

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

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- 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.