

Article 6: Board and Commissions

Division 11: Community Review Board on Police Practices
*(“Community Review Board on Police Practices” added 7-20-2018
by O-20961 N.S.; effective 8-19-2018.)*

§26.1101 Purpose and Intent

San Diego Charter section 43(d) gives the Mayor and City Council exclusive authority to establish a Community Review Board On Police Practices to review and evaluate citizens’ complaints against members of the Police Department and the Police Department’s administration of discipline arising from the complaints. It is the purpose and intent of the Mayor and City Council to establish the Community Review Board on Police Practices, as set forth in section 43(d) as amended, and to create such rules and regulations as are necessary for the Board to carry out its functions consistent with the laws of the State of California concerning citizens’ complaints against peace officers.

These rules and regulations shall be known as the Standard Operating Procedures, which must be promulgated by the Mayor and approved by City Council with a resolution.

(“Purpose and Intent” added 7-20-2018 by O-20961 N.S.; effective 8-19-2018.)

§26.1102 Community Review Board on Police Practices

The Community Review Board on Police Practices which shall consist of twenty-three members who shall serve without compensation.

(“Community Review Board on Police Practices” added 7-20-2018 by O-20961 N.S.; effective 8-19-2018.)

§26.1103 Appointment

Members shall be appointed by the Mayor and confirmed by the City Council.

(“Appointment” added 7-20-2018 by O-20961 N.S.; effective 8-19-2018.)

§26.1104 Terms

- (a) Members shall serve two-year terms, and may serve up to four consecutive terms.
- (b) Members shall be limited to serving eight consecutive years in office, and an interval of two years must pass before a member is eligible to be reappointed.
- (c) Members shall serve until a successor is appointed and confirmed.
- (d) Members shall be appointed to staggered terms so that the terms of not more than twelve members shall expire in any year.
- (e) Members seated as of the effective date of this ordinance shall be entitled to complete their existing terms in office.

(“Terms” added 7-20-2018 by O-20961 N.S.; effective 8-19-2018.)

§26.1105 Resignation and Removal of Board Members

- (a) A member may resign prior to the expiration of their term with written notification to the Chair of the Board and the Mayor. Upon receipt of such notification, the position shall be considered vacant and eligible for the Mayor to appoint and the City Council to confirm a new member to fill the remainder of the term.
- (b) If a member is convicted of a felony or a crime of moral turpitude, the member will automatically be suspended from participating in any capacity on the Board, pending a vote by the City Council upon recommendation of the Mayor to formally remove the member from the Board or to reinstate the member. The hearing by the City Council shall occur within 30 days of the suspension.
- (c) The Board may recommend to the Mayor that a member be removed for reasons including, but not limited to:
 - 1. misuse of position as a Board member;

2. misuse of police-issued documents;
3. misconduct that impedes the member's ability to serve as an effective and impartial Board member;

4. unexcused absences from at least two consecutive meetings or by failure to conduct case review as assigned by the Executive Director;
5. violation of the Code of Ethics of the National Association for Civilian Oversight of Law Enforcement (NACOLE); or
6. a conflict of interest.

Upon recommendation of the Mayor to remove a member, a hearing by the City Council shall occur within 60 days of receipt of the recommendation.

(“Resignation and Removal of Board Members” added 7-20-2018 by O-20961 N.S.; effective 8-19-2018.)

§26.1106 Duties and Functions

The Board:

- (a) shall review all deaths occurring while a person is in the custody of the San Diego Police Department and all officer-related shootings;
- (b) shall review and evaluate citizens’ complaints against members of the Police Department and the Police Department’s administration of discipline arising from such complaints;
- (c) shall submit semiannual reports to the Mayor and City Council concerning the Board’s evaluation of the Police Department’s investigation of citizens’ complaints; provided, however, that such reports shall not disclose any information required to be kept confidential by law;
- (d) may adopt bylaws consistent with the law for the governance of its business and procedures, provided they do not conflict with this Division or the Standard Operating Procedures;

- (e) shall conduct all operations of the Board pursuant to bylaws approved by the Board and the Standard Operating Procedures;
- (f) may maintain a training program for individuals interested in being candidates for appointment to the Community Review Board on Police Practices; and
- (g) may refer, when it deems appropriate, a completed citizen complaint investigation to the grand jury, district attorney, or any other governmental agency authorized by law to investigate the activities of a law enforcement agency.

(“Duties and Functions” added 7-20-2018 by O-20961 N.S.; effective 8-19-2018.)