

Commission on Police Practices

**COMMISSION ON POLICE PRACTICES
REGULAR MEETING REGULAR BUSINESS MEETING
AND AD HOC PERSONNEL COMMITTEE
JOINT MEETING MINUTES**

Wednesday, April 3, 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=wgFqFOyhmsk> to view this meeting on YouTube.

CPP Commissioners Present:

Chair Gloria Tran
1st Vice Chair Dennis Brown
2nd Vice Chair Doug Case
Octavio Aguilar
Bonnie Benitez
Alec Beyer
Cheryl Canson (arrived at 4:51pm)
Stephen Chatzky
Lupe Diaz

Armando Flores
Christina Griffin-Jones
Dwayne Harvey
Brandon Hilpert
James Justus
Darlanne Mulmat
Ada Rodriguez
Yvania Rubio

Excused:

John Armantrout
Clovis Honoré
Dennis Larkin

Absent:

Laila Aziz

Ad Hoc Personnel Committee Present:

Committee Chair, 1st Vice Chair Dennis Brown
James Justus
Darlanne Mulmat

CPP Staff Present:

Danell Scarborough, Interim Executive Director
Duane Bennett, CPP Outside Counsel
Olga Golub, Chief Investigator
Yasmeen Obeid, Community Engagement Coordinator
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; established quorum.
 - A. Executive Assistant Alina Conde conducted roll call for the Ad Hoc Personnel Committee; no quorum. Therefore, Chair Tran did not convene the meeting.
- 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 March 20, 2024
 1. **Motion:** Commission James Justus moved for approval of the CPP Regular Meeting Minutes of March 20, 2024. Commissioner Alec Beyer seconded the motion. The motion passed with a vote of 15-0-1.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Chatzky, Diaz, Flores, Harvey, Hilpert, Justus, Mulmat, Rodriguez, and Rubio
Nays: None
Abstained: Griffin-Jones
Absent/Excused: Aziz, Armantrout, Canson, Larkin, and Honoré
- V. UPDATED CALENDAR
 - A. Presentation of added dates – July 17th and August 7th have been added to the calendar and will be held at 525 B St. at either the Procopio Towers large conference room or the new CPP Office space.
 - B. Public Comment - None
 - C. Action – Vote on additional dates on 2024 Calendar
Motion: Commission Ada Rodriguez moved for approval of the CPP Calendar update. Commissioner Darlanne Mulmat seconded the motion. The motion passed with a vote of 17-0-0.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Canson, Chatzky, Diaz, Flores, Griffin-Jones, Harvey, Hilpert, Justus, Mulmat, Rodriguez, and Rubio
Nays: None
Abstained: None
Absent/Excused: Aziz, Armantrout, Larkin, and Honoré
- VI. NON-AGENDA PUBLIC COMMENT:
In-Person: Kate Yavenditti (*Timestamp 6:52*) – Spoke regarding the CPP meeting minutes, Executive Director position community panel, and parking at the new CPP building.

In-Person: Francine Maxwell (*Timestamp 8:10*) – Spoke regarding community outreach, community engagement, and screening of complaints.

VII. UPDATE ON SDPD PURSUIT POLICY

- A. Presentation by SDPD Personnel – IA Captain Jeffrey Peterson (*Timestamp 10:24*)
He presented an order sent on March 5 to all sworn personnel to complete an hour training by late March. Letter was shared with Commissioners and is attached to the minutes.
- B. Public Comment
In-Person: Francine Maxwell (*Timestamp 15:47*) – Spoke regarding public expectations.
Virtual: Yusef Miller (*Timestamp 17:06*) – Spoke regarding public expectations.
- C. Discussion

VIII. POLICE PURSUIT AD HOC COMMITTEE

- A. Public Comment – None
- B. Discussion – The Committee had its first meeting April 2nd and will be meeting bi-weekly. The Committee includes Chair Doug Case, Commissioners Brandon Hilpert, Ada Rodriguez, Lupe Diaz, and Armando Flores. The Ad Hoc Committee requested the San Diego Police Department provide: 1. The form that an officer is required to fill out after a police pursuit. 2. Copies of evaluations of all pursuits. 3. Copies of all training materials provided.
- C. **Motion:** Chair Tan moved to not send the reiteration policy regarding Police Pursuit, since the SDPD order was sent out on March 5. Commissioner Alec Byer seconded the motion. The motion was passed with a vote of 15-1-1.
Yays: Chair Tran, 1st Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Canson, Diaz, Flores, Harvey, Hilpert, Justus, Mulmat, Rodriguez, and Rubio
Nays: Griffin-Jones
Abstained: Chatzky
Absent/Excused: Armantrout, Aziz, Larkin, and Honoré

IX. COMMISSION LETTER TO SAN DIEGO COO AND MAYOR

- A. Public Comment
In-Person: Francine Maxwell (*Timestamp 59:35*) – Spoke regarding setting the tone in the letter.
Virtual: Yusef Miller (*Timestamp 1:01:10*) – Spoke regarding setting the expectations for the Department.
- B. Discussion
- C. **Motion:** Commissioner Christina Griffin-Jones moved to have the OCPP draft a letter to the Mayor and COO expressing their disappointment and expectations that the Police Department shows up for Commission Hearings. The letter will be reviewed at the next meeting. Commissioner Ada Rodriguez seconded the motion. The motion passed with a vote of 13-3-1.
Yays: 1st Vice Chair Brown, Aguilar, Benitez, Beyer, Canson, Diaz, Flores, Griffin-Jones, Harvey, Mulmat, Justus, Rubio, and Rodriguez
Nays: Chair Tran, 2nd Vice Chair Case, Hilpert
Abstained: Chatzky
Absent/Excused: Armantrout, Aziz, Larkin, and Honoré

X. FULL COMMISSION CONFLICT OF INTEREST POLICY

- A. Presentation by Outside Counsel Duane Bennett (*Timestamp 1:15:39*)
- B. Public Comment
In-Person: Francine Maxwell (*Timestamp 1:31:30*) – Spoke regarding the recusal of the full Commission when involved with complaints.
Virtual: Yusef Miller (*Timestamp 1:33:27*) – Spoke regarding assisting the public with complaints.
- C. Discussion
- D. **Motion:** 1st Vice Chair Dennis Brown moved to approve the Cabinet and Counsel recusal of the full Commission depending on the extent of involvement of Commissioners in cases filed with the San Diego Police Department. The motion failed with a vote of 4-7-6.
Yays: Chair Tran, 2nd Vice Chair Case, Hilpert, and Justus
Nays: 1st Vice Chair Brown, Benitez, Beyer, Flores, Chatzky, Harvey, Griffin-Jones
Abstained: Aguilar, Canson, Diaz, Mulmat, Rodriguez, Rubio
Absent/Excused: Aziz, Armantrout, Larkin, and Honoré

XI. AD HOC COMMITTEE REPORTS

- A. Ad Hoc Operating Procedures Committee
 - 1. Update –The Committee is requesting feedback on the case review procedures. A permanent procedure needs to be developed that will include investigating officer-involved shooting, review, and evaluation of internal investigations, and adding a procedure that the department will not close out cases until the Commission has reviewed the case as long as it is within year deadline. Staff will have the ability to assist with the review of cases, and the group concept will still be held for the Commission to review cases.
 - 2. Public Comment
In-Person: Francine Maxwell (*Timestamp 1:56:06*) – Spoke regarding case review and complaints process.
 - 3. Discussion (*Timestamp 51:29*)

XII. CLOSED SESSION (NOT OPEN TO THE PUBLIC)

- A. Public Comment – None
- B. Outside Counsel Mr. Duane Bennett – Led CPP into Closed Session
- 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 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 |
| II. | Officer Involved Shooting (1) |
| III. | Category II Case Audit Reports (1) |
| IV. | Discipline Reports (0) |
| V. | Category I Case Review Reports (2) |
| VI. | Case-Specific Recommendations to the Mayor/Chief (0) |
| VII. | Referrals to other governmental agencies authorized to investigate activities of a law enforcement agency (0) |
| VIII. | Legal Opinion(s) Request & Response (0) |

XIII. REPORT OUT FROM CLOSED SESSION (7:17pm): Outside Counsel Duane Bennett reported that there was no reportable action.

XIV. COMMISSIONER COMMENTS:

- Commissioner Stephen Chatzky (*Timestamp 1:59:48*) – New Commissioner introduction.
- Commissioner James Justus (*Timestamp 2:00:38*) – Requested a breakdown of complaints by division.

XV. ADJOURNMENT: The meeting adjourned at 7:19pm.