



THE CITY OF SAN DIEGO

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

Tuesday, October 25, 2016
Cherokee Point Elementary School
3735 38th Street
San Diego, CA 92105

Members Present:

Douglas Case, Chair	Godwin Higa	Ernestine Smith
Joe Craver, 1 st Vice Chair	Thomas Lincoln	Pauline Theodore
Brandon Hilpert, 2 nd Vice-Chair	Charlene McAdory	Nancy Vaughn
Diana Dent	Pieter O'Leary	Martin Workman

Members Absent:

Taura Gentry
Mary O'Tousa

Prospective Members Present:

Darwin Fishman	Richard Stanford (Alt)
Sheila Hiltrop (Alt)	Dr. Rey Galindo (Alt)
Maria Nieto-Senour (Alt)	
John Sieger (Alt)	

Prospective Members Absent:

Judge Jonathan Colby
Greg Daunoras
Shawn Fields (LOA)

Staff Present:

Sharmaine Moseley, Executive Director, CRB
Bill Gersten, Deputy City Attorney, City Attorney's Office
Todd Jarvis, Executive Assistant Chief, San Diego Police Department
Chris McGrath, Captain, San Diego Police Department
Jason Weeden, Lieutenant, San Diego Police Department
Chris Knighten, Lieutenant, San Diego Police Department

- I. CALL TO ORDER/WELCOME: Chair Doug Case (6:30 p.m.)
- II. PURPOSE OF THE CITIZENS' REVIEW BOARD ON POLICE PRACTICES
Chair Doug Case explained the purpose of the Citizens' Review Board on Police Practices to those in attendance.
- III. APPROVAL OF MINUTES: CRB Open Meeting Minutes of August 23, 2016
CRB Open Meeting Minutes of September 20, 2016
- IV. NON-AGENDA PUBLIC COMMENT: (Speaker Slip Required)
 - A. Martha Sullivan
 - B. Kate Yavenditti
- V. COMMITTEE REPORTS (DISCUSSION/ACTION)
 - A. Continuing Education Committee (Charlene McAdory)
 - i. Upcoming Education Topics/Guest Speakers – Committee Chair McAdory stated that she is confirming speakers and times for CRB Open Session meetings in November, January, February and March.
 - B. Outreach Committee (Taura Gentry) – Chair Case stated that Committee Chair Gentry is absent.
 - C. Rules Committee (Brandon Hilpert) – Committee Chair Hilpert reported on Measure G.
 - D. Policy Committee (Joe Craver) – Committee Chair Craver reported that the Committee has 9 items.
 - E. Recruitment & Retention Committee (Joe Craver) – Committee Chair Craver reported that the prospective are pending the Mayor's approval. The new prospective are going through training which includes the review of a case.
- VI. CHAIR'S REPORT (Doug Case)
 - A. CRB Work Plan
 - B. NACOLE 2016 Annual Conference Debrief
 - C. IACP 2016 Annual Conference Debrief
- VII. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley)

Caseload Update – It was reported that as of today the Board started out with a total of 20 cases assigned to CRB teams. In closed session, on the Board's agenda, were 3 reports from the Shooting Review Board and 4 case review team reports for the Board to deliberate on. The Board read all Shooting Review Board reports and closed out all 4 cases. As a result, 16 active cases remain. In FY2017, the CRB reviewed and closed out a total of 22 cases.

 - A. Community Events/Forums/Meetings
 - i. Refugee Forum Presentation on 9/20/2016
 - ii. Urban League Meeting with Mid-City Police Division
 - iii. ACLU Lawmaker Briefing
 - iv. BAPAC Panel
 - v. New Recruit Presentation on 10/25/1016
 - vi. Inter-Faith Community Meeting

- B. CRB Bylaws Amendment Update – It was reported that the Board should have as response as to the status of the amendments later in the week.
 - C. Reminders - Educational Opportunity Forms, CRB Calendar on Website
 - D. Grand Jury Report/& Response Update:
 - i. Independent Legal Counsel- Mayor & Council partially disagree; further analysis is required
 - ii. Modest compensation and reimbursement of expenses to board members-Mayor & Council agree; further analysis is required.
 - iii. Publication of Annual Reports-Mayor & Council agree; FY2015 & FY2016 was published. Drafting report for FY2010-FY2014.
- VIII. SAN DIEGO POLICE DEPARTMENT REPORT (Executive Assistant Chief Todd Jarvis) - Chief Jarvis thanked the Board for their hard work and time. He introduced Lieutenant Jason Weeden who will be re-joining Internal Affairs. Lieutenant Mike Holden is now in the Homicide Unit.
- IX. CITY ATTORNEY REPORT (William Gersten) – Mr. Gersten stated that he had nothing new to report.
- X. UNFINISHED BUSINESS (DISCUSSION/ACTION)
- A. Operational Standing Rule: Case Review Procedure (Brandon Hilpert)
 - i. Public Comment on Agenda Item:
 - A. Martha Sullivan expressed her recommendation for independent investigators and independent Counsel.
 - B. Kate Yavenditti (Recommendations received in writing)
 - 1. Changing the use of the word “Citizen” to “Community Member” on all documents and literature.
 - 2. In-take Procedure changed to have all complaints funneled through the CRB first and have the CRB do the categorization of complaints and then forward to I.A. for investigation.
 - 3. Public Tracking System to allow complainants to access their case status through the website.
 - 4. CRB to review all complaints. Remove the Cat I and Cat II and review all complaints.
 - 5. Criminal/Complaint History should not be included in case files and if it is, then so should the Officer’s history.

Brandon Hilpert, 2nd Vice Chair, and Chair of the Rules Committee motioned to consider the Standing Rule on the floor and indicated that it would be discussed section by section. The Rules Committee will keep track of all amendments and comments for the next Rules Committee Meeting.

Motion made by Ernestine Smith to draft the Operational Standing Rule was to amend the proposal to allow the Executive Assistant Chief to attend closed sessions meetings.

Discussion: 5 spoke in favor and 2 spoke opposed

Vote 7-6. The motion failed and the required 10 votes were not received, so the motion will be trailed to the next meeting, in November.

Chair Case closed discussion because we were past adjournment and there would be further discussion continued in the November meeting.

XI. NEW BUSINESS (DISCUSSION/ACTION): None

XII. BOARD MEMBER ANNOUNCEMENTS/COMMENTS: None

XIII. ADJOURNMENT: 8:20pm

Materials Provided:

- Minutes from CRB Open Session Meeting of August 23, 2016
- Minutes from CRB Open Session Meeting of September 20, 2016
- Draft of Operational Standing Rule: Case Review Procedure
- 3 City Attorney Memos

Public Comment on an Action/Discussion Item: If you wish to address the Board on an item on today's agenda, please complete a speaker form (on the table near the door) and give it to the Board's Executive Director before the Board hears the agenda item. You will be called to express your comment at the time the item is heard. Please note, however, that you are not required to register your name or provide other information to the Board in order to attend our public session or to speak.

Public Comment on Committee/Staff Reports: Public comment on reports by Board Committees or staff may be heard on items which are specifically noticed on the agenda.

Public Comment on Matters Not on the Agenda: If you wish to address the Board on any matter within the jurisdiction of the Board that is not listed on today's agenda, you may do so during the PUBLIC COMMENT period during the meeting. Please complete a speaker form (on the table near the door) and give it to the Board's Executive Director. The Board will listen to your comments. However, California's open meeting laws do not permit the Board to take any action on the matter at today's meeting. At its discretion, the Board may refer the matter to staff, to a Board committee for discussion and/or resolution, or place the matter on a future Board agenda. The Board cannot hear specific complaints against named individual officers at open meetings.

Comments from individuals are limited to five (5) minutes per speaker, or less at the discretion of the Chair. At the discretion of the Chair, if a large number of people wish to speak on the same item, comment may be limited to a set period of time per item. If you would like to have an item considered for placement on a future Board agenda, please contact the Executive Director at (619) 236-6296. The Director will consult with the Board Chair who may place the item on a future Board agenda. If you or your organization would like to have the Board meet in your neighborhood or community, please call the Executive Director at (619) 236-6296.

This agenda will be made available in alternate formats upon request, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Requests for disability related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, should be forwarded to citizensreviewboard@sandiego.gov, or call (619) 236-6296.