

Community Review Board on Police Practices

Rules Committee Online Teleconference Meeting

Tuesday, June 2, 2020
9:30 a.m. – 10:30 a.m.

Agenda

This meeting will be available live and online on YouTube. Click [here](#) to view this meeting at its scheduled time.

- I. Welcome/Call to Order
- II. Roll Call
- III. Approval of the Minutes from the May 5, 2020 Rules Committee Meeting
- IV. Public Comment
- V. Old Business (**Discussion/Action Item**)
 - 1) Amendments to the Administrative Standing Rule on Redacted Case Summaries
 - A. Use of gender neutral terms in redacted case summaries
 - B. Implementation language for CRB procedure to write short redacted case summaries for Category II audits
- VI. New Business (**Discussion/Action Item**)
 - 1) Consider amending the CRB Administrative Standing Rule on Redacted Case Summaries to require CRB teams to write redacted case summaries for officer-involved shooting cases and in-custody death cases
 - 2) Delete “by show of hands” in CRB Bylaws Article IV (Officers), Section 2.B (Succession) and Section 2.A (Election)

VII. Date of Next Meeting

VIII. Adjourn

Materials Provided:

- Draft 5.5.20 Rules Committee Meeting Minutes
- CRB Bylaws Article IV, Sections 2.A & 2.B
- Administrative Standing Rule on Redacted Case Summaries (Revised)
- Redacted Case Summary Elements (Revised)

Comment on Agenda Items must be submitted using [webform](#), checking the appropriate comment type box, and indicating the agenda item number they wish to submit their comment for. Instructions for word limitations and deadlines are noted on the [webform](#). On the [webform](#), members of the public should select Community Review Board on Police Practices (even if the public comment is for a Community Review Board on Police Practices Committee meeting). Only comments submitted no later than 4:00 p.m. the day prior to the meeting using the public comment form will be eligible to be read into the record. If you submit more than one form per item, only one will be read into the record for that item. **Comments received after 4:00 p.m. the day prior and before 8:00 a.m. the day of the meeting** will be provided to the Board and posted online with the meeting materials. All comments are limited to 200 words. Comments received after 8:00 a.m. the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

Non-Agenda Public Comment must be submitted using [webform](#) and checking the appropriate comment type box in order to be eligible to be read into the record. The City staff will read the first 30 comments received by 4:00 p.m. the day before the meeting. However, if there are less than 30 comments submitted by 4:00 p.m. the day before the hearing, the City will read comments submitted by 8:00 a.m. on the day of the meeting up to a total of 30 comments. The maximum number of comments to be read into the record on a single issue will be 16. Comments submitted by 8:00 a.m. the day of the meeting will be provided to the Board or Commission, made a part of the record, and posted with the meeting materials. All comments are limited to 200 words. Comments received after 8:00 a.m. the day of the meeting but before Non-agenda comment is called will be submitted into the written record for the meeting.

If you attach any documents to your comment, it will be distributed to the Board in accordance with the deadlines described above.

Community Review Board on Police Practices

Rules Committee Meeting Minutes

Tuesday, May 5, 2020

9:30 a.m.

Microsoft Teams Online Teleconference

This meeting is available online on YouTube. Click [here](#) to view this meeting.

Committee Members Present: Committee Chair Doug Case, Committee Members: Chair Joe Craver (arrival at 9:39), Diana Dent, Nancy Vaughn, Marty Workman (arrival at 9:41), Executive Director Sharmaine Moseley

Board Members Present: 1st Vice Chair Brandon Hilpert

Internal Affairs Staff Present: Captain Mike Holden, Lieutenant Charles Lara

- I. Welcome/Call to Order: Committee Chair Doug Case called the meeting to order at 9:35 a.m.
- II. Public Comment: None
- III. Approval of the Minutes from the January 16, 2020 Rules Committee Meeting
Chair Joe Craver moved to approve the January 16, 2020 Rules Committee Meeting Minutes with the corrections that were recommended by Nancy Vaughn and made by Executive Director Moseley. The motion was seconded by Nancy Vaughn. The motion passed with a vote of 5-0-0.

Yays: Committee Chair Doug Case, Chair Joe Craver, Diana Dent, Nancy Vaughn, and Marty Workman

Nays: None

Abstentions: None

Absent: None

- IV. New Business (Discussion/Action Item)

- 1) Consider drafting case summaries for Category II cases

Committee Chair Doug Case provided the background for this item. Several months ago, the Board approved a new process to draft case

summaries for Category II cases. These case summaries will be included in the CRB's semi-annual reports and made available to the public. The question was raised if the Teams should draft case summaries for Category II cases. This was not the intent of the process that was previously approved by the Board so that is why this item is on the agenda for discussion.

The Committee members want to make sure that the summaries are short. They do not want an increased amount of time especially now since there is a backlog of active cases for the Teams to review. A template would need to be created to separate the Category I cases and the Category II case audits. Greater transparency will be provided to the public if case summaries are done for the Category II case audits.

Chair Joe Craver moved for the Committee to keep the summaries short and for the Committee to proceed with drafting the implementation language for the case summary of Category II audits. The motion passed with a vote of 5-0-0.

Yays: Committee Chair Doug Case, Joe Craver, Diana Dent, Nancy Vaughn, and Marty Workman

Nays: None

Abstentions: None

Absent: None

2) Consider using gender neutral terms in case summaries

Committee Chair Doug Case explained that according to the CRB's Administrative Rules for case summaries, the Teams refer to individuals by titles and letters such as Mr. A and Ms. B. This is used to identify complainant's and witnesses and to keep their identities anonymous.

Nancy Vaughn stated that she was not in favor of this item because it is easy for the Teams to substitute A, B, and C now. The rest of the committee members expressed the need to keep the summaries short and simple especially because the Teams have a backlog of cases to review due to the pandemic.

Committee Chair Doug Case and Executive Director Sharmaine Moseley agreed to see how CLERB writes their case summaries to protect the identity of individuals and officers. This item was tabled.

- V. Date of Next Meeting: The Committee will schedule its next Microsoft Teams meeting for Tuesday, June 2nd at 9:30 a.m.
- VI. Adjourn: The meeting adjourned at 10:05 a.m.

DRAFT

Article IV: Officers

Section 1: Officers of the Board

The officers of this organization shall be Chair, First Vice Chair, and Second Vice Chair. These elected officers shall be referred to collectively as the Cabinet.

All officers shall be members of the Board. The term of office is one year, coinciding with the start of the City's fiscal year on July 1 through the end of the fiscal year on June 30 of the following calendar year. No individual shall hold more than one office at any time. An individual may serve no more than two consecutive terms in the same office and becomes eligible again to serve in that office after a period of two years.

Section 2: Election and Succession

A. Election

Officers are elected at the last scheduled Open Meeting of the fiscal year to serve during the following fiscal year. If the last scheduled Open Meeting of a fiscal year is not held, officers shall continue to serve until their successors are elected and assume office.

The Nominating Committee (as described in Art. VI, section 3. A., of these Bylaws) will present at least one nomination for each office. Prior to the vote for each office, additional nominations will be taken from the floor. Officers will be elected individually in order of precedence, starting with the Chair. Voting shall be by show of hands.

Officers must receive a majority vote of the Board. If no candidate receives a majority, then a runoff will be held between the candidates with the two highest numbers of votes.

B. Succession

If the office of Chair becomes vacant, the First Vice Chair becomes Chair for the unexpired term. If the office of First Vice Chair becomes vacant, the Second Vice Chair becomes First Vice Chair for the unexpired term. If the office of Second Vice Chair becomes vacant, an election, with nominations taken from the floor, will be held at the next Open Meeting of the Board to fill the office for the remainder of the unexpired term.

If the offices of Chair, First Vice Chair and Second Vice Chair all become vacant at the same time, the Mayor will appoint a Board Member to serve as Acting Chair for a period of two months, during which time elections will be held to fill the vacancies for the unexpired term. Such elections will take nominations from the floor and elect officers individually in order of precedence **by show of hands**. Notice of such elections shall be given one month ahead of the election date.

Administrative Standing Rule on Redacted Case Summaries

1. Redacted case summaries shall be prepared for all Category 1, Category 2, In-Custody Death, and Officer-Involved Shooting cases considered by the Board.
2. After the Board has taken final action on a team's report, the team shall draft a redacted case summary for the case. Refer to the attached Redacted Case Summary Elements. Every effort should be made to complete this within two weeks of the Board's vote.
3. The team will submit the draft to the Executive Director. The Executive Director and Chair will review the draft for accuracy, clarity, brevity and compliance with the Redacted Case Summary Elements and applicable legal restrictions. The Executive Director, in consultation with the Chair may make edits as necessary.
4. After the Executive Director and Chair review the report, it will be distributed to the Internal Affairs Captain and Outside Counsel to give them to opportunity to review the report.
5. A compilation of redacted case studies will be submitted to the City Council's Public Safety and Livable Neighborhoods Committee as an appendix to each semi-annual report from the CRB.
6. The semi-annual compilation of case summaries will be posted on the CRB website.

COMMUNITY REVIEW BOARD
REDACTED CASE SUMMARY ELEMENTS

RULE #1: NO NAMES

Use Officer A, Officer B, the Complainant, etc.; use Driver, Passenger A, Passenger B, etc. Avoid using gender-specific terms (such as Mr. A, Ms. B, wife, son, etc.).

HEADER

Case number (YYYY-XXXX)

Type of case (Category 1 Category 2, In-Custody Death, Officer Involved Shooting)

Disclaimer (from CLERB):

In accordance with CA PC 832.7, this notification shall not be conclusive or binding or admissible as evidence in any separate or subsequent action or proceeding brought before an arbitrator, court or judge in California or the United States.

INCIDENT DESCRIPTION

Date (Quarter, Year)

Time of day (during daylight; after dark)

Number of officers, officers' SDPD division(s)

Chronology of events

Outcome (release with citation/promise to appear; arrest; 5150 hold; transfer to medical facility)

ALLEGATION(S) IN CATEGORY 1 CASES

Complainant statement (brief) for each allegation

Other findings as determined by Internal Affairs

IA finding on each allegation with the rationale (if the finding was changed as a result of consultation with the team, include only the revised finding)

OFFICER-INVOLVED SHOOTINGS AND IN-CUSTODY DEATH CASES

IA finding on whether the actions of the officers was within policy, with the rationale for the determination

CATEGORY 2 AUDITS

Indicate whether the audit team determined that the case was properly categorized as Category 2, was investigated thoroughly, accurately reflected the concerns of the complainant, was fully documented and contained appropriate findings based on the evidence. For sustained findings indicate the discipline imposed and whether it is within the Discipline Matrix and appears to be appropriate for the offense.

CRB TEAM REVIEW

Number of hours spent in IA from Green Sheets

List of items reviewed

Any changes made by IA during the CRB review process

FINAL CRB DISPOSITION

Date(s) when case was considered by the board (or number of Closed Meetings)

For Category 1 cases, state board finding on each allegation, along with comments. (Comments are required for any allegations where there is a disagreement with IA to explain the Board's rationale.)

For In-Custody Death and Officer-Involved Shooting cases, state whether the board determined that the actions of the officers were within policy

For Category 2 audits, indicate if any board action was taken (such as authorizing a full review of the case.

Result of actual Board vote: X to Y (per allegation if question is divided)

If a motion to forward for review to the Mayor's office or other law enforcement oversight agency was made, the result of vote (X to Y). If a motion to refer to the Mayor is passed, the summary should be amended to include the outcome of the Mayor's review when completed.