

COMMISSION ON POLICE PRACTICES

Wednesday, November 4, 2026

5:00pm-8:00pm

REGULAR BUSINESS MEETING AGENDA

525 B St.

(1ST Floor Conference Room)

San Diego, CA 92101

The link to join the meeting by computer, tablet, or smartphone at 5:00pm is:

[Microsoft Meeting Link](#)

Meeting ID: 212 188 105 079 799

Passcode: 5aD2mq2M

**Downloading the latest version of Microsoft Teams is required.*

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 the San Diego Police Department (SDPD), directed at increasing community trust in SDPD & increasing safety for both members of the community and police officers. The Commission's purpose is also to perform independent investigations of officer-involved shootings, in-custody deaths, and other significant incidents involving SDPD, and independent evaluations of all complaints against SDPD and its personnel, in a process that will be transparent and accountable to the community. Lastly, the Commission's purpose is to evaluate and review SDPD policies, practices, trainings, and protocols, and to represent the community in making recommendations for changes.

The Commission on Police Practices (Commission) meetings will be conducted pursuant to the provisions of California Government Code Section 54953, as amended by Assembly Bill 2449.

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/Teams.

- I. CALL TO ORDER/PUBLIC COMMENT INSTRUCTIONS (Chair Bonnie Benitez)
- II. ROLL CALL (Executive Assistant Alina Conde)
- III. NON-AGENDA PUBLIC COMMENT (Direct Community Engagement & Internship Programs Yasmeen Obeid)

- IV. APPROVAL OF MINUTES
 - A. Regular Business Meeting – October 7, 2026
 - 1. Public Comment
- V. NON-AGENDA COMMUNICATIONS FROM THE CHAIR & EXECUTIVE DIRECTOR
- VI. NON-AGENDA COMMUNICATIONS FROM COMMISSIONERS
- VII. ACTION ITEM
 - A. COMMISSION WORKFLOW PROPOSAL
 - 1. Public Comment
 - 2. Discussion
- VIII. DISCUSSION ITEM
 - A. Pretext Stop Policy Recommendations
 - 3. Public Comment
 - 4. Discussion
- IX. NON-AGENDA PUBLIC COMMENT (Direct Community Engagement & Internship Programs Yasmeen Obeid)
- X. CLOSED SESSION
 - A. Public comment
 - B. Lead CPP into Closed Session
(Not Open to the Public)
 - C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Discussion & Consideration of Complaints and Reports: Pursuant to Government Code Section 54957(b)(1) to discuss complaints, charges, and discipline involving San Diego Police Department employees (unless the employee requests an open public session), and information deemed confidential under Penal Code Sections 832.5-832.8 and Evidence Code Section 1043. 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.
 - a. SDPD Feedback on Case-Specific Matters – None
 - b. Review of Internal Affairs Investigations
 - 1. 2025-0474 (CAT I)
 - 2. 2025-0158 (OIS)
 - 3. 2025-0282 (OIS)
 - c. Discipline Memos – TBD
- XI. REPORT FROM CLOSED SESSION
- XII. COMMISSIONER GROUP PHOTO
- XIII. ADJOURNMENT

Materials Provided:

- October 7, 2026 Regular Business Meeting DRAFT Minutes

- Approved Executive Standing Committee Meeting Minutes for August 19, 2026
- Approved Executive Standing Committee Meeting Minutes for September 16, 2026
- Approved Training Standing Committee Meeting Minutes for October 8, 2026
- Approved Policy Standing Committee Meeting Minutes for October 20, 2026
- Commission Workflow Proposal
- SDPD Response to Pretext Stop Biased Policing CPP Recommendations

Upcoming Meetings

- **Commission on Police Practices Regular Business Meeting** on December 2, 2026 Meeting Time: 5:00pm–8:00pm
Location: TBD
- **Executive Committee Meeting** on November 18, 2026
Meeting Time: 5:00pm–6:00pm
Location: Procopio Tower OCPP
525 B St., Suite 1725, San Diego, CA 92123
- **Training Committee Meeting** on January 21, 2027
Meeting Time: 5:00pm–6:00pm
Location: Procopio Tower OCPP
525 B St., Suite 1725, San Diego, CA 92123
- **Policy Committee Meeting** TBD
Meeting Time: 5:30pm–6:30pm
Location: Procopio Tower OCPP
525 B St., Suite 1725, San Diego, CA 92123
- **Rules Committee Meeting** TBD
Meeting Time: 5:30pm–6:30pm
Location: Procopio Tower OCPP
525 B St., Suite 1725, San Diego, CA 92123

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 make one Non-Agenda Public Comment per meeting. In-person public comment on items not on the agenda will conclude before virtual testimony begins.

Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes. The order of speaking generally will be determined on a first-come, first-served basis. A member of the public may only provide one non-agenda comment per agenda.

We welcome all viewpoints and encourage open participation. However, to ensure everyone has a chance to be heard and that we can complete our work, we ask that speakers respect time limits and refrain from disruptive behavior. Continued disruption after warning may result in removal as permitted under state law.

Virtual Platform Public Comment to a Particular Item or Matters Not on the Agenda: When the item you would like to comment on is introduced (or it is indicated that it is time for Non-Agenda Public Comment), raise your hand by tapping on the "Raise Your Hand" button on your computer or tablet. To raise your hand in a Microsoft Teams meeting on your smartphone (iOS or Android), tap the three-dot menu, then select the "Raise Hand" option. You will be taken in the order in which you raised your hand. You may only speak once on a particular item. When it is indicated that it is your turn to speak, click the unmute prompt that will appear on your computer, tablet or Smartphone.

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 72 hours of the conclusion of the meeting.

Comments received no later than 8am on 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.

Late-Arriving Materials: This paragraph relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of, or during, the meeting. Pursuant to the Brown Act, (California Government Code Section 54957.5(b)) late-arriving documents, related to the Commission on Police Practices' ("CPP") meeting agenda items, which are distributed to the legislative body prior to and/or during the CPP meeting are available for public review by appointment in the Office of the CPP located at Procopio Towers, 525 B Street, Suite 1725, San Diego, CA 92101. Appointments for public review may be made by calling (619) 533-5304 and coordinating with CPP staff before visiting the office. Late-arriving documents may also be obtained by email request to CPP staff at commissiononpolicepractices@sandiego.gov. Late-arriving materials received prior to the CPP meeting will also be available for review, at the CPP public meeting, by making a verbal request of CPP staff located in the CPP meeting. Late-arriving materials received during the CPP meeting will be available for reviewing the following workday at the CPP offices noted above or by email request to CPP staff.

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 accommodation 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
REGULAR BUSINESS MEETING
Wednesday, October 7, 2026**

Southeastern Livewell Center
5101 Market St.
San Diego, CA 92114

Click <https://youtu.be/Gru4gcWHm3E> to view this meeting on YouTube.

CPP Commissioners' Present:

Chair Bonnie Benitez
Vice Chair of Policy Ada Rodriguez
Vice Chair of External Affairs David Burton
Vice Chair of Strategic Planning Armando Flores
Vice Chair of Commissioner Development
Darlanne Mulmat
Kelly Brusher
Steve Chatzky

Lupe Diaz
Aryan Dixit
Michael Alan Focken
Jesus-Gallegos Muñoz
Dwayne Harvey (arrived at 5:12pm)
Kirby Knipp
Jay Sener (arrived at 5:14pm)
Francisco Peralta Vargas

Excused:

Clovis Honoré
Elizabeth Inpyin
Chenyang Rickard

Absent:

Cheryl Canson
Crystal van Dyke

CPP Staff Present:

Roger Smith, Executive Director
Alina Conde, Executive Assistant
Jon'Nae McFarland, Administrative Aide
Aaron Burgess, Director of Policy & Media Relations
Olga Golub, Chief Investigator
Ethan Waterman, Investigator
Ching-Yun Li, Investigator
Yasmeen Obeid, Director of Community Engagement & Internship Programs

- I. CALL TO ORDER/WELCOME: Chair Bonnie Benitez called the meeting to order at 5:07pm.
- II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call for the Commission and established a quorum.
- III. NON-AGENDA PUBLIC COMMENT - None
- IV. APPROVAL OF MINUTES (*Timestamp 22:17*)
 - A. Regular Business Meeting – September 2, 2026
 1. Public Comment

Motion: Vice Chair of Policy Ada Rodriguez moved to accept the amended September 2, 2026 CPP meeting minutes. Commissioner Jay Sener seconded the motion. The motion passed with a vote of 10-0-0.

Yeas: Brusher, Burton, Chatzky, Diaz, Flores, Harvey, Knipp, Rodriguez, Sener, Peralta Vargas

Nays: None

Abstention: Dixit, Focken, Mulmat
- V. NON-AGENDA COMMUNICATIONS FROM CHAIR & EXECUTIVE DIRECTOR (*Timestamp 10:50*)
 - Chair reported that the department is about six weeks into a 60-day review window for recommendations sent to Chief Wall, with no written response yet and a deadline approaching. The commission will review the chief's response when received.
 - Surveillance technologies remain a focus, with the Privacy Advisory Board meeting soon to discuss drones as first responders and counter UAS remote identification detection systems. Commissioners and the public are encouraged to attend for more information.
 - The Privacy Advisory Board operates under the trust ordinance, making recommendations to city council for surveillance technology use, and city council approves these policies, unlike some other police policies. The commission will engage with the Privacy Advisory Board regarding these policies.
 - The downtown enforcement operation ("gas lamp surge") started over Labor Day weekend, increasing law enforcement presence on weekend nights to address incidents proactively. The effectiveness of this approach will be evaluated over time.
 - Emphasized the importance of commissioner engagement, including attending monthly meetings, responding to staff communications, participating in case review groups, and serving on committees. Commissioners unable to meet these obligations are encouraged to step aside.
- VI. NON-AGENDA COMMUNICATIONS FROM EXECUTIVE DIRECTOR (*Timestamp 18:48*)
 - The Executive Director welcomed new commissioners and encouraged all commissioners to communicate any concerns, needs, or interests, especially regarding training topics, to help focus support and services.
 - Provided complaint statistics: In September, 98 complaints were received (69 with Internal Affairs, 29 with CPP; 24 of CPP complaints forwarded to Internal Affairs, 5 out of jurisdiction). In August, 124 complaints were received (83 with

Internal Affairs, 41 with CPP; 29 of CPP complaints forwarded to Internal Affairs, 12 out of jurisdiction).

- Reported ongoing meetings with the City of San Diego negotiating team and upcoming meetings with the San Diego Police Officers Association as part of the meet and confer process.
- Announced a community event on October 22nd at the Live Well Center, co-hosted by San Diegan's for Justice and Saving Lives in Custody California, to discuss recent developments regarding the Office of the Commission on Police Practices.
- Noted that the CPP made policy recommendations to the San Diego Police Department regarding protect stops, with the department's response expected within the next few weeks.

VII. NON-AGENDA COMMUNICATIONS FROM COMMISSIONERS

- Commissioner Darlann Mulmat welcomed new commissioners and highlighted the mentorship program, encouraging experienced commissioners to volunteer as mentors. Investigator Ethan Waterman will send an email about this opportunity.
- Commissioner Armando Flores mentioned the upcoming Rules Committee meeting and raised a question about the inclusion of submitted documents in meeting minutes, clarifying that documents submitted at previous meetings should be attached to those minutes online.
- Commissioner Ada Rodriguez, as Policy Committee chair, explained the committee's role in gathering community concerns and complaint trends to develop recommendations for the San Diego Police Department. They asked committee members to coordinate meeting times and noted that new commissioners will be contacted for committee assignments.

VIII. ACTION ITEM

A. Semi-Annual Report

1. Public Comment
 - ❖ Darwin Fishman (Virtual) (*Timestamp 48:37*)
2. Commissioner Comments and Questions (*Timestamp 30:52*)
3. Public Comment

Motion: Vice Chair of External Affairs David Burton moved to accept the amended Semi-Annual 2026 Report. Vice Chair of Policy Ada Rodriguez seconded the motion. The motion passed with a vote of 13-0-0.

Yeas: Brusher, Burton, Chatzky, Diaz, Dixit, Flores, Focken, Harvey, Knipp, Mulmat, Rodriguez, Sener, Peralta Vargas

Nays: None

Abstention: None

IX. QUARTERLY REPORT FROM DIRECTOR OF COMMUNITY ENGAGEMENT & INTERNSHIP PROGRAMS YASMEEN OBEID (*Timestamp 49:12*)

- The Office of the Commission on Police Practices (OCP) attended 21 community events, gave 10 presentations, made 1 announcement, and hosted 3 community resource booths since the start of the year.
- During the quarter, OCP attended 3 community events and meetings, including those hosted by Live Wall San Diego, Trust San Diego Coalition, and the Coalition of Police Accountability and Transparency. A presentation was given about CPP and recent recommendations.

- OCPP finalized a contract with J Street and Company for a communications and digital media strategy plan, which will guide office communications for the next three years. The deliverable is complete and implementation is underway
- 13 internship candidates were interviewed; 6 interns were selected (1 from San Diego State University, 5 from the City of San Diego's Human Resources Department). 3 interns completed their internships, 3 are continuing.
- The internship program focuses on outreach to college campuses and high schools, emphasizing young adults. Interns created a directory of over 600 contacts across local universities and high schools, including faculty, staff, student organizations, and campus resource centers. Outreach materials and initial emails were sent to all contacts.

X. FUTURE REGULAR BUSINESS AGENDA ITEM REQUESTS (*Timestamp 53:14*)

- Review the impact of the commission's one meeting per month schedule on the case review process and identify potential improvements.
- Examine how the statute of limitations affects the commission's ability to vote on discipline and whether voting practices are consistent or could be expanded.
- Discuss surveillance technology oversight, including the commission's role in reviewing police-specific surveillance technologies (e.g., ALPR, drones, cameras) under Measure B, distinct from the Privacy Advisory Board's responsibilities.
- Explore the scope and implications of body-worn camera technology, its integration with other surveillance tools, and privacy concerns related to data collection (e.g., license plates, passenger information, device signals).
- Add agenda items on how SDPD communicates about technology use, the accessibility of public information, and officer training related to new technologies.
- Consider a discussion on the drones as first responder proposal, including automation and payload delivery, and whether these practices fall under commission oversight.
- Address delays in background investigations for new commissioners and consider whether to send an official communication to the city clerk's office if delays persist.

XI. NON-AGENDA PUBLIC COMMENT - None

XII. CLOSED SESSION (NOT OPEN TO THE PUBLIC)

- A. Public Comment - None
- B. Chair Bonnie Benitez led the CPP into Closed Session
- A. 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 832.5832.8 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.
 - a. SDPD Feedback on Case-Specific Matters – None
 - b. Review of Internal Affairs Investigations
 - 1. Case 2025-0268 (OIS)
 - 2. Case 2025-0653 (CATI)
 - 3. Case 2025-0086 (CATI)

c. Discipline Memos - None

XIII. REPORT FROM CLOSED SESSION (8:03pm)- Chair Bonnie Benitez reported that there was no reportable action.

XIV. NON-AGENDA PUBLIC COMMENT - None

XV. ADJOURNMENT: The meeting adjourned at 8:04pm.

DRAFT



Outlook

[EXTERNAL] Webform submission from: Meeting Agenda Public Comment

From City of San Diego Official Website <NoReply@sandiego.gov>**Date** Tue 10/6/2026 3:57 PM**To** Commissions Public Comment <CommissPublicComment@sandiego.gov>; Prparker@sandiego.gov
<Prparker@sandiego.gov>; Obeid, Yasmeen <YObeid@sandiego.gov>; Conde, Alina
<AConde@sandiego.gov>

Submitted on Tue, 10/06/2026 - 15:57

NAME:

Deborah Kamens

EMAIL:

[REDACTED]

ADDRESS:

[REDACTED]

PHONE NUMBER:**BOARD OR COMMISSION:**

Commission on Police Practices

MEETING DATE:

2026-10-07

COMMENT TYPE:

Agenda Comment / Closed Session Comment

AGENDA ITEM NUMBER:

VII.A.

COMMENTS:

When considering its policy on pretext stops, I ask the Commission to provide clear recommendations specific enough to be tracked, including:

- limits on low-level stops with no clear public-safety value
- restrictions on consent-search requests
- documentation of post-stop escalation, and
- public reporting on stop outcomes and disparities.

Since the Police Department does not have to adopt CPP recommendations, the public needs to know what happens after recommendations are made. So I also ask the Commission to request a written SDPD response to each recommendation and publicly track whether each one is accepted, delayed, weakened, rejected, or ignored. Even if CPP cannot require such a response, requesting it would create a public record and help the public see whether meaningful change follows the request.

ATTACHMENTS:

[webform_submission:values:attachments_multiple_file]

October 7, 2026

Director of Community Engagement & Internship Programs Report

Good evening, Commissioners, staff, and members of the public,

The following report summarizes the Office of the Commission on Police Practices' (OCPP) community engagement and internship program efforts from July 1 through September 30, 2026.

Since the beginning of the year, the Commission has attended a total of 21 community events, given 10 presentations, made one announcement introducing the CPP, and hosted three community resource booths. During this quarter, the OCPP attended three community events and meetings hosted by Live Well San Diego, the TRUST SD Coalition at the Partnership for the Advancement of New Americans (PANA), and the Coalition for Police Accountability and Transparency. This included a presentation about the CPP and the recommendations we submitted regarding pretext stops.

The OCPP finalized its contract with J Street and Company for the development of a communications and digital media strategy to guide the Office's communications over the next three years. The consultant has completed the deliverable, and the Community Engagement Director is working with Executive Director Roger Smith to implement the strategy among staff and within the Office.

Over the summer, the OCPP interviewed 13 internship candidates and selected six interns in total. One joined through the Office's partnership with San Diego State University, and five joined through the Office's collaboration with the City of San Diego's Human Resources Department and its Future Civic Summer Internship Program. Three interns completed their internships with the OCPP, and three are continuing to work with us today.

The internship program focuses on community outreach to college campuses and high schools, with an emphasis on young adults. The interns completed a directory of more than 600 contacts across the University of San Diego, the University of California San Diego, San Diego State University, San Diego City College, and Mission Bay High School. These contacts include faculty, staff, student organizations, and campus resource centers.

The interns then created outreach materials, sent initial emails to every contact, and followed up with the majority of contacts. The three continuing interns are carrying this outreach forward and scheduling presentations to introduce the CPP, share commissioner and internship opportunities, and encourage meeting attendance and public participation.

Finally, as a reminder, if you have formally attended a community event on behalf of the Commission, please let me know to make sure we document it in the Community Engagement Log.

Thank you all for your continued support. I am happy to take any questions.

Yasmeen Obeid

Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
EXECUTIVE STANDING COMMITTEE MEETING
MINUTES**

**Wednesday, September 16, 2026
4:30pm-6:00pm**

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

Click <https://youtu.be/exvxRVDnk4I> to view this meeting on YouTube.

CPP Committee Members Present:

Chair Bonnie Benitez
Vice Chair of Policy Ada Rodriguez
Vice Chair of External Affairs David Burton
Vice Chair of Strategic Planning Armando Flores

Excused:

Vice Chair of Commissioner Development
Darlanne Mulmat

Absent:

None

CPP Staff Present:

Roger Smith, Executive Director
Aaron Burgess, Director of Policy
Jon’Nae McFarland, Administrative Aide
Alina Conde, Executive Assistant (Virtual)
Olga Golub, Chief Investigator
Ching-Yun Li, CPP Investigator (Virtual)
Ethan Waterman, CPP Investigator (Virtual)
Yasmeen Obeid, Director of Community Engagement & Internship Supervisor (Virtual)

- I. CALL TO ORDER/WELCOME: Chair Bonnie Benitez called the meeting to order at 4:30pm.
- II. ROLL CALL: Administrative Aide Jon’Nae McFarland conducted the roll call for the Commission and established quorum.
- III. APPROVAL OF THE MINUTES OF AUGUST 19, 2026 EXECUTIVE COMMITTEE MEETING – No formal acceptance of the meeting minutes occurred; approval was deferred to the next committee meeting.
- IV. NON-AGENDA PUBLIC COMMENT
 - ❖ Karina Vega (In Person) (*Timestamp 17:01*)
 - ❖ Anthony Ralph (In Person) (*Timestamp 18:43*)
- V. NON AGENDA COMMENTS FROM CHAIR BONNIE BENITEZ (*Timestamp 22:41*)
 - Meeting with Police Chief (Gaslamp District focus)**
 - Discussed increased officer presence in the Gaslamp on weekends and after midnight to improve response times and prevent incidents from escalating. 22:02
 - Emphasis on staffing levels to ensure quicker intervention and reduce need for higher force situations.
 - Officer Training (DRE program)**
 - Raised issue of limited number of Drug Recognition Expert (DRE) trained officers (noted as only a small group).
 - Discussed lack of incentive structure for officers to pursue additional DRE training and interest in increasing trained personnel
 - North Park incident update:**
 - Referenced a serious police incident involving a suspect confrontation, deployment of a canine unit, and injuries including officers and a police dog.
 - Noted that details were still developing at the time of the update.
- NON AGENDA COMMENTS FROM EXECUTIVE DIRECTOR ROGER SMITH (*Timestamp 25:55*)
 - Meet and confer process delays and rescheduling**
 - A previously scheduled meeting was canceled and moved to a later date due to availability issues.
 - Ongoing process continuity**
 - Emphasis on keeping the meet-and-confer timeline as close as possible to the original schedule despite delays.
 - Work consolidation approach**
 - Some meetings may be combined to maintain progress and efficiency in the process.
 - Policy and information follow-ups with SDPD**
 - Planned follow-up requests regarding vehicle pursuit recommendations and structured receipt of departmental information.
 - Memorandum of Understanding (MOU) development**
 - MOU discussions are being run in parallel with the meet-and-confer process to avoid timeline delays.
- VI. ACTION ITEMS
 - A. CPP Semi-Annual Report (*Timestamp 44:08*)
 1. Public Comment
 - ❖ Anthony Ralph (In Person) (*Timestamp 33:49*)
 - ❖ Karina Vega (In Person) (*Timestamp 34:58*)

2. Commissioner Comment (*Timestamp 35:40*)

MOTION: Commissioner Armando Flores moved to approve the amended Semi-Annual Report and take it to the full Commission business meeting. Commissioner Ada Rodriguez seconded the motion. The vote passed 3-0-0.
Yeas: Burton, Flores, Rodriguez
Nays: None
Abstention: None

B. Commission Workflow Proposal (*Timestamp 44:08*)

1. Public Comment – None

2. Commissioner Comment (*Timestamp 46:28*) – *No clearly recorded final vote outcome was taken.*

C. Commission Committee Status Proposal (*Timestamp 1:15:56*) – Tabled

VII. DISCUSSION ITEMS

A. The Commission's Approach to SDPD Use of Surveillance Technology

1. Public Comment

❖ Anthony Ralph (In Person) (*Timestamp 1:29:08*)

❖ Karina Vega (In Person) (*Timestamp 1:32:44*)

1. Commissioner Comment (*Timestamp 1:22:47*)

VIII. COMMITTEE UPDATES

A. Executive Committee – Tabled

B. Policy Committee – Tabled

C. Community Outreach Committee – Tabled

D. Training Committee – Tabled

IX. FUTURE EXECUTIVE COMMITTEE AGENDA ITEM REQUESTS – None

Action Items:

Minutes & Documentation

- Executive Committee to table approval of prior meeting minutes and include only documents physically presented at that meeting with agreed formatting edits in the next meeting.

Workflow Proposal (Logging & Intake System)

- Staff to implement a structured log for all incoming requests (commission/public/staff) to ensure tracking and triage of work items.
- Executive Committee to refine “decision point” language so that all non-adopted items are recorded with clear rationale and visibility to the committee.
- General Counsel (with Executive support) to prepare a one-page summary of commission responsibilities and related governance structure for presentation at the next meeting.

Surveillance / Privacy Advisory Coordination

- Executive team to create a structured channel for sharing commission positions and feedback with the Privacy Advisory Board on surveillance-related matters.
- Executive Director to develop a framework for auditing departmental compliance with approved surveillance policies and complaint impacts.
- Executive Director to explore feasibility of commissioner observation/briefing access to department technology use practices and systems.

Policy & Compliance Oversight

- Policy Committee to develop and return with a concrete plan for auditing surveillance technology use and compliance reporting, including complaint linkage analysis.
- Staff/Executive team to ensure follow-up tracking of vehicle pursuit recommendation progress and structured reporting back to the commission.

Meetings & Ongoing Coordination

- Executive team to maintain rescheduling and continuity of meet-and-confer and MOU-related

discussions while minimizing disruption to timelines.

X. NEXT MEETING – Wednesday, October 21, 2026

XI. ADJOURNMENT: The meeting adjourned at 6:00pm.

Commission on Police Practices

COMMISSION ON POLICE PRACTICES EXECUTIVE STANDING COMMITTEE MEETING MINUTES

**Wednesday, August 19, 2026
4:30pm-6:00pm**

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

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

CPP Committee Members Present:

Chair Bonnie Benitez
Vice Chair of Policy Ada Rodriguez
Vice Chair of External Affairs David Burton (arrived at 4:43pm)
Vice Chair of Commissioner Development Darlanne Mulmat
Vice Chair of Strategic Planning Armando Flores

Excused:

None

Absent:

None

CPP Staff Present:

Roger Smith, Executive Director
Aaron Burgess, Director of Policy
Alina Conde, Executive Assistant
Olga Golub, Chief Investigator (Virtual)
Ching-Yun Li, CPP Investigator (Virtual)
Ethan Waterman, CPP Investigator (Virtual)
Yasmeen Obeid, Director of Community Engagement & Internship Supervisor (Virtual)

- I. CALL TO ORDER/WELCOME: Chair Bonnie Benitez called the meeting to order at 4:30pm.
- II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call for the Commission and established quorum.
- III. APPROVAL OF THE MINUTES OF JULY 15, 2026 EXECUTIVE COMMITTEE MEETING
MOTION: Commissioner Darlanne Mulmat moved to accept July 15th, 2026 amended Executive Standing Committee Meeting Minutes. Commissioner Ada Rodriguez seconded the motion. The vote passed 3-0-0.
Yeas: Flores, Mulmat, Rodriguez
Nays: None
Abstention: None
- IV. NON-AGENDA PUBLIC COMMENT
❖ Blair Beekman (Virtual) (*Timestamp 4:29*)
- V. NON AGENDA COMMENTS FROM CHAIR BONNIE BENITEZ (**Timestamp 7:48**)
 - The chair acknowledged upcoming onboarding of new commissioners and encouraged participation in the mentor program, noting its value for newcomers and plans to revisit it at future meetings.
 - The chair discussed recent questions about bylaws, clarifying that formal bylaws matters should be directed to the Rules Committee.
 - A proposal to shift some standing committees to an ad hoc model due to volunteer capacity constraints was mentioned, with more details to be provided once formally presented.
 - The chair requested that approved minutes from recent standing committee meetings be attached to business meeting agendas for transparency and easier access by community members and commissioners.
 - The chair addressed concerns about surveillance technology, specifically ALPR use, explaining the commission's authority versus the Privacy Advisory Board and City Council, and clarifying the commission's role in holding the department accountable for policy implementation and compliance.

NON AGENDA COMMENTS FROM EXECUTIVE DIRECTOR ROGER SMITH (**Timestamp 15:31**)

 - An update was provided on the status of the audio-visual contract: a review panel has been created, with the second meeting scheduled soon; no specific timetable for implementation yet.
 - Announcement of hiring Susan St. John as General Counsel, who brings experience with the Brown Act, California Public Records Act, and administrative hearings; she will start in early September.
 - A meeting was held with Chief Wahl to begin establishing a memorandum of understanding for implementing operating procedures from the meet and confer process; concurrent discussions of both matters will occur as procedures are finalized.
- VI. ACTION
 - A. Pretext Stop Proposal (**Timestamp 18:30**)
 1. Public Comment
 - ❖ Blair Beekman (Virtual) (*Timestamp 31:35*)
 - ❖ Patricia De Arman (Virtual) (*Timestamp 36:19*)
 - ❖ Cat (Virtual) (*Timestamp 39:26*)

- ❖ Dave De Arman (Virtual) (*Timestamp 42:00*)
- ❖ Tasha Williamson (Virtual) (*Timestamp 44:30*)
- 2. Commissioner Comment (**Timestamp 18:30**)
MOTION: Commissioner Darlanne Mulmat moved to adopt the Policy Committee's Pretext Stop Proposal and take it to the full Commission business meeting as presented. Commissioner Ada Rodriguez seconded the motion. The vote passed 4-0-0.
Yeas: Burton, Flores, Mulmat, Rodriguez
Nays: None
Abstention: None

VII. STANDING COMMITTEE REPORTS

- A. Executive Committee – Tabled
- B. Policy Committee – Tabled
- C. Community Outreach Committee – Tabled
- D. Training Committee – Tabled

VIII. FUTURE EXECUTIVE COMMITTEE AGENDA ITEM REQUESTS

- Commissioner Ada Rodriguez – To add a regular agenda item tracking formal requests made to the department and responses received, starting with future executive committee meetings.

Action Items:

- Executive Assistant Alina Conde will start attaching all approved standing committee meeting minutes to the upcoming regular business meeting agendas.
- To encourage experienced commissioners to participate in the mentor program for new commissioners, with outreach planned after the September meeting.
- Director of Policy Aaron Burgess to present the approved pretext stop policy recommendations to the full commission at the upcoming Saturday meeting on September 22, 2026.

IX. NEXT MEETING – Wednesday, September 16, 2026

X. ADJOURNMENT: The meeting adjourned at 6:00pm.



Commission on Police Practices

COMMISSION ON POLICE PRACTICES POLICY STANDING COMMITTEE MEETING MINUTES

Wednesday, May 20, 2026
5:00pm-6:00pm

Procopio Tower
17th Floor, Suite 1725
San Diego, CA 92101

Click <https://youtu.be/LTU45BRcpkI> to view this meeting on YouTube.

CPP Committee Members Present:

Committee Chair Imani Robinson
CPP Chair Ada Rodriguez
Doug Case
Stephen Chatzky
Armando Flores (arrived at 5:06pm)

Excused:

1st Vice Chair Bonnie Benitez
Lupe Diaz

Absent:

None

CPP Staff Present:

Alina Conde, Executive Assistant
Aaron Burgess, Director of Policy & Media Relations (Virtual)

- I. CALL TO ORDER/WELCOME: Chair Imani Robinson called the meeting to order at 5:02pm.
- II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call for the Commission and established quorum.
- III. NON-AGENDA PUBLIC COMMENT – None
- IV. APPROVAL OF MEETING MINUTES
Motion: CPP Chair Ada Rodriguez moved to approve the amended CPP Policy Standing Committee Meeting Minutes of April 23, 2026. Commissioner Doug Case seconded the motion. The motion passed with a vote of 3-0-0.
Yeas: Case, Rodriguez, Chatzky
Nays: None
Abstained: None
- V. INFORMATIONAL ITEMS
 - A. Discussion on Pretext Stop Forum Update (*Timestamp 16:27*)
 - Director of Policy Aaron Burgess clarified that the forum is intended to gather community feedback and does not require finalized policy recommendations by the event date. The goal is to introduce recommendations in July, with the forum serving as an opportunity for community input and possible edits before finalization.
 - The Ad Hoc Committee for the forum has not met but will meet to complete the work tasked.**Action Items on this Topic:**
 - **Flyer Correction** – Director of Community Engagement Yasmeen Obeid will update the flyer with a brief explanation of "pretext stop" and correct the zip code.
 - **Speaker Outreach** – Director of Policy Aaron Burgess to reach out to ACLU for a legal expert to speak at the forum.
 - **Presentation Preparation** – Chair Ada Rodriguez, Commissioner Armando Flores, and Director of Policy Aaron Burgess will collaborate on the PowerPoint presentation for the forum, focusing on the five recommendations.
 - **Community Outreach Plan** – Director of Policy Aaron Burgess to coordinate with Director of Community Engagement Yasmeen Obeid to maximize community outreach for the event.
 - **Forum Logistics** – Continue working on confirming speakers and finalizing the agenda.
- VI. NEW BUSINESS
 - A. Voting in New Committee Members (*Timestamp 33:49*) – There is a new Commissioner joining us the beginning of the fiscal year and one Commissioner will be leaving the Committee.
 - B. Pretext Stop Recommendations (*Timestamp 36:45*)
 1. Public Comment – None
 2. Discussion
 - Edits were made to the pretext stop recommendations draft, including adding an introduction about the authority to recommend policies to SDPD.
 - The findings section was updated to emphasize sources like community testimony and RIPA data, with a suggestion to reference specific data to avoid appearing as opinion.

Suggested/Requested Edits:

- Added "limit line violations" to recommendation one, specifying that stops for these should only occur if there is a clear immediate safety issue (e.g., presence of pedestrians).
- Changed "crash risk" to "accident risk" for more professional language.
- Clarified the need to define "minimally sufficient facts" in recommendation two, with plans to elaborate on what constitutes relevant, articulable facts to justify stops.
- Emphasized that stops should not be based on hunches, generalized claims, or status alone; officers must state the reason for the stop before questioning unless an imminent threat exception applies; expanded documentation requirements for stops.
- For consent searches (recommendation three), officers shall not request consent to search during or after stops for violations listed in section one; for other stops, consent requests require specific articulable facts supporting a reasonable belief that a search would reveal evidence of a crime unrelated to officer safety and must be documented.
- Improved sentence structure for clarity, including adding periods and replacing "but" with "however."
- Debated and favored "voluntariness protections" over "voluntary protections" for consent searches, emphasizing advisement that consent is voluntary and may be refused or withdrawn, with advisement captured on body-worn camera.
- Questions raised about who conducts audits, comparisons to current practices, redundancy, and whether the information should be provided to the commission.
- Have Executive Director Roger Smith review recommendation #5 for alignment with commission needs and budgetary considerations.
- Director of Policy Aaron Burgess to strengthen introduction and recommendation #1 and possibly combine first three recommendations.

Action Items on this Topic:

- CPP Chair Ada Rodriguez to make suggested edits from meeting to draft document in the Google Drive.
- Executive Director Roger Smith to review item 5 for alignment with commission needs and budgetary considerations.
- Director of Policy Aaron Burgess to strengthen introduction and recommendation #1 and possibly combine first three recommendations.
- Outreach Metrics – Community Outreach Committee to continue social media and press outreach, track metrics.
- Reference Material – Compile reference material and RIPA data for findings.
- Forum Logistics – Finalize forum agenda, confirm speakers, and ensure impacted communities are targeted for attendance.

VII. FUTURE AGENDA ITEMS – None

VIII. NEXT MEETING – Wednesday, June 17, 2026 at 5pm

IX. ADJOURNMENT: The meeting adjourned at 6:45pm.



Commission on Police Practices

COMMISSION ON POLICE PRACTICES TRAINING STANDING COMMITTEE MEETING MINUTES

**Thursday, June 18, 2026
5:00pm-6:00pm**

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

Click <https://youtu.be/JNVI1Xbqmc4> to view this meeting on YouTube.

CPP Committee Members Present:

Committee Chair Darlanne Mulmat
John Armantrout
1st Vice Chair Bonnie Benitez

Excused:

Elizabeth Inpyn

Absent:

Stephen Chatzky

CPP Staff Present:

Ching-Yun Li, CPP Investigator
Ethan Waterman, CPP Investigator
Olga Golub, Chief Investigator (Virtual)

- I. CALL TO ORDER/WELCOME: Committee Chair Darlanne Mulmat called the meeting to order at 5:00pm.
- II. ROLL CALL: Investigator Ching-Yun Li conducted the roll call for the committee and established quorum.
- III. APPROVAL OF MINUTES
 - A. April 28, 2026 Training Standing Committee Meeting Minutes

Motion: Commissioner John Armantrout moved to approve the CPP Training Standing Committee Meeting Minutes of April 28, 2026. 1st Vice Chair Bonnie Benitez seconded the motion. The motion passed with a vote of 3-0-0.
Yeas: Armantrout, Benitez, Mulmat
Nays: None
Abstentions: None
- IV. NON-AGENDA REPORT FROM CHAIR DARLANNE MULMAT (*Timestamp 1:02*)
 - The chair report included updates on Inside San Diego PD training, noting that several commissioners will attend and that a commissioner-only session is planned for October, with the date not yet set.
 - Implicit bias training is scheduled for the July meeting, focusing on bias during meetings and case reviews, as well as recognizing bias in police.
 - The policy conference originally discussed is no longer needed, as the policy committee has set its priorities and community roundtables are being held instead.
- V. NON-AGENDA REPORT FROM CHIEF INVESTIGATOR OLGA GOLUB (*Timestamp 6:04*)
 - Provided updates on upcoming trainings: implicit bias training content was reviewed and may require follow-up; Dr. Sharon Fairley will deliver use of force best practices training in August and virtual decision-making training for commissioners who missed previous sessions; SDPD-specific use of force training is tentatively scheduled for October.
 - Met with Ed Southcott about delivering POBOR training, likely in the fall, pending agenda placement.
 - Staff have uploaded case review and PERT trainings to SuccessFactors and are working to make them available on the CPP website; IA training from June will also be uploaded soon.
 - Training on SoToxa devices is scheduled for September, to be delivered by the department.

NON-AGENDA PUBLIC COMMENT – None

- VI. OLD BUSINESS
 - A. Vehicle Pursuit Policy (*Timestamp 10:17*)
 - The vehicle pursuit training originated from a policy committee recommendation (#7) to the police department.
 - San Diego PD sent all their training materials on vehicle pursuits to the commission; Aaron Burgess (Policy Director) will review them to determine responsiveness to the recommendations and report back to the policy

committee.

- The topic will no longer be on the training committee's agenda.

B. Community Program Tour (*Timestamp 11:35*)

- The program is now referred to as the "Community Site Visit Program," though the name is still open for suggestions due to concerns about negative connotations and lack of a catchy acronym.
- The goal is to start visits in July, likely on a Saturday, but some organizations may be excluded if they lack physical space. A list of organizations is being compiled and will be shared with the committee.
- Commissioners discussed the importance of selecting organizations with a clear nexus to CPP or Oversight, and requested a table or spreadsheet listing organizations, their missions, and connection points.
- The program aims to help commissioners understand the interconnectedness of their work with community organizations, replacing the previous community bus tour model.

VII. NEW BUSINESS

A. Training Status Update (*Timestamp 19:54*)

- Onboarding Training: All modules are implemented except for Police Officers' Bill of Rights, which is in progress. Tracking commissioner hours are discontinued.
- Case Review Training: Priority 1 modules are being implemented; Priority 2 modules are scheduled (e.g., use of force best practices in August). Some older modules are no longer applicable due to changes in the case review process but are kept for reference.
- Special Topics: Implicit bias training is scheduled for July; site visits (Community Site Visit Program) are being developed; PERT training and other topics are listed, with some (e.g., youth-adult partnerships) deprioritized or dropped.
- Brainstorming List: Topics like rebuilding community trust, human rights, and vicarious trauma remain as potential future trainings, depending on commissioner needs and priorities.

B. Commissioner Input regarding Training Needs (*Timestamp 53:02*)

- A survey of commissioners was conducted about six months ago to identify training needs.
- Top requests included oversight best practices, case review training, and clear expectations/responsibilities.
- Sharon Fairley's upcoming use of force training and recent improvements in recruitment address some of these needs.
- No commissioners have reached out with additional training requests since the survey, and current training offerings are considered to meet the identified needs.
- Maintaining a rigorous training program is seen as important for credibility and effectiveness, especially in response to perceptions from SDPD about commissioners' expertise.

Action Items:

- **Community Site Visit Program** – Finalize the list of organizations and share with the committee.
- **Training Materials Upload** – Staff to continue uploading trainings (case review, PERT,

IA) to SuccessFactors and CPP website.

- **Police Officers' Bill of Rights Training** – Coordinate with Ed Southcott and executive director for scheduling in the fall.
- **Use of Force Best Practices Training** – Sharon Fairley to deliver in-person training in August; staff to confirm logistics.
- **Case Review Academy Implementation** – Staff to continue piecemeal development and update the living document in Google Drive.
- **Vicarious Trauma Warnings** – Resume flagging sensitive cases and reminding commissioners about EAP resources.

VIII. COMMISSIONER COMMENTS – None

IX. NEXT MEETING – Agreed not to meet monthly; next meeting tentatively scheduled for August after Sharon Fairley's training and implicit bias session.

X. ADJOURNMENT: The meeting adjourned at 6:03pm.



The City of San Diego

M E M O R A N D U M

DATE: October 26, 2026

TO: Roger Smith, Executive Director, Commission on Police Practices

FROM: Scott M. Wahl, Chief of Police, San Diego Police Department

SUBJECT: SDPD Response to Recommendations to Restrict Pretext Stops and Promote Bias-Free Policing

The San Diego Police Department (SDPD) has carefully reviewed the recommendations from the Commission on Police Practices (CPP) regarding bias-free policing and pretext stops.

SDPD supports many of the principles underlying these recommendations, including reducing racial disparities, strengthening procedural justice and ensuring enforcement decisions rest on objective and articulable facts. The Department's existing Policy 9.31 (Non-Biased Policing), ongoing implicit bias and procedural justice training, body-worn camera requirements and compliance with AB 2773 and the Racial and Identity Profiling Act (RIPA) reflect these shared priorities.

SDPD recognizes that public trust and constitutional policing depend on enforcement decisions that are based on individual conduct and objective circumstances rather than perceived characteristics, stereotypes or assumptions.

The Department disagrees with some of the Commission's recommendations that conflict with current legal standards and established law enforcement practices that SDPD believes are important to maintaining safe communities.

The CPP discussed these recommendations at its meeting on August 22, 2026, and formally submitted them to the Department on August 24, 2026. The recommendations are presented below in bold, followed by SDPD's responses in italics.

Please note that any potential modifications to SDPD's existing policies or procedures may be impacted by the meet-and-confer process with the Police Officers Association (POA). Certain changes may also require additional meet-and-confer efforts before implementation.

The Department appreciates the Commission's independent oversight role and its continued focus on community trust, constitutional policing and public safety. SDPD remains committed to these shared priorities and looks forward to continued dialogue.

1. Recommendation 1: Prohibit Stops Based Solely on Minor Equipment or Administrative Violations

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Prohibit officers from initiating a traffic stop solely for the following minor equipment or administrative violations:

- A. window tint violations;**
- B. registration expired less than one year;**
- C. a missing front license plate when the rear plate is clearly displayed and legible;**
- D. minor rear license plate illumination deficiencies when the plate remains reasonably legible;**
- E. a single non-functioning taillight or brake light;**
- F. objects suspended from a rearview mirror that do not materially obstruct the driver's view;**
- G. minor bumper equipment defects; and**
- H. non-moving vehicle occupancy.**

Note: These listed violation stops may constitute a partial basis in combination with other information establishing reasonable suspicion of other violations of law.

Response: The Department disagrees with this recommendation. SDPD believes imposing these restrictions could negatively impact public safety and investigative effectiveness by limiting officers' ability to identify and address criminal activity.

The violations identified by the Commission are often associated with pretextual stops, but that does not mean every stop for these violations is pretextual. These vehicle codes serve independent safety purposes, and a categorical prohibition would prevent officers from addressing the underlying violation, regardless of the reason for the stop.

For example, California regulates window tint to preserve driver visibility. Excessive tint can prevent drivers from seeing roadway conditions, and officers from seeing safety concerns such as unrestrained children, whether a weapon is inside or a person or animal in distress.

Required brake, tail and license plate lamps similarly serve basic safety and vehicle-identification functions. A defective brake or tail lamp reduces the warning available to other motorists, while an unilluminated rear plate can prevent identification of a vehicle at night.

The ability to enforce registration violations also serves legitimate public safety and regulatory purposes. Expired registration may be associated with other issues, including a lack of insurance or a suspended or otherwise unlicensed driver. State law already limits enforcement by generally prohibiting a stop based solely on expired registration until the second month after expiration. The Commission's proposal to prohibit such stops for up to a year would go substantially further, limiting officers' ability to address prolonged registration violations and related issues.

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*As the Commission acknowledged, pretextual stops remain lawful under *Whren v. United States*, 517 U.S. 806 (1996). The Court unanimously held that a traffic violation provides a lawful basis to stop a vehicle, even when officers also intend to investigate unrelated criminal activity. The Court further emphasized that an officer's subjective motives are irrelevant under the Fourth Amendment if objective probable cause exists for the traffic violation. Legally, pretextual stops are recognized as a valid investigative tool, provided the stop itself is objectively justified and does not violate constitutional protections against discriminatory enforcement.*

The Department recognizes and acknowledges the community concerns and disparity data the Commission cites. At the same time, these stops remain a lawful investigative tool that continue to produce recoveries of firearms, narcotics, outstanding warrants, arrests for driving under the influence and the recovery of sex trafficked minors that would otherwise go undetected. In some circumstances, the lawful traffic stop may be the only available path for an officer to discover criminal activity or identify a person in danger that is not otherwise apparent. A blanket prohibition on initiating stops for the listed violations would reduce proactive opportunities to address public-safety threats.

Additionally, experiences in other jurisdictions that have limited or banned similar traffic stops have not demonstrated to the Department that these restrictions would meaningfully reduce racial disparities or improve public safety. While such measures may further reduce police contacts, SDPD remains concerned about their potential impact on investigative effectiveness and the Department's ability to address serious criminal activity.

2. Recommendation 2: Prohibit Stops Based on Status or Generalized Factors

- A. Direct staff to quarterly review stop reports and body-worn camera footage to ensure compliance with AB 2773 and identify opportunities for corrective action, training, or policy refinement.**
- B. Declare that parole status, probation status, prior criminal history, or other status-based indicators shall not independently justify extending a stop, initiating an investigative detention, requesting consent to search, or conducting a field interview absent additional specific and articulable facts.**
- C. Train officers not to rely solely upon generalized assertions such as presence in a high-crime area, manner of dress, homelessness, prior contacts, perceived associations, or other non-specific factors to justify expanding a stop.**

Note: The Commission recognizes that status-based contextual factors may be relevant to identifying a suspect during a stop. However, such information alone should never justify a stop, search request, or field interview.

Response: The Department agrees with this recommendation and has existing policies, procedures and review processes that substantially address the Commission's concerns.

Supervisory review and AB 2773 compliance

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SDPD has a Department Inspections Guide that already requires monthly inspections of body-worn camera footage and stop reports. These inspections are conducted at the sergeant level and reviewed for discrepancies by a lieutenant before being forwarded to a captain for review and approval. Department Procedure 1.49 (AXON Body Worn Cameras) also establishes guidelines for supervisory review of BWC. These inspections provide regular opportunities to assess compliance with Department policies, applicable law, including AB 2773, and identify potential training needs.

SDPD has also taken specific steps to implement AB 2773. On November 22, 2023, SDPD issued Training Bulletin 23-14 (New RIPA Cloud-Based App for Mobile Phones and Desktops), which addressed new RIPA reporting requirements and California Vehicle Code section 2806.5. This code stems from AB 2773 and states that a peace officer, subject to limited statutory exceptions, must state the reason for a traffic or pedestrian stop before engaging in questioning related to a criminal investigation or traffic violation. The officer also shall document the reason for the stop on any resulting citation or police report. On December 29, 2023, SDPD subsequently issued Department Order 23-26 (New Pedestrian and Traffic Stop Law) requiring the compliance of all SDPD personnel with Vehicle Code section 2806.5.

Status-based information and scope of detentions

SDPD Policy 9.31 (Non-Bias Based Policing) prohibits reliance on race, ethnicity or other protected characteristics as the basis for enforcement action. Status-based information, such as parole, probation, prior contacts, and contextual factors may lawfully inform officer decision making when combined with specific articulable facts, but they cannot independently justify expanding a stop or requesting consent to search. This policy also states every effort shall be made by all Department members to prevent and report instances of discrimination or bias by fellow members. Those who engage in, ignore, or condone discrimination or bias shall be subject to discipline in accordance with all applicable statutes, regulations, and Department procedures. Members reporting instances of discrimination shall not be retaliated against.

*Department Procedure 4.01 (Stop/Detention and Pat Down Procedures) requires officers to consider the totality of the circumstances and limits a detention to the time reasonably necessary to determine whether a person should be arrested or released. The Department follows applicable law requiring that stops are not extended for unrelated investigative purposes without fresh reasonable suspicion. *Rodriguez v. United States*, 575 U.S. 348 (2015). The law provides that an officer may not prolong a detention based solely on probation search conditions without additional, articulable justification. Department Procedure 4.15 (Probation, Parole and Knock and Talk Searches) states that any search may not be arbitrary, capricious or harassing.*

Generalized factors and officer training

Department Procedure 4.01 (Stop/Detention and Pat Down Procedures) also addresses the Commission's concern regarding reliance on generalized factors. Officers must be prepared to document all specific factors that led the officer to believe the detention was reasonable. This procedure specifically cautions officers that the courts find no credence in the term "high crime area" and the term should be avoided. If a reference is made to the area of a detention, officers should be able to articulate specific facts concerning the area. This warning was based on

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several court cases including Illinois v. Wardlow, 528 U.S. 119 (2000), Brown v. Texas, 443 U.S. 47 (1979), and U.S. v. Montero-Carmargo, 208 F.3d 1122 (9th Cir. 2000). “High crime area” can be a factor in reasonable suspicion but only one factor among many. The courts have warned this term is too broad and can be too easily misused, becoming a “proxy” for impermissible factors.

Proper justification for a detention does not permit unreasonable conduct during the detention. All police activity during a detention shall be done in a reasonable manner. The courts, in determining whether the detention was reasonable and lawful, will consider every phase of a detention.

These requirements are reinforced through training. SDPD officers receive training on the development of reasonable suspicion during the 4 hours of their racial profiling training in the regional police academy. The training emphasizes that factors such as high-crime neighborhoods, race, attire, or “race out of place” do not constitute reasons for justifying a pedestrian detention or vehicle stop. Department members also receive an additional two hours of training on this topic in the Racial Profiling update training every two years as part of the Department’s perishable skills program.

Finally, the Department’s Policy 9.33 (Duty to Report Misconduct Policy) states in part that a member shall immediately report misconduct by another member, including violations of law, City regulations and Department policy or procedure. This requirement provides an additional accountability mechanism when conduct is inconsistent with the standards described above.

3. Recommendation 3: Limit Stops to Purposes Supported by Evidence or Observed Conduct

- A. Limit the scope and duration of a traffic stop to addressing the observed violation, conducting related safety inquiries, and completing lawful enforcement actions unless new, specific, and articulable facts establish reasonable suspicion or probable cause supporting additional investigative activity. Officers may not extend a stop based on hunches unconnected to objective factual information.**
- B. When making traffic stops for violations connected to public safety concerns, direct officers not to request consent to search a person, vehicle, or personal effects to investigate unrelated crimes. For all other stops, require officers to request consent to search only when specific and articulable facts observed during the encounter establish an objective basis for believing evidence of criminal activity may be present.**
- C. Direct officers not to initiate a field interview or separate investigative encounter arising solely from a low-level traffic or equipment violation unless specific and articulable facts support a separate lawful detention or investigation. Absent independent reasonable suspicion of criminal activity, questioning shall be limited to matters reasonably related to the purpose of the stop. Examples include: identification, licensing, vehicle registration, insurance verification, and other immediate safety concerns.**

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- D. For low-level violation stops not covered by Recommendation 1, prohibit CalGang entries where the reason for the stop does not provide evidence establishing reasonable suspicion or probable cause of additional crimes.**
- E. Ensure department adherence to the requirements of AB 2773 by requiring officers to provide a clear, objective verbal statement regarding the purpose of the stop on body-worn camera recordings prior to the commencement of investigative questioning. Direct officers to clearly communicate the reason for the stop at the earliest practical opportunity consistent with officer safety.**

Note: Officers should retain the authority to expand an encounter when new articulable facts establish reasonable suspicion. This recommendation does not seek to restrict lawful investigative action when circumstances change and warrant additional action during an encounter.

Response: SDDPD partially agrees with this recommendation. Existing Department policies, procedures and training address many of the Commission's objectives. The Department agrees that detentions must be supported by objective facts and remain lawful in scope and duration but does not support additional restrictions that would unnecessarily limit lawful investigative activity.

Scope and duration of stops

Department procedures already require officers to have a lawful basis for a detention and limit its scope and duration. Consistent with Terry v. Ohio, 392 U.S. 1 (1968) and Rodriguez officers may not prolong a traffic stop to investigate unrelated criminal activity without independent reasonable suspicion or another lawful justification. However, as stated by CPP, officers should retain the authority to expand an encounter when new articulable facts arise and give them the authority to do so.

These requirements are reinforced through recruit and in-service training. As part of the 4 hours of instruction that addresses racial and identity profiling and bias-free policing in the academy, officers are trained on the legal standards that govern vehicle and pretextual stops. The training emphasizes that officers must have an objective, lawful basis for initiating a stop, and may not base enforcement decisions on stereotypes, assumptions, or protected characteristics. Consistent with constitutional requirements and Penal Code section 13519.4, officers are trained to base reasonable suspicion on specific facts rather than broad characteristics that cast suspicion on an entire class of people.

These principles are re-enforced through additional instruction in the academy's community policing, cultural diversity and ethics curriculum. This amounts to fifty-nine hours of training in promoting bias-free policing through intentional engagement for the purpose of building public trust, cultural awareness and competency, and the fulfillment of ethical obligations as peace officers. Furthermore, all officers receive two hours of bias-free policing training as part of the Department's perishable skills program (Advanced Officer Training).

Consent searches and field interviews

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SDPD does not support categorically restricting otherwise lawful consent or consensual encounters based solely on the initial reason for a stop. The Department's existing consent-search procedures requires officers to advise individuals of their right to refuse, modify or withdraw consent, which already goes beyond what is required by the U.S. Supreme Court.

A Field Interview is a means of documenting information obtained during a contact with a person and does not, by itself, constitute a detention. Legal cause is not needed for an officer to initiate a voluntary "contact", and officers may lawfully ask for information needed to fill out a Field Interview Report. Any detention arising from such encounters would need to be supported by an appropriate legal basis.

CalGang entries

SDPD does not believe an additional prohibition based on the initial reason for a traffic stop is necessary. CalGang is a criminal intelligence database that is subject to numerous requirements and oversight by the California Department of Justice. Entries must meet established criteria, be supported by lawfully obtained documentation and satisfy applicable reasonable-suspicion requirements.

Title 11, section 752.4 of the California Code of Regulations establishes the criteria for designating a person as a gang member or associate in the CalGang database. While state regulations require a minimum of two qualifying criteria, the SDPD's Gang Unit Operations Manual requires at least three criteria before adding a new person to CalGang. Meeting these criteria alone doesn't establish reasonable suspicion, which must be independently supported by the totality of the circumstances and through legally obtained information.

Title 28, Code of Federal Regulations, Part 23, which informs CalGang's criminal-intelligence standards, similarly requires reasonable suspicion that an individual or organization is involved in criminal conduct or activity.

Additional safeguards include regular audits and oversight by the California Department of Justice to ensure compliance with state requirements. And per Title 2, section 755.6 of the California Code of Regulations, any criterion found to be out of compliance shall be purged from the database within 30 days.

Accordingly, a low-level traffic violation alone is not sufficient to support a CalGang entry, although information lawfully observed or obtained during such a stop may be relevant if it independently satisfies CalGang requirements.

AB 2773 and body-worn cameras

As referenced above, Department Order 23-26 issued December 29, 2023, requires compliance with AB 2773.

Department Procedure 1.49 (AXON Body Worn Cameras) also requires officers to activate their body-worn cameras for enforcement-related contacts, including traffic stops, field interviews, detentions, arrests, persons present at radio calls who are accused of crimes, and consensual encounters in which the officer is attempting to develop reasonable suspicion on the subject of

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the encounter. As a result, the required statement of the reason for a stop should ordinarily be captured on body-worn camera footage and is subject to the Department's existing supervisory review processes.

4. Recommendation 4: Implement Principles of Procedural Justice During Traffic and Pedestrian Stops

- A. During all recruit and in-service programs, train officers to conduct stops in a manner that preserves the dignity and respect of the civilian by treating every person with professionalism and avoiding unnecessary escalation of force by training on the dangers of implicit bias in human interactions.**
- B. Train officers to provide individuals with a reasonable opportunity to explain relevant circumstances, when practical and consistent with officer safety, before finalizing enforcement decisions.**
- C. Train officers to explain the reason for a stop whenever there is a reasonable opportunity to do so.**
- D. Train officers to make decisions grounded in objective facts, constitutional principles, department policy and applicable law. Train officers not to rely on race, ethnicity, gender, housing status, perceived social status, or other protected characteristics when describing a specific suspect, except when permitted by law.**
- E. Train officers to be sincere, truthful and empathetic during stops in order to build and preserve community trust in the idea that officers are making a genuine effort to do what is best for public safety and the people involved.**
- F. Evaluate the potential equity impacts of new department initiatives and programs and communicate a philosophy of anti-bias through community engagement and regular reporting.**

Response: The Department agrees with this recommendation, and believes its existing policies, training and operational practices substantially address the Commission's recommendations.

The principles of procedural justice are a cornerstone in SDPD recruit and in-service training, policies, and operational practices. These include treating individuals with dignity and respect, recognizing and mitigating implicit bias, providing individuals with a reasonable opportunity to explain relevant circumstances when practical and consistent with officer safety, and clearly communicating the reason for a stop.

At the regional police academy, procedural justice is integrated into 26 hours of community policing and nine hours of tactical communication training. These courses emphasize professionalism, empathy, fairness, effective communication, de-escalation and building public trust. The training includes an eight-step approach for traffic and pedestrian contacts that emphasizes explaining the reason for a stop and providing individuals an opportunity to explain their circumstances. Department members receive an additional two hours of procedural justice instruction through the strategic communication component of the

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Department's recurring Advanced Officer Training, including practical application and case studies.

Bias-free decision-making is reinforced through 12 hours of cultural diversity training and nine hours of ethics instruction at the academy. This training addresses implicit and explicit bias, cultural awareness and the importance of preventing bias from influencing enforcement decisions. Department members also receive two hours of recurring Racial Profiling Update training through Advanced Officer Training.

Department policy reinforces these training requirements. Department Policy 9.31 (Non-Biased Policing) prohibits enforcement decisions based on protected characteristics except as permitted by law when identifying a specific suspect. As discussed in earlier responses, officers are required to base enforcement decisions on objective facts, constitutional principles, applicable laws, and Department Procedures to include 1.04 (Use of Force), 1.55 (De-escalation), 4.01 (Stop/Detention and Pat Down Procedures), 4.17 (First Amendment Activity Facilitation and Management), 7.01 (Traffic Enforcement Policy).

The Department also incorporates equity considerations into its operations through the City's Tactical Equity Plans and Budget Equity Statement processes. The Tactical Equity Plan process is designed to help City departments identify disparities, establish measurable goals and develop strategies to address potential inequities in policies, programs, operations and resource allocation. The accompanying budget process integrates equity considerations into funding decisions and evaluates their potential impacts on communities.

Community engagement remains central to these efforts. SDPD's Community and Youth Services Division provides dedicated resources for community partnerships, youth prevention and outreach, while patrol divisions regularly engage community stakeholders through Captain's Advisory Board meetings.

The Commission's recommendations reflect genuine community concerns that the Department takes seriously. However, SDPD maintains that lawful traffic stops, including pretextual stops, remain important investigative tools that help keep our communities safe.

The Department believes the better approach is to preserve lawful enforcement tools while ensuring all stops are based on objective facts, conducted consistently with procedural justice, and subject to meaningful training, supervision and oversight.

Procedural justice is not a one-time initiative at SDPD but an ongoing commitment. As policies, training and operational practices evolve, the Department will continue to evaluate opportunities for improvement, respond to community concerns, and reinforce the principles of fairness, respect and transparency in all interactions.

SDPD remains committed to the constitutional, equitable and effective policing that both protects public safety and builds community trust. The Department looks forward to continued collaboration with the Commission toward those shared goals.