

**MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
August 9, 2022**

Attachment A

Open session was convened via the Zoom Platform at 5:30 p.m.	
Agenda Item	Discussion
Swear In New CLERB Member	<ul style="list-style-type: none"> ▪ New Board Member Ariana Federico Mondragon was sworn in.
Roll Call	<ul style="list-style-type: none"> ▪ All Board members were present except Tim Ware.
Public Comments	<ul style="list-style-type: none"> ▪ Members of the public addressed comments to the Board.
Minutes Approval	<ul style="list-style-type: none"> ▪ Revisions were applied to minutes <ul style="list-style-type: none"> ▪ Eileen Delaney called for a motion to approve revisions. <ul style="list-style-type: none"> • Eileen Delaney: Yes • MaryAnne Pintar: Yes • Dr. R. Lee Brown: Yes • Nadia Kean-Ayub: Yes • Bonnie Kenk: Yes • Ariana Federico Mondragon: Yes • Gary Wilson: Yes • Susan Youngflesh: Abstain • Motion Carries: Minutes are approved
Presentation/Training	<ul style="list-style-type: none"> a) San Diego Sheriff Anthony Ray <ul style="list-style-type: none"> ▪ Drug Interdiction in San Diego County Sheriff's Department (SDSD) Detention Facilities presented by SDSD Lieutenant Karen Mullins, Detentions Investigations Unit
Executive Officer's Report	<ul style="list-style-type: none"> ▪ Overview of Activities of CLERB Executive Officer (EO) and Staff <ul style="list-style-type: none"> ▪ For most of July, Mr. Parker and Ms. Setzler conducted interviews for the CLERB Special Investigator vacancy. A candidate is in the background process. ▪ For most of July, Mr. Parker conducted interviews for the Administrative Analyst II vacancy. A candidate has accepted the offer and will start in late August or early September. ▪ Mr. Parker met with a representative from Portland (Oregon) CopWatch to discuss CLERB's practices. ▪ Mr. Parker and Chair Delaney attended the monthly Commission on Police Practices (CPP)/CLERB collaboration meeting. ▪ Mr. Parker, Ms. Setzler, and Ms. Zagal-Garcia conducted a walk-thru of possible CLERB relocation space at the County Administration Center. ▪ Mr. Parker met with the Deputy Sheriff's Association (DSA) President, DSA Counsel, and CLERB Outside Counsel to discuss CLERB interviews. ▪ Mr. Parker represented CLERB at a community Resource Fair at the 100th Birthday Celebration for Leon L. Williams. ▪ Mr. Parker attended a Monkeypox Town Hall hosted by NAACP, SD URBAN LEAGUE, BLACK MEN & WOMEN UNITED and Voice & ViewPoint. ▪ Mr. Parker presented an Overview of CLERB to the 60th Detention Services Academy. ▪ A CLERB Special Meeting will be held Tuesday, August 23, during which time the 2021 Annual Report will be presented.

	<ul style="list-style-type: none">▪ As the National Association of Civilian Oversight of Law Enforcement (NACOLE) meeting will be held the week of September 11 in Texas, the September 13 CLERB Regular Meeting will be cancelled and a CLERB Special Meeting will be convened on September 20.▪ SDCS Sergeant Kristin Brayman is transferring and, as of August 12, 2022, will no longer be the SDCS CLERB liaison. Sergeant Michael Tingley will assume the CLERB liaison role. Mr. Parker acknowledged Sergeant Brayman's professionalism and assistance over the past year or so.▪ Investigative Workload and Classification Report for July 2022 (<i>Attachment B</i>)<ul style="list-style-type: none">▪ There were 19 new cases (as compared to 10 for July 2021).▪ There are eight cases on tonight's agenda.▪ At the end of June there were 94 active cases (10 in "lodged" status, 82 open and active, and two POBR tolled).<ul style="list-style-type: none">▪ There were 32 open death cases.<ul style="list-style-type: none">▪ CLERB had documents for 13 cases and was awaiting documents on the remaining 19.<ul style="list-style-type: none">▪ Two are on tonight's agenda.▪ There were five new SDCS death cases in July, (two at LCDRF, and one each at SDCJ, GBDF, and VDF).▪ There were 15 open uses of force resulting in great bodily injury without a complaint.▪ There were 15 open uses of force resulting in great bodily injury without a complaint.<ul style="list-style-type: none">▪ One was reported in July.▪ There were three open discharges of firearm without a complaint.▪ There were no uses of force at protest or First Amendment protected events without a complaint▪ Case Progress and Status Reports (<i>Attachment C</i>)<ul style="list-style-type: none">▪ Mr. Parker discussed the two reports: "CLERB Reports by Due Date" and "CLERB Reports Due by Case Number."▪ Executive Officer Correspondence to Full CLERB (<i>Attachment D</i>)<ul style="list-style-type: none">▪ One U-T article.▪ An update re: mental Health Training from A/S Adams-Hydar.▪ The overview of improvements identified by SDJ/▪ An email re: SDCS's plan for monkey pox for its incarcerated population.▪ Policy Recommendation Pending Responses<ul style="list-style-type: none">▪ 21-004 / Moreno (Death) – SDCS▪ 21-055 / Frost – SDCS▪ 21-060 / Meadows – SDCS▪ 21-100 / Richardson – SDCS▪ 22-058 / Blue – SDCS▪ Create Fentanyl Canine Policy and Procedures – SDCS
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	<ul style="list-style-type: none"> ▪ CLERB Staff Response to Death Scenes – Probation ▪ Use of Technology to Monitor Health and Safety of Inmates – Probation ▪ Policy Recommendation Response <ul style="list-style-type: none"> ▪ Reduction of Racially Disparate Policing Practices – SDSO (Attachment E) ▪ Sustained Finding Pending Responses <ul style="list-style-type: none"> ▪ 21-055 / Frost ▪ Sustained Finding Response <ul style="list-style-type: none"> ▪ None
Board Chair's Report	<ul style="list-style-type: none"> ▪ Eileen Delaney appreciates the public's participation, comments, and suggestions; all cases are important, but death cases are a priority. CLERB Board Members take their responsibility seriously and are dedicated to being fair.
New Business	<ul style="list-style-type: none"> a) Authorization of Teleconferencing Meeting option Pursuant to Government Code Section 54953 (e) <ul style="list-style-type: none"> ▪ Counsel, Shiri Hoffman, specified the appropriate motion to the group. ▪ Eileen Delaney made a motion to continue the virtual CLERB meetings for the next 30 days. <ul style="list-style-type: none"> ▪ Susan Youngflesh: Yes ▪ Eileen Delaney: Yes ▪ Pastor Spriggs: Yes ▪ Dr. R Lee Brown: Yes ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Ken: No ▪ MaryAnne Pintar: Yes ▪ Gary Wilson: Yes ▪ Ariana Federico Mondragon: Yes ▪ Motion carried, 8-1 b) 180-Day Update to Recommendations in California State Auditor Report 2021-109 (Attachment F) <ul style="list-style-type: none"> ▪ Six recommendations for CLERB to address and will need to respond by 30 days, 60 days, 180 days, and one year. ▪ Paul Parker reviewed Attachment F with group. c) Discuss Data Pertaining to SDSO Detention Services Bureau Administration of Naloxone with Non-Fatal Outcome (Attachment G) d) Policy Recommendation to SDSO: Pursue Digital Scanning of Non-Legal Mail Received for Incarcerated Persons and Their Subsequent Kiosk or Computer Viewing of it for the Purpose of Reducing Illicit and Prescription Drugs Entering Detention Facilities (Attachment H) <ul style="list-style-type: none"> ▪ Group reviewed attachment H ▪ Members of the public addressed their comments and questions. e) Report Back on Feasibility of Third-Party Jail Administration <ul style="list-style-type: none"> ▪ Paul Parker discussed information that is out publicly. ▪ Letter options were discussed to the Board and Members of the Public. ▪ Members of the public addressed their comments and questions.

	<ul style="list-style-type: none"> ▪ Update was provided on the Death In-custody Study. ▪ Have been assessing the start of the Detention Center Facility inspections; Priority has been death investigations. <p>f) Discussion of and Determination of Next Steps for Improvement Opportunities Identified by San Diegans for Justice (Attachment I)</p> <ul style="list-style-type: none"> ▪ There were recommended opportunities for improvements. The subcommittee will be supporting some. ▪ Attachment I was reviewed by the Board ▪ Motion to accept the County staff recommendations and for the two exceptions that will not be implemented: <ul style="list-style-type: none"> ▪ The votes were as follows: <ul style="list-style-type: none"> ▪ Susan Youngflesh: Yes ▪ Eileen Delaney: Yes ▪ Pastor Spriggs: Yes ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Ken: No ▪ MaryAnne Pintar: Yes ▪ Gary Wilson: Yes ▪ Ariana Federico Mondragon: Yes ▪ Motion carried, 7-1 <p>g) Reconsideration of Amendment to CLERB Regular Meeting Schedule</p> <ul style="list-style-type: none"> ▪ Paul provided update on Board meeting conference room once meetings go back in-person. Options for Board meeting room availability are as follows: ▪ Option 1. County Administration Center, (CAC) – Mondays and Thursdays are available at 5:30 pm, Sheriff's Department security, Xray machine provided at entrance. Thursday works better for Sheriff's Dept. ▪ Option 2. County Operations Center (COC) no restrictions, any day of the week; Sheriff's Dept. is not housed currently at COC therefore there are no Xray device and would need to contract with Allied Security for additional security, along with SDSD. ▪ After review, it will be more costly to provide private security as well as the Xray machines. COC currently does not have security equipment required to have meetings, CLERB would the first to do so. CLERB would also be held responsible for all the movement and would have to pay the additional costs. ▪ Paul proposed to have meetings second Monday or second Thursday at CAC; Thursday would be best ideal for the Sheriff's (staffing wise) ▪ Group discussed meeting days/times ▪ Paul will do research with CAC for another Tuesday of the month. Follow up will be provided during next meeting.
Unfinished Business	a) Update: Authority for the Executive Officer to Work with County

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	<p>Staff to Pursue Legislation and/or to Add a Policy to the County Legislative Program in Support of Increased Transparency in Civilian Oversight of Peace Officers and Custodial Officers</p> <ul style="list-style-type: none"> ▪ County's legislative program is currently being established; will be a topic for next month to vote on. <p>b) Update: Authority for the Executive Officer to Work with County Staff to Request that the County Board of Supervisors Expand CLERB's Jurisdiction to Include Personnel Involved in Providing Medical Care in County Detention Facilities</p> <ul style="list-style-type: none"> ▪ Have had good productive conversations with County Counsel; continuing to make progress with on getting the jurisdiction. Will add it to the August Special Meeting agenda, Aug.23rd. 														
Board Member Comment	<ul style="list-style-type: none"> ▪ Nadia Kean-Ayub requested to invite the Sheriff himself to the next meeting to speak on the policies regarding Transgender people in the county jails. ▪ Bonnie Kenk, MaryAnne Pintar and Susan Youngflesh expressed a special welcome and thank you to the new board member, Ariana. 														
Sheriff/ Probation Liaison Query	<ul style="list-style-type: none"> ▪ Mr. Wilson requested a report with the number of cases the SDSD is investigating for other agencies for their use of force and the SDSD currently being investigated by another agency regarding their use of force. <ul style="list-style-type: none"> ▪ Sergeant Brayman clarified there are currently 2 cases being investigated. ▪ Sergeant Brayman shared with group that she will no longer be SDSD CLERB Liaison, and her replacement will be Sergeant Tingley. <ul style="list-style-type: none"> ▪ Special welcome to Sergeant Tingley. ▪ Daniel Dennis has been promoted to a Lieutenant and currently don't have a replacement. 														
Open session was adjourned at 8:24 p.m.															
Closed session was convened at 8:34 p.m.															
Closed Session	<p>a) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE Discussion & Consideration of Complaints & Reports: Pursuant to Government code Section 54957 to hear complaints or charges brought against Sheriff or Probation employees by a citizen (unless the employee requests a public session). Notice to government Code Section 54957 for deliberations regarding consideration of subject officer discipline recommendation (if applicable).</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">CASE NO.</th> <th style="text-align: left;">CASE NO.</th> </tr> </thead> <tbody> <tr> <td>21-055</td> <td>21-119</td> </tr> <tr> <td>21-070</td> <td>21-127</td> </tr> <tr> <td>21-071</td> <td>22-035</td> </tr> <tr> <td>21-076</td> <td>22-058</td> </tr> <tr> <td>21-094</td> <td>22-059</td> </tr> <tr> <td>21-100</td> <td>22-066</td> </tr> </tbody> </table> <p>b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION Notice pursuant to Government Code section 54957 Title: Executive Officer, CLERB</p>	CASE NO.	CASE NO.	21-055	21-119	21-070	21-127	21-071	22-035	21-076	22-058	21-094	22-059	21-100	22-066
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Closed session was adjourned at 9:56 p.m.															

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PAUL R. PARKER III
Executive Officer



ROBERT SPRIGGS, JR.
Secretary to the Board