

## Community Review Board on Police Practices

### Rules Committee Online Teleconference Meeting

**Tuesday, May 5, 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 January 16, 2020 Rules Committee Meeting
- IV. Public Comment
- V. New Business (**Discussion/Action Item**)
  - 1) Consider drafting case summaries for Category II cases
  - 2) Consider using gender neutral terms in case summaries
- VI. Date of Next Meeting
- VII. Adjourn

#### Materials Provided:

- Draft 1.19.20 Rules Committee Meeting Minutes

**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**

**Thursday, January 16, 2020**

**9:30 a.m.**

**Mission Valley Branch Library**

**2123 Fenton Parkway**

**San Diego, CA 92108**

Present: Committee Chair Doug Case, Committee Members: Chair Joe Craver, Diana Dent, Nancy Vaughn, Marty Workman

Staff Present: Executive Director Sharmaine Moseley and Director of Boards and Commissions Joel Day

- I. Welcome/Call to Order: Committee Chair Doug Case called the meeting to order at 9:30 a.m.
- II. Approval of the Minutes from the September 19, 2019 Rules Committee Meeting - **Nancy Vaughn moved to approve the September 19, 2019 Rules Committee Meeting Minutes. The motion was seconded by Joe Craver. 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: Chair Joe Craver**

III. Public Comment: None

IV. New Business (Discussion/Action Item)

- 1) Revision to CRB Bylaws Article IV, Sections 3A, 3B, & 3C - Powers & Duties of 1<sup>st</sup> Vice Chair & 2<sup>nd</sup> Vice Chair in the absence of the Chair for the Executive Committee Meetings

Committee Chair Doug Case explained that in the CRB Bylaws the Board inadvertently left out language that would allow the 1<sup>st</sup> Vice Chair or 2<sup>nd</sup> Vice Chair to chair the Executive Committee Meetings in the absence of the Chair. The Committee agreed to add after the phrase "to serve as a

member of the Executive Committee” “... to chair the Executive Committee in the absence of the Chair.”

**Nancy Vaughn moved for the Committee to add to Article IV for the duties of the 1<sup>st</sup> and 2<sup>nd</sup> Vice Chair “...to chair the Executive Committee Meeting in the absence of the Chair.” 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) **Format for Category II Audit Reports**  
 Committee Chair Case explained that at the last meeting, Team 1 completed a Category II audit. At that time, the Team proposed that a format for the Category II audits be considered by the Board. A template of 6 questions was created for the Teams to use when conducting the audits. The below chart is what will be added to the template.

Does the investigation accurately reflect the concerns of the complainant?	Yes/No
Are the allegation(s) properly categorized as a Category II?	Yes/No
Was the investigation thorough and complete?	Yes/No
Was the information in the investigation report properly documented?	Yes/No
Are the findings appropriate based on the evidence?	Yes/No
Is the discipline imposed for any sustained findings within the Discipline Matrix and is it appropriate for the offense?	Yes/No

Committee Chair Case suggested adding a comment section for the Teams to explain a “no” response.

**Chair Joe Craver moved for the Team to add the chart and comment section to the template and make it a part of the Operational Standing Rule to be forwarded to the Board for approval. Nancy Vaughn seconded the motion. 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**

3) **Criteria for Background Checks**

Committee Chair Doug Case explained that recently interviewed 6 candidates for the CRB. The 6 candidates were forwarded to SDPD for a background check. Committee Chair Case stated that if SDPD determines whether a candidate passes the background check then that is problematic for the CRB. SDPD should not have veto power on who gets on the CRB. It should be the Mayor's decision.

Director of Office of Boards and Commissions Joel Day confirmed that SDPD conducts the background check for the candidates and the Mayor makes the decision on who will be on the Board based on what the background check uncovered. It is the Mayor's appointments. The Mayor can still appoint someone even if something unfavorable is uncovered in a candidate's background check. Director Joel Day stated that background checks are no longer being done for all other Boards and Commissions except for the CRB. The CRB candidates still undergo background checks because they must access secured data in a secured facility. The Mayor's Office receives backup information as to why someone did not pass background. Committee Chair Case stated that the determination to decide whether a person passes or fails should be done by the Mayor.

Director Joel Day confirmed that credit checks are not done on CRB candidates by SDPD. The scope of a background check includes felony checks, misdemeanor checks, Megan's Law, social media, and litigation with the City. The Mayor's Office does not comment on why someone fails and only comments on the merits on someone passes. Decisions are made on a case-by-case basis.

Committee Chair Doug Case stated that it is good to know that SDPD is not making the final decision.

V. **Date of Next Meeting:** The Committee will not schedule a meeting until an item agenda comes up.

VI. **Adjourn:** The meeting adjourned at 10:10 a.m.

DRAFT