

**OPEN SESSION MEETING MINUTES**

**Tuesday, July 28, 2020**

**6 p.m. – 8 p.m.**

**MS Teams Online**

Click <https://www.youtube.com/watch?v=XpWj1fu-qug> to view this meeting on YouTube.

**Members Present:**

Brandon Hilpert, Chair  
Doug Case, 1<sup>st</sup> Vice Chair  
Poppy Fitch, 2<sup>nd</sup> Vice Chair  
Patrick Anderson  
Maxine Clark  
Joe Craver  
Gregory Daunoras  
Diana Dent

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

**Members Absent:** None

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

Sharmaine Moseley, Executive Director

**San Diego Police Department (SDPD) Staff Present:**

Mike Holden, Internal Affairs Captain  
Corissa Pich, Internal Affairs Lieutenant  
Andrea Amado, Internal Affairs Detective

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- I. CALL TO ORDER/WELCOME: Chair Brandon Hilpert called the meeting to order at 6:01 p.m.
  - II. PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES: Chair Brandon Hilpert explained the purpose and responsibilities of the Community Review Board on Police Practices (CRB) to the public.
  - III. ROLL CALL: Executive Director Sharmaine Moseley conducted the roll call.
  - IV. APPROVAL OF MINUTES: CRB Open Meeting Minutes of June 30, 2020

**The Board reviewed the minutes. Board member Patrick Anderson stated that on page 6 of the minutes under the Elections item, it should read the number of votes for “Poppy Fitch” instead of “Doug Case.” Board member Mary O’Tousa moved for the Board to approve its June 30, 2020 meeting minutes with stated correction. Board member Joe Craver seconded the motion.**

**The motion passed with a vote of 14-0-2.**

**Yays: 1<sup>st</sup> Vice Chair Case; Members- Anderson, Clark, Craver, Daunoras, Dent, Herington, Holtrop, Hsieh, O'Tousa, Smith, Theodore, Workman, and Vaughn**

**Nays: None**

**Abstain: Chair Hilpert and 2<sup>nd</sup> Vice Chair Fitch**

**Members Absent: None**

- V. NON-AGENDA PUBLIC COMMENT: Executive Director Sharmaine Moseley read non-agenda public comment received from:

Duke Taylor commented as follows:

<https://youtu.be/i9NppWePa7Q>

The video for Mike Ramos was released on YouTube. I had a few questions for the board to ponder (?) consider (?)

1. Is it San Diego policy to release video of shootings on social media (YouTube)
2. Is it San Diego policy to have police-officer commentary before a video to contextualize what the public is about to see?
3. How would San Diego PD have handled the release of a video similar to this in San Diego, to the extent of your knowledge

<https://www.texastribune.org/2020/07/27/mike-ramos-austin-video/>

- VI. UNFINISHED BUSINESS (DISCUSSION) (Chair Brandon Hilpert)
- A. Status of CRB Closed Meetings –CRB held its first virtual Closed Meeting prior to tonight’s Open Meeting and completed two cases. Due to the backlog in cases, Chair Hilpert suggested that the Board meet twice a week (Tues/Thurs) or just Tuesdays to catch up on the cases that are ready for Board deliberation. 2<sup>nd</sup> Vice Chair Fitch stated concern about officer’s names being redacted from the cases and not knowing who the officers are. She also wants the Board to make sure that complainant’s names are redacted as well if they will continue redacting officer names. Chair Hilpert is scheduled to meet with Captain Holden to discuss the redaction concern. Executive Director Moseley clarified that Board members will receive the officer’s names prior to the Closed meeting. The Board’s preference is to not have redacted case reports. A poll will be sent to the Board in order to schedule extra Closed Session Meetings.
  - B. CRB Case Review in Internal Affairs
    - i. IA Hours & Procedures –IA extended hours for CRB review during the weekends and weekdays. Reminder for the CRB members to call/email Detective Amado to reserve a room.
    - ii. Remote Case Access –IA will be meeting with Riverside’s independent auditor to see how they access cases. Riverside uses a system called Laserphish where Internal Affairs upload all their files

into the system. SDPD's Internal Affairs staff and CRB leadership plan to schedule time with Riverside to view the system.

- VII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)  
A. Amend CRB Bylaws Article IV (Officers), Section 2.B (Succession) and Section 2.A (Election)

**ACTION ITEM:** Motion for the Board to amend CRB Bylaws Article IV (Officers), Section 2.B (Succession) and Section 2.A (Election) to replace "by show of hands" in those sections with "roll call vote."

**Member Joe Craver moved for the Board to amend CRB Bylaws Article IV (Officers), Section 2.B (Succession) and Section 2.A (Election) to replace "by show of hands" in those sections with "roll call vote."**

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

**Yays: 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Fitch; Members- Anderson, Clark, Craver, Daunoras, Dent, Herington, Holtrop, Hsieh, O'Tousa, Smith, Theodore, Workman, and Vaughn**

**Nays: None**

**Abstain: Chair Hilpert**

- B. Amendment to the Administrative Standing Rule on Redacted Case Summaries

**ACTION ITEM:** Motion for the Board to adopt the implementation language to amend its Administrative Standing Rule on Redacted Case Summaries to require CRB Teams to write redacted case summaries for officer-involved shooting, in-custody death, and Category II cases.

**1<sup>st</sup> Vice Chair Doug Case moved for the Board to adopt the implementation language to amend its Administrative Standing Rule on Redacted Case Summaries to require CRB Teams to write redacted case summaries for officer-involved shooting, in-custody death, and Category II cases.**

**Member Joe Craver seconded the motion.**

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

**Yays: 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Fitch; Members- Anderson, Clark, Craver, Daunoras, Dent, Herington, Holtrop, Hsieh, O'Tousa, Smith, Theodore, Workman, and Vaughn**

**Nays: None**

**Abstain: Chair Hilpert**

C. Amendment to the Redacted Case Summary Elements

**ACTION ITEM:** Motion for the Board to adopt the revisions to the Redacted Case Summary Elements to require CRB Teams to avoid using gender neutral terms in its redacted case summaries. Chair Hilpert suggested a friendly amendment to change “neutral” to “specific”.

**1<sup>st</sup> Vice Chair Doug Case moved for the Board to adopt the revisions with the friendly amendment to the Redacted Case Summary Elements to require CRB Teams to avoid using gender specific terms in its redacted case summaries.**

**A second motion is not required since the item came from the Rules Committee.**

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

**Yays: 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Fitch; Members- Anderson, Clark, Craver, Daunoras, Dent, Herington, Holtrop, Hsieh, O’Tousa, Smith, Theodore, Workman, and Vaughn**

**Nays: None**

**Abstain: Chair Hilpert**

D. Consideration of a CRB Position on the Proposed Charter Amendment to Establish an independent Commission on Police Practices – The Board discussed this item decided to not take a position on this item.

**ACTION ITEM:** Motion for the Board to consider taking a position on the proposed charter amendment to establish an independent Commission on Police Practices

**Member Joe Craver moved for the Board to remain neutral on the proposed charter amendment to establish an independent Commission on Police Practices**

**Member Mary O’Tousa seconded the motion.**

**The motion passed with a vote of 11-4-1.**

**Yays: Members- Clark, Craver, Daunoras, Dent, Herington, Hsieh, O’Tousa, Smith, Theodore, Workman, and Vaughn**

**Nays: 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Fitch; Members – Anderson, Holtrop**

**Abstain: Chair Hilpert**

- E. Creation of an Ad Hoc Committee for Transitioning to the Independent Commission on Police Practices to plan for the possibility that the proposed charter amendment measure is enacted

**ACTION ITEM:** Motion for the Board to create an Ad Hoc Committee for Transitioning to the Independent Commission on Police Practices

**Member Mary O'Tousa moved for the Board to create an Ad Hoc Committee for Transitioning to the Independent Commission on Police Practices**

**Member Joe Craver seconded the motion.**

**The motion passed with a vote of 13-2-1**

**Yays: 1<sup>st</sup> Vice Chair Case, 2<sup>nd</sup> Vice Chair Fitch; Members- Anderson, Craver, Dent, Herington, Holtrop, Hsieh, O'Tousa, Smith, Theodore, Workman, and Vaughn**

**Nay: Members – Clark and Daunoras**

**Abstain: Chair Hilpert**

VIII. COMMITTEE REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Nancy Vaughn)  
i. List of Upcoming Educational Topics – Committee Chair Nancy Vaughn reported she will be sharing the highlights of NACOLE's presentations in the CRB Open Meeting in September.
- B. Outreach Committee (Brandon Hilpert)  
i. Summary of Past Events – N/A  
ii. Upcoming Events/Outreach Opportunities – N/A
- C. Rules Committee (Doug Case)  
i. Status on Items being Considered Committee – Committee Chair Doug Case reported the committee did not meet this month.  
ii. Next Rules Committee Meeting – No items considered at this time.
- D. CRB Handbook Committee (Doug Case)  
i. Committee Chair Doug Case reported he wants to place the CRB handbook on the CRB's website so new board members may have an electronic copy of it. He will schedule a meeting of the committee.
- E. Policy Committee (Brandon Hilpert)  
i. Status on Items being Considered Committee – Chair Brandon Hilpert reported the committee and SDPD are working on a protest stand-alone policy. Once it is formalized, the committee will bring it to the board to be discussed.
- F. Recruitment & Training Committee (Kevin Herington)

- i. Update on New Member Appointment Committee Chair Herington reported six people have been interviewed, and background checks are being processed. The next step is for the City Council to confirm the 2 newly appointed members and assign them to CRB Teams.
  - G. Citizens Advisory Board on Police Community Relations (Chair Brandon Hilpert)
    - Update – CAB did not meet this month.
- IX. CHAIR’S REPORT (Chair Brandon Hilpert)
  - A. Reminders-1<sup>st</sup> Quarter (July 1<sup>st</sup>-September 30<sup>th</sup>) Volunteer Hours Report - All members please make sure that hours are logged in for reporting purposes.
  - B. Other Items/Reminders – Reminder for members to be mindful of weird wall art, shirts, etc. when participating in these virtual meetings because the community can see it.
- X. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
  - A. Caseload Update & Status of Case Reports
 

It was reported that as of today, 68 cases have been assigned to the Teams. Out of the 68 cases, 28 were completed by the Teams and 3 of the 28 cases were deliberated by the Board at our Closed Meeting earlier tonight. The CRB teams now have 25 cases ready for Board deliberation.

The Team summaries are as follows:

Team 1- 9 cases (2 completed and ready for the Board, 7 cases left for review and 6 cases were assigned during COVID)

Team 2 - 11 cases (7 completed and ready for the Board; 4 active cases are left for review-all of which were assigned during COVID)

Team 3 – 11 cases (3 completed and ready for the Board; out of the 6 active cases left for review, one Cat II was received prior to COVID, one Cat II was received during COVID and 4 regular cases received during COVID)

Team 4 – 9 cases (3 completed and ready for the Board. The 6 remaining cases were reassigned to Team 7 and Team 4 has been temporarily dissolved. The team members were moved to Team 7)

Team 5 – 10 cases (4 were assigned prior to COVID, and 6 were received during COVID). This Team has been dissolved and is currently inactive. 9 of the 10 cases will be reassigned to the other active Teams.

Team 6 – 10 cases (5 completed and ready for the Board, 2 of which were deliberated on by the Board at our earlier Closed Meeting). Team 6 has 5 cases left, all of which were assigned during COVID.

Team 7 – 14 cases (8 completed and ready for the Board one of which was heard by the Board earlier tonight. The 6 cases left for Team 7 were the cases that were reassigned from Team 4).

In conclusion, the Board had 68 total active cases, 3 were deliberated and closed by the Board earlier tonight. After tonight, the Teams have 25 completed cases ready for the Board and are working on 40 active cases.

- B. Board Member Vacancies/Resignations – 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. Reappointments, appointments and confirmations will possibly take place in September.
- C. Other Items/Reminders – The registration for the virtual 2020 NACOLE Conference is now open. The cost is \$275 for 30 plus sessions and \$30 for each individual session. Members have to cover the cost of their registration. The sessions are an 1-1.5 hours long. If you miss a live session you can still watch it at a later time.

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

- Updates – The IA operation manual has been updated per CRBs recommendation regarding subject officers having access to other officer’s videos prior to being interviewed. It is posted online and available to the CRB in IA.

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

XIII. BOARD MEMBER ANNOUNCEMENTS/COMMENTS - None

XIV. ADJOURNMENT: The meeting adjourned at 8:08 p.m.