



THE CITY OF SAN DIEGO

**CITIZENS' REVIEW BOARD ON POLICE PRACTICES
MINUTES**

Tuesday, July 26, 2016
Cherokee Point Elementary School
3735 38th Street
San Diego, CA 92105

Members Present:

Douglas Case, Chair
Joe Craver, 1st Vice-Chair
Taura Gentry
Godwin Higa
Brandon Hilpert, 2nd Vice-Chair
Sheila Hiltrop (Alt)

Thomas Lincoln
Charlene McAdory
Larry McMinn-Ottinger
Pieter O'Leary
Mary O'Tousa
Ernestine Smith

John Sieger (Alt)
Richard Stanford (Alt)
Pauline Theodore
Nancy Vaughn

Members Absent:

Diana Dent
Martin Workman

Prospective Members Present:

Dr. Reinaldo Galindo
Dr. Maria Nieto-Senour

Staff Present:

Sharmaine Moseley, Executive Director, CRB
William Gersten, Deputy City Attorney, City Attorney's Office
David Ramirez, Executive Assistant Chief, San Diego Police Department
Chris McGrath, Captain, San Diego Police Department
Chris Knighten, Lieutenant, San Diego Police Department
Mike Holden, Lieutenant, San Diego Police Department
Gary Gonzales, Detective, Internal Affairs, San Diego Police Department
Denise Sandoval, Executive Secretary, CRB Complaint Coordinator

- I. CALL TO ORDER/WELCOME – Doug Case, Chair (6:31 pm)
Chair Doug Case called the meeting to order.
- II. PURPOSE OF THE CITIZENS' REVIEW BOARD ON POLICE PRACTICES
Chair Doug Case explained the purpose of the Citizens' Review Board on Police Practices to those in attendance.

- III. APPROVAL OF MINUTES: CRB Open Meeting Minutes of June 28, 2016 were approved unanimously as written.
- IV. NON-AGENDA PUBLIC COMMENT: (Speaker Slip Required) – It was noted that there were no speaker slips.
- V. RECOGNITION AND APPRECIATION
 - A. Recognition of Former Chair Lisa Sorce for her 4 years of service.
- VI. GUEST SPEAKER: Detective Sergeant Richard Fox, Background & Recruiting “SDPD Recruitment, Hiring, Training and Retention” (*handout provided*)

SDPD Detective Sergeant Fox gave a brief overview of the Citizens’ Recruiting Advisory Board. He explained that they review who applies, what the outcome is, when and if they get recruited. Detective Sergeant Fox outlined the request made by the Department of Justice and how the suggestions were addressed.

- Specific Policy in place for hiring
- Update recruiting videos
- Post on City Website the Minimum qualifications and all disqualifiers to become an SDPD.
- Prioritize Funding (\$35K every year by City Council)
- Expand the diversity of appointing authority
- Provide Receive specific documentation to the current psychologists

Detective Sergeant Fox reported the statistics of the police recruits and the percentages of recruits that are disqualified or choose not to proceed in the training at different stages of the steps to becoming an officer.

- VII. COMMITTEE REPORTS (DISCUSSION/ACTION)
 - Continuing Education Committee (Charlene McAdory)
Committee Chair McAdory reported that she is working on scheduling a tour of SDPD’s K9 Canine Facility
 - Outreach Committee (Taura Gentry)
Committee Chair Gentry reported that there will be an upcoming “Bridging the Gap Event” which is open to the public. Information will be emailed to all board members.
 - Rules Committee (Doug Case)
Committee Chair Case reported that the Operational Standing Rule is progressing steadily and will be brought before the Board soon.
 - Policy Committee (Joe Craver)
Committee Chair reported that the members of his committee were as follows: Tom Lincoln, Pauline Theodore, and Larry McMinn-Ottinger. He further reported that the Committee will meet one hour prior to every Closed Session (2nd Tuesday) meeting of the month. Committee Chair Craver updated the Board on the Committee’s work on each of the following:
 - Police procedures regarding citizens with mental health issues
 - CRB’s ability to request an opinion from independent legal analysis
 - District Attorney timely release of supplemental information regarding Officer Involved Shooting (OIS)

- Third party mediation
 - Multiple officers represented on the same case
 - Police procedures on body worn cameras
 - Police able to watch videos other than their own prior to being interviewed.
 - Monitoring prisoners while in police vehicles – Policy 6.01 already exists, and there is no need to go any further with this topic.
 - Police procedures regarding canine deployment and complaints
- Recruitment & Retention Committee (Joe Craver)
Committee Chair Craver reported that the new prospective training is starting next month. There are a total of 6 prospective members beginning this training. There are another 4 -5 interested individuals who are interested in being on the Board.

VIII. CHAIR’S REPORT (Doug Case)

- CRB Work Plan
- Committee Assignments (handout) reviewed
- Proposing Monthly Executive Committee Meetings after the Closed Meeting on the 2nd Tuesday

IX. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)

- CRB Caseload Update

As of yesterday, the CRB teams had a total of 21 cases currently assigned. Out of the 21 cases that were assigned, 5 cases were on tonight’s agenda for review. Those 5 cases were closed. The CRB is down to 16 cases.

FY 2016, the CRB reviewed and closed out a total of 79 cases.
FY 2017, the CRB reviewed and closed out a total of 7 cases.

- Educational Opportunity Forms – Reminder that educational forms for the 4th quarter was due on July 1st.
- CRB Current Prospective Member Status Update - Thank 1st Vice Chair William Beck for his dedication and hard work on the Board in taking the lead in training the new prospectives on case review.
- FY 2017 Annual Report – A draft is in progress.
- Date Change for September 28 Open Meeting to September 20, 2016 (Conflict with NACOLE Conference Schedule)

X. SAN DIEGO POLICE DEPARTMENT REPORT (Executive Assistant Chief David Ramirez)

- Introduction of Lieutenant Chris Knighten

XI. CITY ATTORNEY REPORT (William Gersten) - Board Attorney William Gersten stated that he had nothing new to report.

XII. OLD BUSINESS (DISCUSSION/ACTION) - Chair Doug Case stated that the Board had no old business to discuss or take action on.

XIII. NEW BUSINESS (DISCUSSION/ACTION) (Doug Case)

- Two-year appointments for Board members – Will bring motion to next month’s meeting
- Procedure for redaction of case findings – There was a recommendation that came out of the last CRB Retreat. The Board recommended that the IA findings be redacted until the team reviews the evidence and then compares its finding to the IA finding. The team leader should do the redacting and each team reviews the next team cases.

Chair Case asked if the Board would like to continue with the request for the redaction. The Board responded in the negative. The Board decided to eliminate the redaction topic from the standing rule.

- Conceptual plan for auditing Category II complaints
 - 4th Amendment Violation (Search & Seizure)
 - Detention
 - BWC

Chair Case reported that the team would give a verbal report unless issues/concerns were discovered in which case the team would prepare a written report. He stated that there is still discussion on how this will work and if there should be a standing rule put in place.

Joe Craver suggested that the Board do this on a trial basis. There would have to be an adjustment to the CRB workload based on the amount of cases.

Lieutenant Holden stated that the Category II cases are shorter than the Category I cases.

Chair Case reported that this will be a Standing Rule that would need approval by the Mayor.

- Independent Legal Counsel
Chair Case reported that the City Council has already set aside money for an independent counsel. The CRB Bylaws state that the Deputy City Attorney will advise the CRB and money will be used only when there is a conflict of interest. No motion needed to proceed.

It was noted that member Tom Lincoln is in opposition of the City Attorney advising the CRB.

- Response to Grand Jury Recommendation Regarding Compensation
The Board recommended that the Mayor and Council set aside money for professional development for Cabinet members to go to NACOLE and for all interested Board Members to attend regional police oversight conferences. The Board also requested that the Mayor and Council set aside money for those Board Members that request mileage reimbursement or transit cards for public transportation to attend the meetings. It is noted that several Board Members indicated that they would decline reimbursement.
- The committee referral process for SDPD Policies and Procedures or CRB Rules was discussed. CRB staff has the forms for both committee. The forms are to be filled out and returned to staff. The staff will forward the request to the appropriate committee.

XIV. BOARD MEMBER ANNOUNCEMENTS/COMMENTS

XV. ADJOURNMENT: The meeting adjourned at 8:01 p.m.

Materials Provided:

- Minutes from CRB Open Session Meeting of June 28, 2016

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 five (5) 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.

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