

COMMISSION ON POLICE PRACTICES AGENDA

Tuesday, December 12, 2023

4:30pm-7:30pm

**REGULAR MEETING (Hybrid)
Carmel Mountain Ranch Library
12095 World Trade Dr.
San Diego, CA 92128**

Commissioners: Octavio Aguilar, Laila Aziz, Bonnie Benitez, Alec Beyer, Dennis W. Brown, Cheryl Canson, Doug Case, Christina Griffin-Jones, Dwayne Harvey, Brandon Hilpert, Darlann Mulmat, Clovis Honore, James Justus, Dennis Larkin, Lupe Diaz, Mark Maddox, Nicole Murray-Ramirez, Yvania Rubio, Jaylene Sanchez, Gloria Tran, and Dalia Sherlyn Villa De La Cruz

Staff: Outside Counsel Duane Bennett, Chief Investigator Olga Golub, Community Engagement Coordinator Yasmeen Obeid, Executive Assistant Alina Conde, Administrative Assistant Jon’Nae McFarland

The Commission on Police Practices (Commission) meetings will be conducted pursuant to the provisions of California Government Code Section 54953 (a), as amended by Assembly Bill 2249.

The Commission business meetings will be in person and the meeting will be open for in-person testimony. Additionally, we are continuing to provide alternatives to in-person attendance for participating in our meetings.

In lieu of in-person attendance, members of the public may also participate via telephone/Zoom. Please see instructions below to provide public comment.

The link to join the meeting by computer, tablet, or smartphone at 4:30pm is:
https://sandiego.zoomgov.com/webinar/register/WN_Ia3WDi43TX-K9uKDr5Y6sw
Meeting ID: 161 964 7578

In-Person Public Comment on an Agenda Item: If you wish to address the Commission on an item on today's agenda, please complete and submit a speaker slip before the Commission hears the agenda item. You will be called at the time the item is heard. Each speaker must file a speaker slip with the Executive Director at the meeting at which the speaker wishes to speak indicating which item they wish to speak on. Speaker slips may not be turned in prior to the day of the meeting or after completion of in-person testimony. In-person public comment will conclude before virtual testimony begins. Each speaker who wishes to address

the Commission must state who they are representing if they represent an organization or another person.

For discussion and information items each speaker may speak up to three (3) minutes, subject to the Chair's determination of the time available for meeting management purposes, in addition to any time ceded by other members of the public who are present at the meeting and have submitted a speaker slip ceding their time. These speaker slips should be submitted together at one time to the Executive Director. The Chair may also limit organized group presentations of five or more people to 15 minutes or less.

In-Person Public Comment on Matters Not on the Agenda: You may address the Commission on any matter not listed on today's agenda. Please complete and submit a speaker slip. However, California's open meeting laws do not permit the Commission to discuss or take any action on the matter at today's meeting. At its discretion, the Commission may add the item to a future meeting agenda or refer the matter to staff or committee. Public comments are limited to three minutes per speaker. At the discretion of the Chair, if a large number of people wish to speak on the same item, comments may be limited to a set period of time per item to appropriately manage the meeting and ensure the Commission has time to consider all the agenda items. A member of the public may only provide one comment per agenda item. In-person public comment on items not on the agenda will conclude before virtual testimony begins.

Virtual Platform Public Comment to a Particular Item or Matters Not on the Agenda: When the Chair introduces the item you would like to comment on (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the "Raise Your Hand" button on your computer, tablet, or Smartphone, or by dialing *9 on your phone. You will be taken in the order in which you raised your hand. You may only speak once on a particular item. When the Chair indicates it is your turn to speak, click the unmute prompt that will appear on your computer, tablet or Smartphone, or dial *6 on your phone. The virtual queue will close when the last virtual speaker finishes speaking or 5 minutes after in-person testimony ends, whichever happens first.

Written Comment through Webform: Comment on agenda items and non-agenda public comment may also be submitted using the [webform](#). If using the webform, indicate the agenda item number you wish to submit a comment for. All webform comments are limited to 200 words. On the [webform](#), members of the public should select Commission on Police Practices (even if the public comment is for a Commission on Police Practices Committee meeting).

The public may attend a meeting when scheduled by following the attendee meeting link provided above. To view a meeting archive video, click [here](#). Video footage of each Commission meeting is posted online [here](#) within 24-48 hours of the conclusion of the meeting.

Comments received no later than 11am the day of the meeting will be distributed to the Commission on Police Practices and posted online with the meeting materials.

Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item. Please contact the Privacy Advisory Board website for further instructions.

Written Materials: Instead of submitting written materials as an attachment to the webform, you may submit via U.S. Mail to Attn: Office of the Commission on Police Practices, 1200 Third Avenue, San Diego, CA 92101. Materials submitted via U.S. Mail must be received the business day prior to the meeting to be distributed to the Commission on Police Practices.

If you attach any documents to your comment, they will be distributed to the Commission or Committee in accordance with the deadlines described above.

***Please note that all times on the agenda are approximate.**

- I. **4:30pm** CALL TO ORDER/WELCOME (5 minutes)
(Chair Gloria Tran)
- II. **4:35pm** ROLL CALL (Executive Assistant Alina Conde) (5 minutes)
- 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. **4:40pm** APPROVAL OF MEETING MINUTES (Chair Tran) (5 minutes)
 1. CPP Regular Meeting Minutes of November 28, 2023
- V. **4:45pm** NON-AGENDA PUBLIC COMMENT (15 minutes)
Fill out and submit comment using speaker form or [webform](#).
Please see instructions at the beginning of this agenda.
(Community Engagement Coordinator Yasmeen Obeid)
- VI. **5:00pm** CLOSED SESSION (Dinner provided for Commissioners)
(Not Open to the Public) (35 minutes)
 1. 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 and when the Commission reconvenes this meeting as listed on this agenda.

- | | |
|-------|---|
| I. | San Diego Police Department Feedback on Case Specific Matters |
| II. | Shooting Review Board Reports (0) |
| III. | Category II Case Audit Reports (0) |
| IV. | Discipline Reports (0) |
| V. | Case Review Team Reports (1) |
| 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. **5:35pm** REPORT FROM CLOSED SESSION (Counsel Bennett) **(5 minutes)**
- VIII. **5:40pm** NEW BUSINESS (DISCUSSION) **(30 minutes)**
1. Community Input in Executive Director Hiring Process (Cabinet)
- IX. **6:10pm** AD HOC COMMITTEE REPORTS **(75 minutes)**
1. Training Committee (Chair Hilpert) **(30 minutes)**
 - a. Discussion
 - b. Action
 2. Bylaws Committee Update (Chair Maddox)
 - a. Review draft by-laws **(40 minutes)**
 - i. Discussion
 - ii. Action
 3. Operating Committee Update (Co-Chairs Rubio/Case) **(5 minutes)**
- X. **7:25pm** OFFICE OF THE COMMISSION ON POLICE PRACTICES **(5 minutes)**
1. Interns Acknowledgements (Community Engagement Coordinator Yasmeen Obeid)
- XI. **7:30pm** ADJOURNMENT

Materials Provided:

- Minutes from Regular Meeting on November 28, 2023, DRAFT
- DRAFT Bylaws
- Training Committee Update-FY23/FY24 Training Proposal

Access for People with Disabilities: As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations

required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the Commission at (619) 236-6296 or commissionpolicepractices@sandiego.gov.

Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services, or interpreters, require different lead times, ranging from five business days to two weeks. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. The city is committed to resolving accessibility requests swiftly in order to maximize accessibility.

Office of the Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
REGULAR MEETING MINUTES**

Tuesday, November 28, 2023

4:15pm-7:15pm

Valencia Park/Malcolm X Public Library

5148 Market St.

San Diego, CA 92114

Click <https://youtu.be/RBZ156LbEKY> to view this meeting on YouTube.

Commissioners Present:

Chair Gloria Tran

1st Vice Chair Dennis W. Brown

2nd Vice Chair Doug Case

Octavio Aguilar

Laila Aziz (*attended virtually*)

Bonnie Benitez (*arrived at 4:24pm*)

Alec Beyer

Lupe Diaz

Christina Griffin-Jones (*arrived at 5:00pm*)

Dwayne Harvey (*left at 6:22pm*)

Brandon Hilpert

Darlanne Mulmat

Clovis Honore

James Justus

Absent:

Cheryl Canson

Nicole Murray-Ramirez

Jaylene Sanchez

Dalia Sherlyn Villa De La Cruz

Excused:

Dennis Larkin

Mark Maddox

Yvania Rubio

Staff Present:

Duane Bennett, CPP Outside Counsel

Olga Golub, Chief Investigator

Alina Conde, Executive Assistant (virtual)

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 4:21pm.
- II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call.
Motion: Commissioner Lupe Diaz moved for Commissioner Aziz and Larkin to attend the meeting virtually. 1st Vice Chair Brown seconded the motion. The motion passed with a vote of 13-0-0.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Aziz, Benitez, Beyer, Diaz, Harvey, Hilpert, Mulmat, Honore, and Justus.
Nays: None

Abstained: None

Absent: Canson, Griffin-Jones, Larkin, Maddox, Murray-Ramirez, Rubio, Sanchez, Villa De La Cruz

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 November 7, 2023**

Motion: Commissioner James Justus moved to approve the CPP Regular Business Meeting Minutes of November 7, 2023. Commissioner Bonnie Benitez seconded the motion. The motion passed with a vote of 13-0-0.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Aziz, Benitez, Beyer, Diaz, Harvey, Hilpert, Mulmat, Honore, and Justus.

Nays: None

Abstained: None

Absent: Canson, Griffin-Jones, Larkin, Maddox, Murray-Ramirez, Rubio, Sanchez, Villa De La Cruz

V. **NON-AGENDA PUBLIC COMMENT:** No public comment received.

VI. **CLOSED SESSION (NOT OPEN TO THE PUBLIC)**

1. **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 (0) |
| IV. | Discipline Reports (0) |
| 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 (6:28pm):

1. Outside Counsel Duane Bennett reported that there was no reportable action regarding the first closed session agenda item.

2. PUBLIC EMPLOYEE APPOINTMENT

(Gov. Code section 54957(b)(1).)

Title: Executive Director

Reportable actions for the Closed Session items on the agenda will be posted on the Commission's website at www.sandiego.gov/cpp and when the Commission reconvenes this meeting as listed on this agenda. Also, see the document on the last page of these draft minutes.

REPORT OUT FROM CLOSED SESSION: Outside Counsel Duane Bennett reported that the Commission decided upon two reportable actions in regard to the second closed session agenda item:

a. **The CPP voted on a motion to accept the Ad Hoc Personnel Committee's recommendation on the hiring process for a new Executive Director. The motion passed with a vote of 13-0-1.**

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Aziz, Benitez, Beyer, Diaz, Griffin-Jones, Harvey, Mulmat, Honore, and Justus.

Nays: None

Abstained: Hilpert

Absent: Canson, Larkin, Maddox, Murray-Ramirez, Rubio, Sanchez, and Villa De La Cruz

b. **The CPP voted on a motion to recommend to the City Council that Dr. Danell Scarborough be appointed as the Interim Executive Director, as a provisional hire. The motion passed with a vote of 11-2-1.**

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Diaz, Harvey, Hilpert, Mulmat, and Justus.

Nays: Griffin-Jones and Honore

Abstained: Aziz

Absent: Canson, Griffin-Jones, Larkin, Maddox, Murray-Ramirez, Rubio, Sanchez, and Villa De La Cruz

3. NEW BUSINESS

i. Discussion and Update on the Executive Director Vacancy (1st Vice Chair Brown)
Public Comment: Kate Yavenditti (Timestamp 17:33) – Request that the discussions and announcements regarding the hiring of an Executive Director position to involve the community with the hiring process.

1st Vice Chair Dennis Brown presented the draft proposed hiring process for the Executive Director position.

- The process will start with the Commission on Police Practices hiring a search firm to do a national search.
- The Commission and Community Members will have a conversation with the search firm about the qualifications and qualities of the Executive Director.
- The search firm will develop and distribute a brochure for the City's website, government jobs.com, NACOLE and other agencies.

- The search firm will complete an initial evaluation of candidates and provide a short list of candidates with summary information of all candidates as a context, if allowed legally.
 - The search firm, with the Commissions collaboration, will develop interview questions to be consistently asked of all interviewees.
 - The Commission will identify a panel of individuals consisting of Commissioners and community members to conduct the first round of interviews (with search firm representatives providing technical support.
 - Finalists will be recommended by the panel to a hiring committee of the Commission on Police Practices consisting of ad hoc personnel committee members and cabinet commissioners.
 - The hiring committee will conduct the final interviews and send the recommended candidates to the City Council for their approval.
- ii. Commissioner Attendance, Excused Absences and Cause for Removal (Chair Tran, Counsel Bennett)
- a. San Diego Municipal Code Section 261106(c)(5)
 - b. Discussion
 - a. Action – direct staff to send notices to any Commissioner who has 2 unexcused absences and copy Cabinet.

Per the ordinance that formed the CPP, unexcused absences from at least three consecutive meetings may result in the Commissioner being recommended for removal. Commissioners should email the Chair and Executive Assistant, Alina Conde no later than noon the day of the meeting to request an excused absence. The CPP defined Excused Absences as:

- Illness
- Out of Town
- Work/School, but not on a regular basis
- Extraordinary Circumstances

Motion: CPP Chair Tran moved for the CPP to adopt excused absences as illness, out of town, work, or school (not on a consistent basis), and extraordinary circumstances. Commissioners must email Chair Tran and Executive Assistant Alina Conde no later than noon the day of the scheduled meeting. Commissioner Justus seconded the motion.

The motion passed 14-0-0.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Aziz, Benitez, Beyer, Diaz, Griffin-Jones, Harvey, Hilpert, Mulmat, Honore, and Justus.

Nays: None

Abstained: None

Absent: Canson, Larkin, Maddox, Murray-Ramirez, Rubio, Sanchez, Villa De La Cruz

4. CABINET UPDATE – 2nd Vice Chair Doug Case reported that the Cabinet and Executive Staff attended the National Association for Civilian Oversight of Law Enforcement (NACOLE) conference from November 12th – 16th in Chicago, IL. All materials from the conference have been uploaded into a folder on the CPP Google Drive. There is an upcoming 2-day virtual NACOLE conference, and the Commission is encouraged to attend. There are many programs built in that can be very useful to the Commission.

5. AD HOC COMMITTEE REPORTS

- i. Training Committee Updates – Chair Hilpert presented some considerations for the Commission to discuss and choose. – Tabled and will be discussed and voted on at the next meeting.
 - a. Discussion
 - b. Action

Public Comment: Tasha Williamson (Timestamp 53:50) – Encouraged the Commission also schedule a community bus tour.

- ii. Bylaws Committee Update – Commissioner Beyer reported that the Bylaws Committee is toward the end of the draft proposal but still have some formatting and changes to make to sections of the bylaws. The Draft Bylaws will be put on the next agenda for the Commission to review.
- iii. Operational Committee Update – Co-Chair Case reported that the next meeting will be on December 6th at 6pm. The Committee will continue discussion on review of disciplines and making recommendations.

6. OFFICE OF THE COMMISSION ON POLICE PRACTICES

- i. Update of Case Review/Case (CPP Chief Investigator Olga Golub) – As of November 28th, all active cases that expire in 2023 have been reviewed. Those who signed up to do case review are Commissioners: Hilpert, Benitez, Beyer, Aguilar, Mulmat, Honore, Justus, Diaz, Harvey, Aziz, Rubio, and Griffin-Jones. Chief Investigator Olga Golub thanked the Commissioners for signing up and for their patience as the CPP is working to develop a temporary review system. The next meeting will focus on cases expiring in January. Once schedules are finalized, Mrs. Golub will create a spreadsheet with case assignments to groups, and deadlines to review, and by which meeting. It is important to follow the deadlines and that reports are submitted on time for printing. Mrs. Golub shared a cheat sheet regarding the Google Drive.
- ii. Update on Scheduled Dates for Regular Business Meeting and Update (Executive Assistant Alina Conde) – CPP Meeting dates: The OCPP Administrative team have worked diligently to find a more permanent location to hold CPP Business Meetings. For the year of 2024, the CPP will be meeting the 1st and 3rd Wednesday at Balboa Park in the Santa Fe Room (three meetings of the year will be in a to be determined location). If there is a need to reschedule a meeting, one Saturday a month has been scheduled as a placeholder to use as backup at the Mission Valley Library. Ethics Training: Not all commissioners have completed the Ethics Training. Ethics orientation training needs to be completed within 90 days of assuming office, and, thereafter, complete the Ethics Commission’s Continuing Education Program on a biennial basis. Executive Assistant Alina Conde will email the Commissioners regarding the steps to complete the training.

7. ADJOURNMENT: The meeting adjourned at 7:14pm.

COMMISSION ON POLICE PRACTICES AGENDA RELATED REPORT

AGENDA ITEM VI.2 – Closed Session on Public Employee Appointment of the Executive Director

The Brown Act authorizes a closed session “to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee.” (California Government Code section 54957(b).)

The purpose of this exception—commonly referred to as the “personnel exception”—is to avoid undue publicity or embarrassment for an employee or applicant for employment and to allow full and candid discussion by the legislative body; thus, it is restricted to discussing individuals, not general personnel policies. (63 Ops.Cal.Atty.Gen. 215 (1980); but see: *Duvall v. Board of Trustees* (2000) 93 Cal.App.4th 902 [board may discuss personnel evaluation criteria, process and other preliminary matters in closed session].)

The law recognizes that a legislative body, such as the CPP, must possess the power to appoint, evaluate, or dismiss an employee and hold a closed session under this exception. (*Gillespie v. San Francisco Public Library Commission* (1998) 67 Cal.App.4th 1165; 85 Ops.Cal.Atty.Gen. 77 (2002).)

In *Duval v. Board of Trustees* (2001) 93 Cal.App.4th 902, 908, the court stated, “[T]he Legislature has drawn a reasonable compromise, leaving the majority of personnel matters to be discussed freely and candidly in closed session, but permitting an employee to request an open session to defend against specific complaints or charges brought against him or her by another individual and thus to clear his or her name.” (*Bell v. Vista Unified School Dist.* (2000) 82 Cal.App.4th 672, 682.)

For purposes of the personnel exception, “employee” specifically includes an officer or an independent contractor who functions as an officer or an employee. Examples of the former include a city manager, executive director, district general manager or superintendent. An example of the latter is a legal counsel or engineer hired on contract to act as local agency attorney or chief engineer.

Reclassification of a job must be public, but an employee’s ability to fill that job may be considered in closed session. Any closed session action to formally appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee must be reported at the public meeting during which the closed session is held. That report must identify the title of the position, but not the names of all persons considered for an employment position. (*Gillespie v. San Francisco Public Library Commission* (1998) 67 Cal.App.4th 1165.)

Prepared By: Duane E. Bennett, Outside Counsel

COMMISSION ON POLICE PRACTICES

FY 2023-24 TRAINING PROPOSAL

December 2023

The training committee presents the following training proposal for discussion and approval.

- **Implicit Bias** (Muslim Anti-Racism Collaborative, Los Angeles)
 - **Objectives:** Define and explore the concept of diversity, map how explicit and implicit bias shape decision making, examine importance of fairness and justice, identify practice steps promoting unbiased decision making, and develop strategies to counter bias in case handling and decision making.
 - **Purpose:** Enhance diversity awareness and promote cultural sensitivity in the context of criminal justice by providing education on diversity and the distinctions between implicit and explicit bias, as well as fostering an environment of respect and understanding in an effort to equip commissioners with practical tools and strategies to promote unbiased decision-making within the criminal justice system
 - **Cost Estimate:** \$7,000
 - **Length:** Four sessions (in person and webinars)
 - **Measures of Success:** Implicit Bias Pre-Assessment and Post-Assessment
- **Youth/Adult Partnerships** (Global ARC)
 - **Objectives:** Assist commissioners in assessing their experience, knowledge, and values surrounding youth–adult partnerships as related to youth development, youth culture, balance of power, and leadership development.
 - **Purpose:** Support new youth-adult partnerships resulting from including youth and adults among commission members by developing boundaries and strategies to overcome challenges.
 - **Cost Estimate:** \$750
 - **Length:** One half day session
 - **Measures of Success:** TBD
- **Conflict** (Two Parts)
 - **Culture, Communication & Conflict** (National Conflict Resolution Center)
 - **Objectives:** Discover how to communicate needs in difficult situations and explore personal and cultural identities as related to communication styles.
 - **Purpose:** Prepare commissioners with strategies for handling difficult situations
 - **Cost Estimate:** Free
 - **Length:** 8 hours (4 2-hour sessions)
 - **Measures of Success:** TBD

- **Conflict De-Escalation** (Moeen Conflict Resolution)
 - **Objectives:** Build on the foundational conflict resolution training provided by NCRC. Strengthen capacity to analyze complex conflict and respond effectively to escalating tension.
 - **Purpose:** Strengthen existing and emerging conflict resolution and de-escalation skills.
 - **Cost Estimate:** \$4,500
 - **Length:** 3 hour in-person session followed by 5 hours of virtual small group coaching
 - **Suggestion:** In-person session for all, with small group coaching for staff and maybe cabinet
 - **Measures of Success:** Baseline needs assessment prior to in-person training, as well as quantitative and qualitative post-training evaluation to measure impact and identify areas for further development.
- **Community Bus Tour** (organized by Community Engagement Coordinator)
 - **Objectives:** Tour Islamic Center of San Diego Mosque, LGBTQ Center, Chicano Park (and Chicano Federation), and Pillars of the Community
 - **Purpose:** Build intentional relationships between commissioners, CPP staff and community organizations
 - **Cost Estimate:** \$1,500
 - **Length:** One day (8 hours)
 - **Measures of Success:** Increased interaction between commissioners, CPP staff, and community organizations.
- **SDPD Community Bus Tour** - December 21st
 - **Objectives:** Tour Islamic Center, LGBTQ, Alliance for Community Empowerment, Union of Pan Asian Communities, Arab-American, Deaf and Hard of Hearing
 - **Purpose:** Learn about diverse communities within San Diego by hearing community perspectives and thoughts on policing as provided to SDPD recruits
 - **Cost Estimate:** Free
 - **Length:** One day (8 hours)
 - **Measures of Success:** TBD
 - **Suggestion:** Delete this tour from the training schedule because key organizations are not included and the perception by the community will be negative if commissioners participate.

Next Steps

- Discuss and approve this proposal
- Staff schedules training accordingly
- The training committee continues refining the “training academy” and provides another update next month on onboarding and special topics.

**Bylaws
City of San Diego
Commission on Police Practices**

Preamble

On November 3, 2020, the voters of San Diego approved Measure B creating a new independent Commission on Police Practices (CPP) replacing the Community Review Board on Police Practices (CRB). Per the City Charter amendment, the members of the CRB at the time of its dissolution became the initial CPP members. On October 3, 2022, the City Council, adopted an implementation ordinance specifying the number of Commissioners, term length, qualifications and selection process. These Bylaws are the operating procedures for the Commission's governance.

Article I. Name and Authority

Section 1. Name

The name of this Commission is the Commission on Police Practices, herein referred to as “the Commission”. The Commission was established by Measure B, approved by the voters in November 2020. The Commission on Police Practices is also known by the acronym “CPP”.

Section 2. Authority

The Commission operates in accordance with the following documents, listed in hierarchical order:

United States Constitution

California Constitution

California Statutes and Codes, including but not limited to the Government Code (Ralph M. Brown Act, Section 54950 et seq.; and Public Safety Officers Procedural Bill of Rights, Sections 3300-3311, Chapter 9.7, Division 4, Title 1), Penal Code (PC), Health and Safety Code, and Vehicle Code (VC)

San Diego City Charter, including but not limited to Article V, Section 41.2 - Commission on Police Practices

San Diego Municipal Code, including but not limited to Chapter 2, Article 2, Division 55 – Office of the Commission on Police Practices, and Chapter 2, Article 6, Division 11 – Commission on Police Practices

CPP Standard Operating Procedures (“rules and regulations” referenced in the charter)

San Diego City Council Policies

City of San Diego Administrative Regulations

Memorandum of Understanding (MOU) between City of San Diego and San Diego

Police Officers Association

CPP Bylaws

CPP Special Rules of Order

CPP Operational Standing Rules

CPP Administrative Standing Rules

Robert's Rules of Order, Newly Revised

National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics (Attached hereto as Exhibit A)

Parliamentary procedures of this Commission will be in accordance with these Bylaws and any Special Rules of Order adopted by the Commission. The default parliamentary authority for procedures that are not covered in these Bylaws or the CPP Special Rules of Order shall be the current edition of Robert's Rules of Order, Newly Revised.

Article II. Purpose, Mission, Duties, Powers, and Objectives

Section 1. Purpose and Mission

The purpose of the Commission on Police Practices is to provide an independent investigation of officer-involved shootings and in-custody deaths, and an unbiased evaluation of all complaints against the San Diego Police Department and its personnel, in a process that will be transparent and accountable to the community. The Commission will also evaluate and review SDPD policies, practices, training and protocols and represent the community in making recommendations for changes. The mission of the Commission is to hold law enforcement accountable to the community and to increase community trust in law enforcement, resulting in increased safety for both the community and law enforcement.

Section 2. Duties

Per the City Charter, the Commission shall have the following mandatory duties:

- A. To establish operating procedures for its governance and the Commission's investigatory proceedings consistent with all applicable laws including the Charter, the Ralph M. Brown act, the California Public Records Act, and all laws, rules, regulations, and collective bargaining agreements between the City and its recognized employee organizations that provide rights to City employees
- B. Independently investigate and evaluate all deaths occurring while a person is in custody of the SDPD, all deaths resulting from the interaction with an officer of the SDPD, and all SDPD officer-related shootings.
- C. Prepare operating procedures for Commission investigators to have immediate access to the scene or area of: (1). An SDPD police officer involved shooting; (2). Death or deaths resulting from an interaction with one or more SDPD police officer(s); (3). Death or deaths occurred while a person was in the custody of the San Diego Police Department; and (4).

Draft CPP Bylaws, December 7, 2023

Investigations by SDPD of the events listed in items 1-3 of this section.

- D. Make findings upon the completion of any investigation, complaint review or evaluation.
- E. Receive, register, review and evaluate all complaints against SDPD officers, except that the Commission will not review and evaluate complaints where the complainant has requested that the matter be handled without investigation, or where no specific allegation or police officer can be identified.
- F. Review and evaluate all factual findings and evidentiary conclusions of the SDPD arising from investigations of police misconduct, including Internal investigations not resulting from a complaint, and all disciplinary decisions resulting from sustained findings.
- G. Review and evaluate SDPD's compliance with federal, state and local reporting laws and requirements.
- H. Comply with all applicable federal, state, and local laws and regulations, including the City's Civil Service Rules, Personnel Regulations, Administrative Regulations, and collective bargaining agreements between the city and its recognized employee organizations in any interaction with City employees.
- I. Maintain a training program for individuals interested in appointment to the Commission. Upon appointment, Commission members must also complete training upon their appointment to ensure their working knowledge of applicable laws and rules.
- J. Forward to the Police Department a copy of any complaint received by the Commission that identifies an employee of the Police Department within five calendar days of the Commission's receipt of the complaint.
- K. Retain complaints and any reports or findings relating to complaints for at least five years or any longer period required by state law.
- L. Engage in outreach to address community groups and inform the public on the duties and responsibilities, policies, and ongoing operations of the Commission, including a roundtable, at least twice a year, in a community location to solicit public input on Commission function(s).
- M. Establish operating procedures for: (1). the preparation and submission of a semi-annual report to the Mayor and City Council regarding the exercise of the Commission's duties and powers; (2). Allowing the community to evaluate the commission's processes and performance; (3). the development, data collection, tracking, and reporting of community policing standards; (4). describing the commissions Communications with complainants regarding the

status of their complaints; (5).Covering public Communications on the Commission's internet website, including providing to the public, as soon as practicable, as much information as permitted by law, on the status of the Commission's investigation of each complaint, the list of all complaints received, the Commission's findings on the complaints it investigated, and all of the commission's recommendations.

Section 3. Discretionary Powers

The Commission shall have the discretion to:

- A. Conduct investigatory proceedings, subpoena witnesses, and authorize enforcement of the subpoena;
- B. Investigate complaints against SDPD officers (in addition to the required investigations stated above), unless the complainant has requested that the matter be handled without an investigation, provided that the Commission determines that the complaint arises from any one of the following:
 - (1). an incident in which the use of force by a SDPD officer resulted in great bodily injury;
 - (2). dishonesty by a SDPD officer including an allegation of perjury, filing false reports, and destruction, falsifying or concealing evidence;
 - (3). an incident that has generated substantial public interest or concern;
 - (4). an incident where the data shows a pattern of misconduct by a SDPD officer; or
 - (5). an incident where data shows a pattern of inappropriate policies, procedures, or practices of the Police Department or its member;
- C. Review, evaluate and investigate allegations of inappropriate sexual conduct, physical assault or domestic violence by SPDP officers;
- D. Make recommendations to the Chief of Police on the discipline of individual officers about whom complaints have been made or about whom the Commission has conducted an investigation
- E. Review and evaluate the Police Department's administration of discipline of police officers arising from other matters not involving alleged misconduct;
- F. Review and evaluate the policies, procedures, practices and actions of the SDPD;
- G. Make specific recommendations to the Chief of Police, the Mayor and the City Council on any policies, procedures, practices and actions of the SDPD;
- H. Develop and implement a mediation program that enables complainants to resolve their issues with a police officer who is a subject of a complaint,

through face-to-face alternative dispute resolution involving a trained mediator;

- I. Establish an operating procedure to directly receive and investigate complaints by members of the public against Police Department employees who are not police officers;

Section 4. Outreach and Education

It is the objective of the Commission to operate transparently, to keep the community informed about the activities of the Commission, and to provide opportunities to receive public input on the Commission's operations. It is the further objective of the Commission to encourage persons with complaints about the actions of SDPD sworn personnel to file a complaint, to widely publicize the procedures for filing complaints and to make the process as simple as possible, and to enact mechanisms to ensure that persons filing complaints and witnesses will be able to do so without fear of retaliation or adverse consequences.

Section 5. Independence

The Commission on Police Practices maintains and defends an independent posture within which objective, balanced review, investigations, and evaluation processes will be assured. The ultimate usefulness of the Commission depends on independence from political pressure, independence from community pressure, and independence from influence or control by SDPD. In this regard, actual independence and perceived independence are equally important. Any action or activity that could present an appearance of compromised independence should be avoided. Commission independence is essential to earn the trust of the community and fulfill the mandate from the initial creation of the Commission by citizen initiative.

Article III. Membership

Section 1. Selection and Appointment

- A. There will be up to 25 Commissioners who must reside within the City of San Diego with the following categories:
 - (1) Nine Commissioners, one from each Council District
 - (2) Two Commissioners aged 18 to 24 at the time of appointment
 - (3) Five Commissioners residing in low to moderate income neighborhoods
 - (4) Nine Commissioners at large without additional age or residence restriction
- B. Effective June 30th, 2024, appointment to CPP will be to a specific seat within a category for a 2-year term, with re-appointment for up to 3 additional consecutive 2-year terms. Only half of the Commissioners will be eligible for reappointment in any one year.
- C. The process for appointment to CPP will be determined by the San Diego City

Council. The primary concern for appointment of Commissioners will be to maintain full membership of the Commission. Recruiting to fill vacancies will focus on candidates for the specific seats that are vacant.

- D. Members of the Commission shall serve without compensation, but shall be reimbursed for authorized, reasonable and necessary expenses incurred in the performance of their official duties. Prior to assuming the duties of office, members must subscribe to the Oath of Office administered by the City Clerk's Office and sign the oath card. All Members who are reappointed to the Commission must retake the Oath of Office and sign a new oath card. Once members take the Oath of Office and sign the oath card, they are considered voting members of the Commission.

Section 2. Responsibilities

Members have the following responsibilities:

A. Meeting Attendance

The substantive work of the Commission cannot be accomplished in the absence of a quorum. In order to accomplish the work of the Commission, members are expected to be in attendance and participate in meetings. Meeting attendance shall be in accordance with the Brown Act. Any member with an unexcused absence from at least three (3) consecutive meetings of the full Commission may be removed from the Commission per Article III, Section 3.B. of these bylaws. Members may request to be excused from a meeting by contacting the Chair or Executive Director no later than 12 noon on the day of the meeting. An excused absence can be granted by the Chair for the following reasons:

- (1). Illness or health
- (2). Out of Town
- (3). Work/School, but not on a regular basis
- (4). Religious observance
- (5). Extraordinary Circumstances

B. Case Review

Members may be assigned by the Chair or their designee to review and evaluate complaints and investigations of misconduct in accordance with the current Operational Standing Rule for Case Review.

C. Committee Participation

Members are required to participate on at least one of the standing committees of the Commission.

D. Training

Members are required to pursue and complete educational opportunities as determined by the Continuing Education and Training Committee.

E. Community Outreach

Members shall participate in community outreach activities as determined by the Community Outreach Committee.

Members can speak in public about the role of the Commission to provide education for the community. Only the Commission Chair is the spokesperson for the Commission on issues that require public comment.

F. Ethical Conduct

To promote public trust, integrity, and transparency, members are expected to adhere to the National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics. The NACOLE Code of Ethics includes Personal Integrity, Independent and Thorough Oversight, Transparency and Confidentiality, Respectful and Unbiased Treatment, Outreach and Relationship with Stakeholders, Agency Self-examination and Commitment to Policy Review, and Primary Obligation to the Community. The complete NACOLE Code of Ethics is attached as Exhibit A of these bylaws.

Any actual or perceived conflict of interest during case review shall be avoided. Conflict of interest exists when a member has an outside financial interest or a personal relationship with someone involved in the case, or has intimate knowledge of the facts of the case. Members shall avoid any situation where they have a conflict of interest by immediately notifying the Chair or Executive Director requesting either to be excused from review of the case or to have the case reassigned. Active involvement in other boards, committees or organizations could pose an actual or perceived conflict of interest with membership on the Commission. Commission Members shall disclose all potential conflicts to the Chair or Executive Director immediately.

Section 3. Removal

A. Voluntary Resignation

Any Member of the Commission can voluntarily resign by sending a letter or email of resignation to the Commission Chair and the Executive Director. A member's written notice of resignation is required by the City Clerk and becomes a matter of public record. Once the letter has been received, the position shall be considered vacant.

B. Removal for Cause

A member may also be removed for cause including but not limited to the following reasons: (1) misuse of position as a Commission Member; (2) misuse of police-issued documents; (3) violation of state laws of confidentiality; (4) misconduct or conviction of a crime that impedes the member's ability to serve as an effective and impartial Commission member; (5) unexcused absences from at least three consecutive meetings or by failure to complete case review as assigned; (6) violation of the NACOLE Code of Ethics; or (7) a conflict of interest.

Upon receiving information that a member has engaged in behavior that may subject the member to the removal for cause action, the Cabinet shall investigate or arrange for an investigation of the situation. If after the investigation, it appears that cause exists for removal, the member shall be invited to meet with the Executive Director and the Cabinet. After that meeting, the Cabinet shall determine whether to proceed with removal proceedings. If it is determined to proceed, the matter will be placed on the next regular Commission Open Meeting agenda. The member will have an opportunity to present a defense and answer questions. By a two-thirds vote, the Commission may recommend to the City Council that the member be removed. The affected member shall not be entitled to cast a vote in the matter. A hearing by the City Council shall occur within sixty (60) days of the receipt of the recommendation.

Article IV. Officers

Section 1. Officers of the Commission

The officers of this organization shall be Chair, First Vice Chair, and Second Vice Chair. These elected officers shall be referred to collectively as the Cabinet.

No individual shall hold more than one office at any time. An individual may serve no more than two consecutive terms in the same office, and becomes eligible again to serve in that office after a period of two years commencing at the conclusion of their second term.

Section 2. Election and Succession

A. Election

Officers are elected at the last Open Meeting of the fiscal year to serve a one-year term in conjunction with the next fiscal year. The Nominating Committee (see Article VI, Section 3.A) will present at least one nomination for each office. Prior to the vote for each office, additional nominations will be taken from the floor. Officers will be elected individually in order of precedence, starting with the Chair.

Officers must receive a majority vote of the Commission. If no candidate receives a majority, then a runoff will be held between the candidates with the two highest numbers of votes.

If the last scheduled Open Meeting of a fiscal year is not held, officers shall continue to serve until their successors are elected and assume office.

B. Vacancies

If the office of Chair becomes vacant, the First Vice Chair becomes Chair for the unexpired term. If the office of First Vice Chair becomes vacant, the Second Vice Chair becomes First Vice Chair for the unexpired term. If the office of Second Vice Chair becomes vacant, an election, with nominations taken from the floor, will be held at the next Open Meeting of the Commission to fill the office for the remainder of the unexpired term.

If the offices of Chair, First Vice Chair and Second Vice Chair all become vacant at the same time, the Executive Committee shall appoint a Commission Member to serve as Acting Chair for a period of sixty days, during which time elections will be held to fill the vacancies for the unexpired term. Such elections will take nominations from the floor and elect officers individually in order of precedence by roll call vote. Notice of such elections shall be given thirty days ahead of the election date.

Section 3. Powers and Duties

The officers of this organization shall fulfill the duties of office while always acting for the good of the entire Commission.

A. Chair

The Chair shall have the following powers and duties:

- (1). To serve as Chair for all meetings, Closed and Open, of the Commission.
- (2). To serve as Chair for all meetings of the Executive Committee.
- (3). To serve as a member of the Cabinet.
- (4). To set the agenda for all Commission, Executive Committee, and Cabinet meetings in consultation with the Executive Director.
- (5). To act as the spokesperson for the Commission, to make official statements for the Commission, or to delegate this responsibility to another Commission Member.
- (6). To coordinate with the Executive Director on communication between the Commission and the Mayor, the San Diego City Council and the Chief of Police.
- (7). To appoint Chairs and members for all Committees of the Commission.
- (8). To be ex officio member and ensure effective functioning of all committees of the Commission.
- (9). To perform such other duties as may be conferred by vote of the Commission

B. First Vice Chair

The First Vice Chair shall have the following powers and duties:

- (1). To fulfill the duties of the Chair in the absence of the Chair.
- (2). To serve as a member of the Executive Committee.
- (3). To serve as a member of the Cabinet.
- (4). To oversee training of new members with the Continuing Education and Training Committee.
- (5). To perform such other duties as may be conferred by vote of the

Commission or requested by the Chair.

C. Second Vice Chair

The Second Vice Chair shall have the following powers and duties:

- (1). To fulfill the duties of the Chair in the absence of the Chair and 1st Vice Chair.
- (2). To serve as Chair for the Executive Committee Meeting in the absence of the Chair and First Vice Chair.
- (3). To serve as a member of the Executive Committee.
- (4). To serve as a member of the Cabinet.
- (5). To act as or designate a Parliamentarian for the Commission. The proposed parliamentarian is subject to approval by a majority vote of the Commission.
- (6). To perform such other duties as may be conferred by vote of the Commission or requested by the Chair.

D. Cabinet

The Cabinet shall

- 1) Investigate allegations of impropriety against any Commission Member and make recommendations resulting from such investigations.
- 2) Provide supervision of and consultation with the Executive Director to ensure the Commission fulfills its purpose, mission, duties, powers, and objectives.

Article V. Meetings

Section 1. General

Meetings of the Commission shall be held regularly in order to carry out the objectives and purposes of the organization. Notice of time, place and agenda shall be provided to the Commission and the public at least 72 hours before the scheduled time of every meeting in accordance with the Ralph M. Brown Act.

Section 2. Regular Meetings

Regular Meetings are normally held once each month to transact business and to hear presentations. Regular Meetings provide a forum in which to communicate with the public, to advise the community on the business of the Commission, and to hear public testimony on issues under the Commission's purview. Individual cases are not discussed in open meetings.

Section 3. Closed Sessions

Closed Sessions are held pursuant to California Government Code Section 54957 to provide a confidential environment in which (1) to review complaints and investigations regarding SDPD Officers in accordance with California Penal Code Section 832.7 or (2)

to discuss personnel or other information that is specifically exempt from public disclosure by law. Attendance by anyone other than Commission members and staff is by invitation.

Section 4. Special Meetings

Special Meetings can be held as needed. A Special Meeting may be called by the Chair, the Cabinet, or by a majority vote of Commission members. Notice of a Special Meeting shall state the topic(s) to be discussed, and no other business may be considered during the Special Meeting.

Section 5. Voting and Quorum

Only Commission members can vote on issues before the Commission and are counted to determine the presence of a quorum. The Chair is not required to vote; however, the Chair may vote whenever their vote will affect the result.

No formal action can be taken without a quorum. The requirement for a quorum shall be a majority of filled seats on the Commission.

Article VI. Committees

Section 1. General

Committees of the Commission shall be formed to carry out the primary objectives of the Commission and to maintain functions necessary to sustain the Commission. Committees shall limit their business to the purpose identified in this document or the purpose identified at their inception. Committees shall conduct their business in a manner consistent with these Bylaws and the Standing Rules of the Commission. Committees shall not take any final action on behalf of the Commission or issue any official communication. The Chair may appoint community members as advisors to a Committee.

Committees fall into two categories: Standing Committees and Ad Hoc Committees. Standing Committees require a constant presence to carry out long term ongoing functions of the Commission. Ad Hoc Committees either support periodic functions of the Commission that do not require a constant presence for service or are formed to accomplish specific, short term tasks that are not within the assigned function of any Standing Committee or any other Ad Hoc Committee.

Committee Chairs of all committees shall be members of the Commission. Unless otherwise specified herein, Standing Committee Chairs shall be appointed by the Commission Chair to serve a one-year term. Ad Hoc Committee Chairs shall be selected by a majority vote of the Ad Hoc Committee members, and can serve until their committee is disbanded.

Standing Committee Chairs have the following tasks:

- A. Conduct Committee meetings at least quarterly or more often as needed.
- B. Support the Brown Act requirement for public notice with an agenda in advance.

- C. Report on Committee activities at Open Meetings and make recommendations for Commission action.
- D. Contribute a summary of Committee activities and accomplishments for the CPP Semi-annual Reports.
- E. Serve as a member of the Executive Committee.

Section 2. Standing Committees

Notice of Standing Committee meeting time, place and agenda shall be provided to Committee members and the public at least 72 hours before the scheduled meeting time. Except for the Executive Committee, Standing Committees are limited to no more than seven (7) members.

A. Executive Committee

The Executive Committee has continuing jurisdiction over the effective and ethical functioning of the Commission. The Chair of this Committee is the Commission Chair. Members of the Executive Committee are the elected officers of the Commission and Standing Committee Chairs. Regular meetings of the Executive Committee shall be held monthly, or at the discretion of the Chair. The Executive Committee shall have the responsibility for facilitating the annual performance review of the Executive Director. The Executive Committee may advise the Executive Director on finance and budget issues.

B. Policy Committee

The Policy Committee shall evaluate recommendations from Commission Members and members of the community for improvements to SDPD policy, procedure, training or administration of discipline of police officers. The result of the evaluation shall be presented to the Commission. The Policy Committee may recommend Commission action to forward suggested improvements to the Chief of Police.

C. Training and Continuing Education Committee

The Training and Continuing Education Committee shall develop and implement a training program for new Commission Members. The Committee will arrange presentations on subjects of interest at the Regular Business Meetings of the Commission. The Committee also arranges additional training opportunities and field trips for the Commission.

D. Community Outreach Committee

The Community Outreach Committee shall support the Commission's outreach and education objectives to inform the public and seek feedback regarding the Commission's work.

E. Rules Committee

The Rules Committee shall evaluate recommendations from Commission Members for amendments to these Bylaws, to Special Rules of Order, to Standing Rules and to other operational procedures. The Rules Committee is responsible to ensure that a proposed amendment does not violate or conflict with any existing provision in these Bylaws or any other rules that govern the Commission. The result of the evaluation shall be presented to the Commission.

F. Recruitment Committee

The Recruitment Committee shall engage in activities to recruit new members for the Commission, inform interested individuals about the Commission, interview prospective Commission Members, and select nominees to recommend to the City Council.

Section 3. Ad Hoc Committees

Ad Hoc Committees may be formed as needed by the Commission Chair or by a majority vote of the Commission for an assigned specific task. Unless extended by a vote of the Commission, each Ad Hoc Committee is disbanded at the completion of the assigned task. Ad Hoc Committees are limited to no more than seven members.

A. Nominating Committee

The Nominating Committee is a recurring ad hoc committee that shall be formed annually to facilitate election of officers. Three members of the Nominating Committee shall be elected by the Commission with nominations taken from the floor. The Nominating Committee shall recruit Commissioners who are willing and qualified as candidates for each office. The Nominating Committee shall present to the Commission at least one nomination for each office prior to the last scheduled Open Meeting of the fiscal year. The Nominating Committee shall be disbanded following the election of Commission officers.

Article VII. Administration

Section 1. Executive Director

The Executive Director is appointed by the City Council and serves at the will and direction of the Commission. The Executive Director or their designee is responsible for facilitating the work of the Commission, including, but not limited to, the following tasks:

- A. Interface with community members, responding to inquiries and receiving complaints.

- B. Direction of day-to-day operations of the Commission.

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- C. Liaison between the Commission and City departments, in particular SDPD and the City Attorney's Office.
- D. Maintenance of records and preparation of reports, including semiannual reports to the Mayor and City Council.
- E. Hire and supervise Commission staff, independent contractors, and consultants.
- F. Arrange for the preparation of and dissemination of all meeting notices for CPP and committee meetings as required by the Ralph M. Brown Act.
- G. Attend all CPP meetings, or provide staff support for committee meetings.
- H. Serve as custodian of the Commission's records, in compliance with all applicable laws related to records retention, protection, confidentiality and disclosure.
- I. Arrange for the preparation of and dissemination of the minutes of all CPP board and committee meetings.

The Commission shall conduct a formal performance evaluation of the Executive Director on an annual basis in a manner consistent with the evaluation process used by the City's Personnel Department.

Section 2: Independent Legal Counsel

The Commission shall retain its own Legal Counsel, who is independent of the City Attorney for legal support and advice in carrying out the Commission's duties and actions. The Legal Counsel may be a Commission employee or independent contractor hired by the Executive Director, with the approval of the Cabinet.

Article VIII. Amendment

Section 1. CPP Bylaws

Bylaws describe organizational structure, eligibility requirements of the members, the terms, responsibilities and powers of the officers, types of meetings, specification of a quorum, identity of standing and ad hoc committees, the duties and responsibilities of each committee, and identity of a parliamentary authority. Amendment of these Bylaws requires a two-thirds vote of Commission Members at a regularly scheduled open Commission meeting. Proposed amendments must be submitted by a Commission member as defined in and reviewed by the Rules Committee. The proposed content

and the Rules Committee evaluation must be submitted in writing to all Commission members at least ten days before the meeting where the vote will be taken.

Section 2. CPP Special Rules of Order

Special Rules of Order define and clarify parliamentary procedures that are different from the specifications of the identified parliamentary authority. Special Rules of Order may be adopted, amended, or deleted by a two-thirds vote of Commission Members at a regularly scheduled Open Commission meeting. Proposed amendments must be submitted by a Commission member and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Commission members at least ten days before the meeting where the vote will be taken.

Section 3. CPP Operational Standing Rules

Operational Standing Rules define and clarify operational procedures for any interface between this organization and all other City Departments. Operational Standing Rules may be adopted, amended, or deleted by a majority vote of Commission Members at a regularly scheduled open Commission meeting. Proposed amendments must be submitted by a Commission member and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Commission members at least ten days before the meeting where the vote will be taken. Commission-approved Operational Standing Rules become effective when reviewed and approved by the City Council.

Section 4: CPP Administrative Standing Rules

Administrative Standing Rules define and clarify internal procedures for this organization. Administrative Standing Rules may be adopted, amended, or deleted by a majority vote of Commission Members at a regularly scheduled open Commission meeting. Proposed amendments must be submitted by a Commission member and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Commission Members at least ten days before the meeting where the vote will be taken.