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CITIZEN POLICE OVERSIGHT COMMISSION MEETING APRIL 20, 2005 6:00 p.m.

Community Room, First Floor City Hall Minutes

Members Present:

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

Members Absent:

Commissioner David P. Stewart Commissioner Rita Hall

Staff Present

Lawrence A. Kirkley, Deputy City Administrator Pam Egans, Recording Secretary Kathy Ares, Secretary Pamela Renowden, Administrative Secretary

CALL TO ORDER

Chairperson Wayne Spencer called the meeting to order at 6:10 p.m. A quorum was present.

INVOCATION

Commissioner Ozell Butler led the invocation.

PUBLIC COMMENTS

There were no public comments; however, Chairperson Spencer acknowledged the presence of Councilwoman Dunlap.

APPROVAL OF MINUTES

Chairperson Spencer made a motion to approve the minutes of the March 23, 2005 meeting.

Vice Chairperson Marchand requested that page 3, the last paragraph and sentence be corrected. The sentence states that the Police and the Commission approved the Ordinance relating to the Police Commission. She pointed out that the Commission was not actually involved.

Chairperson Spencer requested that the last sentence be deleted on page 3 to remove the reference to the Commission.

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Commissioner Sears requested that the minutes under "Committee Member Remarks," page 5, reflect that she also requested, "that the Police Commission hold a town hall meeting subsequent to completion of training."

Chairperson Spencer called for a motion to approve minutes with the corrections.

Commissioner Ross seconded the motion.

MOTION CARRIED

Chairperson Spencer moved forward to Action Items since the guest speaker, Attorney Samuel Paz, had not arrived.

Chairperson Spencer spoke on the proposal to change the Commission meeting date from the third Wednesday to the second Wednesday of each month.

Deputy City Administrator Kirkley stated that there are other City meetings taking place on the third Wednesday of the month, including, the Aviation Commission Meeting where Commissioner Bowles also serves as a commissioner.

There was a consensus amongst Commissioners to change the meeting day.

Chairperson Spencer made a motion to change the Police Commission meeting from the third Wednesday of the month to the second Wednesday of each month.

Commissioner Bowles seconded the motion.

MOTION CARRIED

Chairperson Spencer made a motion to recess the meeting until the guest speaker arrived.

Commissioner Thompson seconded the motion.

MOTION CARRIED

Commissioner Joy Brown-Price arrived at 6:30 p.m.

TRAINING -POLICE ABUSE

Attorney Samuel Paz arrived at 6:35 p.m. and gave a presentation on police abuse and the effectiveness of a Citizen Police Oversight Commission.

Captain Hampton Cantrell arrived at 7:05 p.m.

Chairperson Spencer acknowledged and introduced Captain Cantrell.

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Attorney Paz concluded his presentation at 7:40 p.m.

Chairperson Spencer asked if there were any questions for Attorney Paz.

Chairperson Spencer felt, after hearing Attorney Paz, that it is most important for the Commission to obtain power, respect, and be taken seriously. In order to obtain respect, Commissioners must have the ability to convey to the citizens that the Commission is here to offer a service and convey to the Police that the Commission is not on a "witch hunt".

Attorney Paz stated that the power comes with the Commission having a budget, getting complaints to come directly to you for analysis, and the ability to review complaints along with Chief of Police.

Commissioner Sears voiced concerns regarding the proposed method of operation of the Commission. As a monitoring model, reviewing the investigation "after the fact" would challenge their ability to be effective.

Attorney Paz stated that if the Commission will only review and make recommendations "After the fact" the Commission would possibly be faced with challenges.

Vice Chairperson Marchand felt that the information Attorney Paz presented contained helpful guidelines to aide the Commission in forming/creating a process to review complaints.

Attorney Paz indicated that the commission should consider having a staff attorney who could assist them with information as to what can and can't be done based on legislative and/or legal constraints.

Deputy City Administrator Kirkley stated that in formulating the Commission there was a Law Firm that helped staff with meet and confer issues with the two Police unions, and assisted in drafting the Ordinance governing the Commission. Although the law firm had been unavailable of late he would attempt to resurrect that relationship.

Attorney Paz recommended that the Commission consider formally requesting a staff attorney who could make recommendations to the Commission.

Vice Chairperson Marchand stated that she has reviewed a number of other Commission documents and most were empowered as an "Investigative" model of oversight. She indicated a desire to move the Inglewood CPOC from a monitoring model to an investigative model.

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Councilwoman Dunlap expressed her desire for the Commission to make a recommendation to the City Council to change the Ordinance, which will give the Commissioners more power. This should be done after Commissioners learn what their role will be. Limiting Commission power is part of power struggle that could keep Commission from exerting what the Community wants. City Budget issues should not be an issue, because millions of taxpayer's dollars are currently wasted in losses, due to police lawsuits, and settlements. Councilwoman Dunlap expressed that it was critical for the Commissioners to become fully educated in the police complaint process and should obtain funds from the City to obtain legal assistance and to attend trainings.

Chairperson Spencer asked Attorney Paz if he was aware of a Police Commission that is set-up to operate with a Police Captain or Investigator. In the original Police Commission Ordinance, it was suggested that a Police Captain serve as an Investigator for Inglewood's Commission.

Attorney Paz stated that most Commissions have former police officers or investigators who work with the Commission. Most do not have an employee that is currently working within the department to avoid personal and/or professional conflicts.

PUBLIC COMMENTS REGARDING AGENDA ITEMS

There were no public comments.

COMMITTEE MEMBER REMARKS

Vice Chairperson Marchand asked Deputy City Administrator Kirkley if the Commission could be placed on the City's website.

Deputy City Administrator Kirkley stated that the City's webmaster is currently working on preparing a web presence for the Commission.

Commissioner Thompson thanked Councilwoman Dunlap for her comments, and feels that the Commission consists of a sincere group of residents concerned about the welfare of the City, Police and Community. Commissioner Thompson indicated that he was anxious to begin work. He also indicated a desire to have the Commission communicate directly with the Police Chief and Mayor and Council about a number of issues. Possibly in writing.

Commissioner Joy Brown-Price queried the Commission by asking how the Commission would proceed. Without understanding or coming to a conclusion on the process, it would be difficult to go to another level. She felt that Attorney Paz gave a sound foundation for formulating process in his talk, but it needs to come together.

Commissioner Thompson agreed with Commissioner Price's comments and also feels Commissioners need to go through the process first and learn what it entails before they can go to the next level.

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Commissioner Ross commented on Attorney Paz's remarks regarding the 97% percent of officers, who are tenured, and have never used their guns. Having this kind of information will assist the Commission in focusing their efforts.

Commissioner Sears indicated that she would definitely like to consider asking the City Council to change the Commissions mode of operation from a Monitoring to an Investigative model. She did have concerns as to how the process would work given the requirements to address the Police Unions. She asked Councilwoman Dunlap how the Commission could approach the City Council with the request.

Councilwoman Dunlap indicated that if the request were made to the City Council they would act on the issue as required by the Charter or Municipal Code. However, if the proposed action resulted in a change of working conditions, the Police Management and Police Officers Union groups need to meet and confer with the City. Once the changes are adopted, the Commission could put them in effect, but those matters that were subject to meet and confer and/or being legally challenged by Police Unions probably couldn't be acted upon until resolution.

Commissioner Sears asked Captain Cantrell what the police officers feelings were about the Police Commission. She had been informed that some police officers did not want a Police Commission, and some did not care.

Captain Cantrell stated that since the Commission is not active, most officers have nothing to base an opinion on.

Commissioner Bowles asked Captain Cantrell what his feelings were about the Commission.

Captain Cantrell stated that coming to the meeting tonight, for the first time, was an eye opener but didn't have an opinion to share.

Vice Chairperson Marchand voiced concern about the perception of the Commissions' power and authority among the Police Officers. She had been told that during a contact with a resident an officer indicated that the Police Commissioners had no power.

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Deputy City Administrator Kirkley encouraged the Commissioners to complete the Policies and Procedures and the By-Laws. Since they are the governing documents, they will better define how the Police Commission does their job, and what powers they will and will not have. If the Commission approves the Policies and Procedures, which require a change in the ordinance, it can be addressed at that time. In order for the Commission to obtain investigative powers, the City Charter would have to be changed to include the Police Commission in the Police Department's Chain of Command. Only the voting public could change the Charter by initiative placed on the ballot by the Mayor and City Council members or by petition of the voters.

Commissioner Bowles asked if the City Attorney staff could advise the Commissioners.

Deputy City Administrator Kirkley stated that it might be a conflict of interest to use the City Attorney staff but he would have to check with the City Attorney.

Chairperson Spencer requested that the issue of photo identification cards be resolved. The cards do not have to allow access to City buildings, but wants the item placed on the agenda for the next Commission meeting. He also wants a pipeline set-up with the Police Department, where the Commission is advised of incidents occurring in the City. An example of information the Commission should have received would have been the presence of a serial Robbery suspect operating on the northwest end of town.

Chairperson Spencer requested that the Commission be allowed to attend the next annual N.A.C.O.L.E. conference at City expense.

Commissioner Thompson stated that the Century Heights Neighborhood Watch is organizing an all Block Club Captains Meeting, which will meet once a month. Commissioner Thompson announced the Annual Prayer Breakfast would take place on Wednesday, May 11, 2005 at the Proud Bird Restaurant. He has tickets available for purchase.

ADJOURNMENT

The meeting adjourned at 8:45 p.m.