


**SAN DIEGO
CITIZENS' REVIEW BOARD
ON POLICE PRACTICES**

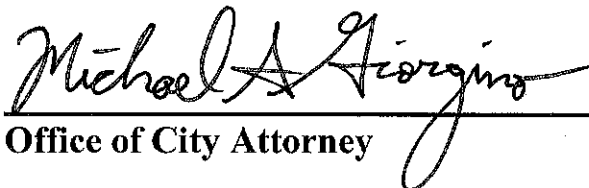
**OPERATIONAL STANDING RULE:
REVIEW OF THE SAN DIEGO POLICE
DEPARTMENT'S ADMINISTRATION
OF DISCIPLINE**

Effective Date: 6/4/15

Adopted:

 6/4/15
Kevin Faulconer Date
Mayor

Reviewed:

 4/29/15
Office of City Attorney Date

Citizens' Review Board on Police Practices (CRB)
Operational Standing Rule
Review of the San Diego Police Department's (SDPD)
Administration of Discipline

1. Review of SDPD Discipline by CRB

When the Chief of Police notifies the Citizens' Review Board (Board) of disciplinary action taken against an officer as a result of a sustained finding of misconduct, the original Case Review Team Leader will be notified. (See the attached template for a confidential memorandum documenting "Discipline for IA Case # for Sustained Finding(s).") The original three-person Case Review Team will be assigned to review the discipline. If any member of the original Case Review Team is no longer serving on the Board, the Board Chair will assign a replacement, with priority given to Board Members who attended the original case presentation.

The Team will then review the administration of discipline, referring to the original Team Case Report, the confidential memorandum from the Commanding Officer, and related IA documentation, as needed.

If the Team has questions about (1) whether the discipline set forth in the confidential memorandum was consistent with the SDPD Misconduct Related Discipline Matrix in the SDPD Discipline Manual for Sworn Personnel (SDPD Discipline Matrix) or (2) how the level of discipline imposed within the range of options in the SDPD Discipline Matrix was chosen, the Team may request the Executive Director or Board Chair contact the Commanding Officer who drafted the confidential memorandum or the Executive Assistant Chief of Police to seek clarification.

Having completed their review, the Team will evaluate the disciplinary action and decide by majority vote whether to AGREE or DISAGREE on the two parts:

- (1) AGREE or DISAGREE that the reported discipline is consistent with the SDPD Discipline Matrix; and
- (2) AGREE or DISAGREE that the discipline imposed was appropriate.

The Team will then provide the full Board an oral summary of discipline imposed in the case during closed session, including a short summary of the facts in the original Team Case Report and the sustained allegation(s) that led to the discipline. The Team will read the Commanding Officer's confidential memorandum and present the Team's recommendation on whether to agree or disagree that (1) the discipline was consistent with the SDPD Discipline Matrix, and (2) the discipline imposed was appropriate. The Team will then make separate motions to agree or disagree with the two parts. If after discussion by the Board, the Team's motions fail, then any Board Member can make a motion to adopt the opposite position.

2. Subsequent Referral for Mayoral Review

"At any time, the Mayor may be requested to monitor, review and evaluate a case by a majority vote of the Board," pursuant to the CRB Bylaws, Article VII, Section 1.D. Any member of the Board may make a motion to send the Mayor a confidential memo requesting a review of discipline in a case. If a review is requested by the Board and approved by the Mayor, it may include a review of the record of the IA investigation. The completed mayoral review will then be presented to the Executive Director of CRB for review and comment, who will report the results of the Mayor's investigation to the Board.

3. Statistical Review to Identify Trends

The Executive Director will keep a record of CRB's position on all disciplinary actions and include statistics on agreement or disagreement with parts one and two in CRB's semiannual reports to the Mayor and City Council.