

Office of the Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
REGULAR MEETING MINUTES**

Tuesday, January 3, 2024

4:30pm-7:30pm

**Balboa Park Santa Fe Room
2144 Pan American W. Road
San Diego, CA 92101**

Click https://youtu.be/e8yAc_OLXBE to view this meeting on YouTube.

Commissioners Present:

Chair Gloria Tran

1st Vice Chair Dennis W. Brown

2nd Vice Chair Doug Case (Virtual)

Octavio Aguilar

Laila Aziz (Arrived at 5:57pm)

Bonnie Benitez

Alec Beyer

Lupe Diaz

Christina Griffin-Jones

Dwayne Harvey (Arrived at 5:01pm)

Brandon Hilpert

Clovis Honore

James Justus

Darlanne Mulmat

Absent:

Nicole Murray-Ramirez

Jaylene Sanchez

Dalia Sherlyn Villa De La Cruz

Excused:

Cheryl Canson

Dennis Larkin

Mark Maddox

Yvania Rubio

Staff Present:

Danell Scarborough, Interim Executive Director

Duane Bennett, CPP Outside Counsel (Virtual)

Olga Golub, Chief Investigator

Alina Conde, Executive Assistant

Jon’Nae McFarland, Administrative Assistant

Yasmeen Obeid, Community Engagement Coordinator

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- I. CALL TO ORDER/WELCOME: Chair Gloria Tran called the meeting to order at 4:54pm.

 - II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call.
Motion: Chair Tran moved for Commissioner Case to attend the meeting virtually. The motion passed with a vote of 11-0-0.
Yays: Chair Tran, 1st Vice Chair Brown, Aguilar, Benitez, Beyer, Diaz, Griffin-Jones, Hilpert, Honore, Justus, and Mulmat.
Nays: None

Abstained: None

Absent: Aziz, Canson, Harvey, Larkin, Murray-Ramirez, Rubio, Sanchez, and Villa De La Cruz

III. OFFICE OF THE COMMISSION ON POLICE PRACTICES:

A. Staffing Update – Introduction of new CPP Interim Executive Director Danell Scarborough (**Timestamp 3:33**)

IV. PURPOSE OF THE COMMISSION ON POLICE PRACTICES: The purpose of the Commission on Police Practices (CPP or Commission) is to provide independent community oversight of SDPD, directed at increasing community trust in SDPD & increasing safety for community and officers. The purpose of the Commission is also to perform independent investigations of officer-involved shootings, in-custody deaths and other significant incidents, and an unbiased evaluation of all complaints against members of SDPD and its personnel in a process that will be transparent and accountable to the community. Lastly, the Commission also evaluates the review of all SDPD policies, practices, trainings, and protocols and represents the community in making recommendations for changes.

V. APPROVAL OF MEETING MINUTES

A. CPP Regular Meeting Minutes of December 12, 2023

Motion: Commissioner Brandon Hilpert moved to approve the CPP Regular Business Meeting Minutes of December 12, 2023. Commissioner Bonnie Benitez seconded the motion. The motion passed with a vote of 12-0-0.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Diaz, Griffin-Jones, Hilpert, Honore, Justus, and Mulmat.

Nays: None

Abstained: None

Absent: Aziz, Canson, Harvey, Larkin, Murray-Ramirez, Rubio, Sanchez, and Villa De La Cruz

VI. CLOSED SESSION (NOT OPEN TO THE PUBLIC)

A. Public Comment – None

B. Outside Counsel Mr. Duane Bennett – Lead CPP into Closed Session

C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Discussion & Consideration of Complaints & Reports: Pursuant to Government Code Section 54957 to discuss complaints, charges, investigations, and discipline (unless the employee requests an open public session) involving San Diego Police Department employees, and information deemed confidential under Penal Code Sections 832.5-832.8 and Evidence Code Section 1040. Reportable actions for the Closed Session items on the agenda will be posted on the Commission's website at www.sandiego.gov/cpp or stated at the beginning of the Open Session meeting if the meeting is held on the same day.

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| I. | San Diego Police Department Feedback on Case Specific Matters |
| II. | Shooting Review Board Reports (0) |
| III. | Category II Case Audit Reports (0) |
| IV. | Discipline Reports (0) |
| V. | Case Review Team Reports (3) |
| VI. | Case-Specific Recommendations to the Mayor/Chief (0) |
| VII. | Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0) |
| VIII. | Legal Opinion(s) Request & Response (0) |
| IX. | Disciplinary Memo Reviews – Chief Investigator Olga Golub (5 minutes) |

VII. REPORT OUT FROM CLOSED SESSION (6:15pm): Outside Counsel Duane Bennett reported that the Commission voted unanimously to agendize the Department's usage and practices regarding body-worn cameras, buffering and engagement of the cameras; and to consider policy recommendations.

VIII. NEW BUSINESS

A. Permanent Executive Director Hiring Process Update (1st Vice Chair Brown)

1. Public Comment: (**Timestamp 18:07**) Kate Yavenditti requests for the Commission to not only have qualifications for hiring the director but also for those that will be involved in the hiring, interviewing, and recruitment process. There will eventually be a discussion about involving the community in the interview process. Ms. Yavenditti recommends for the Commission to reach out to community advocate Patrick Anderson who has a wide list of contacts. Ms. Yavenditti also expressed concern regarding the requirement of a master's degree or a law degree as it is too restrictive.
2. Discussion

Commissioner Darlanne Mulmat presents the Characteristics of the Executive Director

 - Extensive knowledge of and previous experience in Civilian Oversight of Law Enforcement, including (though not required) in the city of San Diego.
 - A thorough understanding of and commitment to the San Diego Model of Civilian Oversight and awareness of national trends.
 - A demonstrated ability to work in a cooperative, collaborative, non-adversarial environment where "win-win" is the preferred outcome.
 - Previous administrative and managerial experience.
 - A strong knowledge and understanding of the laws and regulations governing a police department (e.g., the San Diego Police Department).
 - A high level of political acumen and ability to operate in an apolitical manner.
 - A demonstrated commitment to principles of equity, inclusion, diversity, and cultural awareness.
 - Experience with managing large diverse groups (including those that are, racially, religious, immigrant, LGBTQ, and gender diverse and unique) and ability to identify individual needs within those groups.

- Well-developed facilitation skills to help resolve differences between Commission Members as well as between the Commission and San Diego Police Department.
- Knowledge of and ability to apply Brown Act requirements while ensuring open government and access.
- Strong quantitative analytical abilities, including a thorough understanding of common data analysis tools and programs.
- Strong interpersonal skills.
- Ability to communicate effectively, both in writing and verbally to different audiences, including elected officials, various levels of City management and members of the public.
- Ability to comprehend technical details and understand how they relate to and impact the "big picture".
- Proven track record of maintaining confidentiality.
- Previous experience in conflict resolution and mediation.
- Office management responsibilities: ability to delegate, understand individual needs of staff and supportive of team, open to receiving criticism from staff.
- Responsibility is related to commissioners: Committed to independence of Commission.
- Team player
- Problem solver
- Good communication skills
- Technology proficient (e.g., Microsoft Office products, Zoom), ability to use advanced methods.
- Several years of relevant combined education and or experience in civilian oversight of law enforcement, criminal investigation, or related fields.
- 5+years of experience in community engagement, particularly in a leadership or position of trust in the community.
- Master's degree or professional law degree from an accredited college or university.

Commissioner Clovis Honore presents the Community Input Recommendations

- Invite community organizations in writing, by flyer, by internet communication, and verbally, to attend a centrally located CPP meeting dedicated to gaining community input about characteristics desired for the Executive Director.
- Community input on the Executive Directors position, have those willing, to discuss what they believe the focus of this commission should be. – Bullet to be deleted per vote.
- Starting in early January, ask office staff, specifically the Community Outreach Coordinator, to contact and invite representative community organizations to participate.
- Ask if there is additional help needed by this individual. Ask City Council member staffs to provide assistance with these contacts.
- Publicize this/these meetings through all community groups, (e.g., community planning groups, community-based organizations, libraries, etc.)

- Ensure that communities that are most greatly impacted by complaints of police interactions (i.e., Southeast San Diego, Barrio Logan, MidCity and Downtown) are given special opportunity to participate in these discussions by providing additional abilities to provide input.
 - NACOLE sites on how other organizations are obtaining community participation. – Bullet to be deleted per vote.
 - Consider having Town Hall meetings similar to how the City Council meetings interact with their communities.
3. **Motion: Commissioner Honore moved that the Commission on Police Practices accepts the Personnel Committee’s recommendations on how to generate community input toward the hiring of the Executive Director. As presented on the slides with the two exceptions (see above for the deleted bullets 2 and 6 - Community Input Recommendations) the 1st Vice Chair Brown made. Seconded by Aziz. The motion passed with a vote of 14-0-0. Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Aziz, Benitez, Beyer, Diaz, Griffin-Jones, Harvey, Hilpert, Honore, Justus, and Mulmat.**
Nays: None
Abstained: None
Absent: Canson, Larkin, Murray-Ramirez, Rubio, Sanchez, and Villa De La Cruz
- B. Outside Investigator Update (Outside Counsel Bennett)
Mr. Bennett reported we are still waiting to work out the meet and confer regarding handing the cases to the outside investigator.
1. Public Comment – None
 2. Discussion – None
- C. Direct Commissioner City Emails on CPP Website (Chair Tran)
Follow up from 12/12/23 meeting.
1. Public Comment – None
 2. Discussion
 3. It was discussed whether to put Commissioner’s City email on the CPP website. Some Commissioners thought the CPP email was sufficient and if the public wanted to reach a specific Commissioner, they can indicate that in the email.
 4. **Motion: Chair Gloria Tran moved to table this item for staff to thoroughly research best practices in oversight bodies around the country. 1st Vice Chair Dennis Brown seconded the motion. The motion passed with a vote of 14-0-0.**
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Aziz, Benitez, Beyer, Diaz, Griffin-Jones, Harvey, Hilpert, Honore, Justus, and Mulmat.
Nays: None
Abstained: None
Absent: Canson, Larkin, Murray-Ramirez, Rubio, Sanchez, and Villa De La Cruz

IX. AD HOC COMMITTEE REPORTS

- A. Training Committee – Committee Chair Brandon Hilpert stated that the committee was going to propose an Onboarding Training, but due to holidays there is no physical document was ready. He suggested to have it tabled for the

next meeting.

1. Discussion – None

2. Action – Tabled

B. Bylaws Committee Update DRAFT Bylaws – Commissioner Alec Beyer briefly stated that Committee Chair Mark Maddox is currently collating the comments of the Commission that were submitted after the last meeting in December. If there are any changes, he will present the revised draft Bylaws to the Commission.

1. Discussion – None

2. Action – Tabled

C. Operating Procedures Committee Update – Co-Chair Doug Case reported that the Committee has finalized the Discipline Review Procedures. They have received some feedback from CPP Outside Counsel Duane Bennett and will finalize that at the next Committee meeting which is going to be on January 17th at 4:30pm. The next Committee meeting will focus primarily on Investigation Procedures.

X. NON-AGENDA PUBLIC COMMENT: None

XI. COMMISSIONER COMMENTS:

(Timestamp 55:57) Commissioner Dwayne Harvey made a comment regarding an incident with SDPD. Mr. Harvey reported that during the SDPD Bus Tour for academy cadets, the cadets were told that they may encounter members of the Harvey family at police situations. Further informing them of how Mr. Harvey, his family, and Tasha Williamson participate in the community regarding police stops. This item will be addressed in a future meeting.

(Timestamp 1:02:42) Commissioner Clovis Honore wants to flag attention to and requests next steps for those Commissioners whose one-year term will be ending soon. Chair Tran said she would contact City Council and report the results.

(Timestamp 1:03:36) Commissioner James Justus informed the Commission and the community that there is a program through SDPD that will give out a voucher to someone who gets pulled over for a fix it ticket. This voucher can be used at a local auto shop to fix the issue instead of giving out a ticket.

(Timestamp 1:07:32) Commissioner Laila Aziz asked what happens if a commissioner witnesses potential misconduct and how would a commissioner go about submitting a third-party complaint. This item will be added to a future agenda for further discussion.

XII. ADJOURNMENT: The meeting adjourned at 7:31pm.