

MINUTES

**Tuesday, May 26, 2020
6 p.m. – 7:30 p.m.
MS Teams Online Meeting**

Click <https://youtu.be/MiDzOV4Ki10> to view this meeting on YouTube

Members Present:

Joe Craver, Chair
Brandon Hilpert, 1st Vice Chair
Doug Case
Patrick Anderson
Maxine Clark (7pm arrival)
Gregory Daunoras
Diana Dent
Poppy Fitch
Kevin Herington

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

Members Absent:

Alex Hu

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, Captain
Andrea Amado, Detective

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- I. **CALL TO ORDER/WELCOME:** Chair Joe Craver called the meeting to order at 6:01 p.m.
 - II. **PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES:** Chair Joe Craver explained the purpose and responsibilities of the Community Review Board on Police Practices (CRB) to those in attendance.
 - III. **ROLL CALL:** Executive Director Sharmaine Moseley performed the roll call.
 - IV. **APPROVAL OF MINUTES:** CRB Open Meeting Minutes of February 25, 2020

The Board reviewed the minutes. Board member Mary O'Tousa moved for the Board to approve its February 25, 2020 meeting minutes. Board member Bonnie Kenk seconded the motion.

The motion passed with a vote of 15-0-1.

Yays: 1st Vice Chair Hilpert, 2nd Vice Chair Case; Members- Daunoras, Fitch, Herington, Holtrop, Hsieh, Kenk, O'Tousa, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Craver

Members Absent: Clark and Hu

- V. NON-AGENDA PUBLIC COMMENT: None
- VI. UNFINISHED BUSINESS (DISCUSSION): None
- VII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Joe Craver)
 - A. Renewal of Contract for Outside Counsel

Action Item: Motion for the Board to approve the renewal of contract for legal services provided to the Board by Outside Counsel Devaney Pate Morris & Cameron LLP for fiscal year 2021

Second Vice Chair Doug Case moved for the Board to approve the renewal of contract for legal services provided to the Board by Outside Counsel Devaney Pate Morris & Cameron LLP for fiscal year 2021. Board member Nancy Vaughn seconded the motion.

The motion passed with a vote of 15-0-1.

Yays: 1st Vice Chair Hilpert, 2nd Vice Chair Case; Members- Daunoras, Fitch, Herington, Holtrop, Hsieh, Kenk, O'Tousa, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Craver

Members Absent: Clark and Hu

- B. Selection of Ad Hoc Nominating Committee

Board member Sheila Holtrop nominated herself. Second Vice Chair Doug Case nominated Poppy Fitch. Board member Patrick Anderson nominated himself.

Action Item: Motion for the Board to appoint members Sheila Holtrop, Poppy Fitch, and Patrick Anderson to its Ad Hoc Nominating Committee.

First Vice Chair Brandon Hilpert moved for the Board to appoint members Sheila Holtrop, Poppy Fitch, and Patrick Anderson to serve on its Ad Hoc Nominating Committee. Board member Bonnie Kenk seconded the motion.

The motion passed with a vote of 15-0-1.

Yays: 1st Vice Chair Hilpert, 2nd Vice Chair Case; Members- Daunoras, Fitch, Herington, Holtrop, Hsieh, Kenk, O'Tousa, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Craver

Members Absent: Clark and Hu

- C. Status of CRB Closed Meetings – Due to COVID, CRB Closed meetings have been suspended since March 2020. The Board discussed ways to resume its Closed meetings so they do not fall too far behind in case deliberation. Due to the order that prevents gatherings, members are prevented from physically meeting until the order is lifted. First Vice Chair Hilpert will look at how to do case review and Closed meetings remotely and submit a proposal to the CRB Cabinet prior to it going to the Board.
- D. Status of CRB Case Review in Internal Affairs – The CRB has accumulated twice as many active cases. Case review resumed in Internal Affairs on May 9th. Safety protocols must be followed.

VIII. COMMITTEE REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Nancy Vaughn)
 - i. List of Upcoming Educational Topics – Committee Chair Nancy Vaughn stated that when the Board resumes its Open meetings regularly they will invite Tia Quick to talk about pre-text stops and SB 392. She would also like to have Internal Affairs present on their investigator trainings. Executive Director Moseley suggested adding the Communications representative as a guest speaker as well.
- B. Outreach Committee (Brandon Hilpert)
 - i. Summary of Past Events – Committee Chair Brandon Hilpert mentioned that he will work on updating the Outreach Calendar.
 - ii. Feedback on Past Events (Discussion Item) – Executive Director Moseley reported that she attended CAST and BAPAC meetings virtually to share information about the Board.
 - iii. Upcoming Events/Outreach Opportunities – Member Patrick Anderson suggested putting together informational sessions for those who are interested in learning about the CRB.

- C. Rules Committee (Doug Case)
- i. Status on Items being Considered – Committee Chair Doug Case reported that the Committee is considering using gender neutral terms in redacted case summaries rather than Mr. A and Mr. B. The Committee agreed to do redacted case reports for Category II audits and to include a template. The Administrative Standing Rules would need to be amended. The Committee will be considering if to write redacted case summaries for officer-involved shootings and in-custody death cases.
 - ii. Schedule Next Rules Committee Meeting – The next meeting is scheduled for June 2nd at 9:30am on MS Teams.
- D. CRB Handbook Committee (Doug Case)
- i. Distribution of Resource Handbook – Some members did not receive a handbook.
 - ii. Next Steps – The next step for the Committee is to work on revising and adding information to the CRB website.
- E. Policy Committee (Brandon Hilpert)
- Items being Considered by Policy Committee**
- i. Status updates – Committee Chair Hilpert reported that a couple items were being tabled until after the November election where there might be a ballot measure that would reshape the Board into a Commission. There were a couple of citizen related generated complaints that were submitted to the Committee. However, a Committee member had to sponsor those complaints. These complaints already have existing policy so the Committee will be closing out these items. The Committee also tabled the development of 3rd party mediation until after the election and is researching best practices for investigating discrimination complaints. The Committee is looking at how other departments are investigating these types of complaints. The Committee was also looking at a complaint card script that explains the process. Changes will be made to the card.
 - ii. Next Scheduled Meeting Date – The Committee is scheduled to meet on June 9 from 4-5pm on MS Teams.
- F. Recruitment & Training Committee (Kevin Herington)
- i. Update on New CRB Training Academy -Training of New Members
 - *Completed All 3 Phases of Training
 - *Scheduling and Participating in Ride-Alongs
 - *3 Members Appointed by Mayor – 1 member withdrew his application so there are 2 members waiting for confirmation.
 - *Next Step is Council Confirmation which may take some time.
- G. Citizens Advisory Board on Police Community Relations (Chair Joe Craver)
- Update – Executive Director Moseley reported there was nothing new to report since CAB is not holding its meeting tonight.

- IX. CHAIR'S REPORT (Chair Joe Craver)
- A. Reminders-4th Quarter (April 1- June 30) Volunteer Hours Report (**Due Date July 1, 2020**) – All members must log their hours into the system for reporting purposes.
 - B. Other Items/Reminders – None

- X. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley)
- A. Caseload Update & Status of Case Reports -Executive Director Sharmaine Moseley reported that Due to COVID, the CRB was unable to review cases in Internal Affairs from March – May 9th.

As of today, there are 53 active cases assigned to the CRB teams. Teams 1 and 7 have 6 cases, Teams 2, 3, 4, and 6 have 8 cases. Team 5 has 9 active cases. Please note that at least 8 of these active cases have been completed and are ready for Board deliberation when the Board resumes its Closed Meetings. Most of the teams are operating and reviewing cases. There are a couple teams that have only one member, so we will have to consider moving a member from the Teams that have 3 members.

Team leads provided updates and feedback regarding their case load.

- B. Status of Administrative Aide Position – Due to COVID and its effect on the City budget, the Office of Boards and Commissions proposed that the position be eliminated. With the elimination of that position, there will be huge delays in the complaint process which will affect the Board and the community.
 - C. Update on NACOLE Regional Meeting in San Diego – This meeting has been cancelled. NACOLE is still focusing on putting together its Annual Conference, but it will be online instead of in-person. There will be 30 plus sessions which will take place over a few weeks. The cost for the conference will be \$275. It will be recorded and made available for attendees.
 - D. Update on 2020 NACOLE Conference – Report given under item C.
 - E. Other Items/Reminders – Reminder for Board members to log hours volunteered into the system and to self-care.
- XI. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Al Guaderrama) **5 mins**
- A. Updates – SDPD is continuing to work with CRB leadership in looking for a way for the Board to meet physically. He provided an update on SDPD workforce. (*audio difficult to hear*) Academies are continuing to move forward. The next Academy will begin shortly with 40-50 recruits.
The De-escalation Policy is now with POA or the City Attorneys.
 - B. Status of the CRB recommendation that the SDPD establish a policy that would prohibit officers from viewing surveillance videos or Body Worn

Camera (BWC) videos of other officers' videos prior to being interviewed by Internal Affairs. **Chief Nisleit signed off on this policy. It is in SDPD's Operations Manual for Internal Affairs Sergeants to follow.**

- XII. BOARD MEMBER RIDE-ALONG REPORTS (2 mins each) First Vice Chair Brandon Hilpert reported that prior to COVID he did a ride-along in Mid-City. He got some good information from the officer and community. Ride-alongs have been postponed due to COVID.
- XIII. BOARD MEMBER ANNOUNCEMENTS/COMMENTS – Board member Steve Hsieh commented that remote access will give the Board a chance to do their job. Board member Nancy Vaughn commented on the work that the CRB does which impacts their lives and personal experiences.
- XIV. ADJOURNMENT: 7:11 p.m.