



THE CITY OF SAN DIEGO

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

**Tuesday, September 20, 2016
Cherokee Point Elementary School
3735 38th Street
San Diego, CA 92105**

Members Present:

Douglas Case, Chair	Thomas Lincoln	Pauline Theodore
Joe Craver, 1 st Vice Chair	Larry McMinn-Ottinger	Nancy Vaughn
Diana Dent	Dr. Maria Nieto-Senour (Alt)	Martin Workman
Taura Gentry	Pieter O'Leary	
Godwin Higa	Ernestine Smith	
Sheila Hiltrop (Alt)	Richard Stanford (Alt)	

Members Absent:

Brandon Hilpert, 2nd Vice Chair
Charlene McAdory
Mary O'Tousa

Prospective Members Present:

Jonathan Colby
Greg Daunoras
Brian Eshelman
Dr. Darwin Fishman

Prospective Members Absent:

Dr. Reinaldo Galindo
John Sieger (Alt)
Shawn Fields

Staff Present:

Sharmaine Moseley, Executive Director, CRB
Noah Brazier, Deputy City Attorney, City Attorney's Office
Acting Executive Assistant Chief Terry McManus, San Diego Police Department
Mike Holden, Lieutenant, San Diego Police Department
Chris Knighten, Lieutenant, San Diego Police Department
Angelica Navarro - Moran, Detective, Internal Affairs, San Diego Police Department

- I. CALL TO ORDER/WELCOME: Chair Doug Case (6:30 p.m.)
- 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 August 23, 2016 (Tabled)
- IV. NON-AGENDA PUBLIC COMMENT: (Speaker Slip Required)
 - A. Ann Barron
 - B. Stephanie Jennings
- V. GUEST SPEAKER: Deputy City Attorney Noah Brazier
"Political Activity and City Employees/Officials"

Mr. Brazier read the official city memo on the political activity of city employees/officials. He stated that City and State penalties are levied if the law is violated. He further stated that the Board or Board members acting in their official capacity cannot take positions in favor or against any ballot measure.

- VI. COMMITTEE REPORTS (DISCUSSION/ACTION)
 - A. Continuing Education Committee (Charlene McAdory)
 - i. K-9 Training field trip was last Friday morning – 5 members attended
 - ii. Marty Workman reported that it was very informational. He stated that the K-9's are never off-duty. He further stated that the dog is now able to be released from the police vehicle with the push of a button. Mr. Workman stated that he was impressed with the tenacity of the K-9's. The K-9's are purchased through a foundation that donates them to the Police Department.
 - iii. A presentation on Search and Seizure is scheduled for the Board's next meeting.
 - iv. At the November meeting, a presentation will be given by a Trauma or Grief Counselor.
 - B. Outreach Committee (Taura Gentry)
Committee Chair Gentry reported on past events attended by the Committee. She stated that the Committee want to also encourage and commend those officers who do a great job. Committee Chair Gentry reminded the Board of the upcoming Octoberfest in University City. She mentioned the possibility of having a booth at the event.
 - C. Rules Committee (Brandon Hilpert)
Committee Chair Hilpert reported that the next Rules Committee Meeting is scheduled for October 4, 2016 at the CRB Offices.

- D. Policy Committee (Joe Craver)
Committee Chair Craver reported that the Committee has 7 active items before it. He reminded the Board of that the Policy Committee will hold its prior to the closed session meeting on the 2nd Tuesday of each month.
- E. Recruitment & Retention Committee (Joe Craver)
Committee Chair Craver reported that there have been several meetings on recruiting. The caliber of the people wanting to join the CRB is impressive. The Committee has a few people still requiring to be interviewed and have all but one in training.

VII. CHAIR'S REPORT (Doug Case)

- A. CRB Work Plan
- B. Board Decorum

VIII. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley)

A. CRB Caseload Update

It was reported that as of today, the CRB teams had a total of 22 cases currently assigned. Out of the 22 cases that have been assigned, 1 case was reviewed and closed on tonight's agenda. In FY 2017, the CRB reviewed and closed out a total of 15 cases.

B. Community Events/Forums/Meetings

- NBPA & National Urban League Conference -7/31-8/5
- Bridging the Gap Seminar – 7/14/16
- Refugee Forum Presentation – 9/20/16
- Interview Urban Collaborative Internet Radio
- University City Oktoberfest on 10/01/2016

A. Educational Opportunity Forms – Reminder for Board members to complete his/her educational opportunity forms.

B. FY 2016 Annual Report- The draft has been completed.

C. Public Safety & Livable Neighborhoods Committee – 9/28 at 2pm Grand Jury Report/Response – Chair Doug Case reported that the Grand Jury's Report had 3 findings and recommendations.

- i. Independent Legal Counsel – Mayor and Council disagree with the Grand Jury and will not be implemented because it is not warranted. However \$25,000 is budgeted if a conflict arises.
- ii. Member Reimbursement – Mayor and Council disagree with the Grand Jury and will not be implemented because it is not warranted.
- iii. Annual Report should provide the public with information and include transparency – Mayor and Council agree and is already being implemented.

IX. SAN DIEGO POLICE DEPARTMENT REPORT (Acting Executive Assistant Chief Terry McManus)

Chief McManus reported that Chief Ramirez was on vacation and will soon be returning. Chief McManus thanked the Board for the critical role they play in Internal Affairs. He stated that he and is appreciative of the CRB's hard work.

X. CITY ATTORNEY REPORT (Noah Brazier) Nothing to report.

XI. OLD BUSINESS (DISCUSSION/ACTION) – None

XII. NEW BUSINESS (DISCUSSION/ACTION)

A. Conceptual Plan for Auditing Category II complaints (Discussion Only)

- i. Nancy Vaughn had a request for additional language to be added for clarification purposes.
- ii. Tom Lincoln has several inquiries regarding a possible disagreement and what should be done to resolve it.
- iii. Richard Stanford had a comment regarding who should be informed.
- iv. Taura Gentry had questions regarding possible tracking of statistics leading to analysis. Chair Case replied that it is something to definitely look into.
- v. Chair Case reminded everyone that this would be an Audit not a review of the case. We can comment on the outcome but we cannot impact the outcome in an Audit.

B. Operational Standing Rule: Case Review Procedure (Discussion Only)

Questions raised by Board members:

- i. Should the D.A.'s Report be included in the case file?
- ii. Are ALL materials in the file? How do we know this?
- iii. Can the case assignment process be revisited?
- iv. Should there be as much attendance of Police/I.A. at Closed Session Meetings?
- v. Should disagreements be elevated (and to whom) when consensus can't be obtained by the Board and I.A.?

Comments that will were noted by Nancy Vaughn and will appear before the next Rules Committee for discussion:

- i. CRB Case review should be retained in the case file
- ii. Officer Involved Shootings and/or In Custody Death Body Worn Camera video should be shown to the Board if available
- iii. Provide examples of conflict of interest for clarification purposes

Chair Case reminded the Board to please review the Operating Standing Rule because we would like to bring this back to the October Meeting for a vote. The next Rules Committee meeting is October 4, 2017.

XIII. BOARD MEMBER ANNOUNCEMENTS/COMMENTS

- A. Prospective member Shawn Fields reported on his ride-along with Officer McGill in Mid-City on Friday during a 2nd shift.
- B. Taura Gentry shared that she was working with Lt. White on a couple of topics and she will continue her work with Lt. Knighten. Taura mentioned that they were working on; what to do to comply with an officer when you are pulled over? As well as a checklist of expectations (if you will) of ride along concerns or questions.

XIV. ADJOURNMENT 8:10 PM

Materials Provided:

- Minutes from CRB Open Session Meeting of August 23, 2016
- Draft of Operational Standing Rule: Case Review Procedure
- Political Activity, Public Funds, and City Officials and Employees Memo