

Office of the Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
REGULAR MEETING MINUTES**

Tuesday, December 12, 2023

4:30pm-7:30pm

Carmel Mountain Ranch Public Library

12095 World Trade Dr.

San Diego, CA 92128

Click <https://www.youtube.com/watch?v=C8DXdKOU6wo> to view this meeting on YouTube.

Commissioners Present:

Chair Gloria Tran
1st Vice Chair Dennis W. Brown
2nd Vice Chair Doug Case
Octavio Aguilar
Bonnie Benitez
Alec Beyer
Cheryl Canson
Lupe Diaz (late 4:42pm)

Christina Griffin-Jones (late 5:15pm)
Dwayne Harvey
Brandon Hilpert
Clovis Honore (late 5:01pm)
James Justus
Dennis Larkin (late 4:53pm)
Mark Maddox
Darlanne Mulmat

Absent:

Nicole Murray-Ramirez
Jaylene Sanchez
Dalia Sherlyn Villa De La Cruz

Excused:

Yvania Rubio
Laila Aziz

Staff Present:

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 4:30pm. Chair Tran announced that Danell Scarborough has been appointed as the CPP Interim Executive Director by a unanimous vote of the City Council.
 - II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call.
 - 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 28, 2023

Motion: Commissioner Brandon Hilpert moved to approve the CPP Regular Business Meeting Minutes of November 28, 2023. Commissioner James Justus seconded the motion. The motion passed with a vote of 12-0-0.

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

Nays: None

Abstained: None

Absent: Aziz, Diaz, Griffin-Jones, Honore, Larkin, 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 (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. REPORT OUT FROM CLOSED SESSION (5:10pm): Outside Counsel Duane Bennett reported that the Commission expressed a concern of how the Internal Affairs Department identifies subject officers vs. witness officers. It is not clear in every IA Investigation. The specific questions and concerns will be forwarded to the Department for further explanation and for public consumption.

VIII. NEW BUSINESS

1. Community Input in Executive Director Hiring Process – 1st Vice Chair Dennis

Brown presented the wanted Characteristics of the Executive Director.

- Extensive knowledge of and previous experience in Civilian Oversight of Law Enforcement, especially in the City of San Diego.
- A thorough understanding of and commitment to the San Diego Model of Civilian Oversight and awareness of national trends.
- A demonstrated ability to work in a cooperative, collaborative, non-adversarial environment where "win-win" is the preferred outcome.
- Previous administrative and managerial experience.
- A strong knowledge and understanding of the laws and regulations governing a police department (e.g., the San Diego Police Department).
- A high level of political acumen and ability to operate in an apolitical manner.
- A demonstrated commitment to principles of equity, inclusion, diversity, and cultural awareness.
- Experience with managing large diverse groups and ability to identify individual needs within those groups.
- Well-developed facilitation skills to help resolve differences between Commission members as well as between the Board and San Diego Police Department.
- Knowledge of and ability to apply Brown Act requirements while ensuring open government and access.
- Strong quantitative analytical abilities, including a thorough understanding of common data analysis tools and programs.
- Strong interpersonal skills.
- Ability to communicate effectively, both in writing and verbally to different audiences, including elected officials, various levels of City management and members of the public.
- Ability to comprehend technical details and understand how they relate to and impact the "big picture."

Virtual Public Comment: (Timestamp 52:32) Darwin Fishman requested that any discussions and announcements regarding the hiring of a permanent Executive Director position involve the community. Also, he expressed concerns regarding the location, times of meetings, and how confusing it is to know when the CPP is in closed and/or open session.

Virtual Public Comment: (Timestamp 54:50) Jean-Huy Tran requested that the permanent Executive Director be an individual who has been impacted by the system to bring a fresh perspective and will keep the Commission honest. Additionally, he requested for the webinar to be kept on during closed session to ensure that the public knows what time the CPP will be back from closed session.

Virtual Public Comment: (Timestamp 56:36) Kate Yavenditti agrees that the CPP should have community meetings. She would like the CPP to involve the community with the hiring process of the Executive Director position. Ms. Yavenditti wants the CPP to elaborate more on how they plan to choose who will be able to join from the Community. Lastly, Ms. Yavenditti requested that the permanent Executive Director have a commitment to the independence and transparency of the Commission.

IX. AD HOC COMMITTEE REPORTS

1. Training Committee – (*Timestamp 8:07*) Chair Brandon Hilpert presented some considerations for the Commission to discuss and choose.
 - a. Discussion
 - b. Action – Tabled

Commissioner Brandon Hilpert moved to continue with the Youth/Adult partnership with Global Arc and Commission on Police Practices Community Bus Tour. The Training Committee will first look at the NACOLE webinar on Implicit Bias and determine whether it meets standards before deciding to replace the proposed Implicit Bias training or will alternatively explore other more cost-efficient Implicit Bias trainings. Commissioner Bonnie Benitez seconded the motion. The motion passed with a vote of 16-0-0.

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

Nays: None

Abstained: None

Absent: Aziz, Murray-Ramirez, Rubio, Sanchez, Villa De La Cruz

Virtual Public Comment: (*Timestamp 34:13*) Evie Kosower thanks the Training Committee for putting together these considerations. She suggested that the Committee make some of these trainings more interactive with the Community and asked if some of the Community can also attend these trainings.

2. Bylaws Committee Update – Chair Mark Maddox presented the DRAFT Bylaws
 - i. Discussion
 - ii. Action – Tabled

Commissioner Mark Maddox moved to table the Bylaws vote to the next scheduled CPP Regular Business meeting. He requested Commissioners send edits by close of business on Friday, December 22, 2023. Commissioner Harvey seconded the motion. The motion passed with a vote of 16-0-0.

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

Nays: None

Abstained: None

Absent: Aziz, Murray-Ramirez, Rubio, Sanchez, Villa De La Cruz

Public Comment: (*Timestamp 1:13:55*) Tasha Williamson wanted to reiterate the outreach component of the Bylaws. Ms. Williamson encouraged the Commission to get out into the community more often. This way the community will know who each Commissioner is and will be able to understand the mission of the Commission. Ms. Williamson has requested for the Commissioners to help teach the community about the complaint process.

3. Operating Procedures Committee Update – Co-Chair Doug Case reported that the Committee is continuing to work on the Operating Procedures as it is taking longer than anticipated. The team is currently working on Discipline Review Procedures. The next task will be to work on Investigations Procedures.

- X. Non-Agenda Public Comment: (*Timestamp 1:46:27*) Tasha Williamson spoke to the Commission regarding an incident involving SDPD that left two youth dead.

XI. OFFICE OF THE COMMISSION ON POLICE PRACTICES

1. Interns Acknowledgments – Community Engagement Coordinator Yasmeen Obeid reported out that Community Engagement Student Internships will be ending in December 2023 for Ayan Mohamed, Ezra Skerlecz, and Tomas Moshi.

XII. ADJOURNMENT: The meeting adjourned at 6:58pm.