

December 14, 2020

TO: The Honorable Board of CPCC Commissioners

FROM: Carlos Ovalle, Executive Director, People of Long Beach, and,
Ian Patton, Executive Director, Long Beach Reform Coalition

Subject: Misconduct Allegation involving Chief of Police Robert Luna

Via Email to: Patrick.Weithers@LongBeach.gov

On November 5, Chief of Police Robert Luna, along with members of his senior staff initiated a COVID-19 Super Spreader event by ordering approximately 300 police personnel from field assignments across the city to congregate inside the Long Beach Convention Center where they allowed the assembled officers to occupy the indoor venue without requiring compliance with Health Department mandates associated with social distancing and masks to prevent the spread of COVID-19, thereby knowingly and willfully ordering a super spreader event to take place.

Not only was the assembly a violation of Health Department mandates but also a direct contradiction and demonstration of impunity that countered Mayor Robert Garcia's pleas on local and national television, email, press releases and twitter alerts for all persons, including city employees to practice social distancing and wear masks.

Indeed, LBPD suffered a COVID-19 outbreak during the exact time frame following this superspreader gathering when one would expect to detect cases stemming from it. The *Long Beach Post* article of Nov. 30, 2020 entitled 'LBPD COVID-19 outbreak continues with 6 more employees testing positive' stated that, "Long Beach officials continue to report more COVID-19 cases spreading through the police and fire departments since they revealed there was an outbreak two weeks ago. On Monday, officials announced six more police department employees tested positive for COVID-19 between Nov. 19 and 25."

Once gathered, and following the Chief's brief remarks, Chief Luna allegedly directed the assemblage of officers to don masks for the purpose of taking an official photograph.

If true, sworn testimony gathered by the Commission will establish that Chief Luna knowingly and willfully ordered the super spreader event to occur with clear knowledge that the gathering would affect the health and safety of the entire police force, other city employees, and the general public.

What the chief did not know at the time he delivered his speech is that an 'unofficial photograph' was taken prior to the officers lining up for the chief's 'official' photo op.

That photo (attached) shows that 100 percent of the gathering of approximately 300 officers ignored social distancing mandates and at least 98 percent were without masks.

The Long Beach Post (link attached) reported that Luna stated that the super spreader assembly of officers followed a training exercise, but statements from multiple city sources contradict the statement indicating the gathering took place several days after the training sessions and that the event was called solely for the Chief to deliver a short

speech and take an “Official Photograph” of the assembly as proof of the LBPD’s dedication to preventing another incident of widespread looting following the election like that which occurred on May 31.

The impact upon the health of the officers, other city employees and the inevitable COVID-19 assault on the safety of the community by officers exposed to COVID-19 following this super spreader event is evident as demonstrated in the article by the Long Beach Post on November 30 (link attached) and is likely even worse today. This impact must be made a part of the CPCC’s investigation.

The Commissioners should also determine the truth of an internal message sent to the rank and file when Chief Luna learned that the LB Post had the story as well as the “unofficial photograph.”

In that publication Luna stated that “This photo was taken when I was addressing mobile field force officers after a mobilization exercise at the Convention Center....”

That statement is false. The training session at the Convention Center took place days earlier and the November 5 super spreader assembly was solely for the purpose of the “official photograph.”

The CPCC investigation should also include a review of the earlier training sessions held inside the Convention Center to determine if Covid-19 health standards were knowingly violated at that time.

It is our view that the CPCC is the only body within city government — including outside law firms hired by the city — capable of providing an independent and transparent investigation.

The LBPD, the City Attorney and the City Manager have demonstrated that they are incapable of investigating this matter with any degree of trust that the full truth of the Chief’s misconduct will be exposed and properly adjudicated.

We ask that the CPCC Commissioners use their Charter authority to conduct this investigation by issuing subpoenas for personnel lists and documents, administering sworn oaths for testimony from the rank and file and to hold public hearings so as to prevent the LBPD or the city administration from covering up yet another wholesale violation of the public trust — as was the end result of the ‘TigerText’ investigation conducted by a contracted law firm routinely used by the city and falsely represented as being ‘independent’.

Thank you,

Carlos Ovalle, Executive Director
People of Long Beach

In addition to the People of Long Beach, the Long Beach Reform Coalition comprised of representatives of various community organizations is a signatory to this complaint.

Attached: Links to LB Post stories and photos of the event

<https://lbpost.com/news/long-beach-police-mask-photo-convention-center-not-wearing-face-coverings>

<https://lbpost.com/news/lbpd-covid-19-outbreak-continues-with-6-more-employees-testing-positive>

Before Photo



After Photo

