

COMMISSION ON POLICE PRACTICES

RULES STANDING COMMITTEE AGENDA

Tuesday, May 27, 2025

4:30pm-6:00pm

**Procopio Towers
525 B St.
17th Floor, Suite 1725
San Diego, CA 92101**

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/j/1617084540>

161 708 4540

In-Person Public Comment on an Agenda Item: If you wish to address the CPP Standing Committee on an item on today's agenda, please complete and submit a speaker slip before the Committee hears the agenda item. You will be called at the time the item is heard. Each speaker must file a speaker slip with the CPP staff 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 Committee 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 designated CPP staff. The Committee 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 Standing Committee 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 Standing Committee to discuss or take any action on the matter at today's meeting. At its discretion, the Standing Committee may add the item to a future meeting agenda or refer the matter to the CPP. Public comments are limited to three minutes per speaker. At the discretion of the Committee 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 Standing Committee 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 Committee 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 Committee 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.

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 11 am 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 Standing Committee.

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

- I. CALL TO ORDER/WELCOME (Committee Chair Bonnie Benitez)
- II. ROLL CALL (Policy Manager Aaron Burgess)
- III. APPROVAL OF THE MINUTES OF THE April 23, 2025 RULES COMMITTEE MEETING
- IV. NON-AGENDA PUBLIC COMMENT (Policy Manager Aaron Burgess)
- V. NEW BUSINESS (DISCUSSION/ACTION ITEMS)
 - A. Continued Review of Amendment of Commission on Police Practices (CPP) Bylaws
- VI. ADJOURNMENT

Materials Provided:

- CPP Bylaws:
<https://www.sandiego.gov/sites/default/files/2024-05/cpp-bylaws-030624.pdf>

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) 533-5304 or commissiononpolicepractices@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 to ensure availability. The city is committed to resolving accessibility requests swiftly.

Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
RULES COMMITTEE MEETING
MINUTES**

**Tuesday, March 23, 2025
4:30pm-6:00pm**

**Procopio Towers
17th Floor, Suite 1725
San Diego, CA 92101**

Click <https://youtu.be/ncdX9MyTFJs> to view this meeting on YouTube.

CPP Committee Members Present:

Committee Chair Bonnie Benitez
Doug Case
Alec Beyer
Dan Lawton

Excused:

None

Absent:

None

CPP Staff Present:

Bart Miesfeld, General Counsel
Alina Conde, Executive Assistant

- I. CALL TO ORDER/WELCOME: Chair Bonnie Benitez called the meeting to order at 4:34pm.
- II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call for the Committee and established quorum.
- III. NON-AGENDA PUBLIC COMMENT - None
- IV. APPROVAL OF THE MINUTES OF THE March 25, 2025 RULES COMMITTEE MEETING
MOTION: Commissioner Alec Beyer moved to approve the amended March 25, 2025 Rules Committee Meeting Minutes. CPP Chair Doug Case seconded the motion. The vote passed 4-0-0.
Yeas: Benitez, Beyer, Case, Lawton
Nays: None
Abstentions: None
- V. NEW BUSINESS
 - A. Continued Review of Amendment of Commission on Police Practices (CPP) Bylaws Edits attached to the meeting minutes.

The next meeting of the Rules Standing Committee will be on Wednesday, May

- 27th. VI. ADJOURNMENT: The meeting adjourned at 6:05pm.

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.; the Public Safety Officers Procedural Bill of Rights, Sections 3300-3311, Chapter 9.7, Division 4, Title 1), the Penal Code, the Health and Safety Code, the Vehicle Code;~~

The Commission's statutory authority is derived from:

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

- The 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

~~-The Commission on Police Practices 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~~

~~-Bylaws of the Commission on Police Practices~~

~~-Commission on Police Practices Special Rules of Order~~

~~-Commission on Police Practices Operational Standing Rules~~

~~-Commission on Police Practices 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)~~

Section 3. Parliamentary Procedures

Parliamentary procedures of this Commission ~~will-shall~~ shall 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

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these Bylaws or the Commission's ~~on Police Practices~~ Special Rules of Order shall be the current edition of Robert's Rules of Order, ~~New~~ Newly Revised.

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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 (SDPD) 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 personnel accountable to the community and to increase community trust in law enforcement, resulting in increased safety for the entire community, including all employees of the San Diego Police Department.

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~~ Commission on Police Practices governance and investigatory proceedings which are consistent with all applicable laws, ~~including the Charter, the Ralph M. Brown Act, the California Public Records~~

~~Act, and all~~ rules and regulations, including collective bargaining agreements between the City and its recognized employee organizations.

B. To independently investigate and evaluate:

- 1) all deaths occurring while a person is in SDPD custody;
- 2) all deaths resulting from the interaction with an officer of the SDPD, and
- 3) all SDPD officer-related shootings.

C. Prepare operating procedures for Commissioners, Commission investigators, ~~and other Commission staff~~ ~~and other Commission staff~~ 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 officer(s);
- (3) Death or deaths that occur while a person is in the custody of the SDPD; and
- (4) 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 unless the complainant has requested that there be no investigation unless the complainant has requested that there be no investigation-~~

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.

I. Maintain a mandatory training program for ~~individuals interested in appointment to the Commission. Upon appointment, Commission members must also complete training upon their appointment~~ Commissioners to ensure their working knowledge of applicable laws and rules.

J. Forward to the SDPD a copy of any complaint received by the Commission regarding an employee of the SDPD 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 of the duties and responsibilities, policies, and ongoing operations of the Commission, including ~~a roundtable, in a community location roundtable roundtable community meetings meetings~~ to solicit public input on Commission function(s).

M. Establish operating procedures consistent with Section 26.1114 of the San Diego Municipal Code.~~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 the Commission's communications with complainants regarding the status of their complaints;~~
- ~~(5) Covering public Communications 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:~~
 - ~~a) the status of the Commission's investigation of each complaint,~~
 - ~~b) the list of all complaints received,~~
 - ~~c) the Commission's findings and recommendations on the complaints it investigated, and~~
 - ~~d) all of the Commission's recommendations.~~

Section 3. Discretionary Powers

The Commission shall have the discretion to exercise its duties and powers consistent with Sections 26.1107 and 26.1110 of the San Diego Municipal Code.:-

~~A. Conduct independent investigatory proceedings, subpoena witnesses, and authorize enforcement of the subpoenas;~~

~~B. Investigate any complaints against SDPD officers, whether or not listed in 'required investigations' of Article 2, Section 2, subsection B above, including but not limited to:-~~

- ~~(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, but not limited to 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 data shows circumstances which indicate a pattern of misconduct by an SDPD officer;~~
- ~~(5) an incident where data shows circumstances which indicate 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 SDPD 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 SDPD employees who are not police officers.~~

Section 4. Outreach and Education

Consistent with Section 26.1114 of the San Diego Municipal Code, 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 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 is to maintain~~ shall to maintain and defend an independent posture within which objective ~~and,~~ balanced ~~case~~ 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 ~~the Mayor and~~ 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 of the citizen initiative which led to the creation of the Commission.

Article III. Membership

Section 1. Selection and Appointment

A. The Commission will be composed of up to twenty-five (25) Commissioners ~~appointed by the City Council pursuant to Sections 26.1103 and 26.1105 of the San Diego Municipal Code., who all of whom must reside in the City of San Diego. The appointed Commissioners must represent a cross section of City of San Diego residents as follows:~~

- ~~(1) Nine Commissioners, one from each Council District One Commissioner representing each of the San Diego City Council Districts;~~
- ~~(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 the CPP will be to a specific seat within a category for a 2-year term~~ to the Commission will be for a 2-year term, with re-appointment for up to three (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 the Commission will be determined by the San Diego City Council. A 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. Commissioners shall serve without compensation, but shall be reimbursed for authorized, reasonable and necessary expenses incurred in the performance of their official duties.

~~E.E.~~ Prior to assuming the duties of office, Commissioners must subscribe to the Oath of Office administered by the City Clerk's Office and sign the oath card. All Commissioners 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. Appointed Commissioners are not voting members of the Commission until the Oath of Office has been taken and the oath card has been signed. Appointed Commissioners are not voting members of the Commission until the Oath of Office has been taken and the oath card has been signed.~~