

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 Office of Boards and Commissions Director 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 1st Vice Chair & 2nd 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 1st Vice Chair or 2nd 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 1st and 2nd 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 confidential 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.