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June 3, 2015

Charter Review Committee  
Council President Sherri Lightner, Chair  
Councilmember Chris Cate, Vice Chair  
Councilmember Marti Emerald  
Councilmember Mark Kersey

C/O Steven Hadley  
Charter Review Committee Consultant  
for Council President Sherri Lightner  
202 C Street  
San Diego, CA 92101

Via Email to: [srhadley@sandiego.gov](mailto:srhadley@sandiego.gov)

RE: San Diego Organizations Call for a true Community Review Board on Police Practices

Dear Mr. Hadley,

In an effort to promote greater civilian oversight of local police practices, the ACLU of San Diego and Imperial Counties is working in coalition with other civic organizations to encourage reform of the San Diego Citizens Review Board on Police Practices (CRB). It is our hope that critical reforms will ensure that all San Diegans receive protection and respectful treatment from local law enforcement.

At this time, many cities across the country are re-evaluating the relationship between local departments and the communities they police. Issues such as abuse of power, harassment, unreasonable searches and seizures, excessive force, wrongful arrests, and even police shootings are not uncommon, and many communities have undertaken substantial reforms in order to address pervasive police misconduct.

Like other departments across the country, the San Diego Police Department (SDPD) has had similar issues garnering the trust and cooperation of local citizens in light of documented cases of misconduct by police officers. These issues often adversely affect the most vulnerable members of our community including people of color, immigrants, members of the LGBTQ community, and activists.

To address this problem, civilian oversight committees such as the CRB have been established to perform the necessary function of reviewing police practices and allegations of police misconduct. Too often, however, the CRB is inhibited in its performance of this crucial role.

To ensure trust and cooperation between local citizens and the SDPD, the ACLU endorses a call to reform the Citizens Review Board on Police Practices (CRB). We call on the Charter Review Committee to reference the model of the San Diego County Law Enforcement Review Board, empowered by the voters in 1990 by the passage of Proposition A. (<http://www.sandiegocounty.gov/content/dam/sdc/clerb/brochure09.pdf>)

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.

We additionally recommend 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.

By implementing these critical reforms, the CRB will be better enabled to provide cost-effective, independent review of San Diego's police.

Sincerely,



David Loy  
Legal Director