

# INGLEWOOD, CALIFORNIA Website: www.cityofinglewood.org

# CITIZEN POLICE OVERSIGHT COMMISSION

### **MEETING**

January 10, 2007 Community Room, First Floor, City Hall Minutes

#### **Members Present:**

Chairperson Wayne Spencer Vice Chairperson Adrianne Sears Commissioner David P. Stewart Commissioner Joy Brown-Price Commissioner Curlee Ross Commissioner Judy A. Bowles Commissioner Ozell Butler Commissioner Gerald Thompson

**Commissioner Rita Hall** 

#### **Members Absent:**

Commissioner Nannette Marchand Commissioner Donald Nicholson

#### **Staff Present**

Mr. Jeff Muir, Acting City Administrator Mr. Cal Saunders, Acting City Attorney

Ms. Faith Mitchell, Senior Assistant City Attorney

Ms. Katie Howe, Administrative Analyst

Ms. Kathy Ares, Recording Secretary

### **CALL TO ORDER**

Chairperson Spencer called the meeting to order at 6:38 p.m. A quorum was present.

#### PLEDGE OF ALLEGIANCE

Commissioner Ross led the Pledge of Allegiance.

#### INVOCATION

Vice Chairperson Sears gave the invocation.

#### APPROVAL OF THE MINUTES

Chairperson Spencer requested a motion to approve the minutes of the November 8, 2006 meeting.

Vice Chairperson Sears moved that the minutes of the November 8, 2006 meeting be approved. Commissioner Ross seconded the motion.

#### **MOTION CARRIED**

#### **PUBLIC COMMENTS**

There were no public comments.

Citizen Police Oversight Commission Minutes of January 10, 2007 Page 2 of 6

#### **COMMISSION ADVISOR REPORTS**

Jeff Muir, Acting City Administrator introduced himself. He advised the Commission that he is serving as Acting City Administrator until the City Council appoints a City Administrator. Mr. Muir introduced Mr. Cal Saunders, Acting City Attorney.

Commission Member Price arrived at 6:43 p.m.

#### DISCUSSION

1. Discussion with Mr. Cal Saunders, Acting City Attorney, Regarding Mandates of Police Commission and Implementation of Ordinance Creating the Commission.

Acting City Attorney Saunders introduced Senior Assistant City Attorney, Faith Mitchell. He advised the Commission that they are available to assist the Commission; however he would not be able to give legal advice. Mr. Saunders distributed City of Inglewood Ordinance No. 04-16, Section 2.-152.64(a) to discuss term limits, now that Mr. Curren Price no longer is the Council Member for District 1. The Ordinance reads:

"The Mayor and each Council Member shall be entitled to appoint two members, and such members shall serve for a term concurrent with the term of the appointing member." In addition, Mr. Saunders advised the Commission that the Citizen Police Oversight Commission shall be composed of eleven (11) members.

Mr. Saunders shared that the section is ambiguous because the word "term." This can be interpreted as "term of office," meaning the member will serve for the four year term associated with a council member's term, or the term can mean "term in office," referring to the amount of time the council member actually serves. (In Mr. Price's case, he did not remain in office for his complete term). The question is what the City Council meant when they adopted the ordinance.

Mr. Saunders shared that he sent his legal opinion on the matter to the Council and Mr. Muir; the Council will either agree with Mr. Saunders' interpretation of the ordinance, or they will place the matter on the Agenda for discussion. He has requested that the Council place the matter on the Agenda and correct the ambiguity in the language if they disagree with the advice he gave them.

Mr. Saunders believes that the ambiguous language could throw the Commission's business off and could result in the Commission taking actions in excess of its power. For this reason, Mr. Saunders recommended that the Commission defer their nominations and elections of officers since it is unclear if former Council Member Price's appointees could participate in the election process.

Citizen Police Oversight Commission Minutes of January 10, 2007 Page 3 of 6

Commissioner Butler arrived at 6:48 p.m.

Vice Chairperson Sears inquired about the Commission's recourse if the City Council chooses not to address the matter.

Mr. Saunders advised the Commission that if the Council does not address the matter, the legal opinion that he rendered would be in *effect* affect by the February CPOC meeting.

Commissioner Price expressed her concerns regarding closed session items being withheld pending a decision from the City Council and that the Commission should have been informed of the agenda prior to the meeting. She also expressed that the Commission should have been given the opportunity to make the decision of whether they wanted to proceed with the Commission's business.

Mr. Saunders advised the Commission that it was a policy decision that had to be made by the person who was acting in the capacity of City Administrator. The action that was taken is believed to be appropriate and in the best interest of the city.

Chairperson Spencer expressed concern about being removed from the decision making process.

Chairperson Spencer inquired if the Citizen Police Oversight Commission is the only Commission that has the ambiguous language in regards to Commissioner terms.

Mr. Saunders advised the Commission that it appears that the Citizen Police Oversight Commission is one of the few that has this type of language.

Commissioner Hall arrived at 6:55 p.m.

Mr. Saunders advised the Commission of his role in regards to the Citizen Police Oversight Commission. He informed the Commission that the City Attorney will not give the Commission legal advice. However, his role is to listen to the Commission's concerns and to help expedite pending matters.

Vice Chairperson Sears expressed that the Commission has received conflicting information regarding the power of the Commission. Vice Chairperson Sears requested the Commission have independent legal counsel.

Chairperson Spencer requested obtaining an executive director for the Commission.

Commissioner Price suggested that the Commission review its rules and regulations and have them adopted.

Citizen Police Oversight Commission Minutes of January 10, 2007 Page 4 of 6

Commissioner Stewart suggested that the first order of business be establishment of a budget.

Chairperson Spencer requested that the Commission should have some sort of identification badge.

Commissioner Price moved and Chairperson Spencer seconded.

It was the consensus of the Commission not to request that the City Attorney look into issuing identification badges for the Commission.

Chairperson Spencer requested that at the next meeting the City Attorney be invited to review the Citizen Police Oversight Commission draft policies and procedures.

The Commission expressed to staff the need of a budget to hire an executive director and legal counsel.

Acting City Administrator Muir advised the Commission that the City budget is controlled by the City Council and any agreements that were entered into for services would go through the City Council. Mr. Muir advised the Commission that staff will have discussions regarding the matter.

Vice Chairperson Sears suggested that a portion of the monies received from Measure IT be used for the Commission's budget.

#### 2. Nominations of Chairperson and Vice Chairperson

There were discussions regarding whether absent commissioners would have the opportunity to vote by mail or e-mail after the public voting. Commissioner Price reminded the Commission that a statement was made by the Commission that Commissioners do not need to be present to vote. Absentee votes must be received prior to the public voting.

Staff announced that the nominees listed on the election ballot for Chairperson were Chairperson Spencer, Vice Chairperson Sears, and Commissioners Stewart and Thompson.

Chairperson Spencer and Commissioner Stewart withdrew their names from the election ballot for the position of Chairperson.

Staff announced that the nominees listed on the election ballot for Vice Chairperson were Commissioners Nicholson and Stewart.

Presentations were given by Commissioners wishing to hold the office of Chairperson and Vice Chairperson.

Citizen Police Oversight Commission Minutes of January 10, 2007 Page 5 of 6

Vice Chairperson Sears passed out a handout regarding her qualifications and gave a brief presentation.

Commissioner Thompson passed out a biography regarding his qualifications and gave a brief presentation.

Commissioner Stewart gave a brief presentation regarding his qualifications to serve as Vice Chairperson.

Staff passed out election ballots for the positions of Chairperson and Vice Chairperson. The ballots were collected and counted by staff.

Vice Chairperson Sears was elected as Chairperson. Commissioner Stewart was elected as Vice Chairperson.

#### **CLOSED SESSION**

There were no closed session items.

#### **CLOSED SESSION REPORT OUT**

There was no closed session report out.

## **COMMISSION MEMBER REMARKS**

Commissioner Hall passed out flyers to the Commission regarding the Law Enforcement, Fire Department, and Military Personnel Appreciation Service, February, 18, 2007 at the West Angeles Cathedral.

Commissioner Price commented that she was concerned that the Commission was not able to review cases tonight, and that this interrupted the Commission's business. was not aware of the type of meeting held tonight. She felt the decision should not have been made without informing the Commission.

Commissioner Thompson thanked guests for their attendance. He commented that their help would be helpful to the Commission.

Commissioner Butler apologized for being late and commented that he looks forward to a good year.

Commissioner Stewart thanked the Commission for electing him to serve as Vice Chairperson.

Vice Chairperson Sears commented that she is looking forward to enhanced communication between the Commission, City Administrator, Chief of Police, City Attorney, and elected officials. She also commented on the recent allegations of sexual abuse and the Commission making a public statement. She requested that the Commission be notified of high profile cases and that the City Attorney address the

Citizen Police Oversight Commission Minutes of January 10, 2007 Page 6 of 6

Commission regarding the notification process. Vice Chairperson Sears thanked the Commission for their support.

Chairperson Spencer commented that he has enjoyed serving as Chairperson.

# STAFF REMARKS

There were no staff remarks

# **ADJOURNMENT**

The meeting adjourned at 8:01 p.m.

(Corrections and additions are italicized; deletions are strikeouts)