



Office of the Commission on Police Practices

COMMISSION ON POLICE PRACTICES
REGULAR MEETING MINUTES

Tuesday, September 19, 2023

4:30pm

Skyline Hills Branch Library

7900 Paradise Valley Road

San Diego, CA 92139

Click https://www.youtube.com/watch?v=_YncFGtbh-A to view this meeting on YouTube.

Commissioners Present:

- | | |
|--|---------------------|
| Octavio Aguilar | Clovis Honore |
| Bonnie Benitez | James Justus |
| Dennis W. Brown (1 st Vice Chair) | Dennis Larkin |
| Cheryl Canson | Lupe Lozano-Diaz |
| Doug Case (2 nd Vice Chair) | Mark Maddox |
| Christina Griffin-Jones (Arrival 5:07pm) | Yvania Rubio |
| Dwayne Harvey | Jaylene Sanchez |
| Brandon Hilpert | Gloria Tran (Chair) |
| Darlanne Hoctor Mulmat | |

Absent/Excused:

- Laila Aziz
- Alec Beyer
- Cheryl Geyerman
- Nicole Murray-Ramirez
- Dalia Sherlyn Villa De La Cruz

Staff Present:

- Sharmaine Moseley, Interim Executive Director
- Duane Bennett, CPP Outside Counsel (attended virtually)
- Yasmeen Obeid, Community Engagement Coordinator
- Alina Conde, Executive Assistant
- Jon’Nae McFarland, Administrative Assistant

-
- I. CALL TO ORDER/WELCOME: Chair Gloria Tran called the meeting to order at 4:51pm
Motion: Commissioner Darlanne Hoctor Mulmat moved for Commissioner Clovis Honore to vote on items while attending the meeting virtually for just cause. Commissioner Dwayne Harvey seconded the motion. The motion passes 16-0-0.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Commissioners Aguilar, Benitez, Canson, Harvey, Hilpert, Hoctor Mulmat, Honore, Justus, Larkin, Lozano-Diaz, Maddox, Rubio, and Sanchez

Nays: None

Abstained: None

Absent/Excused: Commissioners Aziz, Beyer, Geyerman, Griffin-Jones, Murray-Ramirez, and Dalia Sherlyn Villa De La Cruz

II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call.

III. PURPOSE OF THE COMMISSION ON POLICE PRACTICES: **(Time 5:00)** Chair Gloria Tran explained that the purpose of the Commission on Police Practices (CPP) is to provide independent community oversight of the San Diego Police Department, directed at increasing community trust in SDPD, increasing safety for communities and officers. The purpose of the Commission is also to perform independent investigations of officer-involved shootings, in-custody deaths, and other significant incidents in an unbiased evaluation of all complaints against members of the Police Department and its personnel in a process that will be transparent and accountable to the community. Lastly, the Commission also evaluates the review of all SDPD policies, practices, trainings, and protocols & represent the community in making recommendations for changes.

IV. NON- AGENDA PUBLIC COMMENT:
Virtual Public Comment

(Time 33:00) Evie Kosower requested clarification regarding the meaning of the Office of the Commission on Police Practices, and an update on the search for Deputy Executive Director and Executive Director positions within the department.

Interim Executive Director Moseley stated that the Office of the Commission on Police Practices was established by the City Council in April 2021. It is a new independent department within the city that is responsible for providing administrative support to the Commission.

V. APPROVAL OF REGULAR MEETING FROM SEPTEMBER 12, 2023

Motion: Commissioner Bonnie Benitez moved for Commissioners comments to be held at the end of each meeting, and table the minutes from the Commission's September 12th meeting. Commissioner James Justus seconded the motion. The motion passes with a vote of 16-0-0.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Commissioners Aguilar, Benitez, Canson, Harvey, Hilpert, Hoctor Mulmat, Honore, Justus, Larkin, Lozano-Diaz, Maddox, Rubio, and Sanchez

Nays: None

Abstained: None

Absent/Excused: Commissioners Aziz, Beyer, Geyerman, Griffin-Jones, Murray-Ramirez, and Dalia Sherlyn Villa De La Cruz

VI. NEW BUSINESS (DISCUSSION/ACTION)

- A. Parliamentary Procedure and Meeting Decorum – (**Time 10:00:**) 2nd Vice Chair Doug Case provided a brief overview of Parliamentary Procedures on how to conduct a successful business meeting which included
- Being punctual and prepared
 - Paying attention (no cell phone usage during meeting)
 - Avoid side conversation and interrupting other speakers. Wait to be recognize by Chair prior to speaking
 - Direct comments to Chair and avoid cross debates
 - Stay on topic and speak on matter under consideration
 - Be patient while waiting to make comment (two comments per Commissioner for each item)
 - Avoid repetition
 - Listen actively and objectively. Keeping comments constructive and not criticizing
 - Respect others and resist urge to become emotional when strongly disagreeing on a topic.
- B. Future Dates for Commission Regular Business Meetings Beginning in November 2023 (Doodle Poll) (**Time 13:00**) Executive Assistant Alina Conde explained there will be a Doodle Poll sent out to all Commissioners to determine the dates and times for Regular Meetings from November onward. Reservations for meeting locations have been made for potential CPP meetings on Tuesdays up to December. Staff will work on broadening the scope of locations that is accommodating for Commissioners and the public. All training dates scheduled for October will remain since rooms are reserved at this time.
- C. Timeline for Ad Hoc Committee Reports – (**Time 23:01**) As of today, only the Ad Hoc Personnel Committee met. Chair Gloria Tran requested all Committee's present a status update on the creation of drafts at the Commission's October 7th meeting. Commissioner Griffin-Jones was added as a member of the Ad Hoc Bylaws Committee. Commissioner Maddox was added as a Chair of the Bylaws Committee.
- D. Essential CPP Trainings & Parallel Track for Case Review (**Time 31:10**)
- In Person Public Comment
Kate Yavenditti (**Time 37:42**): Commented on the draft schedule of training and urged the Commission to expand training material to be community leader based. She is concerned that the training is police heavy. She provided a list of recommendations to community leaders to consider.
- Virtual Public Comment
Andrea St. Julian (**Time 40:15**): Encouraged the Commissioners to seek experts in Law Enforcement to conduct training and not rely on the San Diego Police Department.
Darwin Fishman (**Time 41:33**): Commented on the training material. He suggested the CPP include community-based leaders in curriculum. He referred to the Community Bus Tour Training that was led by Tasha Williamson. It was very useful and helpful.

Andrea St. Julian (**Time 1:11:49**): Suggested the Commissioners have a fresh perspective on how to view cases that are simple and streamlined.

Chair Tran explained that the Commission can't begin its investigation of complaints until the investigation procedure is approved by the Commission and City Council. However, the Commission can continue to review cases until that happens. The Commission discussed how to address cases that are still under the 1-year statutory limitation and soon to be expiring. The Commission would like to institute a parallel track to allow the Commission to train and begin case review.

Motion: Commissioner Christina Griffin-Jones moved for Outside Counsel Duane Bennett to review 3 cases that will expire in October and present those 3 cases to the Commission at the Commission's October 7th meeting.

Commissioner Bonnie Benitez seconded the motion. The motion passes with a vote of 13-3-1.

Yays: 1st Vice Chair Brown, Commissioners Aguilar, Benitez, Canson, Griffin-Jones, Harvey, Hoctor Mulmat, Honore, Justus, Larkin, Maddox, Rubio, and Sanchez

Nays: 2nd Vice Chair Case, Commissioners Lozano-Diaz and Hilpert

Abstained: Chair Tran

Absent/Excused: Commissioners Aziz, Beyer, Geyerman, Murray-Ramirez, and Villa De La Cruz

VII. OFFICE OF THE COMMISSION ON POLICE PRACTICES REPORTS

A. Executive Director Report (**Time: 2:20:12**) Interim Executive Director Sharmaine Moseley provided the Commissioners with an update on staffing, office suite, commission vacancies, and the CPP Presentation to the Public Safety Committee.

1. OCPP Staffing Update- It was reported that the recruitment for the Deputy Executive Director position is on hold until the Executive Director position is filled. Jon'Nae McFarland was introduced as the new Administrative Assistant/Complaint Liaison for OCPP. It was also reported that the Chief Investigator is slated to start on Wednesday, October 3, 2023. A formal announcement will be made later in the week.

2. New Office Suite/Space Update (525B Street-17th Floor) – It was reported that the Commission's new office suite that will be located at 525 B Street is currently under renovation.

3. Commissioner Vacancies & Commissioner Appointee Oath of Office Status Update – It was reported that the Commission has 3 vacancies that the City Council must fill.

4. 9/20 CPP Presentation to Public Safety Committee – It was reported that Interim Executive Director, Outside Counsel Duane Bennett, and CPP Cabinet will provide the City Council's Public Safety Committee with an update on the activities of the interim and new Commission.

In Person Public Comment

Kate Yavenditti (**Time 2:14:10**): Commented on 525 B Street not being accessible

for the community due to parking and mobility challenges.

- B. Community Engagement Coordinator Report (**Time 2:17:48**) Yasmeen Obeid spoke on future goals to meet with each Commissioner individually to discuss opportunities to be more engaged in the communities they represent. In addition, hosting an opportunity for the public to become acquainted with staff of the Office of the Commission on Police Practices.

VIII. EDUCATIONAL TOPICS

- A. Overview of the Ralph M. Brown Act (**Time 2:22:19**) – Outside Counsel, Duane Bennett highlighted important points of the Ralph M. Brown Act regarding the Commissioners subject matter jurisdiction. He specified the Ad-hoc committees established are not subjected to the Brown-Act rules, the importance of not conducting a serial meeting, and the just cause and emergency circumstances for members wanting to appear virtually. The second portion of this overview covering close sessions will be continued at the next scheduled meeting.

- B. Confidentiality Agreement for Commissioners– (**Time 1:29:32**) The Commission discussed the agreement. Concerns were raised regarding the some of the language in the agreement.

Motion: 1st Vice Chair Dennis Brown moved for Commissioners to sign the Confidentiality Agreement and have Outside Counsel Duane Bennett speak with Internal Affairs Captain Dupree with regards to adjusting the agreement. Commissioner Brandon Hilpert seconded the motion. The motion failed with a vote of 8-8-1.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Commissioner Canson, Hilpert, Harvey, Justus, and Maddox

Nays: Commissioner Aguilar, Benitez, Hctor-Mulmat, Honore, Larkin, Lozano-Diaz, Rubio, and Sanchez

Abstained: Commissioner Griffin-Jones

Absent/Excused: Commissioners Laila Aziz, Beyer, Geyerman, Murray-Ramirez, and Villa De La Cruz

Motion: Commissioner Hctor-Mulmat moved for Outside Duane Bennett to speak with Internal Affairs Captain Dupree first regarding the Confidentiality Agreement and send back for Commissioners to sign in an expeditious format. Commissioner Yvania Rubio seconded the motion. The motion passed with a vote of 17-0-0.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Commissioners Aguilar, Benitez, Griffin-Jones, Canson Harvey, Hilpert, Hctor-Mulmat, Honore, Justus, Larkin, Lozano-Diaz, Maddox, Rubio, and Sanchez

Abstained:

Absent/Excused: Commissioner Laila Aziz, Beyer, Geyerman, Murray-Ramirez,

and Villa De La Cruz

- IX. PREPARATION FOR FUTURE MEETINGS: N/A
- X. ADJOURNMENT: The meeting adjourned at 7:40pm.