

**Commission on Police Practices**

**COMMISSION ON POLICE PRACTICES  
SPECIAL MEETING  
AND COMMUNITY HEARING**

**Tuesday, October 1, 2024**

**4:30pm-7:30pm**

**Live Well San Diego**

**5101 Market Street**

**San Diego, CA 92114**

Click <https://youtu.be/tjYzYihKk3c> to view this meeting on YouTube.

**CPP Commissioners Present:**

Chair Gloria Tran

1<sup>st</sup> Vice Chair Dennis Brown

2<sup>nd</sup> Vice Chair Doug Case

Alec Beyer

Stephen Chatzky

Lupe Diaz (arrived at 4:47 pm)

Jessica Dockstader

Armando Flores

Dwayne Harvey

Brandon Hilpert

Clovis Honoré

James Justus

Dan Lawton (arrived at 4:47 pm)

Darlanne Mulmat (arrived at 4:47 pm)

Viviana Ortega

Imani Robinson (arrived at 4:47 pm)

Gonzalo Rocha-Vazquez

Ada Rodriguez

**Excused:**

John Armantrout

Bonnie Benitez

Cheryl Canson

**Absent:**

Octavio Aguilar

Christina Griffin-Jones

**CPP Staff Present:**

Paul Parker, Executive Director

Duane Bennett, CPP Outside Counsel

Aaron Burgess, Policy Manager

Alina Conde, Executive Assistant

Jon’Nae McFarland, Administrative Aide

---

- I. CALL TO ORDER/WELCOME: Chair Gloria Tran called the meeting to order at 4:30pm.
- II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call for the Commission and established quorum.
- 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. APPROVAL OF MEETING MINUTES
  - A. CPP Regular Meeting Minutes of September 4, 2024
    1. **Motion:** Commissioner James Justus moved for approval of the CPP Regular Meeting Minutes of September 4, 2024. Commissioner Ada Rodriguez seconded the motion. The motion passed with a vote of 11-0-1.  
Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Beyer, Chatzky, Flores, Harvey, Honoré, Justus, Ortega, Rocha-Vazquez, and Rodriguez  
Nays: 0  
Abstained: Hilpert  
Excused/Absent/Late Arrival: Aguilar, Armantrout, Benitez, Canson, Diaz, Dockstader, Griffin-Jones, Lawton, Mulmat, and Robinson
    2. **Motion:** Commissioner James Justus moved for approval of the CPP Regular Meeting Minutes of September 14, 2024. Commissioner Ada Rodriguez seconded the motion. The motion passed with a vote of 12-0-0.  
Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Beyer, Chatzky, Flores, Harvey, Hilpert, Honoré, Justus, Ortega, Rocha-Vazquez, and Rodriguez  
Nays: 0  
Abstained: 0  
Excused/Absent/Late Arrival: Aguilar, Armantrout, Benitez, Canson, Diaz, Dockstader, Griffin-Jones, Lawton, Mulmat, and Robinson
- V. NON-AGENDA PUBLIC COMMENT
 

**Virtual Public Comment:** Wayne Landon (*Timestamp 4:42*) Spoke regarding audio for emergency warnings and helicopter announcements.

**Virtual Written Public Comment:** John Doe (full statement attached to minutes), spoke about specific SDPD officers who he claimed illegally detained him. He says he's a journalist who routinely covers the police department.

**Virtual Written Public Comment:** Kate Yavenditti, attached to the minutes.
- VI. CHAIR/CABINET REPORT
  - The Cabinet and Executive Director met with San Diego Police Chief Scott Wahl and his leadership team on 9/25.  
The items discussed were:

- A case that was voted on by Commissioners to take to the Chief (details presented in Closed Session).
- Internal Affairs responses when the CPP sends cases back. Internal Affairs stated that if the CPP disagrees with their response, they are always open to discussing it.
- The CPP shared concerns about alleged comments by an SDPD officer at a community meeting. The officer allegedly told the group that the CPP is making radical recommendations that will hinder their police work and asked for community support to oppose the changes. The Chief and the leadership team agreed that it was inappropriate and will address it.
- The Cabinet updated Chief Wahl on the Ad Hoc Committees' progress.
- Update on Ad Hoc Committees provided by the Chairs: CPP Policy Manager, Aaron Burgess, is working closely with the Ad Hoc Committees to guide them on the process and the recommendations. Mr. Burgess is working to make sure the recommendations are in a more readable format, as well as keeping the format consistent for all committees.
  - Pursuits Ad Hoc Committee - The paralegals have completed their analysis of CHP pursuit data. The committee will seek input from the San Diego Police Department through a PD Liaison.
  - Pretext Stops Ad Hoc Committee - The Committee is finalizing the recommendations and have invited Andrea Guerro, Executive Director of Alliance San Diego and statewide Chair of the RIPA Board, to their next meeting to get her insight and feedback.
  - Protest Policy Ad Hoc Committee - At an upcoming meeting, the Commission will incorporate community feedback to revise and approve a set of recommendations to update SDPD's First Amendment Activity Facilitation (4.17) procedure.
- Since forming the three Standing Committees (Training and Continuing Education, Community Outreach, and Rules Committees), the chairs have been extremely proactive about working with staff to schedule their first meetings. They will wait until after the NACOLE convention to give staff a chance to assign a staff member to work with each committee and help facilitate the meetings.
- The next CPP meeting is on Wednesday, October 23<sup>rd</sup>. The meeting will also be at Live Well San Diego.
- The Cabinet and staff will attend the National Association for Civilian Oversight of Law Enforcement Conference during the third week of October.

## VII. EXECUTIVE DIRECTOR REPORT

- Commissioners now have access to OCPP offices from Monday through Friday, 8am-5pm.
- Policy Manager Aaron Burgess and Executive Director Paul Parker met with Jerry Threet on October 1 to review and discuss his draft outside consultant report on the 153 closed cases from 2020-2023.
  - OCPP is working to amend Mr. Threet's contract. Once the contract and draft are completed, Mr. Threet's presentation can be scheduled.
- On October 2, Outside Counsel Duane Bennett and Executive Director Paul Parker will meet with the City's HR/Labor Team to discuss their preliminary feedback to the draft operating procedures.

- Afterward, Executive Director Paul Parker will put everything together for the Operating Procedures Ad Hoc Committee to review prior to bringing the package back before the CPP for final changes prior to the Public Safety Committee (PSC). After PSC, the procedures will go to the entire City Council. After City Council it will go to meet and confer with the police union.
- Interim Standard Operating Procedures allow for the CPP to publish a summary of each case review to be published on the CPP site and documented in the semi-annual report. Outside Counsel Duane Bennett and Executive Director Paul Parker will meet to discuss how to make this happen as soon as possible.
- On October 10, Executive Assistant Alina Conde, Administrative Aide Jon’Nae McFarland, Senior Management Analyst Jamie Jacinto, Chief Investigator Olga Golub, and Executive Director Paul Parker will meet with Internal Affairs staff to discuss complaint process procedures.
- CPP Retreat; OCPP has received ten responses to Google poll regarding January meeting dates.
- Training update:
  - All commissioners have now been added to the City’s online training portal, SuccessFactors.
  - Once that occurs, a few basic City-mandated trainings will be assigned to those Commissioners who have yet to complete them, the most important of which is a two-hour “Sexual Harassment” course.
  - The “CPP Overview – Part 1” virtual presentation given twice by Outside Counsel Duane Bennett within the past month covering the Brown Act, Confidentiality, NACOLE Code of Ethics, and Closed Session Requirements will be uploaded to the portal and assigned to the few Commissioners who have yet to take the training.
  - Professor Fairley’s “Process of Decision Making” from the 9/4 CPP meeting will be uploaded and assigned to those Commissioners who were not present.
  - Outside Counsel Duane Bennett’s overview, also from September 4, 2024, CPP meeting, will be uploaded and assigned to those Commissioners who were not present.
- Community Engagement Coordinator Yasmeen Obeid has diligently coordinated community meetings for Executive Director Paul Parker, who met with another group last week and has a different group scheduled for next week.
- CPP Budget – OCPP is assessing staffing and equipment needs
- Staffing Update – These three positions will be posted soon (Deputy Executive Director, General Counsel, and Performance Auditor)
- Upcoming CPP meeting dates; November 6, November 20, December 4, and December 11.

## VIII. COMMUNITY HEARINGS

- A. Information regarding recommended timeline – (*Timestamp 16:56*)
- B. Public Comment
  - In Person Public Comment:** Francine Maxwell (*Timestamp 21:15*) – Requests that the Commission on Police Practices partners with the Chief of Probation regarding 4<sup>th</sup> waivers.
- C. Discussion – (*Timestamp 20:33*)
- D. **Motion:** Commissioner Brandon Hilpert moved to delay the three Community

Hearings until June 30, 2025, with the hearings in this order: SOU, 4<sup>th</sup> Waiver, and De-escalation. Commissioner Ada Rodriguez seconded the motion. The motion passed with a vote of 14-2-0.

Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Chatzky, Diaz, Flores, Harvey, Hilpert, Justus, Lawton, Mulmat, Ortega, Rocha-Vazquez, Robinson, and Rodriguez

Nays: Beyer, Honoré

Abstained: 0

Excused/Absent/Late Arrival: Aguilar, Armantrout, Benitez, Canson, Dockstader, and Griffin-Jones

IX. COMMISSIONER COMMENTS

James Justus (*Timestamp 20:33*) – Spoke about the funeral he attended for the Officer Austin Machitar.

Chair Gloria Tran on behalf of former Commissioner Daniel Mendoza (*Timestamp 32:30*) – Recommended to send commendation letters to officers as acknowledgment for doing an exceptional job. The Commission agreed via consensus to including in an upcoming agenda, with the date TBA.

Commissioner Steve Chatzky (*Timestamp 34:40*) – Recommend Office of Commission on Police Practices to have a library that will help for case review.

X. REVIEW OF DISCRIMINATION COMPLAINTS AND PRE-TEXT STOPS

A. Presentation of Information (*Timestamp 37:00*) Executive Director Paul Parker gave an overview of discriminatory practices and pre-text stops.

(*Timestamp 38:59*) Outside Counsel Duane Bennett presented to the Commission.

B. Public Comment

**In Person Public Comment:** Francine Maxwell (*Timestamp 53:07*) – Attached to the minutes.

C. Discussion – (*Timestamp 56:01*)

XI. CLOSED SESSION (NOT OPEN TO THE PUBLIC)

A. Outside Counsel Duane Bennett led CPP into Closed Session

B. 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](http://www.sandiego.gov/cpp) or stated at the beginning of the Open Session meeting if the meeting is held on the same day.

- I. San Diego Police Department Feedback on Case Specific Matters (0)
- II. Officer Involved Shooting (0)
- III. Category II Case Audit Reports (1)
- IV. Discipline Reports (2)
- V. In-Custody Death (0)
- VI. Case Review Reports (3)
- VII. Case-Specific Recommendations to the Mayor/Chief (0)
- VIII. Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0)
- IX. Legal Opinion(s) Request & Response (0)

XII. REPORT OUT FROM CLOSED SESSION (7:35pm): Outside Counsel Duane Bennett reported that there was no reportable action.

XIII. ADJOURNMENT: The meeting adjourned at 7:36 pm.