

COMMUNITY REVIEW BOARD ON POLICE PRACTICES

A G E N D A

Tuesday, February 25, 2020

**Malcolm X Branch Library
5148 Market Street
San Diego, CA 92114**

A quorum of twelve (12) board members is needed to conduct business. If you cannot attend, please call the CRB Complaint Coordinator at (619) 236-6296.

CLOSED SESSION 4:00 p.m. – 5:30 p.m.

Board Members and Staff Only

- I. Call to Order
- II. Legal Opinion(s) Request & Attorney/Client Privileged Response(s) (o)
- III. San Diego Police Department Feedback on Case Specific Matters Only
- IV. Shooting Review Board Reports (o)
- V. Category II Case Audit Reports (o)
- VI. Discipline Reports (o)
- VII. Case Review Team Reports (3)
- VIII. Case-Specific Recommendations to the Mayor (o)
- IX. Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (o)

Pursuant to California Government Code Section 54957 — To discuss community complaints brought against San Diego Police Department Officers under California Penal Code Section 832.7.

OPEN/PUBLIC MEETING 6:00 p.m. – 7:45 p.m.

Open to the Public

- I. CALL TO ORDER/WELCOME (Chair Joe Craver)
- II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES (CRB)
- III. APPROVAL OF MINUTES: CRB Open Meeting Minutes of January 28, 2020
- IV. NON-AGENDA PUBLIC COMMENT: (Speaker Slip Required)
- V. UNFINISHED BUSINESS (DISCUSSION): None
- VI. NEW BUSINESS (DISCUSSION/ACTION) (Chair Joe Craver)

- A. **Action Item:** Motion for the Board to amend CRB Bylaws Article IV Section 3 on the Powers & Duties of CRB Officers to give the CRB First or Second Vice Chair the power to Chair CRB Executive Committee Meetings in the absence of the Chair.
- B. **Action Item:** Motion for the Board to amend its Operational Standing Rule on Category 2 Case Audits to include the template for the Board to follow when auditing Category 2 Cases.
- C. Election for CRB Second Vice Chair Position (Term 2/26/20 -6/30/20)
(Chair Joe Craver)
 - i. Nominations from the floor
 - ii. Elections

VII. COMMITTEE REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Ernestine Smith) 2 mins
 - i. List of Upcoming Educational Topics
 - ii. Appointment of New Chair of Continuing Education Committee
- B. Outreach Committee (Brandon Hilpert) 5mins
 - i. Summary of Past Events
 - ii. Feedback on Past Events (Discussion Item)
 - iii. Upcoming Events/Outreach Opportunities
- C. Rules Committee (Doug Case) 2 mins
 - i. Items being Considered Committee
 - ii. Schedule Next Rules Committee Meeting
- D. CRB Handbook Committee (Doug Case) 2 mins
 - i. Distribution of Resource Handbook
 - ii. Next Steps
- E. Policy Committee (Brandon Hilpert) 3 mins
Items being Considered by Policy Committee
 - i. Status updates
 - ii. Next Scheduled Meeting Date
- F. Recruitment & Training Committee (Kevin Herington) 2 mins
 - i. Update on New CRB Training Academy -Training of New Members
 - *Completed All 3 Phases of Training
 - *Scheduling and Participating in Ride-Alongs (will report out next month)
 - *Next Step is Council Confirmation and Assignment to CRB Teams
- G. Citizens Advisory Board on Police Community Relations (Chair Joe Craver)
 - Update on February 24th Meeting -CAB Executive Director Gerald Brown

- VIII. CHAIR'S REPORT (Chair Joe Craver) 5 mins
- A. Reminders-3rd Quarter (January 1-March 31) Volunteer Hours Report (Due Date April 1, 2020)
 - B. Debrief on CRB Working Retreat (February 22, 2020)
 - C. Other Items/Reminders
- IX. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley) 5 mins
- A. Caseload Update & Status of Case Reports
 - B. Administrative Staff Changes
 - C. CRB Office Update
 - D. CRB Hosting NACOLE Regional Meeting in San Diego (Tentative Date 10/16/2020)
 - E. Other Items/Reminders
- X. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Al Guaderrama) 5 mins
- Updates
- XI. BOARD MEMBER RIDE-ALONG REPORTS (2 mins each)
- XII. BOARD MEMBER ANNOUNCEMENTS/COMMENTS
- XIII. ADJOURNMENT

Materials Provided:

- Minutes from CRB Open Session Meeting on January 28, 2020 DRAFT
- Category II Audit Template DRAFT
- CRB Bylaws Article IV: Section 3 Powers and Duties Revisions DRAFT

Public Comment on an Action/Discussion Item: If you wish to address the Board on an item on today's agenda, please complete a speaker form (on the table near the door) and give it to the Board's Executive Director before the Board hears the agenda item. You will be called to express your comment at the time the item is heard. Please note, however, that you are not required to register your name or provide other information to the Board in order to attend our public session or to speak.

Public Comment on Committee/Staff Reports: Public comment on reports by Board Committees or staff may be heard on items which are specifically noticed on the agenda.

Public Comment on Matters Not on the Agenda: If you wish to address the Board on any matter within the jurisdiction of the Board that is not listed on today's agenda, you may do so during the PUBLIC COMMENT period during the meeting. Please complete a speaker form (on the table near the door) and give it to the Board's Executive Director. The Board will listen to your comments. However, California's open meeting laws do not permit the Board to take any action on the matter at today's meeting. At its discretion, the Board may refer the matter to staff, to a Board committee for discussion and/or resolution, or place the matter on a future Board agenda. The Board cannot hear specific complaints against named individual officers at open meetings.

Comments from individuals are limited to two (2) minutes per speaker, or less at the discretion of the Chair. At the discretion of the Chair, if a large number of people wish to speak on the same item, comment may be limited to a set period of time per item. If you would like to have an item considered for placement on a future Board agenda, please contact the Executive Director at (619) 236-6296. The Director will consult with the Board Chair who may place the item on a future Board agenda. If you or your organization would like to have the Board meet in your neighborhood or community, please call the Executive Director at (619) 236-6296.

This agenda will be made available in alternate formats upon request, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Requests for disability related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, should be forwarded to communityreviewboard@sandiego.gov, or call (619) 236-6296.

CRB Bylaws - Article IV: Officers

Section 3: Powers and Duties

The officers of this organization shall fulfill the duties of office while always acting for the good of the entire Board.

A. Chair

The Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board.
2. To serve as Chair for all meetings of the Executive Committee.
3. To serve as a member of the Cabinet.
4. To act as the spokesperson for the Board, to make official statements for the Board, or to delegate this responsibility to another Board Member.
5. To coordinate with the Executive Director on communication between the Board and the Mayor, the San Diego City Council and the Chief of Police.
6. To appoint Chairs and members for all Committees of the Board, except the Nominating Committee.
7. To be ex officio member and ensure effective functioning of all committees of the Board, except the Nominating Committee.
8. To facilitate communication between Case Review Team Leaders.
9. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.
10. To perform such other duties as may be conferred by vote of the Board.

B. First Vice Chair

The First Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board in the absence of the Chair.
2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair.
23. To serve as a member of the Executive Committee.
34. To serve as a member of the Cabinet.
45. To oversee training of new members with the Recruitment and Training Committee, and to oversee training of the Team Leaders.
56. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.
67. To perform such other duties as may be conferred by vote of the Board or requested by the Chair.

C. Second Vice Chair

The Second Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board in the absence of the Chair and the First Vice Chair.
2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair and First Vice Chair.
23. To serve as a member of the Executive Committee.
34. To serve as a member of the Cabinet.
45. To serve as a member of a Case Review Team.
56. To act as Parliamentarian for the Board.
67. To perform such other duties as may be conferred by vote of the Board or requested by the Chair.

**COMMUNITY REVIEW BOARD ON POLICE PRACTICES
TEAM
CASE #**

Date of Incident:
Date of Complaint:
Date SDPD Report Completed:
Date of Audit:
Audit Team Members:
Division:
Name of Investigating Officer:
Name of Complainant:
Name of Subject Officer(s):

BRIEF INCIDENT SUMMARY:

ALLEGATIONS, FINDINGS AND RATIONALE:

DISCIPLINE IMPOSED FOR SUSTAINED FINDINGS (if applicable):

**TEAM 1 EVALUATION OF
XXXX-XXXX CAT. II INVESTIGATION**

Does the investigation accurately reflect the concerns of the complainant?	
Are the allegation(s) properly categorized as a Category II?	
Was the investigation thorough and complete?	
Was the information in the investigation report properly documented?	
Are the findings appropriate based on the evidence?	
Is the discipline imposed for any sustained findings within the Discipline Matrix and is it appropriate for the offense?	

Team Comments:

[Comments are required to explain a "No" in the above table but may also address other issues.]



COMMUNITY REVIEW BOARD ON POLICE PRACTICES

MINUTES

**Tuesday, January 28, 2020
Skyline Hills Branch Library
7900 Paradise Valley Road
San Diego, CA 92139**

Members Present:

Joe Craver, Chair
Brandon Hilpert, 1st Vice Chair
Taura Gentry, 2nd Vice Chair
Doug Case
Maxine Clark
Gregory Daunoras
Diana Dent
Poppy Fitch
Kevin Herington

Sheila Holtrop
Bonnie Kenk
Mary O'Tousa
Ernestine Smith
Pauline Theodore
Nancy Vaughn
Marty Workman

Members Absent:

Patrick Anderson
Steve Hsieh
Alex Hu

Community Review Board on Police Practices (CRB) Staff Present:
Sharmaine Moseley, Executive Director

San Diego Police Department (SDPD) Staff Present:

Al Guaderrama, Executive Assistant Chief
Wes Morris, Captain
Charles Lara, Lieutenant

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- I. CALL TO ORDER/WELCOME: Chair Joe Craver called the meeting to order at 6:00 p.m.
 - II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES: Chair Joe Craver explained the purpose and responsibilities of the Community Review Board on Police Practices (CRB) to those in attendance.
 - III. APPROVAL OF MINUTES: CRB Open Meeting Minutes of November 26, 2019

The Board reviewed the minutes. Board member Nancy Vaughn moved for the Board's approval of its November 26, 2019 meeting minutes. Board member Marty Workman seconded the motion. The motion passed with a vote of 15-0-2.

Yays: 2nd Vice Chair Gentry, Members- Case, Clark, Daunoras, Dent, Fitch, Herington, Hilpert, Holtrop, Kenk, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Craver and O'Tousa

Members Absent: Anderson, Hsieh, and Hu

- IV. **NON-AGENDA PUBLIC COMMENT:** First Vice Chair Brandon Hilpert reported that the CRB received 2 speaker slips for non-agenda public comment.
- A. David Lee commented on the number of increased vandalism and people who speed in his community. He requests more police presence and the addition of speed bumps in that area.
 - B. Lupe Diaz commented on the recent officer-involved shooting that happened in Oak Park. She wants to know if the officers turned on their body worn cameras. She stated that it should be released.
- V. **UNFINISHED BUSINESS (DISCUSSION):** None
- VI. **NEW BUSINESS (DISCUSSION/ACTION)** (Chair Joe Craver)
- A. **Selection of Ad Hoc Nominating Committee for CRB 2nd Vice Chair Position (Term 3/24/20 -6/30/20)** (Chair Joe Craver)

Chair Craver reported that due to the resignation of 2nd Vice Chair Taura Gentry, the Board will need to fill the 2nd Vice Chair position for the remaining term expiring the end of June 2020. The Board agreed to not use an Ad Hoc Nominating Committee because it will delay the elections.

The Board will nominate candidates for the 2nd Vice Chair position from the floor and the election will occur at the Board's February 25th Open Meeting.
 - B. **CRB Annual Working Retreat** (Chair Joe Craver)
 - February 15 or February 22 – The Board's annual working retreat will take place on February 22, 2020.

- Agenda Items – Chair Craver reported that the Board will cover its work plan, tactical plan year review, development of 2020 tactical plan, a community component, and a guest speaker. Member Doug Case commented that the Board should probably have a discussion and training on pretext stops and AB 392.

VII. COMMITTEE REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Taura Gentry)
 - i. List of Upcoming Educational Topics – Committee Chair Taura Gentry reported that she passed out a list of educational topics for the next Continuing Education Chair.
 - ii. Summary of Responsibilities for Chair of Continuing Education Committee – The Chair of the committee is required to come up with an educational topic for the Board every month.
 - iii. Appointment of New Chair of Continuing Education Committee
Chair Joe Craver appointed member Ernestine Smith as the new Chair of the Continuing Education Committee.
- B. Outreach Committee (Chair Joe Craver)
 - i. Summary of Past Events – Executive Director Sharmaine Moseley reported that she and 2nd Vice Chair Taura Gentry attended the Measure Big Data and Community Policing Conference. Members Sheila Holtrop, Doug Case, and Executive Director Moseley staffed a table for the CRB at Alliance San Diego's All Peoples Celebration. She attended the YMCA's Jackie Robinson Breakfast. Member Diana Dent attended the UAAMAC Breakfast. Member Marty Workman reported that he attended Coffee with a Cop in the Northeastern division. Member Bonnie Kenk reported that she and member Mary O'Tousa participated in SDPD's Effective Interactions Training in December.
 - ii. Feedback on Past Events (Discussion Item) – No report given
 - iii. Upcoming Events/Outreach Opportunities – Currently, the Board has its regularly scheduled meetings and trainings of the new members.
 - iv. Summary of Responsibilities for Chair of Outreach Committee – Chair Joe Craver stated that the Outreach Committee supports the Board's outreach and educational objectives at community events and informational meetings.

- v. Appointment of New Chair of Outreach Committee – Chair Joe Craver appointed 1st Vice Chair Brandon Hilpert as the new Chair of the Outreach Committee.

- C. Rules Committee (Doug Case) 2 mins
Items being Considered by Rules Committee – Committee Chair Doug Case reported that the Committee met two weeks ago. The Committee approved the template for the Category II Case Audits. It will be added to the Board's Administrative Standing Rules once the Board approves it at its next meeting.
 - i. Template for Audits of Category II Cases – CRB Approval will take place at the Board's 2/25 Open Meeting. These audits are not intended to be full reviews. The Teams are expected to read the investigator's report and listen to the interviews and watch the Board Worn Cameras. If the Team get a case where they think that a full review is done they can bring it the Board. All questions on the template should be completed.
 - ii. Amendment to Bylaws Article IV Section 3: Powers & Duties of CRB Officers –Amendment to the Board bylaws is needed to give the CRB's 2nd Vice Chair the power to chair Executive Committee Meetings in the absence of the Chair and 1st Vice Chair. This will be a minor revision to the duties of the 1st and 2nd Vice Chair so they can Chair the CRB's Executive Committee Meetings.
 - iii. Schedule Next Rules Committee Meeting
- D. CRB Handbook Committee (Doug Case) 2 mins
 - i. Distribution of Resource Handbook – Several members did not receive the new Resource Handbook. Executive Director Moseley reported that the rest of the handbooks are in the CRB office at the Ash Street location. She will email the Board to see who did not receive a handbook. The CRB intern might be able to make several new copies.
 - ii. Next Steps – The next step it to add documents to the CRB's website.
- E. Policy Committee (Brandon Hilpert) 3 mins
Items being Considered by Policy Committee – Committee Chair Brandon Hilpert reported that the Committee did not meet last month.
 - i. Status update on completion of items
 - ii. Next Scheduled Meeting Date – The next meeting will take place on February 11th prior to the Closed Session Meeting.
A couple of items that are ready to close out. 2nd Vice Chair has a few updates that need to be made to the process card. Member Patrick Anderson is working on a discrimination item.

- F. Recruitment & Training Committee (Chair Joe Craver) **2 mins**
Chair Craver reported that 3 new CRB members are present. He asked them to introduce themselves.
- i. Update on New CRB Training Academy -Phase 2 Training of New Members – New members Bill Didier, Ernestine Neely, Theresa Palafox reported that the Academy Training was informative and educational. They commented that more people in the community should be aware of the topics in the training.
 - ii. Summary of Responsibilities for Chair of Recruitment & Training Committee – Chair Craver stated that the responsibilities of this Committee is to support and recruit new members for the Board, inform interested individuals about the Board, and provide training for new members.
 - iii. Appointment of New Chair of Recruitment & Training Committee – Member Kevin Herington volunteered and was appointed to Chair this Committee.
- G. Citizens Advisory Board on Police Community Relations (Taura Gentry)
• Update on November 26th Meeting

- III. CHAIR'S REPORT (Chair Joe Craver) **5 mins**
- A. Reminder-2nd Quarter (October 1-December 31) Volunteer Hours Report (**Due Date January 4, 2020**) -Members were reminded to submit their hours for the 2nd Quarter.
 - B. Debrief on CRB Annual Presentation to Public Safety and Livable Neighborhoods Committee (**December 2019**) – CRB leadership presented its Annual Report to the Public Safety and Livable Neighborhoods Committee on December 2, 2019. Leadership received positive feedback on the report.
 - C. Debrief on CRB Holiday Party (**December 2019**) – The CRB Holiday Party was held on December 3, 2019.
 - D. CRB Member Resignations (Maria Nieto-Senour, Ramon Montano, Taura Gentry) – Three members submitted their resignations to the Mayor.
 - E. Other Items/Reminders

- IV. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley) **5 mins**
- A. Caseload Update & Status of Case Reports -Executive Director Sharmaine Moseley reported that as of today the Board started off with 25 active cases. This number includes audits of 4 Category II cases. On tonight's Closed Session Meeting agenda, the Board had 4 Category I cases and 1 discipline report. Three of the Category I cases and the discipline report were deliberated on and closed by the Board. The Teams now have a total of 22 active cases. The CRB deliberated on and closed out a total of 21 cases for fiscal year 2020. It was further reported that there will be an upcoming Team leader meeting after the Closed Session Meeting on

February 11th. At that meeting, one of the topics for discussion will be the reshuffling of the Teams to include the new members.

The breakdown of active cases are as follows:

Team 1 – 3 cases; Team 2 – 4 cases; Team 3 – 2 cases; Team 4 – 3 cases; Team 5– 5 cases; Team 6 –3 cases; Team 7– 2 cases

- B. Status of Board Member Reappointment & Appointments – It was reported that all eleven members who were up for reappointment were reappointed in December and took the oath of office. One of the members submitted her resignation. We have 3 new appointments one of which is on hold because the member was unavailable for the training. We have one more person awaiting appointment by the Mayor. We should expect all new appointed members to be confirmed by Council next month.
- C. Administrative Staff Changes – It was further reported that CRB Administrative Aide Sonja Mack was promoted to the Office of Boards and Commissions Budget Analyst position. There will be a search for a new Administrative Aide. CRB leadership are invited to sit on the interview panel.
- D. CRB Office Update - It was reported that over the holidays, the Office of Boards and Commissions moved over to its new office space in 101 Ash. A few weeks later, we were evacuated from the building and moved back to our old office in Civic Center Plaza. As of today, there are no plans to move back into Ash Street.
- E. Other Items/Reminders – None reported

V. **SAN DIEGO POLICE DEPARTMENT REPORT (Executive Assistant Chief Al Guaderrama) 5 mins**

- Updates -Executive Assistant Chief Al Guaderrama reported that SDPD is undergoing mass promotions – 3 Captains, 5 Lieutenants, 12 Sergeants, and 15 Detectives.
- Currently, there are two Academies. Forty-six new officers will be graduating from the Academy next month. He further reported that the junior academy has 43 graduates. In 5-6 weeks, SDPD will be starting another Academy with 50 plus recruits.

VI. **BOARD MEMBER RIDE-ALONG REPORTS (2 mins each)** Marty Workman reported that he did a ride-along in Northwestern. There were complaints about people speeding past the schools and not stopping at the stop signs so patrol were on stand-by to watch the stop signs for enforcement purposes.

VII. BOARD MEMBER ANNOUNCEMENTS/COMMENTS: None reported

VIII. ADJOURNMENT: The meeting adjourned at 7:04 p.m.

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