

**REGULAR MEETING MINUTES**

**Tuesday, July 26, 2022  
Via Zoom Webinar**

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**Commissioners Present:**

|  |                 |
|--|-----------------|
| Brandon Hilpert, Chair                                       | Diana Dent      |
| Doug Case, 1 <sup>st</sup> Vice Chair                        | Steve Hsieh     |
| Kevin Herington, 2 <sup>nd</sup> Vice Chair (left at 6:47pm) | Ernestine Smith |
| Patrick Anderson   | Robin Spruce    |
| Maxine Clark (arrived at 6:07pm)                             | Nancy Vaughn    |
| Andrea Dauber-Griffin  |                 |

**Commissioners Absent or Excused:**

Chris Pink

**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:**

Chris McGrath, Executive Assistant Chief  
Dan Sayasane, Lieutenant  
Tristan Schmottlach, Lieutenant

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- I. CALL TO ORDER/WELCOME: Chair Brandon Hilpert called the meeting to order at 6:00pm.
  - 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 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). 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.**

**Chair Brandon Hilpert moved for the Commission on Police Practices to adopt this Resolution. Commissioner Vaughn seconded the motion. The motion passed with a vote of 10-0-0. (Time 3:54)**

**Yays: Chair Hilpert, 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Herington, Commissioner Anderson, Commissioner Dauber-Griffin, Commissioner Dent, Commissioner Hsieh, Commissioner Smith, Commissioner Spruce, and Commissioner Vaughn**

**Nays: None**

**Abstained: None**

**Absent/Excused: Commissioner Clark (Entered at 6:07PM) and Commissioner Pink**

**IV. PUBLIC COMMENT:**

**Please note that all public comments are at the end of these meeting minutes.**

1. Laila Aziz, Pillars of the Community (Time 4:22)
2. Abraham J., Southeast resident (Time 6:46)
3. Doug Case, CPP 1<sup>st</sup> Vice Chair (Time 8:03)
4. Kate Yavenditti, Women Occupy San Diego (Time 8:11)
5. Lachelle Coleman (Time 16:19)
6. Evie Kosower (Time 17:57)

**V. CLOSED SESSION (CANCELLED)**

**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 San Diego Police Department and its personnel in a process that will be transparent and accountable to the community. The Commission also evaluates 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 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

**Motion: Commissioner Nancy Vaughn moved for the Commission to approve the CPP Regular Meeting Minutes of June 28, 2022, CPP Regular Meeting Minutes of July 5, 2022, CPP Regular Meeting Minutes of July 19, 2022 & CPP Special Meeting Minutes of July 12, 2022. Commissioner Kevin Herington seconded the motion. The motion passed with a vote of 11-0-0. (Time 21:38)**

**Yays: Chair Hilpert, 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Herington, Commissioner Anderson, Commissioner Clark, Commissioner Dauber-Griffin, Commissioner Dent, Commissioner Hsieh, Commissioner Smith, Commissioner Spruce, and Commissioner Vaughn**

**Nays: None**

**Abstained: None**

**Absent/Excused: Commissioner Pink**

**VIII. NON-AGENDA PUBLIC COMMENT**

Please note that non-agenda public comments are at the end of these meeting minutes.

1. Layla Aziz (Time 23:43)

**IX. EDUCATIONAL/TRAINING TOPIC**

A. “City of San Diego’s Hiring Practices & Rules”

Presenter: Liz Barat, City of San Diego HR Manager (Time 24:55)

City of San Diego HR Manager, Liz Barat presented information regarding the City of San Diego’s recruitment/hiring process, employment structure, differences between classified employee’s versus unclassified employee’s and the role of an Appointing Authority.

*(Time 38:53) Public comment from Kate Yavenditti. Full comment noted at the end of this meeting agenda.*

Chair Brandon Hilpert responded that he was not part of the process and from his understanding none of the initial candidates were scored, which is required by the City and is an area where the process was not followed correctly.

City of San Diego HR Manager, Liz Barat also responded that whoever is the Appointing Authority can halt or pause the process for whatever reason or stage of the process. It is not uncommon if there has been new, pertinent, or relevant information that might change or shape the direction of the recruitment. From Liz Barat’s understanding two positions were ok and acceptable by personnel and in this case made more sense, better fitted to have more positions rather than fewer was the understanding and reason why it was paused.

B. “Due Process Considerations in Hiring Practices”

Presenter: Duane E. Bennett, Esq., CPP Outside Counsel (Time 46:15)

CPP Outside Counsel Duane Bennett presented information regarding due process considerations in hiring, the requirements, a notice concept, fairness, objectivity, and fair opportunity.

*(Time 58:59) Public comment from Evie Kosower. Full comment noted at the end of this meeting agenda.*

Mr. Bennett stated that the ordinance is a problem. When he accepted the position with CPP, he thought things would be further along. The Commission works extremely hard. As an outsider, he sees how hard everyone works. Interim Executive Director Sharmaine Moseley, Chair Brandon Hilpert, and 1<sup>st</sup> Vice Chair Doug Case all work way harder in their positions. There is nothing that can be done from the standpoint of moving the ordinance along any faster. The Commission unsuccessfully tried to be included in the meet and confer process. The only thing to do currently is to staff the commission as best we can and get people to get work done as much as we can. The Commissioners are over worked and have too many cases.

Chair Brandon Hilpert also added that Measure B doesn't specifically talk about hiring practices, but the Commission has tried to make sure they are involving the community as much as possible in as many roles as appropriate.

*(Time 1:03:59) Public comment from Maresa Talbert, San Diegans for Justice. Full comment noted at the end of this meeting agenda.*

- 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. – no feedback or updates.

- XI. NEW BUSINESS (DISCUSSION/ACTION) (1<sup>st</sup> Vice Chair Doug Case)
  - A. Commission Staffing Needs & Sequence of Executive Job Searches  
**Motion: 1<sup>st</sup> Vice Chair Doug Case moved for the Commission to accept the following sequence of executive job searches with flexibility in filling the positions: Option 1 –Community Engagement Coordinator, Supervising Investigator, Senior Management Analyst, Deputy Executive Director, Policy Analyst, Performance Auditor, Investigators (x3), Permanent Executive Director, and Mediation Coordinator. The motion passed with a vote of 7-3-0. (Time 1:26:21)**

**Yays: Chair Hilpert, 1<sup>st</sup> Vice Chair Case, Commissioner Clark, Commissioner Dauber-Griffin, Commissioner Dent, Commissioner Hsieh, and Commissioner Smith**

**Nays: Commissioner Anderson, Commissioner Spruce, Commissioner Vaughn**

**Abstained: None**

**Absent/Excused: 2<sup>nd</sup> Vice Chair Herington (left at 6:47pm) and Commissioner Pink**

- B. Roles & Expectations for all Participants in the Commission's Hiring Process when Community Panelist are Involved.  
**Motion: 1<sup>st</sup> Vice Chair, Doug Case on behalf of the Transition Committee moved for the Commission to approve of list of roles and expectations for all participants in the Commission's hiring process when community panelists are involved. The motion passed with a vote of 10-0-0. (Time 1:52:37)**

**Yays: Chair Hilpert, 1<sup>st</sup> Vice Chair Case, Commissioner Anderson, Commissioner Clark, Commissioner Dauber-Griffin, Commissioner Dent, Commissioner Hsieh, Commissioner Smith, Commissioner Vaughn, and Commissioner Spruce**

**Nays: None**

**Abstained: None**

**Absent/Excused: Commissioner Herington (left at 6:47pm) and Commissioner Pink**

**XII. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)**

- A. Continuing Education Committee (Nancy Vaughn)
  - 1. List of Upcoming Educational Topics/Presentations- No update
- B. Outreach Committee (Patrick Anderson)
  - 1. Past Events/Virtual Meetings/Roundtable Discussions -No update
  - 2. Upcoming Events/Outreach Opportunities – No updateCommissioner Patrick Anderson gave a statement regarding his resignation from the Commission on Police Practices Regular Meeting.
- C. Rules Committee (1<sup>st</sup> Vice Chair Doug Case)  
No current updates.
- D. CPP Handbook Committee (1<sup>st</sup> Vice Chair Doug Case)
  - 1. Update – This item is on hold.
- E. Policy Committee (Chair Brandon Hilpert)  
Update/Next Policy Committee Meeting  
Setting up a meeting with Policy Committee to find dates and timethat work. Received several responses to recommendations from SDPD.
- 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- The last meeting was cancelled.
- H. Ad Hoc Transition Planning Committee (1<sup>st</sup> Vice Chair Doug Case)
  - 1. Budget Update – no updates.
  - 2. Staffing and Legal Counsel Update – Discussed in New Business.
  - 3. Draft Implementation Ordinance & Standard Operating Procedures Update – The Implementation Ordinance is currently in meet and confer. Working on draft.
  - 4. Office Space Update – waiting for DREAM to review contract on office space.

**XIII. ELECTION OF CPP 2<sup>nd</sup> VICE CHAIR (Chair Brandon Hilpert)**

**Motion to nominate and approve Commissioner Kevin Herington for 2<sup>nd</sup> Vice Chair. Commissioner Smith seconded the motion. The motion passed with a vote of 9-0-1. (Time 2:02:17)**

**Yays: Chair Hilpert, 1<sup>st</sup> Vice Chair Case, Commissioner Clark, Commissioner Dauber-Griffin, Commissioner Dent, Commissioner Hsieh, Commissioner Smith, Commissioner Spruce and Commissioner Vaughn**

**Nays: None**

**Abstained: Commissioner Anderson**

**Absent/Excused: Commissioner Herington (left at 6:47pm) and Commissioner Pink**

**XIV. CHAIR'S REPORT (Chair Brandon Hilpert)**

**A. Reminders for Commissioners**

1. 1<sup>st</sup> Quarter (July 1<sup>st</sup> – September 30<sup>th</sup>) 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. CPP Interim Bylaws – Article II, Section 5 (Independence) and Article III, Section 6 (Ethical Conduct & Code of Ethics) – The Commission adopted NACOLE's Code of Ethics for Commissioners to follow.
3. Internal Affairs Office Hours/Schedule – All Commissioners need to schedule office visits for case review in advance to make sure proper staffing in IA office.

**B. Updates**

1. Collaboration/Information Sharing with Statewide Oversight Groups – Quarterly meeting that is a state-wide organization with good feedback that resulted in the recommendation for SDPD to add audio to BWC. Next meeting will be held next month. Regional meeting is more Southern California and focused in Los Angeles. All Commissioners are all welcome to attend.
2. Update & Next Steps on CPP Special Joint Meeting with Citizens Advisory Board on Police/Community Relations (CAB) 4/21/22 – Trying to set up a meeting, but no further updates.

**C. Other Items/Reminders – No other reminders/updates**

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

- A. It was reported that as of today, the Commission started out with 119 total cases assigned to its Teams. Thirty-six of those cases are Category II cases. At the March meeting of the Commission, the Commission agreed to suspend the audit of Category II cases due to the backlog of cases. As a result, the Commission has 83 active cases assigned to its Teams. At least one Category I case and one discipline is ready to be heard by the Commission. This fiscal year that began on July 1, the Commission reviewed, deliberated on and closed out a total of 11 cases all of which were Category I cases. The Commission also evaluated 7 disciplines and 1 shooting review board report and agreed to send a letter to the Chief and Mayor regarding the report.

The statistics for the Team assignments are as follows:

Team 1 has 17 active cases in their queue. Fourteen of those cases are Category I cases- four of which have one or more sustained findings. The Team also has 7 Category II cases which are on hold and 1 OIS case.

Team 2 is inactive.

Team 3 has 12 active cases in their queue. Of the 12 cases, 10 are Category I cases – four of which have sustained findings. The Team has 2 OIS cases and 2 Category II cases which are on hold. Team 3 also has 1 case ready for the Closed Session agenda.

Team 4 has 19 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 14 Category II cases which are on hold.

Team 5 has 16 active cases in their queue. All 16 cases are Category I cases. Four of the Category I cases have one or more sustained findings. The Team also has 6 Category II cases which are on hold.

Team 6 has 21 active cases in their queue. Twenty of which are Category I cases and 1 case is an OIS related investigation. Of the 21 cases, one case has sustained findings. The Team also has 7 Category II cases which are on hold.

Team 7 is inactive.

- B. Planning for CPP Former Member Appreciation/Acknowledgements- Request of multiple dates is under review with Mayors Office. The date of the event will align with the open house of new office space. In the meantime, staff will order materials needed for event.
- C. Update on 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 and the virtual conference will take place all day on October 26, November 2, and November 9. A few Commissioners have already signed up to attend the in-person conference. Also, on August 16 NACOLE is holding a webinar on Policing Regulation and Oversight-Trends, Problems, and Solutions. NACOLE is a credential program so Commissioners can become certified partitioners of oversight. Must receive a minimum of 45 credited hours of NACOLE certified training and attend two NACOLE conferences within 3 consecutive years. There is also a requirement to read two items from NACOLE's approved reading list. CPP is building Library of police oversight materials. Also available in eBook's and available in CPP shared drive.
- D. Other Items/Reminders- None

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, waiting for additional questions and clarification from CPP.

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 waiting for additional questions and clarification from CPP.
- C. Status of SDPD Written Responses to CPP Recommendations Submitted on May 10, 2022 – SDPD Response Received, waiting for additional questions and clarification from CPP.
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 CRB Recommendation in April 2017 Regarding Canine Use of Force Complaints. – No updates.
- F. Updates (Staffing in IA, Training, etc.) – SDPD is committed to hiring diverse candidates. Fulfilling requirements for 30 at 30 programs, which is 30% of workforce being females by year 2030. In the last 3 academies SDPD have been 70% and 80% in the last academy with diversity and 28% with female officers. Last fiscal year SDPD has lost 2,030 police officers which is 52% over 2020 numbers. The Mayor is instituting the incentive program and voted on by Council. SDPD is trying to identify how to retain employees.

Former Commissioner Sheila Holtrop questioned EA Chief Chris McGrath that he mentioned over 2,030 officers SDPD had lost, does this include retired and other officers going to different agencies?

EA Chief Chris McGrath responded that it does include retired and other officers to different agencies.

- XVII. COMMISSIONER RIDE-ALONG REPORTS: No reports.
- XVIII. COMMISSIONER ANNOUNCEMENTS/COMMENTS: No announcements or comments.
- XIX. ADJOURNMENT: The meeting adjourned at 8:16pm.



## **Public Comment:**

- 1. (Time 4:22) Public comment from, Pillars of the Community, Laila Aziz:** “I did three complaints to Internal Affairs with the police department. All three had illegal search and seizure issues in them. Two of them were African American juvenile boys and concerns me. As of now, as we implement an ordinance, there is a lot of pain going on in the community. I’m going to request that we don’t leave the community out, any decision making that is going on and particularly those who are on the ground daily, adamantly fighting for the rights of all community members. Regardless of gender, race, or anything else, sexual preference and when the community is left out and mistakes are made, the lived experiences are forgotten. And I think that it’s very important, particularly with the Commission that has lost so many members, so I’m asking what the Commission is doing with the actual hiring practices. I was part of the hiring committee and was excited to be part of something like that with all to make a collective decision. It scares me that any of that would be changed. I’m also, afraid how we will look at budgeting staffing and some had implemented programs and so I know you have the expertise. So, look at the long-range goals of what it is that we want and are we going to bifurcate a Deputy Director and outreach person and lose possibly an Investigator. So, let’s look at those decisions, look at the strategy behind what we are all doing and the fairness and the voice of the community that overwhelmingly voted for Measure B. I want to thank you all for your time and dedication. I applaud you all and hope you listen to the community on this one because all of you are part of the community.”
- 2. (Time 6:46) Public comment from Southeast resident, Abraham J.:** “I have been pulled over and illegally searched by police because I’m a young black man. I’m an excellent student and have never been in trouble. The Police Commission needs to get up and running to stop the rates of discrimination that has happened to me multiple times. I’m working with Pillars of the Community and have filed a complaint with Internal Affairs and the Commission. We would like staff hired to put policies so there is oversight of the police. At the end of the day, the police work in this community and we live in it. So I strongly believe we need to make this happen and, on that note, I wanted to ask if there are any programs that are working towards bridging the gap between teenagers of color living in the southeast and the police department.”
- 3. (Time 8:03) Public comment from 1<sup>st</sup> Vice Chair Doug Case:** “My comment tonight is different. Two Saturdays ago, San Diego held its annual LGBTQ pride parade, one of the largest pride parades in the nation, with over 300,000 participants and spectators. This year, given the disturbing incidents that have been happening across the country authorities were on high alert. In June, police arrested over 30 armed members of the White National Sup Patriot

Front, who were on their way to violently disrupt a pride event in Indiana. As we all know, a highland park in Chicago, a gunman killed and wounded dozens at a fourth of July parade. I don't know if any credible threats were made related to this year's San Diego Pride, but I do know that the police were well prepared for any possibility. As I arrived early along the parade route, when the crowds were starting to gather, I observed dozens of officers and multiple agencies across the county staging for their assignments. They included both uniform and plain clothed officers, and some were snippers on roof tops. It was a far greater law enforcement presence than in prior years. The general public will never know the extent of operation, especially since everything was peaceful. I want the department to know that their efforts did not go unnoticed and I know I speak for many by expressing gratitude for keeping us safe. This year there was a large law enforcement contingent in the parade, including several openly LGBTQ officers and they received loud ovations throughout the route. There were also a few protesters in the parade including one wearing a giant uniform pig costume with the sign that read "no cops in pride". As a long time, activist, I am aware of the troubled history or troubled relationship between the police and the LGBTQ Community. Afterall Stonewall was rebellion against police harassment and brutality. Times have changed and things have improved, although they are far from being perfect. I do understand the community should stand in solidarity with those protesting police abuses today, especially against the Bipoc community, nevertheless, I for one am glad that this year there were cops at pride."

4. **(Time 8:11) Public Comment from Women Occupy San Diego, Kate Yavenditti:** On behalf of Kate Yavenditti, Executive Assistant, Alina Conde, read the submitted commit aloud. Women Occupy San Diego is providing this statement to the interim CPP based on our concern about recent actions of the CPP that have resulted in a significant violation of community trust. These actions involve the vote at the hastily called special meeting held on July 12 at which a majority of the CPP voted to establish two positions: that of Deputy Executive Director and that of Community Engagement Coordinator. This vote resulted in the termination of the process to hire the Deputy Executive Director/Community Engagement Coordinator which had been on-going for months and was near completion. Here is the background: The interim Transition Committee of the CPP has been working for more than one year now on various interim issues, including that of staff for the CPP. The Committee spent hours and hours on discussing the position of the Community Engagement Coordinator and it was included in the City budget that was just approved. The job description was drafted, and a search firm was engaged. An entire process of recruitment, screening, interviews including a community panel, was adopted. All of this work was approved by the interim CPP and the process was started. Commissioner and Community Outreach Chair Patrick Anderson convened a community panel, consisting of representatives from 9 community organizations that are involved in social justice work. A national search was conducted, and 79

applications were received. The initial screening was done by the search firm based primarily on the credentials of the applicants and how they met the requirements of the job description. A group of 15 to 20 were selected and further screened by the Commissioners on the Transition Committee. Patrick scheduled the orientation for the community panel for Friday July 1. The night before that meeting, Patrick received an email from Sharmaine putting a "hold" on the process. It is not clear to us how she had the authority to do that, but Patrick informed the community panel the next day of that email. The community panel was very angry and felt disrespected. The Commissioners on the Transition Committee met with Sharmaine on July 8. Sharmaine explained her reasoning for pausing the search. Two Commissioners voted to agree with Sharmaine; two Commissioners voted to continue with the process. In light of the vote, the matter was forwarded to the full Commission for a special meeting which was scheduled for July 12. At the July 8 meeting, Patrick requested a meeting between Sharmaine and the community panel. Sharmaine initially suggested that it should happen later in the process, but eventually agreed to schedule a meeting for Monday July 11. At the July 11 meeting with the community panel, Sharmaine explained her reasoning for halting the process, but the community panel continued to feel that this was unacceptable. The special meeting of the interim CPP was scheduled with only 24 hours' notice to the public for Tuesday July 12. Because of the short time frame, very few community members were able to attend. Commissioner Doug Case presented the timeline set out above and Sharmaine set out her reasons for her request that the position be bifurcated into a full-time Deputy Executive Director who would be her assistant and a Community Engagement Coordinator. She claimed that the positions required two different, non-overlapping skill sets and that each needed to be full time. To be clear, this issue was never raised during the entire year that the Community Engagement position was discussed or through the recruitment process. It was only raised after the 7 finalists were chosen and, as Sharmaine said at the special meeting, she didn't feel that any applicants were qualified. She was also upset that she wasn't involved in the initial process but only as the final decision maker. Several Commissioners disagreed strongly. Patrick argued that the 7 finalists were impressive and qualified, and the process should continue to interview them, as no one from the interim Commission had yet spoken with any of the finalists. Community members, including members of the community panel, also spoke and argued that the process should continue to the next stage. A majority of interim CPP members voted 6 to 2 to establish two full time positions, as Sharmaine requested. The voice of the community was not heard, and we did not have adequate time to have input into this process. It was always agreed that it was essential for the community to be involved in the selection of the Community Engagement Coordinator. The name of the position was changed to Deputy Executive Director in order to allow a higher salary range. It was not intended that that position have substantial administrative duties; it was intended that

the person in that position would “step in” when the Executive Director was not available due to vacation or illness but not be involved in on-going administrative duties. Now that position will be set at a significantly reduced salary which further accentuates the community’s belief that the position is not valued. It also delays the process of hiring the Community Engagement Coordinator. Quite frankly, this last-minute move on the part of the interim Executive Director is seen by the community as a dismissal of community voices and reeks of hidden agendas. The whole purpose of the new CPP is to be truly independent, transparent, and accountable to the community. This action is a huge step backward in increasing community trust in the CPP. Our request is that the interim CPP reconsider its decision establishing two different full-time positions and return the position to its former status. In the alternative, we request that the CPP proceed quickly with hiring the full-time Community Engagement Coordinator with the input of the community as previously set out and defer hiring the Deputy Executive Director until the new Executive Director is hired.

5. **(Time 16:19) Public comment from Lachelle Coleman:** “I’m reaching out on behalf of the community that the Commission needs to be up and running. Last night, my son was detained and only the dark skin boys were handcuffed, the light skinned boys that looked white, was not. Also, the police told my juvenile son that they will bring in the dogs and if he moved the dogs will bite him and the police will shoot them. Our children are being traumatized and unfairly treated. And I’m working with my church, the Harvey Foundation and Pillars of the Community. We are along that this process is not held, and the community is able to help pick the staff. I want to ensure that we are at least educating the youth here. Last night they let us know that there were shootings in this area, because Covid I don’t let my teenager out, it so happens it was a birthday party they were attending. But just being able to be aware of what is happening in the community, so that these kids who are good kids, who just graduated, who are going to college, who are African American and minorities, they are being able to be educated so that they are safe.”
  
6. **(Time 17:57) Public comment from Evie Kosower:** “I’ve been trying to figure out why I’ve been feeling so badly about how this has been going and come up with this kind of thinking. The interim committee and the interim Executive Director are exactly that, they are interim. The interim Executive Director, Sharmaine Moseley, was appointed by the Mayor awhile back when she came. So, she is nowhere near the kind of Executive Director that this group expects to see happen, it would be somebody that the community has a lot to say about who that is going to be and the commissioners. The new commissioners, the interim people are interim, and we need to realize that. The transition committee is just that, they are enabling transition. And I believe the members were trying to incorporate what they felt were some best practices that would come up to be part of the new commission. I’m

concerned that the CRB people including the Director should not be making major decisions regarding how the commission should operate, especially overturning the transition process concerning community involvement and hiring that was put together and approved by the actual interim group to go ahead, done excellently, and was a lot of knowledge on how these things happen by someone on that transition committee and he was totally disregarded because the Interim Executive Director had a better idea. If Sharmaine Moseley needs help because she is over worked that's not what a new Deputy Director should be hired for. The City Council should be responsible for providing that assistance as they should be for providing members to help reviewing cases that the board so sorely needs and has asked for and have been ignored.”

#### **Non-Agenda Public Comment:**

1. **(Time 23:43) Public comment from Laila Aziz:** “The people that made a comment were two different instances that were reported today. There is a base of hundreds of people who have been elected and looking at this that maybe one of things is we need to have more people contact the commission and let the commission know what has been going on and can hear their voices and can really hear on the ground or I even invite any Commissioner to come out with us on Tuesday's and Thursday's to some of the locations that are definitely racially profiled, even though there are no discrimination findings and see what is going on. I invite anyone who would like to join.”

#### **Educational/Training - Public Comment:**

1. **(Time 38:53) Public comment from Kate Yavenditti:** “After listening to this presentation it seems that the process that the transition committee put together that was approved by the full CPP , Chair Brandon Hilpert and Liz Barat were involved with the transition committee meetings, follows along with what you were saying in fact that the Executive Director is the ultimate decision maker, that there is community input, that there was input from the commissioners, but that the final decision maker was the interim Executive Director. It is still not clear to me and not seeing anywhere in the process that says the interim Executive Director, Sharmaine Moseley, can jump in and stop the process because she doesn't like the last seven finalists. I can see as the final decision maker she can say she's not picking and not wanting any of them, I'm assuming. But it seems to me the disruption of the process was continued to be inappropriate that everything that the transition committee, and CPP itself put together was appropriate and should have been followed and completed.”
2. **(Time 58:59) Public comment from Evie Kosower:** Ms. Kosower asked Liz Barat and Duane Bennett, “how does innovation fit into any of this? This particular group was supposed to be run by the community, which says on the voter packet. A heavy lead from the community, that's why it got 75% of the voting people.

*Without an ordinance we can't write the way the group would like to see it. Making decisions in an ordinance number without an ordinance. The ordinance would take care of this and is being put off. How do you take into account that this particular commission is supposed to be put together by the top people and the people that they can gather to come in who are going to be very different than some of the people before to put together an organization they think works rather than similar or like whatever it is now. They can't have that opportunity if they're hamstrung and if the top people aren't chosen in a way the community feels comfortable with and people themselves with the community. I feel there is no way of letting this thing have its own person development because of the hamstringing that's happening with all of the rules and regulations to the hiring and through the particular interim group which are trying to hold things together. I understand that, and they are trying to keep going and have an oversight. The Council doesn't seem to care, they are letting them work with half the numbers and doing nothing about it. But it shouldn't be as suddenly put in commission people to fill in that stop. I'm really struggling to see if this can ever be what we envisioned it to be and what the community would like it to be. Until we can get an ordinance and let the ordinance decide these things. There is an ordinance already that decides how the commissioners are going to be brought in."*

3. **(Time 1:03:59) Public comment from San Diegans for Justice, Maresa Talbert:**  
*"We are concerned with the splitting of the Deputy ED role because we know that currently CPP is at half-staff, know that other roles that still need to be hired, roles are specific to Measure B that CPP still need to hire, the Investigators and administrative staff and we don't know if CPP is budgeted to fulfill two Deputy ED roles."*