

**COMMUNITY REVIEW BOARD ON POLICE PRACTICES**

**ONLINE MEETING AGENDA**

**Tuesday, November 24, 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 OCTOBER 27, 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: “Establishing an independent Commission on Police Practices in the City of San Diego: Next Steps” (20 mins)**

**Co-Presenters: Doug Case, CRB 1<sup>st</sup> Vice Chair  
Patrick Anderson, CRB Outreach Committee Chair**

**VII. UNFINISHED BUSINESS (DISCUSSION) (Chair Brandon Hilpert)**

- A. CRB Closed Meetings (December 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
  - iv. Availability for Case Review November 28<sup>th</sup> and 29<sup>th</sup>
- C. Status of CRB Memo to Council President Gomez Re: Urgent Request for CRB Member Confirmations

**VIII. NEW BUSINESS (DISCUSSION/ACTION): None (Chair Brandon Hilpert)**

**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
- C. Rules Committee (Doug Case)
  - i. Update
- 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 Appointments & Confirmations – 7 Candidates
    - Background Checks
    - Phase Trainings
- G. Citizens Advisory Board on Police Community Relations (Chair Brandon Hilpert)
  - Update – November 17, 2020 Meeting

- H. Ad Hoc Transition Contingency Planning Committee (Doug Case)
  - i. Update
  
- X. CHAIR’S REPORT (Chair Brandon Hilpert)
  - A. Reminder – 2<sup>nd</sup> Quarter (September 1<sup>st</sup> – December 31<sup>st</sup>) Volunteer Hours Report – All members log hours in for reporting purposes
  - B. Update on CRB Leadership Meetings with Chief, City Council & Mayor
  - C. CRB Holiday Plans
  - D. Other Items/Reminders – Board Decorum
  
- XI. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
  - A. Caseload Update & Status of Case Reports
  - B. Annual Report (On Hold)
  - C. Status 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 October 27, 2020 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, October 27, 2020**

**6 p.m. – 8 p.m.**

**MS Teams Online**

Click <https://www.youtube.com/watch?v=Pp73fyRhvS0> to view this meeting on YouTube.

**Members Present:**

Brandon Hilpert, Chair  
Doug Case, 1<sup>st</sup> Vice Chair  
Poppy Fitch, 2<sup>nd</sup> Vice Chair  
Patrick Anderson  
Maxine Clark  
Joe Craver  
Gregory Daunoras  
Kevin Herington

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

**Members Absent:**

Diana Dent

**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

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- 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 September 22, 2020

The Board reviewed the minutes. Board member Joe Craver moved for the Board to approve its September 22, 2020 Open Meeting minutes. Board member Nancy Vaughn seconded the motion.

The motion passed with a vote of 14-0-1.

**Yays:**1<sup>st</sup> Vice Chair Hilpert, 2<sup>nd</sup> Vice Chair Fitch, Members- Anderson, Clark, Craver, Daunoras, Herington, Holtrop, Hsieh, O'Tousa, Smith, Theodore, Workman, and Vaughn

**Nays:** None

**Abstain:** Chair Hilpert

**Members Absent:** Diana Dent

V. NON-AGENDA PUBLIC COMMENT: None

VI. **EDUCATIONAL TOPIC: "How San Diego Police Department's Internal Affairs Sergeants are Trained to Conduct Internal Investigations"**

**Presenter: SDPD Internal Affairs Lieutenant Steven Shebloski**

Lt. Shebloski stated that IA Sergeants have at least one year in investigating Category II cases at the command level. They use a 10-page document that have sample investigations and the equivalent of a training officer to help guide them through the process. The Sergeants work with their peer group and Lieutenants on the investigations. This is the process IA use when selecting and training their investigative Sergeants.

The Sergeants attend a 40 hour Internal Affairs POST school. They receive city EEO training and other types of training. IA would work with CRB in participating in a training together like the training on Internal Affairs Updates. The Sergeants interview training has been picked up on the job. It is not formalized.

VII. UNFINISHED BUSINESS (DISCUSSION) (Chair Brandon Hilpert)

A. CRB Closed Meetings (November Dates and Times)- The Board will meet in Closed Session for case review on November 10, 17, and 24. The Board will not meet on November 3<sup>rd</sup> due to Election Day.

B. CRB Case Review in Internal Affairs

- i. Feedback on Prioritization of Case Reviews, Work Flow, Staffing- Teams are prioritizing cases with sustained cases and cases that are nearing the one-year mark first. The Teams are receiving a lot more completed cases from IA in comparison to this time last year, so the Cabinet will work with the Teams if any issues arise.
- ii. Redacted Case Reports -Remind teams to work on the redacted case summaries for the website and annual report. Each Team will have their own USB drive. The drive will have a folder with IA report, CRB Report, Vote Count, and redacted case summary.

- iii. Remote Case Access – This will item will change after the election and Measure B. The tool we might use is called Laserfisch. The product will solve most of the CRB’s needs to work remotely.
- C. CRB Fiscal Year 2021 (July 1, 2020 – June 30, 2021) Work Plan
  - i. Input for Draft Fiscal Year 2021 Work Plan
    - Change header to FY 2021
    - Page 1: Various Members & ED attended and mark as “completed”
    - Page 2: CRB Retreat Date (January/February 2021)
    - Page 2: Remove the line for Community Leadership Summit
    - Page 3: Add to Rules Committee -Draft finding letter to complainants whose complaints were categorized as a Cat II
    - Page 4: Patrick completed 1<sup>st</sup> stage research. Committee Chair will reach out to the Committee to see who will further the research.
    - Page 4: Remove 5<sup>th</sup> Item regarding the tolling of cases
    - Page 5: Item 4 “Recruit volunteer” is completed. The rest is pending.
    - Page 7: Add Pretext Stops, NACOLE 13 Principles on Civilian Oversight, Principles of Good Investigations, Refresher on the Brown Act, California AB 392, SB 1421

**ACTION ITEM: Board member Joe Craver moved for the Board to approve its Fiscal Year 2021 Work Plan. Board member Greg Daunoras seconded the motion.**

**The motion passed with a vote of 14-0-1.**

**Yays: 1<sup>st</sup> Vice Chair Hilpert, 2<sup>nd</sup> Vice Chair Fitch, Members- Anderson, Clark, Craver, Daunoras, Herington, Holtrop, Hsieh, O’Tousa, Smith, Theodore, Workman, and Vaughn**

**Nays: None**

**Abstain: Chair Hilpert**

**Members Absent: Diana Dent**

- 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: Board member Nancy Vaughn moved for the Board to approve the proposed memo to Council President Georgette Gomez with noted revisions. Board member Joe Craver seconded the motion.**

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

**Yays: 1<sup>st</sup> Vice Chair Hilpert, 2<sup>nd</sup> Vice Chair Fitch, Members- Clark, Craver, Daunoras, Herington, Holtrop, Hsieh, O’Tousa, Smith, Theodore, Workman, and Vaughn**

**Nays: None**

**Abstain: Chair Hilpert**

**Members Absent: Patrick Anderson and Diana Dent**

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

**ACTION ITEM: Board member Mary O'Tousa moved for the Board to approve the proposed memo to Council Member Monica Montgomery Steppe with noted revisions. Board member Joe Craver seconded the motion.**

**The motion passed with a vote of 14-0-1.**

**Yays: 1<sup>st</sup> Vice Chair Hilpert, 2<sup>nd</sup> Vice Chair Fitch, Members- Anderson, Clark, Craver, Daunoras, Herington, Holtrop, Hsieh, O'Tousa, Smith, Theodore, Workman, and Vaughn**

**Nays: None**

**Abstain: Chair Hilpert**

**Members Absent: Diana Dent**

**IX. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)**

- A. Continuing Education Committee (Nancy Vaughn)
  - i. List of Upcoming Educational Topics – Pretext Stops and AB 392
  
- B. Outreach Committee (Patrick Anderson)
  - i. Past Events/Virtual Meetings – No report given
  - ii. Upcoming Events/Outreach Opportunities – The Outreach Committee is waiting to see what happens next week with Measure B.
  - iii. Updates – The Committee plans to involve community groups. Committee Chair Anderson developed a list of local groups. He encouraged everyone to email him if they want a group added to the list.
  
- C. Rules Committee (Doug Case)
  - i. Update – The Rules Committee will not meet until after the elections. The Committee needs to develop interim policies for the Board to operate.
  
- D. CRB Handbook Committee (Doug Case)
  - i. Update – The item was discussed previously under the Work Plan item.

- E. Policy Committee (Joe Craver)
  - i. Status on Items being Considered Committee – This item was discussed previously in under the Work Plan item.
  - ii. Schedule Next Policy Committee Meeting – A meeting will be scheduled after the Committee has a draft recommendation for the Protest Policy.
  
- 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 – Committee Chair Hilpert provided the Board with a brief summary of CAB’s meeting that took place on October 26, 2020.
  
- H. Transition Planning Committee (Doug Case)
  - i. Update – The Ad Hoc Committee is working on what needs to be included in the interim and permanent implementation ordinance. The Committee meets every Friday morning and have invited special guests.
  
- X. CHAIR’S REPORT (Chair Brandon Hilpert)
  - A. Reminder-1<sup>st</sup> Quarter (July 1<sup>st</sup> - September 30<sup>th</sup>) 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 – Chair Hilpert reported that he tries to send out emails to the Board with updates on Board events/issues.
  
- XI. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
  - A. Caseload Update & Status of Case Reports – It was reported that as of today, 60 cases have been assigned to the Teams. Out of the 60 cases, 15 were completed by the Teams and 4 of the 15 cases were on tonight’s Closed Meeting agenda with 4 cases heard and closed by the Board. The CRB teams now have 11 cases ready for Board deliberation. In this fiscal year 54 cases were closed by the Board. That number has more than tripled in comparison to the 15 cases the Board closed out last fiscal year in the same time period.

The statistics for the Team assignments are as follows:

Team 1- 14 cases assigned to the Team (2 were completed and ready for the Board; 12 cases are left for review- 3 are Cat II cases, 3 have sustained findings, 2 are OIS cases, all 12 cases were assigned during COVID, and 2 were reassigned from Team 5)



Team 2 – 14 cases assigned to the Team (5 cases were completed and ready for the Board- one case was on the Closed Meeting agenda), 9 active cases are left for review-one of which was assigned pre-COVID, 3 are Cat II cases, 2 are OIS cases, 3 cases have sustained findings & 2 were reassigned from Team 5). One of the active cases is a case that was previously heard by the Board and not closed out yet due to needed revisions.

Team 3 – 10 cases assigned to the Team (2 cases were completed and ready for the Board- 2 of which were on tonight's Closed meeting agenda. The Team has 8 active cases left for review -all of which were assigned during COVID, 1 was reassigned from Team 5, 3 are Cat II cases, and 3 have sustained findings). Team 3 has no OIS/ICD cases.

Team 4 – Team 4 has been temporarily dissolved until we get new members. Team 4 still has one case that was deliberated on by the Board and taken back by Chair Hilpert to request an additional finding. The Sergeant is still working on this.

Team 5 – Team 5 is inactive.

Team 6 – 12 cases assigned to the Team (3 were completed and ready for the Board, 1 of which was on tonight's Closed Meeting agenda). Team 6 has 9 active cases left for review, all of which were assigned during COVID, 1 case was reassigned from Team 5, 1 Category II case, 1 OIS case, and 3 cases with sustained findings.

Team 7 – 9 cases assigned to the Team (4 were completed and ready for the Board- one of which was previously heard by the Board and needs revisions). Team 7 has 3 cases left for review.

B. Annual Report – In preparation for the drafting of the Annual Report, it was reported that the review of case report data in the spreadsheet has begun. Once complete, the next step is to collaborate with the city's Performance & Analytics Department to go live in the Open Data Portal (which is item C). Chairs of each Committee in fiscal year 2020 were asked to provide their sections for the Annual Report.

C. Open Data Portal for Fiscal Year 2020 – This update was given in item B.

D. Other Items/Reminders: None

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

- Attended meeting of major city chiefs in New Orleans with Chief Nisleit- Cities are dealing with the same issues regarding protests and civil unrests
- Five protests are scheduled for the day after the election

- Protest policy is being reviewed by legal. Want to incorporate some of Governor Newsome's recent recommendations
- Scheduled to meet with CRB Chair Hilpert on Thursday regarding making the case reports available to Board prior to the meeting
- SDPD has 50 recruits started the academy- beginning to get laterals
- Upcoming promotions of detectives, sergeants, and lieutenants

XIII. BOARD MEMBER RIDE-ALONG REPORTS: On hold due to COVID

XIV. BOARD MEMBER ANNOUNCEMENTS/COMMENTS: None

XV. ADJOURNMENT: The meeting adjourned at 749 p.m.

DRAFT