

## COMMISSION ON POLICE PRACTICES AGENDA

**Wednesday, January 3, 2024**

**4:30pm-7:30pm**

### REGULAR MEETING (Hybrid)

**Balboa Park Santa Fe Room**

**2144 Pan American W. Road**

**San Diego, CA 92101**

**Commissioners:** Octavio Aguilar, Laila Aziz, Bonnie Benitez, Alec Beyer, Dennis W. Brown, Cheryl Canson, Doug Case, Christina Griffin-Jones, Dwayne Harvey, Brandon Hilpert, Darlann Mulmat, Clovis Honore, James Justus, Dennis Larkin, Lupe Diaz, Mark Maddox, Nicole Murray-Ramirez, Yvania Rubio, Jaylene Sanchez, Gloria Tran, and Dalia Sherlyn Villa De La Cruz

**Staff:** Interim Executive Director Danell Scarborough, Outside Counsel Duane Bennett (appearing virtually), Chief Investigator Olga Golub, Community Engagement Coordinator Yasmeen Obeid, Executive Assistant Alina Conde, Administrative Assistant Jon’Nae McFarland

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. Please see instructions below to provide public comment.

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

**[https://sandiego.zoomgov.com/webinar/register/WN\\_a2mpKsTvTIytRm\\_oznIQIQ](https://sandiego.zoomgov.com/webinar/register/WN_a2mpKsTvTIytRm_oznIQIQ)**

**Meeting ID: 161 329 8644**

**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 11am the day of the meeting will be distributed to the Commission on Police Practices and posted online with the meeting materials. Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item. Please contact the Privacy Advisory Board website for further instructions.

**Written Materials:** Instead of submitting written materials as an attachment to the webform, you may submit via U.S. Mail to Attn: Office of the Commission on Police Practices, 1200 Third Avenue, 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.

**\*Please note that all times on the agenda are approximate.**

- I. **4:30pm** CALL TO ORDER/WELCOME  
(Chair Gloria Tran)
- II. **4:35pm** ROLL CALL (Executive Assistant Alina Conde) **(5 minutes)**
- III. **4:40pm** OFFICE OF THE COMMISSION ON POLICE PRACTICES **(5 minutes)**
  - A. Staffing Update – Introduction of new CPP Interim Executive Director Danell Scarborough
- IV. 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.
- V. **4:45pm** APPROVAL OF MEETING MINUTES (Chair Tran) **(5 minutes)**
  - A. CPP Regular Meeting Minutes of November 28, 2023
- VI. **4:50pm** CLOSED SESSION
  - A. Public comment
  - B. Outside Counsel Mr. Duane Bennett – lead CPP into Closed Session

**(Not Open to the Public)**

2. 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](http://www.sandiego.gov/cpp) and when the Commission reconvenes this meeting as listed on this agenda.

- I. San Diego Police Department Feedback on Case Specific Matters
- II. Shooting Review Board Reports (0)
- III. Category II Case Audit Reports (0)
- IV. Discipline Reports (0)
- V. Case Review Team Reports (3)
- 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)
- IX. Disciplinary Memo Reviews – Chief Investigator Olga Golub (5 minutes)

VII. **5:50pm** REPORT FROM CLOSED SESSION (Counsel Bennett)

VIII. NEW BUSINESS (DISCUSSION) (**30 minutes**)

A. Executive Director Update (20 minutes) (1<sup>st</sup> Vice Chair Brown or designee)

a. Public Comment

b. Discussion

c. Action – Commissioners recommend forms of Community Input to Exec. Dir. Hiring process

B. Outside Investigator Update (5 minutes) (Outside Counsel Bennett)

a. Public Comment

b. Discussion

C. Direct Commissioner City Emails on CPP Website (5 minutes) (Chair Tran)

Follow up from 12/12/23 meeting

a. Public Comment

b. Discussion

c. Action – Direct staff how Commissioner emails will appear on the CPP website

IX. AD HOC COMMITTEE REPORTS (**45 minutes**)

A. Training Committee (Chair Hilpert) (**10 minutes**)

a. Public Comment

- b. Discussion
- B. Bylaws Committee Update Review draft bylaws (Chair Maddox) (30 minutes)
  - a. Public Comment
  - b. Discussion
  - c. Action – Approval of Ad Hoc Committee Bylaws Recommendation or Further Direction
- C. Operating Committee Update (Co-Chair Rubio) (5 minutes)
  - a. Public Comment

X. NON-AGENDA PUBLIC COMMENT  
Fill out and submit comment using speaker form or [webform](#).  
Please see instructions at the beginning of this agenda.  
(Community Engagement Coordinator Yasmeen Obeid)

XI. COMMISSIONER COMMENTS

XII. ADJOURNMENT

**Materials Provided:**

- Minutes from Regular Meeting on December 12, 2023, DRAFT
- CPP Meeting Slideshow “Community Input Recommendations”
- CPP Meeting Slideshow “Characteristics of the Executive Director”
- DRAFT Bylaws

**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 [commissionpolicepractices@sandiego.gov](mailto:commissionpolicepractices@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 in order to ensure availability. The city is committed to resolving accessibility requests swiftly in order to maximize accessibility.

**Office of the Commission on Police Practices**

**COMMISSION ON POLICE PRACTICES  
REGULAR MEETING MINUTES**

**Tuesday, December 12, 2023**

**4:30pm-7:30pm**

**Carmel Mountain Ranch Public Library**

**12095 World Trade Dr.**

**San Diego, CA 92128**

Click <https://www.youtube.com/watch?v=C8DXdKOU6wo> to view this meeting on YouTube.

**Commissioners Present:**

Chair Gloria Tran

1<sup>st</sup> Vice Chair Dennis W. Brown

2<sup>nd</sup> Vice Chair Doug Case

Octavio Aguilar

Bonnie Benitez

Alec Beyer

Cheryl Canson

Lupe Diaz (late 4:42pm)

Christina Griffin-Jones (late 5:15pm)

Dwayne Harvey

Brandon Hilpert

Clovis Honore (late 5:01pm)

James Justus

Dennis Larkin (late 4:53pm)

Mark Maddox

Darlanne Mulmat

**Absent:**

Nicole Murray-Ramirez

Jaylene Sanchez

Dalia Sherlyn Villa De La Cruz

**Excused:**

Yvania Rubio

Laila Aziz

**Staff Present:**

Duane Bennett, CPP Outside Counsel

Olga Golub, Chief Investigator

Alina Conde, Executive Assistant

Jon’Nae McFarland, Administrative Assistant

Yasmeen Obeid, Community Engagement Coordinator

- 
- I. CALL TO ORDER/WELCOME: Chair Gloria Tran called the meeting to order at 4:30pm. Chair Tran announced that Danell Scarborough has been appointed as the CPP Interim Executive Director by a unanimous vote of the City Council.
  - II. ROLL CALL: Executive Assistant Alina Conde conducted the roll call.
  - 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 November 28, 2023

**Motion: Commissioner Brandon Hilpert moved to approve the CPP Regular Business Meeting Minutes of November 28, 2023. Commissioner James Justus seconded the motion. The motion passed with a vote of 12-0-0.**

**Yays: Chair Tran, 1<sup>st</sup> Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Canson, Harvey, Hilpert, Justus, Maddox, and Mulmat.**

**Nays: None**

**Abstained: None**

**Absent: Aziz, Diaz, Griffin-Jones, Honore, Larkin, Murray-Ramirez, Rubio, Sanchez, Villa De La Cruz**

V. NON-AGENDA PUBLIC COMMENT: No public comment received.

VI. CLOSED SESSION (NOT OPEN TO THE PUBLIC)

1. 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](http://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.   | Shooting Review Board Reports (0)   |
| III.  | Category II Case Audit Reports (0)  |
| IV.   | Discipline Reports (0)  |
| V.    | Case Review Team Reports (1)  |
| 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)   |

VII. REPORT OUT FROM CLOSED SESSION (5:10pm): Outside Counsel Duane Bennett reported that the Commission expressed a concern of how the Internal Affairs Department identifies subject officers vs. witness officers. It is not clear in every IA Investigation. The specific questions and concerns will be forwarded to the Department for further explanation and for public consumption.

VIII. NEW BUSINESS

1. Community Input in Executive Director Hiring Process – 1<sup>st</sup> Vice Chair Dennis

Brown presented the wanted Characteristics of the Executive Director.

- Extensive knowledge of and previous experience in Civilian Oversight of Law Enforcement, especially in the City of San Diego.
- A thorough understanding of and commitment to the San Diego Model of Civilian Oversight and awareness of national trends.
- A demonstrated ability to work in a cooperative, collaborative, non-adversarial environment where "win-win" is the preferred outcome.
- Previous administrative and managerial experience.
- A strong knowledge and understanding of the laws and regulations governing a police department (e.g., the San Diego Police Department).
- A high level of political acumen and ability to operate in an apolitical manner.
- A demonstrated commitment to principles of equity, inclusion, diversity, and cultural awareness.
- Experience with managing large diverse groups and ability to identify individual needs within those groups.
- Well-developed facilitation skills to help resolve differences between Commission members as well as between the Board and San Diego Police Department.
- Knowledge of and ability to apply Brown Act requirements while ensuring open government and access.
- Strong quantitative analytical abilities, including a thorough understanding of common data analysis tools and programs.
- Strong interpersonal skills.
- Ability to communicate effectively, both in writing and verbally to different audiences, including elected officials, various levels of City management and members of the public.
- Ability to comprehend technical details and understand how they relate to and impact the "big picture."

Virtual Public Comment: (Timestamp 52:32) Darwin Fishman requested that any discussions and announcements regarding the hiring of a permanent Executive Director position involve the community. Also, he expressed concerns regarding the location, times of meetings, and how confusing it is to know when the CPP is in closed and/or open session.

Virtual Public Comment: (Timestamp 54:50) Jean-Huy Tran requested that the permanent Executive Director be an individual who has been impacted by the system to bring a fresh perspective and will keep the Commission honest. Additionally, he requested for the webinar to be kept on during closed session to ensure that the public knows what time the CPP will be back from closed session.

Virtual Public Comment: (Timestamp 56:36) Kate Yavenditti agrees that the CPP should have community meetings. She would like the CPP to involve the community with the hiring process of the Executive Director position. Ms. Yavenditti wants the CPP to elaborate more on how they plan to choose who will be able to join from the Community. Lastly, Ms. Yavenditti requested that the permanent Executive Director have a commitment to the independence and transparency of the Commission.

## IX. AD HOC COMMITTEE REPORTS



1. Training Committee – (*Timestamp 8:07*) Chair Brandon Hilpert presented some considerations for the Commission to discuss and choose.
  - a. Discussion
  - b. Action – Tabled

**Commissioner Brandon Hilpert moved to continue with the Youth/Adult partnership with Global Arc and Commission on Police Practices Community Bus Tour. The Training Committee will first look at the NACOLE webinar on Implicit Bias and determine whether it meets standards before deciding to replace the proposed Implicit Bias training or will alternatively explore other more cost-efficient Implicit Bias trainings. Commissioner Bonnie Benitez seconded the motion. The motion passed with a vote of 16-0-0.**

**Yays: Chair Tran, 1<sup>st</sup> Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Canson, Diaz, Griffin-Jones, Harvey, Hilpert, Honore, Justus, Larkin, Maddox, and Mulmat.**

**Nays: None**

**Abstained: None**

**Absent: Aziz, Murray-Ramirez, Rubio, Sanchez, Villa De La Cruz**

Virtual Public Comment: (*Timestamp 34:13*) Evie Kosower thanks the Training Committee for putting together these considerations. She suggested that the Committee make some of these trainings more interactive with the Community and asked if some of the Community can also attend these trainings.
  
2. Bylaws Committee Update – Chair Mark Maddox presented the DRAFT Bylaws
  - i. Discussion
  - ii. Action – Tabled

**Commissioner Mark Maddox moved to table the Bylaws vote to the next scheduled CPP Regular Business meeting. He requested Commissioners send edits by close of business on Friday, December 22, 2023. Commissioner Harvey seconded the motion. The motion passed with a vote of 16-0-0.**

**Yays: Chair Tran, 1<sup>st</sup> Vice Chair Brown, 2nd Vice Chair Case, Aguilar, Benitez, Beyer, Canson, Diaz, Griffin-Jones, Harvey, Hilpert, Honore, Justus, Larkin, Maddox, and Mulmat.**

**Nays: None**

**Abstained: None**

**Absent: Aziz, Murray-Ramirez, Rubio, Sanchez, Villa De La Cruz**

Public Comment: (*Timestamp 1:13:55*) Tasha Williamson wanted to reiterate the outreach component of the Bylaws. Ms. Williamson encouraged the Commission to get out into the community more often. This way the community will know who each Commissioner is and will be able to understand the mission of the Commission. Ms. Williamson has requested for the Commissioners to help teach the community about the complaint process.
  
3. Operating Procedures Committee Update – Co-Chair Doug Case reported that the Committee is continuing to work on the Operating Procedures as it is taking longer than anticipated. The team is currently working on Discipline Review Procedures. The next task will be to work on Investigations Procedures.
  
- X. Non-Agenda Public Comment: (*Timestamp 1:46:27*) Tasha Williamson spoke to the Commission regarding an incident involving SDPD that left two youth dead.

XI. OFFICE OF THE COMMISSION ON POLICE PRACTICES

1. Interns Acknowledgments – Community Engagement Coordinator Yasmeen Obeid reported out that Community Engagement Student Internships will be ending in December 2023 for Ayan Mohamed, Ezra Skerlecz, and Tomas Moshi.

XII. ADJOURNMENT: The meeting adjourned at 6:58pm.

DRAFT

# Office of the Commission on Police Practices Community Input Recommendations

January 3, 2024

## Personnel Committee Recommendations on how to Generate Community Input towards the Hiring of the Executive Director.

- Invite community organizations in writing , by flyer, by internet communication , and verbally, to attend a centrally located CPP meeting dedicated to gaining community input about characteristics desired for the Executive Director.
- Along with community input on the Executive Directors position, have those willing, to discuss what they believe the focus of this commission should be.
- Starting in early January, ask office staff, specifically the Community Outreach Coordinator, to contact and invite representative community organizations to participate. Ask if there is additional help needed by this individual. Ask City Council member staffs to provide assistance with these contacts.
- Publicize this/these meetings through all community groups, (e.g., community planning groups, community-based organizations, libraries, etc.)
- Ensure that communities that are most greatly impacted by complaints of police interactions (i.e. Southeast San Diego, Barrio Logan, MidCity and Downtown) are given special opportunity to participate in these discussions by providing additional abilities to provide input.
- Check with NACOLE sites on how other organizations are obtaining community participation.
- Consider having Town Hall meetings similar to how the City Council meetings interact with their communities.

*Thank You*

# Office of the Commission on Police Practices Characteristics of the Executive Director

January 3, 2024



# Office of the Commission on Police Practices

- Extensive knowledge of and previous experience in Civilian Oversight of Law Enforcement, including (though not required) in the city of San Diego.
- A thorough understanding of and commitment to the San Diego Model of Civilian Oversight and awareness of national trends.
- A demonstrated ability to work in a cooperative, collaborative, non- adversarial environment where "win-win" is the preferred outcome.
- Previous administrative and managerial experience.
- A strong knowledge and understanding of the laws and regulations governing a police department (e.g., the San Diego Police Department).
- A high level of political acumen and ability to operate in an apolitical manner.
- A demonstrated commitment to principles of equity, inclusion, diversity, and cultural awareness.
- Experience with managing large diverse groups (including those that are, racially, religious, immigrant, LGBTQ and gender diverse and unique) and ability to identify individual needs within those groups.
- Well-developed facilitation skills to help resolve differences between Commission Members as well as between the Commission and San Diego Police Department.
- Knowledge of and ability to apply Brown Act requirements while ensuring open government and access.
- Strong quantitative analytical abilities, including a thorough understanding of common data analysis tools and programs.
- Strong interpersonal skills.
- Ability to communicate effectively, both in writing and verbally to different audiences, including elected officials, various levels of City management and members of the public.
- Ability to comprehend technical details and understand how they relate to and impact the "big picture".

- Proven track record of maintaining confidentiality.
- Previous experience in conflict resolution and mediation.
- Office management responsibilities: ability to delegate, understand individual needs of staff and supportive of team, open to receiving criticism from staff.
- Responsibility is related to commissioners: Committed to independence of Commission.
- Team player
- Problem solver
- Good communication skills
- Technology proficient (e.g., Microsoft Office products, Zoom), ability to use advanced methods.
- Several years of relevant combined education and or experience in civilian oversight of law enforcement, criminal investigation, or related fields.
- 5+ years of experience in community engagement, particularly in a leadership or position of trust in the community.
- Master's degree or professional law degree from an accredited college or university .



*Thank You*