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City of Pasadena

Community Police Oversight Commission (CPOC)

Justin Sanders

Justin Sanders is the Managing Partner of Sanders Roberts LLP. Mr. Sanders has dealt with numerous police-related matters in his capacity as a Senior Advisor to the City Attorney of Los Angeles. Mr. Sanders also has managed cases involving law enforcement personnel employment disputes, police use of force, the Rampart scandal, the LAPD Consent Decree, as well as investigations relating to the murder of rap star Christopher “Notorious B.I.G.” Wallace.



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Christine Diaz-Herrera

Christine Diaz-Herrera is experienced in counseling and representing private sector clients in various aspects of labor and employment law, including discrimination, disability, harassment, and retaliation. Ms. Diaz-Herrera conducts workplace investigations for both private and public employers. Her impartial investigation practice often concerns complex allegations against high-level employees and focuses on claims such as discrimination, harassment, and retaliation.



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Background

- In October 2020, the City Council adopted an ordinance creating an 11-member Community Oversight Commission (“CPOC”), as well as an Independent Police Auditor (“IPA”).
- The CPOC’s duties can be found at Pasadena Municipal Code, Chapter 2.60, and the IPA’s duties can be found at Pasadena Municipal Code Section 2.30.020(A)(8).

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Role of the Commission

The City of Pasadena Ordinance establishing the CPOC sets the powers and scope of CPOC.

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What Powers Does Ordinance Give to the CPOC?

- Receive community feedback and complaints and refer them for further review, as appropriate.
 - E.g., Refer community complaint and later request report on outcome where appropriate.
- Monitor and receive reports from the police department on hiring, training, and promotions within the police department.
 - E.g., Request report on general process for new hires.

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What Powers Does the Ordinance Give to the CPOC?

- Monitor and publish statistics on police uses of force, personnel complaints, and outcomes within the police department.
- Provide input on police department policy recommendations prior to adoption.
- Receive reports from the Independent Police Auditor (“IPA”) regarding critical incidents, police department policies, and other matters.

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What Powers Does the Ordinance Give to the CPOC?

- Administer oaths and issue subpoenas to produce records (in any form, *other than personnel records*) and attendance and testimony of witnesses (*not employed by the city at all relevant times*) to carry out the commission's functions, to the extent permitted by law. (emphasis added)

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Are Any Limitations on the Powers Given to the CPOC?

- Notwithstanding the right to play a role in reviewing and monitoring personnel matters, ***refrain*** from (a) directly or indirectly taking active participation in personnel matters; (b) taking personnel actions; (c) using records developed to take personnel actions; and/or (d) directing that action be taken on police department employees. (emphasis added)

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Important Considerations

- The CPOC is expected to comply with all applicable laws and the City Charter, and preserve the confidentiality of police department personnel records and other files, and the confidentiality of other sensitive information to the maximum extent permitted by law, including, but not limited to the closing of meetings or portions thereof consistent with the Brown Act.

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Important Considerations

- There are limitations on the authority of the CPOC imposed by the Pitchess Statutes (set of state laws that control how peace officer personnel file records can be discovered or disclosed) and/or the Council-Manager form of government.

