

## COMMISSION ON POLICE PRACTICES AGENDA

**August 29, 2023**

**5:30pm-7:30pm**

**REGULAR MEETING (Hybrid)**

**Procopio Tower**

**525 B Street, 1<sup>st</sup> Floor Conference Room**

**San Diego, CA 92101**

**Commissioners:** Octavio Aguilar, Laila Aziz, Bonnie Benitez, Alec Beyer, Dennis W. Brown, Cheryl Canson, Doug Case, Cheryl Geyerman, Christina Griffin-Jones, Dwayne Harvey, Brandon Hilpert, Darlann Hctor Mulmat, Clovis Honore, James Justus, Dennis Larkin, Maria Lozano-Diaz, Mark Maddox, Ramon Montano Marquez, Nicole Murray-Ramirez, Yvania Rubio, Jaylene Sanchez, Gloria Tran, and Dalia Sherlyn Villa De La Cruz

**Interim Executive Director:** Sharmaine Moseley

The Commission on Police Practices (Commission) meetings will be conducted pursuant to the provisions of California Government Code Section 54953 (a), as amended by Assembly Bill 2249.

The Commission business meetings will be in person and the meeting will be open for in-person testimony. Additionally, we are continuing to provide alternatives to in-person attendance for participating in our meetings.

In lieu of in-person attendance, members of the public may also participate via telephone/Zoom. Please see instructions below to provide public comment.

**The link to join the meeting by computer, tablet, or smartphone at 5:30pm is:**

<https://sandiego.zoomgov.com/j/1616022623>

**Meeting ID: 161 602 2623**

**In-Person Public Comment on an Agenda Item:** If you wish to address the Commission on an item on today's agenda, please complete and submit a speaker slip before the Commission hears the agenda item. You will be called at the time the item is heard. Each speaker must file a speaker slip with the Executive Director at the meeting at which the speaker wishes to speak indicating which item they wish to speak on. Speaker slips may not be turned in prior to the day of the meeting or after completion of in-person testimony. In-person public comment will conclude before virtual testimony begins. Each speaker who wishes

to address the Commission must state who they are representing if they represent an organization or another person.

For discussion and information items each speaker may speak up to three (3) minutes, subject to the Chair's determination of the time available for meeting management purposes, in addition to any time ceded by other members of the public who are present at the meeting and have submitted a speaker slip ceding their time. These speaker slips should be submitted together at one time to the Executive Director. The Chair may also limit organized group presentations of five or more persons to 15 minutes or less.

**In-Person Public Comment on Matters Not on the Agenda:** You may address the Commission on any matter not listed on today's agenda. Please complete and submit a speaker slip. However, California's open meeting laws do not permit the Commission to discuss or take any action on the matter at today's meeting. At its discretion, the Commission may add the item to a future meeting agenda or refer the matter to staff or committee. Public comments are limited to three minutes per speaker. At the discretion of the Chair, if a large number of people wish to speak on the same item, comments may be limited to a set period of time per item to appropriately manage the meeting and ensure the Commission has time to consider all the agenda items. A member of public may only provide one comment per agenda item. In-person public comment on items not on the agenda will conclude before virtual testimony begins.

**Virtual Platform Public Comment to a Particular Item or Matters Not on the Agenda:** When the Chair introduces the item you would like to comment on (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the "Raise Your Hand" button on your computer, tablet, or Smartphone, or by dialing \*9 on your phone. You will be taken in the order in which you raised your hand. You may only speak once on a particular item. When the Chair indicates it is your turn to speak, click the unmute prompt that will appear on your computer, tablet or Smartphone, or dial \*6 on your phone. The virtual queue will close when the last virtual speaker finishes speaking or 5 minutes after in-person testimony ends, whichever happens first.

**Written Comment through Webform:** Comment on agenda items and non-agenda public comment may also be submitted using the [webform](#). If using the webform, indicate the agenda item number you wish to submit a comment for. All webform comments are limited to 200 words. 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 above. To view a meeting archive video, click [here](#). Video footage of each Commission meeting is posted online [here](#) within 24-48 hours of the conclusion of the meeting.

Comments received no later than 11am the day of the meeting will be distributed to the Commission on Police Practices and posted online with the meeting

materials. Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item. Please contact the Privacy Advisory Board website for further instructions.

**Written Materials:** Instead of submitting written materials as an attachment to the webform, you may submit via U.S. Mail to Attn: Office of the Commission on Police Practices, 1200 Third Avenue, San Diego, CA 92101. Materials submitted via U.S. Mail must be received the business day prior to the meeting to be distributed to the Commission on Police Practices.

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

**\*OATH OF OFFICE FOR NEW COMMISSIONERS (City Clerk's Office)**

- I. CALL TO ORDER (Interim Exec. Director Sharmaine Moseley)
- II. ROLL CALL
- III. WELCOME/REMARKS (City of San Diego Council President Pro Tem Monica Montgomery Steppe)
- IV. NON- AGENDA PUBLIC COMMENT: Fill out and submit comment using speaker form or [webform](#). Please see instructions at the beginning of this agenda.
- V. INTRODUCTION OF OCPP STAFF & COMMISSIONERS **(25 minutes)**
  - A. Name, Neighborhood/District, Occupation, Organizational Affiliations & Interest in CPP in **1 minute**
- VI. EDUCATIONAL TOPICS
  - A. Highlights of the Ralph M. Brown Act **(10 minutes)**  
(Outside Counsel Duane Bennett)
  - B. Brief History of CPP & Creation of OCPP **(25 minutes)**
  - C. Overview of Interim CPP Case Review Process **(5 minutes)**
- VII. NEW BUSINESS (DISCUSSION/ACTION)
  - A. Operational Items
    1. Consideration of Selection & Election of Temporary Officers
    2. Consideration of Selection of Nominating Committee for Election of Officers
    3. Consideration of Appointment of Commissioners to Bylaws Committee
    4. Consideration of Temporary Bylaws for Approval
  - B. Reimaging Commission Case Review & Backlog  
(Discussion Item) **(10 minutes)**
    1. Investigative Consultant Proposal
  - C. Future Dates for Commission Regular Business Meetings  
(Discussion Item)
  - D. Scheduling of Upcoming Commission Training (Content, Dates, Etc.)

VIII. PREPARATION FOR FUTURE MEETINGS (Read Interim Standard Operating Procedures, Implementation Ordinance, City Administrative Regulations, Confidentiality Agreement)

IX. ADJOURNMENT

**Materials Provided:**

- CPP Temporary Bylaws as of June 7, 2023 DRAFT
- Commission Component Training Schedule DRAFT
- OCPP Department Org Chart

**Access for People with Disabilities:** As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the Commission at (619) 236-6296 or [commissionpolicepractices@sandiego.gov](mailto:commissionpolicepractices@sandiego.gov).

Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services, or interpreters, require different lead times, ranging from five business days to two weeks. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. The city is committed to resolving accessibility requests swiftly in order to maximize accessibility.

**Bylaws  
City of San Diego  
Commission on Police Practices**

***Preamble***

*On November 3, 2020, the voters of San Diego approved Measure B creating a new independent Commission on Police Practices (CPP) replacing the Community Review Board on Police Practices (CRB). Per the City Charter amendment, the members of the CRB at the time of its dissolution became the initial CPP members. On October 3, 2022, the City Council, adopted an implementation ordinance specifying the number of Commissioners, term length, qualifications and selection process. This Bylaws is the operating procedure for the Commission governance.*

**Article I: Name and Authority**

**Section 1: Name**

The name of this Commission is the Commission on Police Practices, herein referred to as “the Commission”. The Commission was established by Measure B, approved by the voters in November 2020. The Commission on Police Practices is also known by the acronym “CPP”.

**Section 2: Authority**

The Commission operates in accordance with the following documents, listed in hierarchical order:

United States Constitution

California Constitution

California Statutes and Codes, including but not limited to the Government Code (Ralph M. Brown Act, Section 54950 et seq.; and Public Safety Officers Procedural Bill of Rights, Sections 3300-3311, Chapter 9.7, Division 4, Title 1), Penal Code (PC), Health and Safety Code, and Vehicle Code (VC)

San Diego City Charter, including but not limited to Article V, Section 41.2 - Commission on Police Practices

San Diego Municipal Code, including but not limited to Chapter 2, Article 2, Division 55 – Office of the Commission on Police Practices, and Chapter 2, Article 6, Division 11 – Commission on Police Practices

CPP Standard Operating Procedures (“rules and regulations” referenced in the charter)

San Diego City Council Policies

City of San Diego Administrative Regulations

Memorandum of Understanding (MOU) between City of San Diego and San Diego

Police Officers Association

CPP Bylaws

CPP Special Rules of Order

CPP Operational Standing Rules

CPP Administrative Standing Rules

Robert's Rules of Order, Newly Revised

National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics (Attached hereto as Exhibit A)

Parliamentary procedures of this Commission will be in accordance with these Bylaws and any Special Rules of Order adopted by the Commission. The default parliamentary authority for procedures that are not covered in these Bylaws or the CPP Special Rules of Order shall be the current edition of Robert's Rules of Order, Newly Revised.

## **Article II: Purpose, Mission, Duties, Powers and Objectives**

### **Section 1: Purpose and Mission**

The purpose of the Commission on Police Practices is to provide an independent investigation of officer-involved shootings and in-custody deaths, and an unbiased evaluation of all complaints against the San Diego Police Department 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.

### **Section 2: Duties**

Per the City Charter, the Commission shall have the following mandatory duties:

1. Independently investigate all deaths occurring while a person is in custody of the SDPD, all deaths resulting from the interaction with an officer of the SDPD, and all SDPD officer-related shootings.
2. Receive, register, review and evaluate all complaints against SDPD officers, except that the Commission will not review and evaluate complaints where the complainant has requested that the matter be handled without investigation.
3. Review and evaluate all factual findings and evidentiary conclusions of the SDPD arising from investigations of police misconduct and all disciplinary decisions resulting from sustained findings.
4. Review and evaluate SDPD's compliance with federal, state and local reporting laws and requirements.
5. Prepare and submit semi-annual reports to the Mayor and City Council regarding the exercise of the Commission's duties and powers.

### **Section 3: Discretionary Powers**

Per the City Charter, the Commission shall have the discretion to:

1. Conduct investigatory proceedings and subpoena witnesses
2. Investigate complaints against SDPD officers (in addition to the required investigations stated above), unless the complainant has requested that the matter be handled without an investigation, provided that the Commission determines that the complaint arises from any one of the following:
  - a. an incident involving the use of force by a SDPD officer that resulted in great bodily injury
  - b. dishonesty by a SDPD officer including an allegation of perjury, filing false reports, and destruction, falsifying or concealing evidence
  - c. an incident that has generated substantial public interest or concern
  - d. an incident where the data shows a pattern of misconduct by a SDPD officer
  - e. an incident where the data shows a pattern of inappropriate policies, procedures or practices of the SDPD or its members
3. Review, evaluate and investigate allegations of inappropriate sexual conduct, physical assault or domestic violence by SPDP officers
4. Make recommendations to the SDPD on the discipline of individual officers about whom complaints have been made or about whom the Commission has conducted an investigation
5. Review and evaluate the policies, procedures, practices and actions of the SDPD
6. Make specific recommendations to the SDPD, the Mayor and the City Council on any policies, procedures, practices and actions of the SDPD

### **Section 4. Outreach and Education**

It is the objective of the Commission to operate transparently, to keep the community informed about the activities of the Commission, and to provide opportunities to receive public input on the Commission's operations. It is the further objective of the Commission to encourage persons with complaints about the actions of SDPD sworn personnel to file a complaint, to widely publicize the procedures for filing complaints and to make the process as simple as possible, and to enact mechanisms to ensure that persons filing complaints and witnesses will be able to do so without fear of retaliation or adverse consequences.

### **Section 5. Independence**

The Commission on Police Practices maintains and defends an independent posture within which objective, balanced review, investigations, and evaluation processes will be assured. The ultimate usefulness of the Commission depends on independence from political pressure, independence from community pressure, and independence from influence or control by SDPD. In this regard, actual independence and perceived independence are equally important. Any action or activity that could present an appearance of compromised independence should be avoided. Commission independence is essential to earn the trust of the community and fulfill the mandate from the initial creation of the Commission by citizen initiative.

## **Article III: Membership**

### **Section 1: Selection and Appointment**

The initial members of the Commission shall be the CRB members at the time of the CRB dissolution and who will serve at will until replaced by action of the City Council.

In accordance with the Implementation Ordinance adopted by San Diego City Council on October 3, 2022, the following specifications will apply to the Commission:

A. There will be 25 Commissioners who must reside within the City of San Diego with the following categories:

- (1) Nine Commissioners, one from each Council District
- (2) Two Commissioners aged 18 to 24 at the time of appointment
- (3) Five Commissioners residing in low to moderate income neighborhoods
- (4) Nine Commissioners at large without additional age or residence restriction

B. Appointment to CPP will be to a specific seat within a category for a 2-year term, with re-appointment for up to 3 additional 2-year terms. Only half of the Commissioners will be eligible for reappointment in any one year. Half of the initial 25 Commissioners will be appointed for 1-year terms to establish the reappointment schedule.

C. The process for appointment to CPP will be determined by San Diego City Council. The primary concern for appointment of Commissioners will be to maintain full membership of the Commission. Recruiting to fill vacancies will focus on candidates for the specific seats that are vacant.

Members of the Commission shall serve without compensation, but shall be reimbursed for authorized, reasonable and necessary expenses incurred in the performance of their official duties. Prior to assuming the duties of office, members must complete the required training program approved by the Commission and must subscribe to the Oath of Office administered by the City Clerk's Office and sign the oath card. All Members who are reappointed to the Commission must retake the Oath of Office and sign a new oath card.

### **Section 2: Responsibilities**

Members have the following responsibilities:

#### **A. Meeting Attendance**

The substantive work of the Commission cannot be accomplished in the absence of a quorum. In order to accomplish the work of the Commission, members should be in attendance and vote on issues at all meetings. Any member with an unexcused absence from two (2) consecutive meetings or an unexcused absence from one third of all regular scheduled meetings during any Fiscal Year (July 1 through June 30 of the following year) may be removed from the Commission per Article III, Section 3.B. of these bylaws. Members may request to be excused from a meeting by contacting the Chair or Executive Director no later than 12 noon on the day of the meeting. An excused absence can be



granted by the Chair for the following reasons:

1. An unforeseen event
2. Illness or health
3. Out of town
4. Religious observance

### **B. Case Review**

Members, with the exception of the Chair and First Vice Chair, shall be assigned to three-person Case Review Teams. The Case Review Teams shall review the Internal Affairs investigation in accordance with the current Operational Standing Rule for Case Review. A Team Leader will be appointed for each Case Review Team.

Every member shall complete the review of at least 80% of the cases assigned to that member's Case Review Team. Any member with an unexcused absence from review of more than 20% of the cases assigned to that member's Case Review Team during any Fiscal Year (July 1 through June 30 of the following year) may be removed from the Commission per Article III, Section 3.B. of these bylaws. Members should notify the Chair or Executive Director and the Team Leader of their assigned Case Review Team of an excused absence from review of a case for one of the following reasons:

1. An unforeseen event
2. Illness or health
3. Out of town
4. Conflict of Interest

### **C. Committee Participation**

Members are required to participate on one of the standing committees of the Commission.

### **D. Training**

Members are required to pursue and complete 48 hours of educational opportunities annually, including at least two police ride-alongs.

### **E. Community Outreach**

All members shall participate in at least one community outreach activity per quarter.

All members can speak in public about the role of the Commission to provide education for the community. Only the Commission Chair is the spokesperson for the Commission on issues that require public comment.

### **F. Ethical Conduct**

To promote public trust, integrity, and transparency, members are expected to adhere to the National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics. The NACOLE Code of Ethics includes Personal Integrity, Independent and Thorough Oversight, Transparency and

Confidentiality, Respectful and Unbiased Treatment, Outreach and Relationship with Stakeholders, Agency Self-examination and Commitment to Policy Review, and Primary Obligation to the Community. The complete NACOLE Code of Ethics is attached as Exhibit A of these bylaws.

Any actual or perceived conflict of interest during case review shall be avoided. Conflict of interest exists when a member has an outside financial interest or a personal relationship with someone involved in the case, or has intimate knowledge of the facts of the case. Members shall avoid any situation where they have a conflict of interest by immediately notifying the Chair or Executive Director and their Team Leader requesting either to be excused from review of the case or to have the case reassigned to a different Case Review Team. Active involvement in other boards, committees or organizations could pose an actual or perceived conflict of interest with membership on the Commission. Commission Members shall disclose all potential conflicts to the Chair or Executive Director immediately.

### **Section 3: Removal**

#### **A. Voluntary Resignation**

Any Member of the Commission can voluntarily resign by sending a letter or email of resignation to the Commission Chair and the Executive Director. A member's written notice of resignation is required by the City Clerk and becomes a matter of public record. Once the letter has been received, the position shall be considered vacant.

#### **B. Removal for Cause**

A member may also be removed for cause including but not limited to the following reasons: (1) misuse of position as a Commission Member, (2) misuse of police-issued documents; (3) violation of state laws of confidentiality; (4) misconduct or conviction of a crime that impedes the member's ability to serve as an effective and impartial Commission member; (5) unexcused absences from at least two consecutive meetings or by failure to complete case review as assigned by the Executive Director; (6) violation of the NACOLE Code of Ethics; or (7) a conflict of interest.

Upon receiving information that a member may be subject to removal for cause, the Cabinet shall investigate or arrange for an investigation of the situation. If after the investigation, it appears that cause exists for removal, the member shall be invited to meet with the Executive Director and the Cabinet. After that meeting, the Cabinet, shall determine whether to proceed with removal proceedings. If it is determined to proceed, the matter will be placed on the next regular Commission Open Meeting agenda. The member will have an opportunity to present a defense and answer questions. By a two-thirds vote, the Commission may recommend to the City Council that the member be removed. The affected member shall not be entitled to a cast a vote in the matter. A hearing by the City Council shall occur within sixty (60) days of the receipt of the recommendation.

## **Article IV: Officers**

### **Section 1: Officers of the Commission**

The officers of this organization shall be Chair, First Vice Chair, and Second Vice Chair. These elected officers shall be referred to collectively as the Cabinet.

No individual shall hold more than one office at any time. An individual may serve no more than two consecutive terms in the same office, and becomes eligible again to serve in that office after a period of two years.

### **Section 2: Election and Succession**

#### **A. Election**

Officers are elected at the last Open Meeting of the fiscal year to serve a one-year term in conjunction with the next fiscal year. The Nominating Committee (see Article VI, Section 3.A) will present at least one nomination for each office. Prior to the vote for each office, additional nominations will be taken from the floor. Officers will be elected individually in order of precedence, starting with the Chair.

Officers must receive a majority vote of the Commission. If no candidate receives a majority, then a runoff will be held between the candidates with the two highest numbers of votes.

If the last scheduled Open Meeting of a fiscal year is not held, officers shall continue to serve until their successors are elected and assume office.

#### **B. Vacancies**

If the office of Chair becomes vacant, the First Vice Chair becomes Chair for the unexpired term. If the office of First Vice Chair becomes vacant, the Second Vice Chair becomes First Vice Chair for the unexpired term. If the office of Second Vice Chair becomes vacant, an election, with nominations taken from the floor, will be held at the next Open Meeting of the Commission to fill the office for the remainder of the unexpired term.

If the offices of Chair, First Vice Chair and Second Vice Chair all become vacant at the same time, the Executive Committee shall appoint a Commission Member to serve as Acting Chair for a period of two months, during which time elections will be held to fill the vacancies for the unexpired term. Such elections will take nominations from the floor and elect officers individually in order of precedence by roll call vote. Notice of such elections shall be given one month ahead of the election date.

### **Section 3: Powers and Duties**

The officers of this organization shall fulfill the duties of office while always acting for the good of the entire Commission.

#### **A. Chair**

The Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Commission.

2. To serve as Chair for all meetings of the Executive Committee.
3. To serve as a member of the Cabinet.
4. To act as the spokesperson for the Commission, to make official statements for the Commission, or to delegate this responsibility to another Commission Member.
5. To coordinate with the Executive Director on communication between the Commission and the Mayor, the San Diego City Council and the Chief of Police.
6. To appoint Chairs and members for all Committees of the Commission.
7. To be ex officio member and ensure effective functioning of all committees of the Commission.
8. To facilitate communication between Case Review Team Leaders.
9. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.
10. To perform such other duties as may be conferred by vote of the Commission

**B. First Vice Chair**

The First Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Commission in the absence of the Chair.
2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair.
3. To serve as a member of the Executive Committee.
4. To serve as a member of the Cabinet.
5. To oversee training of new members with the Recruitment and Training Committee, and to oversee training of the Team Leaders.
6. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.
7. To perform such other duties as may be conferred by vote of the Commission or requested by the Chair.

**C. Second Vice Chair**

The Second Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Commission in the absence of the Chair and the First Vice Chair.
2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair and First Vice Chair.
3. To serve as a member of the Executive Committee.
4. To serve as a member of the Cabinet.

5. To serve as a member of a Case Review Team.
6. To act as Parliamentarian for the Commission.
7. To perform such other duties as may be conferred by vote of the Commission or requested by the Chair.

#### **D. Cabinet**

The Cabinet shall

1. In consultation with the Executive Director, make Case Review Team and Leader assignments
2. Investigate allegations of impropriety against any Commission Member and make recommendations resulting from such investigations
3. Provide supervision of and consultation with the Executive Director.

### **Article V: Meetings**

#### **Section 1: General**

Closed and open meetings of the Commission shall be held regularly in order to carry out the objectives and purposes of the organization. Notice of time, place and agenda shall be provided to the Commission and the public at least 72 hours before the scheduled time of every meeting in accordance with the Ralph M. Brown Act.

#### **Section 2: Closed Meetings**

Closed Meetings are normally held twice each month, except only once in December. Closed Meetings are held pursuant to California Government Code Section 54957 to provide a confidential environment in which (1) to review complaints and investigations regarding SDPD Officers in accordance with California Penal Code Section 832.7 or (2) to discuss personnel or other information that is specifically exempt from public disclosure by law. Attendance by anyone other than Commission members and staff is by invitation.

#### **Section 3: Open Meetings**

Open Meetings are normally held once each month, except in December, to transact business and to hear presentations. Open Meetings provide a forum in which to communicate with the public, to advise the community on the business of the Commission, and to hear public testimony on issues under the Commission's purview. Individual cases are not discussed in open meetings.

#### **Section 4: Special Meetings**

Special Meetings can be held as needed and may be either Closed or Open. A Special Meeting may be called by the Chair, the Cabinet, or by a vote of Commission members. Notice of a Special Meeting shall state the topic(s) to be discussed, and no other business may be considered during the Special Meeting.

**Section 5: Voting and Quorum**

Only Commission members can vote on issues before the Commission and are counted to determine the presence of a quorum. Commission members (except the Chair) are expected to vote on all issues and must state on the record the reason for any abstention. The Chair is not required to vote; however, the Chair may vote whenever his or her vote will affect the result.

No formal action can be taken without a quorum. The requirement for a quorum shall be a majority of filled seats on the Commission, with a minimum number of seven Commissioners needed to conduct business.

**Article VI. Committees**

**Section 1: General**

Committees of the Commission shall be formed to carry out the primary objectives of the Commission and to maintain functions necessary to sustain the Commission. Committees shall limit their business to the purpose identified in this document or the purpose identified at their inception. Committees shall conduct their business in a manner consistent with these Bylaws and the Standing Rules of the Commission. Committees shall not take any final action on behalf of the Commission or issue any official communication. The Chair may appoint community members as non-voting members of a committee.

Committees fall into two categories: Standing Committees and Ad Hoc Committees. Standing Committees require a constant presence to carry out long term ongoing functions of the Commission. Ad Hoc Committees either support periodic functions of the Commission that do not require a constant presence for service or are formed to accomplish specific, short term tasks that are not within the assigned function of any Standing Committee or any other Ad Hoc Committee.

Committee Chairs of all committees shall be members of the Commission. Unless otherwise specified herein, Committee Chairs shall be appointed by the Commission Chair to serve a one-year term. Ad Hoc Committee Chairs can serve until their committee is disbanded. Standing Committee Chairs have the following tasks:

1. Conduct Committee meetings at least quarterly or more often as needed.
2. Support the Brown Act requirement for public notice with an agenda in advance.
3. Report on Committee activities at Open Meetings and make recommendations for Commission action.
4. Contribute a summary of Committee activities and accomplishments for the CPP Semi-annual Reports.
5. Serve as a member of the Executive Committee.

## **Section 2: Standing Committees**

Notice of Standing Committee meeting time, place and agenda shall be provided to Committee members and the public at least 72 hours before the scheduled meeting time. Except for the Executive Committee, Standing Committees are limited to no more than seven (7) members.

### **A. Executive Committee**

The Executive Committee has continuing jurisdiction over the effective and ethical functioning of the Commission. The Chair of this Committee is the Commission Chair. Members of the Executive Committee are the elected officers of the Commission and Standing Committee Chairs. Regular meetings of the Executive Committee may be held monthly at the discretion of the Chair.

### **B. Policy Committee**

The Policy Committee shall evaluate recommendations from Commission Members for improvements to SDPD policy, procedure, training or administration of discipline of police officers. The result of the evaluation shall be presented to the Commission. The Policy Committee can recommend Commission action to forward suggested improvements to the Chief of Police and the Mayor. The Policy Committee meets at the discretion of the Policy Committee Chair.

### **C. Continuing Education Committee**

The Continuing Education Committee arranges presentations on subjects of interest at the Open Meetings of the Commission. The Continuing Education Committee also arranges additional training opportunities and field trips for the Commission. The Continuing Education Committee meets at the discretion of the Continuing Education Committee Chair.

### **D. Community Outreach Committee**

The Community Outreach Committee supports the Commission's outreach and education objectives at community events and informational meetings. The Outreach Committee meets at the discretion of the Outreach Committee Chair.

### **E. Rules Committee**

The Rules Committee shall evaluate recommendations from Commission Members for amendments to these Bylaws, to Special Rules of Order, to Standing Rules and to other operational procedures. The Rules Committee is responsible to ensure that a proposed amendment does not violate or conflict with any existing provision in these Bylaws or any other rules that govern the Commission. The result of the evaluation shall be presented to the Commission. The Rules Committee meets at the discretion of the Rules Committee Chair.

### **F. Recruitment and Training Committee**

The Recruitment and Training Committee supports activities to recruit new members for the Commission, to inform interested individuals about the Commission, and to provide training to members. The Recruitment and Training Committee meets at the discretion of the Recruitment and Training Chair.

**Section 3: Ad Hoc Committees**

Ad Hoc Committees may be formed as needed by the Commission Chair or by a majority vote of the Commission for an assigned specific task. Unless extended by a vote of the Commission, each Ad Hoc Committee is disbanded at the completion of the assigned task. Ad Hoc Committees are limited to no more than seven members.

**A. Nominating Committee**

The Nominating Committee is a recurring ad hoc committee that shall be formed annually to facilitate election of officers. Three members of the Nominating Committee shall be elected by the Commission with nominations taken from the floor. The Nominating Committee shall recruit Commissioners who are willing and qualified as candidates for each office. The Nominating Committee shall present to the Commission at least one nomination for each office prior to the last scheduled Open Meeting of the fiscal year. The Nominating Committee shall be disbanded following the election of Commission officers.

**Article VII: Administration**

**Section 1: Executive Director**

The Executive Director is appointed by the City Council and serves under the will and direction of the Commission. The Executive Director is responsible for facilitating the work of the Commission, including, but not limited to, the following tasks:

1. Interface with community members, responding to inquiries and receiving complaints.
2. Direction of day-to-day operations of the Commission.
3. Liaison between the Commission and City departments, in particular SDPD and the City Attorney's Office.
4. Maintenance of records and preparation of reports, including semiannual reports to the Mayor and City Council.
5. Hire and supervise Commission staff, independent contractors, and consultants
6. Arrange for the preparation of and dissemination all meeting notices for CPP and committee meetings as required by the Ralph M. Brown Act.
7. Attend all CPP meetings, including committee meetings.
8. Serve as custodian of the Commission's records, in compliance with all applicable laws related to records retention, protection, confidentiality and disclosure.
9. Arrange for the preparation of and dissemination of the minutes of all CPP board and committee meetings.

The Commission shall conduct a formal performance evaluation of the Executive Director on an annual basis in a manner consistent with the evaluation process used by the City's Personnel Department.



**Section 2: Independent Legal Counsel**

The Commission shall retain its own Legal Counsel, who is independent of the City Attorney for legal support and advice in carrying out the Commission’s duties and actions. The Legal Counsel may be a Commission employee or independent contractor hired by the Executive Director, in consultation with the Cabinet.

**Article VIII: Amendment**

**Section 1: CPP Bylaws**

Bylaws describe organizational structure, eligibility requirements of the members, the terms, responsibilities and powers of the officers, types of meetings, specification of a quorum, identity of standing and ad hoc committees, the duties and responsibilities of each committee, and identity of a parliamentary authority. Amendment of these Bylaws requires a two-thirds vote of Commission Members at a regularly scheduled Open Commission meeting. Proposed amendments must be submitted by a Commission member as defined in and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Commission members at least ten days before the meeting where the vote will be taken.

**Section 2: CPP Special Rules of Order**

Special Rules of Order define and clarify parliamentary procedures that are different from the specifications of the identified parliamentary authority. Special Rules of Order may be adopted, amended, or deleted by a two-thirds vote of Commission Members at a regularly scheduled Open Commission meeting. Proposed amendments must be submitted by a Commission member and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Commission members at least ten days before the meeting where the vote will be taken.

**Section 3: CPP Operational Standing Rules**

Operational Standing Rules define and clarify operational procedures for any interface between this organization and any other City Department including SDPD. Operational Standing Rules may be adopted, amended, or deleted by a majority vote of Commission Members at a regularly scheduled Open Commission meeting. Proposed amendments must be submitted by a Commission member and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Commission members at least ten days before the meeting where the vote will be taken. Commission-approved Operational Standing Rules become effective when reviewed and approved by the City Council.

**Section 4: CPP Administrative Standing Rules**

Administrative Standing Rules define and clarify internal procedures for this organization. Administrative Standing Rules may be adopted, amended, or deleted by a majority vote of Commission Members at a regularly scheduled Open Commission meeting. Proposed amendments must be submitted by a Commission member and

reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Commission Members at least ten days before the meeting where the vote will be taken.

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**Commission on Police Practices  
Training Academy**

**August 29, 2023**

5:30pm - 7:30pm

**Component 1**

Regular Business Meeting/Orientation

- Commissioners Oath of Office
- Brief History of CPP & Creation of OCPP
- Highlights of Ralph M. Brown Act
- Overview of Interim CPP Case Review Process
- Operational Items
- Reimaging CPP Case Review & Backlog
- Future Dates CPP Regular Business Meetings
- Overview of Upcoming CPP Training & Schedule
- Homework Assignment (Read Interim Standard Operating Procedures, Implementation Ordinance)

**Location**

**Procopio Tower  
Conference Room, First Floor  
525 B St – San Diego, CA 92101**

**September 9, 2023**

10:30am - 2pm

**Component 2**

POBOR, City of San Diego Administrative Rules, Civilian Oversight of Law Enforcement

- Ralph M. Brown Act (CPP Outside Counsel Duane Bennett)
- Administrative Regulations & Requirements
- Better Management Impact System – Tracking Commissioner Hours
- Overview of POBOR (CPP Outside Counsel Duane Bennett)
- Civilian Oversight of Law Enforcement NACOLE -Video, Code of Ethics, Decorum, Principles of Civilian Oversight of Law Enforcement, ListServ, Annual Conference

**Location**

**Logan Heights Branch Library  
567 South 28<sup>th</sup> Street – San Diego, CA**

## Commission on Police Practices Training Academy

**September 12, 2023**

4:30pm-7:30pm

### **Component 3**

Procedures

- Presentation on the Parliamentary Procedure
- CPP Policies & Procedures – Bylaws, Standard Operating Procedures, Implementation Ordinance

### **Location**

**Valencia Park/Malcolm X Branch Library  
5148 Market Street – San Diego, CA**

**September 19, 2023**

9:30am-12pm

### **Component 4**

San Diego Police Department

- SDPD Headquarters Tour
- Name Badges & Parking Card for Commissioners
- Meeting with Chief, Assistant Chiefs, & POA President (9:30am-10:30am)
- Overview of Internal Affairs (*IA Captain*)

### **Location**

**San Diego Police Headquarters, Room 213  
1401 Broadway – San Diego, CA**

**September 23, 2023 (Tentative)**

8:30am - 3:00pm

### **Component 5 (Cohort 1 -11 Commissioners)**

SDPD Use of Force, Laws of Arrest  
Procedures, Simulators

### **Location**

**Police Plaza  
4020 Murphy Canyon Rd – San Diego, CA**

**October 7, 2023 (Tentative)**

10:30am – 3:30pm

### **Component 6**

Rebuilding Community-Government  
Relationship (Tasha Williamson)

Racial Profiling & Law Enforcement in San  
Diego (ACLU San Diego)

**Commission on Police Practices  
Training Academy**

**October 14, 2023 (Tentative)**  
10:30am – 3:30pm

**Location**

**Logan Heights Branch Library  
567 South 28<sup>th</sup> Street – San Diego, CA**

**Component 7**

Diversity, Sensitivity & Implicit Bias Training

**Location**

**TBD**

**October 21, 2023 (Tentative)**  
8:30am – 3:00pm

**Component 8 (Cohort 2-11 Commissioners)**

SDPD Use of Force, Laws of Arrest  
Procedures, Simulators

**Location**

**Police Plaza  
4020 Murphy Canyon Rd – San Diego, CA**

**October 2023**  
3:30 – 7:30pm

**Component 9**

SDPD Policies & Procedures Training, Internal  
Affairs Complaint Process, Ride-Alongs (*IA  
Captain*)

**Location**

**San Diego Police Headquarters  
1401 Broadway – San Diego, CA**

**October/November 2023**

**Component 10**

Legal Perspective of SDPD Officers Use of  
Force (including deadly force), Arrest and  
Detention, Search & Seizure - (*CPP Outside  
Counsel Duane Bennett, Esq.*)

**October/November 2023**

**Component 11**

Panel Presentations on Civil or Human Rights,  
Criminal Justice, Youth, Mental Health,  
Impacted Individuals

**October/November 2023**

**Component 12**

**Commission on Police Practices  
Training Academy**

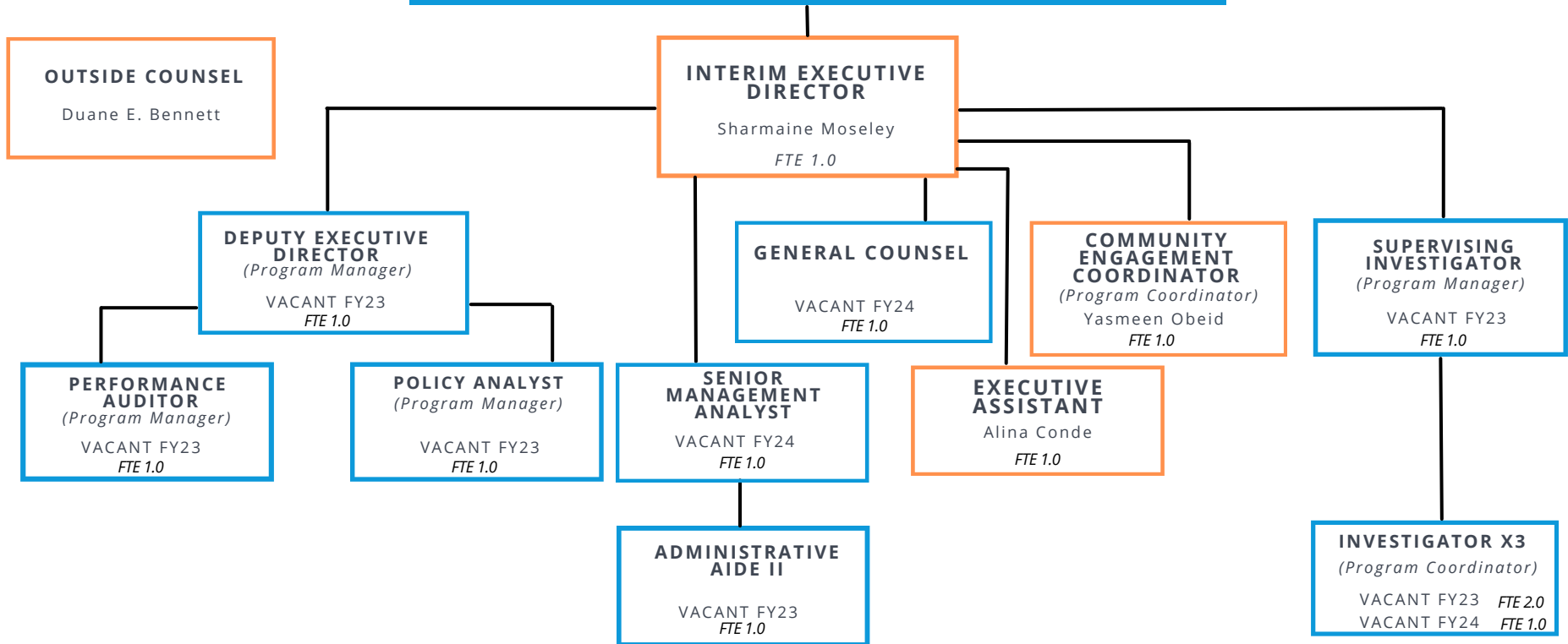
**Detailed Review of a Case, Report Write-up of a Case, and Case  
Presentation (CPP Team Lead)**

**At conclusion of this component new members will be assigned to Teams.**

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▶ The Commission on Police Practices provides independent investigation of officer-involved shootings, in-custody deaths, and other significant incidents, and an unbiased evaluation of all allegations of misconduct against the San Diego Police Department and its personnel.

## Office of the Commission on Police Practices



\*Orange coded- Positions are currently filled  
\*Blue coded- Positions approved in FY22, will be filled in FY23 or FY24