

Office of the Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
REGULAR MEETING MINUTES**

Wednesday, January 17, 2024

4:30pm-7:30pm

Balboa Park Santa Fe Room

2144 Pan American W. Road

San Diego, CA 92101

Click <https://youtu.be/dgdKq0qwq0I> to view this meeting on YouTube.

Commissioners Present:

Chair Gloria Tran

2nd Vice Chair Doug Case

Octavio Aguilar

Laila Aziz (Arrived at 5:57pm)

Bonnie Benitez

Alec Beyer

Cheryl Canson (Arrived at 5:58pm)

Lupe Diaz

Dwayne Harvey

Brandon Hilpert

James Justus

Mark Maddox (Left at 5:50pm)

Darlanne Mulmat

Absent:

Dennis Larkin

Yvania Rubio

Jaylene Sanchez

Dalia Sherlyn Villa De La Cruz

Excused:

1st Vice Chair Dennis W. Brown

Christina Griffin-Jones

Clovis Honoré

Staff Present:

Danell Scarborough, Interim Executive Director

Duane Bennett, CPP Outside Counsel

Olga Golub, Chief Investigator

Alina Conde, Executive Assistant

Jon’Nae McFarland, Administrative Assistant

Yasmeen Obeid, Community Engagement Coordinator

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- I. CALL TO ORDER/WELCOME: Chair Gloria Tran called the meeting to order at 4:43pm.
 - II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call.
 - III. CABINET REPORT
 - A. Cabinet Statement – Chair Tran
 - Retreat and Meeting Protocol – The Commission on Police Practices is tentatively holding a team building and planning retreat on January

27th. We will develop a Community Agreement.

B. Chair Report – Chair Tran

- Commissioner Nicole Murray-Ramirez has resigned from the Commission on Police Practices, which now has 20 Commissioners. The deadline for applicants to fill that seat is February 2nd.
- January 13th was the deadline for candidates who passed the original screening to confirm their interest in the 4 previous open seats. Their appointment will be in February during a City Council meeting.
- The future goal is to have a pool of candidates who can be appointed if there are CPP openings.
- The Cabinet and Dr. Scarborough will meet with the Mayor on January 24.
- The Cabinet and Dr. Scarborough will meet with the Police Chief on January 30th. They will mention the Commissioner comment from the January 3rd meeting.
- Internal Affairs Captain Anthony Dupree is leaving Internal Affairs effective January 20th. The Commission wants to thank Captain Dupree for his work with the CPP. The new IA Captain is Jeffrey Peterson. We will invite him to a future CPP meeting to introduce himself to us.
- CPP and IA Meeting Report – 2nd Vice Chair Doug Case reported that the most recent meeting was to discuss quality and issues regarding cases. The Cabinet, Chief Investigator Golub, and IA spoke about the ongoing issue of accessing recordings. Chief Investigator Golub also had the opportunity to ask questions regarding access to officer involved shooting scenes.

IV. PURPOSE OF THE COMMISSION ON POLICE PRACTICES: The purpose of the Commission on Police Practices (CPP or Commission) is to provide independent community oversight of SDPD, directed at increasing community trust in SDPD & increasing safety for community and officers. The purpose of the Commission is also to perform independent investigations of officer-involved shootings, in-custody deaths and other significant incidents, and an unbiased evaluation of all complaints against members of SDPD and its personnel in a process that will be transparent and accountable to the community. Lastly, the Commission also evaluates the review of all SDPD policies, practices, trainings, and protocols and represents the community in making recommendations for changes.

V. APPROVAL OF MEETING MINUTES

A. CPP Regular Meeting Minutes of January 3, 2024

Motion: Commissioner James Justus moved to approve the CPP Regular Business Meeting Minutes for January 3, 2024, with one amendment regarding the Training Committee Update. Commissioner Alec Beyer seconded the motion. The motion passed with a vote of 11-0-0.

Yays: Chair Tran, 2nd Vice Chair Case, Benitez, Aguilar, Beyer, Diaz, Harvey, Hilpert, Justus, Maddox, and Mulmat.

Nays: None.

Abstained: None.

Absent: 1st Vice Chair Brown, Aziz, Canson, Honoré, Griffin-Jones, Larkin, Rubio, Sanchez, and Villa De La Cruz.

VI. CLOSED SESSION (NOT OPEN TO THE PUBLIC)

A. Public Comment – None

B. Outside Counsel Mr. Duane Bennett – Lead CPP into Closed Session

C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Discussion & Consideration of Complaints & Reports: Pursuant to Government Code Section 54957 to discuss complaints, charges, investigations, and discipline (unless the employee requests an open public session) involving San Diego Police Department employees, and information deemed confidential under Penal Code Sections 832.5-832.8 and Evidence Code Section 1040. Reportable actions for the Closed Session items on the agenda will be posted on the Commission's website at www.sandiego.gov/cpp or stated at the beginning of the Open Session meeting if the meeting is held on the same day.

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| I. | San Diego Police Department Feedback on Case Specific Matters |
| II. | Shooting Review Board Reports (0) |
| III. | Category II Case Audit Reports (1) |
| IV. | Discipline Reports (1) |
| V. | Case Review Team Reports (2) |
| VI. | Case-Specific Recommendations to the Mayor/Chief (0) |
| VII. | Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0) |
| VIII. | Legal Opinion(s) Request & Response (0) |

VII. REPORT OUT FROM CLOSED SESSION (5:34pm): Outside Counsel Duane Bennett reported that there was no reportable action.

VIII. NEW BUSINESS

A. Body Worn Camera Policy (CPP Outside Counsel Duane Bennett)

- Public Comment: None
- Discussion (*Timestamp 13:43*)
- Recommendations – Commissioners will review the policy and email the cabinet with any comments and recommendation ideas. Once the Cabinet has compiled a list of recommendations, they will be forwarded to Outside Counsel Duane Bennett to come up with recommendations based on Commissioner suggestions.

B. Role of Commissioners in Complaint Process (CPP Outside Counsel Duane Bennett)

- Public Comment – None
- Discussion (*Timestamp 31:01*)
- Action: OCPP Staff will prioritize looking into Code of Ethics/Codes of Conduct for NACOLE and other oversight agencies across the country. They will be shared with the Commissioners to see what works for the Commission.

C. CPP Meeting Calendar

- Public Comment – None
- Discussion (*Timestamp 27:11*)
- Motion: **Commissioner Bonnie Benitez moved for the approval of the CPP Meeting calendar with the exclusion of the meeting scheduled for**

Tuesday, February 6th, 2024. Commissioner Lupe Diaz seconded the motion. The motion passed with a vote of 11-0-0.

Yays: Chair Tran, 2nd Vice Chair Case, Benitez, Aguilar, Beyer, Diaz, Harvey, Hilpert, Justus, Maddox, and Mulmat.

Nays: None.

Abstained: None.

Absent: 1st Vice Chair Brown, Aziz, Canson, Honoré, Griffin-Jones, Larkin, Rubio, Sanchez, and Villa De La Cruz.

IX. AD HOC COMMITTEE REPORTS

A. Training Committee

- **DRAFT On-Boarding Training (*Timestamp 1:02:38*)**
- **Public Comment - None**
- **Motion: Commissioner Laila Aziz moved to accept the onboarding training as a guideline and living document which is open to change. Commissioner Benitez seconded the motion. The motion passed with a vote of 12-0-0.**

Yays: Chair Tran, 2nd Vice Chair Case, Aziz, Canson, Benitez, Aguilar, Beyer, Diaz, Harvey, Hilpert, Justus, and Mulmat.

Nays: None.

Abstained: None.

Absent: 1st Vice Chair Brown, Honoré, Griffin-Jones, Larkin, Maddox, Rubio, Sanchez, and Villa De La Cruz.

B. Operating Procedures Committee Update

- **DRAFT Disciplinary Review Operating Procedures (*Timestamp 1:16:14*)**
- **Public Comment - None**
- **Motion: Commissioner Laila Aziz moved to accept the DRAFT Disciplinary Review Operating Procedures with the change of “may” to “shall” on page 3. Commissioner Darlanne Mulmat seconded the motion. The motion passed with a vote of 12-0-0.**

Yays: Chair Tran, 2nd Vice Chair Case, Aziz, Canson, Benitez, Aguilar, Beyer, Diaz, Harvey, Hilpert, Justus, and Mulmat.

Nays: None.

Abstained: None.

Absent: 1st Vice Chair Brown, Honoré, Griffin-Jones, Larkin, Maddox, Rubio, Sanchez, and Villa De La Cruz.

C. Ad Hoc Personnel Committee

- **Update on the Executive Director Hiring Process – Commissioner James Justus reported that the shared characteristics (*Timestamp 1:39:58*) are appropriate to add to the list. Commissioner Darlanne Mulmat reported that the Executive Director characteristics list is a working document and the hope is that Community Forums will help craft them even further. Regarding the timeline, the Committee hopes the Executive Director will be chosen by the end of March 2024. The Committee is currently waiting on City Council to move forward with the process.**

X. NON-AGENDA PUBLIC COMMENT: None

XI. COMMISSIONER COMMENTS:

(Timestamp 1:46:44) Commissioner Laila Aziz made a comment regarding various complaints that were submitted to the CPP regarding the SDPD bike team.

Commissioner Aziz also went over a court case regarding vehicle pat downs.

Commissioner Aziz stated that this has been a growing concern of the public.

(Timestamp 1:50:43) Commissioner Dwayne Harvey announced that there is an expungement clinic (SB 731) for individuals who can get their felonies expunged (under certain circumstances and within limits). These are held on Fridays at 138 28th Street from 1-5pm.

(Timestamp 1:51:50) Commissioner James Justus informed the Commission that Captain Peterson held community forums each month when he was Captain at Central Division.

XII. ADJOURNMENT: The meeting adjourned at 7:23pm.