

Policy Committee Meeting

Tuesday, December 10, 2019

4:00 p.m. – 5:00 p.m.

Mission Valley Branch Library

2123 Fenton Parkway

San Diego, CA 92108

AGENDA

- I. CALL TO ORDER/WELCOME (Committee Chair Brandon Hilpert)
- II. PURPOSE OF THE POLICY COMMITTEE: A standing committee which evaluates recommendations for the Board members for improvements to SDPD policy, procedure, training, or administration of discipline of SDPD police officers.
- III. NON-AGENDA PUBLIC COMMENT
- IV. APPROVAL OF OCTOBER 8, 2019 COMMITTEE MEETING MINUTES
- V. UNFINISHED BUSINESS (Discussion/Action)
 - a. Procedure & Guideline for SDPD Complaint Intake of Informal/Formal Complaints (Committee Chair Brandon Hilpert)
 - b. 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. (Committee Chair Brandon Hilpert)
 - c. Development of Third-Party Mediation (Nancy Vaughn)
 - d. Best Practices Research for Law Enforcement Investigations Involving Discrimination Allegations (Patrick Anderson)
 - e. Complaint Process Guide Card Issued to All Sworn Personnel (Taura Gentry)
 - f. Require that once SDPD officers/personnel calls for medical assistance for an individual they shall not cancel the call. Only the medical professional shall have the ability to cancel the call after the individual is evaluated. (Committee Chair Brandon Hilpert)

g. Prohibit Officers from Viewing Body Worn Camera Video of Others

At its April 24, 2018 open meeting, the CRB made a recommendation to SDPD that SDPD establish a policy that would prohibit officers from viewing surveillance videos or body worn camera videos of other officers prior to being interviewed by Internal Affairs.

Action Item Status: SDPD has not reached a decision on this recommendation.

VI. NEW BUSINESS (Discussion/Action)

- a. Require a defined SDPD Policy and Procedure and possibly a guide card to provide to hearing impaired individuals and SDPD officers for officers to use in the field.

VII. ADJOURNED

Materials Provided:

- Minutes from Policy Committee Meeting on October 8, 2019 (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.

Comments from individuals are limited to three (3) minutes per speaker, or less at the discretion of the Chair. At the discretion of the Chair, if a large number of people wish to speak on the same item, comment may be limited to a set period of time per item. If you would like to have an item considered for placement on a future Board agenda, please contact the Executive Director at (619) 236-6296. The Director will consult with the Board Chair who may place the item on a future Board agenda. If you or your organization would like to have the Board meet in your neighborhood or community, please call the Executive Director at (619) 236-6296.

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COMMUNITY REVIEW BOARD ON POLICE PRACTICES

POLICY COMMITTEE MEETING MINUTES

Tuesday, October 8, 2019

4:00-5:00 PM

Mission Valley Branch Library

2123 Fenton Parkway, San Diego, CA 92108

Committee Members Present

Committee Chair Brandon Hilpert

Chair Joe Craver

Taura Gentry

Pauline Theodore

Douglas Case

Ramon Montano

Maria Nieto-Senour

Nancy Vaughn

Committee Members Absent

Poppy Fitch

Patrick Anderson

Staff Present

Sharmaine Moseley, Executive Director

Sonja Mack, Executive Assistant

SDPD Staff Present

Wes Morris, Captain, San Diego Police Department

Charles Lara, Lieutenant, San Diego Police Department

- I. **Call to Order:** Policy Committee Chair Brandon Hilpert called the meeting to order at 4:11 p.m.
- II. **Purpose of the Policy Committee:** Committee Chair Hilpert waived the reading of the purpose of the Policy Committee.
- III. **Non-Agenda Public Comment:** CRB 2ND Vice Chair Taura Gentry commented that she went on the Community Bus Tour and SDPD is using the American sign language interpreters in the field. 2nd Vice Chair Gentry stated that the Committee should consider creating a

policy or procedure to incorporate American sign language interpreters for SDPD officers in the field. She agreed to fill out and submit a CRB Policy Committee referral form to support her request.

IV. Approval of August 13, 2019 Committee Meeting Minutes:

Community Review Board on Police Practices (CRB) Chair Joe Craver moved for the Policy Committee to approve the meeting minutes of August 13, 2019. CRB 2nd Vice Chair Taura Gentry seconded the motion.

The motion passed with a unanimous vote of 8-0-0.

Yays: Hilpert, Case, Vaughn, Craver, Nieto-Senour, Gentry, Theodore, Montano

Nays: None

Abstention(s): None

Absent: Patrick Anderson and Poppy Fitch

V. Unfinished Business (Discussion/Action)

a. Procedure & Guideline for SDPD Complaint Intake of Informal/Formal Complaints (Committee Chair Brandon Hilpert)

Committee Chair Hilpert stated Internal Affairs were going to present the Policy Committee with an update regarding formal and informal complaints. Captain Morris of SDPD Internal Affairs stated that the SDPD Policy and Procedures for the complaint intake process is outdated (June 5, 2015), and currently it has been rewritten and undergoing review. Captain Morris stated there has been language added to the policy.

This item was tabled.

b. Modify SDPD Procedure 1.49: Axon Body Worn Cameras (BWC) – Section Q 7(N) (Committee Chair Brandon Hilpert)

2nd Vice Chair Taura Gentry reported that she discussed this concern with the member of the public who submitted the recommendation. The community member stated that a complainant should be able to have a support person with them while he or she is viewing the BWC footage of his or her incident. SDPD Internal Affairs has discretion to allow this to happen during interviews. The community member believes

there should be parameters or guidelines in place that should be discussed with the complainant before he or she selects an individual to be his or her support person. Committee Chair Hilpert stated that there should be flexibility in the procedure and this applies to a specific case. Captain Morris stated there is not an issue with allowing a support person during interviews. However, due to respecting the privacy of the parties involved, the only persons who can view the BWC is the complainant, the officer(s) and those who are directly involved in the incident. 2nd Vice Chair Gentry stated she will sponsor this recommendation and work with Internal Affairs to come up with language to add to this policy and procedure.

This item was tabled.

c. Development of Third-Party Mediation (Nancy Vaughn)

Committee member Nancy Vaughn shared what she learned during the National Association for Civilian Oversight of Law Enforcement Conference (NACOLE). Committee member Nancy Vaughn stated that there were several cities representing Police Departments that have mediation programs. The mediation programs are staffed independently by their oversight boards with trained staff. It is not staffed by the Police Department. Committee member Nancy Vaughn stated the CRB does not have the funding or the staff to support a mediation program, however, it is something that is much needed in the City of San Diego.

Committee Chair Brandon Hilpert suggested tabling this item until after the election, to ensure that the CRB Policy Committee will have a better idea of what recommendations to make.

This item was tabled.

d. Best Practices Research for Law Enforcement Investigations Involving Discrimination Allegations (Patrick Anderson)

Committee member Patrick Anderson was not in attendance. Committee Chair Brandon Hilpert reported that member Patrick Anderson will provide handouts of his research during the next Policy Committee meeting, scheduled for November 12, 2019 to support the discussion for this topic.

CRB Executive Director, Sharmaine Moseley reported that this topic was covered at the NACOLE Conference. She suggested

scheduling a special meeting with the Board about lessons learned during the NACOLE Conference and include this item.

This item was tabled.

e. Complaint Process Guide Card Issued to All Sworn Personnel (Taura Gentry)

The development of the Complaint Process Guide Card was discussed. 2nd Vice Chair Taura Gentry stated that she has an example of the complaint card, but it is located in her old email. She stated she will locate it and forward it to the Policy Committee members prior to the next Policy Committee Meeting on November 12, 2019.

This item was tabled.

f. 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 (Committee Chair Brandon Hilpert)

2nd Vice Chair Taura Gentry reported that in the Committee's previous meeting minutes, it states that the Chief already addressed this concern. Lt. Bennett was going to provide the Committee with what the policy is now. The community member requested SDPD create a policy in a clear and concise language that once an officer call for medical assistance, the officer cannot cancel the call. The member believes that SDPD officers do not have the authority to cancel any call for medical attention. She wants to ensure that those types of calls cannot be rescinded by an SDPD Officer, or anyone, until it has been cleared by a medical professional. Captain Morris stated that a new policy came out in June 2019 that is different than what the community member is requesting. The Committee discussed times when the person does not want medical assistance and then the person is forced to pay for medical assistance. The Committee will formalize this recommendation and decide at its next meeting whether to refer this matter to the Board.

This item was tabled.

VI. Adjourned: 4:42 p.m.