

Policy Committee Online Meeting

Thursday, October 21, 2021

1:30p.m. – 2:30p.m.

Zoom Webinar

Agenda

This meeting is open to the public. Please see the rules/procedures for submitting public comment and/or joining the webinar as an attendee at the bottom of the agenda. This meeting will be available live and posted on YouTube the day after the meeting adjourns and can be accessed by clicking [here](#).

- I. Welcome/Call to Order (Committee Chair Brandon Hilpert)
- II. Roll Call
- III. Approval of the Minutes from the July 1, 2021 Policy Committee Meeting
- IV. Non-Agenda Public Comment
- V. Unfinished Business (Discussion/Action)
 1. Development of Third-Party Mediation
This item is tabled until after the Commission on Police Practices is formally established/fully-funded.
 2. Review Homeless Encampment Sweep Procedures
Pending Action: Policy Committee was going to research best practices from other departments and report back.
 3. Discrimination/Non-Biased Policing
 - Propose removing the last sentence of SDPD's Courtesy Policy 9.20, replace with SDPD Non-Bias Policing Policy 9.31
 - Remove the reference to SDPD Courtesy Policy 9.20 from SDPD Non-Bias Policing Policy 9.31
 - Recommend adding "regardless of the intent of the officer" to the policy and include the behavior of the officer

VI. New Business (Discussion/Action) Committee Chair Brandon Hilpert

1. SDPD Procedure 1.43: Require officers involved in officer-involved shootings must undergo a psychological review before returning to field duty
2. SDPD Procedure 1.55- De-escalation: Discuss usage of profane language as a “de-escalation” tactic.
3. SDPD Procedure 5.10: Officers Uniform Policy

VII. Future Agenda Items for Committee Consideration


VIII. Adjourn

Materials Provided:

- CPP Policy Committee Minutes – July 1, 2021 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:

Please click this URL to join.

<https://sandiego.zoomgov.com/j/1616862081?pwd=eIFCdTh3b2VUWmZoWlhMaTE1ZE4xQT09>

Passcode: 38FTLd

Or One tap mobile:

+16692545252,,1616862081#,,,,*416440# US (San Jose)

+16692161590,,1616862081#,,,,*416440# US (San Jose)

Or join by phone:

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

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

Webinar ID: 161 686 2081

Passcode: 416440

International numbers available: <https://sandiego.zoomgov.com/join/1616862081>

Or an H.323/SIP room system:

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

Webinar ID: 161 686 2081

Passcode: 416440

SIP: [1616862081@sip.zoomgov.com](https://sandiego.zoomgov.com/join/1616862081)

Passcode: 416440

Policy Committee Online Meeting Minutes

Thursday, July 1, 2021
5 p.m. – 6:30 p.m.
Zoom Webinar

Click <https://youtu.be/tIFGSsYyQlo> to view this meeting on YouTube.

Commissioners Present:

Brandon Hilpert, Chair
Doug Case, 1st Vice Chair
Andrea Dauber-Griffin
Robin Spruce
Nancy Vaughn (joined at 5:10pm)

Commissioners Absent or Excused:

Joe Craver and Kevin Herington

Staff Present:

Sharmaine Moseley, Interim Executive Director

San Diego Police Department (SDPD) Staff Present:

Executive Assistant Chief McGrath

- I. Call to Order at 5:09pm
- II. Roll Call
- III. Approval of the Minutes from the February 25, 2021 Policy Committee Meeting
Commissioner Robin Spruce moved for approval of minutes from February 25, 2021. Commissioner Andrea Dauber-Griffin seconded the motion.

The motion passed with a vote of 4-0-1

Yays: 1st Vice Chair Case, Dauber-Griffin, Spruce, and Vaughn.

Nays: None

Abstention(s): Chair Brandon Hilpert

Absent: Joe Craver and Kevin Herington.

IV. Non-Agenda Public Comment: No public comment

V. Unfinished Business (All tabled to address new business)

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

This item is tabled until after the Commission on Police Practices is formally established/fully funded.

Officially fully funded with the new fiscal year. However, nothing can be done until the Implementation Ordinance is in place. Working item but tabled for now.

VI. New Business (Discussion/Action) Committee Chair Brandon Hilpert

1. BWC Changes

Make a recommendation to have the Police Department increase numbers of Officers and staff that would be using BWC's. One idea is to have the watch commander staff wear BWC's when processing detainees (as this can give audio reference). Another idea is to have plain clothed officers wear BWC's. Commissioner Nancy Vaughn requests elaboration as to why Lieutenants don't wear BWC's? Internal Affairs Captain Dupree explained that Lieutenants are there for supervisory support and when taking complaints, there are times when people do not want to be recorded (for various reasons). Chair Brandon Hilpert proposed to already be recording at first and then turn off the BWC if requested to give legitimacy for turning off BWC.

Commissioner Nancy Vaughn motioned to make a recommendation to the Police Department for plain clothed officers to have BWC's and activate them. Which would include the Watch Commander staff with a note that Field Lieutenants are not required to have a BWC but when dealing with issues or complaints then a Police Officer with a BWC should be present to document. Commissioner Andrea Dauber-Griffin seconded the motion.

Motion passed 4-0-1

Yays: 1st Vice Chair Case, Dauber-Griffin, Spruce, and Vaughn.

Nays: None

Abstention(s): Chair Brandon Hilpert

2. Use of Force Opinions (Action Item)

Requirements for UOF opinions to reviewed supervisors

Review and approve proposed memo

Proposed memo addresses to make recommendations on how cases should be reviewed and who reviews them. Recommendation to define and include pre-assaultive cues (SDPD Procedure 1.07 – Use of taser assaulted behavior life threatening behavior Use of resistance). Recommending someone from the training command staff (Lieutenant or Captain) to review, approve, and sign off on all use of force opinions. City attorney also needs to review the opinions and ensure it is legally valid, accurate,

and appropriate. There should also be a feedback loop between IA and the person who wrote the opinion.

Commissioner Robin Spruce motioned to send the Use Of Force Recommendations to the full commission and the Assistant Chief. Commissioner Nancy Vaughn seconded the motion.

Motion passed 4-0-1

Yays: 1st Vice Chair Case, Dauber-Griffin, Spruce, and Vaughn.

Nays: None

Abstention(s): Chair Brandon Hilpert

3. Discrimination Policy

Discussion about proposing a stand-alone discrimination policy to replace “non-biased policing” policy.

Idea to come up with a standalone “Discrimination Policy”. Commissioner Patrick Anderson researched nationwide to compare the best policy practices. (9.31 Non-Biased Policing Policy) Open for discussion.

Commissioner Robin Spruce expressed concern regarding Officers being discriminatory during an arrest or in some cases where Officers are acting in a discriminatory manner once a person is in custody. Recommendation to work with Internal Affairs on how they are determining discrimination investigations to prove intent/impact of the officer. As well as how they do discrimination trainings to continue education. Idea to hold trainings with CPP on discrimination. Chair Hilpert, 1st Vice Chair Case, and Commissioner Anderson will work together to draft some proposed language then will present it to the Policy Committee and proceed from there. Tabled for now.

4. Review Homeless Encampment Sweep Procedures

Discussion regarding existing SDPD policies, review SD Sheriff Information

Commissioner Andrea Dauber-Griffin mentioned that Chair Hilpert should reach out to the Sheriffs Department (Homeless Encampment Sweep).

Chair Hilpert will do more research before making any official recommendations. Subject for discussion during one of the open meetings and present to the full commission. 1st Vice Chair Doug Case requests that someone from the Neighborhood Policing Division who handles encampment sweeps to come to an open meeting to discuss and better understand what the procedures are for recommendation. Tabled for now.

VII. Adjourned at 6:15pm.