

Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
REGULAR MEETING REGULAR BUSINESS MEETING
AND AD HOC PERSONNEL COMMITTEE**

JOINT MEETING MINUTES

Wednesday, April 17, 2024

4:30pm-7:30pm

**Balboa Park Santa Fe Room
2144 Pan American W. Road
San Diego, CA 92101**

Click <https://www.youtube.com/watch?v=oM9UPEUmx4> to view this meeting on YouTube.

CPP Commissioners Present:

Chair Gloria Tran

1st Vice Chair Dennis Brown

2nd Vice Chair Doug Case

Octavio Aguilar

John Armantrout

Alec Beyer

Cheryl Canson (arrived at 4:46pm)

Stephen Chatzky (arrived at 4:55pm)

Lupe Diaz (arrived at 4:53pm)

Armando Flores

Dwayne Harvey

Brandon Hilpert

Clovis Honoré (arrived at 4:46pm)

James Justus

Darlanne Mulmat

Excused:

Bonnie Benitez

Ada Rodriguez

Yvania Rubio

Absent:

Laila Aziz

Dennis Larkin

Christina Griffin-Jones

Ad Hoc Personnel Committee Present:

Committee Chair, 1st Vice Chair Dennis Brown

Clovis Honoré (arrived at 4:46pm)

James Justus

Darlanne Mulmat

CPP Staff Present:

Danell Scarborough, Interim Executive Director

Duane Bennett, CPP Outside Counsel (Virtually)

Olga Golub, Chief Investigator

Yasmeen Obeid, Community Engagement Coordinator

Alina Conde, Executive Assistant

Jon'Nae McFarland, Administrative Aide

- I. CALL TO ORDER/WELCOME: Chair Gloria Tran called the meeting to order at 4:36pm, once a quorum was formed.
- II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call for the Commission; established quorum.
 - A. Executive Assistant Alina Conde conducted roll call for the Ad Hoc Personnel Committee.
- III. 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.
- IV. APPROVAL OF MEETING MINUTES
 - A. CPP Regular Meeting Minutes of April 3, 2024
 1. **Motion:** Commissioner James Justus moved for approval of the CPP Regular Meeting Minutes of April 3, 2024. Commissioner Alec Beyer seconded the motion. The motion passed with a vote of 11-0-0.
 Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Armantrout, Flores, Harvey, Hilpert, and Mulmat
 Nays: 0
 Abstained: 0
 Absent/Excused/Arrived Late: Aziz, Benitez, Canson, Chatzky, Diaz, Griffin-Jones, Honore, Larkin, Rodriguez, Rubio
- V. NON-AGENDA PUBLIC COMMENT:

In-Person: Francine Maxwell (*Timestamp 5:39*) – Spoke regarding the CPP meeting locations.
- VI. POLICE PURSUIT AD HOC COMMITTEE
 - A. Ad Hoc Committee Update
 1. Additional Pursuits and Presentation – There have been at least 5 more pursuits with crashes within the last three weeks.
 2. Public Comment – None
 3. Discussion (*Timestamp 7:50*) – The Ad Hoc Committee received a report from IA. They are still working on the information request and hope to receive a response by the next CPP Meeting. The Ad Hoc Committee also requested the San Diego Police Department provide: 1. The form that an officer is required to fill out after a police pursuit. 2. Copies of evaluations of all pursuits.
- VII. COMMISSION LETTER TO SAN DIEGO COO AND MAYOR
 - A. Letter Presentation (*Timestamp 12:25*)
 - B. Public Comment –

In-Person: Francine Maxwell (*Timestamp 13:55*) – Spoke regarding the letter

language.

In-Person: Kate Yavenditti (*Timestamp 14:20*) – Spoke regarding the letter language and Internal Affairs invitations to meetings.

C. Discussion

D. **Motion:** Commissioner James Justus moved to accept the letter to the Mayor with the amendment of changing Community “Forum” to Community “Hearing.” The motion was seconded by Commissioner Dwayne Harvey. The motion passed with a vote of 11-0-3.

Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Beyer, Canson, Flores, Hilpert, Mulmat, Honore

Nays: 0

Abstained: Chair Tran, Aguilar, Diaz

Absent/Excused: Aziz, Benitez, Griffin-Jones, Larkin, Rodriguez, Rubio

VIII. AD HOC COMMITTEE REPORTS

A. Ad Hoc Operating Procedures Committee

1. Investigations Procedures Final Draft

- Public Comment – None
- Discussion (*Timestamp 19:01*)
- **Motion:** Commissioner Darlann Mulmat moved to accept the Investigations Procedures with amendments. Commissioner John Armantrout seconded the motion. During the discussion, there were amendments to the originals motion.

Motion Amendment: Commissioner Alec Beyer moved to amend the motion to remove the first sentence in the Investigation Procedures under the Interview section. Commissioner James Justus seconded the motion. The motion failed with a vote of 2-13-0.

Yays: Beyer, Justus

Nays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Armantrout, Canson, Chatzky, Diaz, Flores, Harvey, Hilpert, Mulmat, Honore

Abstained: 0

Absent/Excused: Aziz, Benitez, Griffin-Jones, Larkin, Rodriguez, Rubio

Motion Amendment: Chair Tran moved to amend the motion and change the wording to add “recommend no more than two representatives/advisors.” 1st Vice Chair Brown seconded the motion. The motion failed 3-10-2.

Yays: 1st Vice Chair Brown, Beyer, Aguilar

Nays: Chair Tran, 2nd Vice Chair Case, Armantrout, Canson, Chatzky, Flores, Harvey, Hilpert, Mulmat, Justus

Abstained: Diaz, Honore

Absent/Excused: Aziz, Benitez, Griffin-Jones, Larkin, Rodriguez, Rubio

Original Motion: Commissioner Darlann Mulmat moved to accept the Investigations Procedures with amendments. Commissioner John

Armantrout seconded the motion, The motion passed with a vote of 14-1-0.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Canson, Chatzky, Diaz, Flores, Harvey, Hilpert, Honore, Justus

Nays: Beyer

Abstained: 0

Absent/Excused: Aziz, Benitez, Griffin-Jones, Larkin, Rodriguez, Rubio

2. Investigative Hearings Final Draft

- Public Comment – None

- Discussion (*Timestamp 1:07:40*)

- **Motion:** 2nd Vice Chair Doug Case moved to accept the final draft of the Investigative Hearings. Commissioner Brandon Hilpert seconded the motion. The motion passed with a vote of 15-0-0.

Yays: Chair Tran, 1st Vice Chair Brown, Aguilar, Armantrout, Beyer, Canson, Chatzky, Diaz, Flores, Harvey, Mulmat, Honore, Justus

Nays: 0

Abstained: 0

Absent/Excused: Aziz, Benitez, Griffin-Hones, Larkin, Rodriguez, Rubio

IX. CASES – SDPD DIVISIONS AND CASE REVIEW TIPS

A. Complaint Cases by Division

1. Presentation (*Timestamp 1:15:52*)

2. Public Comment

In-Person: Francine Maxwell (*Timestamp 1:19:39*) – Spoke regarding the complaints by division.

3. Discussion (*Timestamp 1:20:35*)

B. Case Review Tips and Closed Session Prep for Commissioners

1. Presentation (*Timestamp 1:26:10*)

2. Public Comment – None

3. Discussion (*Timestamp 1:46:15*)

X. CLOSED SESSION (NOT OPEN TO THE PUBLIC)

A. Public Comment – None

B. Outside Counsel Mr. Duane Bennett – Led 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.

- | | |
|-------|---|
| I. | San Diego Police Department Feedback on Case Specific Matters |
| II. | Officer Involved Shooting (0) |
| III. | Category II Case Audit Reports (1) |
| IV. | Discipline Reports (0) |
| V. | Category I Case Review 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) |

XI. REPORT OUT FROM CLOSED SESSION (7:13pm): Outside Counsel Duane Bennett reported that there was no reportable action.

XII. COMMISSIONER COMMENTS:

- Commissioner James Justus (*Timestamp 1:53:51*) Thanks the Commission for the card and flowers.
- Commissioner Clovis Honoré Justus (*Timestamp 1:54:09*) Requests more information regarding the caterer.
- Commissioner Brandon Hilpert (*Timestamp 1:54:35*) Proposes IA to come to a meeting to discuss requests of the Commission, to give status updates, and hold them accountable.
- Commissioner Dwayne Harvey (*Timestamp 1:55:02*) Statement regarding phone usage during meeting.

XIII. ADJOURNMENT: The meeting adjourned at 7:15pm.