

**OFFICE OF THE COMMISSION ON POLICE PRACTICES
CONFLICT OF INTEREST CODE**

APPENDIX A
DESIGNATED POSITIONS, DUTIES, AND CATEGORIES

<u>Position</u>	<u>Duties</u>	<u>Category</u>
<p>Members of the Commission on Police Practices</p>	<p>Pursuant to Article V, Section 41.2 of the City Charter, the Commission is an investigatory body of the City of San Diego. The Commission has the power to:</p> <ul style="list-style-type: none"> • Independently investigate all deaths occurring while a person is in custody of the San Diego Police Department (SDPD), all deaths resulting from the interaction with an officer of the SDPD, and all SDPD officer-related shootings • Receive, register, review and evaluate all complaints against SDPD officers, except that the Commission will not review and evaluate complaints where the complainant has requested that the matter be handled without investigation • Review and evaluate all factual findings and evidentiary conclusions of the SDPD arising from investigations of police misconduct and all disciplinary decisions resulting from sustained findings • Review and evaluate SDPD’s compliance with federal, state, and local reporting laws and requirements • Prepare and submit semi-annual reports to the Mayor and City Council regarding the exercise of the Commission’s duties and powers <p>The Commission has the discretion to:</p> <ul style="list-style-type: none"> • Conduct investigatory proceedings and subpoena witnesses • Investigate complaints against SDPD officers (in addition to the required investigations stated above), unless the complainant has requested that the matter be handled without an investigation, provided that the Commission determines that the complaint arises from any one of the following: <ul style="list-style-type: none"> a. an incident involving the use of force by a SDPD officer that resulted in great bodily injury b. dishonesty by a SDPD officer including an allegation of perjury, filing false reports, and destruction, falsifying or concealing evidence c. an incident that has generated substantial public interest or concern d. an incident where the data shows a pattern of misconduct 	<p>1</p>

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	<p style="text-align: center;">by a SDPD officer</p> <p style="text-align: center;">e. an incident where the data shows a pattern of inappropriate policies, procedures, or practices of the SDPD or its members</p> <ul style="list-style-type: none"> • Review, evaluate and investigate allegations of inappropriate sexual conduct, physical assault, or domestic violence by SPDP officers • Make recommendations to the SDPD on the discipline of individual officers about whom complaints have been made or about whom the Commission has conducted an investigation • Review and evaluate the policies, procedures, practices, and actions of the SDPD • Make specific recommendations to the SDPD, the Mayor and the City Council on any policies, procedures, practices, and actions of the SDPD 	
Executive Director	<ul style="list-style-type: none"> • Oversee and manage the Office of the Commission on Police Practices Department • Serve as the administrative director of the department • Serve at the direction and will of the Commission • Serve as the appointing authority for all personnel in the department • Authorized to employ experts and consultants to assist with the work of the Commission • Serves as custodian of the Commission’s records and preparation of reports, including semiannual reports to the Mayor and City Council • Interface with community members, responding to inquiries and receiving complaints • Direction of day-to-day operations of the Commission • Liaison between the Commission and City departments, SDPD and the City Attorney’s Office • Hire and supervise Commission staff, independent contractors, and consultants • Arrange for the preparation of and dissemination all meeting notices for the Commission meetings as required by the Ralph M. Brown Act • Attend all Commission meetings • Arrange for the preparation of and dissemination of the minutes of all Commission meetings 	1

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Program Manager	<ul style="list-style-type: none"> • Supervise the Commission Program Coordinator and programs under the direction of the Executive Director • Support the Executive Director with the day-to-day operations of the Commission/Office of the Commission on Police Practices • Serve as the community engagement coordinator for the Commission to expand awareness and increase community input • Plan, organize, and facilitate a wide range of community engagement events, activities, and forums • Prepare budgets and approve expenditures and provide administrative oversight • Undertake special assignments, including participation in internal or external working groups and committees, as assigned 	1
Program Manager (Supervising Investigator)	<ul style="list-style-type: none"> • Supervise the day-to-day operations of the Commission’s investigators and oversee the investigators work product, review evidence collection and procedures, administer investigative techniques, and manage the most complex, sensitive, and difficult investigations • Coordinate the work of the investigators, prepare work performance evaluations, train new investigators, provide on-going training for staff • Participate in the hiring and discipline of investigators • Prioritize, assign, monitor, and review assignments and cases assigned to the investigators • Conduct sensitive independent investigations of officer-involved shootings, in-custody deaths, and other significant incidents under the direction of the Commission and the Executive Director • Compile information, prepare, and present reports • Maintain case management records of the investigators 	1
Program Manager (Auditor)	<ul style="list-style-type: none"> • Oversee the audit function of the Commission and use quantitative and qualitative analysis of data to determine compliance with SDPD’s goals, objectives, policies • Make recommendations to the Commission for changes to organizational policies and practices • Conduct audit planning, field work, research, evaluations, and investigative services of the SDPD’s programs, procedures, activities, 	1

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	<p>and the Commission to promote transparency, accountability and to increase community trust in law enforcement</p> <ul style="list-style-type: none"> • Review internal operations and analyzing department performance and data to identify areas of inefficiencies and ineffectiveness • Prepare reports, documents, satisfaction surveys and communicate results and recommendations to the Commission, SDPD, city officials, decision makers and the public 	
<p>Program Manager (Analyst)</p>	<ul style="list-style-type: none"> • Oversee and responsible for researching, analyzing, developing, reporting trends, preparing reports, field work, evaluating, investigating, and providing findings, policy direction & propose recommendations to the Commission • Compare SDPD policies and procedures with those of other departments locally, statewide, and nationally • Seek input from subject matter experts and legal counsel when drafting findings and proposing recommendations • Direct complex policy change based on research, data, and best practices • Work closely with the Commissions’ Performance Auditor and use research methods and qualitative and quantitative analysis when developing policy recommendations on improving police practices, policies, procedures, and community relations with law enforcement • Provide guidance and advice to the Executive Director and the Commission regarding findings and recommendations for the Commission to consider prior to finalizing its recommendations to SDPD • Perform challenging work to improve SDPD’s processes by reviewing internal operations and analyzing department performance and data to help craft any findings for proposed recommendations to the Commission for consideration • Prepare reports, documents, satisfaction surveys and communicate results and recommendations to the Commission, police department, city officials, decision makers and the public • Exercise decision making authority and report findings at City Council meetings as well as make recommendations to the Commission that will greatly impact and improve community and law enforcement relations in the City of San Diego 	<p style="text-align: center;">1</p>

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Program Coordinator (Investigators)	<ul style="list-style-type: none"> • Serve as an independent investigator for select officer-involved shootings, in-custody deaths, and other significant incidents for the Commission • Conduct sensitive independent investigations of cases under the direction of the Commission, Executive Director and Program Manager • Interviewing complainants, witnesses, individual members of the SDPD, and others in connection with a variety of sensitive cases, conduct canvasses at the location of the incident, obtain and analyze reports related to the incident, listen to audio, review footage, and assure the safe custody of evidence, file materials, data, records, and reports as well as maintain a level of confidentiality • Compile information and prepare detailed analytical reports that includes an analysis of discovery, findings, police procedures and legal analysis of conduct under applicable statutes; presenting reports to the Commission, Executive Director, and SDPD; and forward final reports and case files to the Program Manager • Work under the direction of the Program Manager, Executive Director, and Commission when identifying and reporting on trends, issues of concern, and improvements to SDPD's tactics and training based on information obtained through investigations • Make recommendations to the Commission on whether findings of allegations and/or incidents of policy violations are sustained, not sustained, exonerated, or unfounded • Recommend improvements and/or changes to policies and programs based on the findings of an investigation 	1
General Counsel	<p>The General Counsel advises the Commission, Executive Director, and staff. The General Counsel also must:</p> <ul style="list-style-type: none"> • Manage the legal work of the Commission and advise the Commission and staff on all aspects of its work including but not limited to its structure, operation, processes and procedures, on the California Brown Act, California Public Records Act, the California Public Safety Officers Procedural Bill of Rights Act, criminal procedure, Commission procedures, general parliamentary procedure and case law governing police conduct and/or discipline • Learn and apply the City Charter, Municipal Code, applicable policy or regulation, all state and federal statutes relevant to the 	1

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	<p>Commission’s jurisdiction, and legal authority related to police practices</p> <ul style="list-style-type: none"> • Assist with the development and implementation of operational policies, procedures and programs and may represent the Commission in litigation • Prepare legal analyses and opinions of SDPD personnel conduct under applicable statutes; present reports to the Commission, Executive Director, SDPD, city officials, other City departments, City Council, Mayor, and general public and community groups and maintain documents pursuant to all legal rules • Oversee the Commission’s release of records/reports in response to legal requests including but not limited to preparing/responding/issuing subpoenas for witnesses and evidence, administering oaths and affirmations, initiating contempt procedures, PRA requests, and litigation discovery requests • Ensure that the Commission and staff are in compliance with local, state, and federal laws; serving as the primary contact for the Commission with respect to legal matters related to investigations, recommendations, and internal (Commission) and external (SDPD) operations • Develop training for the Commission as it relates to legal issues; maintain records and prepare reports on legal procedures; and attend Commission meetings 	
<p>Consultant/New Position</p>	<ul style="list-style-type: none"> • Consultants/new positions shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: <p>The Executive Director and/or Executive Director’s designee may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director’s and/or Executive Director’s designee’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.</p>	<p style="text-align: center;">3</p>

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**APPENDIX B
DISCLOSURE CATEGORIES**

CATEGORY 1

1. All reportable investments, business positions, and income (including gifts) from any firm or business entity located in or doing business with the City of San Diego.
2. All reportable interests in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.
3. All reportable interests in real property owned or used by any person or business entity that supplies goods or services to the City of San Diego, is a tenant of the City of San Diego, or is granted authority by the City of San Diego to use City facilities.
4. All reportable income, including gifts, from any person or business entity that supplies goods or services to the City of San Diego or is granted authority by the City of San Diego to use City facilities.

CATEGORY 2

1. All reportable investments and business positions in any firm or business entity that supplies goods or services to the City, is a tenant of the City, is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
2. All reportable income, including gifts, from any person or business entity that supplies goods or services to the City, is a tenant of the City, is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
3. All reportable interests in real property owned or used by any person or business entity that supplies goods or services to the City, is a tenant of the City, is an adverse party to the City in a legal proceeding or is granted authority by the City of San Diego to use City facilities.

CATEGORY 3

Consultants/new positions shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Director may determine in writing that a particular consultant/new position, although a “designated person,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s/new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.