



THE CITY OF SAN DIEGO

MEMORANDUM

To: CRB Members
From: Sharmaine Moseley, Executive Director
Date: January 14, 2016
Re: Suggested Revisions to CRB Bylaws

NOTE: Page 1 = Language added to the Bylaws and Approved by the CRB on 10.27.15 (Highlighted in Yellow) The sentence indicated as strike-through in Article III, Section 2.A. was deleted by a CRB vote on 11.24.15.

Article II, Section 2.A:

A. Complaint Review

It is the primary objective of the Board to ensure complaints against San Diego Police Department (SDPD) officers are investigated thoroughly, completely and fairly, giving equal consideration to citizens and police officers alike. The Board will make every effort to review and evaluate citizens' complaints objectively and impartially. The Board may devise its own internal procedures for the format and presentation of case review reports. The Board may add comments to its completed review of a citizen's complaint, however such comments must be limited to substantive issues directly related to the citizen's complaint and/or the subject officers and must comply with the laws of the State of California concerning citizens' complaints against peace officers.

Article III, Section 2.A:

A. Appointed Members

There are twenty-three (23) Appointed Members, appointed by the Mayor of San Diego. Appointed Members are limited to a maximum of eight (8) consecutive years on the Board, starting on the date of the initial Mayoral appointment. Former Appointed Members who served for eight years become eligible again after a period of **one year** two years. **If for any reason a member serves a partial term in excess of one half of a full term, that partial term will be considered a full term for purposes of any term limitations.** Former Appointed Members of the Board who did not complete eight years of service may be eligible to complete eight total

NOTE: Page 2 = The following language in red and green on this page was left on the table to be voted on by the CRB. Please note that the following will be placed on your next open meeting agenda.

years of service. **Appointees whose terms of service have expired shall continue to serve until their successor is duly appointed and qualified, even if the total time served extends beyond the maximum permissible length of service.**

Appointed Members are usually selected by the Mayor from the list of Prospective Members whenever there is a vacancy on the Board. Initial Mayoral appointment and subsequent Mayoral reappointment are normally for a period of one year from July 1 through June 30 of the following year. Initial appointment may be made midyear to fill a vacancy on the Board through the end of the **current term for the former-Member whose position is being filled. Prior to assuming the duties of the office, Appointed 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 Board must retake the Oath of Office and sign a new oath card.**

Article V, Section 5:

Section 5: Voting and Quorum

Only Board Members, as defined in Article III, Section 1, can vote on issues before the Board and are counted to determine the presence of a quorum. ~~In accordance with the Ralph M. Brown Act,~~ Board Members are expected to vote on all issues. **No Board Member (except the Chair) shall be excused from voting at a Board meeting at which he or she is present for the entire case presentation or matter discussion, except on matters involving the consideration of the Board Member's own official conduct or where the Board Member believes he or she has a conflict of interest as defined in Article III, Section 3.A.6 of these Bylaws. The Board Member must state on the record the reason for the abstention. The Chair may (but is not required to) vote whenever his or her vote will affect the result.** Other classes of members are non-voting and, when present at meetings, are not counted to determine the presence of a quorum.

Article V, Section 6 (New):

Section 6. Public Conduct

Notwithstanding any other provision of law, no person shall cause any disruption of a meeting of the Board by engaging in loud, threatening, or obscene conduct. Any person who engages in conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting shall, at the discretion of the Chair, be barred from further audience before the Board during that meeting. Any person having been ruled out of order by the Chair shall immediately conform to the orders of the Chair. Any person who refuses when ordered to conform to these rules of conduct may be removed from the place of the Board meeting by order of the Chair.