

**CITIZENS' REVIEW BOARD ON POLICE PRACTICES
MINUTES OF THE MEETING**

Tuesday, March 27, 2012
Logan Heights Branch Library
567 S. 28th Street,
San Diego, CA 92113

Members Present:

| | | |
|----------------------|--|----------------|
| Sandra Arkin | Godwin Higa | Barbara Penn |
| William Beck | Jim Hurl | Stuart Simmons |
| Dian Black | James Kaese, 1 st Vice Chair | Alexis Torrey |
| Harry Bonnell | Jason Kaplan | Nancy Vaughn |
| Benetta Buell-Wilson | Robin Kaufman | Anthony Wagner |
| Dan Frazee, Chair | Yuki Marsden, 2 nd Vice Chair | William Yee |
| Michael Freedman | Lucy Pearson | |

Members Excused:

David Brown
Jim Herrera

Prospective Members Present:

Marty Workman Ken Martone
Pauline Theodore

Staff Present:

Danell Scarborough, Executive Director, CRB
Denise Sandoval, Executive Secretary, Administration Department/CRB
Sharon Marshall, Deputy City Attorney, City Attorney's Office
David Ramirez, Executive Assistant Chief, San Diego Police Department
Dan Christman, Lieutenant, Internal Affairs, San Diego Police Department
Jorge Duran, Lieutenant, Internal Affairs, San Diego Police Department
Rich Metz, Sergeant, Internal Affairs, San Diego Police Department

- I. CALL TO ORDER:** The meeting was called to order by Chair, Dan Frazee at 6:30 p.m.
- II. MINUTES APPROVAL:** Minutes of meeting on February 28, 2012 were unanimously approved.
- III. NON-AGENDA PUBLIC COMMENT:**
- Sharon Bair – Commented on CLERB statistics and a 1998 City Attorney MOL
 - David Beck-Brown – Commented on disappointment on case outcome
- IV. BOARD MEMBER ANNOUNCEMENTS/COMMENTS:**
- **Training Reports**
 1. Barbara Penn – Ride along with K-9 Unit
 2. Alexis Torrey – Ride along with K-9 Unit
Ride along with Mid-City Sergeant
Elder Abuse Class at the Academy

3. Michael Freedman – Sit along in 911-Operator
Sit along with Western Police Dispatch / shared abbreviations
handout for binders in I.A.
4. Marty Workman - Sit along in Radio Dispatch
5. Dan Frazee & Dian Black - Interview and Interrogation Class at the Academy
6. Pauline Theodore – Elder Abuse Class at the Academy
Ride along with a Central Division Sergeant

○ **NACOLE update – Sandra Arkin**

1. Total raised so far is \$10,000 from the County, \$2,000 from CRB and CLERB members, \$5,000 from Murray Galinson, and \$5,000 from another source.
2. A committee to work on the welcome bags is being formed. An underwriter has committed to underwriting the bags.
3. The schedule and registration forms have been released.
4. Mayor Sanders will deliver welcoming remarks before the first panel on local law enforcement on October 15.
5. It was announced that you can share entrance fee and attend only the days that the other person is not attending.

V. PURPOSE OF THE CITIZENS REVIEW BOARD ON POLICE PRACTICES

- Anonymous Speaker – Commented on Mid-City being a diverse community and also expressed concern that the SDPD Mid-City Substation is not listed in the phone book.

VI. COMMITTEE REPORTS (DISCUSSION/ACTION ITEMS):

- Policy Committee – Benetta Buell-Wilson
1. Will be meeting on April 13th or April 20th
 2. All were welcomed to join committee
 3. Police Policies and Procedures in the Red Binder are outdated.

**Staff (Danell Scarborough) confirmed that the policies on the Red Disk are out of date and that Board Members should be using the 2012 version of the SDPD Policies and Procedures which have been placed in the team resources in Internal Affairs.*

- Training Committee – Alexis Torrey
1. The Intervention Crisis Team will be at the April 24th meeting. They are trained interventionist and respond to many different situations.
- Outreach Committee – Nancy Vaughn
1. Redesign of our tri-fold brochure in progress, please let the committee know if you have any ideas or suggestions regarding the brochure.
 2. They will be meeting next week.
- Recruitment & Retention Committee – Sandra Arkin – (January, February and March Update)
1. Formal interviews were held on January 11, 2012
 2. Applicants were sent to SDPD for background checks and were forwarded to the Mayor.
 3. Notification of selected applicants was to be sent by the middle of February.
 4. However, the Mayor has decided that while he had nothing negative to say about the applicants sent forward, he would like to see a larger applicant pool so the selection process for Prospective Members has been reopened. Any CRB members with suggestions for applicants should forward those names to the Recruitment and Retention Committee.
 5. Training would have started March 8. This will be pushed back until we have identified more Prospective Members.
 6. At the December R and R Committee meeting, it was suggested that each member of the Committee will be responsible for contacting current Prospective Members and those who

have been temporarily appointed to the CRB. Committee members will inquire about how the PM's experience has been going, what has worked, what hasn't worked, and what suggestions they have for improving the PM experience.

7. For the next class of PM's, a mentor will be appointed from the Committee to help with any questions they may have, guide them, assist them with issues, etc. PM's will be told that their comments to the mentor will be kept confidential if they chose but that if there are major issues, they will need to contact Danell. Mentors will coach the PMs on how to deal with challenging issues.
8. Suggestions for the future:
 - Have two interviews with PM applicants if possible.
 - Recreate a scenario for them to see how they think.
 - No exit interviews will be needed since the mentors will aware of concerns.
 - Mentors can encourage dialogue if there are issues.
- Red Binder Review – Barbara Penn
 1. Introduced the intern (Chris Gliniak) to help with the Red Binder.
 2. Meetings will be in the morning of Tuesday or Thursday.
 3. All interested in joining please email.

VII. DISCUSSION/ACTION ITEMS

- CRB Annual Meeting – Jim Kease
 1. Saturday, April 14th 2012 9AM – 1PM
 2. An agenda is being put together
 3. An email will be sent out as a reminder
 4. A (“Free”) location is still needed if any one has any suggestions.
 5. Lunch will be provided.

VIII. NEW BUSINESS – NONE

IX. OLD BUSINESS

- Occupy San Diego's Concerns
 1. There was not enough time to fully discuss what was presented at the meeting. When minutes were approved the Board basically said that the summary of the presenters' comments in the minutes were clear and concise:
 - a. Excessive Use of Force
 - b. Inconsistent application of the Municipal Ordinance and laws
 - c. Obstruction of the use of cameras and videos
 - d. Questioning the Police strategy used in the Occupy movement
 2. The CRB Bylaws say that the Board's mission is to review complaint investigations by Internal Affairs and provide input on issues within our Charter scope.
- Discussion:
 - Have complaints been filed? Is what they said at the meeting considered or equivalent to making a complaint?
 - Yes, complaints have been filed and they are currently in the system.
 - Although the speakers outlined concerns, they didn't file anything or go through the complaint process that would then lead to an interview during the course of the meeting
 - In the past, the Board had other people bring concerns, and we appointed a person to look into them or if it was in the Board's purview to assign it to the Policy Committee
 - The Chair clarified by reading By-Laws Section 7. Consideration of Issues Other Than Complaints

The Board may consider discussion of a substantive item, other than one arising in the course of reviewing a particular case, if it determines that (1) the substantive matter impacts the work of the Board; and (2) because of its training and experience, the Board has expertise on the matter at hand. By an affirmative vote under these rules and regulations, the Board may proceed to discuss the matter and by a vote of the body, elect to make or not make a recommendation to the Mayor.

- Suggestion was made to first let the complaints work through the system.
- City Attorney noted that the constitutionality of the illegal lodging law and the selective enforcement issues have already gone to court and the rulings may answer a lot of the questions. The court orders can be provided.
- Some of the Board members stayed after that particular meeting and answered a lot of questions and informed the Occupy people that they should file a formal complaint.
- Suggestion was made to send should a letter from the Board and to all who spoke to assure them that their complaint has been heard.
- Suggestion was made to tighten up the non-agenda public comment section of the meeting to not jeopardize other agenda items in the future.
- Suggestion was made that an announcement should be made at the meetings that there are speaker slips in the back of the room as well as complaint forms so that the audience is aware.

Motion Made by Sandra Arkin that the Board let the complaints move through the system and review them when they come to the teams. Anything that is not addressed in a complaint or policy recommendation from the complaint be addressed by the Executive Committee to be put on the agenda and be brought to the Board. 2nd by William Beck

***Motion to Call by Yuki Marsden
2nd to Call made and passes***

Motion Passed

X. CHAIR'S REPORT – Dan Frazee

- Actions to address concerns regarding CRB
 - The Mayor's Office is not conducting an independent investigation regarding the issues that were brought up. There can be further discussion at the Annual Meeting.
- Signed final copy of case report for CRB meeting – at team leaders request this can be accommodated in IA.

XI. RECOGNITION: Robin Kaufman –Robin Kaufman has been named the 2012 Woman of the Year for the 75th Assembly District.

XI. EXECUTIVE DIRECTOR'S REPORT – Danell Scarborough

- Quarterly Educational Report for January, February, March 2012 – Due March 30
- 2012 SDPD Policies and procedures on CD in Internal Affairs – **Please see comments under Policy Committee above.*
- Procedure for exiting SDPD headquarters building

- Acknowledged that several members were unable to leave the San Diego Police Departments Headquarters Building due to the lobby being closed early.
- Informed that the Board that the Administrative Service Manager, Building Maintenance Service Supervisor, and the Disability Service Manager are all working together on a response and resolution.
- There will be a one page handout with an evacuation plan and a fact sheet with numbers to call in case of emergency. We want to reduce the wandering around in the Police Department.
- We will be providing a clear way of where and how to get out of the building.
- An apology was given for not having the materials ready but the Board was assured that it is all coming together slowly but thoroughly.
- There was a comment made that people have gotten ill from the caterer's dishes, if this is the case we need to know immediately and directly so that we can take action.

XII. ADJOURNMENT: Meeting adjourned at 8PM

XIII. NEXT MEETING: April 24, 2012 at Point Loma Library

Materials Provided: Minutes for CRB Meeting of February 28, 2012