

COMMUNITY REVIEW BOARD ON POLICE PRACTICES

ONLINE MEETING AGENDA

Tuesday, October 27, 2020

MS Teams

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 MEETING

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) (0)
- III. San Diego Police Department Feedback on Case Specific Matters Only
- IV. Shooting Review Board Reports (0)
- V. Category II Case Audit Reports (0)
- VI. Discipline Reports (0)
- VII. Case Review Team Reports (4)
- VIII. Case-Specific Recommendations to the Mayor (0)
- IX. Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0)

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 SESSION MEETING

6p.m. – 8p.m.

Open to the Public

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 Brandon Hilpert)
- II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES (CRB)
- III. ROLL CALL (Chair Brandon Hilpert)
- IV. APPROVAL OF CRB OPEN MEETING MINUTES of SEPTEMBER 22, 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: “ How San Diego Police Department’s Internal Affairs Sergeants are Trained to Conduct Internal Investigations” (10 mins)**

Presenter: SDPD Internal Affairs Lieutenant Steven Shebloski

- VII. UNFINISHED BUSINESS (DISCUSSION) (Chair Brandon Hilpert)
- A. CRB Closed Meetings (November Dates and Times)
 - B. CRB Case Review in Internal Affairs
 - i. Feedback on Prioritization of Case Reviews, Work Flow, Staffing
 - ii. Redacted Case Reports
 - iii. Remote Case Access
 - C. CRB Fiscal Year 2021 (July 1, 2020 – June 30, 2021) Work Plan
 - i. Input for Draft Fiscal Year 2021 Work Plan

ACTION ITEM: Motion for the Board to approve Fiscal Year 2021 Work Plan

- VIII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)
- A. Discussion & Review of Proposed Memo to Council President Gomez Re: Urgent Request for CRB Member Confirmations

ACTION ITEM: Motion for the Board to approve the proposed memo to Council President Georgette Gomez with any noted revisions.

- B. Discussion & Review of Proposed Memo to Council Member Monica Montgomery Steppe Re: CRB Transition to New Commission

ACTION ITEM: Motion for the Board to approve the proposed memo to Council Member Monica Montgomery Steppe with any noted revisions.

- IX. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)
- A. Continuing Education Committee (Nancy Vaughn)
 - i. List of Upcoming Educational Topics
 - B. Outreach Committee (Patrick Anderson)
 - i. Past Events/Virtual Meetings
 - ii. Upcoming Events/Outreach Opportunities
 - iii. Updates
 - C. Rules Committee (Doug Case)
 - i. Update – On Hold Until After Election
 - D. CRB Handbook Committee (Doug Case)
 - i. Update
 - E. Policy Committee (Joe Craver)
 - i. Status on Items being Considered Committee
 - ii. Schedule Next Policy Committee Meeting

- F. Recruitment & Training Committee (Kevin Herington)
 - i. Update on New Member Appointment – 7 Candidates
 - Background Checks
 - Phase Trainings
 - Appointments & Confirmations
- G. Citizens Advisory Board on Police Community Relations (Chair Brandon Hilpert)
 - Update – Meeting scheduled for October 26, 2020
- H. Ad Hoc Transition Contingency Planning Committee (Doug Case)
 - i. Update
- X. CHAIR’S REPORT (Chair Brandon Hilpert)
 - A. Reminder – 1st Quarter (July 1st – September 30) Volunteer Hours Report – All members please make sure that you log your hours in for reporting purposes
 - B. Other Items/Reminders
- XI. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
 - A. Caseload Update & Status of Case Reports
 - B. Annual Report
 - C. Open Data Portal for Fiscal Year 2020
 - D. Other Items/Reminders
- XII. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Al Guaderrama)
 - A. Updates
- XIII. BOARD MEMBER RIDE-ALONG REPORTS: On Hold due to COVID
- XIV. BOARD MEMBER ANNOUNCEMENTS/COMMENTS
- XV. ADJOURNMENT

Materials Provided:

- Minutes from Open Session Meeting on September 22, 2020 DRAFT
- FY 2021 Work Plan Draft
- Proposed Memo to Council President Gomez Re: Urgent Request for CRB Member Confirmations DRAFT
- Proposed Memo to Council Member Monica Montgomery Steppe RE: CRB Transition to New Commission DRAFT

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.

OPEN SESSION MEETING MINUTES

Tuesday, September 22, 2020

6 p.m. – 8 p.m.

MS Teams Online

Click https://www.youtube.com/watch?v=FM_oPnIXW6k&t=315s to view this meeting on YouTube.

Members Present:

Brandon Hilpert, Chair
Doug Case, 1st Vice Chair
Poppy Fitch, 2nd Vice Chair
Patrick Anderson
Maxine Clark
Joe Craver
Gregory Daunoras
Diana Dent

Sheila Holtrop
Steve Hsieh
Mary O'Tousa
Ernestine Smith (arrival 6:07pm)
Pauline Theodore
Nancy Vaughn
Marty Workman

Members Absent:

Kevin Herington

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, Internal Affairs Captain
Corissa Pich, Internal Affairs Lieutenant
Andrea Amado, Internal Affairs Detective

-
- I. **CALL TO ORDER/WELCOME:** Chair Brandon Hilpert called the meeting to order at 6:00 p.m.
 - II. **PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES:** Chair Brandon Hilpert explained the purpose and responsibilities of the Community Review Board on Police Practices (CRB) to the public.
 - III. **ROLL CALL:** Executive Director Sharmaine Moseley conducted the roll call.
 - IV. **APPROVAL OF MINUTES:**
 - A. **CRB Open Meeting Minutes of August 25, 2020**

The Board reviewed the minutes. Board member Joe Craver moved for the Board to approve its August 25, 2020 Open Meeting minutes. Board member Nancy Vaughn seconded the motion.

The motion passed with a vote of 13-0-1.

Yays: 1st Vice Chair Hilpert, 2nd Vice Chair Fitch, Members- Anderson, Clark, Craver, Daunoras, Dent, Holtrop, Hsieh, O'Tousa, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Hilpert

Members Absent: Kevin Herington and Ernestine Smith

- V. NON-AGENDA PUBLIC COMMENT: None
- VI. UNFINISHED BUSINESS (DISCUSSION) (Chair Brandon Hilpert)
- A. CRB Closed Meetings (October Dates and Times)- The Board will be sent a poll to check on dates (every Tuesday) for its October Meetings.
- B. CRB Case Review in Internal Affairs
- i. Feedback on Prioritization of Case Reviews, Work Flow, Staffing Teams were asked to prioritize cases with sustained cases first.
- ii. Redacted Case Reports - Each Team will have their own USB drive. The drive will have a folder with IA report, CRB Report, Vote Count, Redacted case summary
- iii. Remote Case Access - CRB still working on this item. The Chair and Executive Director had a demo of a product from a company called Laserfish. The product will solve most of the CRB's needs to work remotely.
- C. Update on CRB Memo Re: Seditious Language - SDPD sent out a memo to all officers that this will no longer be enforced. PS&LN also had a meeting to consider removing this from the Municipal Code.
- VII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)
- A. CRB Fiscal Year 2020 (July 1, 2019 - June 30, 2020) Work Plan
- i. Finalize & Close Out Fiscal Year 2020 Work Plan
- On page 1, item 15, add 2019 for NACOLE conference in Detroit
 - On page 1, item 16, add 2020 for NACOLE Virtual Conference
 - On page 5, item 4, delete "July 2019" and move up "Completed June 2019")
 - On page 7, add presentations from August 2019 - June 2020 for training presentations

ACTION ITEM: Joe Craver moved for the Board to approve its final Fiscal Year work plan with amendments. Board member Mary O'Tousa seconded the motion.

The motion passed with a vote of 13-0-1.

Yays: 1st Vice Chair Hilpert, Members- Anderson, Clark, Craver, Daunoras, Dent, Holtrop, Hsieh, O'Tousa, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Hilpert

Members Absent: Kevin Herington

- B. CRB Fiscal Year 2021 (July 1, 2020 – June 30, 2021) Work Plan
- i. Input for Draft Fiscal Year 2021 Work Plan
- On page 4, item 6, keep item. This item will be assigned to a member of the Policy Committee
 - On page 4, delete items 2 and 8
 - On page 5, for item 4, revise the issues explored to “Committee to develop a plan” and remove previous completion dates.
 - On page 5, item 5, remove “Completed (current)”
 - On page 5, item 8, add completion goal to “after November election
 - On page 7, add Pretext Stops Presentation
 - On page 3, leave items that are ongoing, postponed, and in process and delete all completed items
 - Add Ad Hoc Committee to the work plan

Chair Hilpert and Executive Director Moseley will edit the new draft for Fiscal Year 2021 and bring it back to the Board at its next Open Meeting.

VIII. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Nancy Vaughn)
- i. List of Upcoming Educational Topics – Still trying to get Tia Quick or someone from the community to come and talk to the Board about pre-text stops.
- B. Outreach Committee (Patrick Anderson)
- i. Summary of Past Events – No report given for this item
- ii. Upcoming Events/Outreach Opportunities – The Outreach Committee is scheduled to meet on October 2nd at 2pm on Zoom.
- C. Rules Committee (Doug Case)
- i. Update – The Rules Committee will not meet until after the elections.
- D. CRB Handbook Committee (Doug Case)
- i. Update – The Committee is working on putting the current resource handbook online. The IT department is looking at how to organize the PDFs. Will schedule another meeting soon.

- E. Policy Committee (Joe Craver)
 - i. Status on Items being Considered Committee – The Committee is working on a recommendation to SDPD on a protest policy. Chair Hilpert reached out to and received feedback from the NAACP & ACLU. Chair Hilpert will draft the recommendation and send to Committee Chair Craver.
 - ii. Schedule Next Policy Committee Meeting – A meeting will be scheduled after the Committee has a draft recommendation.

- F. Recruitment & Training Committee (Kevin Herington)
 - i. Update on New Member Appointment – 8 Candidates – Board member Herington was absent so no update was given.
 - Background Checks
 - Phase Trainings
 - Appointments & Confirmations

- G. Citizens Advisory Board on Police Community Relations (Chair Brandon Hilpert)
 - Update – Meeting scheduled for September 28, 2020

- H. Transition Planning Committee (Doug Case)
 - i. Update – The Ad Hoc Committee was created for the CRB to ensure a smooth transition from the current CRB to the new Commission on Police Practices if Measure B passes in November. The Committee has been very active. Adoption of an interim ordinance so the Board can continue to operate. The Committee met with Andrea St. Julian regarding the budget and interim ordinance. There will also need to be an implementation ordinance and staff. The Committee has at least 20 items to focus on.

- IX. CHAIR’S REPORT (Chair Brandon Hilpert)
 - A. Reminder–1st Quarter (July 1st – September 30) Volunteer Hours Report – All members were reminded to please make sure that hours are logged 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 – It was reported that as of today, 61 cases have been assigned to the Teams. Out of the 61 cases, 20 were completed by the Teams and 4 of the 20 cases were on tonight’s Closed Meeting agenda with 2 cases heard and closed by the Board. The CRB teams now have 23 cases ready for Board deliberation.

The Team summaries are as follows:

Team 1- 12 cases assigned (2 completed and ready for the Board – 1 on tonight’s meeting agenda, 9 cases left for review- 1 was assigned pre-covid and 2 were reassigned from Team 5)

Team 2 – 14 cases assigned (5 cases were completed and ready for the Board- 9 active cases are left for review-6 of which were assigned during COVID, 2 were assigned pre-covid & 2 were reassigned from Team 5)

Team 3 – 12 cases assigned (4 cases were completed and ready for the Board- 2 of which were on tonight's Closed meeting agenda; 8 active cases are left for review - -7 of which were assigned during COVID & 1 was reassigned from Team 5)

Team 4 –Team 4 has been temporarily dissolved. The Team had one case left that was deliberated on by the Board and taken back by Chair Hilpert for revisions.

Team 5 – Per Team 5, the 1 case that was left in their file will be reassigned to another team.

Team 6 – 10 cases assigned (2 were completed and ready for the Board, 1 of which was on tonight's Closed Meeting agenda). Team 6 has 8 cases left, all of which were assigned during COVID and 2 reassigned from Team 5.

Team 7 – 11 cases assigned (7 were completed and ready for the Board). Team 7 has 3 cases left for review.

B. Board Member Vacancies/Resignations – It was reported that currently, the CRB has 16 members and 7 vacancies. Four of the 16 members are eligible for re-appointment. The CRB is down to 7 candidates who will be considered to possibly fill the vacancies on the Board first. One candidate decided not to move forward in the process due to another commitment. The CRB also has 3 members who are termed out, but due to the situation, it will be best to fill the vacancies first before the members who are termed out. There is an urgency for members to be confirmed as soon as possible so the Board can continue to operate.

C. Transition from MS Teams to Zoom Platform – It was reported that the City will be using the Zoom platform instead of MS teams for its public meetings except for Council Meetings. With Zoom, the City's IT department would no longer have to be available to live stream the meetings to the You Tube channel and there will be no 2-week advanced notice for the recording of meetings that are open to the public. The CRB Executive Director will be responsible for recording the CRB public meetings using You Tube. The only limitation is that the city You Tube channel can only record one meeting at a time.

D. Other Items/Reminders: None

XI. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Al Guaderrama)

- Updates – It was reported that SDPD is working on drafting a Protest Policy and very close to having a draft. There are 50 new recruits

starting in the next couple of weeks and a class graduating as well. Additionally, Lt. Ben Kelso was promoted to Captain.

- XII. BOARD MEMBER RIDE-ALONG REPORTS: On hold due to COVID
- XIII. BOARD MEMBER ANNOUNCEMENTS/COMMENTS: None
- XIV. ADJOURNMENT: The meeting adjourned at 7:05 p.m.

DRAFT

Community Review Board on Police Practices Work Plan FY 2020-21

General CRB Work/Executive Director/Chair/Executive Cabinet

Task/Issue	Process	Completion Goal
Weekly meeting in person or telephone with the Chair and the Executive Director		Ongoing
Quarterly meetings with SDPD (IA Captain and Executive Assistant Chief) and Director of Boards and Commissions		Ongoing
Annual meeting with the Chair, Executive Director and the Chief		
Annual meeting with the Chair, Executive Director and President of the POA		
Reinstitute annual luncheon with Chair, Executive Director, Past Chairs, Past Executive Directors, SDPD Chief and Executive Assistant Chief		When COVID allows
Quarterly meeting with Chair, Executive Director and Director of Boards & Commissions and as needed <i>This is in addition to the bi-weekly meetings with the Director of Office of Boards & Commissions and the Executive Director.</i>		Ongoing
Quarterly meetings with Chairs of the CRB, Citizens Advisory Board on Police/Community Relations, and Commission on Gang Prevention and Intervention		Ongoing
Annual election of officers	Nominating Committee to be elected at the April 2020 meeting	June 20 Open Meeting
Annual re-appointment of board members	Appointments and re-appointments submitted by Mayor to City Council (10/6) Proposed Memo to City Council 10/28 urging prompt confirmation	September 2020 October 2020
Recognition awards for departing members	Executive Director to request Admin Asst. to prepare the awards	TBD
Swearing-in of FY 2020 Board Members	<i>Pending City Council Confirmation</i>	TBD
NACOLE Virtual Conference (July 20-September 22)	Various CRB Members attending.	Pending
Update the Work Plan monthly	To be done after each Executive Committee meeting	Ongoing
Presentations to City Council's Public Safety and Livable Neighborhoods (PS&LN) Committee	April and November of each year	Ongoing
Chair to Meet Individually twice a year with members of the PS&LN Committee		TBD

Community Review Board on Police Practices Work Plan FY 2020-21

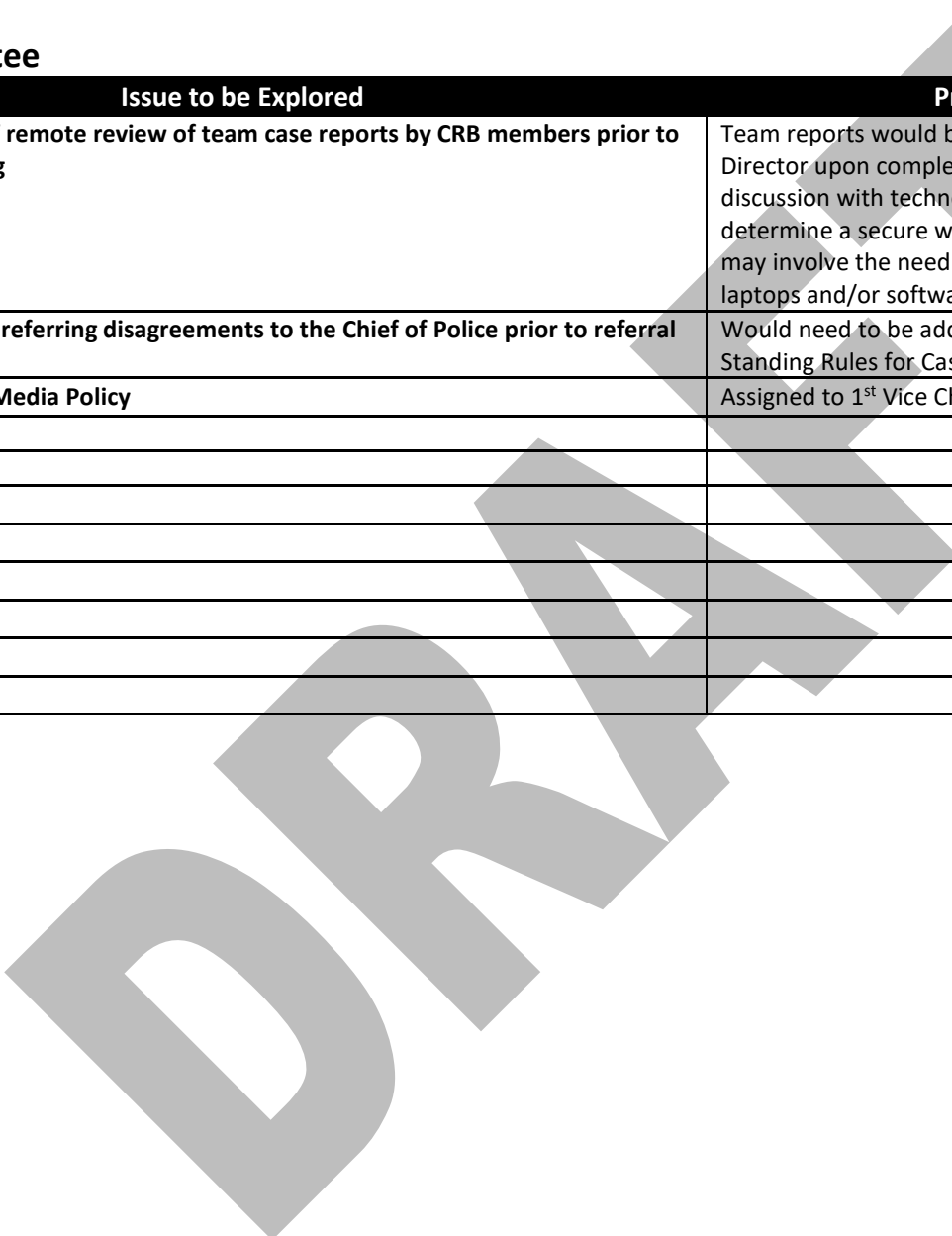
Strategic Planning CRB Retreat	Proposed retreat once large groups can be assembled	TBD
Plan two social events per year (holiday party and another event)	Pending large group prohibitions being eased	TBD
Conduct training for new graduates from the Police Academy	Presentations to New Officers Chair and 1 st Vice presented to Academy	Ongoing October 2, 2020
Organize annual relationship building session with CRB and IA staff to help each group to fully understand each other's roles and responsibilities		
Debriefing with Chair, Executive Director and IA Captain after each closed meeting		Ongoing
Annual meetings with Chair and Executive Director individually with each team to share and receive feedback		Ongoing
Quarterly Team Leader Meetings	Discuss issues, concerns, upcoming training, etc.	Ongoing
Monthly Executive Committee meetings	One week before Open Meeting	Ongoing
Community Leadership Summit	Participate in City-wide Boards/Commissions leadership summit.	?

DRAFT

Community Review Board on Police Practices Work Plan FY 2020-21

Rules Committee

Issue to be Explored	Process	Completion Goal
Study possibility of remote review of team case reports by CRB members prior to the Closed Meeting	Team reports would be sent to the Executive Director upon completion. Will require discussion with technology services to determine a secure way to review reports and may involve the need to purchase special laptops and/or software licenses.	Discussion ongoing
Consider option of referring disagreements to the Chief of Police prior to referral to the Mayor	Would need to be added to the Operational Standing Rules for Case Review	Postponed
Creation of Social Media Policy	Assigned to 1 st Vice Chair Brandon Hilpert	In process



Community Review Board on Police Practices Work Plan FY 2020-21

Policy Committee

Issue to be Explored	Process	Completion Goal
Procedure & Guideline for SDPD Complaint Intake		
Development of Third-Party Mediation for Certain Complaints	Nancy is utilizing learnings from NACOLE and will present to Board best practices for mediation opportunities	On Hold pending Measure B vote
Best Practices Research for LE Investigations Involving Discrimination Allegations	Patrick is conducting research from agencies nationwide and will present to the Board for review and recommendations.	March 2020
Ensure that CRB receive a written reply within 60 days from SDPD regarding all policy recommendations		Ongoing
Procedure & Statistics for Internal Affairs Tolling of Cases	Received a detailed description of tolled cases from IA in May-July 2019. Cases are tolled for various reasons including pending legal cases. CRB is working to clarify and note in case reports the circumstances and reasons for any case being delayed/tolled.	Completed Summer 2019
Complaint Process Guide Card Issued to All Sworn Personnel	Taura has a card proposed and will be presenting to Policy for a formal recommendation to be made to the full Board.	January 2020
SDPD Protest Policy	Recommendation for SDPD to create an official protest policy. Policy Committee to forward to full board for vote.	October 2020
Use of Force and Juveniles		

Community Review Board on Police Practices Work Plan FY 2020-21

Community Outreach Committee

What	Intention of Outreach	When	Who	Completion Goal
Community Town Hall and SDPD Captain's Advisory Board Meetings, other SDPD events and community events	Attend City Council District Town Halls and SDPD CAB Meetings to inform attendees about CRB. Clarify CRB Purpose, Complaint process, and seek Board membership applicants. Recruit Board volunteers to identify opportunities within each city district/division.	Varies	Community Outreach Committee Members or Board members	Partially completed May 2019: volunteers for reach out completed, not all results back.

Issue to be Explored	Process	Completion Goal
Consider if CRB should host quarterly Community Informational Meetings	Review with Outreach Committee	January 2020 On Hold pending COVID-19
Utilize press releases, CRB web-site and social media for recruitment, awareness of CRB and process for complaints	Ask for an Outreach Committee member to work with Communications Department	Ongoing
Have CRB members give talks at police line-ups	Draft script. Review and secure buy-in from Department leadership. Set schedule.	FY 2020 On Hold pending COVID-19
Develop a plan for outreach to youth	Recruit volunteer from Board Outreach Committee to develop plan	July 2019; (Completed June 2019)
Develop a comprehensive list of events or activities where CRB is currently and/or should be represented	Community Outreach Committee to meet and develop. Upcoming events are available on the website. Monthly reports of the Outreach Chair will include a list of opportunities available in the upcoming month.	Completed (current); work with Committee to determine if additional opportunities are warranted.
Require that each CRB member attend at least 2 community outreach events per year	Establish a protocol for shirts and materials. Need to record participation via MyVolunteerPage (add a subcategory)	Request made for commitments August 2019
Purchase CRB banner for use at events	Chair agreed to pay for banner	
Participation in Walk & Knocks		

Community Review Board on Police Practices Work Plan FY 2020-21

Recruitment & Training Committee

Issue to be Explored	Process	Completion Goal
Training Component #1: Overview of CRB& Internal Affairs and Ride-Along Procedures. Discuss role of city attorney.	Held at CRB Conference Room	Completed for current members
Training Component #2: Tour of SDPD Headquarters, Communications and Information on BWC, Meeting with the Chief	Held at SDPD HQ	Completed for current members
Training Component #3: SDPD Procedures to include laws of arrest, use of force, FATS simulator, facial recognition and BWC.	Held at Regional Training Center	Completed for current members
Training Component #4: Case Review, Report Preparation & Internal Affairs Procedures	Held in CRB Conference Room	Completed for current members
Training Component #5: Presentation by Community Organizations	(Include bus tour)	Completed for current members
Training Component #6: Parliamentary Procedures, CRB Bylaws, etc.	Held in CRB Conference Room	Completed for current members
Recruit New Members – including representation from each City Council district	Work with Outreach team and Executive Director to create a more comprehensive recruiting plan, including referrals from City Council offices.	Ongoing
Conduct Interviews with prospective members (revise interview questions), Explore possibility of having community representatives and/or City Council PS&LN consultant as non-voting members of the panel. Add 2 letters of reference to the application.	Ongoing	Ongoing
In addition to SDPD criminal background check, include research by CRB on candidate's roles in their community.		Ongoing
Implementation Process for the CRB Training Academy		May 2019
Develop a system of merit review and evaluation of CRB members		Ongoing
Coordinate with LEAD San Diego training to let participants know about the CRB	Include Boards	Ongoing
Develop talking points to be used in recruiting new members (benefits of being a member, etc.)		Ongoing

Community Review Board on Police Practices Work Plan FY 2020-21

Continuing Education Committee

Issue to be Explored	Process	Completion Goal
Plan a one-day conference of police oversight agencies in Southern California	Coordinate with NACOLE	FY 2020-21
Plan a one-day training for the CRB similar to training for new IA investigators	(Invite CLERB and National City Review Board)	TBD
Develop training modules to include overview of key SDPD policies & procedures, cultural competency training, and trauma-informed care		Ongoing

Monthly Training Presentations	When	Who
Diversity, Sensitivity, and Bias Training Presented to Law Enforcement Agencies	August 27, 2019	Anti-Defamation League -Matthew Wagner
Training on how to review canine bite cases		
Know Your Rights Community vs. Know Your Rights SDPD	July 23, 2019	Daniel Orth and Lt. Ernesto Servin
SDPD Southeastern Division Juvenile Services Team	June 25, 2019	Sgt. Harold Oliver and his Team
Communications Dispatch Training		
SDPD Mid-City Division Community Relations Officers	May 28, 2019	Danny Medina, Terry Hoskins, Jenny Hall
Training on Case Review and Presentation Procedures	Ongoing	
BWC Training		
Visit Museum of Tolerance	April 2019	Nancy Vaughn
Training on Effective Investigations	April 2019	Sharmaine Moseley (shortened version of NACOLE presentation)
SDPD Wellness Unit and Resources	April 23, 2019	Sgt. Edwin Garrette
Presentation on Police Perjury (Cancelled)	March 26, 2019	Chuck Sevilla
Neighborhood Policing Unit	February 26, 2019	Captain Scott Wahl
SDPD WRAP Max Restraint Demonstration and Discussion	January 2019	Captain Alberto Leos & Training Team
SDPD Ride-Along Protocol	November 2018	Detective Andrea Amado
Chief's Response to the CRB Recommendations Regarding Carotid Restraint & De-escalation Policy	October 2018	Chief David Nisleit
SDPD Policy and Procedures Training	September 2018	Taura Gentry (newly designed course for CRB Members Only)
Outside Counsel Refresher on The Brown Act	September 2018	Christina Cameron
Update from Mayor's Office	July 2018	Dr. Joel Day- Dir, Office of Boards & Commissions

Community Review Board on Police Practices Work Plan FY 2020-21

CRB Handbook Committee (Ad Hoc)

Issue to be Explored	Process	Completion Goal
Reduce the size of the CRB Red Binder	Review table of contents and contents- Decide what can go online, what remains in the binder, updates, etc. Will be ready for the October 30, 2019 CRB Academy Training. Will also be made available on CRB tablets	Completed
Make CRB Training Resources Available Online	Put the contents of the CRB Handbook plus additional digital resources (legal opinions, etc.) available on the CRB's Website	Completion goal moved from June 2020 to November 2020 due to COVID.

DRAFT

Community Review Board on Police Practices Work Plan FY 2020-21

CRB Transition Contingency Committee (Ad Hoc)

Issue to be Explored	Process	Completion Goal
Propose budget, staff, etc.		
Proposed interim ordinance		
Proposed permanent ordinance		

DRAFT



THE CITY OF SAN DIEGO

M E M O R A N D U M

TO: Honorable Council President Georgette Gómez
Members of the City Council

FROM: Brandon Hilpert, Chair, Community Review Board on Police Practices
via Sharmaine Moseley, Executive Director, Community Review Board on
Police Practices

DATE: October 28, 2020

SUBJECT: Urgent Need for CRB Appointment/Reappointment Confirmation

On October 6, 2020, Mayor Kevin Faulconer submitted his appointments/reappointments to the City Council and Community Review Board on Police Practices (CRB). The Board respectfully and urgently requests your prompt attention to confirm these eleven Board members (four reappointments and seven appointments who have gone through the CRB's recruitment and selection process).

At its October 27, 2020 Open Session Board meeting, the CRB voted XX-X-X to encourage the City Council's urgent action to confirm the appointments.

Currently, our Board is operating with just 16 of our 23 members. Unless the City acts quickly to confirm Board member appointments/reappointments, the Board may soon become unable to function, and the review of community complaints against SDPD officers will be delayed for an extended period of time. This would be a grave disservice to the residents of San Diego and contrary to the public demand for community oversight of the San Diego Police Department.

To elaborate:

- The CRB currently has a backlog of 56 cases waiting to be reviewed and voted upon. It is vital we have a full board to assist in our City Charter mandated review of these complaints. Over the past five months, SDPD's Internal Affairs has added three sergeants to investigate police complaints. At the same time, the CRB has dropped from seven to five review teams due to some members being unable to go into Internal Affairs to conduct reviews due to COVID-related health concerns. With more cases being added due to recent protests and increased awareness of police activities, a lack of Board members to review cases will prevent us from completing the review of complaints within our 90 days target.
-

- Should we fail to reach quorum of 12 members, Board meetings cannot be held. As an all-volunteer Board, members may be unable to attend meetings due to employment conflicts, illness, medical appointments, vacations etc.
- Each case reviewed must have at least 10 votes in order to resolve/close a case. In an event where a case has split votes, community complaints against officers will not be able to be closed by the CRB, delaying officer discipline with sustained findings. (This becomes even more of a concern if we just barely met quorum.)
- If Measure B passes, the current CRB will become the interim Commission, and the City Council will not be able to make appointments for any vacancies until an implementation ordinance is adopted. We are being told the implementation ordinance may take between 12-18 months. (For reference, the much simpler Measure G implementation ordinance took 18 months.)
- Three current Board members are officially termed out, having completed their eight years of service and one member chose not to be reappointed. However, per CRB Bylaws, all four have offered to remain until they are replaced.
- Lastly, the seven new appointees still need to complete our comprehensive training on case review and SDPD policy and procedures before they can fully review complaints on behalf of the Board.

By quickly confirming the appointments, the CRB will have a complete Board for the first time in several years. The CRB urgently encourages the City Council to docket the confirmation of appointments/reappointments without delay so that the confirmation can be made prior to the certification of the election results, enabling civilian oversight of the police to continue uninterrupted in the event Measure B passes.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me at 619-548-8002 or our Executive Director, Sharmaine Moseley at 619-533-3432.

Brandon Hilpert, Chair
Community Review Board on Police Practices

cc: Honorable Mayor Kevin Faulconer
Joel Day, Director, Office of Boards and Commissions
Members of the City Council
Members of the Community Review Board on Police Practices



THE CITY OF SAN DIEGO

M E M O R A N D U M

TO: Honorable Council Member Monica Montgomery Steppe, Chair
Public Safety and Livable Neighborhoods Committee
San Diego City Council

FROM: Brandon Hilpert, Chair, Community Review Board on Police Practices
via Sharmaine Moseley, Executive Director, Community Review Board on Police Practices

DATE: October 28, 2020

SUBJECT: **Community Review Board on Police Practices Interim Transition to the Commission on Police Practices, if Measure B Adopted by Voters**

At an October 19, 2020 meeting, the elected Officers of the Community Review Board on Polices Practices (CRB) made the requests outlined below. This memorandum confirming those requests was reviewed and approved by the full Board at the October 27, 2020 CRB meeting.

If Measure B is passed on November 3, the current CRB will cease to exist, and current CRB members will become the initial members of the resulting Commission on Police Practices. The new Commission, however, will be unable to conduct business until such time as an implementation ordinance is adopted by City Council. Since the process of developing the implementation ordinance will require considerable input from stakeholders, and the proposed ordinance will need to undergo a meet and confer process with the San Diego Police Officers Association, it is likely that the implementation ordinance will not be enacted until late 2022. Once enacted, it will take an additional several months to complete the Commission member selection and appointment process (to be defined in the ordinance).

As leaders of the current oversight body, we urge the City Council to consider that such a lengthy interruption of civilian oversight of the San Diego Police Department (SDPD) should be avoided by taking the following actions:

1. Appoint current CRB Executive Director, Sharmaine Moseley, as the interim Executive Director of the newly established Commission on Police Practices and authorize her to hire necessary interim staff (outlined below). Once new Commissioners are appointed, a recommendation for a permanent Executive Director can be put forth.

2. Authorize the Commission to appoint the current contracted outside counsel, Devaney Pate Morris & Cameron, LLP, as interim independent counsel. Once new Commissioners are appointed, a selection process can be undertaken to identify outside counsel through the City's RFP process.
3. Adopt an interim ordinance to allow the Commission to continue operating consistent with the CRB's current policies and procedures, to the extent permissible by the charter amendment, until the implementation ordinance is adopted. The interim ordinance should be designed to minimize the need for protracted meet and confer negotiations in order to ensure that the Commission is able to begin operations as soon as practical, with minimal interruption.

Specifically, the interim ordinance should include the following:

- Review all complaints regarding SDPD officers, except officer-involved shootings (OIS) and in-custody deaths (ICD), utilizing the CRB's current procedures.
 - Define process for the Commission's review of OIS and ICD cases already under investigation when the charter amendment goes into effect. Additionally, define process to determine the handling of OIS and ICD cases that occur after the effective date of the charter amendment, but before an investigation process is approved per the implementation ordinance.
 - Transmit all complaints against officers received by the SDPD to the CRB Executive Director within two business days.
 - Transmit the entire unredacted case file for every Internal Affairs (IA) investigation to the CRB Executive Director within two business days of completion of case.
 - Continue the current SDPD process of maintaining open status of cases until reviewed by the Board (now Commission).
 - Authorize case review to be conducted outside of SDPD facilities.
 - Authorize the Commission to conduct remote case review, implementing specific records confidentiality protocols.
4. Ensure that the Commission is fully staffed and has the resources to allow it to operate effectively. While procurement of office space, furniture and equipment, and budget development for the Commission will be the responsibility of the Mayor's office, support and facilitation of these operational requirements by the City Council is requested.

To accomplish this, the following are the interim operating requirements:

- Interim staff should include, at a minimum, an Executive Director, Executive Assistant, Complaint Coordinator, Independent Legal Counsel, and Community

Engagement Coordinator (estimated cost is \$520,000 including benefits). The permanent Commission, as described, will require Investigators (4), a Policy Analyst and a Performance Auditor (estimate additional \$695,000 including benefits).

- A fully-equipped office (separate from the Office of Boards and Commissions) with sufficient private office space for each staff member, conference room and area for case review and collaboration. The office space must have the ability to expand to accommodate permanent staff.
- Computer equipment and software to support confidential case review (remote and onsite).
- Funding for operational and professional requirements of Commission staff, including training, professional association membership (National Association for the Civilian Oversight of Law Enforcement), meeting and special events expense, office supply, and printing and copying, etc.

Should the voters pass Measure B to establish an independent commission for the oversight of San Diego Police Department, the leadership and members of the CRB are committed to a smooth transition. Support and cooperation from you, the newly installed City Council and Mayor will be critical in this process.

Brandon Hilpert, Chair
Community Review Board on Police Practices

cc: Honorable Mayor Kevin L. Faulconer
Aimee Faucett, Chief Operating Officer
Andrea Tevlin, Independent Budget Analyst
Francis Barraza, Assistant Chief of Staff
Jessica Lawrence, Director of Policy & Council Affairs, Office of the Mayor
Honorable Council President Georgette Gomez
Members of the City Council
Chief David Nisleit, San Diego Police Department
Honorable City Attorney Mara Elliott, City of San Diego
Al Guaderrama, Executive Assistant Chief, San Diego Police Department
Mike Holden, Captain of Internal Affairs, San Diego Police Department
Joel Day, Director, Office of Boards and Commissions
Christina Cameron, CRB Outside Counsel
Jack Schaeffer, President, San Diego Peace Officers Association
Andrea St. Julian, Esq., San Diegans for Justice
Members of the Community Review Board on Police Practices