

MINUTES

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

Click <https://www.youtube.com/watch?v=wjFCaA-aCjI> to view this meeting on YouTube.

Members Present:

Joe Craver, Chair
Brandon Hilpert, 1st Vice Chair
Doug Case, 2nd Vice Chair
Patrick Anderson
Maxine Clark
Gregory Daunoras
Diana Dent
Kevin Herington (6:13pm arrival)

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

Members Absent:

Poppy Fitch

Community Review Board on Police Practices (CRB) Staff Present:

Sharmaine Moseley, Executive Director

San Diego Police Department (SDPD) Staff Present:

Keith Lucas, Assistant Chief
Mike Holden, Captain
Corissa Pich, Lieutenant
Andrea Amado, Detective

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- I. **CALL TO ORDER/WELCOME:** Chair Joe Craver called the meeting to order at 6:00 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 the public.
 - III. **ROLL CALL:** Executive Director Sharmaine Moseley performed the roll call.
 - IV. **APPROVAL OF MINUTES:** CRB Open Meeting Minutes of May 26, 2020

The Board reviewed the minutes. Board member Nancy Vaughn moved for the Board to approve its May 26, 2020 meeting minutes. Board member Mary O'Tousa seconded the motion.

The motion passed with a vote of 13-0-1.

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

Nays: None

Abstain: Chair Craver

Members Absent: Fitch and Herington

- V. **NON-AGENDA PUBLIC COMMENT:** Executive Director Sharmaine Moseley read non-agenda public comments received from: Kenneth Jaquish, Richison Richison, Brett Wilkes, Alison Manch, Garrett Rice, Jeff Bonine, Cameron M, Joy Fuliga, Chloe, Kaylianne Chaffee, Kiana, Courtney Suhr, Marisol Bernal, Alexandra Heath, Katherine Hentrich, Donna, Travis Blumer, Amber Johnson, Lydia Fernandez, Lauren Gibbons, Tatiana, Clara Valenzuela, Kristin Schulmeister, Briana Bartmas, Thatcher Unsworth, and Brenna Judkins.

Full details of all non-agenda public comments (including the comments from the above listed individuals) submitted by the deadline are posted to the CRB's website.

- VI. **EDUCATIONAL TOPIC: "Overview of San Diego Police Department's Revisions to Use of Force Policy 1.04 on De-escalation, Duty to Intervene, & Other Updates" (20 mins)**

Presenters: SDPD Assistant Chief Keith Lucas, Internal Affairs Captain Mike Holden, and Training Division Captain Wes Morris

Assistant Chief Keith Lucas thanked the Board for providing input to the new SDPD procedures on de-escalation and duty-to-intervene. He reported that the new SDPD policies 1.55 De-escalation & 1.56 Duty to Intervene are available on the SDPD website. Captain Wes Morris added that the procedures can be found on website is www.sandiego.gov/police. He explained that the policies were broadened to explain what the department is looking for from its officers. They included the term "shall" in the policy. Force may still be necessary but at a lower level. Captain Morris explained how the duty to intervene policy would work when an officer sees misconduct. The carotid restraint was also removed from SDPD procedures. The Use of Force procedures is still being revised.

Executive Director Moseley read the public comment submitted by Susanne Janice Scherman. The comment will be posted to the CRB's website.

VII. UNFINISHED BUSINESS (DISCUSSION) (Chair Joe Craver)

- A. Status of CRB Closed Meetings – CRB need to resume its Closed Meetings. There was a suggestion to meet in a large room, but the Board can't do that due to the COVID order. The Board would like to hold its Closed Meetings via the Teams platform.
- B. CRB Case Review in Internal Affairs
 - i. IA Hours & Procedures – Call for reservation and procedures are followed for safety purposes. IA extended hours for CRB review during the weekends and weekdays.
 - ii. Remote Case Access – Cases are stacking up. The Board can't meet in person due to the COVID order. IA will be meeting with Riverside's independent auditor to see how they access cases. They use a system called Laserphish.

VIII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Joe Craver)

- A. San Diegans for Justice Ballot Proposal for an Independent Commission on Police Practices
Executive Director Moseley read public comment submitted by Kate Yavenditti. Comment will be posted to the CRB website
 - i. Update – Last week the City Council ended the meet and confer requirement and approved a resolution of intent for Council to place the proposed ballot on the November ballot. The proposed amendment will return to Council on July 7 for the actual vote to place the measure on the November Ballot. This proposal has tremendous support from community groups and the Mayor.
 - ii. Next Steps – The CRB will hold a Special Meeting for a presentation by a speaker to educate the Board on the ballot proposal.

2nd Vice Chair Doug Case moved for the Board to hold a Special Meeting in July prior to its July Open Meeting and dedicate a half hour for Andrea St. Julian to present the proposal to the Board and allow an hour of the meeting for public comment. The Board will consider endorsing the ballot proposal at its July Open Meeting.

1st Vice Chair Brandon Hilpert seconded the motion.

The motion passed with a vote of 13-1-1.

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

Nays: Smith

Abstain: Chair Craver

Members Absent: Fitch

IX. COMMITTEE REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Nancy Vaughn) 2 mins**
 - i. List of Upcoming Educational Topics – Committee Chair Nancy Vaughn reported that she is working on getting a presentation from IA on the Sergeants and Lieutenant’s training at the state level for the Board.

- B. Outreach Committee (Brandon Hilpert) 1 min**
 - i. Summary of Past Events – Will reach out to various groups for recruitment purposes. He presented to a neighborhood group in North Park. There has been an increase in community interest in becoming a member of the CRB.
 - ii. Upcoming Events/Outreach Opportunities – N/A

- C. Rules Committee (Doug Case) 2 mins**
 - i. Status on Items being Considered Committee -The Committee met the 1st week of June and agreed to require redacted case summaries for officer involved shooting cases, in-custody death cases, and Category II audits. The Committee also agreed to use gender neutral terms for individuals in the summaries. The procedure and template was given to the Board in preparation for its July Open Meeting.
 - ii. Next Rules Committee Meeting – July 7th at 9:30 a.m.

- D. CRB Handbook Committee (Doug Case)**
 - i. Distribution of Remaining Resource Handbooks – Some Board members did not receive a handbook. Executive Director Moseley will check the office to see if the handbooks were delivered.
 - ii. Next Steps – The Committee plans to add some items that were in the Red Binder to the CRB’s website.

- E. Policy Committee (Brandon Hilpert) 3 mins**
 - i. Status on Items being Considered Committee – The last Policy Meeting focused on discussion of a policy recommendation for use of force for protests. Met with SDPD regarding their Mobile Force Guide and the SWAT Team to learn about when they use rubber bullets, etc. The Oakland policy is solid and robust. They looked at Madison Wisconsin as well. SDPD is willing to create a stand-alone policy.
 - ii. Next Policy Committee Meeting – Tuesday, July 14th from 4-5pm.

- F. Recruitment & Training Committee (Kevin Herington) 2 mins**
 - i. Update on New Member Appointment -Next Step is Council Confirmation of 2 Members and Assignment to CRB Teams
 - ii. Schedule Recruitment Committee Meeting Re: Applications Received and next steps- The Committee is collecting resumes and applications.

- G. Citizens Advisory Board on Police Community Relations (Chair Joe Craver)
- Update – CRB Cabinet & CAB leadership attended two meeting with the Mayor. At CAB’s last meeting, CAB agreed to meet with SDPD to work through the 30 recommendations they submitted last year.
- H. Nominations Committee (Sheila Holtrop)
- i. Process on Nominations of Candidates for CRB Officer Positions for FY2021 (July 1, 2020-June 30, 2021) – Nominating Committee Chair Sheila Holtrop reported that members of the Committee included herself and members Patrick Anderson and Poppy Fitch. The Committee received feedback from the Board regarding the positions.
 - ii. Overview of CRB Officer Job Responsibilities – Nominating Committee Chair Holtrop provided an overview of the CRB officer job responsibilities for the Chair, 1st Vice Chair, and 2nd Vice Chair of the CRB.
 - iii. Presentation of Nominees for Fiscal Year 2021 CRB Officers

Candidates for CRB Chair – Doug Case and Brandon Hilpert
 Candidate for CRB 1st Vice Chair – Doug Case
 Candidate for CRB 2nd Vice Chair – Poppy Fitch

- X. ELECTION OF CRB OFFICERS FOR FY 2021 (July 1, 2020-June 30, 2021)
 Nominations Committee Chair Sheila Holtrop asked the candidates to present his/her statements. Board member Patrick Anderson read Poppy Fitch’s statement in her absence.

Chair: The nominees were Brandon Hilpert and Doug Case.

Nominees Brandon Hilpert and Doug Case informed the Board of their qualifications for the Chair position. There were no nominees from the floor.
Brandon Hilpert received 11 votes. Doug Case received 4 votes.

“Yes” Votes for Brandon Hilpert: Craver, Daunoras, Dent, Herington, Hilpert, Holtrop, Hsieh, O’Tousa, Smith, Theodore, Workman

“Yes” Votes for Doug Case: Anderson, Case, Clark, Vaughn

Brandon Hilpert was elected as the Chair for the Community Review Board on Police Practices for FY 2021.

1st Vice Chair: The nominee was Doug Case. Doug Case informed the Board that he wanted to continue to serve in a leadership capacity.

There were no nominees from the floor.
Doug Case received a unanimous vote of 15-0-0.

“Yes” Votes for Doug Case: Anderson, Case, Clark, Craver, Daunoras, Dent, Herington, Holtrop, Hsieh, O’Tousa, Smith, Clark, Theodore, Vaughn, Workman

Doug Case was elected as the 1st Vice Chair for the Community Review Board on Police Practices for FY 2021.

2nd Vice Chair: The nominee for 2nd Vice Chair was Poppy Fitch. Member Patrick Anderson addressed the Board on behalf of member Poppy Fitch. Member Greg Daunoras nominated Mary O'Tousa and Diana Dent. Both members declined the nomination.

Poppy Fitch received a unanimous vote of 15-0-0.

“Yes” Votes for Poppy Fitch: Anderson, Case, Clark, Craver, Daunoras, Dent, Herington, Holtrop, Hsieh, O'Tousa, Smith, Clark, Theodore, Vaughn, Workman

Poppy Fitch was elected as the 2nd Vice Chair for the Community Review Board on Police Practices for FY 2021.

- XI. CHAIR'S REPORT (Chair Joe Craver) **1 min**
- A. Reminders-4th Quarter (April 1-June 30) Volunteer Hours Report (**Due Date July 1, 2020**) -All members please make sure that hours are logged in for reporting purposes.
 - B. Board Decorum – CRB members are volunteer city employees so they represent the City. Board decorum is important for the CRB's credibility as a Board. The Board has procedures in place to ensure that everyone is respectful to each other and feel comfortable performing its duties. This extends to the Board's MS Teams meetings and the use of the chat function.
 - C. Other Items/Reminders – No report given.
- XII. EXECUTIVE DIRECTOR'S REPORT (Sharmaine Moseley) **5 mins**
- A. Caseload Update & Status of Case Reports
As of today, 59 cases have been assigned to the Teams. Out of the 59 cases, 20 were completed, 6 of which need revisions. The CRB teams are down to 39 active cases.

The Team summaries are as follows:

Team 1- 7 cases (1 completed and ready for the Board, 1 was assigned prior to COVID, 6 active cases left for review- 5 of the 6 cases which were assigned during COVID and 1 is a Cat II)

Team 2 - 9 cases (4 completed and ready for the Board; 1 of which was assigned during COVID, 1 completed but on hold for revisions, 4 active cases are left for review-all of which were assigned during COVID)

Team 3 – 9 cases (3 completed and ready for the Board; out of the 6 active cases left for review, 1 Cat II was received prior to COVID, 1 Cat II was received during COVID and 4 regular cases received during COVID)

Team 4 – 9 cases (1 completed and ready for the Board, 2 were completed but on hold for revisions, out of the 6 active cases left for review; 1 was received prior to COVID and 5 were received during COVID- 1 of which is a Cat II)

Team 5 – 10 cases (4 were assigned prior to COVID, and 6 were received during COVID, and no completed cases as of today)

Team 6 – 8 cases (3 completed and ready for the Board, 1 of which was received during COVID; Out of the 5 active cases left for review, 1 was received prior to COVID and 4 were received during COVID)

Team 7 – 7 cases (2 completed and ready for the Board, 3 were completed but on hold for revisions, the 2 active cases that are left for review were received during COVID)

- B. Board Member Vacancies/Resignations – It was reported that since the Board's last Open Meeting, there were 2 resignations. Board member Bonnie Kenk resigned and is now volunteering with CLERB and member Alex Hu resigned for personal reasons.

Currently, the Board is down to 16 members and 7 vacancies. The Board has 2 members who were appointed by the Mayor several months ago. They have been trained by the CRB's Recruitment Committee and leadership but are still waiting on confirmation by the City Council.

- C. Other Items/Reminders – The registration for the virtual 2020 NACOLE Conference is now open. The cost is \$275 for 30 plus sessions. Members have to cover the cost of their registration.

XIII. SAN DIEGO POLICE DEPARTMENT REPORT (Captain Mike Holden) **5 mins**

- Updates – Lt. Charles Lara transferred to Northwestern Division. Lt. Corrissa Pich will be working in IA. Met with Team 1 and will work on the Teams' concerns.

XIV. BOARD MEMBER RIDE-ALONG REPORTS – N/A

XV. BOARD MEMBER ANNOUNCEMENTS/COMMENTS – None

XVI. ADJOURNMENT: The meeting adjourned at 8 p.m.

Nominating Committee Selection Criteria

Selection Criteria Used in Past Nominations:

1. Time Commitment: The willingness and availability to fulfill the duties of the office. Duties are often during work hours, as well as after hours.
2. Past attendance at CRB meetings / case review / required CRB training.
3. Leadership history and potential. Past or present Team leadership, committee chair, a professional leadership position or leadership skills exhibited during past CRB Service
4. Opportunity for external focus. Exhibit a willingness and ability to represent the Board to the public, SDPD, and other agencies
5. The ability to work with others using accepted decorum and good judgment. Always treat all others (internal and external individuals) with respect
6. A willingness and potential to serve in a higher office in the future
7. Ability to follow rules and procedures

Section 3: Powers and Duties

The officers of this organization shall fulfill the duties of office while always acting for the good of the entire Board.

A. Chair

The Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board.
2. To serve as Chair for all meetings of the Executive Committee.
3. To serve as a member of the Cabinet.
4. To act as the spokesperson for the Board, to make official statements for the Board, or to delegate this responsibility to another Board Member.
5. To coordinate with the Executive Director on communication between the Board and the Mayor, the San Diego City Council and the Chief of Police.
6. To appoint Chairs and members for all Committees of the Board, except the Nominating Committee.
7. To be ex officio member and ensure effective functioning of all committees of the Board, except the Nominating Committee.
8. To facilitate communication between Case Review Team Leaders.
9. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.
10. To perform such other duties as may be conferred by vote of the Board.

B. First Vice Chair

The First Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board in the absence of the Chair.
2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair.
3. To serve as a member of the Executive Committee.
4. To serve as a member of the Cabinet.
5. To oversee training of new Members with the Recruitment and Training Committee, and to oversee training of the Team Leaders.

6. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.

7. To perform such other duties as may be conferred by vote of the Board or requested by the Chair.

C. Second Vice Chair

The Second Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board in the absence of the Chair and the First Vice Chair.
2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair and First Vice Chair.
3. To serve as a member of the Executive Committee.
4. To serve as a member of the Cabinet.
5. To serve as a member of a Case Review Team.
6. To act as Parliamentarian for the Board.
7. To perform such other duties as may be conferred by vote of the Board or requested by the Chair.

COMMUNITY REVIEW BOARD ON POLICE PRACTICES

BOARD CHAIR JOB DESCRIPTION

1. Communicate regularly with Executive Director
2. Work with Executive Director to determine policies, set agendas, and set direction for CRB
3. Coordinate with the Executive Director on communication between the Board and the Mayor, the San Diego City Council, and the Chief of Police.
4. Review agenda for Board meetings
5. Serve as Chair for all Closed and Open Meetings of the Board
6. Review agenda for Executive Committee meetings
7. Serve as Chair for all meetings of the Executive Committee
8. Serve as a member of the Cabinet
9. Serve as ex officio member and ensure effective functioning of all Committees of the Board, except the Nomination Committee
10. Review and sign letters to complainants and guest speakers
11. Select Standing Committee Chairs and Committee members
12. Serve on Recruitment and Selection Committee interview panel for Prospective Members
13. Serve as Chair of a Temporary Review Team if necessary
14. Appoint Chairs and members for all Committees of the Board, except the Nominating Committee
15. Serve as the spokesperson for the CRB. Make any official statements for the CRB or delegate this responsibility to another Board Member
16. Meet twice per year with the Chief of Police and Executive Assistant Chief of Police along with the Executive Director. Report those meetings to the CRB.

17. Participate in community events, trainings, City meetings and briefings
18. Along with Executive Director & Board's & Commission Director, participate in briefings/meetings with City Council members, as needed, to update them on issues affecting the CRB (may be delegated)
19. Work with the Executive Director to create a semi-annual report to be submitted to the Mayor and City Council concerning its evaluation of citizens' complaints
20. Along with the Executive Director present semi-annual reports to the City Council's PS&LN Committee
21. Along with the Executive Director, present an orientation to all new SDPD officers as part of their post-academy training
22. Attend annual NACOLE conference
23. Attend semi-annual meetings for the former CRB Chairs
24. Along with Executive Director, review Team case reports when reports are placed on the shelf
25. Create (based on board input), oversee and regularly update the CRB workplan
26. Plan an annual board goal setting and team building retreat
27. Meet, along with the Executive Director, with team leaders and the IA Captain to resolve issues arising during case review
28. Debrief, along with the Executive Director, with the IA Captain after each Closed Meeting
29. Refer issues to, via the Executive Director, and consult with the City Attorney or outside counsel, as needed
30. Meet, along with the Executive Director, individually with each CRB team to give and receive feedback on CRB operations (approximately once per year)