgan, Maria Norvell and Christian Cooper

PUBLIC COMMENT (5:44 PM)

Cindy Vera spoke.

Chair Fletcher spoke.

Patrick Weithers, Manager of the CPCC, spoke.

MANAGER'S REPORT (5:49 PM)

Patrick Weithers, Manager of the CPCC, responded to a question from the Commission regarding the City Manager's process for making final decisions regarding cases; informed the Commissioners that the City Council passed a resolution to compensate all City Boards and Commissions; told the Commission that the City Manager Report is available on the CPCC website and that he began working on the 2019 CPCC Annual Report; and announced that the CPCC 2020 Annual Retreat will be held on Friday, April 24, 2020.

REMARKS FROM THE CHAIR AND COMMISSIONERS (5:53 PM)

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.

Patrick Weithers, Manager of the CPCC, spoke.

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

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

RECESS TO CLOSED SESSION (5:56 PM)

At 5:56 PM, there being no objection, Chair Fletcher recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (10:46 PM)

At 10:46 PM, Chair Fletcher reconvened the meeting.

ROLLCALL (10:46 PM)

Commissioners Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter
Present: Gilberg, Dianne McNinch and Desmond Fletcher

Commissioners James Ahumada, Justin Morgan, Maria Norvell and Christian
Absent: Cooper

3. [20-003CP](#) 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. 19-004 Commissioners voted 5-1 on Allegation No. 1 - Misappropriation of Property for Officer accused;

[2] Case No. 19-006 Commissioners voted 6-0 on Allegation No. 1 - Racial Bias for Officer accused;

[3] Case No. 19-025 Commissioners voted 4-2 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[4] Case No. 19-032 Commissioners voted 6-0 on Allegation Nos. 1 - Unbecoming Conduct and 2 - Unbecoming Conduct for First and Second Officers accused;

[5] Case No. 19-050 Commissioners voted 6-0 on Allegation No. 1 - Unbecoming Conduct for Officer accused;

[6] Case No. 19-040 Commissioners voted 6-0 on Allegation Nos. 1 - Improper Search for Officer accused and 2 - Sexual Misconduct for First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth Officers accused;

[7] Case No. 19-062 Commissioners voted 4-2 on Allegation No. 1 - Bias Based Policing and 6-0 on Allegation No. 2 - Improper Search for First and Second Officers accused;

[8] Case No. 19-035 Commissioners voted 6-0 on Allegation No. 1 - Failure

to Take Action for Officer accused;

[9] Case No. 19-023 Commissioners voted 5-1 on Allegation No. 1 - Unbecoming Conduct for First, Second and Third Officers accused, 4-2 on Allegation No. 1 - Unbecoming Conduct for Fourth Officer accused and 6-0 on Allegation No. 2 - Unbecoming Conduct for First, Second, Third and Fourth Officer accused;

[10] Case No. 19-033 Commissioners voted 6-0 on Allegation No. 1 - Failure to Take Report for Officer accused;

[11] Case No. 19-059 Commissioners voted 5-1 on Allegation Nos. 1 - Unbecoming Conduct and 3 - Unbecoming Conduct, 6-0 on Allegation No. 2 - Unbecoming Conduct and 5-0-1 on Allegation No. 4 - Unbecoming Conduct for Officer accused; and

[12] Case No. 19-048 Commissioners voted 4-1-1 on Allegation No. 1 - Racial Profiling for First Officer accused and 5-1 on Allegation No. 1 - Racial Profiling for Second Officer accused.

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

Yes: 6 - Leonard Adams Jr., Dana Buchanan, Veronica Garcia, Porter Gilberg, Dianne McNinch and Desmond Fletcher

Absent: 4 - James Ahumada, Justin Morgan, Maria Norvell and Christian Cooper

PUBLIC COMMENT (10:51 PM)

No members of the public addressed the commission.

ADJOURNMENT

At 10:51 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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