

Community Review Board on Police Practices

Rules Committee Meeting Minutes

Tuesday, May 13, 2019

9:30 a.m.

**Civic Center Plaza Building (CCP)
1200 Third Avenue, 9th Floor
Suite 924 - Large Conference Room
San Diego, CA 92101**

Present: Committee Chair Doug Case, Committee Members Diana Dent, Ramon Montano, Nancy Vaughn CRB Executive Director Sharmaine Moseley, Internal Affairs Captain Wes Morris, Lieutenant Paul Philips, CRB Outside Counsel Christina Cameron

Absent: Chair Joe Craver and 2nd Vice Chair Taura Gentry

- I. Welcome/Call to Order: Committee Chair Doug Case called the meeting to order at 9:30 a.m.
- II. Approval of the Minutes from April 16, 2019 - **Motion by Nancy Vaughn to approve the April 16, 2019 Rules Committee Meeting Minutes. The motion was seconded by Diana Dent. The motion passed with a vote of 3-0-1**

**Committee Chair Doug Case-Yes, Diana Dent-Yes, Nancy Vaughn-Yes.
Ramon Montano-Abstained because he did not attend that meeting.**

III. Public Comment: None

IV. New Business

- 1) Proposed Operational Standing Rule on Review of Shooting Review Board Reports (Doug Case) - Committee Chair Case reported that it will go on the agenda for the next Open Meeting on May 28, 2019. There was not enough time given to the Board to put it on last month's Open Meeting agenda because of the 10-day notice requirement. The Board will vote to approve the Shooting Review Board Standing Rule on May 28, 2019.
- 2) Potential Elements for Public Case Summaries (Nancy Vaughn) - Committee Chair Case provided the Committee with the background on this item. Based on feedback from the CRB's Outside Counsel, Nancy Vaughn agreed to draft a fictional case summary. From that case, Ms. Vaughn drafted 4 case summaries. Committee Chair Case had concerns with the summaries, so he drafted a separate summary that included more details of the incident, procedure numbers, the Board's rationale for

the vote, and excluded Team remarks which the Committee had agreed to do. He excluded the referral to the mayor.

The summary will become a part of the mid-year and annual report of the CRB. The summary will be drafted by the Team and given to IA for review.

Committee Chair Doug Case agreed to work with Nancy to come up with a comment to include and work on a newer summary that would be Version 6. Internal Affairs Captain Morris will invite a POA representative and legal counsel to the Committee's next meeting. The version 6 summary will be included with the meeting agenda. The Committee agreed to include the Board's actions and not the Team's discussions.

3) Changes to Administration Standing Rule on CRB Case Report Format (Nancy Vaughn)

- A. Titles for non-SDPD individuals- The Committee discussed the handout on Format and Presentation, Section 1.b. Face Sheet. Committee Chair Case recommended that Ms. Vaughn add to the section additional titles such as "Doctor" or "Reverend."

Committee Chair Case moved for the Committee to approve this addition. Nancy Vaughn seconded the motion. The motion passed with a vote of 4-0-0.

Committee Chair Doug Case-Yes, Diana Dent-Yes, Ramon Montano-Yes, Nancy Vaughn-Yes

- B. Comments Matrix- The Committee discussed the handout on comments. Nancy Vaughn explained that members are having difficulty in knowing where to put comments in a case report. Item IV.5B addition of Writing the Case Review Report would outline how and where to include comments to a case report.

The Committee agreed to revise the chart as follows: whether a case was tolled-asterisk in case notes, BWC information-asterisk in case notes, comments regarding commendations of an officer-asterisk in case notes, policy suggestions-asterisk in issues & concerns. An asterisk should go under Allegation D&C in the 3rd row and remove the asterisk from under case notes. Add to Type 1 after section, "focused on the investigation in the current case. The Committee also agreed to delete "disagreement" in Type 2 and replace with "interaction." Add a Type 4 that states "Comments that have commendation of an officer."

Committee Chair Case moved for the Committee to approve revisions discussed to this item. Nancy Vaughn seconded the motion. The motion passed with a vote of 4-0-0.

Committee Chair Doug Case-Yes, Diana Dent-Yes, Ramon Montano-Yes, Nancy Vaughn-Yes

- C. Revision to Section 2, “Writing the CRB Case Review Report” – to include guidance for disagreements both with IA and within the Review Team – **The Committee tabled this item.**

4) Bylaws Revisions

A) Clarification for CRB Bylaws Article II (Nancy Vaughn)

Nancy Vaughn explained that when the Board drafted the objectives section of the CRB bylaws at the time, the Board did not see that there was a difference in importance. It made the outreach of the Board equally important to case review by the Board which is untrue. Ms. Vaughn proposed that she rewrite the section on objectives to show that there is a primary objective which comes from the City Charter. The secondary objectives are policy recommendations, the independence of the Board, and outreach.

Committee Chair Case suggested moving the section on the independence of the Board from section 2 and make a new section 3 because Board independence is how you operate and not what you do. He further suggested that instead of saying “It is the objective of the Board to maintain” it should read “The Board shall remain independent and defend an independent posture...” Add after SDPD, “and community pressure.” Then renumber Outreach and Education to “2. Outreach and Education.”

Nancy Vaughn moved for the Committee to approve revisions discussed to this item. Diana Dent seconded the motion. The motion passed with a vote of 4-0-0.

Committee Chair Doug Case-Yes, Diana Dent-Yes, Ramon Montano-Yes, Nancy Vaughn-Yes

B) Section III Section 3A -Voluntary Resignation – (Sharmaine Moseley)

Committee Chair Case explained that CRB bylaws state that “A member’s written notice of resignation is required by the City Clerk and the Mayor’s Office and becomes a matter of public record unless confidentiality is requested by the resigning member. The issue is if a member submits a resignation letter, by law it becomes public due

to the Public Records Act. The resignation letter cannot be kept confidential.

The Committee agreed to add a period after public record in the second sentence and delete “unless confidentiality is requested by the resigning member.”

Committee Chair Case moved for the Committee to approve revisions discussed to this item. Nancy Vaughn seconded the motion. The motion passed with a vote of 4-0-0.

Committee Chair Doug Case-Yes, Diana Dent-Yes, Ramon Montano-Yes, Nancy Vaughn-Yes

- C) Article III Section 3B (Sharmaine Moseley) –Approved by the Committee on April 16, 2019

In the third paragraph, add “agenda’ after next regular Board Open Meeting followed by a period. Delete the rest of the sentence because the Board can’t discuss removal proceedings in a Closed Meeting. This item was approved by the Committee on April 16, 2019.

- V. Date of Next Meeting: The Committee agreed to tentatively schedule its next meeting on June 13th at 9:30am.
- VI. Adjourn: The meeting adjourned at 10:48 a.m.