

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

**THURSDAY, JUNE 11, 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**

CALL TO ORDER (5:39 PM)

At 5:39 PM, Chair Fletcher called the meeting to order.

ROLL CALL (5:39 PM)

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

Commissioners Maria Norvell

Excused:

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; Jonathan Nagayama, City Clerk Analyst.

CONSENT CALENDAR (5:40 PM)

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Ahumada spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Buchanan spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Chair Fletcher spoke.

Commissioner Morgan spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Sarah Green, Deputy City Attorney, spoke.

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

Commissioner Adams Jr. spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Jonathan Nagayama, City Clerk Analyst, spoke.

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

Kevin Jackson, Deputy City Manager, spoke.

Commissioner Gilberg spoke.

Kevin Jackson, Deputy City Manager, spoke.

Sarah Green, Deputy City Attorney, spoke.

Commissioner Buchanan spoke.

Sarah Green, Deputy City Attorney, spoke.

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

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Buchanan spoke.

Jonathan Nagayama, City Clerk Analyst, spoke.

Commissioner Ahumada spoke.

Commissioner Gilberg spoke.

A dialogue ensued between Commissioner Ahumada and Commissioner Gilberg.

Commissioner Buchanan spoke.

Chair Fletcher spoke.

A dialogue ensued between Chair Fletcher and Commissioner Buchanan.

Sarah Green, Deputy City Attorney, spoke.

Commissioner Ahumada spoke.

Commissioner Buchanan spoke.

Sarah Green, Deputy City Attorney, spoke.

Commissioner Ahumada spoke.

Kevin Jackson, Deputy City Manager, spoke.

Sarah Green, Deputy City Attorney, spoke.

Commissioner Ahumada spoke.

Commissioner Morgan spoke.

Commissioner Adams Jr. spoke.

Chair Fletcher spoke.

Commissioner Garcia spoke.

Commissioner Gilberg spoke.

Commissioner Ahumada spoke.

A dialogue ensued between Commissioner Gilberg and Commissioner Ahumada.

Chair Fletcher spoke.

Jonathan Nagayama, City Clerk Analyst, spoke.

A dialogue ensued between Chair Fletcher and Jonathan Nagayama, City Clerk Analyst.

Kevin Jackson, Deputy City Manager, spoke.

Sarah Green, Deputy City Manager, spoke.

Commissioner Buchanan spoke.

Commissioner Morgan spoke.

Sarah Green, Deputy City Attorney, spoke.

Vice Chair Cooper spoke.

Patrick Weithers, Manager of the CPCC, spoke.

A dialogue ensued between Vice Chair Cooper and Patrick Weithers, Manager of the CPCC, spoke.

Sarah Green, Deputy City Attorney, spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Buchanan spoke.

Commissioner Gilberg spoke.

A dialogue ensued between Commissioner Buchanan and Commissioner Gilberg.

Patrick Weithers, Manager of the CPCC, spoke.

Vice Chair Cooper spoke.

Kevin Jackson, Deputy City Manager, spoke.

Sarah Green, Deputy City Attorney, spoke.

Commissioner Garcia spoke.

Commissioner Ahumada spoke.

Commissioner Gilberg spoke.

A dialogue ensued between Commissioner Ahumada and Commissioner Gilberg.

Commissioner Adams Jr. spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Morgan spoke.

Sarah Green, Deputy City Manager, spoke.

Kevin Jackson, Deputy City Manager, spoke.

Sarah Green, Deputy City Attorney, spoke.

Jonathan Nagayama, City Clerk Analyst, spoke.

A motion was made by Commissioner Ahumada, seconded by Commissioner Garcia, that the Consent Calendar Item be laid over to the Closed Session on Thursday, July 9, 2020 for review; and moving forward, direct staff to place all CPCC cases on the Closed Session agenda. The motion carried by the following vote:

Yes: 8 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Veronica Garcia, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Excused: 1 - Maria Norvell

Absent: 1 - Dianne McNinch

1. [20-026CP](#) 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>
19-125	Unbecoming Conduct
19-145	Failure to Take Action & Unbecoming Conduct
19-136	Unbecoming Conduct
19-148	Failure to Take Report
19-143	Unbecoming Conduct
19-118	Failure to Take Report

A motion was made that the item be laid over on the Consent Calendar.

REGULAR AGENDA (6:27 PM)

2. [20-027CP](#) Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, May 14, 2020.

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

Yes: 8 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Veronica Garcia, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Excused: 1 - Maria Norvell

Absent: 1 - Dianne McNinch

3. [20-028CP](#)

Recommendation to receive and file an overview of the CPCC Mandate.

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

Chair Fletcher spoke.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

Kevin Jackson, Deputy City Manager, spoke.

Commissioner Gilberg spoke.

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

Chair Fletcher spoke.

Commissioner Gilberg spoke.

A dialogue ensued between Chair Fletcher and Commissioner Gilberg.

Kevin Jackson, Deputy City Manager, spoke.

Commissioner Gilberg spoke.

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

Chair Fletcher spoke.

Commissioner Gilberg spoke.

A dialogue ensued between Chair Fletcher and Commissioner Gilberg.

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

Sarah Green, Deputy City Attorney, spoke.

Kevin Jackson, Deputy City Manager, spoke.

Chair Fletcher spoke.

Sarah Green, Deputy City Attorney, spoke.

Jonathan Nagayama, City Clerk Analyst, spoke.

Commissioner Gilberg spoke.

Sarah Green, Deputy City Attorney, spoke.

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

Kevin Jackson, Deputy City Manager, spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

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

Sarah Green, 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 Adams Jr. spoke.

Commissioner Garcia spoke.

Commissioner Buchanan spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Chair Fletcher spoke.

Commissioner Morgan spoke.

Sarah Green, Deputy City Attorney, spoke.

Vice Chair Cooper spoke.

Commissioner Ahumada spoke.

Sarah Green, Deputy City Attorney, spoke.

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

Yes: 8 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Veronica Garcia, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Excused: 1 - Maria Norvell

Absent: 1 - Dianne McNinch

4. [20-029CP](#)

Recommendation to receive and file a discussion on Commissioners requests for CPCC reform.

Commissioner McNinch joined the meeting.

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

Chair Fletcher spoke.

Vice Chair Cooper spoke.

Sarah Green, Deputy City Attorney, spoke.

Commissioner Buchanan spoke.

Chair Fletcher spoke.

Sarah Green, Deputy City Attorney, spoke.

A dialogue ensued between Chair Fletcher and Sarah Green, Deputy City Attorney.

Commissioner Buchanan spoke.

Commissioner Ahumada spoke.

Commissioner Garcia spoke.

Commissioner Adams Jr. spoke.

Commissioner Morgan spoke.

Commissioner Gilberg spoke.

Kevin Jackson, Deputy City Manager, spoke.

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

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Kevin Jackson, Deputy City Manager, spoke.

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

Chair Fletcher spoke.

Commissioner Gilberg spoke.

Kevin Jackson, Deputy City Manager, spoke.

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

Sarah Green, Deputy City Attorney, spoke.

Commissioner Gilberg spoke.

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

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg 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.

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

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg 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.

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

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

Kevin Jackson, Deputy City Manager, spoke.

A dialogue ensued among Commissioner Gilberg, Patrick Weithers, Manager of the CPCC, and Kevin Jackson, Deputy City Manager.

Jonathan Nagayama, City Clerk Analyst, spoke.

Commissioner Gilberg spoke.

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

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Gilberg spoke.

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

Kevin Jackson, Deputy City Manager, spoke.

Commissioner Gilberg spoke.

Commissioner Buchanan spoke.

Sarah Green, Deputy City Attorney, spoke.

Jonathan Nagayama, City Clerk Analyst, spoke.

Commissioner Gilberg spoke.

Chair Fletcher spoke.

Commissioner Garcia spoke.

Patrick Weithers, Manager of the CPCC, spoke.

Commissioner Adams Jr. spoke.

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

Yes: 8 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Veronica Garcia, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Excused: 1 - Maria Norvell

Absent: 1 - Dianne McNinch

5. [20-030CP](#)

Recommendation to receive and file City Manager's Report.

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

Commissioner Gilberg spoke.

Patrick Weithers, Manager of the CPCC, spoke.

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

Kevin Jackson, Deputy City Manager, spoke.

Commissioner Gilberg spoke.

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

Commissioner Morgan spoke.

Commissioner Buchanan spoke.

Commissioner Ahumada spoke.

Kevin Jackson, Deputy City Manager, spoke.

Commissioner Adams Jr. spoke.

Chair Fletcher spoke.

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

Yes: 8 - Leonard Adams Jr., James Ahumada, Dana Buchanan, Veronica Garcia, Porter Gilberg, Justin Morgan, Christian Cooper and Desmond Fletcher

Excused: 1 - Maria Norvell

Absent: 1 - Dianne McNinch

MANAGER'S REPORT (8:40 PM)

Patrick Weithers, Manager of the CPCC, spoke; and recognized outgoing Chair Fletcher and thanked him for his service as Chair of the CPCC; reminded the Commissioners of the upcoming election at the July 9, 2020 meeting; and announced the eComments and emails that were submitted for the meeting were emailed to the Commissioners.

REMARKS FROM THE CHAIR & COMMISSIONERS (8:43 PM)

There were no remarks from the Chair or Commissioners.

RECESS TO CLOSED SESSION (8:43 PM)

At 8:43 PM, there being no objection, Chair Fletcher recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (12:58 AM)

At 12:58 AM, Chair Fletcher reconvened the meeting.

ROLL CALL (12:58 AM)

Commissioners James Ahumada, Dana Buchanan, Veronica Garcia, Porter

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

Commissioners Maria Norvell

Excused:

Commissioners Leonard Adams Jr.

Absent:

6. [20-031CP](#) Recommendation to receive Commission's vote and refer findings to the City Manager.

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

[1] Case No. 19-107 Commissioners voted 8-0-1 on Allegation No. 1 - Failure to Take Action, 8-1 on Allegation No. 3 - Failure to Take Action, and 7-2 on Allegation No. 4 - Bias Based Policing for First and Second Officers accused, and 8-1 on Allegation No. 2 - Unbecoming Conduct for Officer accused;

[2] Case No. 19-108 Commissioners voted 8-0-1 on Allegation Nos. 1 - Unbecoming Conduct, 3 - Dishonesty, 4 - Unbecoming Conduct, and 5 - Unbecoming Conduct, and 7-0-2 on Allegation No. 2 - Unbecoming Conduct for Officer accused;

[3] Case No. 19-115 Commissioners voted 6-2-1 on Allegation No. 1 - Use of Force and 7-2 on Allegation No. 2 - Improper Search for First and Second Officers accused, 9-0 on Allegation Nos. 3 - Unbecoming Conduct for Officer Accused and 4 - Unbecoming Conduct for the Long Beach Police Department.

[4] Case No. 19-124 Commissioners voted 5-4 on Allegation No. 1 - Use of Force for Officer accused;

[5] Case No. 19-121 Commissioners voted that the case be laid over to a Special Meeting on Friday, June 26, 2020;

[6] Case No. 19-097 Commissioners voted that the case be laid over to a Special Meeting on Friday, June 26, 2020;

[7] Case No. 19-149 Commissioners voted that the case be laid over to a Special Meeting on Friday, June 26, 2020;

[8] Case No. 19-106 Commissioners voted that the case be laid over to a Special Meeting on Friday, June 26, 2020;

[9] Case No. 19-144 Commissioners voted that the case be laid over to a Special Meeting on Friday, June 26, 2020;

[10] Case No. 19-104 Commissioners voted that the case be laid over to a Special Meeting on Friday, June 26, 2020;

[11] Case No. 19-117 Commissioners voted that the case be laid over to a Special Meeting on Friday, June 26, 2020; and

[12] Case No. 19-127 Commissioners voted that the case be laid over to a Special Meeting on Friday, June 26, 2020.

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

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

Excused: 1 - Maria Norvell

Absent: 1 - Leonard Adams Jr.

7. [20-033CP](#) eComments and emails received for the Citizen Police Complaint Commission meeting of Thursday, June 11, 2020.

This CP-Agenda Item was received and filed.

ADJOURNMENT (1:03 AM)

At 1:03 AM, 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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