

Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
REGULAR BUSINESS MEETING
AND AD HOC PERSONNEL COMMITTEE
JOINT MEETING MINUTES**

Wednesday, June 5, 2024

4:30pm-7:30pm

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

Click <https://www.youtube.com/watch?v=EGVRcPVoO5U> to view this meeting on YouTube.

CPP Commissioners Present:

Chair Gloria Tran
1st Vice Chair Dennis Brown
2nd Vice Chair Doug Case
John Armantrout
Bonnie Benitez
Alec Beyer
Stephen Chatzky
Lupe Diaz (arrived at 4:39 pm)

Armando Flores (arrived at 4:49pm)
Dwayne Harvey (arrived at 4:32 pm)
Brandon Hilpert
Clovis Honoré
James Justus
Daniel Mendoza
Darlanne Mulmat
Ada Rodriguez
Yvania Rubio (arrived at 4:50 pm)

Excused:

Octavio Aguilar
Cheryl Canson
Christina Griffin-Jones

Absent:

None

Ad Hoc Personnel Committee Present:

Committee Chair, 1st Vice Chair Dennis Brown
Clovis Honoré
James Justus
Darlanne Mulmat

CPP Staff Present:

Danell Scarborough, Interim Executive Director
Duane Bennett, CPP Outside Counsel
Olga Golub, Chief Investigator
Yasmeen Obeid, Community Engagement Coordinator
Alina Conde, Executive Assistant
Jon'Nae McFarland, Administrative Aide

- I. CALL TO ORDER/WELCOME: Chair Gloria Tran called the meeting to order at 4:30 p.m.
- II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call for the Commission and established quorum.
 - A. Executive Assistant Alina Conde conducted roll call for the Ad Hoc Personnel Committee.
- III. 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.
- IV. CHAIR'S REPORT
 - The CPP started the hiring process for two investigators, and the position of Policy Advisor is scheduled to open Friday, June 7th. The deadline to apply is June 23, 2024.
 - The Cabinet met with new Chief of Police Scott Wahl and among the issues addressed was open communication and a specific liaison within the department other than the Internal Affairs Captain. In addition, the Chief agreed to attend the Community Hearing on Pretext Stops, if his schedule allows. If not, he will send a high-ranking designee.
 - The CPP Community Hearing on Pretext Stops will be held on Wednesday, August 7th, 2024, at 5:00 pm at the George Stevens Recreation Center.
 - Staff is in the process of purchasing bullet proof vests for when Commissioners participate in a ride along. Staff will send the procedures for requesting a ride along and for borrowing the vests.
 - A Recognition Event (reception) to honor previous Community Review Board members will be held on Wednesday, June 26th at 5pm at office located at 525 B Street. All current Commissioners are welcome to attend.
- V. APPROVAL OF MEETING MINUTES
 - A. CPP Regular Meeting Minutes of May 15, 2024
 1. **Motion:** Commissioner James Justus moved for approval of the CPP Regular Meeting Minutes of May 15, 2024, with the amendment on item X. D. to correct Commissioner names to Benitez, Mulmat, and Harvey. Commissioner Ada Rodriguez seconded the motion. The motion passed with a vote of 15-0-0.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Benitez, Beyer, Chatzky, Harvey, Hilpert, Honoré, Justus, Mendoza, Mulmat, Rodriguez, and Rubio
Nays: 0
Abstained: 0
Absent/Excused/Arrived Late: Aguilar, Canson, Diaz, Flores, Griffin-Jones

- VI. NON-AGENDA PUBLIC COMMENT: None
- VII. POLICE PURSUIT AD HOC COMMITTEE
 - A. Ad Hoc Committee Update - (*Timestamp 8:06*) Ad Hoc Committee Chair Doug Case gave an update on the progress of the committee's action plan.
 - B. Public Comment – None
 - C. Discussion
- VIII. SAN DIEGO POLICE PROTEST POLICY
 - A. Policy Recommendations - (*Timestamp 18:30*) Commissioner Brandon Hilpert noted recommendations the former Community Review Board, the ACLU, and MOGO (Community Advocates for Just and Moral Governance) submitted to the SDPD that were not accepted. He will take input from the Commission and draft a new recommendation list. This item will come back for Commission approval.
 - B. Public Comment
Virtual Public Comment: Yusef Miller (*Timestamp 43:51*) - Identification of officers should be easy, and not assumed it is for participants to go to officers' house. If there is not proper identification, it can lead to a loss of reporting.
 - C. Discussion
- IX. POLICY COMMITTEE
 - A. Presentation on the establishment of a standing Policy Committee for the CPP.
 - B. Public Comment – None
 - C. Discussion
 - D. **Motion:** 2nd Vice Chair Doug Case moved for the Commission to establish a standing Policy Committee after hiring an a Policy Advisor. Commissioner James Justus seconded the motion. The motion passed with a vote of 17-0-0.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Benitez, Beyer, Chatzky, Diaz, Flores, Harvey, Hilpert, Honoré, Justus, Mendoza, Mulmat, Rodriguez, and Rubio
Nays: 0
Abstained: 0
Absent/Excused/Arrived Late: Aguilar, Canson, Griffin-Jones
- X. AD HOC OPERATING PROCEDURES (Ad Hoc Committee Chair Case)
 - A. Presentation:
 - 1. Case Review Procedure
 - B. Public Comment – None
 - C. Discussion
 - D. Action:
 - Motion:** 2nd Vice Chair Case moved to accept the Case Review Procedure. Commissioner Clovis Honoré seconded the motion. The motion passed with a vote of 17-0-0.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Benitez, Beyer, Chatzky, Diaz, Flores, Harvey, Hilpert, Honoré, Justus, Mendoza, Mulmat, Rodriguez, and Rubio
Nays: 0
Abstained: 0
Absent/Excused/Arrived Late: Aguilar, Canson, Griffin-Jones
 - E. Presentation

1. Subpoena Procedure

F. Discussion

G. Action:

Motion: 2nd Vice Chair Case moved to accept the Subpoena Procedure. Commissioner John Armantrout seconded the motion. The motion passed with a vote of 17-0-0.

Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Benitez, Beyer, Chatzky, Diaz, Flores, Harvey, Honore, Hilpert, Honoré, Justus, Mendoza, Mulmat, Rodriguez, and Rubio

Nays: 0

Abstained: 0

Absent/Excused/Arrived Late: Aguilar, Canson, Griffin-Jones

XI. CLOSED SESSION (NOT OPEN TO THE PUBLIC)

A. Public Comment – None

B. Outside Counsel Mr. Duane Bennett – Led 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. | Officer Involved Shooting (1) |
| III. | Category II Case Audit Reports (0) |
| IV. | Discipline Reports (4) |
| V. | Category I Case Review Reports (2) |
| 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. | Finding Letter Example (1) |

XII. REPORT OUT FROM CLOSED SESSION (7:16pm): Outside Counsel Duane Bennett reported that there was no reportable action.

XIII. COMMISSIONER COMMENTS:

- Commission John Armantrout (*Timestamp 1:18:21*) updated the Commission on his experience during a ride along.
- Commissioner and Ad Hoc Nominating Committee Chair Bonnie Benitez (*Timestamp 1:21:57*) reminded the Commission that the Cabinet elections are coming up.
- Commissioner Alec Beyer (*Timestamp 1:22:50*) spoke regarding the ending of terms at the end of June.
- Commissioner James Justus (*Timestamp 1:23:37*) spoke regarding the ending of terms at the end of June.
- Commissioner Yvania Rubio (*Timestamp 1:24:07*) requested more information

on how to nominate someone for the Commission and Cabinet.

- Commissioner Dwayne Harvey (*Timestamp 1:26:43*) spoke regarding the meaning of the Juneteenth holiday to the African American community.

XIV. ADJOURNMENT: The meeting adjourned at 7:27 pm.