WOMEN OCCUPY SAN DIEGO
P.O. Box 3481
San Diego, California 92163
www.WomenOccupySanDiego.org

May 29, 2015

The Honorable Sherri Lightner
President, San Diego City Council
Chair, Charter Review Committee
202 C Street
San Diego, CA 92101

Via Email to: srhadley@sandiego.gov

Dear President Lightner:

This letter is provided to support our coalition proposal to reform the Citizens Review Board on Police Practices, Item 4 on the Charter Review Committee's Agenda for its Meeting on July 11, 2015 (6pm). Thank you for affording us this opportunity to present our proposal to the Charter Review Committee.

Women Occupy San Diego (WOSD) is a civic organization dedicated to working for changes in the economic life of San Diegans, especially with regard to those who are marginalized by policies and practices that do not provide all with adequate protections under the law.

The San Diego Police Department has risen to the top of our list of concerns because of its history of violence against women and activists and its violent over-reaction in dealing with Occupy San Diego. In addition, we have become more aware, as has the Nation, of the unwarranted power that police departments wield over people of color, and those who live in poverty. The citizens of San Diego, and especially the most vulnerable in our community, have the right to feel safe, to be safe, and to be treated respectfully by law enforcement. There is a crisis of trust.

We believe that citizen input and oversight is essential, as well as police accountability to the public. In particular, we have investigated the Citizens Review Board on Police Practices (CRB). Last year, some of our members attended informational sessions and one of our members applied for and was interviewed for a position on the CRB. We are concerned that, as currently constituted in the City Charter, the CRB does not provide either real citizen input and oversight nor any real accountability.

Last year. WOSD joined in a coalition that the ACLU is leading in San Diego to reform police practices, and we co-hosted a Public Forum for the benefit of the Police Executive Research Forum, which was contracted by the U.S. Dept. of Justice to conduct an independent review of SDPD policies and practices. We are also working with other organizations, including the Black Student Justice Coalition and United Against Police Terror to pursue opportunities to reform the CRB in San Diego.

To this end, WOSD recommends that the Charter Review Committee adopt the model of the San Diego County Law Enforcement Review Board (CLERB), empowered by the voters in 1990 by passing Proposition A.[1] City Charter reforms essential to the effective functioning of civilian and community oversight of the SDPD include:

1. Independent investigators and subpoena power, as provided to the San Diego County Law Enforcement Review Board by the voters in 1990 (Proposition A).

2. Intake, tracking and review of all complaints filed is done by the CRB rather than by SDPD Internal Affairs, also as modeled by the San Diego County Law Enforcement Review Board approved by the voters in 1990.

WOSD additionally recommends that the Charter Review Committee make two further revisions to the City Charter to reinforce the community-based nature of independent police oversight:

1. Change the name from "Citizens Review Board" to "COMMUNITY Review Board".
2. Have the Members of this Community Review Board on Police Practices appointed by the representatives elected by the 9 City Council Districts – 2 per District. Plus 1 appointee by the Mayor.

This Charter Revision would provide the residents of San Diego County with a consistent civilian review process for law enforcement throughout much of the County, since the CLERB has jurisdiction over the 19 cities that contract with the County Sheriff for law enforcement, as well as the unincorporated County, jails, and probation and parole services.

Please see Attachment 1 for a Comparison of the CLERB and the CRB.

Regarding the cost of the CLERB, its most recent Annual Report (2013) shows[2]:

$606,082 2013/14 Approved/Adopted Budget
$614,191 2014/15 Approved/Adopted Budget
4 Staff Positions

We attempted to find expenditures/budget for the CRB but were unable to. The most recent Annual Report on its website is 2009, which doesn't include budget/expenditure information. We made an inquiry to the City's Financial Management office and were advised that the budget for the CRB is included under "Commissions" in Neighborhood Services, but could not pinpoint a line item. Our inquiry was referred for further checking to the Financial Management Department, but we have not yet received a response.

Further, much of the administrative work of the CRB is done by the San Diego Police Department, such as receiving the complaints, investigating them, determining which complaints and which information is forwarded to the CRB, attending CRB meetings and meeting with CRB members conducting reviews of SDPD investigations into complaints, as well as providing training and briefings to the CRB. These costs would not be reflected in CRB budget figures.

---

1 http://www.sandiegocounty.gov/content/dam/sdc/clerb/brochure09.pdf
2 http://www.sandiegocounty.gov/content/dam/sdc/clerb/docs/Annual%20Reports/13anl_rpt.pdf -- Table 10, P. 20

Even if the cost to implement this proposal is around the annual budget of the CLERB ($614k), it will surely be less than the recent payouts by the City of over $7 million due to SDPD sexual abuse cases. A truly independent, effective and transparent CRB would enhance public trust and serve as a curb on actions that lead to complaints and lawsuits, thereby reducing the City's liability substantially. Adopting the CLERB model with independent investigators will also reduce the time that the SDPD currently spends administering the CRB process (as noted in the foregoing paragraph), and free up these sworn officer resources.

We look forward to the Charter Review Committee's June 11th evening meeting and to our further participation in the City Charter Review Committee process.

Please do not hesitate to ask any further questions of us prior to the June 11th CRC Meeting – Martha Sullivan or Kate Yavenditti will be happy to assist.

Very Truly Yours,

For Women Occupy San Diego:

Evie Kosower, Mid-City, ekosower@cox.net
Uma Kuchnia, Mid-City, aumuma@hotmail.com
Stephanie Jennings, South Park, stjennings@ucsd.edu
Martha Sullivan, Old Town, marthasullivan@mac.com/858-945-6273
Kate Yavenditti*, Mission Hills, kateyav@cox.net

* Also a member of the National Lawyers Guild