



THE CITY OF SAN DIEGO

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

Tuesday, July 28, 2015
6:30 p.m. – 8:00 p.m.
Cherokee Point Elementary School
3735 38th Street
San Diego, CA 92105

Members Present:

Lisa Sorce, Chair
William Beck, 1st Vice-Chair
Douglas Case, 2nd Vice-Chair
Benetta Buell-Wilson
Joe Craver

Godwin Higa
Jim Hurl
Lucy Pearson
Pauline Theodore
Ernestine Smith

Kathy Vandenheuvel
Nancy Vaughn
Martin Workman

Members Absent:

Yuki Marsden
Dennis Vincent

Prospective Members Present:

Taura Gentry
Brandon Hilpert

Thomas Lincoln
Joyce Mohrlock

Larry McMinn

Prospective Members Absent:

Mary O'Tousa

Alternate Members Present:

Diana Dent
Charlene McAdory

Pieter O'Leary

Staff Present:

Sharmaine Moseley, Executive Director, CRB
Michael S. Giorgino, Deputy City Attorney, City Attorney's Office
Anastasia Smith, Captain, San Diego Police Department
Matt Novak, Lieutenant, San Diego Police Department
Marshall White, Lieutenant, San Diego Police Department
Angelica Navarro - Mora, Detective, Internal Affairs, San Diego Police Department
Denise Sandoval, Executive Secretary, CRB

Staff Absent:

David Ramirez, Executive Assistant Chief, San Diego Police Department

- I. CALL TO ORDER/WELCOME: The meeting was called to order at 6:30 p.m.
- II. PURPOSE OF THE CITIZENS' REVIEW BOARD ON POLICE PRACTICES: The Chair explained the purpose of the Citizens' Review Board on Police Practices to those in attendance.
- III. APPROVAL OF MINUTES: CRB Open Meeting Minutes of June 23, 2015 were approved with 2 amendments. The first amendment was to remove Bryon Garner's name from the attendance portion of the June minutes. He was not present and not on the Board. The second amendment was to remove Kathy Vandenheuvel's name from the nomination slate as 2nd Vice-Chair.

Joe Craver moved to approve the amendments to the minutes. Nancy Vaughn seconded the amendments. The minutes were approved unanimously with amendments.

- IV. NON-AGENDA PUBLIC COMMENT (speaker slip required): It was noted that there were no public comments.
- V. COMMITTEE REPORTS (DISCUSSION/ACTION)
 - A. Continuing Education Committee (Benetta Buell-Wilson) – It was reported that the Committee is looking for suggestions for educational topics.
 - B. Outreach Committee (Marty Workman) – It was reported that the Committee Chair offered to give a presentation of the CRB during his ride-along.
 - C. Rules Committee (Doug Case) – It was reported that the Committee is currently working on case review procedures. A draft will be available for the Rules Committee by August 18th. Appendix B will be forward to Captain Anastasia Smith for her review and approval.
 - D. Policy Committee – It was reported that the Committee has several items on its agenda for discussion.
 - E. Recruitment & Retention Committee (William Beck) – It was reported that William Beck and Joe Craver would be co-chairing this Committee. They are accepting suggestions/ideas on recruiting and retention from the Board.

Lucy Pearson requested a legal memo from the City Attorney regarding Prospective Members attendance at Closed Meetings of the Board. The City Attorney responded by reminding the Board that there is a legal memo on this issue in the Red Binder.

- VI. CHAIR'S REPORT (Lisa Sorce)
 - A. It was reported that not everyone on the Board signed up for a CRB Committee for this fiscal year. A sign-up sheet was passed out to the members and will be collected at the end of this meeting.
 - B. NACOLE CONFERENCE - October 4-8 in Riverside, CA
 - All members are welcome to attend this conference. There is a cost to attend. Information will be made available to those members who are planning to attend. The Chair, Executive Director, Nancy Vaughn, William Beck, and Doug Case will be attending the conference.
- VII. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley)
 - A. Vacation Schedule – It was reported that the Executive Director will be going on vacation for two weeks. She will be checking her emails and voicemail messages.

- B. CRB Caseload Update – It was reported that the Board has a total of thirty-four (34) cases to review. Twenty-eight (28) of those cases were carried over from the previous fiscal year. Six of the thirty-four (34) cases are from this fiscal year. In this new fiscal year, the Board closed out nine cases. Most of those cases were closed out within the sixty (60) day timeframe.

VIII. SAN DIEGO POLICE DEPARTMENT REPORT (Captain Anastasia Smith)

Detective Angelica Navarro-Mora gave the report. She welcomed recommendations or suggestions from the teams to help improve the process. She explained the following:

- Team Case Review Process in Internal Affairs
- Office Involved Shooting (OIS) and In Custody Death (ICD) Process Timeline
- Ride-Along Process - Command will now communicate directly with CRB Board Members prior to ride-along.

IX. CITY ATTORNEY REPORT

- Addressed questions about memorandum and closed session meetings.
- Memorandum is in new red binder
- If you do not have a “new” red binder it can be exchanged for your old one
- Red Binder information is also on CD

X. NEW BUSINESS (DISCUSSION/ACTION)

A. City of San Diego Equal Employment Opportunity (EEO) Policy

- The Board was given an updated EEO policy for all City Employees.

B. Administration of Discipline Procedures

- This item was discussed at the Board’s last open session.
- A fully executed signed copy of these procedures was given to the Board.

C. Role of the City Attorney (Mike Giorgino)

It was noted that Benetta Buell-Wilson made a request at the last prior meeting of the Board to include “The Role of the City Attorney” in respect to the CRB.

- It was reported that a copy of this memo was provided to the Board and should be in Red Binder.
- Mr. Giorgino responded to the question of whether he represents the City or the CRB. He explained that he represents both entities. The CRB is part of the City as quoted in Charter Section 40.
- A question was raised as to how the Board can remain independent while maintaining legal advice from an Attorney employed by the City. Mr. Giorgino quoted Charter 70 Section 43(D) and Memorandum Titled: “Role of Citizens’ Review Board on Police Practices,” he also stated that all this information can also be found on the City Clerk’s website.
- Mr. Giorgino stated that he provides legal advice to the Chair, Board, and Executive Director. He asked that the Board Members revisit Charter Section 40 for any clarifications, and if they still have questions after reviewing this, to make the inquiry to the Chair and or Executive Director who in turn will forward the request to him.
- The Executive Director restated that the Board is appointed by the Mayor therefore, it has to follow the guidelines of the City Charter and its procedures to prevent lawsuits and legal ramifications.

XI. BOARD MEMBER ANNOUNCEMENTS/COMMENTS

- William Beck described his experience on his past ride-along. He traveled all through the Northern Division area. Mr. Beck stated that he had a great discussion with the officer about body-worn cameras.

- Joe Craver talked about his great experience on his ride-along with the Gang Suppression Unit.
- Detective Angelica Navarro-Mora encouraged Board members to write to the Captains and include the name of the Officer, if they did experience a great ride-along. It makes a difference when the officer's efforts are recognized or brought to his attention.
- Brandon Hilpert described his ride-along experience.
- Chair Lisa Source described her ride-along experience with a female officer in action nicknamed by crew as the "5150 whisperer."
- Executive Director Moseley mentioned her interview with KPBS regarding Chief Zimmerman's report as it relates to the Share point database. This is a collaborative database that allows CRB Staff and Internal Affairs to share information openly.
- Board members were reminded to turn in bios for the CRB's website.
- It was reported that next CRB meeting will be (Closed Session) half hour earlier at 4:30 p.m. at the Mission Valley Library

XII. ADJOURNMENT

- The meeting adjourned at 7:39 p.m.

Materials Provided

- Minutes from CRB Open Session Meeting of June 23, 2015
- Charter Section 40
- Equal Employee Opportunity City Policy