

Community Review Board on Police Practices

Rules Committee Meeting Notice

Agenda

Thursday, January 16, 2020

9:30 a.m.

Mission Valley Branch Library

2123 Fenton Parkway

San Diego, CA 92108

- I. Welcome/Call to Order
- II. Approval of the Minutes from the September 19, 2019 Rules Committee Meeting
- III. Public Comment
- 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
 - 2) Format for Category II Audit Reports
 - 3) Criteria for Background Checks
- V. Date of Next Meeting
- VI. Adjourn

Materials Provided:

- Draft 9.19.19 Rules Committee Meeting Minutes

Public Comment on an Action/Discussion Item: If you wish to address the Committee on an item on today's agenda, please complete a speaker form (on the table near the door) and give it to the Board's Executive Director before the Committee hears the agenda item. You will be called to express your comment at the time the item is heard. Please note, however, that you are not required to register your name or provide other information to the Committee in order to attend our public session or to speak.

Public Comment on Committee/Staff Reports: Public comment on reports by Board Committees or staff may be heard on items which are specifically noticed on the agenda.

Public Comment on Matters Not on the Agenda: If you wish to address the Committee on any matter within the jurisdiction of the Committee that is not listed on today's agenda, you may do so during the PUBLIC COMMENT period during the meeting. Please complete a speaker form (on the table near the door) and give it to the Board's Executive Director. The Committee will listen to your comments. However, California's open meeting laws do not permit the Committee to take any action on the matter at today's meeting. At its discretion, the Committee may refer the matter to staff, or to a Board committee for discussion and/or resolution, or place the matter on a future Board agenda. The Committee cannot hear specific complaints against named individual officers at open meetings.

Comments from individuals are limited to three (3) minutes per speaker, or less at the discretion of the Chair. At the discretion of the Chair, if a large number of people wish to speak on the same item, comment may be limited to a set period of time per item. If you would like to have an item considered for placement on a future Committee agenda, please contact the Executive Director at (619) 236-6296. The Director will consult with the Board Chair who may place the item on a future Committee agenda. If you or your organization would like to have the Board meet in your neighborhood or community, please call the Executive Director at (619) 236-6296.

Community Review Board on Police Practices

Rules Committee Meeting Minutes

Thursday, September 19, 2019

9:30 a.m.

**Civic Center Plaza Building (CCP)
1200 Third Avenue, 9th Floor
Suite 924 - Large Conference Room
San Diego, CA 92101**

Present: Committee Chair Doug Case, Committee Members: Diana Dent, Ramon Montano, Nancy Vaughn, Marty Workman

CRB Executive Director Sharmaine Moseley, Internal Affairs Captain Wes Morris, Lieutenant Charles Lara, CRB Outside Counsel Christina Cameron

Absent: Chair Joe Craver and 2nd Vice Chair Taura Gentry

- I. Welcome/Call to Order: Committee Chair Doug Case called the meeting to order at 9:40 a.m.
- II. Approval of the Minutes from the July 26, 2019 Rules Committee Meeting - **Nancy Vaughn moved to approve the July 26, 2019 Rules Committee Meeting Minutes. The motion was seconded by Marty Workman. The motion passed with a vote of 5-0-0.**

Yays: Committee Chair Doug Case, Diana Dent, Nancy Vaughn, Ramon Montano, and Marty Workman

Nays: None

Abstentions: None

Absent: Chair Joe Craver and 2nd Vice Chair Taura Gentry

- III. Public Comment: None
- IV. New Business (Discussion/Action Item)
 - 1) Redacted Case Summary DRAFT
Committee Chair Case provided the Committee with a handout a draft of the redacted case summary. He explained to the Committee at the last Board meeting, the Board discussed this item and wanted to include two items in the case summaries. The first item was a list of items that the

Teams looked at during case review and to include any changes made during case review. The Board wants the public to see that the CRB Teams conducted a comprehensive review and has an impact on the outcome of Internal Affairs cases.

Committee Chair Case asked Outside Counsel Cameron if there were any legal issues in including a list of things the Teams looked at during case review. Counsel Cameron replied that there were no legal issues with including a list of items reviewed by the Teams. As previously mentioned, the only issue she saw were practical ones that might raise questions afterward. She urged the Board to be consistent with the list.

Nancy Vaughn moved for the Committee to add the list of items to be reviewed in the case summaries. Ramon Montano seconded the motion. The motion passed with a vote of 5-0-0.

Yays: Committee Chair Doug Case, Diana Dent, Nancy Vaughn, Ramon Montano, and Marty Workman

Nays: None

Abstentions: None

Absent: Chair Joe Craver and 2nd Vice Chair Taura Gentry

Committee Chair Case reported that the second issue is when Internal Affairs initially makes a finding of “unfounded” and then changes it to “not sustained” based on a CRB Team’s recommendation. Captain Morris explained that this will not be an issue with the Peace Officer Bill of Rights (POBOR) if the Teams stay as objective as possible and not reveal anything about the officer. During case review, the CRB teams may bring up issues/concerns that IA may agree to change or disagree. Sometimes IA may miss findings that belong in an investigation or the IA finding was incorrect and the CRB catches it.

Nancy Vaughn moved for the Committee to add changes made by the Teams to the case summaries. Marty Workman seconded the motion. The motion passed with a vote of 5-0-0.

Yays: Committee Chair Doug Case, Diana Dent, Nancy Vaughn, Ramon Montano, and Marty Workman

Nays: None

Abstentions: None

Absent: Chair Joe Craver and 2nd Vice Chair Taura Gentry

Committee Chair Case outlined the steps to the case summary Administrative Standing Rule as follows:

- 1) After the Board votes on the case, it will be the responsibility of the Team to draft the summary. Team should make every effort to complete the summary within 2 weeks after the Board votes on the case.
- 2) The Team will send the case summary to the Executive Director and Chair for editing and clarifying purposes.
- 3) The Executive Director will send the case summaries to CRB Outside Counsel and IA Captain or designee for review of any legal concerns.
- 4) The redacted summaries will be included as an attachment to the CRB's semi-annual report and then posted to the website.
- 5) Effective January 1

Marty Workman moved to approve the procedure as described in concept. Committee Chair Case will send the procedure to the Executive Director to distribute to the Board. Nancy Vaughn seconded the motion.

The motion passed with a vote of 5-0-0.

Yays: Committee Chair Doug Case, Diana Dent, Nancy Vaughn, Ramon Montano, and Marty Workman

Nays: None

Abstentions: None

Absent: Chair Joe Craver and 2nd Vice Chair Taura Gentry

IA Captain agreed to look into the logistics of making the case reports available to the Teams after the Board votes on the case.

V. Date of Next Meeting: N/A

VI. Adjourn: The meeting adjourned at 10:20 a.m.