

## Executive Committee Meeting

**Wednesday, June 19, 2019**

**12pm – 1pm**

**American Red Cross  
3950 Calle Fortunada  
San Diego, CA 92123**

### AGENDA

- I. CALL TO ORDER/WELCOME (Chair Joe Craver)
- II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES
- III. PURPOSE OF THE EXECUTIVE COMMITTEE: The CRB's Executive Committee is a standing committee that is responsible for the jurisdiction over the health and welfare of the Board.
- IV. APPROVAL OF EXECUTIVE COMMITTEE MEETING MINUTES FROM MAY 22, 2019
- V. SAN DIEGO POLICE DEPARTMENT REPORT
  - A. Case load for CRB (Category I, Discipline Reports, Officer-Involved Shooting Cases, In-Custody Death Cases)
  - B. Shared Database Update
  - C. IA Logistics
  - D. Joint Complaint Form Status
- VI. AGENDA PLAN FOR JUNE 25, 2019 OPEN SESSION MEETING (Chair Joe Craver)
  - A. New/Unfinished Business
- VII. EXECUTIVE COMMITTEE UPDATE/DISCUSSION ITEMS
  - A. Special Meeting – Proposed Training of CRB on Case Review and Presentation Procedures & Policy Perjury Panel
  - B. Board Member Vacancies
  - C. CRB Presentation to Public Safety & Livable Neighborhoods Committee

- D. Update on Case Review (Number of Cases, Teams, Timeline)
- E. Planning for 30<sup>th</sup> Anniversary Reception (Date, Location)
- F. Executive Committee Meeting Schedule

## VIII. ADJOURNED

### Materials Provided:

- CRB June 25, 2019 Open Session Meeting Agenda DRAFT
- CRB Executive Committee May 22, 2019 Meeting Minutes DRAFT

Public Comment on an Action/Discussion Item: If you wish to address the Board on an item on today's agenda, please complete a speaker form (on the table near the door) and give it to the Board's Executive Director before the Board hears the agenda item. You will be called to express your comment at the time the item is heard. Please note, however, that you are not required to register your name or provide other information to the Board in order to attend our public session or to speak.

Public Comment on Committee/Staff Reports: Public comment on reports by Board Committees or staff may be heard on items which are specifically noticed on the agenda.

Public Comment on Matters Not on the Agenda: If you wish to address the Board on any matter within the jurisdiction of the Board that is not listed on today's agenda, you may do so during the PUBLIC COMMENT period during the meeting. Please complete a speaker form (on the table near the door) and give it to the Board's Executive Director. The Board will listen to your comments. However, California's open meeting laws do not permit the Board to take any action on the matter at today's meeting. At its discretion, the Board may refer the matter to staff, to a Board committee for discussion and/or resolution, or place the matter on a future Board agenda. The Board cannot hear specific complaints against named individual officers at open meetings.

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**Executive Committee Meeting Minutes**

**Wednesday, May 22, 2019**

**11:30pm – 12:30pm  
American Red Cross  
3950 Calle Fortunada  
San Diego, CA 92123**

**Members Present**

Chair Joe Craver  
2<sup>nd</sup> Vice Chair Taura Gentry  
Doug Case  
Mary O'Tousa  
Maria Nieto-Senour

**Members Absent**

1<sup>st</sup> Vice Chair Brandon Hilpert

**Staff Present**

Sharmaine Moseley, Executive Director, CRB

**SDPD Present**

Mark Bennett, Lieutenant, San Diego Police Department  
Paul Phillips, Lieutenant, San Diego Police Department

- I. CALL TO ORDER/WELCOME: 11:33 a.m.
- II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES: Chair Joe Craver waived the reading of the purpose of the Community Review Board on Police Practices because no one from the public was present.
- III. PURPOSE OF THE EXECUTIVE COMMITTEE: Chair Joe Craver waived the reading of the purpose of the Executive Committee because no one from the public was present.
- IV. APPROVAL OF EXECUTIVE COMMITTEE MEETING MINUTES FROM MARCH 20, 2019: Mary O'Tousa moved for the Committee to approve the meeting

minutes of March 20, 2019. Maria Nieto Senour seconded the motion. The motion passed with a vote of 5-0-0.

**Yays: Chair Joe Craver, 2<sup>nd</sup> Vice Chair Taura Gentry, Doug Case, Mary O'Tousa, Maria Nieto-Senour**

**Nays: None**

**Absent: 1<sup>st</sup> Vice Chair Brandon Hilpert**

**V. SAN DIEGO POLICE DEPARTMENT REPORT**

- Case load for CRB (Category I, Discipline Reports, Officer-Involved Shooting Cases, In-Custody Death Cases) – Lt. Paul Phillips reported that there is one carryover case on the agenda. There are 2 in-custody death cases coming down the pipeline within the next week or two for the CRB Teams.

Executive Director Sharmaine Moseley reported that there are 2 cases on the Closed Meeting agenda. The Committee discussed the possibility of changing the start the time for the Closed Meeting from 4pm to 4:30pm. The Committee agreed to change the Closed Meeting time on May 28 to 4:30pm – 5:30pm. If the Teams add more cases on the shelf by the end of the week, the start time on the agenda will go back to 4pm.

- Shared Database Update – Lt. Paul Phillips handed over to the Executive Director Sharmaine Moseley, the disk of complaints from IAPRO. Internal Affairs is still working on getting the Executive Director direct access, however, in the meantime, an updated copy of complaints will be given to the Executive Director. On all cases, the default categorization is informal which changes as the investigations go through the process. It can take a day or months for it to change from informal.

On Sharepoint Sonja Mack has an extra column which IA does not have regarding cases that are closed and opened. There are at least 100 cases that are closed.

- IA Logistics – Lt. Paul Phillips reported that Sgt John Denny is new to IA. He is coming from Northern and taking Sgt. John Hughes' spot.
- Joint Complaint Form Status – The Captain made one minor change and legal approved it. Once that is done, it will be sent to the Executive Director. Executive Director Moseley asked 2<sup>nd</sup> Vice Chair Taura Gentry about the resource card. 2<sup>nd</sup> Vice Chair Gentry reported that she needs to find out who will do the card. She explains that the card will be handed out to individuals so that the individual will be

aware of what happens next in process. There was discussion as to what the Chief agreed to put on the back of the complaint form. 2<sup>nd</sup> Vice Chair Gentry stated that the card is separate from the form. Lt. Bennett stated that the form goes to all the officers. The Committee discussed the complaint form process. When the complainant files a complaint, the officer will take a picture of the form and enter it into the blue team. If the complainant calls to file a complainant, the Sgt will fill out the form, enter it into blue team and send the form to the complainant. Chair Joe Craver stated that the resource card item is resolved.

VI. Agenda Plan for May 28, 2019 Open Session Meeting (Chair Joe Craver)

A. Approval of April Meeting Minutes

- B. Educational Topic – “Mid-City Division Community Relations Officers” 2<sup>nd</sup> Vice Chair Taura Gentry reported that Community Relations Officers Jenny Hall, Terry Hoskins, and Danny Medina will present. We will give them 15 minutes for the presentation and 5 minutes for questions from the Board only.

The Committee agreed to delete Item A “Election of Ad Hoc Nominating Committee Members” from the agenda, since that was done at the last Open Meeting of the Board. The agenda will be renumbered.

Rules Committee Chair Doug Case will present all the action items on the agenda that were from the Rules Committee. The agenda will be revised to reflect Committee Chair Cases’ name next to the items.

- C. New Business - Motion for Board to discuss and approve proposed Operational Standing Rule on Review of Shooting Review Board Reports

- D. New Business – Motion for Board to discuss and approve amendment to Bylaws Article II on Purpose and Objectives

- E. New Business – Motion for Board to discuss and approve amendment to Bylaws Article III Section 3A on Voluntary Resignation

- F. New Business – Motion for Board to discuss and approve amendment to Bylaws Article III Section 3B on Removal for Cause

- G. Committee Reports (2 mins each)

Outreach Committee Chair O’Tousa suggested that instead of next scheduled meeting date, it should read “Update on 5/24 Meeting.”

Rules Committee Chair Case asked if we were able to confirm the next meeting date. The Committee invited POA representative and SDPD City Attorney to the meeting. Executive Director Moseley will follow-up with Captain Morris.

Recruitment and Training Committee Chair Nieto-Senour asked if the Committee scheduled its next meeting. Executive Director Moseley responded that it will take place on 6/18 at 10am.

Red Binder Committee Chair said that the Committee will meet with the City's IT person on 6/5 at 10am. He asked for staff to have the CRB Handbook ready for the Open Meeting.

Outreach Committee Chair O'Tousa confirmed the Coopers Juneteenth Celebration was on June 15. She also reminded the Committee to add a Board action for the Municipal Case Law that the Board wanted to send a letter to the City Attorney requesting a review. The code is outdated and not consistent with current Supreme Court decisions. The action item will be added to the agenda.

Executive Director Moseley suggested that the Board add to the agenda a discussion/action item regarding the renewal of the contract for the CRB's Outside Counsel. The CRB's Outside Counsel does not work for the City and is independent. She is a partner with Devaney Pate Morris Cameron LLC. The Committee agreed to add this item to the agenda.

#### **VII. EXECUTIVE COMMITTEE UPDATE/DISCUSSION ITEMS**

- A. June 15 Special Meeting – Proposed Training of CRB on Case Review and Presentation Procedures & Policy Perjury Panel – The June 15<sup>th</sup> Special Meeting will be rescheduled to after June 24<sup>th</sup>.
- B. Board Member Vacancies – The CRB has 2 vacancies and no representative from District 8.
- C. Update on Case Review (Number of Cases, Teams, Timeline) – Team 2 has the 1<sup>st</sup> Category 11 case. Team 4 received a large officer-involved shooting case, so the Team will not receive any new cases until further notice. The Chair and 1<sup>st</sup> Vice Chair will be assigned to Team 4 to assist with the case review.
- D. Planning for 30<sup>th</sup> Anniversary Reception
- E. Executive Committee Meeting Schedule – The next meeting date will be June 19.

#### **VIII. ADJOURNED: 12:23 p.m.**

**COMMUNITY REVIEW BOARD ON POLICE PRACTICES**

**A G E N D A**

**Tuesday, June 25, 2019**

**Valencia Park/Malcolm X Branch Library  
5148 Market Street  
San Diego, CA 92114**

A quorum of twelve (12) board members is needed to conduct business. If you cannot attend, please call the CRB Complaint Coordinator at (619) 236-6296.

**CLOSED SESSION 4:30 p.m. – 5:30 p.m.  
Board Members and Staff Only**

- I. Call to Order
- II. Legal Opinion(s) Request & Attorney/Client Privileged Response(s) (0)
- III. San Diego Police Department Feedback on Case Specific Matters Only
- IV. Shooting Review Board Reports (0)
- V. Category II Case Audit Reports (0)
- VI. Discipline Reports (0)
- VII. Case Review Team Reports (2)
- VIII. Case-Specific Recommendations to the Mayor (0)
- IX. Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0)

Pursuant to California Government Code Section 54957 — To discuss community complaints brought against San Diego Police Department Officers under California Penal Code Section 832.7.

**OPEN/PUBLIC MEETING 6:00 p.m. – 7:45 p.m.  
Open to the Public**

- I. CALL TO ORDER/WELCOME (Chair Joe Craver)
- II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES (CRB)
- III. APPROVAL OF MINUTES: CRB Open Meeting Minutes of April 23, 2019
- IV. NON-AGENDA PUBLIC COMMENT: (Speaker Slip Required)
- V. Guest Speakers: Sergeant Harold Oliver -SDPD Juvenile Services Team

“San Diego Department Juvenile Services Team’s Purpose, Responsibilities, Resources, & Communication with Juvenile Groups, Schools and Community” (20 mins)

- VI. UNFINISHED BUSINESS (DISCUSSION/ACTION): None
- VII. NEW BUSINESS (DISCUSSION/ACTION): None
- VIII. COMMITTEE REPORTS (DISCUSSION/ACTION)
  - A. Continuing Education Committee (Taura Gentry)
    - i. Upcoming Educational Topics
    - ii. Request for Additional Community Forums & Opportunities
    - iii. Ideas for Future Educational Topics, Field Trips, Trainings
  - B. Outreach Committee (Mary O’Tousa)
    - i. Schedule Next Outreach Committee Meeting
    - ii. Summary of Past Events
    - iii. Upcoming Events/Outreach Opportunities
  - C. Rules Committee (Doug Case)
    - Items being Considered by Rules Committee**
      - i. Proposed Revision to CRB Administrative Standing Rule on Case Format & Presentation: Titles for Non-SDPD Individuals and Guidance for Disagreements
      - ii. Potential Elements for Public Case Summaries
      - iii. Schedule Next Rules Committee Meeting
  - D. Policy Committee (Brandon Hilpert)
    - Items being Considered by Policy Committee**
      - i. Procedure & Guideline for SDPD Complaint Intake -Informal and Formal Complaints, Joint Complaint Form, Shared Database
      - ii. Modify SDPD Procedure 1.49: Axon Body Worn Cameras -Section Q 7(N) – Issue is some complainants are not allowed to bring person of choice for support when viewing his/her BWC video
      - iii. Development of Third-Party Mediation
      - iv. Best Practices Research for Law Enforcement Investigations Involving Discrimination Allegations
      - v. Complaint Process Guide Card Issued to All Sworn Personnel
      - vi. Require that SDPD officers provide and/or call for medical assistance in all situations where a person shows signs that they might be in medical distress



vii. Recommend that the SDPD Non-Emergency Line be made into a toll-free number to aid in the effort of providing community members the ability to access public safety resources

viii. Next Scheduled Meeting Date

- E. Recruitment & Training Committee (Maria Nieto-Senour)  
**Update on 6/18 Recruitment & Training Committee Meeting**
- i. New CRB Training Academy - Implementation/Process, Marketing, Timeline
  - ii. Interview Panel Improvements
  - iii. Recruitment Script/Information Card
  - iv. Next Scheduled Meeting Date (June 18 at 10am)
- F. Red Binder Committee (Doug Case)
- Update on 6/5 Committee Meeting
  - Next Scheduled Meeting Date
- G. Citizens Advisory Board on Police Community Relations (Taura Gentry)
- H. 30<sup>th</sup> Anniversary Celebration Date (July 2019) (Brandon Hilpert)
- Date and Location
- I. Nominations Committee (Sheila Holtrop)
- i. Overview of CRB Officer Job Responsibilities
  - ii. Presentation of Nominees for Fiscal Year 2020 CRB Officers
- IX. ELECTION OF CRB OFFICERS FOR FY 2020 (July 1, 2019-June 30, 2020)
- X. CHAIR'S REPORT (Chair Joe Craver)
- A. Reminder-3rd Quarter Volunteer Hours Report (**Due July 1, 2019**)
  - B. Special Meeting - Training of CRB on Case Review and Presentation Procedures & Policy Perjury Panel
  - C. NACOLE Annual Conference -September 22-26, Detroit Michigan
- XI. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley)
- A. Caseload Update & Status of Case Reports
  - B. Status of Ride-Alongs for New Members
  - C. CRB Annual Presentation to the Public Safety & Livable Neighborhoods Committee (June 26 at 9am in City Administration Building)
  - D. Drafting Annual Report for FY 19
  - E. Funding for Outside Counsel
  - F. Status of Open Data Portal
  - G. Other Items/Reminders
- XII. SAN DIEGO POLICE DEPARTMENT REPORT (Executive Assistant Chief Todd Jarvis)
- Updates

- XIII. BOARD MEMBER RIDE-ALONG REPORTS (2 mins each)
- XIV. BOARD MEMBER ANNOUNCEMENTS/COMMENTS
- XV. ADJOURNMENT

**Materials Provided:**

- Minutes from CRB Open Session Meeting on May 28, 2019 DRAFT
- Nominating Committee Selection Criteria
- Officer Responsibilities
- Candidate Election Statements
- Chair Job Description
- CRB Updated Calendar

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This agenda will be made available in alternate formats upon request, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Requests for disability related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, should be forwarded to [communityreviewboard@sandiego.gov](mailto:communityreviewboard@sandiego.gov), or call (619) 236-6296.