

COMMISSION ON POLICE PRACTICES

Wednesday, February 21, 2024

4:30pm-7:30pm

REGULAR BUSINESS MEETING - AGENDA

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

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 Honoré, James Justus, Dennis Larkin, Lupe Diaz, Yvania Rubio, Jaylene Sanchez, and Gloria Tran

Staff: Outside Counsel Duane Bennett, Interim Executive Director Danell Scarborough, 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.

The link to join the meeting by computer, tablet, or smartphone at 4:30pm is:

https://sandiego.zoomgov.com/webinar/register/WN__Rf4ouf2QNGLGJaIAntOgw

Meeting ID: 161 189 9638

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. Comments received after the deadline described above but before the item is called will be submitted into the written record for the relevant item.

Written Materials: You may alternatively submit via U.S. Mail to Attn: Office of the Commission on Police Practices, 525 B Street, Suite 1725, 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.

- I. CALL TO ORDER/WELCOME (Chair Gloria Tran)
- II. ROLL CALL (Executive Assistant Alina Conde)
- 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 (Chair Tran)
 - A. CPP Regular Meeting Minutes of February 7, 2024
- V. NON-AGENDA PUBLIC COMMENT
(Community Engagement Coordinator Yasmeen Obeid)
- VI. CABINET REPORT (Chair Tran)
 - A. Chair Report
 - B. IA Meeting Report
- VII. NEW INTERNAL AFFAIRS CAPTAIN (Chair Tran) (30 minutes)
 - A. Introduction to CPP and Community - IA Captain Jeffrey Peterson
 - B. Commissioner Questions
- VIII. NEW BUSINESS
 - A. Conflict of Interest Policy and Form (Outside Counsel Bennett)
 1. Presentation of Draft Conflict of Interest Policy and Form
 2. Public Comment
 3. Discussion
 4. Action – vote on Conflict of Interest Policy and Form
 - B. Community Hearings (Chair Tran)
 1. Information regarding recommended timeline
 2. Public Comment
 3. Discussion

4. Action – vote on approval of Community Hearings concept, with the caveat that dates may extend into second half of the year for topics previously voted on by the CPP: Pretext Stops, 4th Waiver, Special Operations Unit, De-escalation

IX. AD HOC COMMITTEE REPORTS

A. Ad Hoc Bylaws Committee (Co-Chairs Benitez and Beyer)

1. Update
2. Public Comment

B. Ad Hoc Operating Procedures Committee (Co-Chair Case)

1. Update
2. Public Comment

D. Ad Hoc Personnel Committee (Chair Brown)

1. Update on Executive Director Hiring Process
2. Public Comment
3. Commissioner Discussion

X. CLOSED SESSION

A. Public comment

B. Outside Counsel Mr. Duane Bennett – Lead CPP into Closed Session

(Not Open to the Public)

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 announced and posted on the Commission's website at www.sandiego.gov/cpp.

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| I. | San Diego Police Department Feedback on Case Specific Matters (0) |
| II. | Shooting Review Board Reports (0) |
| III. | Category II Case Audit Reports (2) |
| IV. | Discipline Reports (2) |
| 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) |

XI. REPORT FROM CLOSED SESSION (Counsel Bennett)

XII. COMMISSIONER COMMENTS

XIII. ADJOURNMENT

Materials Provided:

- DRAFT Minutes from Regular Meeting on February 7, 2024
- CPP Conflict of Interest Policy
- CPP Conflict of Interest Disclosure

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.

Commission on Police Practices

COMMISSION ON POLICE PRACTICES REGULAR MEETING MINUTES

Wednesday, February 7, 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=kAYh6Rc5nHc> to view this meeting on YouTube.

Commissioners Present:

Chair Gloria Tran

1st Vice Chair Dennis Brown

2nd Vice Chair Doug Case

Octavio Aguilar (Arrived at 4:38pm)

Laila Aziz (attended virtually)

Bonnie Benitez

Alec Beyer

Cheryl Canson

Lupe Diaz (Arrived at 4:37pm)

Dwayne Harvey (Arrived at 4:38pm)

Brandon Hilpert

James Justus

Dennis Larkin

Absent:

Yvania Rubio

Christina Griffin-Jones

Excused:

Clovis Honoré

Darlanne Mulmat

Staff Present:

Danell Scarborough, Interim Executive Director

Duane Bennett, CPP Outside Counsel (attended virtually)

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 4:36pm.
Motion: Commissioner Bonnier Benitez moved to allow Laila Aziz to join virtually. 1st Vice Chair Brown seconded the motion. The motion passed with a vote of 9-0-0.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Benitez, Beyer, Canson, Hilpert, Justus, and Larkin
Nays: None
Abstained: None
Absent/Excused: Aguilar, Diaz, Honoré, Griffin-Jones, Harvey, Mulmat, Rubio
 - II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call, established

quorum.

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 January 17, 2024

Motion: Commissioner James Justus moved for the approval of CPP Regular Business Meeting Minutes for January 17, 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, Aziz, Benitez, Beyer, Canson, Diaz, Hilpert, Justus, and Larkin

Nays: None.

Abstained: None

Absent/Excused: Aguilar, Honoré, Griffin-Jones, Harvey, Mulmat, Rubio

V. NON-AGENDA PUBLIC COMMENT: None

VI. CABINET REPORT

1. CPP and Mayor Todd Gloria Meeting Report – The Cabinet updated the Mayor on the CPP accomplishments, as well as informed him that the CPP is in a foundation-building period. The Cabinet reinforced the importance of choosing a police chief who is community-oriented and is open to CPP input.
2. CPP and Police Chief Nisleit Meeting Report – The Cabinet discussed the inappropriateness of mentioning Commissioner Harvey and his family to cadets during the Academy Bus Tour in December. Chief Nisleit agreed and asked IA Captain Peterson to contact Training Captain Morris to ensure that does not happen again. There were updates on the Outside Investigator who will review expired cases. CPP goal is to review cases within 9 months, rather than a year. The reason for this is to potentially affect the discipline for sustained findings against officers. IA will issue discipline no later than 10 months after a complaint was filed to ensure they do not allow a case to expire. When the CPP can review cases within 9 months, that gives a month to get CPP recommendation to IA. The new IA captain seemed positive about this goal.
3. CPP Planning Retreat – The retreat needed to be canceled due to a lack of quorum and the CPP will attempt to reschedule.
4. Update on appointment of new commissioners – The CPP is excited to welcome 4 new Commissioner Candidates that were appointed on Monday (2/5/2024):
 - Council District 6 representative: Stephen Chatzky

- Council District 9 representative: Armando Flores
- At-Large Seat: Ada Liz Rodriguez
- At-Large Seat: John Armantrout

They will need to complete background checks, take the oath of office, and sign Confidentiality Agreements prior to officially joining the CPP.

Estimated timeframe is two weeks. The nomination deadline for the Low-to-Moderate seat vacated by Nicole Murray-Ramirez was February 2. The City Council will fill that seat soon.

Commissioners Jaylene Sanchez, Dalia Villa De La Cruz, and Mark Maddox have resigned. Jaylene Sanchez and Dalia Villa De La Cruz filled Youth seats, and Mark Maddox filled a Low to moderate income seat. The CPP thanks them for their time with the Commission. The Council President's office has been notified so they can open nominations for those seats.

5. Interim Executive Director Dr. Danell Scarborough presented two special recognitions:
 - A. Congratulations and thank you to OCPP administrative assistant Jon'nae McFarland for 10 years of service to the City of San Diego.
 - B. February 6, 2024 was "Sharmaine Moseley Day in the City of San Diego"! The proclamation from the Mayor and City Council acknowledged Sharmaine's 8 years of leadership in law enforcement oversight for the City of San Diego. We thank Sharmaine Moseley for her service to San Diego!

VII. AD HOC COMMITTEE REPORTS

A. Ad Hoc Bylaws Committee

1. Due to Ad Hoc Committee Chair Mark Maddox's resignation, the CPP Chair appointed Commissioners Alec Beyer and Bonnie Benitez as co-chairs to the ad hoc committee.

B. Ad Hoc Training Committee

1. The DRAFT On-Boarding Training for Case Review was presented (*Timestamp 18:38*)
2. **In person Public Comment** (*Timestamp 28:44*) - Kate Yavenditti made two comments regarding this item. Ms. Yavenditti requests the CPP to get outside criminal defense attorneys as part of the criminal law, search and seizure training sessions. Ms. Yavenditti also strongly objected to use ADL in any context.

Virtual Public Comment (*Timestamp 32:13*) - Layla O. strongly opposes any training conducted with the ADL.

(*Timestamp 34:02*) - Kristen Kelley also echoes the sentiments about the concern of the participation of the ADL.

(*Timestamp 35:49*) - Richard Satz does not endorse or support a training led by the ADL on hates crimes.

(*Timestamp 37:37*) - Sophie Blake echoes all speakers who have voiced their concerns on working with the ADL.

(*Timestamp 39:24*) - Ethel Sweed comments that the CPP should not invite the ADL to participate in a training session on hate crimes and antisemitism.
3. Discussion

4. Action: No action taken.

C. Ad Hoc Operating Procedures Committee

1. Update – 2nd Vice Chair Doug Case shared that the Ad Hoc Committee is currently working on the Investigations Procedure. It may take up to two more meetings before completing the document.

D. Ad Hoc Personnel Committee

1. Update on Executive Director Hiring Process – 1st Vice Chair Dennis Brown reported that the CPP Ad Hoc Personnel Committee submitted a proposal for recruitment and selection of the Executive Director to the City Council. Legal counsel advised that according to procedures, City Council retains purview over the final hiring decision. The Ad Hoc Personnel Committee will sit with City Council and help develop a process for how the City Council will move forward. The CPP Ad Hoc Personnel Committee will be part of the process.

VIII. NEW BUSINESS

A. Commissioner Emails

1. Presentation of best practices for use of Commissioner's City email
 - A. Add "Email" under every Commissioner's name
 - B. Link "Email" to the Commissioner's CPP email and copy CPP general email.
 - C. CPP staff recommends that the Commissioners reply to emails sent to them if the email is specific to the Commissioner's role. If the Commissioner does not reply within five business days, staff will reply.
 - D. Media Inquiries: Staff will direct to Chair
 - E. Official CPP Representation/Invitation: Staff will direct to Chair, CC Community Engagement Coordinator
 - F. Presentation and Training Requests: Staff will direct to Community Engagement Coordinator
 - G. OCPP Business: Staff will directly respond
 - H. Note: Staff will always copy IED and the Commissioner who received the original email
2. Public Comment: None
3. Discussion (*Timestamp 58:24*)
4. Motion: Commissioner Brandon Hilpert moved to approve the staff recommendations of Commissioner's City email procedures with guidance from Outside Legal Counsel Mr. Bennett. Commissioner Bonnie Benitez seconded the motion. The motion passed with a vote of 11-0-1.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Aziz, Canson, Diaz, Harvey, and Justus
Nays: None
Abstained: Beyer
Absent: Honoré, Griffin-Jones, Rubio

B. Removal of Commissioners with Excessive Unexcused Absences – Item Removed

C. Review of Expired Cases (2020-2023)

1. Themes to be reviewed by Outside Investigator

Chief Investigator Olga Golub updated the Commission regarding the progress of engaging the contract investigator to conduct a review of expired cases, as voted by the Commission. All San Diego Police Officer Association (POA)-related matters regarding the investigator contact have been resolved. The next step is finalizing the investigator's contract, which includes scope of work. The Cabinet and IED Scarborough are finalizing the scope, with input from the Chief Investigator. The investigator's review will include both expired Category I and II cases. The investigator will capture some general trends such as demographics, police division in which incidents took place, types of allegations, as well as conduct a deeper dive in select substantive issues like Body Worn Camera (BWC) policy compliance, timeliness, and thoroughness of IA investigations, and possibly other issues. The investigator will not provide recommendations on individual cases, nor will he focus on actions of individual officers. The idea is to provide a high-level yet meaningful audit of the expired cases that will allow the Commission to elicit substantive data about trends. The next step is for IED Scarborough to finalize the scope of the contract and work with the City on final steps to initiate the contact. Chief Investigator Olga Golub will work with IA to ensure that the investigator has access to these case files in a timely manner.

2. Public Comment – None
3. Discussion (*Timestamp 1:06:07*)

IX. 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.

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| <ol style="list-style-type: none">I. San Diego Police Department Feedback on Case Specific MattersII. Officer Involved Shooting (1)III. Category II Case Audit Reports (1)IV. Discipline Reports (0)V. Category I Case Review 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) |
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X. REPORT OUT FROM CLOSED SESSION (7:08pm): Outside Counsel Duane Bennett

reported that there was no reportable action.

XI. COMMISSIONER COMMENTS:

(Timestamp 1:20:54) Commissioner Alec Beyer requested confirmation of dates for future meetings.

(Timestamp 1:21:42) Commissioner James Justus congratulated Olga Golub on her birthday.

XII. ADJOURNMENT: The meeting adjourned at 7:11pm.

DRAFT

COMMISSION ON POLICE PRACTICES CONFLICT OF INTEREST

POLICY

The Commission on Police Practices adopts this Conflict of Interest Policy (“Policy”) to ensure the proper independence and impartiality of the Commission, and to foster unquestioned public confidence in the Commission’s independence and institutional integrity as a properly administered civilian oversight agency for purposes of due process, transparency and accountability.

As a body that may potentially influence personnel decisions and public safety policies or procedures, it is recognized that Commissioners must be seen to be fair, independent, impartial and objective in regards to decisions made. To the extent that this function is compromised, the Commission will not be able to function in an oversight role effectively or as a matter of law.

It is the Policy of the Commission on Police Practices that real or perceived conflicts of interest must be reported at the earliest opportunity. It is also the Policy of the Commission that real or perceived conflicts of interest shall be publicly disclosed by Commissioners in furtherance of the mission and purpose of the Commission to be fair, independent and impartial, transparent and accountable to the public.

SCOPE

1. This Policy provides an independent framework for the proper conduct of Commission affairs. It should not be relied upon as an exclusive or comprehensive list of applicable legal or fiduciary requirements of conduct. It does not attempt to specify possible activity that might be inappropriate or prohibited under applicable conflict of interest laws and regulations.
2. Nothing in this Policy exempts any person from any other applicable City law, Conflict of Interest Code or regulation. The standards of conduct set forth in this Policy are in addition to all other applicable City of San Diego conflict of interest policies, laws and regulations.
3. This Policy is in addition to the California Political Reform Act and City of San Diego Code of Ethics. The Political Reform Act requires state and local government agencies to adopt conflict of interest codes. The Fair Political Practices Commission has adopted a regulation that may be incorporated by reference in an agency’s code. The terms of this regulation (Cal. Code Regs., tit. 2, § 18730) and any duly adopted amendments are hereby referenced by this Policy.

ADDRESSING CONFLICTS OF INTERESTS

1. A Commissioner who becomes aware of a personal conflict of interest or the appearance of a personal conflict of interest that affects their duty as a Commissioner has an immediate obligation to disclose that conflict to the Executive Director by filing a **Conflict of Interest Disclosure Form** incorporated into, and attached to, this Policy.
2. Any Commissioner who has a personal interest in a complaint, investigation or matter before, or likely to come before, the Commission who will or is expected to participate in that decision must file a **Conflict of Interest Disclosure Form** with the Executive Director at the earliest opportunity.
3. The Commissioner must recuse themselves from any participation, whether direct or indirect, in any Commission action or decision that may reasonably be expected to affect their interest consistent with this Policy, City of San Diego Code of Ethics and San Diego Municipal Code section 26.1106.

DUTY TO DISCLOSE AT MEETING

1. Any Commissioner who has a personal interest in a complaint, investigation or matter before, or likely to come before, the Commission who will or is expected to participate in that decision must, following the announcement of the agenda item to be discussed or voted upon, but before either the discussion or vote commences, do the following:
 - a. Publicly identify the personal interest giving rise to the conflict and request that this disclosure be made part of the record of the proceedings;
 - b. Recuse themselves from discussing, voting, or attempting to use their influence to affect the outcome of this matter;
 - c. Leave the room until after the discussion and vote on the item in question;
 - d. In the event the discussion or vote is to occur in closed session, the public identification may be made orally during the open session before the body goes into closed session and may be limited to a declaration that their recusal is because of a conflict of interest on a particular closed session item; and that the Commissioner is recused from any participation on the closed session item.

DISCLOSURE AND PUBLIC RECORDS

Any disclosures made by Commissioners on a Conflict of Interest Disclosure Form shall be maintained by the Commission and subject to public disclosure under the requirements of the California Public Records Act, Government Code sections 6250 et seq.

Commission on Police Practices Conflict of Interest Disclosure Form

A potential or actual conflict of interest exists when involvement or participation of Commissioners in complaints, actions, or activities regarding the San Diego Police Department (SDPD) could compromise the independence, impartiality, and due process required by the Commission on Police Practices to fulfill its mission and purpose.

Under San Diego City Charter section 41.2, the Commission on Police Practices is an investigatory body of the City, independent of the Mayor, Police Chief, and Police Department. The Commission's purpose is:

- (1) To provide independent community oversight of the Police Department, directed at increasing community trust in the Police Department and increasing safety for both community members and police officers;
- (2) To perform independent investigations of police officer-involved shootings, in-custody deaths, and other significant incidents involving the Police Department, and independent evaluations of complaints against the SDPD and its personnel, in a process that is transparent and accountable to the community; and
- (3) To evaluate and review Police Department policies, practices, training, and protocols, and represent the community in making recommendations for changes.

Under San Diego Municipal Code section 26.1106, grounds for removal of a Commissioner may include, but are not limited to: misuse of their position for personal interests; misuse of records; conduct that impedes a Commissioner's ability to serve impartially and independently; violation of the Code of Ethics for Civilian Oversight of Law Enforcement (NACOLE); or any other cause that impacts the Commission's effective operations, standing, or independence.

Any conduct by a Commissioner that could cause an actual or perceived conflict of interest regarding the independence or impartiality of the Commissioner or the Commission must be publicly disclosed. Depending on the nature of the disclosure or conflict, the Commissioner may be recused from involvement or participation in actions by the Commission regarding a particular agenda item, action, or recommendation.

This Conflict of Interest Disclosure Form must be filed with the Executive Director and indicate:

- Whether a commissioner has any actual or perceived interest, involvement, or participation in any complaint or actions coming before the Commission.
- A Commissioner should disclose any personal, business, or volunteer affiliations that may give rise to a real or perceived conflict of interest.
- Any actions or interests that would reasonably appear to affect the independence and impartiality of the Commissioner, or potentially compromise the independence and impartiality of the Commission should be disclosed on this form.

Commissioners with a conflict of interest should refrain from any participation in affected complaint(s), matters, or actions involving the Commission. The Commission's General Counsel or Outside Legal Counsel may be consulted regarding this disclosure and/or mandatory recusal.

Please use the form on the next page.

Please describe below any relationships, involvement, transactions, interests or circumstances that you believe could contribute to a conflict of interest.

Agenda Item or Commission Action: _____

_____ I have the following conflict of interest to report involving a family member, or personal, business, volunteer, or professional relationship:

1. _____
2. _____
3. _____

_____ I have the following conflict of interest to report involving my personal interest, or involvement in a complaint, action, or matter before the Commission:

1. _____

2. _____

3. _____

I acknowledge that this Conflict of Interest Form constitutes a public record under the California Public Records Act or Government Code sections 6250 et seq.

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature: _____ Date: _____

Print Name: _____