



## Commission on Police Practices

### COMMISSION ON POLICE PRACTICES SPECIAL MEETING AND COMMUNITY HEARING Wednesday, October 23, 2024

4:30pm-7:30pm

Live Well San Diego

5101 Market Street

San Diego, CA 92114

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#### **CPP Commissioners Present:**

Chair Gloria Tran

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

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

Octavio Aguilar

Bonnie Benitez

Alec Beyer

Cheryl Canson (arrived at 5:08pm)

Lupe Diaz (arrived at 5:08pm)

Jessica Dockstader

Dwayne Harvey (arrived at 4:35pm)

Brandon Hilpert

Clovis Honoré

James Justus

Viviana Ortega

Imani Robinson (arrived at 4:35pm)

Gonzalo Rocha-Vazquez

Ada Rodriguez

#### **Excused:**

John Armantrout

Stephen Chatzky

Dan Lawton

Darlanne Mulmat

Armando Flores

#### **Absent:**

None

#### **CPP Staff Present:**

Paul Parker, Executive Director (virtual)

Duane Bennett, CPP Outside Counsel

Olga Golub, Chief Investigator (virtual)

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 October 1, 2024
    1. **Motion:** Commissioner Brandon Hilpert moved for approval of the amended CPP Regular Meeting Minutes of October 1, 2024. The minutes were amended by Commissioner Justus who asked that we add his community visits. Commissioner Bonnie Benitez seconded the motion. The motion passed with a vote of 11-0-0.  
Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Dockstader, Hilpert, Honoré, Justus, Ortega, and Rodriguez  
Nays: 0  
Abstained: 0  
Excused/Late Arrival: Armantrout, Canson, Chatzky, Diaz, Flores, Harvey, Lawton, Mulmat, and Robinson
- V. NON-AGENDA PUBLIC COMMENT

**In Person Public Comment:** Francine Maxwell (*Timestamp 4:58*) Spoke regarding the transparency of CPP with completion of city trainings and posting highlights in social media to better recruit for the Commission.

**Virtual Written Public Comment:** John Doe (*Timestamp 6:26*) Spoke regarding his complaint and case with SDPD/CPP. He specifically spoke on the outcome and how his complaint wasn't investigated thoroughly.
- VI. CHAIR/CABINET REPORT
  - Commissioner Christina Griffin-Jones has resigned from the CPP. City Council is now taking nomination for 3 seats of the Commission (two low-to-moderate and one at large categories). Nomination period is open from now to November 8<sup>th</sup>.
  - The Pursuit Police Ad Hoc Committee will be presenting final recommendations at the next meeting on November 6<sup>th</sup>. CPP Policy Manager Aaron Burgess has been working closely with the Committee to help finalize the recommendations.
  - Training and Continuing Education, Community Outreach, and Rules Committee Chairs are working to schedule first meetings. Community Outreach Committee will meet on the week of November 18<sup>th</sup>. Rules Committee will meet on November 7<sup>th</sup>. The Training and Continuing Education Committee is still to

be determined and the Executive Committee is scheduled to meet in December. The meetings are to be held in the OCPP offices.

- Reminder to the CPP to not violate confidentiality and share any information from complaints or cases publicly.
- If a commissioner needs an excused absence, please email Chair Tran and Executive Director Parker by noon the day of the meetings.
- The CPP Cabinet, Executive Director, Chief Investigator, and Policy Manager attended the in-person NACOLE conference in Tucson, Arizona from 10/12-10/17. (*Timestamp 11:56*)

#### VII. EXECUTIVE DIRECTOR REPORT

- One of the new CPP Investigator's will start on October 28<sup>th</sup>. The other investigator will start mid-November.
- The OCPP is still on track to start the Deputy Executive Director, General Counsel, and Performance Auditor search on or around January 2025.
- Executive Director Paul Parker will be meeting with Human Resources to have a final meeting to have these positions posted.

#### VIII. UPDATE OF CPP OPERATING PROCEDURES AND NEGOTIATION PROCESS BETWEEN THE CITY AND SAN DIEGO POLICE OFFICERS ASSOCIATION (OUTSIDE COUNSEL DUANE BENNETT)

- A. Presentation – CPP Outside Counsel Duane Bennett presented the update of CPP Operating Procedures and negotiation process between the City and San Diego Police Officers Association (*Timestamp 32:22*)
- B. Public Comment  
**In Person Public Comment:** Francine Maxwell (*Timestamp 36:58*) – Requests that the CPP require a timeline that the CPP will respond to the POA.  
**Virtual Public Comment:** Tasha Williamson (*Timestamp 38:25*) – Echoes the requests to set a timeline for the CPP to respond to the POA.
- C. Discussion by Commission
- D. Action: Vote on direction for Chair to send memo to City Leaders
1. **Motion:** Commissioner Alec Beyer moved for Chair Tran to send a memo to City leaders (City Council, Media, etc.) regarding the CPP operations procedures and negotiation process between the City and San Diego Police Officers Association. Commissioner Ada Rodriguez second the motion. The motion failed with a vote of 4-10-2.  
Yays: Aguilar, Beyer, Diaz, and Dockstader  
Nays: 1st Vice Chair Brown, 2nd Vice Chair Case, Benitez, Canson, Harvey, Hilpert, Honore, Justus, Ortega, and Robinson  
Abstained: Rocha -Vazquez and Rodriguez  
Excused/Late Arrival: Armantrout, Chatzky, Flores, Lawton, and Mulmat
  2. **Motion:** Commissioner Harvey moved for Chair Tran to draft a letter to City leader and have Commissioners review the memo at next scheduled meeting on November 6, 2024. 2<sup>nd</sup> Vice Chair Case seconded the motion. The motion passed with a vote of 15-1-1.  
Yays: Chair Tran, 1<sup>st</sup> Vice Chair Brown, 2<sup>nd</sup> Vice Chair Case, Aguilar, Benitez, Beyer, Canson, Diaz, Dockstader, Harvey, Hilpert, Justus, Robinson, Rocha-Vazquez, and Rodriguez  
Nays: Honore  
Abstained: Ortega

- IX. INTERNAL AFFAIRS COMMUNICATIONS
- A. Presentation of current IA/CPP Interaction Process – Executive Director Paul Parker presented the updates regarding Internal Affairs and Commission on Police Practices interactions. (*Timestamp 1:21:56*)
  - B. Public Comment – None
  - C. Discussion by Commission – (*Timestamp 1:25:09*)
- X. OFFICER-INVOLVED SHOOTING/IN CUSTODY DEATH – SDPD FILE ACCESS (EXECUTIVE DIRECTOR PAUL PARKER)
- A. Presentation of IA Proposals – Executive Director Paul Parker presented the Internal Affairs proposal for SDPD file access to OIS and In Custody Death files. (*Timestamp 1:33:51*)
  - B. Public Comment
    - In Person Public Comment:** Francine Maxwell (*Timestamp 1:36:54*) – Requests for the CPP to request that City Council Marni von Wilpert to put together a special meeting regarding this item. She urges for the CPP to hold elected officials accountable for what is happening in the community.
    - Virtual Public Comment:** Tasha Williamson (*Timestamp 1:38:58*) – Urges the CPP to obtain what is necessary from the department. She requests for the CPP to take their concerns out to the community regarding problems the CPP is facing.
  - C. Discussion by Commission – (*Timestamp 1:39:58*)
  - D. Action: Vote on direction for Executive Director re: OIS/In Custody Death File Access
    - 1. **Motion:** 2<sup>nd</sup> Vice Chair Doug Case moved for Chair Tran to draft letter to Chief of Police with guidance from outside counsel Duane Bennet regarding CPP’s access to SDPD files for officer-involved shooting and in custody deaths. Commissioner Ada Rodriguez seconded the motion. The motion passed with a vote of 16-0-0.  
Yays: 1<sup>st</sup> Vice Chair Brown, 2<sup>nd</sup> Vice Chair Case, Aguilar, Benitez, Beyer, Canson, Diaz, Dockstader, Harvey, Hilpert, Honore, Justus, Ortega, Robinson, Rocha-Vazquez, and Rodriguez  
Nays: 0  
Abstained: 0  
Excused: Armantrout, Chatzky, Flores, Lawton, and Mulmat
- XI. COMMISSIONER COMMENTS – Tabled
- XII. 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. Shooting Review Board Reports (0)
- III. Officer Involved Shooting (0)
- IV. Discipline Reports (3)
- V. In-Custody Death (0)
- VI. Case Review Group 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)

XIII. REPORT OUT FROM CLOSED SESSION (7:28pm): Outside Counsel Duane Bennett reported that there was no reportable action.

XIV. ADJOURNMENT: The meeting adjourned at 7:30 pm.