

Commission on Police Practices

Ad Hoc Transition Planning Committee Meeting

Friday, December 10, 2021
9:30 am-11:30 am
Zoom Webinar Platform

AGENDA

As an Ad Hoc Committee meeting, this meeting is not subject to the Ralph M. Brown Act; however, to promote transparency, the meeting will be available to the public via this Zoom webinar link:

<https://sandiego.zoomgov.com/j/1601580850?pwd=TCtEbEdIZjIoTUFFQ3AvSkROY2NUZz09>

The meeting will be available on the City's YouTube page after the meeting. Click [here](#) to view this meeting after its scheduled time.

- I. CALL TO ORDER/WELCOME (Committee Chair Doug Case)
- II. ROLL CALL
- III. PUBLIC COMMENT: (Fill out and submit comment using [webform](#). Please see instructions at the end of this agenda)
- IV. UPDATES
 - A. Budget Process
 - B. Staffing
 - C. Implementation Ordinance & Permanent Standard Operating Procedures (Request confirmation from PS&LN when the second draft of the implementation ordinance can be posted)
 - D. Office Space
 - E. Standing Rules
 - F. Community Outreach
 - G. Legal Counsel Contract – Status of review of RFP's for outside counsel
- V. UNFINISHED BUSINESS
 - A. Procedure to implement the requirement for the Commission's to review and evaluate the Police Department's compliance with federal, state, and local reporting requirements
 - B. Hiring of the Policy Analyst and Performance Auditor
- VI. NEW BUSINESS
 - A. Approval of the Scope of Services for the executive search firm for the Deputy Executive Director
- VII. AGENDA ITEMS FOR NEXT MEETING – DECEMBER 17 (last meeting in 2021)
- VIII. ADDITIONS TO THE LIST OF ITEMS FOR FUTURE AGENDAS (See below)
- IX. OTHER ITEMS AND/OR CONCERNS

X. ADJOURN

Materials Provided:


- Meeting Notes from December 3, 2021 Meeting
- Draft Scope of Services – Executive Search Firm – Deputy Executive Director
- Tentative Implementation Timeline, Version 10.3 (November 19, 2021)

Items for Future Agendas:

- A. Transparency and Accountability Issues
- B. Quality Assurance Program
- C. Clarity of CPP Access to Training Bulletins and Special Unit Policies

In lieu of in-person attendance, members of the public may participate and provide comment via virtual attendance or using the webform, as follows:

Virtual Testimony:

Members of the public may provide comment on the comment period for Non-agenda Public Comment or Agenda Public Comment during the meeting, following the  [Public Comment Instructions](#).

Written Comment through Webform:

In lieu of in-person attendance, members of the public may submit their comments using the [webform](#). If using the webform, indicate the agenda item number you wish to submit a comment for. Instructions for word limitations and deadlines are noted on the [webform](#). 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 below. To view a meeting archive video, click [here](#).

Only comments submitted no later than 4pm the day prior to the meeting using the public comment webform will be eligible to be read into the record. If you submit more than one comment on webform per item, only one comment will be read into the record for that item. **Comments received after 4pm the day prior and before 8am the day of the meeting** will be provided to the Commission or Committee and posted online with the meeting materials. All comments are limited to 200 words. Comments received after 8am the day of the meeting, but before the item is called, will be submitted into the written record for the relevant item.

If you attach any documents to your comment, it will be distributed to the Commission or Committee in accordance with the deadlines described above.

Please click the link below to join the webinar:

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://sandiego.zoomgov.com/j/1601580850?pwd=TCtEbEdIZjIoTUUFFQ3AvSkROY2NUZz09>

Passcode: eMPmR4

Or One tap mobile:

+16692545252,,1601580850#,,,,*360827# US (San Jose)

+16692161590,,1601580850#,,,,*360827# US (San Jose)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 254 5252 or +1 669 216 1590 or +1 551 285 1373 or +1 646 828 7666 or 833 568 8864 (Toll Free)

Webinar ID: 160 158 0850

Passcode: 360827

International numbers available: <https://sandiego.zoomgov.com/u/aLGp7I48B>

Or an H.323/SIP room system:

H.323: 161.199.138.10 (US West) or 161.199.136.10 (US East)

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Commission on Police Practices

Ad Hoc Transition Planning Committee Meeting

Friday, December 3, 2021
9:30 am-10:30 am
Zoom Webinar Platform

NOTES

Meeting YouTube Link: <https://www.youtube.com/watch?v=K6psFQJ2ITg>

- I. CALL TO ORDER/WELCOME – Committee Chair Doug Case called to order at 9:33am.
- II. ROLL CALL
Commission
Commissioner Patrick Anderson
Committee Chair Doug Case
Commissioner Joe Craver
Commissioner Diana Dent
Chair Brandon Hilpert
Staff Present
Sharmaine Moseley, Interim Executive Director
Alina Conde, Executive Assistant
Present
Kate Yavenditti, Member of Women Occupy Representing San Diegans for Justice
Henry Foster, District 4 Chief of Staff (10:06am)
- III. PUBLIC COMMENT: No public comment received.
- IV. UPDATES
 - A. Budget Process – No current updates.
 - B. Staffing – Administrative Aide has a start date of December 20th.
 - C. Deputy Executive Director/Community Engagement Coordinator Position
 1. Funding Options for Executive Search Services
Purchasing and Contracts has sent over to Sharmaine Moseley a list of firms they have reached out to for the Program Manager position (Chief Officer for the Office of Race Equity Department). The contract includes the scope of work and timeline. It is suggested to appoint a subcommittee to put together a scope of work to get bids. The subcommittee can present it at next week's meeting.
Volunteers: Commissioner Joe Craver and Committee Chair Doug Case.
 - D. Implementation Ordinance & Permanent Standard Operating Procedures
 1. Potential outside counsel to draft the ordinance –
We sent the Memo that was approved at last week's Open Session meeting by the Commission. The Memo was sent to the City Council City Services, Land Use Committee, PS&LN Committee Members, our own legal counsel, Mayor's office, and all City Council Members.
 - E. Office Space – No current updates.
 - F. Standing Rules – No current updates.

- G. Community Outreach – Women Occupy is going to have a Community Forum on January 20th. Commissioner Patrick Anderson will be attending this forum.
- H. Legal Counsel Contract – Status of review of RFP’s for outside counsel. 1st Chair Brandon Hilpert, Committee Chair Doug Case, and Executive Director Sharmaine Moseley have a meeting with Purchasing and Contract Department today, (12/3). Someone from the HRC will also be attending the meeting.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Procedure to implement the requirement for the Commission’s to review and evaluate the Police Department’s compliance with federal, state, and local reporting requirements.

In January we are having the Police Department give a recap of all legislative issues and will cover reporting requirements. 1st Chair Brandon Hilpert will ask the Captain to include a list of all reporting requirements in his presentation to the Commission. Commissioner Patrick Anderson suggested to tie this in with the data collection of the commission because reporting requirements include the compilation of data and the presentation of that data to various agencies. It may help to check with another oversight agency to compare the list with them. There are also community members who can assist in vetting the list. It is important that the data that is released be legible since the Commission will rely on the legibility of this data that is already mandated.

Dr. Joshua Chanin, School of Public Affairs, Email: jchanin@sdsu.edu
https://spa.sdsu.edu/fac_staff/spa_profiles/joshua-chanin

Policy Analyst and Performance Auditor suggested to start the process of hiring for these positions earlier next year. Send emails to the proper channels and ask If you were to put together a list of mandated reporting to various agencies that police departments must do, what is that list to look like? And, what do you wish was on this list (what data)? Commissioner Patrick Anderson will take time to ask these questions. 1ST Chair Brandon Hilpert suggested to put in the budget request to City Council for the next fiscal year to include funds for the executive search charges. Sharmaine will also check to see if there are any savings in place to use these funds as well.

- B. Discussion of New Steps for Ad Hoc Transition Planning Committee

VII. AGENDA ITEMS FOR NEXT MEETING (December 10)

VIII. ADDITIONS TO THE LIST OF ITEMS FOR FUTURE AGENDAS – None

IX. OTHER ITEMS AND/OR CONCERNS – None

X. ADJOURN at 10:14am.

DRAFT
SCOPE OF SERVICES
EXECUTIVE SEARCH FOR DEPUTY EXECUTIVE DIRECTOR
CITY OF SAN DIEGO COMMISSION ON POLICE PRACTICES

A. OVERVIEW

The City of San Diego (City) is seeking an executive recruitment firm to provide recruitment services for the newly created position of Deputy Director of the Commission on Police Practices (Commission). This high-profile executive leadership position will report directly to the Executive Director of the Commission. The City requires the executive recruiter to provide a pool of highly qualified candidates for the Interim Executive Director to select the successful candidate from.

The purpose of the newly established Commission is to provide an independent investigation of officer-involved shootings, in-custody deaths and other significant incidents, and to provide an unbiased evaluation of all complaints against the San Diego Police Department (SDPD) and its personnel, in a process that will be transparent and accountable to the community. The Commission will also evaluate and review SDPD policies, practices, training, and protocols and represent the community in making recommendations for changes. The mission of the Commission is to hold law enforcement accountable to the community and to increase community trust in law enforcement, resulting in increased safety for both the community and law enforcement.

Under the supervision and guidance of the Executive Director, the Deputy Executive Director serves as the chief community engagement officer and coordinates direction and policy decisions in close collaboration with the Commission. The Deputy Executive Director is expected to be a seasoned executive who is comfortable making decisions and stepping in for the Executive Director when necessary and work with diverse communities in San Diego. A detailed job description is attached.

The selection process will be confidential, with no public announcement of candidates an offer has been made and accepted.

B. REQUIREMENTS AND TASKS

The Contractor's recruitment, sourcing and outreach services should seek diverse qualified executive candidates for the Deputy Executive Director of the Commission.

Consultant shall conduct interviews to gather data from key stakeholders to develop a candidate profile that includes qualities of the ideal candidate. This information shall be provided to Human Resources for use in the recruitment flyer. Interviews will include the Interim Executive Director, the Commission's Ad Hoc Transition Planning Committee, and community leaders. The Commission's Community Outreach Chair will organize a forum of community leaders for this purpose.

Consultant shall conduct a national search for the most highly qualified candidates for this position through the following activities using the consultant's professional networking and

databases, personally contacting all potential high-qualified candidates, including both active job seekers and passive candidates who may not be actively job searching.

Consultant shall share a list of all applicants, that meet the minimum requirements, with the City, and from this list prepare a 'short list' of highly qualified candidates recommended to move forward with the interview process. The short list should range from 5-10 highly qualified candidates. In the short list, consultant will provide a detailed summary profile of each candidate proposed for advancement to the interview phase.

Consultant shall provide draft interview questions to the City for use in interviews.

Consultant should describe the method and process for background checks, credential/education verification, and criminal background checks. [Clarify]

The consultant will provide written progress reports and updates as often as determined necessary by the City. The consultant will provide a final written summary of the final candidates if requested by the City.

The consultant and interview candidates are permitted to meet and conduct interviews virtually on Zoom or Microsoft Teams due to the ongoing COVID 19 pandemic. If in-person meetings are an option or requested, the City will comply with all state, county, and local health and safety regulations and orders.

If the chosen candidate for the position separates employment with the City for any reason within the first year of employment, the consultant shall conduct a new recruitment to replace the candidate at no additional cost to City.

C. ROLES AND RESPONSIBILITIES

1. **Consultant's General Roles and Responsibilities**

With respect to all services provided to the Department, Consultant will fulfill the following operational roles and responsibilities:

Consultant shall advise and consult with City staff on all elements of the recruitment and interview process on best practices.

Consultant shall be available for virtual meetings with the Commission's Selection Committee to advise on the recruitment process, advise on the interview process and discuss the highest qualified candidates.

Consultant shall act as primary point of contact between the candidates and the City and organize, **lead**, and schedule candidates for interviews. **[Clarify]**

2. **City's General Roles and Responsibilities**

The department will develop and produce recruitment flyer, with input from consultant relative to key priorities for the position and core competencies. The City will draft and place advertisements with input from consultant. The City will conduct references and background investigations on the top candidates invited to participate in interviews with City. The City will lead the offer negotiations.

EXHIBIT B COMPENSATION AND FEE SCHEDULE

City shall pay Consultant hourly rates for actual work performed in accordance with this Agreement. The maximum compensation amount for all work performed is not to exceed \$24,999.

The fee schedule is as follows:

- Initial 1/3 of fee is due upon contract execution.
- Second 1/3 fee 00 is due upon delivery Recruitment Report.
- Final 1/3 fee is due after Interim Executive Director interviews candidates.

EXHIBIT C TIME SCHEDULE

1. Week 1: Contract with Consultant is executed
2. Week 2 - 3 : Conduct stakeholder engagement.
3. Week 4 - Review and finalize the recruitment flyer
4. Weeks 5 – 9: Recruitment flyer posted on all relevant websites. Active recruitment and application period.
5. Weeks 11-12: Consultant screens applicants for short list for interviews and provides reference list to City on top 5-7 candidates so the City can conduct preliminary and final reference checks
6. Week 13: City and Consultant meet to select candidates to be invited for interviews
7. Week 14: Consultant scheduled interviews
8. Week 15: First round of interviews which will consist of candidates making a presentation to a designated group of 7-10 community leaders who will submit feedback forms to the Selection Committee. (Community leaders required to complete a confidentiality agreement.)
9. Week 16: The Selection Committee (comprised of the Commission Chair, First Vice Chair, Community Outreach Chair and a designated community representative) will

interview the candidates and select the top candidates (rank ordered) to be interviewed by the Interim Executive Director

10. Week 17: Interim Executive Director interviews the final candidates. Conditional offer to selected candidate
11. Week 18 - 19: Background check
12. Week 20-22: Onboarding (start date contingent on candidate's availability)

Attachment: Job Description

**Office of the Commission on Police Practices
Deputy Executive Director
Job Description**

The City:

With more than 1.4 million people, the City of San Diego is the eighth largest city in the United States and the second largest in California. The City of San Diego's strong economy, diverse population, great educational institutions, unsurpassed quality of life, and world-renowned location makes it the ideal place to work, live, and play. With its great weather, miles of sandy beaches, and major attractions, San Diego has something to offer for everyone.

The City's Mission, as found in our Strategic Plan, is "To Effectively Serve and Support Our Communities." Our core values are Integrity, Service, People, and Excellence. The City's Vision is "A World-Class City for All."

As one of the region's largest employers, the City of San Diego has a combined Fiscal Year 2021 operating and capital budget of approximately \$4.0 billion and employs approximately 11,800 highly dedicated employees. Additional information about the City of San Diego can be obtained on the City's website: www.sandiego.gov.

The Department:

The Office of the Commission on Police Practices is a City department that provides staff to support the work of the Commission on Police Practices. City voters established the Commission by their approval of Measure B, on November 3, 2020, which added City Charter section 41.2 and took effect on December 18, 2020. The Commission is an investigatory body of the City, independent of the Mayor and the Police Department, and the Commission must act in conformance with applicable federal, state, and local laws. The Commission has the duties and powers set forth in City Charter section 41.2.

The purpose of the Commission is to provide an independent investigation of officer-involved shootings, in-custody deaths and other significant incidents, and to provide an unbiased evaluation of all complaints against the San Diego Police Department (SDPD) and its personnel, in a process that will be transparent and accountable to the community. The Commission will also evaluate and review SDPD policies, practices, training, and protocols and represent the community in making recommendations for changes. The mission of the Commission is to hold law enforcement accountable to the community and to increase community trust in law enforcement, resulting in increased safety for both the community and law enforcement.

The Position:

Under the supervision and guidance of the Executive Director, the Deputy Executive Director coordinates direction and policy decisions in close collaboration with the Commission on Police Practices. The Deputy Executive Director is expected to be a seasoned executive who is comfortable making decisions and stepping in for the Executive Director when necessary and work with diverse communities in San Diego. The diverse communities may include but not limited to LGBTQ+, mental illness, drug usage, immigrant communities, unhoused, faith, youth, and communities of color.

The Deputy Executive Director will also be responsible for:

- Leading efforts to expand awareness and increase community input that informs and shapes the Commission on Police Practices' (CPP) work and mission
- Establish, build, develop and maintain effective relationships with a wide variety of communities in San Diego, including but not limited to community-based organizations, law enforcement agencies, city officials, staff, and other stakeholders
- Providing inclusive and meaningful ways for all people in the City of San Diego to engage and influence decisions that impact them through the San Diego Police Department
- Working with Commissioners to plan, organize, and facilitate a wide range of community engagement events, activities and forums intended to increase the transparency and accountability of the Commission's work and focused on community building and on improving interactions between community members and law enforcement
- Managing and supervising the Commission's Mediation Coordinator
- Managing and updating the Commission's website to increase transparency
- Representing the Department before a variety of governing bodies with the City, including oversight entities, City Council, and working closely with elected officials, community leaders and representatives to achieve resolution and make decisions
- Representing the Department at various community forums and meetings
- Coordinating meetings, special projects, and events
- Preparing reports & presentations to educate stakeholders about the work of the Commission
- Soliciting input to learn about community experiences with members of the San Diego Police Department to better understand and address concerns
- Performing related duties as assigned

Finally, the Deputy Executive Director will be expected to fulfill the duties of the Executive Director when the Executive Director is absent for any reason, and whenever there is a vacancy in the Executive Director position.

The ideal candidate will have a minimum of three years of experience cultivating and building relationships across diverse community groups, thrive in a team-based work environment, work efficiently under pressure, be able to meet deadlines, outcome-oriented, pro-active and solutions-focused, demonstrate effective decision-making, adaptability, creativity, and have good written and oral communication skills. Additionally, the ideal candidate will have strong experience working with diverse communities and will have identified ways and best practices to engage community members successfully.

Qualifications:

The ideal candidate will possess the following qualifications:

- A demonstrated ability and success in working in a cooperative, collaborative, non-adversarial environment
- 5 years of full-time professional level administrative, managerial, and supervisory experience

- Strong experience and background actively seeking participation from a diverse range of community advocacy groups
- Excellent problem-solving skills, with the ability to proactively identify and support creative and viable solutions
- Strong interpersonal leadership skills with the ability to successfully interact and work with a wide variety of stakeholders that includes community organizations, law enforcement, city officials, and/or boards and commissions
- Experience preparing written reports & making presentations to diverse communities, city officials, boards and commissions, and law enforcement
- High level of political acumen and ability to operate in an unbiased manner
- A Bachelor's degree in the social sciences, including psychology, sociology, political science or a related field (required); a Master's or terminal degree in social sciences (preferred); additionally; conversational fluency in Spanish (preferred); and 5 years of progressively responsible experience in a community engagement setting (preferred)

Compensation:

\$85,238.40 - \$103,043.20 annually

DRAFT City of San Diego Commission on Police Practices Timeline (Tentative)
November 19, 2021 – Version 10.3

Disclaimer: This timeline is for Commission planning purposes only. The timing of certain items (e.g., docketing of City Council actions, meet and confer process, etc.) are beyond the control of the Commission. Additionally, the length of time required for some processes (e.g., hiring and contracting) may take longer than originally anticipated.

November 3, 2020	General Election
November 2020 – June 2021	Community Input on the Implementation Commission Ordinance via Community Roundtables
November 2020 & December 2020	Meetings with All Continuing and Newly Elected Mayor and City Councilmembers
December 3, 2020	Election Results Certified
December 10, 2020	Mayor and City Councilmembers Installed
December 18, 2020	Secretary of State Chapters Measure B, Activating the New Commission
February 10, 2021	Presentation to City Council Public Safety and Livable Neighborhoods Committee (PS&LN)
March 10, 2021	PS&LN Considers Creation of Office of the Commission on Police Practices, Appointment of Interim Executive Director and Adoption of Interim Standard Operating Procedures
March and April 2021	Discussions with Department of Finance on CPP Budget Needs
April 20, 2021	Mayor Releases Budget for Fiscal Year 22 (July 1, 2021 – June 30, 2022)
April 26, 2021	City Council Approves Creation of Office of the Commission on Police Practices, Appointment of Interim Executive Director and Adoption of Interim Standard Operating Procedures
May 11, 2021	Budget Review Hearing on FY22 Budget
June 2021	Hiring of Executive Assistant
June 6, 2021	Civil Service Commission Approves Exempt Managerial Positions
June 14, 2021	City Council Adopts Budget for FY22
June 24, 2021	PS&LN Reviews First Draft Implementation Ordinance
July – October 2021	Obtain and Equip Commission Office Space
September – December 2021	Interim Outside Counsel Contract Bidding and Selection (Original RFP rebid)
December 2021	Hiring of Administrative Aide/Complaints and Finance Coordinator (Offer Extended)
March 2022 – April 2022	Selection and Hiring of Deputy Executive Director/Director of Community Engagement
December 2021 – July 2022	Develop proposed Standard Operating Procedures for Investigations (SOPs)

January 27, 2022	Anticipated date that PS&LN Reviews Second Draft of the Implementation Ordinance
February 2022	(Depends on whether PS&LN refers the second draft of the ordinance for further revision) PS&LN approves the implementation Ordinance and sends to the full Council.
March 2022	City Council Considers the Implementation Ordinance. They May Refer Back to Counsel or Refer for Meet and Confer.
March 2022	Development of FY23 Budget Proposal
May 2022	Budget Review Hearing for FY23 Budget
March 2022 – April 2022	Selection and Hiring of Deputy Executive Director/Director of Community Engagement
May – August 2022	Meet and Confer on the Implementation Ordinance.
May – December 2022	Recruitment and Selection of Permanent Commissioners (Including Independently Conducted Background Checks)
June 2022	Hire Supervising Investigator, Policy Analyst and Performance Auditor
June 2022	City Council Approves FY23 Budget
August – December 2022	Investigation SOPs Reviewed by PS&LN, City Council and Undergo Meet and Confer
September 2022	Hiring of 3 Staff Investigators and Selection of Pool of Contract Investigators (Contingency Basis)
September 2022	Adopt Memorandum of Understanding with SDPD (Including Complaint Processing and Sharing, Sharing of Records, etc.)
September 2022	City Council Adopts Implementation Ordinance (2 Readings Required)
October 2022	Implementation Ordinance Takes Effect; Independent Investigations Initiated
January 2023	City Council Appoints Permanent Commissioners
January – June 2023	National Search and Selection of New Executive Director
August 2023	City Council Appoints Permanent Executive Director
September – November 2023	Mediation Program Procedures Established
December 2023	Hiring of Commission General Counsel
January 2024	Hiring of Mediation Coordinator, Mediation Program Commences