



THE CITY OF SAN DIEGO

Report to the City Council

DATE ISSUED: April 8, 2016 REPORT NO: 16-036
ATTENTION: Public Safety and Livable Neighborhoods Committee
SUBJECT: Informational Report from the Citizens' Review Board on Police Practices
REFERENCE: N/A

REQUESTED ACTION: N/A

STAFF RECOMMENDATION: N/A

EXECUTIVE SUMMARY OF ITEM BACKGROUND:

The City of San Diego's Citizens' Review Board on Police Practices (CRB) was created in November 1988 by the approval of Proposition G, an initiative that amended the City of San Diego Charter. The purpose of the CRB is to review and evaluate complaints made by members of the public regarding the conduct of officers of the City of San Diego's Police Department (SDPD) and to review and evaluate the administration of discipline arising from sustained complaints. The CRB reviews Category One complaints. Category One complaints involve allegations of arrest, criminal conduct, discrimination, force, and/or slur. The CRB does not review Category Two complaints unless the allegation is in conjunction with a Category One complaint. Category Two complaints involve allegations of procedure, courtesy, conduct, and/or service.

San Diego's CRB is comprised of 23 volunteer appointed members and up to 23 prospective members. The Mayor appoints the members to the CRB and selects individuals who went through the application process and background check to become prospective members. Prospective members are required to complete training classes before they can be considered for appointment to the CRB. To ensure fairness and diversity on the CRB, a recruitment and retention committee exists that is responsible for the recruitment of new members to the CRB. There are informational sessions held in each district. There is an interview process where the applicant is interviewed by a panel. The panel consists of: CRB members, past and present CRB Chairs, Deputy Chief Operating Officer for Neighborhood Services, and the CRB's Executive Director. The panel reviews and chooses from amongst the applicants. A background check is conducted on those selected. Only those applicants that pass the background check are forwarded to the Mayor for appointment consideration. Currently, the CRB has recruited:

- Six Prospective Members – Already assigned to CRB teams to become trained on case review.
- Four Candidates – These individuals were interviewed and passed the background check. Their names have been submitted to the Mayor's office for appointment consideration.

Transparency, collaboration, and accountability are critical in citizen oversight of law enforcement. Nationally, a sharp focus has been put on the relationship between law enforcement and communities. The CRB strives to be transparent while complying with federal, state, and local law. Over the last several months, the CRB members and CRB Executive Director has engaged in a process of community outreach and engaged with stakeholders in local law enforcement oversight. The goal is to identify and reach milestones and work to build a more effective oversight model in the City.

This report is an annual informational update regarding the results of that process and the ongoing work of the CRB and case statistics for fiscal year 2015.

Citizen oversight of law enforcement is always a work in progress and the CRB strives to develop and follow best practices. Several improvements have been implemented since February 2015.

1) Collaborative Complaint Tracking System – A new collaborative Complaint Tracking System was developed by CRB and the San Diego Police Department Internal Affairs (IA) Complaint Tracking System and became fully operational and implemented on August 10, 2015. The system compiles complaint information as of July 1, 2015. It is a collaboration between IA and the CRB in sharing information regarding CRB complaints that are filed with the SDPD and CRB. This system enables the CRB to know the status and other information regarding complaints filed. It also makes it easier to pull statistics regarding case review.

2) Updated Website – The CRB website is a tool for communicating with the public that has been underutilized for several years. After a thorough review, revisions have been made to make the website more user friendly and provide more information to the public. This space can also be used to develop and enhance a community around the CRB so additions have been made like adding pictures of CRB activities, video section, categorization of CRB meetings, transparent CRB minutes, as well as links to organizations that are relevant to law enforcement oversight.

3) Revised Complaint Form – In order to improve the ability for the public to understand the CRB complaint process, the complaint form has been revised. The form now includes directions to help the public understand how to properly fill out the form. Additionally, the Executive Director is available to provide information on how to fill out the form.

4) Joint Community Forum – In November 2015, the CRB held a joint community forum with Thomas Jefferson School of Law.

5) CRB Retreats – The CRB and staff participated in three retreats that were focused on training and development. The first retreat was a full day team building retreat that was facilitated by Lisa Maxwell, Director of the Training Institute. The second retreat was geared towards case presentation and reporting. The third retreat focused on a SWOT analysis and board priorities.

6) CRB Reports – The Annual Report for fiscal year 2015 was completed this month. Semi-Annual reports will resume this month with an anticipated completion date of August 2016.

7) SDPD Administration of Discipline of Officers – In June 2015, the Mayor signed an operational standing procedure regarding the administration of discipline by the SDPD. This document is important because the CRB is charged with reviewing and evaluating the administration of discipline arising from sustained complaints and there was a lack of consistency in this process. This procedure will ensure consistency in the discipline memo received from the SDPD and provide a guideline for the CRB to follow when reviewing and evaluating the administration of discipline for those cases that are sustained. The procedure also charges the Executive Director to maintain statistics on how the CRB voted in these cases. The statistics will be provided in the CRB's semi-annual report.

8) Administrative Standing Rule – In October 2015, the CRB approved an Administrative Standing Rule regarding the implementation of a consistent guideline for the CRB to use when writing and presenting case reviews.

9) Body Worn Camera Video – In January 2015, the CRB began tracking its cases to provide the public with Body Worn Camera (BWC) data. The BWC statistics that is in the FY2015 Annual Report reflects a small number because from June 30, 2014 – July 1, 2015, not all SDPD officers were issued BWCs. During this time period, most of the cases reviewed by the CRB occurred prior to the SDPD acquiring BWC for its officers.

In addition to these process improvements, there are upcoming improvements to the CRB process.

1) Bylaw Revisions – The CRB Executive Director and the CRB Rules Committee will create a work plan to map out any upcoming improvements, efficiencies and revisions that are necessary for the effective operation of the CRB.

2) Information Accessibility - The City's IT department is creating an online complaint form submittal system for the CRB. The complaint form submittal system will be made available to the public by the beginning of May 2016. We will continue to explore ways to make information easily accessible to the public. Implementation May 2016

3) Focus on Strategic Initiatives – At its March 2016 retreat, the CRB identified seven (7) strategic initiatives to focus on that would improve the CRB process. Those seven (7) initiatives were assigned to the CRB's Rules, Outreach, Continuing Education and Policy Committees. Committees will be asked to put together a work plan for Fiscal Year 2017. Implementation of Work Plans: July 1, 2016

- Continue to work with Internal Affairs on flexibility with regards to case review
- Review the complaint review process to identify potential process improvements
- Provide consistent reporting and explore the potential for a Public Official Liaison Committee
- Provide a comprehensive communication plan to continue efforts to build relationships and educate the community
- Arrange additional training on completing investigations
- Arrange educational opportunities to learn more about the community we serve
- Explore the issues and opportunities associated with legal counsel

4) CRB Prospective Training – Continue exploring training topics (include Community Perspective) and working with Internal Affairs to implement a well-rounded training program for new Board members. Already Started Implementation

5) CRB Reports – Continue working towards reporting statistics and updates in semi-annual reports rather than annual reports. The drafting of the 1st Semi-Annual FY 2016 reports will begin this month. Anticipated Completion Date: June 2016

6) Increase Media Outreach – Continue working with the City of San Diego Communications Department to increase media outreach. Already Started Implementation

7) Increase Public Participation at CRB Open Meetings – Explore ways to increase public participation at CRB Open Meetings. Already Started Implementation

8) CRB Recruitment and Retention – Develop a strategy to increase recruitment and retention efforts to ensure a representative board. Anticipated Completion Date: July 1, 2016

The Executive Director and CRB will continue reviewing the complaint process to determine whether there are improvements, efficiencies and revisions that are necessary. In order to maintain credibility with the community the process needs to be transparent, efficient and provide feedback on to the complainant in a timely manner.

The CRB will continue to collaborate on joint forums with other city groups, community organizations and stakeholders. In order for the CRB to be successful, additional outreach will be conducted so that the public knows about the CRB and has ample opportunity to use the complain process. Additionally, the Executive Director will continue to engage with the National Association for Citizens Oversight of Law Enforcement (NACOLE) to ensure the City is up-to-date on the national trends in this area.

San Diego continues to be a model for citizens' review of law enforcement and will continue to improve the process to ensure transparency, accountability and fairness for all.

CITY STRATEGIC PLAN GOAL(S)/OBJECTIVE(S):

Goal # 2: Work in partnership with all of our communities to achieve safe and livable neighborhoods.

Objective # 2: Reduce and prevent crime

FISCAL CONSIDERATIONS: N/A

EQUAL OPPORTUNITY CONTRACTING INFORMATION (if applicable): N/A

PREVIOUS COUNCIL and/or COMMITTEE ACTIONS: N/A

COMMUNITY PARTICIPATION AND OUTREACH EFFORTS: The Executive Director and CRB Community Outreach Committee has conducted outreach within the community and with various stakeholders in the community. The regular meetings of the CRB serve as a forum to solicit input from the public.

KEY STAKEHOLDERS AND PROJECTED IMPACTS: CRB, SDPD, community leaders and members, and those affected by interactions with police officers. The impact of an improved complaint process and enhanced transparency should be greater credibility with those affected by interactions with SDPD.

Citizens' Review Board on Police Practices

Deputy Chief/Chief Operating Officer

- Attachment(s): 1. Fiscal Year 2015 Annual Report
2. PowerPoint Presentation