

COMMISSION ON POLICE PRACTICES

Wednesday, February 19, 2025

4:30pm

**REGULAR BUSINESS MEETING
AGENDA**

**Southeast Live Well San Diego
Conference Room
5101 Market St.
San Diego, CA 92114**

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.

The Commission on Police Practices (Commission) meetings will be conducted pursuant to the provisions of California Government Code Section 54953 (a), as amended by Assembly Bill 2249.

The Commission business meetings will be in person and the meeting will be open for in-person testimony. Additionally, we are continuing to provide alternatives to in-person attendance for participating in our meetings. In lieu of in-person attendance, members of the public may also participate via telephone/Zoom.

The link to join the meeting by computer, tablet, or smartphone at 4:30pm is:

<https://sandiego.zoomgov.com/j/1610950576>

Meeting ID: 161 095 0576

In-Person Public Comment on an Agenda Item: If you wish to address the Commission on an item on today's agenda, please complete and submit a speaker slip before the Commission hears the agenda item. You will be called at the time the item is heard. Each speaker must file a speaker slip with the Executive Director

at the meeting at which the speaker wishes to speak indicating which item they wish to speak on. Speaker slips may not be turned in prior to the day of the meeting or after completion of in-person testimony. In-person public comment will conclude before virtual testimony begins. Each speaker who wishes to address the Commission must state who they are representing if they represent an organization or another person.

For discussion and information items each speaker may speak up to three (3) minutes, subject to the Chair's determination of the time available for meeting management purposes, in addition to any time ceded by other members of the public who are present at the meeting and have submitted a speaker slip ceding their time. These speaker slips should be submitted together at one time to the Executive Director. The Chair may also limit organized group presentations of five or more people to 15 minutes or less.

In-Person Public Comment on Matters Not on the Agenda: You may address the Commission on any matter not listed on today's agenda. Please complete and submit a speaker slip. However, California's open meeting laws do not permit the Commission to discuss or take any action on the matter at today's meeting. At its discretion, the Commission may add the item to a future meeting agenda or refer the matter to staff or committee. Public comments are limited to three minutes per speaker. At the discretion of the Chair, if a large number of people wish to speak on the same item, comments may be limited to a set period of time per item to appropriately manage the meeting and ensure the Commission has time to consider all the agenda items. A member of the public may only provide one comment per agenda item. In-person public comment on items not on the agenda will conclude before virtual testimony begins.

Virtual Platform Public Comment to a Particular Item or Matters Not on the Agenda: When the Chair introduces the item you would like to comment on (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the "Raise Your Hand" button on your computer, tablet, or Smartphone, or by dialing *9 on your phone. You will be taken in the order in which you raised your hand. You may only speak once on a particular item. When the Chair indicates it is your turn to speak, click the unmute prompt that will appear on your computer, tablet or Smartphone, or dial *6 on your phone. The virtual queue will close when the last virtual speaker finishes speaking or 5 minutes after in-person testimony ends, whichever happens first.

Written Comment through Webform: Comment on agenda items and non-agenda public comment may also be submitted using the [webform](#). If using the webform, indicate the agenda item number you wish to submit a comment for. All webform comments are limited to 200 words. On the [webform](#), members of the public should select Commission on Police Practices (even if the public comment is for a Commission on Police Practices Committee meeting).

The public may attend a meeting when scheduled by following the attendee meeting link provided above. To view a meeting archive video, click [here](#). Video footage of each Commission meeting is posted online [here](#) within 24-48 hours of

the conclusion of the meeting.

Comments received no later than 11 am the day of the meeting will be distributed to the Commission on Police Practices. Comments received after the deadline described above but before the item is called will be submitted into the written record for the relevant item.

Written Materials: You may alternatively submit via U.S. Mail to Attn: Office of the Commission on Police Practices, 525 B Street, Suite 1725, San Diego, CA 92101. Materials submitted via U.S. Mail must be received the business day prior to the meeting to be distributed to the Commission on Police Practices.

If you attach any documents to your comment, they will be distributed to the Commission or Committee in accordance with the deadlines described above.

- I. CALL TO ORDER/WELCOME (Chair Doug Case)
- II. ROLL CALL (Executive Assistant Alina Conde)
- III. NON-AGENDA PUBLIC COMMENT (Community Outreach Coordinator Yasmeen Obeid)
- IV. CHAIR REPORT (Chair Doug Case)
- V. STAFF REPORT
- VI. SDPD Response to Vehicle Pursuits Policy Recommendations
 - A. Presentation by SDPD (Chief Scott Wahl)
 - B. Public Comment
 - C. Commissioner Comments and Questions
- VII. COMMISSIONER COMMENTS
- VIII. CLOSED SESSION
 - A. Public comment
 - B. Chair Doug Case – Lead CPP into Closed Session
(Not Open to the Public)
 - 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 announced and posted on the Commission’s website at www.sandiego.gov/cpp.

- I. San Diego Police Department Feedback on Case Specific Matters (0)
- II. Shooting Review Board Reports (0)
- III. Officer-Involved Shooting (2)
- IV. Discipline Reports (3)
- V. In-Custody Death (0)
- VI. Case Review Group Reports (4)
- 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)
- X. Report on case-related issues discussed during IA meeting (0)

II. REPORT FROM CLOSED SESSION (General Counsel Bart Miesfeld)

III. ADJOURNMENT

Materials Provided:

- Pursuit Policy Memo

Access for People with Disabilities: As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the Commission at (619) 236-6296 or commissiononpolicepractices@sandiego.gov.

Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services, or interpreters, require different lead times, ranging from five business days to two weeks. Please keep this in mind and provide as much advance notice as possible to ensure availability. The city is committed to resolving accessibility requests swiftly.

SDPD Response to Vehicle Pursuit Recommendations from the Commission on Police Practices

Research, Analysis, and Planning Unit (RAP) – February 2025



Summary:

- SDPD continually strives to improve its operations, policies and procedures.
- The Department acknowledges the substantial work conducted by members of the Commission on Police Practices (CPP).
- This presentation will summarize each CPP recommendation, followed by SDPD's response.
- The Department plans to implement, partially implement or explore six of the nine recommendations.





CPP Pursuit Policy Recommendations:

1. Revise the Purpose of the SDPD Pursuit Procedures:

The purpose of the SDPD Pursuit Procedures should be updated to prioritize the protection of life. The Purpose should add “to protect the lives and safety of the public and officers.”

SDPD Response - Agree:

The San Diego Police Department agrees with the need to prioritize public safety at the beginning of its procedure. SDPD will revise the purpose statement to include language from the California Highway Patrol’s (CHP) Pursuit Policy and Emergency Vehicle Operations that is consistent with the Department’s existing procedure.



2. Define Pursuit Consistently:

SDPD should remove the phrase “who are operating an authorized emergency vehicle” from its definition of a pursuit to be in line with the CHP’s definition of a pursuit. This will ensure uniform reporting standards.

SDPD Response - Agree:

The Department agrees to adopt a pursuit definition identical to the CHP’s definition to continue with uniform reporting standards. Information about “authorized emergency vehicles” allowed to participate in pursuits will be outlined elsewhere in its pursuit procedure.



3. Restrict Pursuit Justifications:

SDPD should add a section that outlines restricted actions and situations that do not justify a pursuit.

Pursuits should be avoided for the following circumstances:

- **Infractions**
- **Property Offenses:** Unless other aggravating factors, such as armed resistance, are present.
- **Misdemeanors:** Unless there is clear evidence the suspect poses an immediate danger to the public.
- **Traffic Violations:** Unless reckless driving creates a direct and severe threat to public safety.
- **Non-Violent Warrants**



SDPD Response - Disagree

SDPD believes the proposed restrictions would increase public safety risks that are unacceptable to the Department and the communities it serves, outweighing any intended benefit from this CPP recommendation.

Several cities and states that have implemented these kinds of changes have seen upticks in crime.

The recommendation allows violators to flee from acts that threaten public safety without fear of being identified. The department feels this sends the wrong message to those who threaten community members.



4. Verbal and Physical Acknowledgment of Pursuit Termination:

SDPD should require all officers involved in a pursuit acknowledge its termination over the radio while performing an action, such as pulling over to the side of the road, to ensure every officer is aware of the termination of the pursuit.

SDPD Response - Agree in Part:

The Department agrees officers involved in a pursuit should communicate the conclusion via the radio and discontinue the use of Code 3 equipment, specifically their overhead lights and sirens. Taking additional action, such as pulling to the side of the road, may create additional roadway hazards for the public and the officers involved in the pursuit.



5. Establish a Vehicle Pursuit Review Board:

SDPD should create a Vehicle Pursuit Review Board that would identify trends, evaluate tactics, and recommend policy improvements. Key responsibilities would include conducting post-pursuit reviews, publishing quarterly public reports on lessons learned, and sharing insights with the Commission on Police Practices and City Council's Public Safety Commission.

SDPD response - Agrees in Part

The Department is open to exploring a Vehicle Pursuit Review Board (VPRB) that would assess vehicle pursuits for accurate reporting, identify trends, and determine if the Department's policies and training need to be modified. The Department will consult with the City Attorney's Office about the impact of creating a VPRB.



6. Inclusion of Terminated Pursuit Accident in Report Analysis:

SDPD should include any incident that results in injury, death, or property damage following a pursuit – whether the pursuit was initiated, terminated, or re-engaged – in SDPD's traffic accident investigation reports and official CHP187A/SDPD Pursuit Data Sheet form.

SDPD Response – Disagree:

Investigations involving injury, death, or property damage are focused on concluding whether such incidents occurred because of the actions officers or suspects took during a pursuit. That necessitates that we narrow the window to actions that occur during the pursuit itself.

Also, the CPP has previously stressed uniformity with the CHP. This change would put us out of alignment with that agency and others across the state.



7. Familiarize and Integrate CPP Staff and Commissioners with SDPD Training Curriculum:

SDPD should develop a system to provide CPP staff and Commissioners with a comprehensive understanding of SDPD's training curriculum, enhancing their ability to assess and provide oversight on departmental practices.

SDPD Response - Agree:

The Department agrees with this recommendation and will direct its Training Unit to develop a program to familiarize CPP staff with its vehicle pursuit training and reporting requirements.



8. Explore Advanced Technologies for Pursuit Management:

SDPD should explore the use of technologies such as GPS tracking, drone surveillance, pursuit management software, and training simulations or virtual reality to improve the monitoring, control, and safety of vehicle pursuits.

SDPD Response – Agree:

The Department agrees with this recommendation, and SDPD personnel from multiple divisions already continuously evaluate and assess the capabilities of technology, including the technologies listed, to enhance department operations.



9. Pursue Law Enforcement Accreditation:

SDPD should pursue accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA).

SDPD Response – Disagree

CALEA Accreditation is not feasible, at this time, given the forecasted budget deficit and the urgent need to address other priorities within SDPD.



Additional SDPD Responses:

Preliminary recommendations for further review:

- Pursuit intervention tactics and use standards.
- Authorized pursuit vehicles and their limitations.
- Discipline associated with terminating a pursuit.

These recommendations were not included in the final memo but merit further consideration.

Conclusion:

Shared commitment to safety and policy improvement:

- SDPD carefully considered all CPP's recommendations.
- We agree with the Commission that clear, detailed policies set expectations and provide guidance for officers and supervisors that is critical to ensuring public safety.
- We also agree that ongoing training, feedback and data analysis are essential.

Next steps:

- SDPD sees this as an ongoing process.
- Open to continued discussion and feedback.

