

OPEN SESSION MEETING MINUTES

Tuesday, January 26, 2021
6 p.m. – 8 p.m.
Via Zoom Webinar

Click <https://www.youtube.com/watch?v=pKwZXvrL6z0&t=3s> to view this meeting on YouTube.

Commissioners Present:

Brandon Hilpert, Chair
Doug Case, 1st Vice Chair
Poppy Fitch, 2nd Vice Chair
Patrick Anderson
Michael Chan
Maxine Clark
Diana Dent
Andrea Dauber-Griffin
Kevin Herington

Sheila Holtrop
Ernestine Neely
Chris Pink
Ernestine Smith
Robin Spruce
Duke Taylor
Pauline Theodore
Nancy Vaughn
Marty Workman

Commissioners Absent:

Joe Craver
Steve Hsieh

Staff Present:

Sharmaine Moseley, Acting Interim Executive Director

San Diego Police Department (SDPD) Staff Present:

Al Guaderrama, Executive Assistant Chief
Jeffrey Peterson, Acting Internal Affairs Captain
Corissa Pich, Internal Affairs Lieutenant

-
- I. **CALL TO ORDER/WELCOME:** Chair Brandon Hilpert called the meeting to order at 6:10 p.m.
 - II. **ANNOUNCEMENT ON CHAPTERING OF MEASURE B**
Chair Brandon Hilpert announced that the Community Review Board on Police Practices (CRB) was officially chaptered to the Commission on Police Practices (CPP) on December 18, 2021. The former CRB members are now interim Commissioners. The Commission is working in formalizing the transition over the next several months.
 - III. **ROLL CALL:** Acting Interim Executive Director Sharmaine Moseley conducted the roll call.

IV. APPROVAL OF CRB OPEN MEETING MINUTES OF NOVEMBER 24, 2020

The Commissioners reviewed the minutes. Commissioner Pauline Theodore moved for the Commission to approve its November 24, 2020 Open Meeting minutes with edits to the voting sections. Commissioner Nancy Vaughn seconded the motion.

The motion passed with a vote of 14-0-4.

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Commissioners- Anderson, Chan, Clark, Dauber-Griffen, Dent, Herington, Holtrop, Smith, Taylor, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Hilpert, Ernestine Neely, Christopher Pink, Robin Spruce

Absent: Joe Craver and Steve Hsieh

V. NON-AGENDA PUBLIC COMMENT: None

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

A. Commission Closed Meetings (February Dates and Times) – The Commission will meet for Closed Session every second and fourth Tuesday at the regularly scheduled times for the month of February. The next meeting will be on February 9th from 5pm–7pm. The following meeting will be on February 23rd from 4pm–5:30pm.

B. Case Review in Internal Affairs

- i. Feedback on Prioritization of Case Reviews, Workflow, Staffing – Due to COVID, the Teams are not reviewing cases in Internal Affairs. However, the Teams were given access to case files in the Google Drive.
- ii. Redacted Case Reports – The Teams were encouraged to write up their redacted case summaries for the cases that are closed.
- iii. Remote Case Access – Executive Assistant Chief Guaderrama will follow up on when the Commissioners can return to Internal Affairs for case review.
- iv. Availability of IA Staff for Case Review – No report given

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

A. Special Meeting on February 2 for Approval of Memo for Public Safety and Livable Neighborhoods Committee Meeting on February 10 – The Community Roundtable is scheduled for Saturday, January 30th. The Commission will hold a Special Meeting on February 2nd from 5pm–7pm to discuss and approve a memo for PS&LN Committee’s February 10th meeting. On February 10th, the PS&LN Committee will take the following three actions: 1) appointment of interim Executive Director 2) adopt interim standard operating procedures and 3) direct the City Attorney’s office to draft the ordinance.

- B. Approval of Interim Standard Operating Procedures – This is a document that will be approved by the City Council and will allow the Commission to continue case review and other functions while the ordinance is being drafted.

The Commissioners reviewed and discussed the draft of the Interim Standard Operating Procedures. Commissioner Patrick Anderson moved for the Commission to approve the procedures with the following edits: 1) insert date chaptered (12/18/2020 on page 4 last paragraph and 2) add “6.” To Policy Recommendations section. Commission 2nd Vice Chair Poppy Fitch seconded the motion.

The motion passed with a vote of 17-0-1.

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Commissioners-Anderson, Chan, Clark, Dauber-Griffen, Dent, Herington, Holtrop, Neely, Pink, Smith, Spruce, Taylor, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Hilpert

Absent: Joe Craver and Steve Hsieh

- C. Approval of Interim Bylaws

The Commissioners reviewed and discussed the Interim Bylaws. Commissioner Kevin Herington moved for the Commission to approve the procedures with the following edits: 1) under Article III for Membership, in Section 1. Meeting Attendance, change Section 4.B to Section 3.B 2) under Section 3.B. Removal for Cause in the 2nd paragraph, delete the extra “t” 3) In the A. Term Section remove the “if” 4) in Section B. Removal for Cause change #2 to #3.

Commission 2nd Vice Chair Poppy Fitch seconded the motion.

The motion passed with a vote of 17-0-1.

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Commissioners-Anderson, Chan, Clark, Dauber-Griffen, Dent, Herington, Holtrop, Neely, Pink, Smith, Spruce, Taylor, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Hilpert

Absent: Joe Craver and Steve Hsieh

- D. Implementation Ordinance (Discussion Item) – Due to time constraints for this meeting, this item was tabled to be discussed at the Commission’s Special Meeting on February 2nd.
- E. Attendance/Participation of SDPD at Commission Closed Meetings (Action Item)

The Commissioners discussed the attendance/participation of SDPD at Commission Closed Meetings. Commissioner 1st Vice Chair moved for the Commission to invite SDPD personnel, who have traditionally been invited, to the Commission’s Closed Sessions for question and answer only and not be present for deliberation and voting; except for cases where the Team disagrees. If the Team disagrees, SDPD personnel will be invited to present their case or rationale prior to deliberations and voting.

Commissioner Nancy Vaughn seconded the motion.

The motion passed with a vote of 17-0-1.

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Commissioners-Anderson, Chan, Clark, Dauber-Griffen, Dent, Herington, Holtrop, Neely, Pink, Smith, Spruce, Taylor, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Hilpert

Absent: Joe Craver and Steve Hsieh

VIII. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Nancy Vaughn)
 - i. List of Upcoming Educational Topics – Item Tabled
- B. Outreach Committee (Patrick Anderson)
 - i. Past Events/Virtual Meetings/Roundtable Discussions –Item Tabled
 - ii. Upcoming Events/Outreach Opportunities – Item Tabled
- C. Rules Committee (Doug Case)
 - i. Update –Item Tabled
- D. CRB Handbook Committee (Doug Case)
 - i. Update – Item Tabled
- E. Policy Committee (Chair Brandon Hilpert)
 - i. Status on Items being Considered Committee – Item Tabled
 - ii. Schedule Next Policy Committee Meeting – Item Tabled
- F. Recruitment & Training Committee (Kevin Herington)

- i. Update on New Member Appointments & Confirmations – 6 Candidates
 - Background Checks – Item Tabled
 - Phase Trainings -Item Tabled
 - G. Citizens Advisory Board on Police Community Relations (Chair Brandon Hilpert)
 - Update – January 25, 2021 Meeting (Item Tabled)
 - H. Ad Hoc Transition Contingency Planning Committee (Doug Case)
 - i. Update – Item Tabled
- IX. CHAIR’S REPORT (Chair Brandon Hilpert)
- A. Reminder–1st Quarter (January 1st – April 30th) Volunteer Hours Report – Reminder for Commissioners to log hours in the Better Impact System for reporting purposes.
 - B. Change in Member Appointment Since November Open Meeting –It was reported that there was a change in the reappointment of members who were not going to be reappointed. Those members were reappointed. There was one member who did not want to be reappointed, so he was not reappointed.
 - C. Scheduling of CRB Retreat – An email will be sent to the Commissioners to select a date and time for the next Retreat.
 - D. Other Items/Reminders – It was reported that Commissioner Mary O’Tousa resigned from the Commission. Commission leadership looked at office space at 450 B Street. One option is to work with landlord to build it to fit the needs of the Commission.
- X. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
- A. Caseload Update & Status of Case Reports – It was reported that prior to tonight’s meeting, 49 cases were assigned to the Teams. Out of the 49 cases, 1 was deliberated on and closed earlier at the Closed Meeting. In this fiscal year, the Board closed out 79 cases.

The statistics for the Team assignments are as follows:

Team 1- 12 cases were assigned to the Team. One case was sent back to the Team for further review. Of the 12 cases, 3 are Category II cases, 2 cases have sustained findings, 1 OIS case, 0 ICD cases, 11 cases were assigned during COVID, and 1 case was reassigned from Team 5.

Team 2 – 12 cases were assigned to the Team (1 case was sent back to the Team for revisions). The Team has 2 Category II cases, 2 OIS cases, 4 cases have sustained findings, 0 ICD cases and 10 cases were assigned during COVID.

Team 3 – 9 cases were assigned to the Team (3 cases were assigned were assigned during COVID & 1 reassigned from Team 5 pre-COVID) Of the 9 assigned cases, 4 are Category II cases, and 5 cases have sustained findings. The Team does not have any OIS/ICD cases.

Team 4 – Team 4 has been temporarily dissolved.

Team 5 – Team 5 is inactive.

Team 6 – 7 cases were assigned to the Team (all of which were assigned during COVID). Of the 7 cases, 1 is an OIS case with a sustained finding and 4 cases have sustained findings. The Team does not have any Category II or ICD cases.

Team 7 – 9 cases were assigned to the Team. 1 case was reassigned from Team 5, 1 case was sent back by the Board for revisions, 5 cases have sustained findings, 2 cases are Category II cases, and 1 case is an ICD case with a sustained finding. The Team does not have any OIS cases.

- B. Transitioning from Zoom Meetings to Zoom Webinar – It was reported that the Commission will now use the Zoom Webinar platform for its public meetings. The public will be able to participate as an attendee.
- C. Use of New Email – It was reported that the Commissioners was approved to have sandiego.gov accounts for efficiency purposes.
- D. Other Items/Reminders – It was reported that the Commission has been extremely busy over the last 2 months with community roundtables, ad hoc transition committee meetings, transitioning to remote case access, navigating new technology such as zoom and google drive, touring office space, and more.

XI. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Al Guaderrama)

- Updates – Protest policy cleared its way through legal. The Commission is reviewing the policy. Currently, SDPD has 51 new recruits in the Junior Academy and 40+ recruits in the Senior Academy. Additionally, the department is reviewing its social media policy.

XII. COMMISSIONER RIDE-ALONG REPORTS: On hold due to COVID

XIII. COMMISSIONER ANNOUNCEMENTS/COMMENTS: The Outreach Committee will hold a Community Roundtable discussion on Saturday, January 30th from 2pm-4pm. Commissioner Vaughn announced that she is happy to still be on the Commission.

XIV. ADJOURNMENT: The meeting adjourned at 8:20 p.m.