

COMMUNITY REVIEW BOARD ON POLICE PRACTICES

OPEN/PUBLIC SESSION ONLINE MEETING AGENDA

Tuesday, June 30, 2020
6p.m. – 8 p.m.

This meeting will be available live and online on YouTube. Click [here](#) to view this meeting at its scheduled time.

- I. CALL TO ORDER/WELCOME (Chair Joe Craver)
- II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES (CRB)
- III. ROLL CALL (Chair Joe Craver)
- IV. APPROVAL OF MINUTES: CRB Open Meeting Minutes of May 26, 2020
- V. NON-AGENDA PUBLIC COMMENT: (Fill out and submit comment using [webform](#). Please see instructions at the end of this agenda)
- VI. **EDUCATIONAL TOPIC: “Overview of San Diego Police Department’s Revisions to Use of Force Policy 1.04 on De-escalation, Duty to Intervene, & Other Updates” (20 mins)**

Presenters: SDPD Executive Assistant Chief Al Guaderrama, Internal Affairs Captain Mike Holden, and Training Division Captain Wes Morris

- VII. UNFINISHED BUSINESS (DISCUSSION) (Chair Joe Craver)
 - A. Status of CRB Closed Meetings
 - B. CRB Case Review in Internal Affairs
 - i. IA Hours & Procedures
 - ii. Remote Case Access
- VIII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Joe Craver)
 - A. San Diegans for Justice Ballot Proposal for an Independent Commission on Police Practices
 - i. Update
 - ii. Next Steps
- IX. COMMITTEE REPORTS (DISCUSSION/ACTION)
 - A. Continuing Education Committee (Nancy Vaughn) **2 mins**
 - i. List of Upcoming Educational Topics

- B. Outreach Committee (Brandon Hilpert) **1 min**
 - i. Summary of Past Events
 - ii. Upcoming Events/Outreach Opportunities
- C. Rules Committee (Doug Case) **2 mins**
 - i. Status on Items being Considered Committee
 - ii. Next Rules Committee Meeting – July 7th at 9:30 a.m.
- D. CRB Handbook Committee (Doug Case)
 - i. Distribution of Remaining Resource Handbooks
 - ii. Next Steps
- E. Policy Committee (Brandon Hilpert) **3 mins**
 - i. Status on Items being Considered Committee
 - ii. Next Policy Committee Meeting
- F. Recruitment & Training Committee (Kevin Herington) **2 mins**
 - i. Update on New Member Appointment -Next Step is Council Confirmation of 2 Members and Assignment to CRB Teams
 - ii. Schedule Recruitment Committee Meeting Re: Applications Received and next steps
- G. Citizens Advisory Board on Police Community Relations (Chair Joe Craver)
 - Update
- H. Nominations Committee (Sheila Holtrop)
 - i. Process on Nominations of Candidates for CRB Officer Positions for FY2021 (July 1, 2020-June 30, 2021)
 - ii. Overview of CRB Officer Job Responsibilities
 - iii. Presentation of Nominees for Fiscal Year 2021 CRB Officers
- X. ELECTION OF CRB OFFICERS FOR FY 2021 (July 1, 2020-June 30, 2021)
- XI. CHAIR’S REPORT (Chair Joe Craver) **1 min**
 - A. Reminders-4th Quarter (April 1-June 30) Volunteer Hours Report (**Due Date July 1, 2020**) -All members please make sure that you log your hours in for reporting purposes
 - B. Board Decorum
 - C. Other Items/Reminders
- XII. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley) **5 mins**
 - A. Caseload Update & Status of Case Reports
 - B. Board Member Vacancies/Resignations
 - C. Other Items/Reminders – Registration for 2020 NACOLE Conference
- XIII. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Al Guaderrama) **5 mins**
 - A. Updates

XIV. BOARD MEMBER RIDE-ALONG REPORTS (2 mins each)

XV. BOARD MEMBER ANNOUNCEMENTS/COMMENTS

XVI. ADJOURNMENT

Materials Provided:

- Minutes from CRB Open Session Meeting on May 26, 2020 DRAFT
- Nominating Committee Selection Criteria
- Officer Responsibilities
- Chair Job Description

Comment on Agenda Items must be submitted using [webform](#), checking the appropriate comment type box, and indicating the agenda item number they wish to submit their comment for. Instructions for word limitations and deadlines are noted on the [webform](#). On the [webform](#), members of the public should select Community Review Board on Police Practices (even if the public comment is for a Community Review Board on Police Practices Committee meeting). Only comments submitted no later than 4:00 p.m. the day prior to the meeting using the public comment form will be eligible to be read into the record. If you submit more than one form per item, only one will be read into the record for that item. **Comments received after 4:00 p.m. the day prior and before 8:00 a.m. the day of the meeting** will be provided to the Board and posted online with the meeting materials. All comments are limited to 200 words. Comments received after 8:00 a.m. the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

Non-Agenda Public Comment must be submitted using [webform](#) and checking the appropriate comment type box in order to be eligible to be read into the record. The City staff will read the first 30 comments received by 4:00 p.m. the day before the meeting. However, if there are less than 30 comments submitted by 4:00 p.m. the day before the hearing, the City will read comments submitted by 8:00 a.m. on the day of the meeting up to a total of 30 comments. The maximum number of comments to be read into the record on a single issue will be 16. Comments submitted by 8:00 a.m. the day of the meeting will be provided to the Board or Commission, made a part of the record, and posted with the meeting materials. All comments are limited to 200 words. Comments received after 8:00 a.m. the day of the meeting but before Non-agenda comment is called will be submitted into the written record for the meeting.

If you attach any documents to your comment, it will be distributed to the Board in accordance with the deadlines described above.

MINUTES

**Tuesday, May 26, 2020
6 p.m. – 7:30 p.m.
MS Teams Online Meeting**

Click <https://youtu.be/MiDzOV4Ki10> to view this meeting

Members Present:

Joe Craver, Chair
Brandon Hilpert, 1st Vice Chair
Doug Case
Patrick Anderson
Maxine Clark (7pm arrival)
Gregory Daunoras
Diana Dent
Poppy Fitch
Kevin Herington

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

Members Absent:

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
Mike Holden, Captain
Andrea Amado, Detective

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- I. **CALL TO ORDER/WELCOME:** Chair Joe Craver called the meeting to order at 6:01 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. **ROLL CALL:** Executive Director Sharmaine Moseley performed the roll call.
 - IV. **APPROVAL OF MINUTES:** CRB Open Meeting Minutes of February 25, 2020

The Board reviewed the minutes. Board member Mary O'Tousa moved for the Board to approve its February 25, 2020 meeting minutes. Board member Bonnie Kenk seconded the motion.

The motion passed with a vote of 15-0-1.

Yays: 1st Vice Chair Hilpert, 2nd Vice Chair Case; Members- Daunoras, Fitch, Herington, Holtrop, Hsieh, Kenk, O'Tousa, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Craver

Members Absent: Clark and Hu

- V. NON-AGENDA PUBLIC COMMENT: None
- VI. UNFINISHED BUSINESS (DISCUSSION): None
- VII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Joe Craver)
 - A. Renewal of Contract for Outside Counsel

Action Item: Motion for the Board to approve the renewal of contract for legal services provided to the Board by Outside Counsel Devaney Pate Morris & Cameron LLP for fiscal year 2021

Second Vice Chair Doug Case moved for the Board to approve the renewal of contract for legal services provided to the Board by Outside Counsel Devaney Pate Morris & Cameron LLP for fiscal year 2021. Board member Nancy Vaughn seconded the motion.

The motion passed with a vote of 15-0-1.

Yays: 1st Vice Chair Hilpert, 2nd Vice Chair Case; Members- Daunoras, Fitch, Herington, Holtrop, Hsieh, Kenk, O'Tousa, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Craver

Members Absent: Clark and Hu

- B. Selection of Ad Hoc Nominating Committee

Board member Sheila Holtrop nominated herself. Second Vice Chair Doug Case nominated Poppy Fitch. Board member Patrick Anderson nominated himself.

Action Item: Motion for the Board to appoint members Sheila Holtrop, Poppy Fitch, and Patrick Anderson to its Ad Hoc Nominating Committee.

First Vice Chair Brandon Hilpert moved for the Board to appoint members Sheila Holtrop, Poppy Fitch, and Patrick Anderson to serve on its Ad Hoc Nominating Committee. Board member Bonnie Kenk seconded the motion.

The motion passed with a vote of 15-0-1.

Yays: 1st Vice Chair Hilpert, 2nd Vice Chair Case; Members- Daunoras, Fitch, Herington, Holtrop, Hsieh, Kenk, O'Tousa, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Craver

Members Absent: Clark and Hu

- C. Status of CRB Closed Meetings – Due to COVID, CRB Closed meetings have been suspended since March 2020. The Board discussed ways to resume its Closed meetings so they do not fall too far behind in case deliberation. Due to the order that prevents gatherings, members are prevented from physically meeting until the order is lifted. First Vice Chair Hilpert will look at how to do case review and Closed meetings remotely and submit a proposal to the CRB Cabinet prior to it going to the Board.
- D. Status of CRB Case Review in Internal Affairs – The CRB has accumulated twice as many active cases. Case review resumed in Internal Affairs on May 9th. Safety protocols must be followed.

VIII. COMMITTEE REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Nancy Vaughn)
 - i. List of Upcoming Educational Topics – Committee Chair Nancy Vaughn stated that when the Board resumes its Open meetings regularly they will invite Tia Quick to talk about pre-text stops and SB 392. She would also like to have Internal Affairs present on their investigator trainings. Executive Director Moseley suggested adding the Communications representative as a guest speaker as well.
- B. Outreach Committee (Brandon Hilpert)
 - i. Summary of Past Events – Committee Chair Brandon Hilpert mentioned that he will work on updating the Outreach Calendar.
 - ii. Feedback on Past Events (Discussion Item) – Executive Director Moseley reported that she attended CAST and BAPAC meetings virtually to share information about the Board.

- iii. Upcoming Events/Outreach Opportunities – Member Patrick Anderson suggested putting together informational sessions for those who are interested in learning about the CRB.
- C. Rules Committee (Doug Case)
- i. Status on Items being Considered – Committee Chair Doug Case reported that the Committee is considering using gender neutral terms in redacted case summaries rather than Mr. A and Mr. B. The Committee agreed to do redacted case reports for Category II audits and to include a template. The Administrative Standing Rules would need to be amended. The Committee will be considering if to write redacted case summaries for officer-involved shootings and in-custody death cases.
 - ii. Schedule Next Rules Committee Meeting – The next meeting is scheduled for June 2nd at 9:30am on MS Teams.
- D. CRB Handbook Committee (Doug Case)
- i. Distribution of Resource Handbook – Some members did not receive a handbook.
 - ii. Next Steps – The next step for the Committee is to work on revising and adding information to the CRB website.
- E. Policy Committee (Brandon Hilpert)
- Items being Considered by Policy Committee**
- i. Status updates – Committee Chair Hilpert reported that a couple items were being tabled until after the November election where there might be a ballot measure that would reshape the Board into a Commission. There were a couple of citizen related generated complaints that were submitted to the Committee. However, a Committee member had to sponsor those complaints. These complaints already have existing policy so the Committee will be closing out these items. The Committee also tabled the development of 3rd party mediation until after the election and is researching best practices for investigating discrimination complaints. The Committee is looking at how other departments are investigating these types of complaints. The Committee was also looking at a complaint card script that explains the process. Changes will be made to the card.
 - ii. Next Scheduled Meeting Date – The Committee is scheduled to meet on June 9 from 4-5pm on MS Teams.
- F. Recruitment & Training Committee (Kevin Herington)
- i. Update on New CRB Training Academy – Training of New Members
 - *Completed All 3 Phases of Training
 - *Scheduling and Participating in Ride-Alongs
 - *3 Members Appointed by Mayor – 1 member withdrew his application so there are 2 members waiting for confirmation.
 - *Next Step is Council Confirmation which may take some time.

- G. Citizens Advisory Board on Police Community Relations (Chair Joe Craver)
 - Update – Executive Director Moseley reported there was nothing new to report since CAB is not holding its meeting tonight.

- IX. CHAIR’S REPORT (Chair Joe Craver)
 - A. Reminders-4th Quarter (April 1- June 30) Volunteer Hours Report (**Due Date July 1, 2020**) – All members must log their hours into the system for reporting purposes.
 - B. Other Items/Reminders – None

- X. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
 - A. Caseload Update & Status of Case Reports -Executive Director Sharmaine Moseley reported that Due to COVID, the CRB was unable to review cases in Internal Affairs from March – May 9th.

As of today, there are 53 active cases assigned to the CRB teams. Teams 1 and 7 have 6 cases, Teams 2, 3, 4, and 6 have 8 cases. Team 5 has 9 active cases. Please note that at least 8 of these active cases have been completed and are ready for Board deliberation when the Board resumes its Closed Meetings. Most of the teams are operating and reviewing cases. There are a couple teams that have only one member, so we will have to consider moving a member from the Teams that have 3 members.

Team leads provided updates and feedback regarding their case load.
 - B. Status of Administrative Aide Position – Due to COVID and its effect on the City budget, the Office of Boards and Commissions proposed that the position be eliminated. With the elimination of that position, there will be huge delays in the complaint process which will affect the Board and the community.
 - C. Update on NACOLE Regional Meeting in San Diego – This meeting has been cancelled. NACOLE is still focusing on putting together its Annual Conference, but it will be online instead of in-person. There will be 30 plus sessions which will take place over a few weeks. The cost for the conference will be \$275. It will be recorded and made available for attendees.
 - D. Update on 2020 NACOLE Conference – Report given under item C.
 - E. Other Items/Reminders – Reminder for Board members to log hours volunteered into the system and to self-care.

- XI. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Al Guaderrama) **5 mins**
 - A. Updates – SDPD is continuing to work with CRB leadership in looking for a way for the Board to meet physically. He provided an update on SDPD workforce. (*audio difficult to hear*) Academies are continuing to move forward. The next Academy will begin shortly with 40-50 recruits.

The De-escalation Policy is now with POA or the City Attorneys.

- B. Status of the CRB recommendation that the SDPD establish a policy that would prohibit officers from viewing surveillance videos or Body Worn Camera (BWC) videos of other officers' videos prior to being interviewed by Internal Affairs. **Chief Nisleit signed off on this policy. It is in SDPD's Operations Manual for Internal Affairs Sergeants to follow.**
- XII. BOARD MEMBER RIDE-ALONG REPORTS (2 mins each) First Vice Chair Brandon Hilpert reported that prior to COVID he did a ride-along in Mid-City. He got some good information from the officer and community. Ride-alongs have been postponed due to COVID.
- XIII. BOARD MEMBER ANNOUNCEMENTS/COMMENTS – Board member Steve Hsieh commented that remote access will give the Board a chance to do their job. Board member Nancy Vaughn commented on the work that the CRB does which impacts their lives and personal experiences.
- XIV. ADJOURNMENT: 7:11 p.m.

Nominating Committee Selection Criteria

Selection Criteria Used in Past Nominations:

1. Time Commitment: The willingness and availability to fulfill the duties of the office. Duties are often during work hours, as well as after hours.
2. Past attendance at CRB meetings / case review / required CRB training.
3. Leadership history and potential. Past or present Team leadership, committee chair, a professional leadership position or leadership skills exhibited during past CRB Service
4. Opportunity for external focus. Exhibit a willingness and ability to represent the Board to the public, SDPD, and other agencies
5. The ability to work with others using accepted decorum and good judgment. Always treat all others (internal and external individuals) with respect
6. A willingness and potential to serve in a higher office in the future
7. Ability to follow rules and procedures

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.
3. To serve as a member of the Executive Committee.
4. To serve as a member of the Cabinet.
5. To oversee training of new Members with the Recruitment and Training Committee, and to oversee training of the Team Leaders.

6. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.

7. 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.
3. To serve as a member of the Executive Committee.
4. To serve as a member of the Cabinet.
5. To serve as a member of a Case Review Team.
6. To act as Parliamentarian for the Board.
7. 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

BOARD CHAIR JOB DESCRIPTION

1. Communicate regularly with Executive Director
2. Work with Executive Director to determine policies, set agendas, and set direction for CRB
3. Coordinate with the Executive Director on communication between the Board and the Mayor, the San Diego City Council, and the Chief of Police.
4. Review agenda for Board meetings
5. Serve as Chair for all Closed and Open Meetings of the Board
6. Review agenda for Executive Committee meetings
7. Serve as Chair for all meetings of the Executive Committee
8. Serve as a member of the Cabinet
9. Serve as ex officio member and ensure effective functioning of all Committees of the Board, except the Nomination Committee
10. Review and sign letters to complainants and guest speakers
11. Select Standing Committee Chairs and Committee members
12. Serve on Recruitment and Selection Committee interview panel for Prospective Members
13. Serve as Chair of a Temporary Review Team if necessary
14. Appoint Chairs and members for all Committees of the Board, except the Nominating Committee
15. Serve as the spokesperson for the CRB. Make any official statements for the CRB or delegate this responsibility to another Board Member
16. Meet twice per year with the Chief of Police and Executive Assistant Chief of Police along with the Executive Director. Report those meetings to the CRB.

17. Participate in community events, trainings, City meetings and briefings
18. Along with Executive Director & Board's & Commission Director, participate in briefings/meetings with City Council members, as needed, to update them on issues affecting the CRB (may be delegated)
19. Work with the Executive Director to create a semi-annual report to be submitted to the Mayor and City Council concerning its evaluation of citizens' complaints
20. Along with the Executive Director present semi-annual reports to the City Council's PS&LN Committee
21. Along with the Executive Director, present an orientation to all new SDPD officers as part of their post-academy training
22. Attend annual NACOLE conference
23. Attend semi-annual meetings for the former CRB Chairs
24. Along with Executive Director, review Team case reports when reports are placed on the shelf
25. Create (based on board input), oversee and regularly update the CRB workplan
26. Plan an annual board goal setting and team building retreat
27. Meet, along with the Executive Director, with team leaders and the IA Captain to resolve issues arising during case review
28. Debrief, along with the Executive Director, with the IA Captain after each Closed Meeting
29. Refer issues to, via the Executive Director, and consult with the City Attorney or outside counsel, as needed
30. Meet, along with the Executive Director, individually with each CRB team to give and receive feedback on CRB operations (approximately once per year)