

COMMISSION ON POLICE PRACTICES

REGULAR MEETING AGENDA

Tuesday, July 26, 2022

(6 p.m.-8 p.m.)

Remote Meeting Zoom Platform

<https://sandiego.zoomgov.com/j/1613968599>

Phone: 1 669 254 5252 or 833 568 8864 (Toll Free)

Webinar ID: 161 396 8599

COVID- 19 PUBLIC SERVICE ANNOUNCEMENT REGARDING MEETING ACCESS AND PUBLIC COMMENT:

Until further notice, Commission on Police Practices meetings will be conducted pursuant to the provisions of California Government Code Section 54953 (e), added by Assembly Bill 361, which suspends certain requirements of the Ralph M. Brown Act. During the current State of Emergency and in the interest of public health and safety, all Commission on Police Practices meetings will take place via teleconferencing. All Commissioners and members of Commission staff will participate in Commission on Police Practices meetings via teleconferencing.

- I. CALL TO ORDER/WELCOME (Chair Brandon Hilpert)
- II. ROLL CALL (Interim Executive Director Sharmaine Moseley)
- III. DISCUSSION/ACTION (Chair Brandon Hilpert)
 - A. Adoption of Resolution Authorizing and Ratifying the Continuance of Teleconference Public Meeting Pursuant to Government Code 54953

Motion: The Commission on Police Practices will adopt this Resolution authorizing and ratifying the use of teleconferencing for all meetings including meeting of ad hoc or standing committees, in accordance with Government Code Section 54953(e) and all other applicable provisions of the Brown Act, for a period of thirty (30) days from the adoption of this Resolution, or such a time that the Commission adopts a subsequent Resolution in accordance with Government Code Section 54953 (e). The Interim Executive Director is directed to return no later than thirty (30) days after the adoption of this Resolution with an item for this legislative body's reconsideration of these findings.

- IV. PUBLIC COMMENT: Fill out and submit comment using [webform](#). Please see instructions at the end of this agenda.
- V. CLOSED SESSION **(CANCELLED)**
- VI. PURPOSE OF THE COMMISSION ON POLICE PRACTICES (CPP)

VII. APPROVAL OF MEETING MINUTES

- A. CPP Regular Meeting Minutes of June 28, 2022
- B. CPP Regular Meeting Minutes of July 5, 2022
- C. CPP Regular Meeting Minutes of July 19, 2022
- D. CPP Special Meeting Minutes of July 12, 2022

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

IX. EDUCATIONAL/TRAINING

- A. **“City of San Diego’s Hiring Practices & Rules”**
Presenter: Liz Barat, City of San Diego HR Manager (10-15 mins)
- B. **“Due Process Considerations in Hiring Practices”**
Presenter: Duane E. Bennett, Esq., CPP Outside Counsel (10-15 mins)

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

- A. Feedback on the triaging of cases, streamlined case reports, and completion of case reports for officer notifications.

XI. NEW BUSINESS (DISCUSSION/ACTION) (1st Vice Chair Doug Case)

- A. Commission Staffing Needs & Sequence of Executive Job Searches
Action Item: Approval of the sequence of executive job searches for the CPP
- B. Roles & Expectations for all Participants in the Commission’s Hiring Process when Community Panelists are Involved
Action Item: Approval of list of roles and expectations for all participants in the Commission’s hiring process when community panelists are involved

XII. 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 (1st Vice Chair Doug Case)
- D. CPP Handbook Committee (1st Vice Chair Doug Case)
 - 1. Update – On Hold
- E. Policy Committee (Chair Brandon Hilpert)
 - 1. Update/Next Policy Committee Meeting
- F. Recruitment & Training Committee (Kevin Herington)
 - 1. Update – On Hold
- G. Citizens Advisory Board on Police Community Relations (Chair Hilpert)

1. CAB Meeting on July 18, 2022 (CANCELED)
- H. Ad Hoc Transition Planning Committee (1st Vice Chair Doug Case)
1. Budget Update
 2. Staffing & Legal Counsel Update
 3. Draft Implementation Ordinance & Standard Operating Procedures Update
 4. Office Space Update
- XIII. ELECTION OF CPP 2nd VICE CHAIR (Chair Brandon Hilpert)
- XIV. CHAIR'S REPORT (Chair Brandon Hilpert)
- A. Reminders for Commissioners
1. 1st Quarter (July 1st – September 30th) Volunteer Hours Report -All Commissioners log hours in for reporting purposes
 2. CPP Interim Bylaws -Article II, Section 5 (Independence) and Article III, Section 6 (Ethical Conduct & Code of Ethics)
 3. Internal Affairs Office Hours/Schedule
- B. Updates
1. Collaboration/Information Sharing with Statewide Oversight Groups
 2. 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
- C. Other Items/Reminders
- XV. EXECUTIVE DIRECTOR'S REPORT (Interim ED Sharmaine Moseley)
- A. Caseload Update & Status of Case Reports
 - B. Planning for CPP Former Member Appreciation/Acknowledgements (Robin Recendez)
 - C. Update on NACOLE Annual Conference in Fort Worth, Texas (September 2022)
 - D. Other Items/Reminders
- XVI. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Chris McGrath)
- A. Status of SDPD Written Responses to CPP Recommendations Submitted on March 30, 2021 (**SDPD Response Received**)
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. Status of SDPD Written Response to CPP Recommendations Submitted on August 12, 2021 Regarding Procedure for Approval of Use of Force Opinions (**SDPD Response Received**)
- C. Status of SDPD Written Responses to CPP Recommendations Submitted on May 10, 2022
1. BWC Buffering Enhancements
 2. Investigation of Complaints Involving SDPD Leadership
 3. Discipline Manual and Matrix Changes

4. Formation of SDPD's Disciplinary Tracking System
5. Be on Lookout (BOLO) Flyers
6. Transmittal of Commission's OIS Reports to Shooting Review Board

D. Status of CPP Cabinet Meeting with SDPD Training Captain Regarding Use of Force & Show of Force Reporting

E. Status of CRB Recommendation in April 2017 Regarding Canine Use of Force Complaints

F. Updates (Staffing in IA, Training, etc.)

XVII. COMMISSIONER RIDE-ALONG REPORTS

XVIII. COMMISSIONER ANNOUNCEMENTS/COMMENTS


XIX. ADJOURNMENT

Materials Provided:

- CPP Resolution Authorizing & Ratifying the Continuance of Teleconferenced Public Meetings Pursuant to Government Code 54953
- Minutes from Regular Meeting on June 28, 2022 (DRAFT)
- Minutes from Regular Meeting on July 5, 2022 (DRAFT)
- Minutes from Regular Meeting on July 19, 2022 (DRAFT)
- Minutes from Special Meeting on July 12, 2022 (DRAFT)
- Updated Org Chart for Office of the Commission on Police Practices
- Job Descriptions for Supervising Investigator, Community Engagement Coordinator & Deputy Executive Director Positions (DRAFT)
- List of Roles & Expectations for All Participants in the Commission's Hiring Process When Community Panelists are Involved

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 at 6pm:

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

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Or an H.323/SIP room system:

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SAN DIEGO COMMISSION ON POLICE PRACTICES RESOLUTION AUTHORIZING
AND RATIFYING THE CONTINUANCE OF TELECONFERENCED PUBLIC MEETINGS
PURSUANT TO GOVERNMENT CODE 54953

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus; and

WHEREAS, on February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020, and recognized by the City of San Diego; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency ("State of Emergency") pursuant to section 8625 of the California Emergency Services Act, in response to the COVID-19 pandemic; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may use revised teleconference rules provided under section 53593(e) if the legislative body makes certain findings and those findings are reconsidered every thirty (30) days, as applicable; and,

WHEREAS, on September 20, 2021, Governor Newsom issued Executive Order N-15-21 that suspended AB 361 through September 30, 2021; and,

WHEREAS, the proclaimed State of Emergency remains in effect; and,

WHEREAS, the California Occupational Safety and Health Standards Board adopted California Code of Regulations, Title 8, Section 3205 which states, "particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased

ventilation indoors, and respiratory protection decrease the spread of COVID-19, but are most effective when used in combination;” and

WHEREAS, on or about September 23, 2021, Dr. Wilma Wooten, the County of San Diego’s Public Health Officer issued a letter recommending the utilization of teleconferencing options for public meetings as an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 virus (the “Teleconferencing Recommendation”); and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, this legislative body deems it necessary to take action for purposes of utilizing the provisions of AB 361 related to teleconferencing;

WHEREAS, social distancing measures have been imposed and implemented by the State of California to mitigate the spread of COVID-19; and

WHEREAS, the San Diego Commission on Police Practices believes the spread of COVID-19 poses an imminent risk to the health and safety of in person meeting attendees; and

WHEREAS, the San Diego Commission on Police Practices is committed to open and transparent governance in compliance with the Brown Act; and

WHEREAS, the San Diego Commission on Police Practices is conducting virtual meetings by way of telephonic and/or internet-based services as to allow members of the public to fully participate in meetings and offer public comment.

NOW THEREFORE, BE IT RESOLVED, that the recitals set forth above are true and correct and fully incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED, that the San Diego Commission on Police Practices recognizes that a State of Emergency in the State of California continues to exist due to the COVID-19 pandemic.

BE IT FURTHER RESOLVED, that the San Diego Commission on Police Practices recognizes that social distancing measures remain recommended by state and local officials.

BE IT FURTHER RESOLVED, that the San Diego Commission on Police Practices finds that holding in-person meetings would present imminent risks to the health or safety of attendees due to the cause of the State of Emergency and that the cause of the State of Emergency directly impacts the ability of the governing board members to meet safely in person.

BE IT FURTHER RESOLVED, the San Diego Commission on Police Practices authorizes and ratifies the use of teleconferencing for all meetings, including meetings of its ad hoc or standing committees, in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act, for a period of thirty (30) days from the adoption of this resolution, or such a time that the Commission adopts a subsequent resolution in accordance with

Government Code section 54953(e)(3). The Interim Executive Director is directed to return no later than thirty (30) days after the adoption of this Resolution with an item for this legislative body's reconsideration of these findings.

BE IT FURTHER RESOLVED, the Interim Executive Director is directed to take any other necessary or appropriate actions to implement the intent and purposes of this Resolution.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately upon its adoption.

Adopted this _____ day of the month of _____ in 2022.

Motion made by: _____

Second made by: _____

Commissioners voting "yes" _____

Commissioners voting "no" _____

Commissioners abstaining _____

Commissioners not present _____

REGULAR MEETING MINUTES

Tuesday, June 28, 2022
Via Zoom Webinar

Click <https://www.youtube.com/watch?v=IgdrrpD7yWm4> to view this meeting on YouTube.

Commissioners Present:

Brandon Hilpert, Chair	Diana Dent
Doug Case, 1 st Vice Chair	Kevin Herington (left at 6:59)
Poppy Fitch, 2nd Vice Chair (arrived at 6:54pm)	Steve Hsieh
Maxine Clark (arrived at 6:07pm)	Chris Pink
Andrea Dauber-Griffin	Ernestine Smith
	Nancy Vaughn

Commissioners Absent or Excused:

Patrick Anderson
Robin Spruce

Staff Present:

Sharmaine Moseley, Interim Executive Director
Duane Bennett, CPP Legal Counsel
Alina Conde, Executive Assistant
Robin Recendez, Administrative Aide

San Diego Police Department (SDPD) Staff Present:

IA Captain Anthony Dupree
Lieutenant Dan Sayasane
Lieutenant Tristan Schmottlach

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- I. CALL TO ORDER/WELCOME: Chair Brandon Hilpert called the meeting to order at 6:03pm.
 - II. ROLL CALL: Interim Executive Director Sharmaine Moseley conducted the roll call.
 - III. DISCUSSION/ACTION (Chair Brandon Hilpert)
 - A. Adoption of Resolution Authorizing and Ratifying the Continuance of Teleconference Public Meeting Pursuant to Government Code 54953
Motion: The Commission on Police Practices will adopt this Resolution authorizing and ratifying the use of teleconferencing for all meetings including meeting of its ad hoc or standing committees, in accordance with Government Code Section 54953(e) and all other applicable

provisions of the Brown Act, for a period of thirty (30) days from the adoption of this Resolution, or such a time that the Commission adopts a subsequent Resolution in accordance with Government Code Section 54953 (e). The Interim Executive Director is directed to return no later than thirty (30) days after the adoption of this Resolution with an item for this legislative body's reconsideration of these findings.

Commissioner Nancy Vaughn moved for the Commission on Police Practices to adopt this Resolution. Commissioner Kevin Herington seconded the motion. The motion passed with a vote of 9-0-0. (Time 2:19)

Yays: Chair Hilpert, 1st Vice Chair Case, Commissioner Dauber-Griffin, Commissioner Dent, Commissioner Herington, Commissioner Hsieh, Commissioner Pink, Commissioner Smith, and Commissioner Vaughn

Nays: None

Abstained: None

Absent/Excused: 2nd Vice Chair Fitch, Commissioner Anderson, Commissioner Clark, and Commissioner Spruce

IV. PUBLIC COMMENT: No public comment received.

V. CLOSED SESSION (**CANCELED**)

VI. 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.

VII. APPROVAL OF MEETING MINUTES

A. CPP Open Session Meeting Minutes of May 24, 2022

Motion: Commissioner Nancy Vaughn moved for the Commission to approve its May 24, 2022 Open Session Meeting Minutes. Commissioner Kevin Herington seconded the motion. The motion passed with a vote of 9-0-0. (Time 6:20)

Yays: Chair Hilpert, 1st Vice Chair Case, Commissioner Dauber-Griffin, Commissioner Dent, Commissioner Herington, Commissioner Hsieh, Commissioner Pink, Commissioner Smith, and Commissioner Vaughn

Nays: None

Abstained: None

Absent/Excused: 2nd Vice Chair Fitch, Commissioner Anderson, Commissioner Clark, and Commissioner Spruce

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

IX. EDUCATIONAL/TRAINING TOPIC

“Closed Sessions & the Duty/Requirement of Confidentiality Under the Brown Act” - Part 2 of 2

Presenter: Duane E. Bennett, Esq. (CPP Outside Counsel) **(Time 8:09)**

CPP Outside Counsel, Duane Bennett presented information regarding the Brown Act. This presentation focuses on Closed Session Meetings and confidentiality. Outside Counsel Bennett discussed how Police Officer Personnel Files are confidential and went over the Brown Act Sanctions. He presented Penal Codes section 832.7 section 54957 (b)(2), and violations of section 54963.

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

A. Commission Meetings

1. Reassessment of Closed & Open Sessions of Regular Meetings
Executive Assistant Alina Conde sent out a doodle poll for the month of July. The CPP has had another resignation and now will have 12 Commissioners instead of the allotted 23 Commissioners. The Commission has about 6 cases waiting for review. The Commission has been meeting almost every week (if not bi-weekly). Interim Executive Director Sharmaine Moseley will be sending out meetings links every Friday before the meeting.

Action Item: Approval of changing the meeting dates and/or times of the Commission’s Regular Meeting and the times of the Open & Closed Sessions

The Commission decided to keep the meeting dates the same and take no action to change the dates and times.

B. Case Review

1. Reassessment of Backlog of CPP Case Review & Evaluation of Disciplines

Commissioner Andrea Dauber-Griffin shared her feelings regarding how the numbers of Commissioners are dwindling. She claimed that it has a demoralizing effect on those who are still on the Commission and agrees that the Commission should not continue to accept new cases when there are not enough Commissioners to do the work.

1st Vice Chair Doug Case suggested a triage method for cases that will be prioritized. Possibly have each team leader give a summary of the status for backlog of cases during the Team Lead monthly meetings. Prioritize cases that have sustained findings from IA and cases that involve use of force allegations. 1st Vice Chair Case

claims it would be wise to still accept new cases, but it would be better to have a system in place. Commissioner Steve Hsieh agreed with the idea to triage and streamline cases.

1st Vice Chair Doug Case moved for the Commission to implement a 3-step process.

1. Team leaders will be responsible for doing a preliminary review of each of their cases which would entail reading the IA report and then summarize each of their cases to bring to the Team leader's monthly meeting and then to the CPP Closed Meeting.

2. At the monthly Team leader meeting, the Team leaders will agree to a prioritization of their cases. They will assess and report out on which cases will have a full review of the case or full review of an allegation in the case. The Team will also report out on the order for their case reviews.

3. For the cases that will not have a full review, the Team will write a memo with a very brief summary that the team agrees with IA findings. The Commission will vote on the Team's recommendation to agree with the IA finding(s) and the case will be closed out depending on the Commission's decision.

Commissioner Nancy Vaughn seconded the motion. The motion passes with a vote of 6-3-1. (Time 1:36:08)

Yays: Chair Hilpert, 1st Vice Chair Case, Commissioner Dent, 2nd Vice Chair Fitch, Commissioner Hsieh, and Commissioner Vaughn

Nays: Commissioner Clark, Commissioner Dauber-Griffin, and Commissioner Smith

Abstained: Commissioner Pink

Absent/Excused: Commissioner Anderson, Commissioner Herington, and Commissioner Spruce

XI. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)

A. Continuing Education Committee (Nancy Vaughn)

1. List of Upcoming Educational Topics/Presentations

- Restraining Orders – The CPP has seen some complaints and cases that revolve around restraining orders and would like to be a little more educated around this.
- Interactions Between Kumeyaay People & Law Enforcement – Updates coming soon.
- Show of Force/Use of Force & Reporting Requirements – Chair Brandon Hilpert will send out a video link to the Commission covering what to do if an Officer displays use of force. More updates coming soon.

B. Outreach Committee (Patrick Anderson)

1. Past Events/Virtual Meetings/Roundtable Discussions -No update
2. Upcoming Events/Outreach Opportunities
Chair Brandon Hilpert stated that during the Budget Hearing Committee Meeting, there was a public comment from a member of the Oak Park Community asking the Commission to give a presentation about what the Commission does and how the CPP works and operates. Date TBD.

C. Rules Committee (1st Vice Chair Doug Case)
No current updates.

D. CPP Handbook Committee (1st Vice Chair Doug Case)
1. Update – This item is on hold.

E. Policy Committee (Chair Brandon Hilpert)
Update/Next Policy Committee Meeting
Last month, the Commission submitted recommendations to SDPD and is awaiting the responses to those recommendations. All Commission recommendations and responses to those recommendations are posted to the CPP website.

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

G. Citizens Advisory Board on Police Community Relations (Chair Hilpert)
1. Update Past & Upcoming Meetings
Chair Brandon Hilpert was unable to attend Monday’s CAB meeting. Interim Executive Director Sharmaine Moseley stated that CAB’s 1st Vice Chair sent out an email regarding recommendations that SDPD put together a Sergeant’s training class.

H. Ad Hoc Transition Planning Committee (1st Vice Chair Doug Case)
1. Budget Update – Everything in the preliminary budget for CPP was approved by the City Council.
2. Staffing and Legal Counsel Update – The CPP is making progress on the hiring process for the Deputy Executive Director. The hiring committee has gone through the preliminary applicant review. 7 applications will be sent forward. The next step of the process would be a community panel (Outreach Chair Patrick Anderson will schedule). Then confidential meetings will be held with the semi-finalists.
3. Draft Implementation Ordinance & Standard Operating Procedures Update – The Implementation Ordinance is currently in meet and confer.
4. Office Space Update – Interim Executive Director Sharmaine – The landlord for 525 B St. has accepted the proposal and CPP leadership is continuing working with DREAM. Possible move in time frame would be November.

XII. CHAIR’S REPORT (Chair Brandon Hilpert)

A. Reminders for Commissioners

1. 1st Quarter (July 1st – July 31st) 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. Internal Affairs Office Hours/Schedule
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.
- B. Updates
1. Collaboration/Information Sharing with Statewide Oversight Groups – Chair Hilpert has been attending most of these meetings. There have been regional meetings for SoCal and state-wide. They have asked for volunteers. Chair Hilpert plans to eventually work on a presentation to go over what is going on in San Diego.
 2. Update & Next Steps on CPP Special Joint Meeting with Citizens Advisory Board on Police/Community Relations (CAB) 4/21/22 – Chair Brandon Hilpert will reach out to the Sherriff's Office to schedule a conversation and meeting with the CPP to go over the Countywide MOU Between County Chiefs & Sheriff Association.
 3. Update on the Creation CPP Social Media Pages & Training – The CPP has created social media accounts but have not used them too much yet.
 4. Update on CPP Presentation to Newest Officer Academy (June 16th) – Chair Brandon Hilpert stated that the presentation went well and there were about 45 new recruits.
- C. Other Items/Reminders – None.

XIII. EXECUTIVE DIRECTOR'S REPORT (Interim ED Sharmaine Moseley)

- A. Caseload Update and Status of Case Reports- It was reported that as of today, the CPP started out with 120 total cases assigned to its teams. Thirty-four of those cases are Category II cases. At the March meeting of the Commission, the Commission agreed to suspend its audit of Category II cases due to the backlog of cases. As a result, the Commission has 86 active cases assigned to its Teams which is 16 more cases since the end of May. There are at least 7 Category I cases, and 6 disciplines ready to be heard by the Commission.

In closing out this fiscal year, that ends on June 30, the Commission reviewed, deliberated on and closed out a total of 103 cases. The breakdown of the 103 cases is: 94 Category I cases, 8 OIS cases, and 1 ICD case. The Commission audited 17 Cat II cases and evaluated 115 disciplines. The Commission also evaluated 2 shooting review board reports.

The statistics for the Team assignments are as follows:
The teams have no in-custody death cases assigned for review. There are also no Commissioners assigned to teams 2 and 7 so those teams are inactive.

Team 1 has 16 active cases in their queue (14 are Category I cases– two of which have one or more sustained findings, and 1 OIS case). The team also has 7 Category II cases which are on hold. Team 1 has 1 case ready for the Closed Meeting agenda.

Team 2 is inactive. However, Chair Hilpert evaluated 4 disciplines that are ready for the next Closed Meeting agenda.

Team 3 has 10 active cases in their queue. Of the 10 cases, 7 are Category I cases – three of which have sustained findings. The team has 2 OIS cases. The team also has 2 Category II cases which are on hold.

Team 4 has 20 active cases in their queue all of which are Category I cases. Five of the Category I cases have one or more sustained findings. The Team has no OIS or ICD cases to review. The team also has 13 Category II cases which are on hold. Team 4 has 2 cases ready for the Commission’s next Closed Meeting.

Team 5 has 15 active cases in their queue. All of the 15 cases are Category I cases. Team 5 has disciplines to evaluate, so the team should check the IA case folder in the Google Drive. Four of the Category I cases have one or more sustained findings. The team also has 5 Category II cases which are on hold.

Team 6 has 25 active cases in their queue. 23 of which are Category I cases and 1 is an OIS related investigation. Of the 25 cases, four have sustained findings. The team also has 7 Category II cases which are on hold. Team 6 has 5 cases and 1 discipline ready for the next Closed meeting agenda.

Team 7 is inactive.

- B. Commission Resignation/Vacancies – Earlier today, Interim Executive Director Sharmaine Moseley sent out an email to the Commissioners and IA regarding the resignation of the Commission’s 2nd Vice Chair Poppy Fitch effective in a couple of days. At the end of this week, the CPP will be down to 12 Commissioners.
- C. Planning for CPP Former Member Appreciation/Acknowledgements– Chair Brandon Hilpert and Interim Executive Director Sharmaine Moseley met with the Commission’s administrative team Alina Conde and Robin Recendez, to discuss and finalize the plans for recognizing former CRB members and Commissioners. Since the CPP will most likely be moving into the new office space in November, the event might be during an Open House combined with an appreciation/acknowledgement ceremony for members who resigned just prior to the passage of Measure B up until recently. The building has a large meeting room in the lobby, so it should be able to use that space as well as bring up attendees to our new offices for a tour.
- D. NACOLE Annual Conference in Fort Worth, Texas (September 2022) –This year’s conference will be in-person and virtual. The in-person conference will take place from September 11–September 15 in Fort Worth, Texas. The virtual conference is scheduled to take place all day on October 26th, November 2nd, and November 9th. The CPP has a few Commissioners who have already been signed up to attend the in-person conference. Also, on July 11th, NACOLE will hold a webinar on “Analyzing BWC Video”. These training opportunities are geared towards the momentum of the last 2 years while creating better oversight models and systems by strengthening the work of jail, prison, and police oversight. There has been a huge increase in the development of oversight in various cities and municipalities. Interim Executive Director Sharmaine Moseley participated in numerous conversations with Universities, Colleges, and cities that are interested in the

changes coming down the pipeline for San Diego as well as what goes into creating these oversight entities. The NACOLE conference is the place to be for networking, sharing or learning about best practices.

- E. Other Items/Reminders – No other items/reminders

- XIV. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Chris McGrath)
 - A. Status of SDPD Written Responses to CPP Recommendations Submitted on March 30, 2021 – 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. Status of SDPD Written Response to CPP Recommendations Submitted on August 12, 2021 Regarding Procedure for Approval of Use of Force Opinions – No current updates.
 - C. Status of SDPD Written Responses to CPP Recommendations Submitted on May 10, 2022 – No current updates.
 - 1. BWC Buffering Enhancements
 - 2. Investigation of Complaints Involving SDPD Leadership
 - 3. Discipline Manual and Matrix Changes
 - 4. Formation of SDPD’s Disciplinary Tracking System
 - 5. Be on Lookout (BOLO) Flyers
 - 6. Transmittal of Commission’s OIS Reports to Shooting Review Board
 - D. Status of CPP Cabinet Meeting with SDPD Training Captain Regarding Use of Force & Show of Force Reporting – No current updates.
 - E. Status of CPP Cabinet Meeting with SDPD Training Captain Regarding Use of Force & Show of Force Reporting – No current updates.
 - F. Updates (Staffing in IA, Training, etc.) – Still at the same staffing level in Internal Affairs. They may need to fill just one position but it will possibly take a while.

- XV. COMMISSIONER RIDE-ALONG REPORTS: It was reported that Commissioners can start doing ride-a-long’s again.

- XVI. COMMISSIONER ANNOUNCEMENTS/COMMENTS: No announcements or comments.

- XVII. ADJOURNMENT: The meeting adjourned at 8:04pm.

COMMISSION ON POLICE PRACTICES

REGULAR MEETING MINUTES

Tuesday, July 5, 2022

Via Zoom Webinar

Click <https://www.youtube.com/watch?v=sfQxw5B8BCc> to view this meeting on YouTube.

Commissioners Present:

Brandon Hilpert, Chair
Patrick Anderson (arrived at 5:29pm)
Maxine Clark
Andrea Dauber-Griffin
Diana Dent

Kevin Herington (arrived at 5:13pm)
Ernestine Smith
Nancy Vaughn
Robin Spruce

Commissioners Absent or Excused:

Doug Case, 1st Vice Chair
Steve Hsieh
Chris Pink

Staff Present:

Sharmaine Moseley, Interim Executive Director
Alina Conde, Executive Assistant
Duane E. Bennett, CPP Outside Legal Counsel

-
- I. CALL TO ORDER/WELCOME: Chair Brandon Hilpert called the meeting to order at 5:03pm.
 - II. ROLL CALL: Interim Executive Director Sharmaine Moseley conducted the roll call.
 - III. 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.

IV. PUBLIC COMMENT: No public comment received.

V. CLOSED SESSION

A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Discussion & Consideration of Complaints & Reports: Pursuant to Government Code Section 54957 to discuss complaints, charges, investigations, and discipline (unless the employee requests an open public session) involving San Diego Police Department employees, and information deemed confidential under Penal Code Sections 832.5-832.8 and Evidence Code Section 1040. Reportable actions for the Closed Session items on the agenda will be posted on the Commission's website at www.sandiego.gov/cpp or stated at the beginning of the Open Session meeting if the meeting is held on the same day.

- I. San Diego Police Department Feedback on Case Specific Matters
- II. Shooting Review Board Reports (0)
- III. Category II Case Audit Reports (0)
- IV. Discipline Reports (4)
- V. Case Review Team Reports (6)
- VI. Case-Specific Recommendations to the Mayor/Chief (0)
- VII. Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0)
- VIII. Legal Opinion(s) Request & Response (0)

VI. REPORT OUT FROM CLOSED SESSION (7:15 p.m.) – There was nothing to report out from the Closed Session Meeting.

VII. NON-AGENDA PUBLIC COMMENT: No non-agenda public comment received.

VIII. ADJOURNMENT: The meeting adjourned at 7:16pm.

COMMISSION ON POLICE PRACTICES

REGULAR MEETING MINUTES

Tuesday, July 19, 2022

Via Zoom Webinar

Click <https://www.youtube.com/watch?v=Oij8Nh7Nlzo> to view this meeting on YouTube.

Commissioners Present:

Brandon Hilpert, Chair

Doug Case, 1st Vice Chair (left at 6:50pm)

Patrick Anderson

Maxine Clark

Andrea Dauber-Griffin (arrived at 6:41pm)

Diana Dent

Kevin Herington (arrived at 5:27pm)

Ernestine Smith (arrived at 5:15pm)

Robin Spruce

Nancy Vaughn

Commissioners Absent or Excused:

Steve Hsieh

Chris Pink

Staff Present:

Sharmaine Moseley, Interim Executive Director

Duane Bennett, CPP Legal Counsel

Alina Conde, Executive Assistant

Robin Recendez, Administrative Aide

-
- I. CALL TO ORDER/WELCOME: Chair Brandon Hilpert called the meeting to order at 5:10pm.
 - II. ROLL CALL: Interim Executive Director Sharmaine Moseley conducted the roll call.
 - III. 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.

IV. PUBLIC COMMENT: No public comment received.

V. CLOSED SESSION

A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Discussion & Consideration of Complaints & Reports: Pursuant to Government Code Section 54957 to discuss complaints, charges, investigations, and discipline (unless the employee requests an open public session) involving San Diego Police Department employees, and information deemed confidential under Penal Code Sections 832.5-832.8 and Evidence Code Section 1040. Reportable actions for the Closed Session items on the agenda will be posted on the Commission's website at www.sandiego.gov/cpp or stated at the beginning of the Open Session meeting if the meeting is held on the same day.

- I. San Diego Police Department Feedback on Case Specific Matters
- II. Shooting Review Board Reports (1)
- III. Category II Case Audit Reports (0)
- IV. Discipline Reports (3)
- V. Case Review Team Reports (5)
- VI. Case-Specific Recommendations to the Mayor/Chief (0)
- VII. Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0)
- VIII. Legal Opinion(s) Request & Response (0)

VI. REPORT OUT FROM CLOSED SESSION (7:15 p.m.) – The Commission met in Closed Session, to discuss various disciplinary matters including a case involving a Shooting Review Board Finding Office Involved Shooting. In the case of this matter, the Commission voted 8-0-0 unanimously to forward a letter to the Chief of Police copying the Mayor also. The letter is subject to review, subject to being drafted, and will be forwarded in due course.

VII. NON-AGENDA PUBLIC COMMENT: No non-agenda public comment received.

VIII. ADJOURNMENT: The meeting adjourned at 7:18pm.

SPECIAL MEETING MINUTES

Tuesday, July 12, 2022
5:00 p.m. – 7:00 p.m.
Via Zoom Webinar

Click <https://www.youtube.com/watch?v=olb4ulT9CMs> to view this meeting on YouTube.

Commissioners Present:

Doug Case, 1st Vice Chair
Patrick Anderson
Andrea Dauber-Griffin
Diana Dent
Chris Pink

Kevin Herington
Ernestine Smith (5:12pm)
Nancy Vaughn
Robin Spruce

Commissioners Absent or Excused:

Brandon Hilpert, Chair
Maxine Clark
Steve Hsieh

Staff Present:

Sharmaine Moseley, Interim Executive Director
Robin Recendez, Administrative Aide
Liz Barat, City Human Resources Department Program Manager
Duane E. Bennett, CPP Outside Legal Counsel

-
- I. CALL TO ORDER/WELCOME: 1st Vice Chair Doug Case called the meeting to order at 5:07pm.
 - II. PURPOSE OF THE COMMISSION ON POLICE PRACTICES (CPP): 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. PRESENTATIONS ON SPECIAL MEETING TOPIC: Bifurcation of the Commission's Deputy Executive Director position so the recruitment is for a community engagement position and a Deputy Executive Director position for the Office of the Commission on Police Practices.

1st Vice Chair, Doug Case (*Time 17:13*), presented on an overview from start to finish regarding the hiring of Deputy Executive Director position.

Interim Executive Director, Sharmaine Moseley (*Time 17:24*), presented on why the Deputy Executive Director position needs to be bifurcated.

- V. PUBLIC COMMENT:

(Time 17:42) Public Comment from Community Panelist & Co-Chair for San Diegans for Justice, Andrea St. Julian: Ms. St. Julian commented that she feels strongly as does the entire community panel that this position should not be split into two positions and hiring process shall continue as scheduled. First would like to take extreme exception to the comments that were made to the effect that all 79 individuals that applied for this position and not a single one is competent to move on to the next stage. Ms. St. Julian is shocked by this statement and hope all 79 people who applied for this position is equally shocked. There is not a job of any importance that Ms. St. Julian is aware of, that doesn't have multiple skill sets. In fact, Interim Executive Director, Sharmaine Moseley is required to have both administrative skills and community skills. Ms. St. Julian would shutter to think that this Commission would consider hiring an Executive Director who doesn't have community skills, can you imagine a Deputy ED that doesn't have community skills? It would be disastrous and very unfair since it is not allowed to talk about individuals who have passed on to the second stage that the community panelist can't fully combat what to Ms. St. Julian is a complete erroneous assertion that there are no individuals who are qualified to take this position. Also, Ms. St. Julian thinks it is fiscally irresponsible to split positions at this point and can always be done at a later point if something happens or something else needs to be done. Ms. St. Julian is very strongly against splitting the positions.

(Time 17:45) Public Comment from Community Panelist Shain Haug: Mr. Haug commented that the bifurcation concept is the sole issue here. It is based upon what is repeatedly discussed as "skill sets". This is a brand-new organization, in a brand-new environment and a lot of organizations around and work has been done under the prior board. But, really don't know how that operation is going to be in this city. To lock ourselves into a set of "skill sets" at this time and to build an organization based upon those, ignores what we really need is a handle on how it works in the longer run and how will it operate. Presuming these "skill sets" are things that are going to be perfect for the organization, we really don't know. Mr. Haug expressed to not split up and bifurcating a job when we are still in this area of scrutiny. Secondly, this is most important that we are building a top-heavy organization that is clumsy, not agile, not capable of carrying out the job quickly, creating roadblocks to the operation of the

public. The public members to do what they are going to be called upon to do. Mr. Haug expressed there is a need of one Executive Director, a Deputy is fine if that is the workload requirement, but it should be limited there from the point of view of an effective, capable, agile, responsive organization. Mr. Haug is against splitting everything and dragging this out. If there is a split the process gets delayed and that was called upon by the public is not going to occur in do course.

(Time 17:48) Public Comment from Community Panelist Evie Kosower: Ms. Kosower commented that most of the Community Panelist that attended the prior meeting felt that the process needs to continue. This new group is very heavy on process and that's because the community is supposed to be heavily involved in all decisions. Suddenly, when the community panelist is ready to look at the seven people, the community panelist didn't get a chance to see that. Ms. Kosower expressed that one person has decided that the seven people are not appropriate. Ms. Kosower thinks that the community needs to be trusted to come up with that kind of decision from those seven. It is important to recognize that everything so far has been pushing this thing further and further time wise. An example is, if wanting the heavy load on the Deputy Executive Director be community then it can be looked at in this way and have it start out that way and worry the next time round whether it works or not. But to stop the process, Ms. Kosower expressed she was pleased that the community panelist was getting this process and is a very important part for this new group. If people that were on the group before and feel it's not so very important, Ms. Kosower is very surprised and upset that they're still involved in making decisions because of getting this far, which is allottable. The community panelist has representatives from important groups of this community and will be happy and feel good about having seen the community involvement has procured through. Ms. Kosower thinks this is a major issue and should continue with the process.

(Time 17:50) Public Comment from representative of Women Occupy San Diego and sit on the Transition Committee representing San Diegans for Justice, Kate Yavenditti: Ms. Yavenditti commented in all the committee meetings she has attended, she had never heard this issue raised and maybe raised with other people. Ms. Yavenditti would like to talk about four concerns with this issue. One is process, timing, appearance and transparency and necessity. Ms. Yavenditti expressed they have been in this process and dealing with this for many months, a lot of time has been put into this and was never raised on separate skill set issue. Ms. Yavenditti expressed that this is not a valid issue. There are large number of people who would be able to fit both categories and believes that the seven that have come down to the final screening, have gone through a substantial process. Ms. Yavenditti has trust in the process and the people who were involved in the process. She is sure that all of the people that will be looked at are people that will fit well in both categories. Ms. Yavenditti has heard that Interim Executive Director, Sharmaine Moseley, does not like the seven candidates. These are candidates that have gone through a substantial process, a lot of people applied, a lot of people were screened out and personally know people that applied, and thought would be good were screened out. Ms. Yavenditti has confidence that these seven candidates can fit both categories. Ms. Yavenditti is concerned about the appearance at this point of saying, "we have to start all over again", because we think we made a mistake in not making this into two categories. Once it got down to this process and once there were seven people who did the screening and think it's a slap in the face to all the applicants

and to the community. Lastly, Ms. Yavenditti is interested in transparency and community involvement. If this goes back and is bifurcated, people are concerned about the time it is an issue and the community is going to lose even more trust. There is already a problem with the time that is taking so long that has nothing to do with the current CPP, but this will be a major issue and think the Commission needs to consider that.

(Time 17:58) Public Comment from Nick S.: Mr. Nick S. commented that he believes there should be two positions. Outreach needs to be able to reach the community. If there is just one position, it's going to be unnecessarily stalled. Another thing that seems to come up from public comments, are things like "they don't know what's going on in the Commission" and yet they want to sit here and stall what the Commission deems to be worthy of a topic there being two different positions. The outside groups in San Diego, some of which have a very social justice nature are using emotions to set forth what they think should be good for this committee. Whereas people on the Commission are sitting here telling us for the betterment of the Commission and the public would be better suited with two different positions. Mr. Nick S. would rather listen to the Commission, people who are in the position, have history, working with police and aren't getting paid by anti-police groups to sit and yell at everyone. Mr. Nick S. wants the two positions.

(Time 18:00) Public Comment from Southeastern San Diego resident, Chairwomen of Black Men & Women United, Francine Maxwell: Ms. Maxwell applauds the attempt to consider that it needs to be two people. This is a community public oversight Commission and trust is at the forefront. When it is continued to throw something, a hail mary at the twelfth hour, then the community does get suspect and once again we are back to where we were some years ago. As fast as we are making twelve steps forward, you want to push us back ten steps. Ms. Maxwell applauds the HR, applauds the person that said he is annoyed but the community is annoyed. Annoyed on writing complaints that may or may not rise to the level of being fully investigated and looked at, because the Commission is overworked. Recently, as of June 30th, we've gone down to twelve interim Commissioners and applaud those who continue to stick it out, applaud those who go down in the weekends to IA, but make no mistake. The community has been watching everything that has been thrown to block us from moving forward for oversight for the eighth largest city for the police department. Ms. Maxwell expressed it should continue to be one person, one strong person and needs community input. Ms. Maxwell wants to thank the company coordinating candidates, the due diligence was there and bless the seven that want to work.

VI. **DICCUSSION & ACTION ITEM ON THE SPECIAL MEETING TOPIC
The bifurcation of the Commission's Deputy Executive Director position so
the recruitment is for Community Engagement Coordinator position and a
Deputy Executive Director position for the Office of the Commission on
Police Practices.**

Commissioner Nancy Vaughn moved for the Commission to approve the bifurcation of the Commission's Deputy Executive Director position as stated above. Commissioner Ernestine Smith seconded the motion.

The motion passed with a vote of 6-2-1. (Time 18:31)

Yays: 1st Commissioner Dauber-Griffin, Commissioner Dent, Commissioner Herington, Commissioner Pink, Commissioner Smith, and Commissioner Vaughn

Nays: Commissioner Anderson and Commissioner Spruce.

Abstained: 1st Vice Chair Case

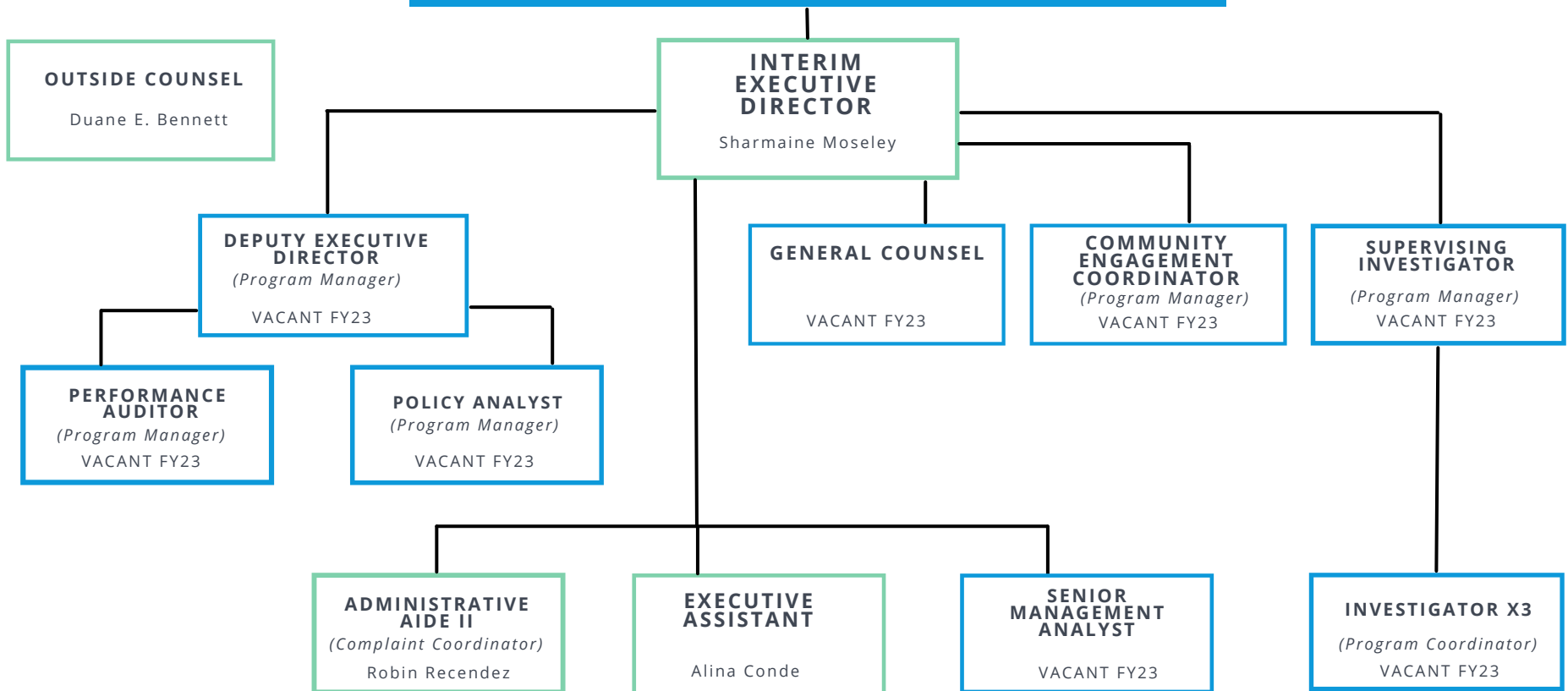
Absent/Excused: Chair Hilpert, Commissioner Clark and Commissioner Hsieh

VII. ADJOURNMENT: The meeting adjourned at 6:32pm.

DRAFT

▶ 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.

Commission on Police Practices



Office of the Commission on Police Practices

Supervising Investigator Position

THE POSITION:

Under the supervision and guidance of the Executive Director, the Supervising Investigator will supervise the day-to-day operations of the investigators in the Office of the Commission on Police Practices and oversee the investigators' work product, review evidence collection and procedures, administer investigative techniques, and manage the most complex, sensitive, and difficult investigations. The Supervising Investigator will coordinate the work of the investigators, prepare work performance evaluations, train new investigators, provide on-going training of staff, and participate in the hiring and discipline of investigators with the Executive Director. The Supervising Investigator will also prioritize and assign investigations and related tasks; monitor cases assigned to the investigators to ensure that investigations are timely and in compliance with established procedures; and review assignments and completed cases for accuracy, thoroughness, and appropriateness of conclusions. This is an unclassified, at-will, exempt position.

The Supervising Investigator will also be responsible for:

- Establishing investigative procedures and standards consistent with best practices in civilian oversight;
- Maintaining accurate records and files of investigative data and evidence following all legal rules;
- Conducting sensitive independent investigations of officer-involved shootings, in-custody deaths, and other significant incidents;
- Deciding on the investigative approach or methodology used for cases that will range in difficulty from moderate to complex;
- Analyzing and adapting applicable policies, procedures, and case laws in determining the proper resolution or recommended course of action;
- Interviewing complainants, witnesses, individual members of the SDPD, and others in connection with a variety of sensitive cases;
- Conducting canvasses at the location of the incident;
- Obtaining and analyzing reports related to the incident, listen to audio, review video footage, and assure the safe custody of evidence, file materials, data, records, and reports as well as maintain a high level of confidentiality;
- Compiling information and preparing detailed analytical reports that includes an analysis of discovery, findings, police procedures and legal analysis of conduct under applicable statutes;

- Developing, implementing, and refining investigation policies and protocols as well as propose recommendations for improving internal (Commission) and external (Police Department) policies and procedures;
- Presenting reports to the Commission, Executive Director, SDPD, City Officials, City departments, City Council, Mayor, public, and community groups in a clear, concise, well-organized, and effective manner; and
- Performing related duties as assigned

QUALIFICATIONS:

The ideal candidate will possess the following skills, abilities, and experience:

- Plan, organize, conduct, and supervise investigations of complex and sensitive matters in a timely, objective, unbiased, and thorough manner
- Provide training and supervision of other investigators
- Review and edit the work of other investigators to ensure that an investigation is thorough and the factual findings and analyses are sound
- Write reports and correspondence in a clear, concise, well-organized, and effective manner
- Interviewing effectively and analytically; speaking clearly, concisely, and effectively; listening and eliciting information. Using tact, discretion, courtesy, and diplomacy in interviewing individuals from diverse backgrounds while remaining calm and impartial during sensitive, confrontational, and stressful situations
- Remaining fair, objective, and open-minded while investigating complaints, and following up on discrepancies. Corroborate evidence and leads to other evidence suggested by complaint and defense. Maintaining a high level of professionalism and ethical standards in approaching each case
- Compiling and critically analyzing information, facts, evidence, and other data to evaluate testimony and analyze the credibility of the witness and the probative value of information obtained
- Identifying and applying correct standards and rules to the facts found in investigations.
- Drawing sound conclusions and make supported logical recommendations and use logical reasoning
- Operating a camera to photograph complainants' injuries and the scene of the incident (if and/or when necessary)
- Reading, comprehending, and analyzing complex policies, rules, laws, reports, medical records, and other pertinent documents
- Interpreting information regarding the case and process in lay person's terms
- Communicating effectively orally and in writing, including making verbal presentations to both large and small groups

- Establishing and maintaining professional working relationships with employees, elected officials, boards and commissions, community groups and the public
- Meeting critical deadlines, managing time effectively to manage caseload, and adapting quickly to changing priorities
- Working with minimal supervision and direction
- Maintaining perspective and taking initiative in implementing a variety of methods to gather information

The ideal candidate must have knowledge of:

- Principles, practices, and techniques of conducting an investigation including interviews and interrogation, research and data investigation, analysis of information, and preparing thorough and objective recommendations
- Criminal justice procedures for gathering, documenting, preserving, and presenting data and evidence; interview methods and techniques
- Laws of arrest, search and seizure, use of force
- Legal rights of citizens
- Principles of constitutional law and Public Safety Officer's Bill of Rights
- Public relations principles including public speaking and conflict mediation techniques
- Police department administration and organization
- Administrative hearing practices
- English punctuation, syntax, language mechanics and spelling
- Principles and techniques necessary for the objective presentation of recommendations both in oral and written formats
- Basic personal computer applications including word processing, databases, and spreadsheets

MINIMUM REQUIREMENTS:

The ideal candidate will possess the following qualifications:

- Possession of a Peace Officer Standards and Training (POST) Certificate of Completion from Basic Academy or Specialized Basic Investigators' Certificate of Completion
- A Bachelor's degree with a major in criminal justice, law enforcement, administration of justice, political science, criminology, or a comparable field of study from an accredited College/University
- Five (5) years of experience in conducting factual investigative work at a professional level in the field of law, law enforcement, police oversight or a closely related field, including at least two (2) years of management and/or supervisory experience
- Five (5) years of progressively responsible managerial experience
- NACOLE practitioner of law enforcement is preferred

License or Certificate/Other Requirements:

- Must possess and maintain a valid California Driver's License throughout the tenure of employment, have a satisfactory driving record, and demonstrate the ability to travel to various locations in a timely manner as required in the performance of duties
- Must be able to work various shifts, weekends, holidays, and overtime
- Must be able to respond to special investigative occurrences that arise during non-business hours
- Oral and written bi-lingual skills in Spanish, Mandarin, or Cantonese are highly desirable.
- Expected to work nights and weekends as necessary

Substitution: Additional professional experience as outlined above may be substituted for the education on a year-for-year basis

Office of the Commission on Police Practices Community Engagement Coordinator Job Description

Under the supervision and guidance of the Executive Director, the Community Engagement Coordinator is a dynamic community leader who is primarily responsible for leading outreach efforts to inform and promote awareness of the Commission on Police Practices and increase community involvement in the Commission's work. The outreach efforts will include, but is not limited to, conducting several virtual or in-person neutral and unbiased presentations and/or discussions with community stakeholders monthly, traveling city-wide to attend and participate in community events and public meetings/forums, and building and maintaining effective relationships. The Community Engagement Coordinator coordinates the planning, development and implementation of projects, programs, events, activities, procedures, and policy decisions for outreach efforts in close collaboration with the Chair of the Outreach Committee as well as Commissioners of the Commission on Police Practices. The Coordinator will serve as the department's liaison between the communities in San Diego and the Commission and to promote awareness on various projects, procedures, processes available through the Commission. Some of the communities may include, but not be limited to, LGBTQ+, mental health, substance usage, immigrant communities, unhoused, faith, youth, and communities of color. This is an unclassified, at-will, exempt position.

The Community Engagement Coordinator will be responsible for:

- » Leading efforts to expand awareness and increase community input that informs and shapes the Commission on Police Practices' work and mission.
- » Establishing, building, developing, and maintaining effective relationships with a wide variety of communities in San Diego, including but not limited to, community-based organizations, law enforcement agencies, city officials, staff, and other stakeholders.
- » Facilitating public meetings that would include large audiences
- » Providing inclusive and meaningful ways for all people in the City of San Diego to engage and influence decisions that impact them through the San Diego Police Department.
- » Working with Commissioners to plan, organize, and facilitate a wide range of community engagement events, activities and forums intended to increase the transparency and accountability of the Commission's work and focused on community building and on improving interactions between community members and law enforcement.
- » Tracking meetings, forums, community issues/concerns/feedback.
- » Research new strategies and methods to create and/or improve existing outreach programs and projects for outreach; improve community relations; enhance and encourage public involvement.
- » Designing, implementing, monitoring, and reporting on engagement activities and work plans.
- » Managing and updating the Commission's website, social media platforms to increase the Commission's presence and transparency.

- » Representing the Commission on matters of community engagement before a variety of governing bodies within the City, including oversight entities, City Council, elected officials, community leaders and representatives.
- » Attending community forums and public meetings to obtain and disseminate information.
- » Coordinating the scheduling of public meetings, special projects, and events which includes meeting set up, meeting marketing, outreach efforts, and all other meeting logistics.
- » Preparing reports & presentations to educate stakeholders about the work of the Commission or national trends.
- » Soliciting and gathering input from the community and stakeholders
- » Supervising paid/volunteer staff who may assist with community engagement efforts
- » Performing related duties as assigned.

Qualifications:

Strong and effective analytical, organizational, verbal, and written communication and skills

Strong ability to facilitate meetings in a fair and unbiased manner

Successful track record of convening community stakeholders and facilitating effective strategies for productive meetings and forums

Ability to conduct benchmarking, define goals, identify effective processes, and access outcomes

Proactive listener, open-minded, engaged, patient, empathetic, calm, trustworthy, organized, skilled in conflict resolution, transparent, responsive, and thick-skinned

Ability to interact and operate effectively with various stakeholders, e.g., elected and appointed officials, law enforcement officers and administrators, community groups, and others

Ability to effectively work with a team and independently, fairly and objectively, multi-task

Effective facilitation, negotiation, and diplomacy skills

Ability to prepare clear, concise and comprehensive correspondence, written reports, & give presentations/respond to diverse communities, city officials, boards & commissions, & law enforcement

Thorough understanding of and commitment to the City of San Diego civilian oversight of law enforcement model and awareness of national trends

Knowledge of police administration and organization, and rules, laws, and regulations such as California Peace Officer Bill of Rights and the Ralph M. Brown Open Meetings Act and when to apply Brown Act requirements while ensuring open government and access

Minimum Qualifications:

Bachelor's degree from an accredited four-year college or university

Valid California Driver's License to meet the transportation requirements of the job

Three years progressively responsible related experience in community outreach, community education, social services, social justice, or other advocacy work (such experience may include work for health facilities, government agencies, community centers, or non-profit organizations)

Any equivalent combination of education, training, and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job

Ability to work from home (as needed) to include high speed home internet access, accessibility to a non-distracting and uninterrupted space with adequate lighting and ergonomically adequate workspace. (This is not reimbursed by the City)

DRAFT

Office of the Commission on Police Practices

Deputy Executive Director

Job Description

Under the supervision and guidance of the Executive Director, the Deputy Executive Director performs complex professional administrative and managerial support, fosters cooperative relationships with commissioners, community groups, city officials and staff, intergovernmental agencies, and the San Diego Police Department; and other related duties as assigned. The Deputy Executive Director is expected to be a seasoned executive who is comfortable making decisions and working with diverse communities in San Diego. The diverse communities may include but not limited to LGBTQ+, mental health, substance usage, immigrant communities, unhoused, faith, youth, and communities of color.

The Deputy Executive Director will assist the Executive Director in the day-to-day administration, planning, programming, and special projects for the Commission. This is an unclassified, at-will, exempt position.

The Deputy Executive Director's essential duties and responsibilities shall include but not be limited to the following:

- » Assist the Executive Director in planning, coordinating, and evaluating Commission and staffing needs (recruiting, hiring, training, and supervising staff), and directing the development and implementation of plans, programs, policies, practices and systems to achieve Commission and department goals.
- » Assist in efforts to expand awareness and increase community input to inform and shape the Commission on Police Practices' work and mission.
- » Establish, build, develop, and maintain effective relationships with a wide variety of communities in San Diego, including but not limited to community-based organizations, law enforcement agencies, city officials, staff, and other stakeholders.
- » Provide inclusive and meaningful ways for all people in the City of San Diego to engage and influence decisions that impact them through the San Diego Police Department.
- » Provide leadership and work with department staff to develop and retain highly skilled, customer service-oriented staff through selection, training and day-to-day management practices which support the department.
- » Direct and participate in the development of the operating budget for the Office of the Commission on Police Practices.
- » Direct and evaluate the performance of assigned staff, establish performance requirements and employee development targets, take disciplinary action to address performance deficiencies in accordance with the City's personnel rules and policies.
- » Direct and oversee the preparation of a wide variety of reports & presentations for the City Council and other City bodies, outside agencies, and community groups.

- » Develop and maintain communication methods such as newsletters, press releases, policy memos to ensure information about the Commission is shared with the public.
- » Represent the Commission before a variety of governing bodies with the City, including oversight entities, City Council, and working closely with elected officials, community leaders and representatives to achieve resolution and make decisions.
- » Represent the Commission in meetings with governmental agencies, community groups, etc.
- » Facilitate and/or coordinate meetings, special projects, and events.
- » Performing related duties as assigned.

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

Required Knowledge, Skills, & Abilities

1. Pro-active, solutions-focused, innovative, and outgoing leader with recognized judgment, objectivity and integrity with a commitment to achieving solutions and results
2. Demonstrate effective decision-making, adaptability, and creativity
3. Demonstrated commitment to principles of inclusion, diversity, and cultural awareness
4. Work efficiently under pressure within the framework of governmental and judicial structures, ability to meet deadlines and prioritize work to meet deadlines
5. Ability to work in a cooperative, collaborative, non-adversarial environment where “win-win” is the preferred outcome
6. Exceptional analytical, oral, and written communication skills
7. Strong leadership and management skills with high level of political acumen and ability to operate in an unbiased manner
8. High level of resiliency and the ability not to personalize adversity
9. Proactive listener, open minded, engaged, patient, empathetic, calm, trustworthy, organized, skilled in conflict resolution, transparent, responsive and thick skinned
10. Ability to interact and operate effectively with various stakeholders, e.g., elected and appointed officials, law enforcement officers and administrators, community groups, and others
11. Ability to effectively work with a team and independently, fairly and objectively, multi-task
12. Effective facilitation, negotiation, and diplomacy skills
13. Ability to prepare clear, concise and comprehensive correspondence, written reports, & give presentations/respond to diverse communities, city officials, boards & commissions, & law enforcement
14. Thorough understanding of and commitment to the City of San Diego civilian oversight of law enforcement model and awareness of national trends
15. Knowledge of police administration and organization, and rules, laws and regulations such as the California Peace Officer Bill of Rights and the Ralph M. Brown Open Meetings Act and when to apply Brown Act requirements while ensuring open government and access

16. Knowledge of effective organization and management practices and methods, including goal setting, program development and implementation, employee supervision, personnel management, employee relations, team building, budget development and financial management
17. Knowledge of city functions and associated management, financial and public policy

Minimum Qualifications

Bachelor's degree from an accredited four- year university or college

At least four years of full-time professional level administrative, managerial & supervisory experience, which includes proficiency in Microsoft Office applications – TEAMS, PowerPoint, Outlook, Excel, Word, SharePoint, database management, virtual meeting platforms

Ability to work from home (as needed) to include high speed home internet access, accessibility to a non-distracting and uninterrupted space with adequate lighting and ergonomically adequate workspace (This is not reimbursable by the City)

Valid California Driver's License

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Roles and Responsibilities

Recruitment of Deputy Executive Director and Community Engagement Coordinator

San Diego Commission on Police Practices

July 22, 2022

Ad-Hoc Transition Planning Committee

Provide input for consideration to CPS-HR and Interim Executive Director on ideal candidate attributes and priorities of position. Provide feedback for consideration to CPS-HR and Interim Executive Director on recruitment brochure and outreach strategy prepared by CPS-HR. Review list of semi-final candidates recommended by CPS-HR and make changes as appropriate. Submit list of approximately 5 to 7 semi-final candidates to Community Advisory Panel and Selection Committee.

Community Advisory Panel

Conduct first round of interviews with semi-finalist candidates. Work with CPS-HR on questions for candidates and format. Complete confidentiality agreement. Submit feedback forms to the Selection Committee.

Selection Committee

Conduct second round of semi-finalist candidate interviews. Work with CPS-HR on questions for candidates and format. Recommend top 3 candidates and feedback to Interim Executive Director for further consideration. The Selection Committee will consist of members of the Commission and community representative.

Interim Executive Director

Provide input to CPS-HR on ideal candidate attributes and priorities of position. Approve recruitment brochure and outreach strategy prepared by CPS-HR. Participate in discussion and provide feedback to the Ad Hoc Transition Planning Committee on recommended semi-finalist candidates. Participate as an observer in the Selection Committee interviews. Interview finalist candidates and select top candidate.

CPS-HR

Prepare brochure that include ideal candidate attributes and outreach strategy. Implement outreach to potential candidates. Screen all candidates who meet the minimum qualifications. Recommend semi-final candidates to the Selection Committee. Prepare materials, coordinate candidate logistics and assist with facilitation of semi-finalist interviews. Perform background checks on all finalist candidates.

Coordinate logistics and candidate questions with Interim Executive Director for finalist candidates.
Assist Interim Executive Director as needed with top candidate for salary and benefit negotiations.

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