

The City of



COMMUNITY REVIEW BOARD ON POLICE PRACTICES

MINUTES

**Tuesday, March 27, 2018
Malcolm X Branch Library
5148 Market Street
San Diego, CA 92105**

Members Present:

Doug Case, Chair	Pieter O’Leary
Joe Craver, 1 st Vice Chair	Mary O’Tousa
Brandon Hilpert, 2 nd Vice-Chair	Ernestine Smith
Diana Dent	Nancy Vaughn
Reinaldo Galindo	Pauline Theodore
Sheila Holtrop	Martin Workman
Maria Nieto-Senour	

Members Absent:

Taura Gentry
Richard Stanford

Prospective Members Present:

Gregory Daunoras
Darwin Fishman

Prospective Members Absent:

Jonathan Colby (LOA)

Staff Present:

Sharmaine Moseley, Executive Director, CRB
David Nisleit, Chief of Police, San Diego Police Department
Todd Jarvis, Executive Assistant Chief, San Diego Police Department
Wes Morris, Captain, San Diego Police Department
Adam Sharki, Lieutenant, San Diego Police Department
Mark Bennett, Lieutenant, San Diego Police Department
Jessie Holt, Detective, San Diego Police Department

- I. **CALL TO ORDER/WELCOME:** Chair Doug Case called the meeting to order at 6:00 p.m.
- II. **PURPOSE OF THE COMMUNITY REVIEW BOARD ON POLICE PRACTICES:** Chair Doug Case explained the purpose of the Community Review Board on Police Practices (CRB) to those in attendance.
- III. **APPROVAL OF MINUTES:** Motion was made by Nancy Vaughn and seconded by Pauline Theodore to approve the CRB minutes of February 27, 2018. Motion passed unanimously.
- IV. **NON-AGENDA PUBLIC COMMENT:**

Desiree Smith
 Oletha Wade-Matthews
 Meeka Blake
 Walter Cameron
 Arlene Pincus
 Brittany (Last Name N/A)
 Blair Overstreet
 Tony Hawkins

Marsha Gresko
 Adrienne Durso
 Freeman Michaels
 Martin Eder
 Alara Chilton
 Michael Brackney
 Tasha Williamson

- V. **GUEST SPEAKER: Brian Pollard, Chair
 Citizens Advisory Board on Police/Community Relations**

Brian Pollard briefly explained the difference between the Community Review Board on Police Practices and the Citizens Advisory Board on Police/Community Relations (CAB).

The Citizens Advisory Board on Police/Community Relations' purpose and duties:

- i. The Citizens Advisory Board on Police/Community Relations shall study, consult and advise the Mayor, City Council and City Manager on Police/Community Relations crime prevention efforts. It shall function as a method of community participation in recommending and reviewing policies, practices, and programs designed to make law enforcement sensitive, effective and responsive to the needs of the City. It shall actively encourage and foster citizen participation in crime prevention activities. The Board shall promote and encourage open communication and cooperation between the Police Department and residents of the City, recognizing the policing of the City of San Diego is a shared responsibility.

Mr. Pollard updated the CRB on the workings of CAB. CAB has been collecting data and input from community members and attempts to represent all

districts in San Diego. CAB is starting to look at police policies and practices and how CAB can make them more effective, sensitive, and part of the community. CAB will look at all policies and procedures from the prospective of an employee starting on the employee cycle, therefore looking at recruitment policies, training policies, and operating procedures.

Mr. Pollard mentioned Trauma, its effects on the community, and the need to create a non-adversarial relationship with law enforcement.

He concluded his presentation by suggesting a collaboration between the Community Review Board on Police Practices' policy committee and the Citizens Advisory Board on Police/ Community Relations' policy committee as a way of "joining forces" and working on the same policies.

**GUEST SPEAKER: Chief of Police David Nisleit
San Diego Police Department**

Chief of Police David Nisleit provided attendees with a brief introduction of himself and his background in law enforcement. He emphasized his vested interest in the police department and his openness to meeting with anyone who wants to talk to him. He stated that he is going to look at things from a "Best Practice" approach, as in what is best for the city, the community, and the men and women of the San Diego Police Department.

He emphasized his commitment to dedicating time to further research officers use of the carotid restraint (CR) and looking at other police departments that have banned the CR and resulting changes.

VI. UNFINISHED BUSINESS (DISCUSSION/ACTION): None

VII. COMMITTEE REPORTS (DISCUSSION/ACTION)

A. Continuing Education Committee (Pieter O'Leary)

- i. Upcoming Education Topics/Guest Speakers: Committee Chair Pieter O'Leary reported that he is continuing to work on scheduling speakers for upcoming CRB Open Meetings.

B. Outreach Committee (Taura Gentry)

- i. In the absence of Committee Chair Taura Gentry, Executive Director Sharmaine Moseley gave the report. She reported on the activities, trainings and meetings that members of the Board participated in as follows:

Central Jail Tour 3/1

Presentation to SDSU Criminal Justice Students 3/1

CRB Rules and Policy Committee Meetings

Presentation to City's Rules Committee Meeting Regarding Implementation of Measure G

Community Assistance Support Team Meeting 3/8

Crisis Response Team Trainings

SDPD Menu Trainings

Community Engagement New Officer Bus Tour 3/23

Citizen's Advisory Board on Police Community Relations 3/26

C. Rules Committee

(Brandon Hilpert)

- i. Case Review Turnaround Timelines Update: Committee Chair Brandon Hilpert presented the CRB with a New Case Review Timeline Proposal with the Time for Review/Preparation updated to 56 days. The time for when a case review is completed and submitted to IA will change to the Monday of the week prior to the CRB's Closed Session Meeting, instead of Thursday. The Board Meeting is scheduled after the 60 day timeframe instead of before.
- ii. Audit of Category II Case: This item will be discussed with the Chief.
- iii. Case Summaries for Publication: Committee Chair Hilpert reported that he spoke with Outside Counsel and the idea is to have a "sanitized" version for publication.

D. Policy Committee

(Joe Craver)

- i. ACTION ITEM: Recommendation that SDPD require an officer writing a report in a use of force incident, not to view video prior to writing report & prior to being interviewed in in-custody death & officer-involved shooting cases. In addition, the officer should have the option of writing a supplemental report after viewing the BWC video. A motion was made by Vice Chair Joe Craver to recommend this policy to SDPD. The motion was seconded by Pieter O'Leary. The motion passed unanimously with a vote of 12-0-1 with the Chair abstaining.

- ii. ACTION ITEM: Recommendation for SDPD to adopt a de-escalation policy and use Baltimore’s policy as a model. A motion was made by Vice Chair Joe Craver to recommend this policy to SDPD. The motion was seconded by Reinaldo Galindo. After some discussion, Ernestine Smith made a motion to divide this item into 2 parts. That motion did not pass. The previous motion addressing the action item passed with a vote of 11-1-1 with Ernestine Smith dissenting and the Chair abstaining.
- iii. ACTION ITEM: Recommendation for SDPD to change unlawful detention & unlawful search and seizure complaints to Category I. A motion was made by Vice Chair Joe Craver to recommend this policy to SDPD. The motion was seconded by Pauline Theodore. The motion passed with a vote of 12-0-1 with the Chair abstaining.
- iv. SDPD Use of Carotid Restraint Update: Tabled until May to gather more information and research.
- v. Recording of IA Interviews: Lt. Adam Sharki read the SDPD Procedure for this item.
- vi. New SDPD Implementation (CAD System to Remind Officers to Turn on Body Worn Camera) – It was reported that SDPD uses the CAD System to remind officers to turn on his/her Body Worn Camera. SDPD Lt. Adam Sharki read the procedure.

E. Recruitment & Retention Committee (Maria Nieto-Senour)

- i. Committee Chair Maria Nieto-Senour reported that the committee had a meeting where they discussed outreach to get a more representative Board, informing people of the work/time commitment and emphasizing the importance of being unbiased, the enhancement of training, suggest cultural competency training, a revision of questions for interviews with prospective members, creating a recruitment template, and wanting to distribute a recruitment information card at events.

VIII. CHAIR’S REPORT (Chair Doug Case)

A. Work Plan FY19

- i. Chair Doug Case presented the Board with a revised copy of the work plan that incorporated suggestions from Board members.

B. Status of Implementation of Measure G Ordinance

- i. The draft has been approved and is in the City’s Attorney’s office and the goal is to have it go before City Council in April. Ordinances require a second reading which would be two weeks after the first and then the ordinance will go into effect 30 days thereafter.

C. Reporting of Hours

- i. Chair Doug Case reminded members to turn in a written report of hours from July 1–December 31st. All recording of time after January 1st should be recorded online.

D. Board Member Status Update

- i. Pieter O’Leary has been granted excused absence from case review for 6–8 weeks.

IX. EXECUTIVE DIRECTOR’S REPORT (Sharmaine Moseley)

A. Caseload Update & Status of Case Reports

- i. Today we started off with 17 active cases. 2 of those 17 cases were deliberated by the Board and placed on the next meeting agenda. So we were left with 15 active cases assigned to the Teams. Earlier tonight, 4 of those cases were placed on our Closed Session Meeting agenda for review. At that meeting, 4 of those 4 cases were reviewed and closed out. As a result, the Teams now have a total of 11 active cases.

The CRB has a total of 30 cases closed out for FY18. The breakdown of active cases are as follows:

Team 1 – 3 cases	Team 4 – 2 cases
Team 2 – 3 cases	Team 5– 2 cases
Team 3 – 1 cases	Team 7– 0 cases

- B. Community Events/Forums/Meetings – This report was given under the Outreach Committee item. Executive Director Moseley provided members with an Upcoming Outreach Meetings/Trainings Calendar.

C. Other Items/Reminders

- i. Executive Director Moseley reported that she met with the City's Communications Public Information Officer and they are putting together the CRB's Communication Plan for FY19 which has been distributed to the Board. The plan will be discussed at the April Open Meeting.
 - ii. AB953 Racial Identity Profiling Advisory Board Update- Information given to the Board via email
- X. **SAN DIEGO POLICE DEPARTMENT REPORT (Executive Assistant Chief Todd Jarvis)**
 - A. IA Staff Changes: Executive Assistant Chief Todd Jarvis reported on the recent personnel changes within SDPD including the new Chief of Police, the promotion of 2 Assistant Chiefs and the promotion of 4 Captains, the moving around of Lieutenants, and the creation of a new section of the Police Department called "Neighborhood Policing."
- XI. **BOARD MEMBER RIDE-ALONG REPORTS:**
 - A. Mary O'Tousa and Darwin Fishman gave reports about their experiences in recent ride-along opportunities.
- XII. **BOARD MEMBER ANNOUNCEMENTS/COMMENTS:**
 - A. Critical Response Team Training recommended by Chair Doug Case.
- XIII. **ADJOURNMENT: 7:55 p.m.**

**Next Meeting
Tuesday, April 24, 2018
Skyline Public Library
7900 Paradise Valley Road
San Diego CA 92139**