

OPEN SESSION MEETING MINUTES

Tuesday, October 27, 2020

6 p.m. – 8 p.m.

MS Teams Online

Click <https://www.youtube.com/watch?v=Pp73fyRhvS0> to view this meeting on YouTube.

Members Present:

Brandon Hilpert, Chair
Doug Case, 1st Vice Chair
Poppy Fitch, 2nd Vice Chair
Patrick Anderson
Maxine Clark
Joe Craver
Gregory Daunoras
Kevin Herington

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

Members Absent:

Diana Dent

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, 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 6:00 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:**
 - A. **CRB Open Meeting Minutes of September 22, 2020**

The Board reviewed the minutes. Board member Joe Craver moved for the Board to approve its September 22, 2020 Open Meeting minutes. Board member Nancy Vaughn seconded the motion.

The motion passed with a vote of 14-0-1.

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

Nays: None

Abstain: Chair Hilpert

Members Absent: Diana Dent

V. NON-AGENDA PUBLIC COMMENT: None

VI. **EDUCATIONAL TOPIC: “How San Diego Police Department’s Internal Affairs Sergeants are Trained to Conduct Internal Investigations”**

Presenter: SDPD Internal Affairs Lieutenant Steven Shebloski

Lt. Shebloski stated that IA Sergeants have at least one year in investigating Category II cases at the command level. They use a 10-page document that have sample investigations and the equivalent of a training officer to help guide them through the process. The Sergeants work with their peer group and Lieutenants on the investigations. This is the process IA use when selecting and training their investigative Sergeants.

The Sergeants attend a 40 hour Internal Affairs POST school. They receive city EEO training and other types of training. IA would work with CRB in participating in a training together like the training on Internal Affairs Updates. The Sergeants interview training has been picked up on the job. It is not formalized.

VII. UNFINISHED BUSINESS (DISCUSSION) (Chair Brandon Hilpert)

A. CRB Closed Meetings (November Dates and Times)- The Board will meet in Closed Session for case review on November 10, 17, and 24. The Board will not meet on November 3rd due to Election Day.

B. CRB Case Review in Internal Affairs

- i. Feedback on Prioritization of Case Reviews, Work Flow, Staffing- Teams are prioritizing cases with sustained cases and cases that are nearing the one-year mark first. The Teams are receiving a lot more completed cases from IA in comparison to this time last year, so the Cabinet will work with the Teams if any issues arise.
- ii. Redacted Case Reports -Remind teams to work on the redacted case summaries for the website and annual report. Each Team will have their own USB drive. The drive will have a folder with IA report, CRB Report, Vote Count, and redacted case summary.

- iii. Remote Case Access – This will item will change after the election and Measure B. The tool we might use is called Laserfisch. The product will solve most of the CRB’s needs to work remotely.
- C. CRB Fiscal Year 2021 (July 1, 2020 – June 30, 2021) Work Plan
 - i. Input for Draft Fiscal Year 2021 Work Plan
 - Change header to FY 2021
 - Page 1: Various Members & ED attended and mark as “completed”
 - Page 2: CRB Retreat Date (January/February 2021)
 - Page 2: Remove the line for Community Leadership Summit
 - Page 3: Add to Rules Committee -Draft finding letter to complainants whose complaints were categorized as a Cat II
 - Page 4: Patrick completed 1st stage research. Committee Chair will reach out to the Committee to see who will further the research.
 - Page 4: Remove 5th Item regarding the tolling of cases
 - Page 5: Item 4 “Recruit volunteer” is completed. The rest is pending.
 - Page 7: Add Pretext Stops, NACOLE 13 Principles on Civilian Oversight, Principles of Good Investigations, Refresher on the Brown Act, California AB 392, SB 1421

ACTION ITEM: Board member Joe Craver moved for the Board to approve its Fiscal Year 2021 Work Plan. Board member Greg Daunoras seconded the motion.

The motion passed with a vote of 14-0-1.

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

Nays: None

Abstain: Chair Hilpert

Members Absent: Diana Dent

VIII. NEW BUSINESS (DISCUSSION/ACTION) (Chair Brandon Hilpert)

- A. Discussion & Review of Proposed Memo to Council President Gomez Re: Urgent Request for CRB Member Confirmations

ACTION ITEM: Board member Nancy Vaughn moved for the Board to approve the proposed memo to Council President Georgette Gomez with noted revisions. Board member Joe Craver seconded the motion.

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

Yays: 1st Vice Chair Case, 2nd Vice Chair Fitch, Members- Clark, Craver, Daunoras, Herington, Holtrop, Hsieh, O’Tousa, Smith, Theodore, Workman, and Vaughn

Nays: None

Abstain: Chair Hilpert

Members Absent: Patrick Anderson and Diana Dent

B. Discussion & Review of Proposed Memo to Council Member Monica Montgomery Steppe Re: CRB Transition to New Commission

ACTION ITEM: Board member Mary O'Tousa moved for the Board to approve the proposed memo to Council Member Monica Montgomery Steppe with noted revisions. Board member Joe Craver seconded the motion.

The motion passed with a vote of 14-0-1.

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

Nays: None

Abstain: Chair Hilpert

Members Absent: Diana Dent

IX. COMMITTEE CHAIR REPORTS (DISCUSSION/ACTION)

- A. Continuing Education Committee (Nancy Vaughn)
 - i. List of Upcoming Educational Topics – Pretext Stops and AB 392

- B. Outreach Committee (Patrick Anderson)
 - i. Past Events/Virtual Meetings – No report given
 - ii. Upcoming Events/Outreach Opportunities – The Outreach Committee is waiting to see what happens next week with Measure B.
 - iii. Updates – The Committee plans to involve community groups. Committee Chair Anderson developed a list of local groups. He encouraged everyone to email him if they want a group added to the list.

- C. Rules Committee (Doug Case)
 - i. Update – The Rules Committee will not meet until after the elections. The Committee needs to develop interim policies for the Board to operate.

- D. CRB Handbook Committee (Doug Case)
 - i. Update – The item was discussed previously under the Work Plan item.

- E. Policy Committee (Joe Craver)
 - i. Status on Items being Considered Committee – This item was discussed previously in under the Work Plan item.
 - ii. Schedule Next Policy Committee Meeting – A meeting will be scheduled after the Committee has a draft recommendation for the Protest Policy.

- F. Recruitment & Training Committee (Kevin Herington)
 - i. Update on New Member Appointment – 7 Candidates
 - Background Checks
 - Phase Trainings
 - Appointments & Confirmations

- G. Citizens Advisory Board on Police Community Relations (Chair Brandon Hilpert)
 - Update – Committee Chair Hilpert provided the Board with a brief summary of CAB’s meeting that took place on October 26, 2020.

- H. Transition Planning Committee (Doug Case)
 - i. Update – The Ad Hoc Committee is working on what needs to be included in the interim and permanent implementation ordinance. The Committee meets every Friday morning and have invited special guests.

- X. CHAIR’S REPORT (Chair Brandon Hilpert)
 - A. Reminder-1st Quarter (July 1st – September 30th) Volunteer Hours Report – All members were reminded to please make sure that hours are logged into the system for reporting purposes.
 - B. Other Items/Reminders – Chair Hilpert reported that he tries to send out emails to the Board with updates on Board events/issues.

- XI. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)
 - A. Caseload Update & Status of Case Reports – It was reported that as of today, 60 cases have been assigned to the Teams. Out of the 60 cases, 15 were completed by the Teams and 4 of the 15 cases were on tonight’s Closed Meeting agenda with 4 cases heard and closed by the Board. The CRB teams now have 11 cases ready for Board deliberation. In this fiscal year 54 cases were closed by the Board. That number has more than tripled in comparison to the 15 cases the Board closed out last fiscal year in the same time period.

The statistics for the Team assignments are as follows:

Team 1- 14 cases assigned to the Team (2 were completed and ready for the Board; 12 cases are left for review- 3 are Cat II cases, 3 have sustained findings, 2 are OIS cases, all 12 cases were assigned during COVID, and 2 were reassigned from Team 5)

Team 2 – 14 cases assigned to the Team (5 cases were completed and ready for the Board- one case was on the Closed Meeting agenda), 9 active cases are left for review-one of which was assigned pre-COVID, 3 are Cat II cases, 2 are OIS cases, 3 cases have sustained findings & 2 were reassigned from Team 5). One of the active cases is a case that was previously heard by the Board and not closed out yet due to needed revisions.

Team 3 – 10 cases assigned to the Team (2 cases were completed and ready for the Board- 2 of which were on tonight's Closed meeting agenda. The Team has 8 active cases left for review -all of which were assigned during COVID, 1 was reassigned from Team 5, 3 are Cat II cases, and 3 have sustained findings). Team 3 has no OIS/ICD cases.

Team 4 – Team 4 has been temporarily dissolved until we get new members. Team 4 still has one case that was deliberated on by the Board and taken back by Chair Hilpert to request an additional finding. The Sergeant is still working on this.

Team 5 – Team 5 is inactive.

Team 6 – 12 cases assigned to the Team (3 were completed and ready for the Board, 1 of which was on tonight's Closed Meeting agenda). Team 6 has 9 active cases left for review, all of which were assigned during COVID, 1 case was reassigned from Team 5, 1 Category II case, 1 OIS case, and 3 cases with sustained findings.

Team 7 – 9 cases assigned to the Team (4 were completed and ready for the Board- one of which was previously heard by the Board and needs revisions). Team 7 has 3 cases left for review.

- B. Annual Report – In preparation for the drafting of the Annual Report, it was reported that the review of case report data in the spreadsheet has begun. Once complete, the next step is to collaborate with the city's Performance & Analytics Department to go live in the Open Data Portal (which is item C). Chairs of each Committee in fiscal year 2020 were asked to provide their sections for the Annual Report.
- C. Open Data Portal for Fiscal Year 2020 – This update was given in item B.
- D. Other Items/Reminders: None

XII. SAN DIEGO POLICE DEPARTMENT REPORT (EA Chief Al Guaderrama)

Updates

- Attended meeting of major city chiefs in New Orleans with Chief Nisleit- Cities are dealing with the same issues regarding protests and civil unrests
- Five protests are scheduled for the day after the election

- Protest policy is being reviewed by legal. Want to incorporate some of Governor Newsome's recent recommendations
- Scheduled to meet with CRB Chair Hilpert on Thursday regarding making the case reports available to Board prior to the meeting
- SDPD has 50 recruits started the academy- beginning to get laterals
- Upcoming promotions of detectives, sergeants, and lieutenants

XIII. BOARD MEMBER RIDE-ALONG REPORTS: On hold due to COVID

XIV. BOARD MEMBER ANNOUNCEMENTS/COMMENTS: None

XV. ADJOURNMENT: The meeting adjourned at 7:49 p.m.