

**COMMISSION ON POLICE PRACTICES**

**ONLINE MEETING AGENDA**

**Tuesday, April 26, 2022**  
**Zoom Webinar**

A majority of filled seats (10) on the Commission, with a minimum number of (7) Commissioners is needed to conduct business. If you cannot attend, please email the Interim Executive Director so we can plan accordingly.

**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 (0)
- VI. Discipline Reports (0)
- VII. Case Review Team Reports (2)
- VIII. Case-Specific Recommendations to the Mayor (0)
- IX. Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0)

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

**OPEN/PUBLIC SESSION MEETING**

**6p.m. – 8p.m.**

**Open to the Public**

This meeting is open to the public. Click [HERE](#) 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 CPP OPEN SESSION MEETING MINUTES OF MARCH 22, 2022
- V. NON-AGENDA PUBLIC COMMENT: (Fill out and submit comment using [webform](#). Please see instructions at the end of this agenda)
- VI. NEW CITY STAFF & CPP CONTRACTOR ANNOUNCEMENTS/INTRODUCTIONS
  - A. Chida Warren-Darby (Director, Office of Boards & Commissions)
  - B. Duane E. Bennett, Esq. (CPP Outside Counsel)
- VII. UNFINISHED BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)
  - A. Commission Meetings in May (Dates and Times)
  - B. Case Review
    - 1. Status of CPP Case Review & Evaluation of Disciplines
    - 2. Feedback on Remote Case Access (Google Drive)
    - 3. IA Office Hours/Schedule
- VIII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)
  - A. Participation of CPP Leadership & Legal Counsel in the Implementation Ordinance Meet & Confer Process
  - B. On February 28, 2022, the City Council amended the working ordinance by “adding a subsection (6) to *Section 26.1103(g) Commission Composition and Member Qualifications* that reads: “or have been convicted of a violent crime against a government employee or official.
- IX. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)
  - A. Continuing Education Committee (Nancy Vaughn)
    - 1. List of Upcoming Educational Topics/Presentations
      - Restraining Orders
      - Interactions Between Kumeyaay People & Law Enforcement
      - Show of Force/Use of Force & Reporting Requirements
  - B. Outreach Committee (Patrick Anderson)
    - 1. Past Events/Virtual Meetings/Roundtable Discussions
    - 2. Upcoming Events/Outreach Opportunities
  - C. Rules Committee (1<sup>st</sup> Vice Chair Doug Case)
  - D. CPP Handbook Committee (1<sup>st</sup> Vice Chair Doug Case)
    - 1. Update – On Hold
  - E. Policy Committee (Discussion/Action) (Chair Brandon Hilpert)
    - 1. Items Considered by Committee on 4/20/2022
      - A. Proposed BWC Buffering Enhancements
      - B. Investigation of Complaints Involving SDPD Leadership
      - C. Revisions to Discipline Manual & Matrix
      - D. Formal Review of SDPD’s Disciplinary Tracking

- E. Be On Look Out (BOLO) Flyers
  - F. OIS Reports
  - G. Development of Third-Party Mediation
  - H. Review Homeless Encampment
  - I. Discrimination/Non-Biased Policing
  - J. 4.17 Protest Policy
  - K. SDPD Procedure 1.43: Wellness/Psychological Review of Officers Involved in OIS Incidents Prior to Returning to Field Duty
  - L. SDPD Procedure 5.10: Officers Uniform Policy -Use of Political or Membership Affiliation under Uniform Policy
  - M. Firearm Show of Force as Reportable Use of Force
  - N. Use of Profane Language as De-escalation Tactic
2. Consideration of Items for Discussion/Action
- A. Proposed BWC Buffering Enhancements  
**Motion:** To recommend to SDPD that existing 2-minute BWC buffers be modified to include audio.
  - B. Investigation of Complaints Involving SDPD Leadership  
**Motion:** To recommend to SDPD that SDPD create a procedure that specifically addresses how complaints against SDPD leadership are investigated.
  - C. Discipline Manual and Matrix Changes  
**Motion:** To recommend to SDPD that SDPD update the Discipline Manual and Matrix to:
    1. Command shall complete discipline memo within 14 days after discipline has been issued,
    2. Update Discipline Manual to indicate when officers must be notified and when discipline must be issued,
    3. Add a description/definition of "Minor Policy Violation",
    4. Add a new category of "Sustained Excessive Force (causing injury)" with a recommended first offense being suspension.
  - D. Formal Review of SDPD's Disciplinary Tracking  
**Motion:** To recommend to SDPD that SDPD create, and share with CPP for review, a tracking system of pending discipline for department follow up to ensure Sustained findings result in appropriate and timely disciplinary action.
  - E. Be On Look Out (BOLO) Flyers  
**Motion:** Recommend to SDPD that BOLOs be required to have an issue date.
  - F. OIS Reports  
**Motion:** For the Commission to forward OIS reviews/reports to SDPD, and SDPD to include said reviews/reports in package of information provided to the Shooting Review Board for consideration.


- F. Recruitment & Training Committee (Kevin Herington)
  - 1. Update – On Hold
- G. Citizens Advisory Board on Police Community Relations (Chair Hilpert)
  - 1. Update Past & Upcoming Meetings
- H. Ad Hoc Transition Planning Committee (1<sup>st</sup> Vice Chair Doug Case)
  - 1. Budget Update
  - 2. Staffing & Legal Counsel Update
  - 3. Draft Implementation Ordinance & Standard Operating Procedures Update
  - 4. Office Space Update
- X. CHAIR’S REPORT (Chair Brandon Hilpert)
  - A. Reminders for Commissioners
    - 4<sup>th</sup> Quarter (April 1<sup>st</sup> – June 30<sup>th</sup>) Volunteer Hours Report –All Commissioners log hours in for reporting purposes
  - B. Update on Collaboration/Information Sharing with Statewide Oversight Groups
  - C. Update & Next Steps on CPP Special Joint Meeting with Citizens Advisory Board on Police/ Community Relations (CAB) 4/21/22– Countywide MOU Between County Chiefs & Sheriff Association
  - D. Update on CPP Joint Meeting with Citizens Advisory Board on Police Community Relations (CAB) Regarding CPE Data Study
  - E. Other Items/Reminders
- XI. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
  - A. Caseload Update & Status of Case Reports
  - B. Commission Vacancies/Resignations–Commissioners Sheila Holtrop & Marty Workman Resignations
  - C. Planning for CPP Former Member Appreciation/Acknowledgements
  - D. Other Items/Reminders
- XII. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Chris McGrath)
  - A. Status on CPP Recommendations to SDPD
    - 1. Protest Policy
    - 2. BWC Usage in Secure Facilities
    - 3. Warnings Prior to OC Usage
    - 4. Time Limits in Maximum Restraints
    - 5. Seatbelt Usage during Transportation
    - 6. Observation of Detainees in Sally Port
  - B. Updates (Staffing in IA, Training, etc.)
- XIII. COMMISSIONER RIDE-ALONG REPORTS
- XIV. COMMISSIONER ANNOUNCEMENTS/COMMENTS
- XV. ADJOURNMENT

## Materials Provided:

- Minutes from Open Session Meeting on March 22, 2022 (DRAFT)
- Amendments to the Working Draft Adopted by City Council on 2/28/22
- PowerPoint Presentation (PDF) for the May 10, 2022 City Council Budget Review Committee Hearing (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:

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

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Or One tap mobile:

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Or join by phone:

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

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Webinar ID: 161 396 8599

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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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**OPEN SESSION MEETING MINUTES**

**Tuesday, March 22, 2022**

**6 p.m. – 8 p.m.**

**Via Zoom Webinar**

Click [https://youtu.be/EPNj706yv\\_E](https://youtu.be/EPNj706yv_E) to view this meeting on YouTube.

**Commissioners Present:**

Patrick Anderson  
Brandon Hilpert, Chair  
Doug Case, 1<sup>st</sup> Vice Chair  
Maxine Clark  
Diana Dent  
Poppy Fitch, 2<sup>nd</sup> Vice Chair  
Sheila Holtrop  
Steve Hsieh

Robin Spruce  
Nancy Vaughn  
Marty Workman

**Commissioners Absent or Excused:**

Andrea Dauber-Griffin  
Kevin Herington  
Chris Pink  
Ernestine Smith

**Staff Present:**

Alina Conde, Executive Assistant  
Sharmaine Moseley, Interim Executive Director  
Robin Recendez, Administrative Aide

**San Diego Police Department (SDPD) Staff Present:**

IA Captain Anthony Dupree  
Lt. Steve Shebloski

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- I. **CALL TO ORDER/WELCOME:** Chair Brandon Hilpert called the meeting to order at 6:00pm.
  - II. **PURPOSE OF THE COMMISSION ON POLICE PRACTICES (CPP):** 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.

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

IV. APPROVAL OF MEETING MINUTES

A. MINUTES FROM CPP OPEN MEETING ON FEBRUARY 22, 2022

**The Commissioners reviewed the minutes. Commissioner Robin Spruce moved for the Commission to approve its February 22, 2022 Open Meeting minutes. Commissioner Marty Workman seconded the motion. The motion passed with a vote of 9-0-2. (Time 3:22)**

**Yays: Chair Hilpert, 1<sup>st</sup> Vice Chair Case; Commissioners Clark, Dent, Holtrop, Hsieh, Spruce, Vaughn, and Workman**

**Nays: None**

**Abstained: Commissioner Anderson and 2<sup>nd</sup> Vice Chair Fitch**

**Absent/Excused: Commissioners Dauber-Griffin, Herington, Pink, and Smith**

V. NON-AGENDA PUBLIC COMMENT: No public comment received.

VI. UNFINISHED BUSINESS (DISCUSSION/ACTION (Chair Brandon Hilpert)

A. Commission Closed Meetings in April (Dates and Times) – Chair Brandon Hilpert will be working with Executive Assistant Alina Conde on sending out a doodle poll for each Tuesday of the month. The Commission has about a hundred cases waiting for review. The Commission has been meeting almost every week (if not bi-weekly). Will check in with the teams to see how many cases will be moving down the pipeline ready for the Commission to review.

B. Case Review

1. Status of CPP Case Review & Evaluation of Disciplines

Please make note that if any teams have a case where the discipline is not something that you agree with, all teams do have the ability to meet with the Captain who issued that discipline to discuss the discipline.

2. Feedback on Remote Case Access (Google Drive)

Commissioners can go down to Internal Affairs to review audio files or IA has agreed to burn them on a CD or flash drive. The Commissioners can sign out the flash drives, listen to them, and then return them to IA.

3. IA Office Hours/Schedule (Continuation of Saturday Hours) – Reminder that Internal Affairs has offered weekend hours for Commissioners who may need it. Commissioners should send an email and request the time if they need to go into Internal Affairs on the weekends.

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

- A. **DISCUSSION:** Proposed language for amending the SD Municipal Code to include the selection process for the CPP Executive Director  
(Time 15:11)

**ACTION:** 1<sup>st</sup> Vice Chair Doug Case moved for the Commission to approve the proposed language to amend the SD Municipal Code to include the selection process for the CPP Executive Director. Commissioner Nancy Vaughn seconded the motion. The motion passed with a vote of 11-0-0.

**Yays:** Chair Hilpert, 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Fitch; Commissioners Anderson, Clark, Dent, Holtrop, Hsieh, Spruce, Vaughn, and Workman

**Nays:** None

**Abstained:** None

**Absent/Excused:** Commissioners Dauber-Griffin, Herington, Pink, and Smith

- B. **DISCUSSION:** Proposed language for a stand-alone ordinance to allow the City Council to fill vacancies of interim Commissioners  
(26:13)

**ACTION:** Chair Brandon Hilpert moved for the Commission to approve a stand-alone ordinance to allow the City Council to fill vacancies for interim Commissioners. 2<sup>nd</sup> Vice Chair Poppy Fitch seconded the motion. The motion passed with a vote of 11-0-0.

**Yays:** Chair Hilpert, 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Fitch; Commissioners Anderson, Clark, Dent, Holtrop, Hsieh, Spruce, Vaughn, and Workman

**Nays:** None

**Abstained:** None

**Absent/Excused:** Commissioners Dauber-Griffin, Herington, Pink, and Smith

- C. **DISCUSSION:** Proposal to reduce the backlog of cases assigned to the Commission  
(1:06:35)

**ACTION:** 1<sup>st</sup> Vice Chair Doug Case motioned for the Commission to approve its proposal to temporarily suspend Category II audits and encourage the teams to review their backlog and prioritize cases giving special priority to cases where IA has determined there are sustained findings with an upcoming imminent deadline. Commissioner Nancy Vaughn seconded the motion. The motion passed with a vote of 11-0-0.



**Yays: Chair Hilpert, 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Fitch;  
Commissioners Anderson, Clark, Dent, Holtrop, Hsieh, Spruce, Vaughn,  
and Workman**

**Nays: None**

**Abstained: None**

**Absent/Excused: Commissioners Dauber-Griffin, Herington, Pink, and  
Smith**

**VIII. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)**

- A. Continuing Education Committee (Nancy Vaughn)**
1. List of Upcoming Educational Topics/Presentations
    - Restraining Orders
    - Interactions Between Kumeyaay People & Law EnforcementNo current updates.
- B. Outreach Committee (Patrick Anderson)**
1. Past Events/Virtual Meetings/Roundtable Discussions
  2. Upcoming Events/Outreach Opportunities
- No current updates.
- C. Rules Committee (1<sup>st</sup> Vice Chair Doug Case)**
1. Update on Streamlined Team Reports –  
No current updates.
- D. CPP Handbook Committee (1<sup>st</sup> Vice Chair Doug Case)**
1. Update – This item is on hold.
- E. Policy Committee (Chair Brandon Hilpert)**
1. Items being Considered by Committee  
Chair Brandon Hilpert sent out an email to all Policy Committee members to schedule a meeting possibly next week.
    - a. Wellness/Psychological review for officers involved in OIS –  
Will be discussed in greater detail during the next meeting.
    - b. Use of profane language as de-escalation tactic  
Discuss the appropriateness on using profane language. The Committee tabled this item.
    - c. Use of political or membership affiliation under uniform policy  
Waiting for this item to complete going through the process prior to discussing. The Committee tabled this item.  
Chair Hilpert explained that there are plans to look at the Discipline Matrix to possibly add a new category. The Committee is planning to make a recommendation. If an officer were to appeal their discipline, the Commission wants to know what the initial discipline was and then upon appeal what the final discipline will be.
    - d. Proposed BWC Buffering Enhancements – Buffering

guidelines are changing so that audio is on during the two-minute buffering time. Need to recommend a change in associated discipline with body cam violations. Chair Brandon Hilpert spoke with the BART oversight group and they will send over the current policy and the discipline matrix to review for further recommendation.

- e. Process for complaints filed against SDPD Chief – Will be discussed in greater detail during the next meeting.
- f. Classification of officer's "low ready" position of guns – Will be discussed in greater detail during the next meeting.

F. Recruitment & Training Committee (Kevin Herington)  
1. Update – On Hold

G. Citizens Advisory Board on Police Community Relations (Chair Hilpert)  
1. Update Past & Upcoming Meetings  
Chair Brandon Hilpert attended the Citizens Advisory Board Meeting where the new board members got seated. The new POA representative introduced himself and noted he will be supporting officers more than what has been done in the past.

H. Ad Hoc Transition Planning Committee (1<sup>st</sup> Vice Chair Doug Case)  
1. Budget Update – The Committee is beginning the budgeting process for the fiscal year that begins July 1<sup>st</sup>. A couple of requests have been made including making sure the Commission has adequate funding for counsel contract and having contingency planning for investigators (where there are not enough investigators). Currently working on changes to some of the job descriptions and classifications; there will be a full-time person doing accounting/budget work and full-time person working on complaints tracking and coordination.  
2. Staffing Update – The City has given approval to use the City's Executive Search Firm named CPS HR Consulting in Chicago where they specialize in doing searches for government agencies. They will be helping the Commission in filling the position for Deputy Executive Director who would be second in charge and would be primarily responsible for community engagement. Meeting with the recruiter at the Transition Planning Committee meeting this Friday to discuss the position.  
Legal Counsel Update – The legal counsel person has been selected but can not start the position until the City Council approves the contract. This is scheduled on the City Council's agenda as a consent item on April 5<sup>th</sup>.  
3. Draft Implementation Ordinance & Standard Operating Procedures Update – The Commission hopes to have its legal counsel on board and invite them to the April 8<sup>th</sup> Transition Planning Committee Meeting to begin discussions and preparation of standard operating procedures for investigations.  
4. Office Space Update – Interim Executive Director Sharmaine Moseley and 1<sup>st</sup> Vice Chair Doug Case met with DREAM's Karen Johnson this past week to go over new space options. The current

space may be a little bit more expensive than anticipated. The estimate for the plans of renovations is \$21,000 so she is going to look and see what is most cost effective. Will be looking at alternatives. More updates to come.

IX. CHAIR'S REPORT

(Chair Brandon Hilpert)

A. Reminders for Commissioners

1. 3<sup>rd</sup> Quarter (January 1<sup>st</sup> – March 31<sup>st</sup>) Volunteer Hours Report – All Commissioners need to log in their hours for reporting purposes. If there are any issues or if anyone needs help with trouble shooting, please reach out to Executive Assistant Alina Conde for assistance.
2. Requirement for Commissioner Committee Assignments  
All Commissioners need to be on at least one Committee.

B. Planning for CPP Former Member Appreciation/Acknowledgements

The Commission is planning to have Appreciation Acknowledgement of all past members of the CRB, and Commission. The Commission is hoping to do this in person to acknowledge the people that have put in numerous hours and years of service to us. They will all be invited to a virtual meeting to award.

C. Update on Recent Meetings with Mayor & City Councilmembers

The Commission Cabinet met with the Mayor and all City Council Members to talk about the needs of the Commission and solicit feedback. The 5 items discussed were: 1. The Implementation Ordinance- discussed the importance of why the Commission needs to have full unredacted access to PD and all City files that relate to our oversight or are under our oversight purview. All seemed to understand the current situation and current backlog of cases. 2. Interim Standard Operating Procedure for the Officer Involved Shootings- requesting that City Council agree with our changes. 3. Executive Director Selection- discussed that the Commission be a part of the process with City Council. 4. Stand alone Ordinance- to try and appoint new Commissioners. 5. Discussed the need to have CPP outside counsel approved by the City Council.

D. Update on Collaboration/Information Sharing with Statewide Oversight Groups

Chair Hilpert is trying to share best practices and identify areas for change. If any Commissioner would like to attend this meeting, please reach out to Chair Brandon Hilpert.

E. Update on Upcoming CPP Joint Meeting with Citizens Advisory Board on Police Community Relations (CAB) Regarding CPE Data Study

CPP Leadership had conversations with the Police Department and the Chief on plans to host a joint meeting to present their data and come up with some solutions.

F. Other Items/Reminders – N/A

X. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley)

A. Scheduling of Team Leaders Meeting with the Commission's Cabinet –

It was reported that the Commission does not have 110 active cases as of today. The Commission has 96 active cases assigned to its Teams. That is

one case less than the number of active cases assigned to the Teams on the day of the Commission's Open Session meeting in February.

In this fiscal year, that began on July 1<sup>st</sup>, the Commission reviewed, deliberated on and closed out 79 Category I cases, 6 OIS cases, 1 ICD case, audited 14 Cat II cases, and evaluated 65 disciplines. The Commission also evaluated 1 shooting review board report.

The statistics for the Team assignments are as follows:

Team 1- Team 1 has 18 cases in their queue (12 are Category I cases- three of which have one or more sustained findings, and 6 Category II cases). The Team has no OIS or ICD cases.

Team 2 – Team 2 has 1 case in the queue – The case is a Category 1 case with one or more sustained findings.

Team 3 – Team 3 has 7 cases in their queue- Of the 7 assigned cases, 6 are Category I cases and 1 is a Category II case. One of the Category I cases have one or more sustained findings. The Team has no OIS or ICD cases.

Team 4 –Team 4 has 29 cases in their queue – Of the 29 cases, 19 are Category I cases, 10 are Category II cases and 2 of the Category I cases have sustained findings. Team 4 has 1 SRB report to evaluate and no OIS or ICD cases to review.

Team 5 –Team 5 has 13 cases in their queue. Of the 13 cases, 7 are Category I cases, 4 are Category II and 2 are OIS cases. The Team has no ICD cases to review. Team 5 has 1 SRB report and disciplines to evaluate. Team 5 has an OIS that was already released to the public. The CPP report will be uploaded to the 1421 site as soon as it closed out by the Commission.

Team 6 – Team 6 has 28 cases in their queue. Of the 28 cases, 22 cases are Category I cases, 5 of which have sustained findings. 7 of the 28 cases are Category II cases. The Team has no ICD or OIS cases. Team 6 has disciplines to evaluate.

Team 7 – Team 7 is inactive.

B. Updates to the CPP Website –The Commission's website is undergoing updates/revisions. Today's website update focused on the history of the CRB and now Commission.

C. Other Items/Reminders –The Commission leadership held check in meetings with the Team leaders as well as members of each Team. Based on feedback from the meetings, Interim Executive Director Sharmaine Moseley plans to continue holding these meetings with the Teams on a monthly basis.

Public Comment–(1:37:09) Tasha Williamson: "It's a concern that I have but it is regarding a current police involved shooting homicide investigation. People

are confused in the Community. It has been reported that possibly one SDPD Officer discharged his gun and 3 Sheriff Deputies discharged their weapons killing Dr. Van Li in Little Italy. It's my understanding SDPD Homicide Division has conducted the investigation with the FBI and DA to review. Is the CPP going to be able to review this as well? And then, I do want to acknowledge that I'll be forwarding my complaints regarding the shooting no later than Friday."

XI. SAN DIEGO POLICE DEPARTMENT REPORT(EA Chief Chris McGrath)

A. Status on CPP Recommendations to SDPD – No current updates

1. Protest Policy
2. BWC Usage in Secure Facilities
3. Warnings Prior to OC Usage
4. Time Limits in Maximum Restraints
5. Seatbelt Usage during Transportation
6. Observation of Detainees in Sally Port

B. Updates (Staffing in IA, Training, etc.) –No current updates.

Public Comment–(1:40:36) Tasha Williamson: "I was inquiring because I noticed on this agenda that it said Protest Policy. I am inquiring what that means and what was the protest policy that was going to be talked about at this meeting for this agenda item?" (1:42:14) "I had several other points regarding number 3, warnings prior the OC usage. What was that? (1:43:44) "I wanted to also know about the time limits and maximum restraints. Due to the 85-million-dollar judgment that jury decision that came down recently for a person who was in maximum restraints. I believe he was hog tied. It's my understanding in San Diego that the hog-ties are no longer being done by law enforcement. I know they're not being done by SDPD but it appears that in this case in 2015 it was done and the jury came back with the decision of 85-million-dollar settlement. What kind of maximum restraints is this talking about?"

Chair Brandon Hilpert elaborated more on these questions. As a Commission, recommendations are made to the department and are listed here until there is an official response from the Police Department. At the Policy Committee Meeting, they will be bringing the Protest Policy back to get clarification on the items that were outstanding and need to do more research to decide how to proceed. The Department responded to this item and this will be discussed at the Policy Committee Meeting. The Commission's website has a tab that has the Commission's recommendations and any response memos. The Commission wanted the policy to clearly state that when officers are using OC Spray that they should be giving a warning before using it which will bring its use in line with the firearms policy. The maximum restraint is also known as the wrap device. The Commission recommended that there should be a time limit no more than 3 or 4 hours. The Department responded and said this is a recommendation they will not be implementing.

XII. COMMISSIONER RIDE-ALONG REPORTS: The Commissioners can start doing ride-a-long's again. If any commissioners would like to do any, please reach out to Detective Amado to schedule them.

XIII. COMMISSIONER ANNOUNCEMENTS/COMMENTS: No announcements or comments.

XIV. ADJOURNMENT: The meeting adjourned at 7:50pm.

DRAFT

## CITY COUNCIL MEETING RESULTS SUMMARY

**DATE: MONDAY, FEBRUARY 28, 2022, COUNCIL MEETING RECORDER: PATTERSON**

This is a summary of the actions taken by the City Council. It is NOT equivalent to the Minutes which, when approved by the City Council, constitute the official record of the meeting.

ITEM NO.	ACTIONS	R	313925	Motion / Second	VOTE
		O	00000		
200	<p><b>Adopted with Direction (R-2022-315)</b></p> <p>Setting forth the Council's policy direction related to implementation of the Commission on Police Practices and directing the City's management team for labor relations to meet and confer</p>	R	313925	<p><b>4/5</b></p> <p>5/7</p> <p>9/7</p>	<p><b>Unanimous; all present</b></p> <p><b><u>Amendment Incorporated</u></b></p> <p>Motion with direction to amend the working draft ordinance by: 1) Adding a subsection (6) to Section 26.1103(g) "Commission Composition and Member Qualifications" that reads: "or have been convicted of a violent crime against a government employee or official. For purposes of this section, government employee means a person who is employed by the Federal government, the State of California, or any city, county, city and county, special district, or political subdivision of the State of California."; and 2) Adding a subsection (6) to Section 26.1106(b) "Removal of Commission Members" that reads: "or have been convicted of a violent crime against a government employee or official. For purposes of this section, government employee means a person who is employed by the Federal government, the State of California, or any city, county, city and county, special district, or political subdivision of the State of California." 235678-yeas; 149-nay</p> <p><b><u>Amendment Incorporated</u></b></p> <p>Motion with direction to amend the working draft ordinance to replace the language in Section 26.1112 "Reimbursement for Expenses" with the following: "The Executive Director is authorized to purchase goods and arrange services needed by <i>members</i> in the performance of their official duties and to reimburse <i>members</i> for reasonable expenses incurred in the</p>

					<p>performance of their official duties, in accordance with the City's approved procurement procedures, the approved budget and appropriations for the Office of the Commission, and the concurrence of the City's Chief Financial Officer. <i>Members</i> must use and return goods, in accordance with the City's approved policies and administrative regulations."</p> <p>Unanimous; all present</p>
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Office of the Commission on Police Practices

# Fiscal Year 2023 Proposed Budget

May 10, 2022

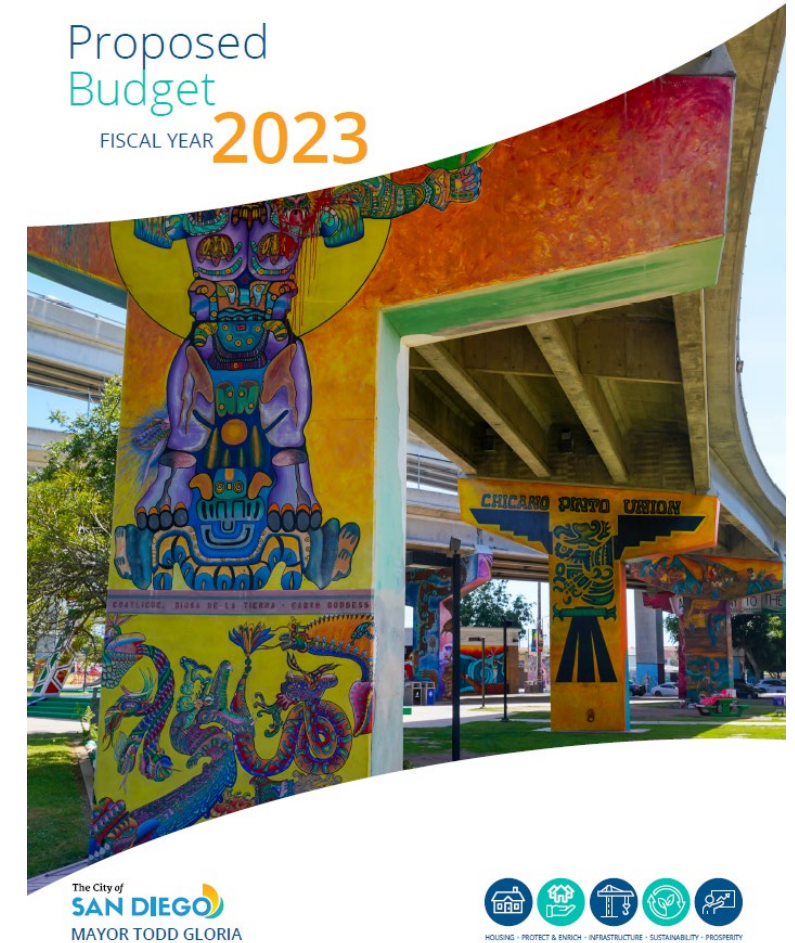
City Council Budget Review Committee Hearing

## Mission Statement:

- 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.

## Purpose:

- To provide an independent investigation of officer-involved shootings and in-custody deaths, and other significant incidents, and an unbiased evaluation of all complaints against the San Diego Police Departments and its personnel, in a process that will be transparent and accountable to the community.
- To evaluate and review SDPD policies, practices, training and protocols and represent the community in making recommendations for changes.



## Department Highlights

### ❖ Accomplishments

- ❖ Reviewed and Closed 88 Category I cases, 6 Officer-Involved Shooting cases, 1 In-Custody Death Case
- ❖ Audited 15 Category II cases, Evaluated 61 Disciplines and 1 Shooting Review Board Report
- ❖ Hiring of Executive Assistant & Administrative Aide II
- ❖ RFP Process & Selection of Independent Outside Counsel
- ❖ Release of FY21 Statistics to Open Data Portal & 2021 Standardized Annual Report to City Clerk's Office

### ❖ Looking Forward

- ❖ Hiring Staff, Training, & Locating Office Space
- ❖ Addressing Backlog of Active Cases
- ❖ Approval of an Implementation Ordinance for the Commission
- ❖ Selection of New Commissioners & Executive Director
- ❖ Training of Newly Appointed Commissioners



## GENERAL FUND EXPENDITURES SUMMARY

Department	FY 2022 Adopted		FY 2023 Proposed		Change from FY 2022 Adopted to FY 2023 Proposed	
	FTE	Budget	FTE	Budget	FTE	Budget
Office of the Commission on Police Practices	7.00	\$1,327,134	11.50	\$2,542,852	4.50	\$1,215,718
<b>TOTAL</b>	<b>7.00</b>	<b>\$1,327,134</b>	<b>11.50</b>	<b>\$2,542,852</b>	<b>4.50</b>	<b>\$1,215,718</b>



## GENERAL FUND

### Significant Budget Adjustments

Significant Budget Adjustments	FTE	Expenditures	Revenue
<b>Investigative Services:</b> Addition of non-personnel expenditure for investigative services to address high caseload volume and cases requiring specific expertise	0.00	\$200,000	-
<b>Executive Hiring Services:</b> Addition of one-time non-personnel expenditure for executive hiring services for four highly specialized supervisory positions	0.00	\$100,000	
<b>Legal Counsel:</b> Reduction of one-time personnel and addition of non-personnel expenditures to retain independent legal counsel	(0.50)	\$96,732	
<b>Reclassification of Positions:</b> Reclassification of 3.00 FTE positions to align with the department's needs	0.00	(\$20,326)	

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