



INGLEWOOD, CALIFORNIA  
Website: [www.cityofinglewood.org](http://www.cityofinglewood.org)

**Citizen Police Oversight Commission  
Meeting  
October 8, 2008  
City Council Chambers, Ninth Floor, City Hall  
Minutes**

**Members Present:**

Chairperson Adrienne Sears  
Commissioner David P. Stewart  
Commissioner Cleveland Brown  
Commissioner Joy Brown-Price  
Commissioner Wayne Spencer  
Commissioner Judy A. Bowles  
Commissioner Gilbert Mathieu  
Commissioner Rita Hall

**Members Absent:**

Vice Chairperson Donald Nicholson  
Commissioner Herman Boykin

**Staff Present:**

Mr. Michael Falkow, Acting Assistant City Administrator  
Ms. Kathy Ares, Recording Secretary

**CALL TO ORDER**

The meeting was called to order by Chairperson Sears at 6:41 p.m. A quorum was present.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Brown.

**INVOCATION**

The invocation was given by Commissioner Hall.

**PUBLIC COMMENTS**

There were no public comments.

**Commissioner Spencer arrived at 6:47 p.m.**

**APPROVAL OF THE MINUTES**

Chairperson Sears requested an edit to the September 10, 2008 minutes: Page 3, Paragraph 2, should read "Chairperson Sears commented that it has been made clear to her by a City Official that Council will probably not take any actions with regards to the Commission until the Office of Independent Review has concluded its investigation."

Commissioner Brown-Price requested an edit to the September 10, 2008 minutes: Page 2, Paragraph 9, the word "achieve" be changed to "achieves."

Commissioner Mathieu requested an edit to the September 10, 2008 minutes: Page 5, Paragraph 1, the word "restricted" be replaced with "prohibited from speaking."

Commissioner Mathieu requested that his statement be corrected on page 5, paragraph 2.

It was moved by Commissioner Mathieu and seconded by Commissioner Brown that the minutes of the September 10, 2008 be approved as revised.

The Motion was carried.

### **COMMISSION ADVISOR REPORTS**

Mr. Michael Falkow, Acting Assistant City Administrator, reported that during the month of September 2008, there were no complaints received against the Inglewood Police personnel.

Chairperson Sears asked for an update on the Commission's staff report regarding obtaining an independent outside legal counsel. Mr. Falkow advised the Commission that a directive was given from the City Administrator that the Commission should contact their appointing Council Members regarding the matter.

### **DISCUSSION ITEMS**

#### **Discuss the Complaint Process for the Inglewood Police Department.**

Chairperson Sears welcomed Chief Seabrooks to the meeting. Chief Seabrooks disseminated a step by step process regarding the Inglewood police personnel complaint process. Chief Seabrooks explained the following process to the Commission:

- Initial citizen complaint is received, usually by the employee's immediate supervisor or the on-duty Watch Commander.
- The supervisor forwards the initial complaint and Memo to the Chief of Police.
- The Chief of Police determines which division will investigate the complaint; Internal Affairs or the employee's office of assignment.
- The investigation is conducted (usually by a supervisor), and the completed file is sent to the employee's Office Commander for review and recommendation of findings.
- The Office Commander determines findings of the complaint. Findings categories are: Unfounded (conduct did not occur), Exonerated (conduct occurred, but was justified, lawful, and proper), Not Sustained (insufficient evidence to prove or disprove), Sustained (conduct violated laws, orders, instructions, policies, or procedures).
- If disciplinary action is warranted, it can be: Written Reprimand, Suspension, Reduction in Pay, Demotion, or Discharge/Termination. If any of these outcomes are appropriate, the employee is provided with a written notice of the findings and given an opportunity, within 10 days of the service of disciplinary action(s), to make an appointment with the Chief of Police to clear their name, provide additional evidence and plead their case. By law, the Chief of Police has the ability to reduce discipline, keep it the same, but cannot increase it. The Chief of Police can be creative and flexible with respect to the discipline outcome, (i.e., if the circumstance warrants a suspension term of 12 days the Chief of Police can require the employee to serve some portion of the 12 day suspension and can hold a portion of the suspension in advance so that if in the course of the next year similar conduct occurs the employee will have to serve the remaining time and also serve any discipline that would arise from the new sustain misconduct).

- The employee is served with written notice of findings, and recommended discipline (if sustained) by the Office Commander. This process must usually be completed within one year of discovery.
- If discipline is recommended, the “Skelly Meeting” is an opportunity for the employee to discuss investigation, rebut charges or present evidence to the Chief of Police.
- After the Skelly Meeting, the Chief of Police can either agree with the recommended findings and discipline or, reduce it, hold in abeyance, impose training in lieu of discipline or as a supplement to discipline, but cannot increase recommended discipline.
- If the employee is not satisfied with the outcome of the Skelly Meeting, the employee can pursue the grievance process pursuant to their Memorandum of Understanding, which is usually non-binding arbitration. The arbitrators’ recommendations are sent to the City Administrator.
- The City Administrator makes the final decision.
- If employee is not satisfied with the City Administrator’s decision, the employee can go to Superior Court.

Chairperson Sears opened the floor to the Commission for questions.

Commissioner Brown-Price asked if an employee is suspended, how long can you hold it in advance.

Chief Seabrooks replied that one year is the maximum.

Commissioner Brown-Price stated that the Commission is not receiving the final dispositions and inquired as to why?

Chief Seabrooks replied that the Commission should be receiving the final dispositions. She also stated that the Commission was provided at the Commission’s request a summary of cases coupled with its dispositions. She advised the Commission that a vast majority of cases are internal generated complaints for which there will be no communications with the Commission on those particular issues. Chief Seabrooks stated that external complaints should be given to the Commission on a monthly basis. Chief Seabrooks also stated that the department is working on and bringing closure to a lot of cases for which the Commission will receive.

**Commissioner Bowles arrived at 7:03 p.m.**

Chairperson Sears asked if the Commission can expect within the next couple of months to receive a large number of dispositions.

Chief Seabrooks commented that the Commission should expect to receive disposition updates on a quarterly basis.

Commissioner Spencer asked while the officers go through the Skelly process are they still receiving pay and if they are assigned desk duty.

Chief Seabrooks stated yes. The employee cannot be placed on unpaid administrative leave in anticipation of an outcome because it would be considered a disciplinary circumstance that is occurring prior to the rendering of discipline. Typically depending on the misconduct allegation, if it is not criminal, the employee may be assigned to the field or he/she may be assigned internally until the investigation is adjudicated depending on the issue.

Commissioner Mathieu asked how long complaints are kept on file.

Chief Seabrooks replied 5 years. Chief Seabrooks stated that if litigation is pending that would create an exception to the amount of time that the file could be retained.

Commissioner Mathieu asked is there is a progressive discipline for the same kind of complaints.

Chief Seabrooks stated yes.

Commissioner Mathieu asked if the Commission could receive a quarterly print out of officers disciplinary histories.

Chief Seabrooks stated that she was not sure if she could provide that information to the Commission. Chief Seabrooks stated that she would have to see what the Commission is authorized to view and if the information violates the officers' procedure due process rights.

Chief Seabrooks responded to a note that was given to her by Chairperson Sears. Chief Seabrooks replied that the complaint was not filed against any individual it was a series of questions. Chief Seabrooks stated that if the item was on the agenda for closed session discussion she could talk to the Commission about that component of it which operates by virtue of the fact that the citizen complaint was stapled to the letter with the questions attached.

Chairperson Sears explained to the public that the ordinance of the Citizen Police Oversight Commission states that the current duty is to review citizen external generated complaints. Chairperson Sears asked that in the event of an officer involved shooting, excessive force, or a high profile case where there is a citizen complaint attached to the incident, how is the Commission brought into the process?

Chief Seabrooks stated that a case with an allegation of inappropriate use of force and no complaint has been filed the Commission would not be entitled to receive the information. However, if it is information that is attached to a personnel complaint in this particular case being referenced by Chairperson Sears, the community member did not allege misconduct. The community member requested answers to a series of questions but because a suit has been filed it is appropriate for the answers to some of those questions to come from the City Attorneys defending the City in the litigation.

Chief Seabrook suggested that the item be placed on the closed session agenda and she will discuss to the degree in which she can.

**Discuss having CPOC meetings as community-based meetings.**

Chairperson Sears expressed the need to have community based mobile meetings for the next two months. She also stated that at a prior meeting, the Commission had voted to host a town hall meeting. Chairperson Sears stated that she believed it is a better use of time and better for the public to have community based mobile meetings.

Chairperson Sears stated that the mobile meetings would consist of the following:

- Introduction of the commission
- Office of Independent Review presentation
- Explanation of investigative process of citizens complaints
- Presentation on AB301-Peace Officers Bill of Rights
- NACOLE Civilian Review Models
- Internal Affairs Presentation

Chairperson Sears stated that she has invited Mr. Michael Gennaco of the County of Los Angeles, Office of the Independent Review to attend the Citizen Police Oversight Commission Meeting. Chairperson Sears also stated that Mr. Gennaco has agreed to attend the meeting.

Chairperson Sears welcomed comments from the Commissioners.

Commissioner Spencer asked if closed sessions will be conducted off site.

Chairperson Sears stated that Mr. Falkow will consult with the City Attorney to find out if the Commission can conduct closed sessions.

Mr. Falkow stated that he would check to see if complaint files can be transported to a non-city site and whether or not he could direct support staff to go to a facility that is not a City facility.

Chairperson Sears stated that it is her understanding through her conversation with Ms. Mawusi Watson, Chief of Staff, that the City Administrator's office is in support of the meeting however, *Chairperson Sears'* a concern would be security and safety issues.

Commissioner Stewart asked if it would be an option to hold the meeting in the Council Chambers and have it taped and aired on the public access channel.

Mr. Falkow stated that the meeting could be recorded; however, he would have to find out if it could be aired.

Commissioner Hall asked if it is possible to hold the meeting in the community room.

Mr. Falkow stated yes. Staff would request that the community room be reserved.

Chairperson Sears asked if the Commission was to use the Veteran's Memorial Building to hold its meeting, would there be an issue regarding complaint files being transported.

Mr. Falkow stated that it should not be an issue because the Veteran's Memorial Building is a City facility.

Commissioner Hall stated that she doesn't believe that the unions are going to want those files to be transported due to confidentiality issues.

Commissioner Brown-Price suggested quarterly meetings be held off site so the Commission can take care of its regular business.

Mr. Falkow advised that the Commission has the ability to change the order of proceedings. i.e. closed session may be conducted at the beginning of the meeting and open session can convene off site.

Chairperson Sears stated that the purpose of the off site meetings is to allow the Commission members an opportunity to meet the community at a location other than City Hall.

Chairperson Sears requested a special meeting on Wednesday, October 29, 2008.

#### **CLOSED SESSION**

The Citizen Police Oversight Commission recessed at 7:36 p.m. and reconvened at 8:59 p.m.

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

None

#### **STAFF REMARKS**

There were no staff remarks.

#### **COMMISSION MEMBERS REMARKS**

Commissioner Bowles apologized for being late and unable to hear Chief Seabrooks' presentation. She also commented that the Commission is making progress.

Commissioner Mathieu suggested that in addition to the commissioners contacting their appointing members, letters should also be sent to the Mayor and City Council requesting the hiring of an independent legal counsel.

Commissioner Brown-Price commented that the information provided by Chief Seabrooks was good information. She also commented that the Commission accomplished a lot of good work in closed session.

Commissioner Hall commented on commissioners being present at the meetings on time. She stated that when commissioners are late the meetings are delayed and as a result the meeting adjourns later than necessary. She also stated that she was not inclined to attend a special meeting. She recommended that Commissioners arrive to meetings on time and put in the necessary amount of time needed and if there are excess cases she would attend a special meeting.

Chairperson Sears commented that punctuality is important and encouraged all Commissioners to be at meetings on time. She also commented that the reason for the special meeting is to catch up, introduce the Commission to the community, and allow them to see the Commission at a different venue.

Chairperson Sears stated that she like the idea of having quarterly mobile meetings. She suggested that the next meeting be a mobile meeting. She will be contacting Mr. Michael Gennaco to make a special presentation at the meeting.

Chairperson Sears thanked Chief Seabrooks for her attendance. She requested that at the next closed session meeting, Chief Seabrooks give an update on the shootings in particular, the Kevin Wicks' shooting.

Chairperson Sears thanked the Commission for their participation.

### **ADJOURNMENT**

The meeting adjourned at 9:07 p.m.

(Corrections and additions are italicized; deletions are strikeouts)