

CITY OF SAN DIEGO

COMMUNITY REVIEW BOARD

ON POLICE PRACTICES

BYLAWS

Effective Date: September 25, 2018

**Approved By: Community Review Board on Police Practices
on September 25, 2018 and Revised on February 25, 2020**

Bylaws
City of San Diego
Community Review Board on Police Practices

Article I: Name and Authority

Section 1: Name

The name of this Board is the City of San Diego Community Review Board on Police Practices, herein referred to as “the Board”. The full name is as stated in Measure G, approved by the voters in November 2016. The Community Review Board on Police Practices is also known by the acronym “CRB”.

Section 2: Authority

The Board operates in accordance with the following documents, listed in hierarchical order:

United States Constitution

California Constitution

California Statutes and Codes, including but not limited to the Government Code (Ralph M. Brown Act, Section 54950 et seq.; and Public Safety Officers Procedural Bill of Rights, Sections 3300-3311, Chapter 9.7, Division 4, Title 1), Penal Code (PC), Health and Safety Code, and Vehicle Code (VC)

San Diego City Charter, including Article V, Section 43(d) which states:

(d) **Community Review Board on Police Practices.** Notwithstanding any other provision of this Charter, the Mayor and City Council shall have the exclusive authority to create and establish a community review board on police practices to review and evaluate citizens' complaints against members of the San Diego Police Department and the San Diego Police Department's administration of discipline arising from such complaints. The Mayor and City Council shall establish such rules and regulations as may be necessary for this board to carry out its functions; provided, however, that such rules and regulations shall be consistent with the laws of the State of California concerning citizens' complaints against peace officers. Nothing in such rules and regulations shall interfere with the board's authority to independently refer a completed citizen complaint investigation to the grand jury, district attorney, or any other governmental agency authorized by law to investigate the activities of a law enforcement agency. The board shall review all deaths occurring while a person is in the custody of the San Diego Police Department and all police officer-related shootings. The board shall submit semiannual reports to the Mayor and City Council concerning its evaluation of the San Diego Police Department's investigation of citizens' complaints; provided, however, that such reports shall not disclose any information required to be kept confidential by law.

San Diego Municipal Code

CRB Standard Operating Procedures (“rules and regulations” referenced in the charter)

San Diego City Council Policies

City of San Diego Administrative Regulations

Memorandum of Understanding (MOU) between City of San Diego and San Diego Police Officers Association

CRB Bylaws

CRB Special Rules of Order

CRB Operational Standing Rules

CRB Administrative Standing Rules

Robert's Rules of Order, Newly Revised

National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics (Attached hereto as Exhibit A)

Parliamentary procedures of this Board will be in accordance with these Bylaws and any Special Rules of Order adopted by the Board. The default parliamentary authority for procedures that are not covered in these Bylaws or the CRB Special Rules of Order shall be the current edition of Robert's Rules of Order, Newly Revised.

Article II: Purpose and Objectives

Section 1: Purpose

The purpose of the Community Review Board on Police Practices is to review and evaluate complaints brought by members of the public against officers of the Police Department of the City of San Diego and to review and evaluate the administration of discipline arising from sustained complaints. The Board also reviews and evaluates officer-related shootings, all in-custody deaths, and all police actions that result in the death of a person.

Section 2: Objectives

The Community Review Board on Police Practices is tasked with a single primary objective and two secondary objectives. The primary objective is clearly identified in the San Diego City Charter and constitutes the central function for members of this citizen-initiated Board. The two secondary objectives support the work of the Board, employing special talents and energy of involved Board members according to their interests and availability.

A. Primary Objective: Complaint Review

It is the primary objective of the Board to ensure complaints against San Diego Police Department (SDPD) officers are investigated thoroughly, completely and fairly, giving equal consideration to citizens and police officers alike. The Board will make every effort to review and evaluate citizens' complaints objectively and impartially. The Board may devise its own internal procedures for the format and presentation of case review reports. The Board may add comments to its completed review of a citizen's complaint, however such comments must be limited to substantive issues directly related to the

citizen's complaint and/or the subject officers and must comply with the laws of the State of California concerning citizens' complaints against peace officers.

B. Secondary Objectives

1. Policy Recommendation

It is the objective of the Board to advocate for policies which promote fair and humane policing and also ensure the safety of both citizens and police officers. Subsequent to the review and evaluation process, the Board may recommend improvements in policy, procedures or training of police officers to the Mayor and/or Chief of Police.

Additionally, in consideration of issues other than complaints, the Board may address a substantive item, other than one arising in the course of reviewing a particular case, if it determines that (1) the substantive matter impacts the work of the Board; and (2) because of its training and experience, the Board has expertise on the matter at hand. The Board may discuss the issue and make a recommendation to the Mayor and/or Chief of Police.

2. Outreach and Education

It is the objective of the Board to operate transparently, to keep the community informed about the activities of the Board, and to provide opportunities to receive public input on the Board's operations. It is the further objective of the Board to encourage persons with complaints about the actions of SDPD sworn personnel to file a complaint, to widely publicize the procedures for filing complaints and to make the process as simple as possible, and to enact mechanisms to ensure that persons filing complaints and witnesses will be able to do so without fear of retaliation or adverse consequences.

3. Board Independence

The Community Review Board on Police Practices adheres to a fundamental modus operandi to maintain and defend an independent posture within which objective, balanced review and evaluation processes will be assured. The ultimate usefulness of the Board depends on independence from political pressure, independence from community pressure, and independence from influence or control by SDPD. In this regard, actual independence and perceived independence are equally important. Any action or activity that could present an appearance of compromised independence should be avoided. Board independence is essential to earn the trust of the community and fulfill the mandate from the initial creation of the Board by citizen initiative.

Article III: Membership

Section 1: Selection and Appointment

There are twenty-three (23) members, appointed by the Mayor of San Diego and confirmed by the City Council. Members are appointed to two-year terms, and appointments are staggered so that the terms of no more than 12 members expire in a year.

Members are limited to a maximum of eight (8) consecutive years on the Board, starting on the date of the initial Mayoral appointment. Former members who served for eight years become eligible again after a period of two years. Former members of the Board who did not complete eight years of service may be eligible to complete eight total years of service. Members whose terms of service have expired shall have the option to continue to serve until their successor is duly appointed and qualified, even if the total

time served extends beyond the maximum permissible length of service.

Present or former San Diego Police Department officers and current City of San Diego employees are not eligible for membership on the Board.

Members of the Board shall serve without compensation, but shall be reimbursed for authorized, reasonable and necessary expenses incurred in the performance of their official duties as approved by the Mayor or the Mayor's designated representative.

Prior to assuming the duties of office, members must complete the required training program approved by the Board and must subscribe to the Oath of Office administered by the City Clerk's Office and sign the oath card. All Members who are reappointed to the Board must retake the Oath of Office and sign a new oath card.

Section 2: Responsibilities

Members have the following responsibilities:

1. Meeting Attendance

The substantive work of the Board cannot be accomplished in the absence of a quorum. In order to accomplish the work of the Board, members should be in attendance and vote on issues at all meetings. Any member with an unexcused absence from two (2) consecutive meetings or an unexcused absence from one third of all regular scheduled meetings during any Fiscal Year (July 1 through June 30 of the following year) may be removed from the Board per Article III, Section 4.B. of these bylaws. Members may request to be excused from a meeting by contacting the Executive Director no later than 12 noon on the day of the meeting. An excused absence can be granted by the Executive Director for the following reasons:

- a. An unforeseen event
- b. Illness or health
- c. Out of town
- d. Religious observance

2. Case Review

Members, with the exception of the Chair and First Vice Chair, shall be assigned to three-person Case Review Teams. The Case Review Teams shall review the Internal Affairs investigation in accordance with current Operational Standing Rule for Case Review. A Team Leader will be appointed for each Case Review Team.

Every member shall complete the review of at least 80% of the cases assigned to that member's Case Review Team. Any member with an unexcused absence from review of more than 20% of the cases assigned to that member's Case Review Team during any Fiscal Year (July 1 through June 30 of the following year) may be removed from the Board per Article III, Section 4.B. of these bylaws. Members should notify the Executive Director and the Team Leader of their assigned Case Review Team of an excused absence from review of a case for one of the following reasons:

- a. An unforeseen event
- b. Illness or health
- c. Out of town

d. Conflict of Interest

3. Committee Participation

Members are required to participate on one of the standing committees of the Board.

4. Training

Members are required to pursue and complete 48 hours of educational opportunities annually, including at least two police ride-alongs.

5. Community Outreach

All members shall participate in at least one community outreach activity per quarter.

All members can speak about the role of the Board in public to provide education for the community. Only the Board Chair is the spokesperson for the Board on issues that require public comment.

6. Ethical Conduct

To promote public trust, integrity, and transparency, members are expected to adhere to the National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics. The NACOLE Code of Ethics includes Personal Integrity, Independent and Thorough Oversight, Transparency and Confidentiality, Respectful and Unbiased Treatment, Outreach and Relationship with Stakeholders, Agency Self-examination and Commitment to Policy Review, and Primary Obligation to the Community. The complete NACOLE Code of Ethics is attached as Exhibit A of these bylaws.

Any actual or perceived conflict of interest during case review shall be avoided. Conflict of interest exists when a member has an outside financial interest or a personal relationship with someone involved in the case or has intimate knowledge of the facts of the case. Members shall avoid any situation where they have a conflict of interest by immediately notifying the Executive Director and their Team Leader requesting either to be excused from review of the case or to have the case reassigned to a different Case Review Team. Active involvement in other boards, committees or organizations could pose an actual or perceived conflict of interest with membership on the Board. Board Members shall disclose all potential conflicts to the Executive Director immediately.

Section 3: Removal

A. Voluntary Resignation

Any Member of the Board can voluntarily resign by sending a letter or email of resignation to the Board Chair and the Executive Director. A member's written notice of resignation is required by the City Clerk and the Mayor's Office and becomes a matter of public record. Once the letter has been received, the position shall be considered vacant. Thereafter, the Mayor shall appoint and the City Council confirm a new member to fill the remainder of the term.

B. Removal for Cause

If a member is convicted of a felony or crime or moral turpitude, the member will

automatically be suspended from participating in any capacity on the Board, pending a vote by the City Council upon recommendation from the Mayor to formally remove or reinstate the member from the Board all of which shall be completed within 30 days of the date of suspension.

A member may also be removed for cause including but not limited to the following reasons: (1) misuse of position as a Board Member, (2) misuse of police-issued documents; (2) violation of state laws of confidentiality; (4) misconduct that impedes the member's ability to serve as an effective and impartial Board member; (5) unexcused absences from at least two consecutive meetings or by failure to complete case review as assigned by the Executive Director; (6) violation of the NACOLE Code of Ethics; or (7) a conflict of interest.

Upon receiving information that a member may be subject to removal for cause, the Executive Director shall investigate or arrange for an investigation of the situation. If after the investigation, it appears that cause exists for removal, the member shall be invited to meet with the Executive Director and the Cabinet. After that meeting, the Executive Director, in consultation with the Cabinet, shall determine whether to proceed with removal proceedings. If it is determined to proceed, the matter will be placed on the next regular Board Open Meeting agenda. The member will have an opportunity to present a defense and answer questions. By a two-thirds vote, the Board may recommend to the Mayor that the member be removed. The affected member shall not be entitled to a cast a vote in the matter.

Upon recommendation of the Mayor to remove a member, a hearing by the City Council shall occur within sixty (60) days of the receipt of the recommendation.

C. Non-Reappointment

Any member can, at the end of their current term, be removed from the Board by non-reappointment at the Mayor's discretion during the annual appointment process. A non-reappointed member may continue to serve until his or her successor is duly appointed and qualified.

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.

Section 3: Powers and Duties

The officers of this organization shall fulfill the duties of office while always acting for the good of the entire Board.

A. Chair

The Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board.
2. To serve as Chair for all meetings of the Executive Committee.
3. To serve as a member of the Cabinet.
4. To act as the spokesperson for the Board, to make official statements for the Board, or to delegate this responsibility to another Board Member.
5. To coordinate with the Executive Director on communication between the Board and the Mayor, the San Diego City Council and the Chief of Police.
6. To appoint Chairs and members for all Committees of the Board, except the Nominating Committee.
7. To be ex officio member and ensure effective functioning of all committees of the Board, except the Nominating Committee.
8. To facilitate communication between Case Review Team Leaders.
9. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.
10. To perform such other duties as may be conferred by vote of the Board.

B. First Vice Chair

The First Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board in the absence of the Chair.
2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair.
3. To serve as a member of the Executive Committee.
4. To serve as a member of the Cabinet.
5. To oversee training of new members with the Recruitment and Training Committee, and to oversee training of the Team Leaders.
6. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.
7. To perform such other duties as may be conferred by vote of the Board or requested by the Chair.

C. Second Vice Chair

The Second Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board in the absence of the Chair and the First Vice Chair.
2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair and First Vice Chair.
3. To serve as a member of the Executive Committee.
4. To serve as a member of the Cabinet.
5. To serve as a member of a Case Review Team.
6. To act as Parliamentarian for the Board.
7. To perform such other duties as may be conferred by vote of the Board or requested by the Chair.

D. Cabinet

The Cabinet is responsible for providing consultation to the Executive Director on issues of importance, including but not limited to:

1. Membership of Case Review Teams.
2. Assignment of Case Review Team Leaders.
3. Investigation into allegations of impropriety against any Board Member and recommendations resulting from such investigations.

Article V: Meetings

Section 1: General

Closed and open meetings of the Board shall be held regularly in order to carry out the objectives and purposes of the organization. Notice of time, place and agenda shall be provided to the Board and the public at least 72 hours before the scheduled time of

every meeting in accordance with the Ralph M. Brown Act.

Section 2: Closed Meetings

Closed Meetings are normally held twice each month, except only once in December. Closed Meetings are held pursuant to California Government Code Section 54957 to provide a confidential environment in which (1) to review citizens' complaints brought against SDPD Officers in accordance with California Penal Code Section 832.7 or (2) to discuss personnel or other information that is specifically exempt from public disclosure by law. Attendance is limited to Board Members, the Executive Director and assigned City Staff, the Chief of Police and/or the Chief's designee, designated SDPD Internal Affairs staff, designated City Attorney Office representatives or outside counsel, and trainees appointed by the Mayor (CRB Academy members) with responsibility for a case that is being presented to the Board. The Board, pursuant to Robert's Rules of Order, may vote to go into Executive Session and may exclude anyone other than voting board members.

Section 3: Open Meetings

Open Meetings are normally held once each month, except in December, to transact business and to hear presentations. Open Meetings provide a forum in which to communicate with the public, to advise the community of the complaint process and the Board role in the review of complaints, and to hear public testimony on the police complaint review process.

Section 4: Special Meetings

Special Meetings can be held as needed and may be either Closed or Open. A Special Meeting may be initiated by the Chair, by the Executive Director, or by a vote of Board members. Notice of a Special Meeting shall state the topic(s) to be discussed, and no other business may be considered during the Special Meeting.

Section 5: Voting and Quorum

Only Board members can vote on issues before the Board and are counted to determine the presence of a quorum. Board members (except the Chair) are expected to vote on all issues and must state on the record the reason for any abstention. The Chair is not required to vote; however, the Chair may vote whenever his or her vote will affect the result.

No formal action can be taken without a quorum. The requirement for a quorum shall be more than half of the maximum number of members on the Board. The maximum number of members is 23, so a quorum is 12.

The basis for decisions at all Board meetings is an expected attendance of 18 Board members. Consequently, regardless of the number of Board members present, the minimum number of votes required to approve or to disapprove a motion is as follows:

A. Motion Requires Majority Vote

The motion is approved if the majority votes affirmative with at least ten votes affirmative. The motion is disapproved if the majority votes negative with at least ten votes negative. If neither is achieved, the pending motion fails to be approved or

disapproved and is trailed to the next Board meeting with a quorum.

B. Motion Requires Two-thirds Vote

The motion is approved if the majority votes affirmative with at least 12 votes affirmative and the number of affirmative votes is at least twice the number of negative votes. Otherwise the motion is not approved.

The minimum number of votes required, as stated above, applies to main motions that would have the Board take an official position on matters, including but not limited to, case review findings, recommendations to the San Diego Police Department, CRB rules and bylaws, and letters to the Mayor or other public officials. It does not apply to subsidiary, incidental, privileged or procedural motions, or motions that do not express an official position on a matter.

Article VI. Committees

Section 1: General

Committees of the Board shall be formed to carry out the primary objectives of the Board and to maintain functions necessary to sustain the Board. Committees shall limit their business to the purpose identified in this document or the purpose identified at their inception. Committees shall conduct their business in a manner consistent with these Bylaws and the Standing Rules of the Board. Committees shall not take any final action on behalf of the Board or issue any official communication.

Committees fall into two categories: Standing Committees and Ad Hoc Committees. Standing Committees require a constant presence to carry out long term ongoing functions of the Board. Ad Hoc Committees either support periodic functions of the Board that do not require a constant presence for service or are formed to accomplish specific, short term tasks that are not within the assigned function of any Standing Committee or any other Ad Hoc Committee.

Committee Chairs of all committees shall be members of the Board. Unless otherwise specified herein, Committee Chairs shall be appointed by the Board Chair to serve a one-year term. Ad Hoc Committee Chairs can serve until their committee is disbanded. Standing Committee Chairs have the following tasks:

1. Conduct Committee meetings at least quarterly or more often as needed.
2. Support the Brown Act requirement for public notice with an agenda in advance.
3. Report on Committee activities at Open Meetings and make recommendations for Board action.
4. Contribute a summary of Committee activities and accomplishments for the CRB Semiannual Reports.
5. Serve as a member of the Executive Committee.

Section 2: Standing Committees

Notice of Standing Committee meeting time, place and agenda shall be provided to Committee members and the public at least 72 hours before the scheduled meeting

time. Except for the Executive Committee, Standing Committees are limited to no more than seven (7) members.

A. Executive Committee

The Executive Committee has continuing jurisdiction over the health and welfare of the Board. The Chair of this Committee is the Board Chair. Members of the Executive Committee are the elected officers of the Board and Standing Committee Chairs. Nonvoting members of the Executive Committee include the Executive Director, the assigned Deputy City Attorney or outside counsel and SDPD representatives. Regular meetings of the Executive Committee may be held monthly at the discretion of the Chair.

B. Policy Committee

The Policy Committee shall evaluate recommendations from Board Members for improvements to SDPD policy, procedure, training or administration of discipline of police officers. The result of the evaluation shall be presented to the Board. The Policy Committee can recommend Board action to forward suggested improvements to the Chief of Police and the Mayor. The Policy Committee meets at the discretion of the Policy Committee Chair.

C. Continuing Education Committee

The Continuing Education Committee arranges presentations on subjects of interest at the Open Meetings of the Board. The Continuing Education Committee also arranges additional training opportunities and field trips for the Board. The Continuing Education Committee meets at the discretion of the Continuing Education Committee Chair.

D. Community Outreach Committee

The Community Outreach Committee supports the Board's outreach and education objectives at community events and informational meetings. The Outreach Committee meets at the discretion of the Outreach Committee Chair.

E. Rules Committee

The Rules Committee shall evaluate recommendations from Board Members for amendments to these Bylaws, to Special Rules of Order, to Standing Rules and to other operational procedures. The Rules Committee is responsible to ensure that a proposed amendment does not violate or conflict with any existing provision in these Bylaws or any other rules that govern the Board. The result of the evaluation shall be presented to the Board. The Rules Committee meets at the discretion of the Rules Committee Chair.

F. Recruitment and Training Committee

The Recruitment and Training Committee supports activities to recruit new members for the Board, to inform interested individuals about the Board, and to provide training to CRB Academy members. The Recruitment and Training Committee meets at the discretion of the Recruitment and Training Chair.

Section 3: Ad Hoc Committees

Ad Hoc Committees may be formed as needed by the Board Chair or by a majority vote of the Board for an assigned specific task. Unless extended by a vote of the Board,

each Ad Hoc Committee is disbanded at the completion of the assigned task. Ad Hoc Committees are limited to no more than seven members.

A. Nominating Committee

The Nominating Committee is an ad hoc committee shall be formed to facilitate election of officers. Three members of the Nominating Committee shall be elected by the Board with nominations taken from the floor. Members of the Nominating Committee shall select their committee Chair. The Nominating Committee shall solicit candidates for each office and shall present to the Board at least one nomination for each office prior to the last scheduled Open Meeting of the fiscal year. The Nominating Committee shall be disbanded following the election of Board officers.

Article VII: Administration

Section 1: Authority of the Mayor and City Council

A. Establishment of Community Review Board on Police Practices and Related Rules and Regulations

Pursuant to City Charter Article V, Section 43(d), the Mayor and City Council have the dual responsibility to "establish such rules and regulations as may be necessary for this board to carry out its functions; provided that such rules and regulations shall be consistent with the laws of the State of California concerning citizens' complaints against peace officers." These rules and regulations are referred to as the CRB Standard Operating Procedures.

Members of the Board are appointed by the Mayor and confirmed by the City Council. The Mayor may also appoint citizens to a CRB Academy, a training program for persons interested in appointment to the CRB.

B. Appointment of Executive Director

The Mayor of the City of San Diego shall appoint one person to be the Executive Director of the Board. The Executive Director will report to the Mayor's Office. The Executive Director, with the approval of the Mayor, shall manage Board members and personnel necessary to discharge the functions of the Board. Under general direction, the Executive Director is responsible for facilitating the work of the Board, including, but not limited to, the following tasks:

1. Interface with community members, responding to inquiries and receiving complaints.
2. Direction of day-to-day operations of the Board.
3. Liaison between the Board and City departments, in particular SDPD and the City Attorney's Office.
4. Maintenance of records and preparation of reports, including semiannual reports to the Mayor and City Council.
5. Management of all Board personnel throughout recruitment, training, team assignment and case review activities.
6. Arrange for the preparation of and dissemination all meeting notices for CRB board and committee meetings as required by the Ralph M. Brown Act.
7. Arrange for the preparation of and dissemination of the minutes of all CRB

board and committee meetings.

The Executive Director also provides any additional support that is either not specifically assigned to Board Members, or not being provided by assigned Board Members as needed, or assigned by the Mayor.

Formal communication between SDPD and the Board will be coordinated through the Executive Director and the Mayor's Office. The Executive Director shall accurately communicate, in a timely fashion, information from the Mayor, City Council or SDPD to the full Board.

D. Inherent Powers of the Mayor and Coordination / Consultation with CRB

The San Diego City Charter gives the Mayor the power to oversee the San Diego Police Department. Accordingly, at any time, the Mayor may be requested to monitor, review and evaluate a case by a majority vote of the Board. The Mayor may also independently initiate such a review and evaluation and use such resources as necessary to conduct this review. The Mayor will ensure that all complaints are investigated in a timely and efficient manner. The Mayor may monitor the progress of particularly sensitive complaints and incidents. If a review is approved by the Mayor, it may include:

- Discussion with witnesses.

- Review of the Internal Affairs investigation.

- Discussion with appropriate SDPD investigative staff and CRB Case Review Team members reviewing the case.

- Review of tapes and transcripts of interviews with witnesses and police officers.

- Review of pertinent evidence, including body worn camera video.

- Review of any other available investigative reports by other agencies.

The completed review by the Mayor shall be presented by the Executive Director to the Board for review and comment in a closed meeting.

The Mayor shall conduct general reviews as needed to evaluate the City's complaint, investigative and review process. This will include an analysis of trends and patterns in citizen complaints, investigations and discipline. The scope of this review shall include:

- Evaluation of the SDPD complaint procedures.

- Surveys and interviews of the complainants previously involved in the complaint process.

- Survey and interview of witnesses involved in the complaint process.

- Review of statistical reports related to the complaint process.

- Interviews with personnel designated to process complaints.

- Review of discipline imposed to identify trends.

The completed report of any general review and evaluation will be submitted to the Board for comment and recommendations.

Section 2: Role of City Attorney

Legal representation and legal advice will be provided by the City Attorney pursuant to City Charter, Section 40. The City Attorney may authorize the appointment of outside

counsel to advise the Board and Executive Director.

Article VIII: Amendment

Section 1: CRB Bylaws

Bylaws describe organizational structure, eligibility requirements of the members, the terms, responsibilities and powers of the officers, types of meetings, specification of a quorum, identity of standing and ad hoc committees, the duties and responsibilities of each committee, and identity of a parliamentary authority. Amendment of these Bylaws requires a two-thirds vote of Board Members at a regularly scheduled Open Board meeting. Proposed amendments must be submitted by a Board member as defined in and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Board members at least ten days before the meeting where the vote will be taken.

Section 2: CRB Special Rules of Order

Special Rules of Order define and clarify parliamentary procedures that are different from the specifications of the identified parliamentary authority. Special Rules of Order may be adopted, amended, or deleted by a two-thirds vote of Board Members at a regularly scheduled Open Board meeting. Proposed amendments must be submitted by a Board member and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Board members at least ten days before the meeting where the vote will be taken.

Section 3: CRB Operational Standing Rules

Operational Standing Rules define and clarify operational procedures for any interface between the Mayor's Office, other City Departments and this organization. Operational Standing Rules may be adopted, amended, or deleted by a majority vote of Board Members at a regularly scheduled Open Board meeting. Proposed amendments must be submitted by a Board member and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Board members at least ten days before the meeting where the vote will be taken. Board-approved Operational Standing Rules become effective when reviewed and approved by the Mayor.

Section 4: CRB Administrative Standing Rules

Administrative Standing Rules define and clarify internal procedures for this organization. Administrative Standing Rules may be adopted, amended, or deleted by a majority vote of Board Members at a regularly scheduled Open Board meeting. Proposed amendments must be submitted by a Board member and reviewed by the Rules Committee. The proposed content and the Rules Committee evaluation must be submitted in writing to all Board Members at least ten days before the meeting where the vote will be taken.

**Board Approved Amendments to CRB Bylaws on May 28, 2019
Clarify the Objectives of the CRB in Article II Section 2, 2A, 2B.1,2B.2**

Section 2: Objectives

The Community Review Board on Police Practices is tasked with ~~the following three objectives: a single primary objective and two secondary objectives.~~ The primary objective is clearly identified in the San Diego City Charter and constitutes the central function for members of this citizen-initiated Board. The two secondary objectives support the work of the Board, employing special talents and energy of involved Board members according to their interests and availability.

A. Primary Objective: Complaint Review

It is the primary objective of the Board to ensure complaints against San Diego Police Department (SDPD) officers are investigated thoroughly, completely and fairly, giving equal consideration to citizens and police officers alike. The Board will make every effort to review and evaluate citizens' complaints objectively and impartially. The Board may devise its own internal procedures for the format and presentation of case review reports. The Board may add comments to its completed review of a citizen's complaint, however such comments must be limited to substantive issues directly related to the citizen's complaint and/or the subject officers and must comply with the laws of the State of California concerning citizens' complaints against peace officers.

B. ~~Policy Recommendation~~ Secondary Objectives

~~B. Policy Recommendation~~ 1. Policy Recommendation

It is the objective of the Board to advocate for policies which promote fair and humane policing and also ensure the safety of both citizens and police officers. Subsequent to the review and evaluation process, the Board may recommend improvements in policy, procedures or training of police officers to the Mayor and/or Chief of Police.

Additionally, in consideration of issues other than complaints, the Board may address a substantive item, other than one arising in the course of reviewing a particular case, if it determines that (1) the substantive matter impacts the work of the Board; and (2) because of its training and experience, the Board has expertise on the matter at hand. The Board may discuss the issue and make a recommendation to the Mayor and/or Chief of Police.

~~C. Outreach and Education~~ 2. Outreach and Education

It is the objective of the Board to operate transparently, to keep the community informed about the activities of the Board, and to provide opportunities to receive public input on the Board's operations. It is the further objective of the Board to encourage persons with complaints about the actions of SDPD employees to file a complaint, to widely publicize the procedures for filing complaints and to make the process as simple as possible, and to enact mechanisms to ensure that persons filing complaints and witnesses will be able to do so without fear of retaliation or adverse consequences.

Board Approved Amendments to CRB Bylaws on May 28, 2019

Add New Section 3 to Article II on Board Independence

Section 3: Board Independence

The Community Review Board on Police Practices adheres to a fundamental modus operandi to maintain and defend an independent posture within which objective, balanced review and evaluation processes will be assured. The ultimate usefulness of the Board depends on independence from political pressure, independence from community pressure, and independence from influence or control by SDPD. In this regard, actual independence and perceived independence are equally important. Any action or activity that could present an appearance of compromised independence should be avoided. Board independence is essential to earn the trust of the community and fulfill the mandate from the initial creation of the Board by citizen initiative.

Board Approved Amendments to CRB Bylaws on May 28, 2019

Change Article III Section 3A and 3B

Section 3: Removal

A. Voluntary Resignation

Any Member of the Board can voluntarily resign by sending a letter or email of resignation to the Board Chair and the Executive Director. A member's written notice of resignation is required by the City Clerk and the Mayor's Office and becomes a matter of public record. ~~_unless confidentiality is requested by the resigning member.~~ Once the letter has been received, the position shall be considered vacant. Thereafter, the Mayor shall appoint and the City Council confirm a new member to fill the remainder of the term.

B. Removal for Cause

...Upon receiving information that a member may be subject to removal for cause, the Executive Director shall investigate or arrange for an investigation of the situation. If after the investigation, it appears that cause exists for removal, the member shall be invited to meet with the Executive Director and the Cabinet. After that meeting, the Executive Director, in consultation with the Cabinet, shall determine whether to proceed with removal proceedings. If it is determined to proceed, the matter will be placed on the next regular Board Open Meeting ~~_agenda_ to be considered in Executive (Closed) Session.~~ The member will have an opportunity to present a defense and answer questions. By a two-thirds vote, the Board may recommend to the Mayor that the member be removed. The affected member shall not be entitled to a cast a vote in the matter...

Board Approved Amendments to CRB Bylaws on February 25, 2020 Amend Article IV Sections 3B and 3C

Section 3: Powers and Duties

The officers of this organization shall fulfill the duties of office while always acting for the good of the entire Board.

B. First Vice Chair

The First Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board in the absence of the Chair.

2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair.

23. To serve as a member of the Executive Committee.

34. To serve as a member of the Cabinet.

45. To oversee training of new members with the Recruitment and Training Committee, and to oversee training of the Team Leaders.

56. To serve on a temporary Case Review Team when case load requires formation of a temporary Team by the Executive Director.

67. To perform such other duties as may be conferred by vote of the Board or requested by the Chair.

C. Second Vice Chair

The Second Vice Chair shall have the following powers and duties:

1. To serve as Chair for all meetings, Closed and Open, of the Board in the absence of the Chair and the First Vice Chair.

2. To serve as Chair for the Executive Committee Meeting in the absence of the Chair and First Vice Chair.

23. To serve as a member of the Executive Committee.

34. To serve as a member of the Cabinet.

45. To serve as a member of a Case Review Team.

56. To act as Parliamentarian for the Board.

67. To perform such other duties as may be conferred by vote of the Board or requested by the Chair.

