



Commission on Police Practices

COMMISSION ON POLICE PRACTICES SPECIAL MEETING AND COMMUNITY HEARING

Wednesday, November 6, 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=FGGskFsw0E&t> 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
Cheryl Canson (arrived at 5:00pm)
Stephen Chatzky
Lupe Diaz

Jessica Dockstader
Armando Flores (arrived at 4:56pm)
Dwayne Harvey
Brandon Hilpert
Clovis Honoré
James Justus
Darlanne Mulmat
Viviana Ortega
Imani Robinson (arrived at 4:35pm)
Gonzalo Rocha-Vazquez

Excused:

Octavio Aguilar
Dan Lawton
Ada Rodriguez

Absent:

None

CPP Staff Present:

Paul Parker, Executive Director
Duane Bennett, CPP Outside Counsel
Olga Golub, Chief Investigator
Aaron Burgess, Policy Manager
Alina Conde, Executive Assistant
Yasmeen Obeid, Community Engagement Coordinator (virtual)

- 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 23, 2024
 1. **Motion:** Commissioner James Justus moved for approval of the CPP Regular Meeting Minutes of October 23, 2024. Commissioner Clovis Honoré seconded the motion. The motion passed with a vote of 14-0-3.
 Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Benitez, Beyer, Chatzky, Diaz, Dockstader, Harvey, Hilpert, Honoré, Justus, Ortega, Robinson, and Rocha-Vazquez
 Nays: 0
 Abstained: Chair Tran, Armantrout, Mulmat
 Excused/Late Arrival: Aguilar, Canson, Flores, Lawton, and Rodriguez
- V. NON-AGENDA PUBLIC COMMENT

Virtual Public Comment: Dorothy Trammell (*Timestamp 3:50*) Spoke regarding an incident involving her brother and the San Diego Police Department that led to his death.

Virtual Public Comment: Yusef Miller (*Timestamp 4:56*) Spoke regarding the use of de-escalation tactics. Request for CPP to review of San Diego Police Department use of canine policy.

Virtual Public Comment: Darwin Fishman (*Timestamp 7:18*) Spoke regarding the incidents in San Diego that require de-escalation.

In Person Public Comment: Anthony Evans (*Timestamp 19:55*) Spoke in detail regarding the incident involving Marcus Evans and the San Diego Police Department.
- VI. POLICE PURSUIT AD HOC COMMITTEE
 - A. Final Pursuit Policy Recommendations (*Timestamp 10:35*) Ad Hoc Committee Chair Doug Case presented the final Pursuit Policy Recommendations.
 - B. Risk Management Payouts (*Timestamp 18:37*) Commissioner Brandon Hilpert presented the risk management payout recommendation to send to Risk Management.
 - C. Public Comment

In Person Public Comment: Kate Yavenditti (*Timestamp 23:12*) Commended the Police Pursuit Ad Hoc Committee for their presented recommendations and how the Commission on Police Practices is getting out into the Community. She wanted

to highlight the part involving pursuit policy police stops were for infractions. She also pointed out the response of San Diego Police Department regarding the request for payout information.

Virtual Public Comment: Patricia De Arman (*Timestamp 25:39*) Spoke regarding the incident of Christopher De Arman and San Diego Police Department that led to his death.

Virtual Public Comment: Tasha Williamson (*Timestamp 29:25*) Spoke in support of the recommendations presented and spoke more on recent police pursuits. Ms. Williamson also recommended that the Commission on Police Practices to hold a town hall meeting within the community to go over excessive use of force and canine policy.

Virtual Public Comment: Yusef Miller (*Timestamp 33:06*) Commended the Committee on the recommendations presented. Mr. Miller also spoke regarding the expansion of cost risk analysis including the payout of San Diego Police Department paying back the city for collateral damage made by pursuits.

Virtual Public Comment: Dorothy Trammell (*Timestamp 35:00*) Spoke regarding the effectiveness of Commission on Police Practices recommendations and the spoke for justice on what happened to her brother.

D. Commissioner Discussion (*timestamp 37:54*)

E. **Motion:** Commissioner Armando Flores moved to postpone the vote on the final pursuit policy recommendations until the next meeting. Commissioner Lupe Diaz seconded the motion. The motion failed to pass with a vote of 3-15-1.

Yays: Commissioner Flores, Diaz, and Beyer.

Nays: 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Benitez, Beyer, Canson, Dockstader, Harvey, Hilpert, Honoré, Justus, Mulmat, Ortega, Robinson, and Rocha-Vazquez

Abstained: Chatzky

Excused: Aguilar, Lawton, and Rodriguez

F. Vote on Final Pursuit Policy Recommendations.

Motion: 2nd Vice Chair Doug Case moved to accept the final Pursuit Policy recommendations of the Ad Hoc Committee and added to have quarterly reports presented to the Public Safety Committee. 1st Vice Chair Dennis Brown seconded the motion. The motion passed with a vote of 18-0-0.

Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Benitez, Beyer, Canson, Chatzky, Diaz, Dockstader, Flores, Harvey, Hilpert, Honoré, Justus, Mulmat, Ortega, Robinson, and Rocha-Vazquez

Nays: None

Abstained: None

Excused: Aguilar, Lawton, and Rodriguez

G. Vote to send Risk Management a recommendation to clearly categorize/note payouts pertaining to police pursuits.

Motion: Commissioner Brandon Hilpert motioned to send Risk Management a recommendation to clearly categorize/note payouts pertaining to police pursuits. Commissioner Darlane Mulmat seconded the motion. The motion passed with a vote of 18-0-0.

Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Benitez, Beyer, Canson, Chatzky, Diaz, Dockstader, Flores, Harvey, Hilpert, Honoré, Justus, Mulmat, Ortega, Robinson, and Rocha-Vazquez

Nays: None

Abstained: None

Excused: Aguilar, Lawton, and Rodriguez

VII. ADOPTION OF CPP RESOLUTION ESTABLISHING AN AD HOC NEGOTIATING COMMITTEE AND DESIGNATING THE NEGOTIATING TEAM FOR NEGOTIATIONS BETWEEN THE CITY AND SAN DIEGO POLICE OFFICERS ASSOCIATION

A. Presentation (*timestamp 58:30*)

B. Public Comment

Virtual Public Comment: Tasha Williamson (*Timestamp 1:11:25*) Shares her opinions and frustrations on the process to get a seat at the table. Ms. Williamson also spoke regarding the need for those on the Commission to focus on making change and hold the San Diego Police Department accountable for what they do.

C. Discussion (*timestamp 1:13:50*)

D. Vote on adoption of Resolution

Motion: Commissioner Darlanne Mulmat moved for adoption of the presented Resolution. Commissioner Bonnie Benitez seconded the motion. The motion passed with a vote of 18-0-0.

Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Benitez, Beyer, Canson, Chatzky, Diaz, Dockstader, Flores, Harvey, Hilpert, Honoré, Justus, Mulmat, Ortega, Robinson, and Rocha-Vazquez

Nays: None

Abstained: None

Excused: Aguilar, Lawton, and Rodriguez

E. Vote on Ad Hoc Negotiating Committee Members

Motion: 2nd Vice Chair Doug Case moved for approval to have 2nd Vice Chair Doug Case, Commissioners Benitez, Mulmat, Rodriguez, Flores, Beyer, and Hilpert as members of the Ad Hoc Negotiating Committee. Commissioner John Armantrout seconded the motion. The motion passed with a vote of 17-0-1.

Yays: 1st Vice Chair Brown, 2nd Vice Chair Case, Armantrout, Benitez, Beyer, Canson, Chatzky, Diaz, Dockstader, Flores, Harvey, Hilpert, Honoré, Justus, Mulmat, Ortega, and Rocha-Vazquez

Nays: None

Abstained: Commissioner Robinson

Excused: Aguilar, Lawton, and Rodriguez

F. Scheduling of initial meeting of the Ad Hoc Negotiating Committee – The committee will hold their first meeting on Friday, November 22nd at 5:00pm via Zoom.

VIII. CHAIR/CABINET REPORT

- Clarification that the Cabinet does not hold regular meetings. Meetings will commence when the Executive Committee meets for transparency.
- 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 8th.
- The CPP Retreat will be held on Saturday, January 25th.

IX. EXECUTIVE DIRECTOR REPORT

- The OCPP job postings have been posted online. The OCPP job search is on track for the Deputy Executive Director, General Counsel, and Performance Auditor.
- The Rules Standing Committee will meet Thursday, November 7th at the OCPP offices.

- The Outreach Committee will meet on Thursday, November 21st at the OCPP offices.
- The Training and Continuing Education Committee will meet on Thursday, December 5th at the OCPP offices.
- The Executive Committee will be meeting on Thursday, December 12th at the OCPP offices. This committee will be meeting after the standing committees have all met.

X. COMMISSIONER COMMENTS

- James Justus (*timestamp 2:08:09*) – Commissioner has requested for Policy Manager Aaron Burgess to start the review of SDPD’s policy for use of canines due to public comments requests. Mr. Burgess will report out on this research and review during the next meeting.
- Jessica Dockstader (*timestamp 2:09:30*) – Agreed with the request of Commissioner Justus. Commissioner Dockstader also recommended further research from the ACLU of canine use of force across California and across the country.
- Armando Flores (*timestamp 2:09:54*) – Requests to reach out to the SDPD Canine Unit and have them share a presentation for the Commission on Police Practices.
- Bonnie Benitez (*timestamp 2:10:57*) – Confirmed the date of the Commission on Police Practices Retreat that will be held on January 25th.

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 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 (0) |
| II. | Shooting Review Board Reports (0) |
| III. | Officer Involved Shooting (0) |
| IV. | Discipline Reports (0) |
| 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) |

XII. REPORT OUT FROM CLOSED SESSION (7:31pm): Outside Counsel Duane Bennett reported that there was no reportable action.

XIII. ADJOURNMENT: The meeting adjourned at 7:32pm.