



THE CITY OF SAN DIEGO

## Report to the City Council

DATE ISSUED: April 17, 2017 REPORT NO: 17-025  
ATTENTION: Public Safety and Livable Neighborhoods Committee  
SUBJECT: Informational Report from the Community Review Board on Police Practices

REQUESTED ACTION: This is an informational item only

STAFF RECOMMENDATION: This is an informational item only

### EXECUTIVE SUMMARY OF ITEM BACKGROUND:

The City of San Diego's Community 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. Informational sessions are held periodically. 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. The CRB is currently recruiting to fill six vacancies on the Board as well as create a full list of 23 prospective members. Currently, the CRB has recruited:

- Three Prospective Members – Already assigned to CRB teams to become trained on case review.

- Eleven Candidates – These individuals were interviewed and passed the background check. The selection of these individuals as prospective member status is on hold due to awaiting establishment of procedures to implement Measure G.

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.

In fiscal year 2017, the CRB identified seven (7) strategic initiatives to focus on that would improve the CRB process. This report is an annual informational update regarding the results of those initiatives, the ongoing work of the CRB, and case statistics (refer to PowerPoint) from July 1, 2016 – March 28, 2017. Those seven (7) strategic initiatives were as follows:

- 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

The CRB purpose in providing community 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 April 20, 2016 that are inclusive of those initiatives identified in fiscal year 2017.

1) Independent Legal Counsel – In fiscal year 2017, \$25,000 was budgeted for the CRB to retain independent legal counsel to be used on an as needed basis for conflicts arising during case review. Currently, the CRB is working with the City Attorney's Office in creating a request for proposal (RFP) for the selection and retention of its independent legal counsel.

2) Passage of Ballot Measure G – In 2016, Measure G was placed on the ballot and passed with an 82% vote. Measure G changed the name of the CRB from the Citizens' Review Board on Police Practices to the Community Review Board on Police Practices so that it's inclusive of all San Diegans. Measure G also created dual responsibility of the CRB to the Mayor and the City Council and codified the current practice of the CRB's review of In-Custody Deaths and Officer-Involved Shootings to become a permanent practice of the CRB's responsibility.

3) Information Accessibility – The City's IT department created an online complaint form submittal system for the CRB. The complaint form submittal system was made available to the public in June of 2016. We will continue to explore ways to make information easily accessible to the public.

4) 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.

5) CRB Prospective Training – The CRB is continuing its efforts in providing a well-rounded training program for new Board members. A new initiative included a Community Component for prospective members as well as current appointed members. The CRB will continue to explore training topics and working with Internal Affairs to implement a well-rounded training program for new Board members.

6) Focus on Strategic Initiatives – At its January 2017 retreat, the CRB focused on developing strategic initiatives that would focus on ways to improve the CRB process. Those strategic initiatives were assigned to the CRB's Rules, Outreach, Continuing Education and Policy Committees as short term and long term goals. Each committee was tasked with creating a work plan for 2017–2018. The purpose of the work plan is to map out any upcoming improvements, efficiencies, and revisions that are necessary for the effective operation of the CRB. The CRB's 2017–2018 Work Plan was adopted by the CRB at its March 28, 2017 Open Session Meeting.

7) CRB Retreat – In January 2017, the CRB and staff participated in a retreat that was focused on the development of the Board's strategic initiatives and a two-hour Community Engagement Panel. The Community Engagement Panel consisted of speakers from the American Civil Liberties Union, Community Assistance Support Team, and the Commission on Gang Prevention and Intervention. Tasha Williamson, Director of the Center for Community Cohesion facilitated this informative retreat. The addition of this Community Engagement Panel to the New Prospective Member trainings will provide educational opportunities for the CRB to learn more about the communities in which they serve.

8) CRB Reports – The Annual Report for fiscal year 2016 was completed in September 2016. The Annual Reports covering fiscal years 2010–2014 were completed in January 2017. The Annual Report for fiscal year 2017 has an anticipated completion date of August 2017.

9) Bylaw Revisions – Between October 2015 and August 23, 2016, the CRB approved several changes or clarifying language in its Bylaws. These revisions are necessary for the effective operation of the CRB. These revisions are awaiting approval based on the outcome of implementation of the Municipal Code. Some of these changes/clarifying language included:

- Internal Procedure for Complaint Review
- Eligibility to Serve on the Board after Serving 8 Consecutive Years
- Clarify Appointed Member Term Service, Abstention & Voting By Chair, Service for Alternate Members
- Timely Election to Fill Vacancy

10) Increase Media/Community Outreach – In January 2017, the City's Communications Department worked with the Executive Director in creating a Communication Plan proposal for the CRB. The Communication Plan provides public information support for media, press releases, social media, photography, website updates, annual report, and brochure production. The Communications Department will continue to work with the Executive Director and CRB Outreach Chair in providing support for CRB meetings and outreach efforts.

11) Community Engagement Bus Tour – In March 2017, the CRB collaborated with the Center for Community Cohesion to organize an all-day long bus tour to educate the CRB on the interactions between the community and law enforcement. This was accomplished by bringing the CRB to the community where meetings were held with several local groups such as: LGBTQ Community Center, Alliance for Community Empowerment (ACE), Islamic Center of San Diego, and Pillars of the Community.

12) Increase Public Participation at CRB Open Meetings – The CRB Outreach Chair and Executive Director explored ways to increase public participation at CRB Open Meetings. With the help of the Communications Department, the CRB has increased public interest and participation at its Open Meetings through use of various social media platforms, presentations to numerous community groups, and expanding the CRB's Community Email List. We will continue to explore different ways to increase public participation at CRB Open Meetings.

13) SDPD New Recruits – CRB presentations were given to SDPD's new recruits to educate the recruits about the CRB.

14) Educational Training Opportunities – The CRB and/or Executive Director participated in various educational training opportunities such as the: National Association for Civilian Oversight of Law Enforcement Conference, National Urban League Conference, and International Association of Chiefs of Police Conference. Other training opportunities included: webinars, Inside SDPD, news articles, community meetings, and hands on demonstrations.

In addition to these process improvements, there are upcoming improvements to the CRB process which are included in its Fiscal Year 2018 Work Plan. Some of those upcoming improvements are as follows:

- Continue to work with Internal Affairs on flexibility with regards to case review, the development of a more defined complaint intake process, and placing SDPD's Policy and Procedures online to create more transparency for the community
- Continue Recruitment & Retention Efforts in Council Districts
- Continue the Community Engagement Bus Tour and arrange for more educational opportunities to learn more about the community we serve
- Collaborate with the Community Advisory Board & the Commission on Gang Prevention & Intervention regarding policy recommendations to SDPD
- Arrange additional training on completing investigations
- Explore the opportunities associated with including more detailed explanations in letters sent to the complainant
- Ensure that SDPD Motorcycle Units are required to carry first aid/trauma kits
- Develop procedures for the utilization of outside legal counsel
- Formalize Category II Complaint Audit Process
- Recommendation to SDPD regarding the Body Worn Camera Policy when officers turn on camera
- Recommendation to SDPD that Internal Affairs submit a report for canine-related Use of Force (Category 1) complaints to the CRB for review
- Develop an Outreach Plan for Youth
- Develop a Comprehensive List of Events/Activities for CRB Outreach
- Finalize policy and procedures regarding case review

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 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 have 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.



Community Review Board on Police Practices



Deputy Chief/Chief Operating Officer

Attachment(s): PowerPoint Presentation