

**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

1<sup>st</sup> Vice Chair Dennis W. Brown

2<sup>nd</sup> 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, 1<sup>st</sup> 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, 1<sup>st</sup> 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](http://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](http://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, 1<sup>st</sup> 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, 1<sup>st</sup> 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 (1<sup>st</sup> 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.

1<sup>st</sup> 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, 1<sup>st</sup> 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 – 2<sup>nd</sup> 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 12<sup>th</sup> – 16<sup>th</sup> 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 6<sup>th</sup> 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 28<sup>th</sup>, 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.