THE CITY OF SAN DIEGO

OFFICE OF THE INDEPENDENT BUDGET ANALYST REPORT

Date Issued: October 26, 2026 **IBA Report Number:** 26-22 REV

City Council Date: TBD

Item Number: TBD

Proposed Response to Grand Jury Report

"San Diego Commission on Police Practices"

On May 26, 2026, the San Diego County Grand Jury filed a report titled "San Diego Commission on Police Practices". The report focuses on issues pertaining to the implementation of Measure B (2020), which was a City Charter amendment that dissolved the Community Review Board on Police Practices and replaced it with a new Commission on Police Practices (CPP).

The Report includes four findings and five recommendations, of which **two recommendations (Recommendations 1 and 3) are directed at the City Council; the remaining recommendations are directed at the Mayor (Recommendation 2) and Police Department (Recommendations 4 and 5)**. The proposed joint response from the Mayor and Council is provided as Attachment 1, and was prepared with input from various departments, including the Police Department, the Office of the Commission on Police Practices, City Attorney's Office, Human Resources, and the Mayor's Office. The Grand Jury report is included as Attachment 2 to this report.

Per the Grand Jury report, the Mayor and Council are required to provide comments to the Presiding Judge of the San Diego Superior Court on the applicable findings and recommendations within 90 days. However, the Mayor and Council President's Office requested and received an extension for the response to November 20, 2026.

In responding to each Grand Jury finding, the City is required to either (1) agree with the finding or (2) disagree wholly or partially with the finding. Responses to Grand Jury recommendations must indicate that the recommendation (1) has been implemented; (2) has not yet been implemented, but will be implemented in the future; (3) requires further analysis; or (4) will not be implemented because it is not warranted or is not reasonable. Explanations for responses are requested when applicable.

The Public Safety Committee reviewed the proposed response at its committee meeting on October 14, 2026, and voted to forward the proposed response to the full Council for review and approval.

During the Committee meeting, Councilmember Campillo requested that the response or Council presentation include what the current staffing of CPP is, and what staffing will be needed to support full investigations once meet and confer over the permanent operating procedures has concluded. That information will be included as a supplemental slide during the presentation.

We request that the City Council review and approve the proposed response. Although this is a joint Mayoral-Council proposed response, the Council may choose to amend or change this response. If the final response that the Council approves is agreeable to the Mayor, then the joint response will be sent to the Presiding Judge. Otherwise, the Council and Mayor may send separate responses.

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Attachments:

1. Proposed City Response to San Diego County Grand Jury Report titled "San Diego Commission on Police Practices (CPP)"
2. San Diego County Grand Jury Report titled "San Diego Commission on Police Practices (CPP)"

City of San Diego Response to
San Diego County Grand Jury Report Titled
"*San Diego Commission on Police Practices (CPP)*"

Pursuant to California Penal Code Section 933(c), the City of San Diego provides the following response from the Mayor and City Council to findings 1-4. Responses to recommendations 1 and 3 are from the City Council, and responses to recommendations 2, 4, and 5 are from the Mayor and the San Diego Police Department.

RESPONSE TO FINDINGS:

Finding 1: *The CPP lacks many of the capabilities required to meet the obligations mandated by Measure B.*

Response: The City disagrees in part with the Grand Jury's finding.

The Commission on Police Practices (CPP) is presently operating under interim procedures, which allow it to fulfill many of its Charter-mandated duties, including review and auditing of citizen complaints and review of Police Department policies and procedures. To date, the CPP has provided several recommendations to the Police Chief related to operational issues. The CPP also meets regularly and discusses matters of importance to the public.

Measure B required that the CPP be implemented in a manner that complies with state law, including the Meyers-Milias-Brown Act (MMBA) which governs collective bargaining for the City, and laws that protect the rights of City employees, including the Public Safety Officers Procedural Bill of Rights (POBOR). Failure to comply with these laws places the City at risk of litigation; therefore, compliance is critical for the City as a public employer.

The CPP does not yet independently investigate certain instances of police misconduct because the City and its impacted recognized employee organizations (REOs) are actively engaged in the collective bargaining process. However, the CPP will be able to fully exercise its investigatory powers once compliance with MMBA is completed.

Finding 2: *The CPP lacks adequate permanent staff to carry out mandated independent investigations effectively.*

Response: The City disagrees in part with the Grand Jury's finding.

In January 2026, the City Council appointed Roger Smith as the Executive Director of the CPP; however, as the Grand Jury notes, there were multiple changes in CPP leadership prior to the appointment of Executive Director Smith. The CPP presently has adequate permanent staff to carry out its duties, except for employment of a full-time performance auditor. This position is being held vacant due to the City's current financial considerations. However, the CPP has previously contracted for auditing work.

The Mayor and City Council will continue to monitor CPP staffing through the budget process to ensure they have sufficient staff in the future.

Finding 3: *The CPP lacks access to complete complaint data, which reduces its effectiveness and damages the Community's trust in its capabilities and outcomes.*

Response: The City disagrees in part with the Grand Jury's finding.

This finding is based on factual assertions that are in dispute in pending litigation filed against the City of San Diego (Pillars of the Community, et al. v. City of San Diego, et al., San Diego Superior Court Case No. 26CU031625C). In light of the pending litigation, the City declines to respond further.

Finding 4: *The CPP cannot reliably and effectively review and comment on significant cases.*

Response: The City disagrees with the Grand Jury's finding.

The CPP can and does effectively review the Police Department's most significant cases, including Category I and firearm-related investigations. Category I investigations involve the Department's most serious misconduct allegations, including false arrest, criminal conduct, discrimination, excessive force, and alleged Fourth Amendment violations. Firearms-related investigations include both officer-involved shootings and negligent discharges.

CPP's review and recommendations are an important part of the investigative process. In some instances, CPP's feedback has resulted in Internal Affairs conducting additional interviews, gathering additional information, or modifying investigative findings.

The City also recognizes that meaningful review depends on providing CPP with enough time to evaluate cases before statutory deadlines. In some instances, factors such as delays in witness interviews, investigative workload, or administrative oversight have reduced the time available for CPP's review. To address this, the Internal Affairs Unit has implemented management practices to help ensure investigations are completed with sufficient time for CPP review and for disciplinary decisions before the one-year deadline established by POBOR.

RESPONSE TO RECOMMENDATIONS:

Recommendation 1: *The San Diego City Council take prompt and constructive actions to finalize "Meet and Confer" negotiations regarding the proposed CPP Operating Procedures between the City and the three labor Unions involved.*

Response: The recommendation has not yet been implemented, but will be implemented in the future.

As is noted in the City's response to Finding 1, the meet and confer process with the City's impacted REOs is currently ongoing. Once the City completes the meet and confer process, the City Council will take action to adopt CPP's permanent Operating Procedures.

Recommendation 2: *The San Diego Mayor budget for additional CPP investigators and legal staff.*

Response: The recommendation requires further analysis.

Requests for additional programmatic budget appropriations are proposed by City departments during the annual budget cycle, and are reviewed by the Mayor's Office and considered along with all other citywide needs and priorities. The Mayor releases a draft budget in April followed by a May Revision that is then reviewed and adopted by the City Council. CPP expects it will require and request additional funding for investigators, administrative, and legal staff; this request will be submitted as part of the City's annual budget process and considered by the Mayor and the City Council as they deliberate on the final adopted budget.

Recommendation 3: *The San Diego City Council expedite the hiring process for an Executive Director for the CPP.*

Response: The recommendation has been implemented.

On January 26, 2026, the San Diego City Council voted to approve the appointment of Roger Smith as the Executive Director of the Commission on Police Practices.

Recommendation 4: *The San Diego Police Department share access to the SDPD database used in Complaint investigations with the CPP.*

Response: The recommendation will not be implemented because it is not reasonable.

The San Diego Police Department is unable to provide the CPP direct access to IAPro, its Internal Affairs database, due to both legal and technological limitations.

As a legal matter, the database contains information that cannot be disclosed to the CPP under current state law and cannot be isolated from the system. Specifically, IAPro contains CLETS-derived information. CLETS (the California Law Enforcement Telecommunications System) is a secure statewide law enforcement information network that provides authorized criminal justice agencies with access to sensitive criminal justice and law enforcement databases. Access to CLETS and CLETS-derived information is strictly governed by state and federal law and is limited to authorized agencies and personnel.

Per California DOJ Information Bulletin 25-06-CJIS, "…local civilian oversight boards are neither a law enforcement agency nor a criminal justice agency, as defined under state and federal authorities. Thus, they do not meet the conditions for accessing CLETS or CLETS-derived information upon request."

From a technological standpoint, IAPro does not allow user access to be configured in a way that would prevent CPP users from viewing CLETS-derived data. Additionally, the database contains Internal Affairs cases that are specifically excluded from CPP oversight under the San Diego Municipal Code, including cases in which the complainant has requested there be no investigation and cases in which no specific allegation or subject officer can be identified. (SDMC 26.1101.) IAPro does not have the capability to isolate or restrict user access to these records.

Currently, SDPD shares all complaints and qualifying investigation material via a shared Google Drive. Once the CPP has a Complaint Information Management System in place, it can best be determined how the SDPD can timely provide all legally allowable information needed for the CPP to perform timely investigations, case reviews, make policy recommendations and other tasks.

Recommendation 5: *The San Diego Police Department transmit the complete results, including all documentation of SDPD Internal Affairs (IA) investigations, to the CPP within 2 weeks of completion.*

Response: The recommendation has been implemented.

SDPD agrees with this recommendation and believes it has already been implemented. Under current Internal Affairs procedures and the CPP's interim operating procedures, completed qualifying investigations are routinely transmitted to the CPP within one to two business days, well within the recommended two-week timeframe.

Once an Internal Affairs sergeant completes an investigation, an Administrative Sergeant documents the findings in IA Pro, closes the case, and notifies the detective responsible for uploading CPP materials that the case is ready for transmission. This detective then uploads the case file from IA Pro into the shared Google Drive for the commission's review. Other than any CLETS documents, as discussed in Recommendation 4, the entire case file is uploaded. Redundant staffing exists at each step of this process to ensure timely transmission in the event of employee absences. This process is typically completed within one to two days of the Administrative Sergeant receiving the case.

SDPD acknowledges there have been instances in which the CPP has identified documents that were not initially included with the investigative file. In response, the Department has continued to work collaboratively with the CPP to strengthen document production and ensure the Commission receives the information needed to fulfill its oversight responsibilities. For example, at the CPP's request, Internal Affairs now routinely provides the body-worn camera (BWC) index (a list of the videos involved in a certain incident), even if videos included within the index were not directly used in an investigation. Additionally, when the CPP has asked for material outside the investigative file (dispatch audio, additional BWC, use of force reports, etc.), Internal Affairs has provided those materials when legally permissible.

SDPD has also established direct lines of communication between the CPP and Internal Affairs leadership to promptly resolve any document requests or production issues. The CPP also has direct, in-person access to the Chief of Police on a bimonthly basis to raise concerns and address matters of mutual interest.

San Diego Commission on Police Practices (CPP)

SUMMARY

The City of San Diego has depended on citizen advisory boards to oversee the police department for the past 37 years. The first advisory board, the Citizens' Review Board on Police Practices, was created in April 1989 through Charter Section 43(d). After Measure G passed in December 2016, the board was renamed from the Citizens' Review Board on Police Practices to the Community Review Board on Police Practices (CRB). This measure gave the Mayor and City Council exclusive authority to recreate the advisory board and set its rules and regulations. It also included provisions related to the investigation of officer-involved shootings and in-custody deaths.

In 2020, George Floyd's death while in police custody sparked a nationwide debate about policing and the decline of trust between law enforcement and the communities they serve. In the City of San Diego, one result of this was the approval of Measure B. Passed in November 2020, Measure B amended the City Charter to dissolve the Community Review Board on Police Practices and establish a new Commission on Police Practices (CPP). It has been five years since the CPP was authorized, but the Commission has not yet been fully implemented as outlined in Measure B. The CPP continues to operate under interim rules, limiting it to reviewing the Police Department's internal affairs investigations and issuing policy recommendations. The CPP still lacks independent investigators, adequate legal support staff, access to San Diego Police Department Internal Affairs (IA) databases, subpoena power, and a permanent Executive Director.

This Grand Jury reviewed the progress of implementing Measure B by the City of San Diego and has made the following recommendations:

- The San Diego City Council take prompt and constructive actions to finalize "Meet and Confer" negotiations regarding the proposed CPP Operating Procedures between the City and the three labor Unions involved.
- The San Diego Mayor budget for additional CPP investigators and legal staff.

- The San Diego City Council expedite the hiring process for an Executive Director for the CPP.
- The San Diego Police Department share access to the SDPD database used in Complaint investigations with the CPP.
- The San Diego Police Department transmit the complete results, including all documentation of SDPD Internal Affairs (IA) investigations, to the CPP within 2 weeks of completion.

BACKGROUND

For many years, there have been nationwide calls for increased oversight of police departments. In San Diego, the San Diego City Charter, Section 43(a), states that "the City Council may, by ordinance, create advisory boards." Advisory boards are designed "...to consult and advise the Mayor, City Council, or City Manager, but not direct the conduct of any Department or Division."[1] On April 3, 1989, the Citizens' Review Board on Police Practices, an advisory board, was established by Charter Section 43(d). On December 19, 2016, Section 43(d) was amended after the passage of Measure G, renaming the Citizens' Review Board on Police Practices the Community Review Board on Police Practices (CRB). Measure G granted the Mayor and City Council exclusive authority to create the board and set its rules and regulations. The Measure also added provisions related to officer-involved shootings and in-custody deaths.

A 2017-2018 San Diego County Civil Grand Jury Report recommended reforms to the CRB. Reforms included the authority:

- to track complaints, to review all submitted complaints,
- to jointly categorize complaints with the San Diego Police Department (SDPD)
- to perform independent investigations.

The Report also recommended granting the CRB subpoena power. Unfortunately, the CRB never gained subpoena authority or the ability to independently track and investigate complaints.[2] The death of George Floyd in 2020 again highlighted the issues identified in the Grand Jury report. The Grand Jury learned that these events contributed to increased community unrest and distrust of the police. In response, community activists with a specific interest in policing in the City of San Diego created Measure B. Measure B amended the City Charter to dissolve the Community

Review Board on Police Practices and establish a new Commission on Police Practices (CPP). The CPP has members appointed by the City Council. It also has increased staff, subpoena power, and independent legal counsel. It has the authority to investigate police misconduct, review complaints against officers, and recommend policy changes, as well as officer discipline, and legal compliance within the Police Department. Its mission is to hold law enforcement accountable to the community and foster greater trust, thereby improving safety for both the community and police.[3]

HISTORY OF POLICE OVERSIGHT IN THE CITY OF SAN DIEGO

	CITIZENS' REVIEW BOARD ON POLICE PRACTICES (PROPOSITION G) 1988	COMMUNITY REVIEW BOARD ON POLICE PRACTICES (MEASURE G) 2016	COMMISSION ON POLICE PRACTICES (MEASURE B) 2020
Dedicated County Staff Support	None	Executive Director	Executive Director, Independent Counsel, Independent Investigators
Subpoena Power	No	No	Yes
Independent Complaint Investigations	No	No	Yes
Ability to independently view and track all citizen complaints	No	No	Yes
Make recommendations regarding police procedures	No	Yes	Yes

The Grand Jury's investigation found that the CPP, as described in Measure B and specified in the ordinance, has not yet been put into effect. The investigation researched and evaluated the reasons for the delay and offered recommendations to speed up reforms.

METHODOLOGY

To assess how the City of San Diego has carried out Measure B, the San Diego County Civil Grand Jury examined the following sources of information:

- The text of Measure B, 2020
- San Diego Municipal Code, Chapter 2, Article 6, Division 11, 26.1101-26.1115, Commission on Police Practices
- Independent Civilian Audit of San Diego Police Department Complaint Investigations for the Commission on Police Practices, October 2024, by the Law Office of Jerry Threet
- City of San Diego Charter, Section 41.2: Commission on Police Practices
- Proposed Commission on Police Practices, Interim Standard Operating Procedures
- Exit Memos, Executive Director and Outside Counsel, Commission on Police Practices
- Bylaws, City of San Diego Commission on Police Practices
- CPP Meeting Agendas and Minutes
- Open sources (Newspapers, TV reports, Podcasts, etc.)

The Grand Jury interviewed:

- Members of the office of the Interim Executive Director and staff
- Commissioners and staff of the CPP
- Members of the San Diego Police Department (SDPD)
- Members of the Mayor's Office
- Members of the City Council and staff
- Members of the SDPD Police Officers Association (SDPOA)
- Former CPP Commissioners
- Community Activist(s)

DISCUSSION

In 2018, after Measure G established the Community Review Board on Police Practices (CRB), the Grand Jury learned many city residents felt the CRB lacked the authority to effectively oversee the SDPD. It had no subpoena power, no independent investigators, insufficient staff, and limited cooperation from the SDPD. These perceived shortcomings, as seen by the community, eventually led to the introduction of Measure B to voters in 2020. The Official Arguments supporting Measure B stated,

> "The City of San Diego does not have an independent process for investigating complaints regarding police misconduct (such as in-custody deaths, shootings, excessive force, and perjury). This has contributed to a record-low level of trust in local policing. Measure B will fix this issue by creating an independent, community-led Commission on Police Practices. The Commission on Police Practices will create a trustworthy process for holding officers accountable that is fair and balanced."[4]

Measure B was approved with nearly 75% of the vote. The measure dissolved the CRB and created a new Independent Commission on Police Practices (CPP).

The CPP's mission is to hold law enforcement accountable to the community and increase community trust in law enforcement, resulting in increased safety for both the community and law enforcement.[5] More specifically:

- The CPP is REQUIRED to:
  - Investigate all deaths occurring while a person is in SDPD's custody.
  - Investigate all deaths resulting from an interaction with a city police officer.
  - Investigate City police officer-related shootings.
  - Receive, register, review, and evaluate complaints against City police officers.
  - Review of the police department's compliance with reporting laws.
  - Make public a report of its activities.

- The CPP may investigate allegations against officers of:
  - Inappropriate sexual conduct.
  - Physical assault.
  - Domestic violence.

- The CPP's authority and responsibilities include:
    - Subpoena power to obtain witness testimony and documents.
    - Review and advise on police department investigations, policies, practices, training, and protocols.

Governance Impediments to Progress

Several milestones are required for completing the implementation of Measure B:

- drafting and passing the necessary ordinance to establish the CPP
- appointing its members
- developing and approving its bylaws, Operating Procedures, and other foundational documents.

Despite strong voter support, the City of San Diego encountered challenges in implementation. The pandemic caused some delays, but others stemmed from operational issues, including the labor union "meet and confer" processes, hiring freezes, and bureaucratic delays in information exchange between SDPD and the CPP.

The city initially produced a draft ordinance; however, the Grand Jury learned it was seen as completely inadequate and inconsistent with the intent of the Measure by the community, leading the city to have it rewritten by an independent attorney. For over a year and a half, the city, the SDPD, and community advocates debated the ordinance. It was finally adopted in October 2022, two years after Measure B was passed. The Commission's bylaws were adopted in March 2024. Frequent leadership changes within the CPP since the 2020 passage of Measure B have also contributed to the delay in implementation.

The city struggled to develop a legal framework to govern the new Commission's operations, known as its Operating Procedures. To ensure continuous case reviews and policy recommendations, Interim Standard Operating Procedures were drafted in October 2021 and approved by the City Council. These procedures still guide the Commission's work, but they do not allow independent CPP investigations into complaints. Developing and adopting permanent Operating Procedures involved meetings and negotiations with impacted labor unions, including the San Diego Police Officers' Association (SDPOA). Discussions with the SDPOA contributed to the delay in passing the ordinance. While the SDPOA was neutral about the Measure during the election, the organization's leadership later described the CPP as part of a "radical, abolish-

the-police agenda." The SDPOA blamed the CPP for officers leaving for jobs in other cities.[6] In 2022, the SDPOA stated, "Officers hold zero trust in the CPP as it currently stands." Additionally, the SDPOA has filed formal complaints regarding (1) Employee Bias and Political Activity in Official City Role and (2) Violations of city Equal Employment Opportunity (EEO) policy and regulations on political activity using city computers and official social media accounts against the CPP, demonstrating the lack of trust between the two organizations. The key issue is that the CPP's Operating Procedures cannot be adopted or implemented until it completes a "meet and confer" process with the SDPOA. As a result, the CPP remains unable to fulfill its Measure B mandate.

Time Constraints

In California, the Police Officer's Bill of Rights (POBOR) requires that investigations of officers be completed within 12 months, or the officer cannot face discipline for the alleged violation.[7] In some cases, if SDPD Internal Affairs (SDPD IA) does not take timely action on a complex case, it may not be available to the CPP until only a month or two remain in the year. Since the passage of Measure B, many factors (vacancies on the Commission and subsequent training of replacements, the impact of COVID-19 restrictions, city budget shortages, staffing issues at SDPD, and other delays) have all contributed to the Commission's inability to keep pace with reviews of SDPD IA investigations within its scope.

Barriers to Information Access

The Grand Jury learned that the CPP does not have access to the internal data systems used by SDPD IA to conduct and document their investigations. These systems contain the information needed to oversee investigations. The Commission depends on SDPD to send complete investigative data. If incomplete data is transmitted, the CPP cannot determine what is missing. It is up to the CPP team to notice that something is missing and to request it, which causes further delays and creates uncertainty about whether all cases are being shared with the Commission. This causes gaps and delays in fulfilling the mission. If SDPD continues to delay, the CPP currently has no options, since it lacks subpoena power or independent investigators. SDPD can also delay action on citizen complaints, effectively suspending or canceling investigations.

The SDPD is responsible for classifying complaints against officers. For each complaint, the SDPD reviewer must categorize it as Category I, II, or informal.[8] The San Diego City Auditor is currently investigating SDPD IA to "analyze how San Diego police categorizes complaints, evaluate the quality of interviews and evidence collection, and assess whether the department meets its legal obligation to issue findings on every allegation."[9] Similar concerns were documented by the CPP when it commissioned an outside attorney to perform an Independent Civilian Audit of San Diego Police Department Complaint Investigations for the Commission on Police Practices 2020-2023.[10]

Complaint Definition

SDPD Internal Affairs Complaint Definition

Category	Definition	CPP
Cat 1	All allegations against Department members involving any of the following: arrest, criminal conduct, discrimination, unreasonable force, use of a slur, or an unreasonable search.	Yes
Cat 2	Allegations involving service, courtesy, procedure, conduct or some other category not included in CAT 1.	Yes
Informal	Complaint where a complainant is offered the opportunity to resolve the matter without a formal investigation and "voluntarily" opts for that process.	No

SDPD IA Complaint Definition

The SDPD IA reviewer identifies the relevant policy, investigates, and assigns a finding of sustained, not sustained, exonerated, or unfounded. The Grand Jury learned that the SDPD may not always forward Category II complaints and that the CPP considers some complaints misclassified. The investigation also revealed that, in the CPP's view, some complaints were mistakenly designated "exonerated" or "not sustained", allowing them to avoid a CPP review.

Volunteer Commissioners

Measure B acknowledged the transition period between the then-current CRB and the implementation of the CPP. Thus, Measure B stipulated that the CRB members present at its

passage would continue as interim Commissioners until the foundational processes and documents were finalized. From January 2021 to April 2023, the interim Commission lost half of its members. Commission leaders urged the City Council to appoint replacements, but their requests went unanswered. During this period, the Commission reviewed significantly fewer alleged misconduct cases annually. In fiscal year 2021, it reviewed 124 cases; in fiscal year 2022, it examined 103 cases. In FY2023, the commission reviewed fewer than 60 cases.[11]

After the new City Ordinance establishing the CPP was implemented in mid-2023, the CPP started seating Commissioners and working through the case backlog. The Commission had only eight active members, less than a third of the 25 it was supposed to have. This limited the Commission's ability to move forward with implementing Measure B and prevented the overburdening of the remaining volunteer commissioners. During this period, the backlog of investigations grew significantly, resulting in many cases being dropped. Meanwhile, the number of unreviewed cases steadily increased. In early 2021, the backlog was around 50 cases. By summer 2023, it had grown to 153 cases.

In 2023, the City Council began filling the Commissioner vacancies to allow the Commission to review cases more efficiently. Once the new Commission was seated and began working, it discussed how to handle SDPD investigations that had exceeded the one-year statute of limitations for disciplinary action against officers for sustained misconduct. Commissioners were hesitant to overlook these investigations, but legal counsel advised them that the deadline for CPP findings against some officers had passed. The new Commissioners knew that ignoring these cases would break faith with the citizens who passed Measure B. After a thorough discussion, the CPP hired an independent auditor to review the 153 investigations that had passed that deadline to prevent future occurrences. The review’s results indicated that SDPD and its investigators excelled in many areas and demonstrated a strong commitment to a thorough accountability system with solid procedures and policies in key areas. The report also suggested that accountability systems could be further improved. It emphasized that administrative investigations into potential employee misconduct or policy violations should be conducted more promptly, thoroughly, and objectively for the benefit of all involved.[12]

Staffing Impacts

As stated in the ballot summary of Measure B, the Office of the Commission on Police Practices (CPP) was created in April 2021. The office operates as an independent department with its own paid staff, including an Executive Director, investigators, and independent legal counsel. These roles are responsible for overseeing and coordinating the work of the unpaid Commissioners appointed by the City Council.

In June 2024, to strengthen the CPP, the City Council unanimously appointed a new Executive Director with previous experience managing police oversight organizations. By December 2024, the newly hired Executive Director resigned, saying he was not the right fit for the role. In his resignation memo, he criticized the lack of independent investigation capabilities and suggested several changes to the CPP's management and operations.[13] An interim Executive Director is currently serving as the Commission's Executive Director. The process of selecting a permanent Executive Director is still underway.

In Fiscal Year 2026, pending final approval of the Operating Procedures, the CPP aims to achieve full staffing, including administrative support, general counsel, program coordinators, and managers. The Commission's fulfillment of its mandated duties—such as conducting independent investigations and providing policy recommendations—will require increased staff to carry out these more extensive and detailed investigations.

Balancing Collaboration and Oversight

In 2024, a new Police Chief was appointed to lead SDPD, and cooperation with the CPP began to improve under his leadership. However, there is a natural paradox in police accountability. Effective oversight requires teamwork between the police department and the CPP. Commissioners must understand both the community's views and the police officers' perspectives. If either side feels their concerns are ignored or unsupported, resistance is likely. Officers might believe that their skills are not understood or valued by outsiders, while those overseeing the police have a responsibility to the community to advocate for needed change. For example, the Commission recommended implementing restrictive pursuit policies in 2024. In January 2025, the San Diego Police Department announced it would not follow the recommendations, despite multiple police chases that resulted in fatalities and concerns that

these restrictions could endanger public safety.[14] This action highlighted the ongoing significant differences in viewpoints between the CPP and the SDPD.

Meet and Confer

The Commission continues to operate under interim procedures because the proposed procedures have not yet been adopted. The proposed procedures are currently part of the ongoing "meet and confer" process, which involves negotiations with three employee unions over any proposed changes to their working conditions. The CPP is "optimistically hopeful" that discussions with two unions, the Municipal Employees Association and the Deputy City Attorneys Association, may soon conclude. However, negotiations with the San Diego Police Officers Association, whose members would be most affected by the Commission's expanded role, could take considerably longer. Continuing to operate under interim rules limits the Commission to reviewing the Police Department's internal affairs investigations and issuing policy recommendations. The CPP remains unable to meet the mandate of Measure B fully and plans to continue urging the City Council to complete the meet-and-confer process as quickly as possible.

FACTS & FINDINGS

- Fact: The "meet and confer" process with the three involved unions regarding the draft operating procedures is still not complete.
- Fact: Measure B mandates independent CPP investigations.
- Fact: The interim operating procedures do not allow independent CPP investigations into complaints.
- Fact: Until the operating procedures are approved, the CPP can only review SDPD IA investigation reports.
- Fact: The CPP currently does not have subpoena power under interim operating procedures.
- **Finding 1: The CPP lacks many of the capabilities required to meet the obligations mandated by Measure B.**

- Fact: CPP investigations are delayed due to inadequate administrative and investigative support.
- Fact: Conducting independent investigations demands more staff support than reviewing IA results.

- Fact: The hiring process for a permanent Executive Director is not complete.
- **Finding 2: The CPP lacks adequate permanent staff to carry out mandated independent investigations effectively.**

- Fact: The CPP receives all Category 1 complaints and some Category 2 complaints.
- Fact: The CPP does not have access to the SDPD IA databases containing complaint investigation details.
- **Finding 3: The CPP lacks access to complete complaint data, which reduces its effectiveness and damages the Community's trust in its capabilities and outcomes.**

- Fact: The CPP often receives cases from SDPD with incomplete data and insufficient time to review before the Police Officers Bill of Rights (POBOR) one-year mandatory deadline.
- **Finding 4: The CPP cannot reliably and effectively review and comment on significant cases.**

RECOMMENDATIONS

Recommendation 1: The San Diego City Council take prompt and constructive actions to finalize "Meet and Confer" negotiations regarding the proposed CPP Operating Procedures between the City and the three labor Unions involved.

Recommendation 2: The San Diego Mayor budget for additional CPP investigators and legal staff.

Recommendation 3: The San Diego City Council expedite the hiring process for an Executive Director for the CPP.

Recommendation 4: The San Diego Police Department share access to the SDPD database used in Complaint investigations with the CPP.

Recommendation 5: The San Diego Police Department transmit the complete results, including all documentation of SDPD Internal Affairs (IA) investigations, to the CPP within 2 weeks of completion.

REQUIRED RESPONSES

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors. Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

(a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
    (1) The respondent agrees with the finding
    (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
    (1) The recommendation has been implemented, with a summary regarding the implemented action.
    (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
    (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
    (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor. (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

City Council of San Diego

Recommendations 1 and 3

San Diego Mayor

Recommendation 2

San Diego Police Department

Recommendations 4 and 5

APPENDICES

1. ORGANIZATIONAL CHART OF CPP: HTTPS://WWW.SANDIEGO.GOV/SITES/DEFAULT/FILES/CPP-ORG-CHART.PDF

2. 2022 MEASURE B: HTTPS://WWW.SDVOTE.COM/CONTENT/DAM/ROV/EN/ELECTION/4182-NOV-2020/MEASURES/MEASURE_B.PDF

3. CITY OF SAN DIEGO CITY CHARTER ARTICLE V, SECTION 41.2: COMMISSION ON POLICE PRACTICES: HTTPS://DOCS.SANDIEGO.GOV/CITYCHARTER/ARTICLE%20V.PDF#PAGE=15

4. CPP BYLAWS; HTTPS://WWW.SANDIEGO.GOV/SITES/DEFAULT/FILES/2024-05/CPP-BYLAWS-030624.PDF

5. INTERIM OPERATING PROCEDURES: HTTPS://WWW.SANDIEGO.GOV/SITES/DEFAULT/FILES/2024-09/CPP-INTERIM-SOPS.PDF

6. DRAFT CPP OPERATING PROCEDURES; HTTPS://SANDIEGO.HYLANDCLOUD.COM/211AGENDAONLINECOMM/DOCUMENTS/VIEWDOCUMENT/CPP%20STANDARD%20OPERATING%20PROCEDURES%20-%204-17-25.PDF.PDF?MEETINGID=6495&DOCUMENTTYPE=AGENDA&ITEMID=245270&PUBLISHID=970594&ISSECTION=FALSE

DISCLAIMER

This report reflects the Grand Jury's ongoing commitment to ensuring that county services operate transparently, efficiently, and in the public interest.

This report reflects the findings and conclusions of the 2025–2026 San Diego County Civil Grand Jury based on the evidence, testimony, and documentation presented during the investigation. It is not a judicial determination and does not assign civil or criminal liability.

All information gathered from County departments, public agencies, and external sources was relied upon in good faith. The Jury does not independently audit financial records, validate operational data, or confirm the accuracy of third-party submissions unless specifically noted.

Nothing in this report should be interpreted as legal advice, policy direction, or an operational mandate. Recommendations represent the Jury's assessment of opportunities for improvement, consistent with California Penal Code §§925–933.6. Implementation decisions rest solely with the appropriate public agencies.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

[1] https://docs.sandiego.gov/citycharter/Article%20V.pdf#page=15

[2] https://www.sandiegocounty.gov/content/dam/sdc/grandjury/reports/2017-2018/CRBReport.pdf
[3] San Diego Municipal Code, Article 6, Division 11, §26.1101
[4]https://ballotpedia.org/San_Diego,_California,_Measure_B,_Commission_on_Police_Practices_Amendment_(November_2020)
[5] https://www.sandiego.gov/cpp/about
[6] https://www.sandiegouniontribune.com/2025/07/24/five-years-after-voter-approval-san-diegos-police-oversight-body-still-lacks-investigative-power/
[7]https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=4.&title=1.&part=&chapter=9.7.&article=
[8] https://www.sandiego.gov/sites/default/files/internal_affairs_ops_january_2023_update.pdf
[9] https://www.sandiegouniontribune.com/2025/11/26/san-diego-city-auditor-launches-review-of-police-internal-affairs-unit/
[10] https://www.sandiego.gov/sites/default/files/2025-06/cpp-memo-to-chief-wahl-260616.pdf
[11] https://www.kpbs.org/news/public-safety/2023/05/11/years-after-san-diego-voters-pass-measure-b-community-oversight-of-sdpd-grinds-to-a-halt
[12] https://www.sandiego.gov/sites/default/files/2025-06/cpp-memo-to-chief-wahl-260616.pdf
[13]https://voiceofsandiego.org/wp-content/uploads/2025/02/Exit_memos_from_Paul_Parker_and_Duane_Bennett.pdf.pdf
[14]https://www.sandiegouniontribune.com/2025/02/07/san-diego-police-indicates-it-will-not-adopt-stricter-pursuit-policy/