

COMMUNITY REVIEW BOARD ON POLICE PRACTICES

MINUTES

**Tuesday, January 24, 2017
Skyline Hills Public Library
7900 Paradise Valley Road
San Diego, CA 92139**

Members Present:

Douglas Case, Chair	Thomas Lincoln	Richard Stanford
Joe Craver, 1 st Vice Chair	Maria Nieto-Senour	Pauline Theodore
Brandon Hilpert, 2 nd Vice-Chair	Pieter O'Leary	Nancy Vaughn
Diana Dent	Mary O'Tousa	Martin Workman
Reinaldo Galindo	John Sieger	
Taura Gentry	Ernestine Smith	
Sheila Hiltrop		

Members Absent:

Goodwin Higa (LOA)

Prospective Members Present

Greg Daunoras
Darwin Fishman (Alt)

Prospective Members Absent:

Jonathan Colby
Shawn Fields (LOA)

Staff Present:

Sharmaine Moseley, Executive Director, CRB
Denise Sandoval, Complaint Coordinator, CRB
William Gersten, Deputy City Attorney, City Attorney's Office
Todd Jarvis, Executive Assistant Chief, San Diego Police Department
Chris McGrath, Captain, San Diego Police Department
Steven Waldheim, Lieutenant, San Diego Police Department
Jason Weeden, Lieutenant, San Diego Police Department
Angelica Navarro-Moran, Detective, Internal Affairs, San Diego Police Department

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- I. CALL TO ORDER/WELCOME: Chair Doug Case (6:33 p.m.)
 - II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES
Chair Doug Case explained the purpose of the Community Review Board on Police Practices to those in attendance.
 - III. APPROVAL OF MINUTES: CRB Open Meeting Minutes of December 13, 2016
Motion made to approve the minutes from December 13, 2016 made by 1st Vice-Chair Joe Craver. **Minutes approved 15-0-1**

IV. NON-AGENDA PUBLIC COMMENT: (Speaker Slip Required)

- A. Evie Kosower
- B. Mary O'Shea

V. UNFINISHED BUSINESS (DISCUSSION/ACTION)

- A. Policy Committee Recommended Motion Regarding SDPD Canine Policy **Tabled at the request of Joe Craver, Chair of the Policy Committee*
"The CRB recommends to the SDPD that complaints regarding canine deployment be reviewed by IA as a Use of Force (Category 1) after evaluation by the Canine Unit. If this recommendation is implemented, a special training on SDPD canine deployment policies should be provided to the CRB."
- B. Operational Standing Rule: Case Review Procedure
(Refer to the Rules Committee Report: Proposed Changes to Operational Standing Rule: CRB Case Review Procedure, for i. – i.v. below)
 - i. **Motion** made by 1st Vice-Chair Joe Craver to accept the Modification on Page 7, to the first paragraph in section 3 (Details). Nancy seconded. **Motion Passes 16-0-1.**
 - ii. **Motion** made to Modify Page 5, the first 2 sentences of the last paragraph. **Motion Passes 12-3-2.**
 - iii. **Motion** made to Modify Page 7, paragraphs 2, 3, 4, and 5 in section 2, Complete, Fair, and Objective Review. **Motion Passes 15-1-1.**
 - iv. **Motion** made by Taura Gentry that the following "or intake document" be added after "initial CCF" and before "or in follow up". **Motion Passes 16-0-1.**
 - v. **Motion** restated by Chair Case: Regarding Page 11, modification to last sentence of last paragraph in which Tom moved that the CRB seek Independent Legal Counsel in regards to the last 2 sentences of page 11 which currently state "A recommendation action by the Board will be recorded in the transmittal document sent to the Commanding Officer(s) responsible for imposing discipline when these forms are prepared by IA. In this way, the concerns of the Board will be considered as part of the disciplinary process."

The Chair Case stated that there is no process in place to move forward with the motion as stated regarding to seek independent counsel.

Tom Lincoln amended his motion to include: "that the Chair expedite a temporary process to seek Independent Counsel and that the Chair do this in 10 days."

Motion by 1st Vice Chair Joe Craver to end debate carried.

Motion restated: the vote will be on whether to withhold action on the item until the board has the opportunity of consulting Independent legal counsel.

Vote: 8/7 Motion is Inconclusive. A 2/3 vote is required for a motion to pass. There were not enough votes for or against the motion. As a result, it **will trail to the next meeting.**

Motion made by John Sieger to approve the Rules Committee recommendations as presented and leave Page 11 modifications to the last sentence of the last paragraph to read as "In this way, the concerns of the Board will be considered." And delete "as part of the disciplinary process."

Vote: Motion Passes 12-3-1

Executive Director Sharmaine Moseley stated that according to the new City Attorney this action would actually require a charter change and could be done in the future.

*****Upon request of the Executive Director, all other reports must be sent to the secretary to be included in the minutes due to lack of time.***

VI. COMMITTEE REPORTS (DISCUSSION/ACTION) 7:30 PM (time certain)

- A. Continuing Education Committee (Pieter O'Leary)
 - i. Requested suggestions from the Board members for upcoming Education Topics/Guest Speakers.
- B. Outreach Committee (Taura Gentry)
 - i. They need participants from the Board to attend the Effective Interaction Training on Jan 31, 2017 from 9:00am- 3:30pm. This entails a role play of aggressive community members.
- C. Rules Committee (Brandon Hilpert)
- D. Policy Committee (Joe Craver)
- E. Recruitment & Retention Committee (Joe Craver)

VII. CHAIR'S REPORT (Doug Case)

- A. CRB Work Plan (handout)
- B. CRB Retreat- January 28, 2017 at the American Red Cross. Briefly discussed logistics(setup, lunch, beverages, etc.,)
- C. Municipal Code to Implement Measure G

VIII. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley)

- A. Caseload Update –It was reported that 6 cases were on tonight's closed meeting agenda. Three of the 6 cases were deliberated on and closed out by the Board. This leaves the Board with 17 active

cases. In FY 2017, the Board reviewed and closed out a total of 29 cases.

- B. Community Events/Forums/Meetings- All People's Celebration; Public Safety & Livable Neighborhoods Committee Meeting (Tentative Date: April 26, 2017); CRB Community Bus Tour; Boards and Commissions Event with Council Member Gomez

The Board agreed to hold its next CRB Meeting on February 14, 2017.

- C. Housekeeping Items (Shirts, Business Cards, and Poster Boards etc.)

- IX. SAN DIEGO POLICE DEPARTMENT REPORT (Exec. Asst. Chief Todd Jarvis): None
- X. CITY ATTORNEY REPORT (William Gersten): None
- XI. BOARD MEMBER ANNOUNCEMENTS/COMMENTS: None
- XII. NEW BUSINESS (DISCUSSION/ACTION): None
- XIII. ADJOURNMENT: 7:50 p.m.