

Rules Committee Report:

Proposed Changes to Operational Standing Rule:

CRB Case Review Procedure

1 – Applies to entire document

In accordance with voter approved Measure G, all references to “Citizens’ Review Board” will be changed to “Community Review Board” and “citizen” will be replaced with “community member”.

2 – Page 5, modifications to the first two sentences of the last paragraph:

CRB Closed Meetings should be ~~supported~~ attended by only the responsible lieutenant and/or the IA investigator for any case scheduled to be presented to the Board. The IA Captain, ~~and IA Liaison Officer (Custodian of Records), and the Executive Assistant Chief~~ also may attend ~~as well as any other~~. Other individuals who obtain prior approval from the Board Chair in consultation with the Executive Director as permitted by law, may attend.

3 – Page 7, modifications to paragraphs 2, 3, 4, and 5 in section 2, Complete, Fair, Objective Review:

~~Each Case Review Team member will be provided with a copy of the IA Investigator’s Report in the Team Folder. It is important for every Team member to read the IA report and listen to each recorded interview, noting any difference or omission in the IA synopsis for that interview. It is also important for every Team member to watch any video recordings from BWC’s or from Sally Port (at Headquarters or jail) or from witness phones or from surveillance cameras or other sources.~~

The Team should pay careful attention to the allegations listed in the IA Investigator’s Report to ensure that every specific complaint has been correctly represented. Specific complaints may be conveyed in the initial CCF or in follow up interviews or observed in BWC video. The Team should verify that the summary description for each allegation (~~found in the IA report Allegations List and the CRB Case Review Report Allegation Table~~) reflects both the complaint and the associated performance of the officer(s). E.g., “Mr. Jones alleged Officer Smith used force that caused injury”.

Note that the “Investigation” section of the IA Investigator’s Report details the IA investigation timeline. This section may contain information that is not found elsewhere in the IA report, such as notes from phone call interviews with witnesses or subject matter experts that were not audio recorded.

As part of the review, Team members need to evaluate the adequacy and thoroughness of the IA investigation. In order to do so, Team members should confirm that IA has exhausted all reasonable efforts to obtain relevant evidence including witness statements, documents, physical evidence and videos. All witnesses should have been interviewed, including anyone who called a report into SDPD dispatch if that person can be located. All available video, including surveillance video from the scene of the incident, should have been acquired for the IA investigation.

4 – Page 7, modifications to the first paragraph in section 3, Details:

~~Case Review Teams should make every effort to meet together for an initial assessment of a newly assigned case. Subsequent review can be as a Team or individually. The requirement is that each Team member reads the IA Investigator's Report, listen to at least the most important interview audio recordings, and watches all video collected by the IA investigator. In addition, at least one Team member must listen to all audio recordings and examine all additional information in the IA Folder. Team member comments, concerns and questions are shared with other Team members via notes left in the Team Folder of in person.~~

Each Case Review Team member is provided with a copy of the IA Investigator's Report in the Team Folder. Case Review Teams should make every effort to meet together for an initial assessment of a newly assigned case. Subsequent in depth review can be as a team or individually. When meeting as a team, comments, concerns and questions can be discussed in person. When working separately, comments, concerns and questions should be shared with other Team members using tan note paper titled "CRB Notes".

All Case Review Team members must (1) read the IA Investigator's Report, (2) listen to the most important audio recordings (e.g., all complainant and subject officer interviews), and (3) watch the most relevant video (e.g., subject officer BWC). When listening to complainant and witness interviews, it is important to note any difference or omission in the IA synopsis of that interview. At least one Team member must listen to all audio recordings, watch all video recordings, and examine all additional information collected by the IA Investigator in the IA Folder. Video recordings can be from BWC, Sally Port, jail parking or intake, witness phones, surveillance cameras, SDPD vehicle tracking (AVL), or other sources. Additional information in the IA Folder can include officer reports (e.g., Arrest, ARJIS Narrative, or Field Interview), communication logs, officer journals, maps, photos, and other related items.

5 – Page 11, modification to last sentence of last paragraph:

~~In this way, the concerns of the Board will be considered as part of the disciplinary process.~~