

COMMISSION ON POLICE PRACTICES

ONLINE MEETING AGENDA

Tuesday, June 22, 2021
Zoom Webinar

A quorum of twelve (12) Commissioners is needed to conduct business. If you cannot attend, please email the Executive Director.

CLOSED SESSION MEETING

4:00 p.m. – 5:30 p.m.

Commissioners 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 (2)
- VI. Discipline Reports (0)
- VII. Case Review Team Reports (3)
- 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 SESSION MEETING

6p.m. – 8p.m.

Open to the Public

This meeting is open to the public. Click

<https://sandiego.zoomgov.com/j/1600011851?pwd=ajdlMU9ZW5L0RSVmVzVmRkdW5GZz09> to join/participate in this meeting at its scheduled time. Please see the rules/procedures for submitting public comment at the bottom of the agenda.

This meeting will be posted on YouTube the day after the meeting adjourns and can be accessed by clicking [HERE](#).

- I. CALL TO ORDER/WELCOME (Chair Brandon Hilpert)
- II. PURPOSE OF THE COMMISSION ON POLICE PRACTICES (CPP)
- III. ROLL CALL (Interim Executive Director Sharmaine Moseley)

- IV. APPROVAL OF MEETING MINUTES
 - A. MINUTES FROM CPP OPEN MEETING ON MAY 25, 2021

- V. NON-AGENDA PUBLIC COMMENT: (Fill out and submit comment using [webform](#). Please see instructions at the end of this agenda)

- VI. UNFINISHED BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)
 - A. Commission Closed Meetings (July Dates and Times)

 - B. Case Review
 - i. Feedback on Prioritization of Case Reviews, Workflow, Staffing
 - ii. Status of Discipline Cases
 - iii. Feedback on Remote Case Access (Google Drive)
 - iv. Feedback on New Case Presentation Format
 - v. Status of Case Summaries
 - vi. IA Office Hours/Schedule

 - B. Work Plan (Draft) – Updates Needed from Recruitment Committee Chair, Continuing Education Chair, and Policy Committee Chair

- VII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)
 - A. Options for CPP Outside Counsel Contract/Hiring Permanent General Counsel (**Potential Action Item**)

 - B. New Requirement to File Statement of Interest Form 700- Due on July 15th

 - C. Approval of Draft Memo of Concern Regarding Officers Failing to Activate Body Worn Cameras

 - D. Draft Implementation Ordinance (Action Item)

Link to Public Safety & Livable Neighborhoods Committee Agendas
<https://www.sandiego.gov/council-committees/public-safety-livable-neighborhoods-committee>

- VIII. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)
 - A. Continuing Education Committee (Nancy Vaughn)
 - List of Upcoming Educational Topics
 - i. Presentation on Blue Team and Documentation Used by SDPD
 - ii. Presentation on Restraining Orders
 - Release of Center for Policing Equity & SDPD Police Data Study

 - B. Outreach Committee (Patrick Anderson)
 - i. Past Events/Virtual Meetings/Roundtable Discussions
 - ii. Upcoming Events/Outreach Opportunities

- C. Rules Committee (1st Vice Chair Doug Case)
 - i. Status of Streamlining Case Reports (trial)
- D. CPP Handbook Committee (1st Vice Chair Doug Case)
 - i. Update – On Hold
- E. Policy Committee (Chair Brandon Hilpert)
 - ii. Status on Items being Considered by Committee
 - iii. Schedule Next Policy Committee Meeting
- F. Recruitment & Training Committee (Kevin Herington)
 - Update
- G. Citizens Advisory Board on Police Community Relations (Chair Hilpert)
 - Update – June 21, 2021 Meeting
- H. Ad Hoc Transition Planning Committee (1st VC Doug Case)
 - i. Budget Update
 - ii. Staffing Update
 - iv. Draft Implementation Ordinance & Standard Operating Procedures Update
 - v. Office Space Update
- IX. CHAIR’S REPORT (Chair Brandon Hilpert)
 - A. Reminder-4th Quarter (April 1st – June 30th) Volunteer Hours Report -All Commissioners log hours in for reporting purposes
 - B. Reminder – Requirement for Commissioner Committee Assignments
 - C. Quarterly Meeting with SDPD Chief & IA Staff
 - D. Other Items/Reminders
- X. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
 - A. Caseload Update & Status of Case Reports
 - B. 2021 NACOLE Conference Update
 - C. Other Items/Reminders
- XI. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Chris McGrath)
 - A. Status on CPP Recommendations to SDPD
 - i. Protest Policy
 - ii. BWC Usage in Secure Facilities
 - iii. Warnings Prior to OC Usage
 - iv. Time Limits in Maximum Restraints
 - v. Seatbelt Usage during Transportation
 - vi. Observation of Detainees in Sally Port
 - B. Updates (Staffing in IA, Training, etc.)

XII. COMMISSIONER RIDE-ALONG REPORTS: On Hold Due to COVID

XIII. COMMISSIONER ANNOUNCEMENTS/COMMENTS


XIV. ADJOURNMENT

Materials Provided:

- Minutes from Open Session Meeting on May 25, 2021 (DRAFT)
- CPP Work Plan (DRAFT)
- Memo of Concern Regarding Officers Failing to Activate Body Worn Cameras (DRAFT)

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.

Joining the webinar as an attendee:

Please click the link below to join the webinar from a PC, Mac, iPad, iPhone or Android device:

<https://sandiego.zoomgov.com/j/1600011851?pwd=aJlMUV9ZWHN5L0RSVmlvZmVzVmRkdW5GZz09>

Passcode: x1MvWx

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 +1 646 828 7666 or +1 551 285 1373 or 833 568 8864 (Toll Free)

Webinar ID: 160 001 1851

Passcode: 836551

International numbers available: <https://sandiego.zoomgov.com/u/as8DsWzqE>
Or an H.323/SIP room system:

H.323: 161.199.138.10 (US West) or 161.199.136.10 (US East)
Webinar ID: 160 001 1851

Passcode: 836551

SIP: 1600011851@sip.zoomgov.com

Passcode: 836551

OPEN SESSION MEETING MINUTES

**Tuesday, May 25, 2021
6 p.m. – 8 p.m.
Via Zoom Webinar**

Click <https://www.youtube.com/watch?v=Hw4WyZmgvT8> to view this meeting on YouTube.

Commissioners Present:

Brandon Hilpert, Chair
Doug Case, 1st Vice Chair
Poppy Fitch, 2nd Vice Chair (arrival 6:05)
Patrick Anderson
Maxine Clark
Joe Craver
Andrea Dauber-Griffin

Diana Dent
Sheila Holtrop
Kevin Herington (left 7:02)
Steve Hsieh
Ernestine Neely
Nancy Vaughn

Commissioners Absent:

Michael Chan
Chris Pink
Ernestine Smith
Robin Spruce
Duke Taylor
Marty Workman

Staff Present:

Sharmaine Moseley, Interim Executive Director

San Diego Police Department (SDPD) Staff Present:

Chris McGrath, Executive Assistant Chief
Anthony Dupree, Captain, Internal Affairs
Steve Shebloski, Lieutenant, Internal Affairs

-
- I. CALL TO ORDER/WELCOME: Chair Brandon Hilpert called the meeting to order at 6:01 p.m.
 - II. ANNOUNCEMENT ON PURPOSE OF THE COMMISSION
Chair Brandon Hilpert explained that the purpose of the Commission on Police Practices (CPP) is to provide an independent investigation of officer-involved shootings, in-custody deaths, and an unbiased evaluation of all complaints against the police department and its personnel in a process that will be transparent and accountable to the community. The Commission will also

evaluate the review of all SDPD policies, practices, trainings, 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.

Commissioner Patrick Anderson stated that the purpose of the commission read by the Chair was incorrect. **Please note that after the meeting, the Chair and Executive Director confirmed that the purpose read at this meeting was the correct version.**

III. ROLL CALL: Interim Executive Director Sharmaine Moseley conducted the roll call.

IV. GUEST SPEAKER: "Greetings from Mayor Todd Gloria" – Mayor Gloria expressed his appreciation and thanks to the Commission for the work that they do to make the City a better place. He provided remarks to the Commission regarding the increased responsibility of the Commission and his proposal in the budget of 1.3mil to fund and staff the Commission. He reiterated his support of the work of the Commission and the importance of quickly staffing the Commission. His objective is to have the best police department in the United States of America. He will raise the bar for police officers to meet the needs of the community. He already started raising the bar by making 11 recommendations for reform one of which has already been implemented. There are many more recommendations that need to be done.

V. APPROVAL OF MEETING MINUTES

A. MINUTES FROM CPP OPEN MEETING ON MARCH 23, 2021

The Commissioners reviewed the minutes. Commissioner Diana Dent moved for the Commission to approve its March 23, 2021 Open meeting minutes. Commissioner Joe Craver seconded the motion.

The motion passed with a vote of 12-0-1.

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Commissioners- Anderson, Clark, Craver, Dauber-Griffin, Dent, Herington, Holtrop, Hsieh, Neely, Vaughn,

Nays: None

Abstained: Chair Hilpert

Absent: Chan, Pink, Smith, Spruce, Taylor, and Workman

B. MINUTES FROM CPP OPEN MEETING ON APRIL 27, 2021

The Commissioners reviewed the minutes. Commissioner Diana Dent moved for the Commission to approve its April 27, 2021 Open meeting minutes. Commissioner Joe Craver seconded the motion.

The motion passed with a vote of 11-0-2.

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Commissioners- Anderson, Clark, Craver, Dauber-Griffin, Dent, Herington, Holtrop, Hsieh, Neely, and Vaughn

Nays: None

Abstained: Chair Hilpert

Absent: Chan, Pink, Smith, Spruce, Taylor, and Workman

VI. **NON-AGENDA PUBLIC COMMENT:** (Fill out and submit comment using webform. Please see instructions at the end of this agenda)

- Greg Daunoras congratulated Executive Assistant Chief Chris McGrath on his promotion and trust that he will do a great job.
- Evie Kosower Mayor talk before this meeting added to the confusion of the community including herself because he mentioned working with the Commission for the next 8 years as if you are the new Commission. You give that impression because you get called Commissioner and not interim Commissioner every time. There is very little mention of interim even in the minutes. The community really does not know that you are not the new Commission. I don't understand why that is not made clearer and why it is put off in timing for another year. That is ridiculous. That should have been happening immediately after some community input for who the people were to choose the CEO for the whole thing to get started. It has just been put on hold and creating a lot of hassle and confusion in the community. I don't know how you are going to get that straightened up unless you yourselves take that on.

VII. **UNFINISHED BUSINESS (DISCUSSION/ACTION)** (Chair Brandon Hilpert)

A. **Commission Closed Meetings (June Dates and Times)** -There is still a backlog of case to go over. The Chair will send out a doodle poll to the Commissioners for the month of June.

B. **Case Review**

- i. **Feedback on Prioritization of Case Reviews, Workflow, Staffing** – Prioritizing cases that have sustained findings first.
- ii. **Status of Discipline Cases** – Working with IA to make sure disciplines are completed and evaluated by the Teams.
- iii. **Feedback on Remote Case Access (Google Drive)** – Commissioners can review cases remotely or in internal affairs
- iv. **Feedback on New Case Presentation Format** – Commissioners Patrick Anderson and Nancy Vaughn provided feedback. Also, Commissioner Anderson asked Commissioners to reach out to him if they need help with accessing the audio files. Recommended that IA save the audio files using the same format.

- v. IA Office Hours/Schedule – Reminder to email Det. Amado for case review in IA during the weekend.

VIII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)

A. Approval of CPP Proposed Transition Timeline (**Action Item**)

Public Comment: Kate Yavenditti commented that she does not understand why interim Commission needs to adopt this timeline. She thought it was just a working document that changes weekly. The community is upset with how slow everything is and hopes that things are pushed up. Adopting the timeline makes it sound like it's stuck. Her concern is that once something is adopted it can't be changed. What is the purpose? I work with the Transition Committee every week, so I understand where it came from and I'm not disputing what is in it. But I don't think it is a good idea to adopt it because it sounds unchangeable.

The Commissioners reviewed and discussed the proposed timeline. Commissioner Joe Craver moved for the Commission to endorse the proposed CPP transition timeline. Commissioner Nancy Vaughn seconded the motion.

The motion passed with a vote of 11-1-1.

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Commissioners- Clark, Craver, Dauber-Griffin, Dent, Herington, Holtrop, Hsieh, Neely, and Vaughn

Nays: Anderson

Abstained: Chair Hilpert

Absent: Chan, Pink, Smith, Spruce, Taylor, and Workman

B. Approval of Proposed Selection Process for Permanent Executive Director (**Action Item**)

The Commissioners discussed the proposed selection process for the permanent Executive Director. 1st Vice Chair Doug Case moved for the Commission to recommend that the implementation ordinance state that the selection of the Executive Director be made by the Commission and appointed by the City Council. Commissioner Joe Craver seconded the motion.

The motion passed with a vote of 12-0-1.

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Commissioners- Anderson, Clark, Craver, Dauber-Griffin, Dent, Herington, Holtrop, Hsieh, Neely, and Vaughn

Nays: None

Abstained: Chair Hilpert

Absent: Chan, Pink, Smith, Spruce, Taylor, and Workman

- C. Approval of Proposed Procedure for Handling Disagreements Over Findings Between CPP & SDPD (**Potential Action Item**)
The CPP's Transition Planning Committee decided not to pursue this topic as an action item due to the advice from outside counsel.

Public Comment: Kat commented that she is happy to hear that the Commission will not deliberate on this item. She reiterated that as the Commission heard from Council that the public demanded that the CPP is the entity to hold the police accountable, to investigate critical incidents and complaints and to be sure that the police follow policy and that policies are fair and appropriate. The Commission is independent and there is no need for anyone else to decide whether the CPP finding is right when the CPP disagree with IA. The Commission decides whether SDPD is right. The Commission is the end of that road. The CPP should command the SDPD to make the proper finding just like the Mayor did before. Your Commission serves over the SDPD and occupies this role in place of the Mayor. The Mayor and the Chief must adopt your findings. You must also determine what happens next. What officers or the department should be disciplined by firings, canceling of pensions, etc. Those are the things we need to happen for accountability. If the CPP decides how policy should be changed but not how discipline should be handled, then how do we accomplish accountability and how do we rid ourselves of bad cops and bad policing. Most importantly, how do we achieve trust between police and community.

IX. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Nancy Vaughn)
- i. List of Upcoming Educational Topics – Presentation on restraining orders at a future meeting of the Commission
- B. Outreach Committee (Patrick Anderson)
- i. Past Events/Virtual Meetings/Roundtable Discussions – Participated and presented at several events/forums (Tom Holmann LGBT Law Foundation, Raza Legal, Pan Asian Legal, Earl B. Gilliam Bar Association, San Diego Asian American for Equality)
 - ii. Upcoming Events/Outreach Opportunities – Potentially host a bystander training and provide a presentation for the reentry community
- C. Rules Committee (1st Vice Chair Doug Case)
- i. Streamlining Case Reports (trial) – Due to the workload of the Commission, the case reports will be streamlined on a trial basis. It will look like an audit report with more detail. Commissioners Case, Herington and Vaughn will streamline the first case and get feedback from the Commissioners.

- ii. Presence of Police Representatives during CPP Deliberations – It was reported that there was no consensus at the Rules Committee meeting to change how the Commission have been operating since January.
- D. CPP Handbook Committee (1st Vice Chair Doug Case)
 - i. Update – On Hold
 - E. Policy Committee (Chair Brandon Hilpert)
 - i. Status on Items being Considered Committee – It was reported that the Chair and interim Executive Director received a preliminary response from SDPD regarding the recommendations to the protest policy.
 - ii. Schedule Next Policy Committee Meeting – A doodle poll will be sent to the Committee members to schedule the next meeting.
 - F. Recruitment & Training Committee (Kevin Herington)
 - i. Update – It was reported that the new Commissioners received training (like Inside SDPD) on use of force, detentions, and firearm simulation.
 - G. Citizens Advisory Board on Police Community Relations (Chair Hilpert)
 - Update – May 17, 2021 Meeting (Cancelled)
 - H. Ad Hoc Transition Planning Committee (1st VC Doug Case)
 - i. Budget Update – It was reported that on May 11th, the Commission presented at the Council’s budget hearing. Last week, the Council held a presentation on the Mayor’s Revised Budget. The Commission received everything they requested. The City Council will adopt the budget on June 14th.
 - ii. Staffing Update -It was reported that the Commission is in the process of hiring an Executive Assistant and Administrative Aide II.
 - iii. Implementation Ordinance & Standard Operating Procedures Update It was reported that PS&LN will hold a special meeting on June 24th regarding the ordinance. The Commission is not sure when they will see the draft. The Transition Committee will draft the standard operating procedures.
 - iv. Office Space Update – It was reported that Commission leadership met with Real Estate Assets to discuss staffing needs for the Commission.
- X. CHAIR’S REPORT (Chair Brandon Hilpert)
 - A. Reminder-4th Quarter (April 1st – June 30th) Volunteer Hours Report -All Commissioners log hours in for reporting purposes
 - B. Commission Committee Assignments – Reminder that Commissioners should be on at least one subcommittee. There can only be 7 Commissioners per Committee.
 - C. Work Plan (Draft) – Chair Hilpert will reach out to the Committee Chairs to get the plan updated. We need section updates from the Chairs of the Policy Committee, Recruitment & Training Committee, and Continuing Education Committee

D. Other Items/Reminders – N/A

XI. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley)

A. Caseload Update & Status of Case Reports

It was reported that prior to tonight's meeting, 63 cases were assigned to the Teams. This number continues to fluctuate from high 50's to high 60's. Of the 63 active cases, 3 Category I cases and 1 Category II case were deliberated on and closed out earlier tonight at the closed meeting. The Commission now has 59 active cases. Of the 59 active cases assigned to the team's, 21 cases have sustained findings. In this fiscal year, the Commission closed out 112 Category I cases and audited 34 Category II cases.

The statistics for the Team assignments are as follows:

Team 1 – 14 cases assigned to the Team. Of the 14 cases, 3 cases were on the Closed Meeting agenda, 4 were Category II cases, and 2 cases have sustained findings.

Team 2 – 7 cases assigned to the Team. Of the 7 cases, 2 are Category II cases—one of which was on the Closed Meeting agenda earlier tonight. One case was sent back to the Team for revisions. The Team has no OIS or ICD cases and zero disciplines to evaluate.

Team 3 – 5 cases assigned to the Team. Of the 5 cases, 3 cases have sustained findings and 1 case is an OIS. The Team has zero OIS cases and 1 discipline to evaluate.

Team 4 – 13 cases assigned to the Team. Of the 13 cases, 3 are Category II cases, 5 cases have sustained findings, and the Team has 1 shooting review board report to evaluate. The Team does not have any OIS/ICD cases.

Team 5 – Team 5 is actively reviewing case again. The Team has 5 assigned cases. The Team has 1 case with sustained findings that is due by June 10. Of the 5 active cases, 1 is a Category II. The Team has no OIS/ICD cases, 1 shooting review board report and 1 discipline to evaluate.

Team 6 – 14 cases are assigned to this team. Of the 14 cases, 6 cases have sustained findings and 4 cases are Category II cases. The team does not have any OIS and ICD cases. The team has 2 disciplines to evaluate.

Team 7 – 5 cases assigned to the Team. Of the 5 cases, 3 cases have sustained findings, 3 cases passed the 1-year deadline, and 1 case is a Category II case. This is a training team led by the Chair.

B. Feedback on Work Accounts – Commissioners were given an opportunity to slowly transition to sandiego.gov new account for Commission business. Commissioners were asked to check their city accounts for emails and invitations for meetings.

- C. Administrative Support– CPP intern completed her internship and are now going through the process of hiring an Executive Assistant & an Admin Aide II. Interviews for the Executive Assistant position were held, and that process is being finalized. The Commission received a list of 429 applicants for the Admin Aide position.
 - D. 2021 NACOLE Conference Update –This year the NACOLE Conference will take place virtually and in person. The first conference will be virtual from August 16th – October 7th. The second conference will be a smaller in-person conference scheduled for December 13th -16th in Tucson, Arizona. A final schedule will be released on May 19th.
 - E. Other Items/Reminders - N/A
- XII. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Chris McGrath)
- A. Status on CPP Recommendations to SDPD
 - i. Protest Policy
 - ii. BWC Usage in Secure Facilities
 - iii. Warnings Prior to OC Usage
 - iv. Time Limits in Maximum Restraints
 - v. Seatbelt Usage during Transportation
 - vi. Observation of Detainees in Sally Port
 - B. Updates (Staffing in IA, Training, etc.) – Chief McGrath reported that Captain Mike Holden and Lt. Corissa Pich were reassigned to enhance their careers. Captain Anthony Dupree is now overseeing Internal Affairs. Also, Lt. Dan Sayasane will be joining Internal Affairs. Chief McGrath also reported that his first day was officially yesterday. He was briefed by Captain Jeff Jordan to develop responses to the Commission’s recommendations. He fully expected the Commission’s response that the department can do better. He requested that the Commission Give them the opportunity for the Commission to review the report with the responses and continue the conversation. They are still working on the additional recommendations from the Commission.
- XIII. COMMISSIONER RIDE-ALONG REPORTS: On Hold Due to COVID. The Commission cabinet will look into seeing when the Commissioners will be allowed to participate in ride-alongs again.
- XIV. COMMISSIONER ANNOUNCEMENTS/COMMENTS - Commissioner Holtrop recommended that the Commission Cabinet follow-up with the status of the Commissioners being allowed to do sit-alongs in the SDPD’s Communication’s department.
- XV. ADJOURNMENT: The meeting adjourned at 7:51pm.

Commission on Police Practices Work Plan FY2021-FY2022

General CPP Work/Executive Director/Chair/Executive Cabinet

Task/Issue	Process	Completion Goal
Chair and/or Cabinet weekly meetings with the Executive Director		Ongoing
Quarterly meetings with SDPD (IA Captain and Executive Assistant Chief)		Ongoing
Annual meeting with the Chair, Executive Director and the Chief		
Annual meeting with the Chair, Executive Director and President of the POA		
Reinstitute annual luncheon with Chair, Executive Director, Past Chairs, Past Executive Directors, SDPD Chief and Executive Assistant Chief		When COVID allows
Quarterly meeting with Chair, Executive Director and Director of Boards & Commissions and as needed This is in addition to the bi-weekly meetings with the Director of Office of Boards & Commissions and the Executive Director.		Ongoing
Quarterly meetings with Chairs of the CPP, Citizens Advisory Board on Police/Community Relations, and Commission on Gang Prevention and Intervention		Ongoing
Annual election of officers	Nominating Committee to be elected at the April 2020 meeting	June 20 Open Meeting
Appointment of CRB members to Commission by City Council	City Council Confirmation	Completed Dec. 2020
Appointment of New Commissioners by City Council	Approval of Implementation Ordinance	January 2022
Recognition awards for Former CRB Members	Executive Director to request Admin Asst. to prepare the awards	TBD
Swearing-in of New Commissioners	Approval of Implementation Ordinance & City Council Selection and Confirmation	TBD
NACOLE Virtual Conference (July 20, 2020-September 23, 2020)	Open to CRB Members	Completed Sept. 2020
NACOLE Virtual Conference (August 16, 2021-October 7, 2021)	Open to Commissioners	Pending
NACOLE In-Person Conference -Tucson, AZ (December 13, 2021-December 16, 2021)	Decision on Attendance	Pending
Create Ad Hoc Transition Planning Committee	CRB Open Meeting	Completed Aug. 2020
Train Staff & Transition CRB to MS Teams/Zoom Platforms for Meetings	Practice meetings beginning June 2020	Completed
Update the Work Plan monthly	To be done monthly	Ongoing
Presentations to City Council's Public Safety and Livable Neighborhoods (PS&LN) Committee	April and November of each year	Ongoing
Chair to Meet Individually twice a year with members of the PS&LN Committee		TBD

Commission on Police Practices Work Plan FY2021-FY2022

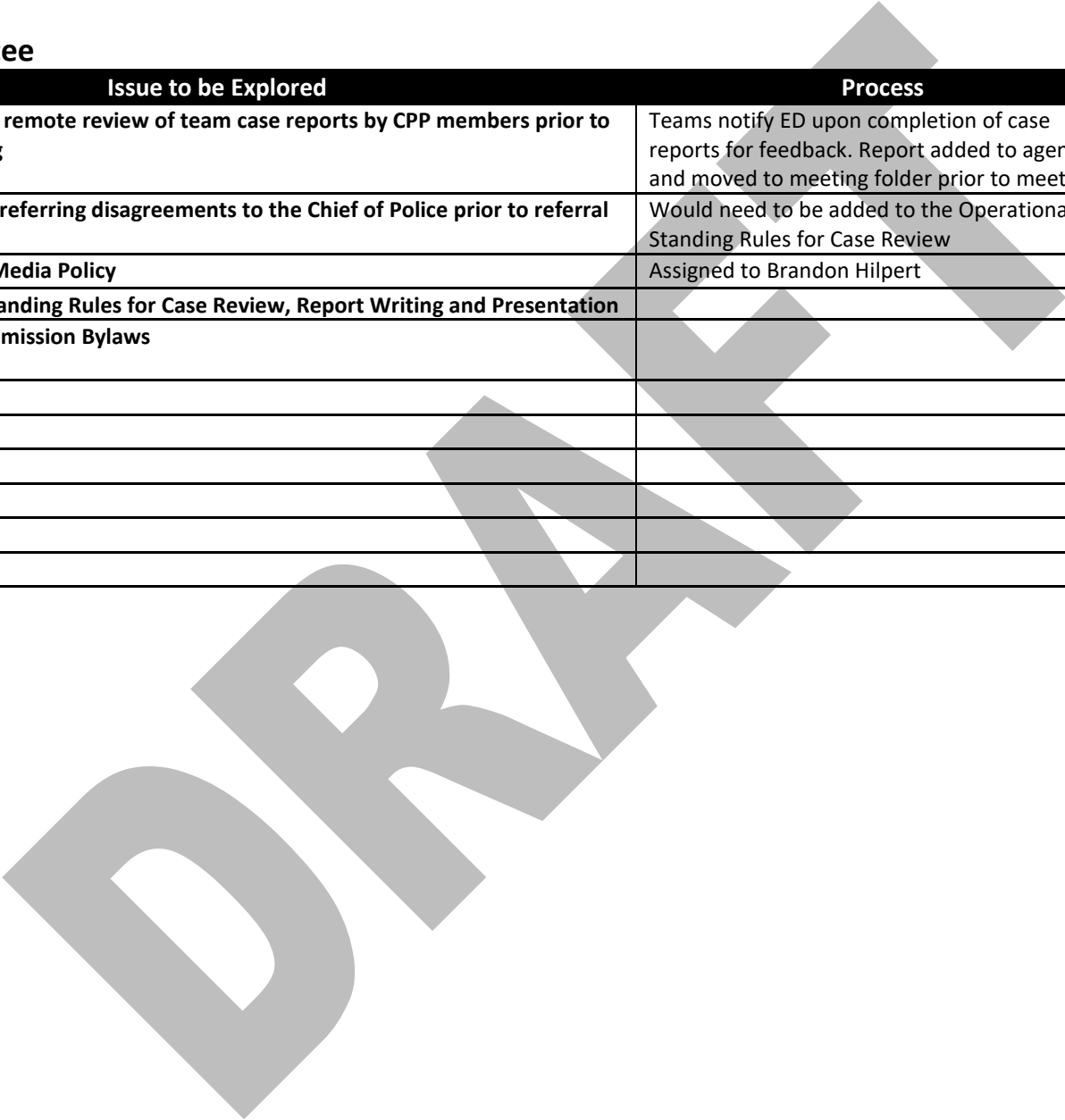
Strategic Planning CPP Retreat	Proposed retreat once large groups can be assembled	TBD
Plan two social events per year (holiday party and another event)	Pending large group prohibitions being eased	TBD
Conduct training for new graduates from the Police Academy	Presentations to New Officers Chair and 1 st Vice presented to Academy	Ongoing Completed Oct. 2, 2020
Organize annual relationship building session with CPP and IA staff to help each group to fully understand each other's roles and responsibilities		
Debriefing with Chair, Executive Director and IA Captain after each closed meeting		Ongoing
Annual meetings with Chair and Executive Director individually with each team to share and receive feedback		Ongoing
Quarterly Team Leader Meetings	Discuss issues, concerns, upcoming training, etc.	Ongoing
Monthly Executive Committee meetings	One week before Open Meeting	Ongoing

DRAFT

Commission on Police Practices Work Plan FY2021-FY2022

Rules Committee

Issue to be Explored	Process	Completion Goal
Study possibility of remote review of team case reports by CPP members prior to the Closed Meeting	Teams notify ED upon completion of case reports for feedback. Report added to agenda and moved to meeting folder prior to meeting	Completed
Consider option of referring disagreements to the Chief of Police prior to referral to the Mayor	Would need to be added to the Operational Standing Rules for Case Review	Completed
Creation of Social Media Policy	Assigned to Brandon Hilpert	In process
Develop Interim Standing Rules for Case Review, Report Writing and Presentation		TBD
Adopt Interim Commission Bylaws		Completed January 2021



Commission on Police Practices Work Plan FY2021-FY2022

Policy Committee

Issue to be Explored	Process	Completion Goal
Procedure & Guideline for SDPD Complaint Intake		
Development of Third-Party Mediation for Certain Complaints	Nancy is utilizing learnings from NACOLE and will present to Board best practices for mediation opportunities	On Hold pending Measure B vote
Best Practices Research for LE Investigations Involving Discrimination Allegations	Patrick is conducting research from agencies nationwide and will present to the Board for review and recommendations.	March 2020
Ensure that CRB receive a written reply within 60 days from SDPD regarding all policy recommendations		Ongoing
Procedure & Statistics for Internal Affairs Tolling of Cases	Received a detailed description of tolled cases from IA in May-July 2019. Cases are tolled for various reasons including pending legal cases. CRB is working to clarify and note in case reports the circumstances and reasons for any case being delayed/tolled.	Completed Summer 2019
Complaint Process Guide Card Issued to All Sworn Personnel	Taura has a card proposed and will be presenting to Policy for a formal recommendation to be made to the full Board.	January 2020
SDPD Protest Policy	Recommendation for SDPD to create an official protest policy.	Completed
	CPP Policy Committee Roundtable Discussion on SDPD's New Protest Policy (3/18/2021)	Completed
	Draft Memo to Chief Re: Recommendations to Protest Policy	Completed
Use of Force and Juveniles		

Commission on Police Practices Work Plan FY2021-FY2022

Community Outreach Committee

What	Intention of Outreach	When	Who	Completion Goal
Community Town Hall and SDPD Captain's Advisory Board Meetings, other SDPD events and community events	Attend City Council District Town Halls and SDPD CAB Meetings to inform attendees about CRB. Clarify CRB Purpose, Complaint process, and seek Board membership applicants. Recruit Board volunteers to identify opportunities within each city district/division.	Varies	Community Outreach Committee Members or Board members	Partially completed May 2019: volunteers for reach out completed, not all results back.
Community Roundtable #1	Development of the CPP	11/30/2020	Commissioner Anderson	Completed
Community Roundtable #2	Development of the CPP	12/17/2020	Commissioner Anderson	Completed
Community Roundtable #3	Development of the CPP	1/11/2021	Commissioner Anderson	Completed
Community Roundtable #4	Measure B Transition	1/30/2021	Commissioner Anderson	Completed
Community Roundtable #5	Feedback on Transition Process	3/11/2021	Commissioner Anderson	Completed
San Diego Asian Americans for Equality Hate Crime Webinar		3/27/2021	Commissioner Hsieh	Completed
St. Petersburg Community Oversight	Discussion of SD Model of Oversight	4/2021	Commissioner Fitch	Completed
Women's March San Diego	Measure B Transition	1/23/2021	Commissioner Anderson	Completed
Carmel Valley Dems Club	Measure B Transition	3/23/2021	Commissioner Anderson	Completed
Youth Council, Mid-City CAN	Accountability & Transparency	4/7/2021	Commissioner Anderson	Completed
California Innocence Project	Measure B Transition	2/11/2021	Commissioner Anderson	Completed
Tom Homann LGBT Law Association, Earl B. Gilliam Bar Association, La Raza Lawyers Association Roundtable on the Future of Policing	Measure B Transition	5/21/2021	Commissioner Anderson	Completed

Issue to be Explored	Process	Completion Goal
Consider if CRB should host quarterly Community Informational Meetings	Review with Outreach Committee	January 2020 On Hold pending COVID-19

Commission on Police Practices Work Plan FY2021-FY2022

Utilize press releases, CRB web-site and social media for recruitment, awareness of CRB and process for complaints	Ask for an Outreach Committee member to work with Communications Department	Ongoing
Have CRB members give talks at police line-ups	Draft script. Review and secure buy-in from Department leadership. Set schedule.	FY 2020 On Hold pending COVID-19
Develop a plan for outreach to youth	Recruit volunteer from Board Outreach Committee to develop plan	July 2019; (Completed June 2019)
Develop a comprehensive list of events or activities where CRB is currently and/or should be represented	Community Outreach Committee to meet and develop. Upcoming events are available on the website. Monthly reports of the Outreach Chair will include a list of opportunities available in the upcoming month.	Completed (current); work with Committee to determine if additional opportunities are warranted.
Require that each CRB member attend at least 2 community outreach events per year	Establish a protocol for shirts and materials. Need to record participation via MyVolunteerPage (add a subcategory)	
Purchase CPP banner for use at events		

DRAFT

Commission on Police Practices Work Plan FY2021-FY2022

Recruitment & Training Committee

Issue to be Explored	Process	Completion Goal
Informational Session on CRB		Completed 7/15/2020
Training on Overview of CRB, Case Review Process, Principles of Oversight, Board Decorum & Etiquette, and Expectations	Virtual	Completed
Tour of SDPD Headquarters, Communications and Information on BWC, Meeting with the Chief for New Commissioners	Held at SDPD HQ	On Hold
Training on Case Review, Report Preparation & Internal Affairs Procedures		Completed 12/21/2020
Training on IA Overview & Process, Ride-Alongs, SDPD Policies & Procedures	Virtual	Completed 1/14/2021
Training Presentation by Community Organizations	(Include bus tour)	Ongoing
Training Component #6: Parliamentary Procedures, CRB Bylaws, etc.	Held in CRB Conference Room	Completed for current members
Academy Training on Detentions, Stops, Probable Cause, Laws of Arrest	Virtual	Completed 4/8/2021
Academy Training on Use of Force, Use of BWCs, Laws of Arrest, FATS Simulator	Held at Police Plaza	Completed 4/10/2021
Recruit New Members – including representation from each City Council district	Work with Outreach team and Executive Director to create a more comprehensive recruiting plan, including referrals from City Council offices.	Ongoing
Conduct Interviews with prospective members (revise interview questions), Explore possibility of having community representatives and/or City Council PS&LN consultant as non-voting members of the panel. Add 2 letters of reference to the application.	Ongoing	Ongoing
In addition to SDPD criminal background check, include research by CRB on candidate's roles in their community.		Ongoing
Implementation Process for the CRB Training Academy		May 2019
Develop a system of merit review and evaluation of CPP members		Ongoing
Coordinate with LEAD San Diego training to let participants know about the CRB	Include Boards	Ongoing
Develop talking points to be used in recruiting new members (benefits of being a member, etc.)		Ongoing

Commission on Police Practices Work Plan FY2021-FY2022

Continuing Education Committee

Issue to be Explored	Process	Completion Goal
Plan a one-day conference of police oversight agencies in Southern California	Coordinate with NACOLE	FY 2020-21
Plan a one-day training for the CPP similar to training for new IA investigators	(Invite CLERB and National City Review Board)	TBD
Develop training modules to include overview of key SDPD policies & procedures, cultural competency training, and trauma-informed care		Ongoing

Monthly Training Presentations	When	Who
Presentation on Blue Team & Documentation Used by SDPD		
Presentation on Restraining Orders		
Diversity, Sensitivity, and Bias Training Presented to Law Enforcement Agencies	August 27, 2019	Anti-Defamation League -Matthew Wagner
Training on how to review canine bite cases		
Know Your Rights Community vs. Know Your Rights SDPD	July 23, 2019	Daniel Orth and Lt. Ernesto Servin
SDPD Southeastern Division Juvenile Services Team	June 25, 2019	Sgt. Harold Oliver and his Team
Communications Dispatch Training		
SDPD Mid-City Division Community Relations Officers	May 28, 2019	Danny Medina, Terry Hoskins, Jenny Hall
Training on Case Review and Presentation Procedures	Ongoing	
BWC Training		
Visit Museum of Tolerance	April 2019	Nancy Vaughn
Training on Effective Investigations	April 2019	
SDPD Wellness Unit and Resources	April 23, 2019	Sgt. Edwin Garrette
Presentation on Police Perjury (Cancelled)	March 26, 2019	Chuck Sevilla
Neighborhood Policing Unit	February 26, 2019	Captain Scott Wahl
SDPD WRAP Max Restraint Demonstration and Discussion	January 2019	Captain Alberto Leos & Training Team
SDPD Ride-Along Protocol	November 2018	Detective Andrea Amado
Chief's Response to the CRB Recommendations Regarding Carotid Restraint & De-escalation Policy	October 2018	Chief David Nisleit
SDPD Policy and Procedures Training	September 2018	Taura Gentry (newly designed course for CRB Members Only)
Outside Counsel Refresher on The Brown Act	September 2018	Christina Cameron
Update from Mayor's Office	July 2018	Dr. Joel Day- Dir, Office of Boards & Commissions

Commission on Police Practices Work Plan FY2021-FY2022

DRAFT

Commission on Police Practices Work Plan FY2021-FY2022

CRB Handbook Committee (Ad Hoc)

Issue to be Explored	Process	Completion Goal
Reduce the size of the CRB Red Binder	Review table of contents and contents- Decide what can go online, what remains in the binder, updates, etc. Will be ready for the October 30, 2019 CRB Academy Training. Will also be made available on CRB tablets	Completed
Make CRB Training Resources Available Online	Put the contents of the CRB Handbook plus additional digital resources (legal opinions, etc.) available on the CPP's Website	Completion goal moved from June 2020 to November 2020 due to COVID.

DRAFT

Commission on Police Practices Work Plan FY2021-FY2022

Transition Planning Committee (Ad Hoc)

Issue to be Explored	Process	Completion Goal
Interim Standard Operating Procedures, Appointment of Interim ED, & Direct City Attorney to Create the Office of the Commission on Police Practices	CPP Special Meeting to Discuss & Approve Memo for PS&LN Committee	February 2, 2021
	PS&LN Meeting on 2/10/2021 - Presentation	February 10, 2021
	Meet and Confer with POA on Interim Operating Procedures	March 5, 2021
	PS&LN Meeting on 3/10/2021 - Approval City Council Approval	March 10, 2021 April 26, 2021
Propose budget, staff, etc.	Develop preliminary budget needs	January 2020
	Consult with City Finance and HR Departments	March – April 2021
	Finalize budget proposal for FY22	April 26, 2021
	Budget Hearing for FY22	May 11, 2021
	City Council Approves Budget for FY22	June 14, 2021
	Create Positions and Job Descriptions	Ongoing
	Hire Complaints Coordinator and Executive Asst.	May 2021
	Hire Assistant ED/Community Engagement Director	June 2021
	Hire Policy Analyst and Supervising Investigator	September 2021
	Hire Performance Auditor and 1 Investigator	January 2021
	Hire 2 additional Investigators	June 2022
	Hire Mediation Coordinator	January 2023
	Hire General Counsel	June 2022
	Contract for Outside Counsel	May 2021
	Budget Proposal for FY23	March 2022
Budget Hearing for FY23	May 2022	
City Council Approves Budget for FY23	June 2022	
Proposed implementation ordinance and permanent standard operating procedures	Adopt proposed list of elements	February 2020
	Adopt investigations outlines	April 26, 2021
	Recommendations on discipline, performance audits, etc.	May 2021
	Recommendations regarding review of internal investigations	May 2021
	PS&LN Approves Interim Ordinance/ Permanent Standard Operating Procedures	July 2021

Commission on Police Practices Work Plan FY2021-FY2022

	City Council Schedules Meet and Confer Meet and Confer (City and POA) City Council Adopts Implementation Ordinance (2 Readings) Implementation Ordinance Takes Effect City Council Adopts Permanent SOPs	August 2021 Aug. – Dec. 2021 January 2022 February 2022 January 2022
Adopt Memorandum of Understanding with SDPD	Negotiations with SDPD Leadership Approval by SDPD and Commission	TBD TBD
Permanent Commissioners Appointed	Recruitment Process Selection Process Appointment by City Council	February 2022 March 2022 April 2022
Obtain and equip Commission office	Select location Configure office (offices, cubicles, etc.) Install phone and internet Order furniture, computers and software and office equipment	TBD TBD TBD TBD
Develop Complaint Processing Procedures and Shared Complaint Database	Meetings with IA	TBD
Hire Permanent Executive Director	National Search Selection Process Appointment by City Council	April 2022 May 2022 May 2022
Tasks	When	Completion Goal
Meet with all 9 Council Members	November & December 2020	Completed
Meet with Mayor Elect and Staff	November 2020	Completed
Touring Office Space at 451 A Street	January 21, 2021	Completed
CPP Special Meeting to Discuss & Approve Memo for PS&LN Committee Meeting on 2/10/2021	February 10, 2021	Completed



THE CITY OF SAN DIEGO
M E M O R A N D U M

Date: June 22, 2021
To: David Nisleit, Chief, San Diego Police Department
From: Brandon Hilpert, Chair, Commission on Police Practices
via Sharmaine Moseley, Interim Executive Director
Subject: Concern Regarding Officers Failing to Activate Body Worn Cameras

As the City of San Diego's police oversight Commission, it is our responsibility to raise concerns when we observe law enforcement officers failing to follow SDPD policy and procedures, and to make recommendations for corrective action.

During the review of community generated complaints by the Commission on Police Practices (CPP), we have observed a consistent increase of cases where officers fail to honor the spirit and intent of SDPD [Procedure 1.49, Axon Body Worn Cameras](#) either through forgetfulness, carelessness or by being preoccupied.

This procedure is in place to create a record of enforcement contacts which protects both the public and officers. As you know, BWC (Body Worn Cameras) evidence frequently clears officers of accusations of wrongdoing. Over the last year or so, we have observed multiple officers, across all divisions, who have failed to activate their BWCs as required per procedure.

In fact, we have frequently seen officers not have their BWCs turned on (in buffering or stand-by mode) as they begin their shifts. This prevents the BWC from recording the two-minute video buffer prior to the officer physically activating their BWC in "event mode." We know that the two-minute buffer can capture valuable details which can help illustrate the situation more clearly, especially in circumstances where events escalate quickly.

For example, in our last closed session, we heard a case where 10 of the 15 responding officers failed to activate their BWCs per policy as they drove to an enforcement action. In that situation, two-thirds of officers failed to utilize their BWCs per procedure.

The Commission, therefore, recommends that:

- Command Staff shall perform a roll call/line up training within the next 30 days reminding officers of the BWC requirements on when recording shall start
- Issue a training bulletin to all SDPD staff reminding of the requirements set forth in Procedure 1.49
- Include mandatory BWC training in all department regular AOT training (every 2 years)
- Supervisory command staff shall audit compliance by physically reviewing BWC videos, rather than just confirming X number of videos aligns with X number of enforcement contacts during a shift

The Commission believes that being able to properly record evidence of enforcement contacts is paramount for officers to be able to record and document an event. It also allows and facilitates the Commission's review of community complaints. We have found BWC evidence to be an invaluable resource in our work of oversight and we look forward to officers continuing to record events as required per policy.

If you have any questions, please do not hesitate to contact me at BHilpert@sandiego.gov.

Brandon Hilpert, Chair
Commission on Police Practices

Digital Enclosure: [SDPD Procedure 1.49](#)

cc: Honorable Mayor Todd Gloria
Jay Goldstone, Chief Operating Officer
Paola Avila, Chief of Staff
Chris McGrath, Executive Assistant Chief
Anthony Dupree, Captain, Internal Affairs
Wes Morris, Captain, Training
Matt Yagyagan, Deputy Director of Policy, Mayor's Office
Chris Cameron, Outside Counsel, Commission on Police Practices
Members of the Commission on Police Practices