

**MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
September 20, 2022**

Attachment A

Open session was convened via the Zoom Platform at 5:30 p.m.	
Agenda Item	Discussion
Swearing in of new CLERB member	<ul style="list-style-type: none"> ▪ New Board Member, Andrew Hayes, was sworn in.
Roll Call	<ul style="list-style-type: none"> ▪ All Board Members were present except for MaryAnne Pintar
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"> ▪ No revisions made to the August 23rd meeting minutes. Votes to approve were as follows: <ul style="list-style-type: none"> ▪ Eileen Delaney: Yes ▪ Pastor Robert Spriggs: Yes ▪ Andrew Hayes: Yes ▪ Dr. R. Lee Brown: Yes ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Kenk: Yes ▪ Ariana Federico Mondragon: Yes ▪ Tim Ware: Yes ▪ Gary Wilson: Yes ▪ Motion carried 9-0 ▪ No revisions made to the August 30th meeting minutes. Votes to approve were as follows: <ul style="list-style-type: none"> ▪ Eileen Delaney: Yes ▪ Pastor Robert Spriggs: Yes ▪ Andrew Hayes: Yes ▪ Dr. R. Lee Brown: Yes ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Kenk: Yes ▪ Ariana Federico Mondragon: Yes ▪ Tim Ware: Yes ▪ Gary Wilson: Yes ▪ Motion carried 9-0 ▪ Approval of August 9th meeting minutes will be on the October 11 meeting agenda.
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"> ▪ Spencer Klew is CLERB's new Special Investigator. Spencer fills the last remaining vacancy and has already positively contributed to CLERB's mission. ▪ Nawras Hakak is CLERB's first-ever Administrative Analyst. ▪ On August 30, 2022, Mr. Parker presented CLERB's 2021 Annual Report and 2022 Semi-Annual Report to the Board of Supervisors. ▪ From September 11 thru 15, 2022, Mr. Parker and Vice Chair MaryAnne Pintar attended the National Association of Civilian Oversight of Law Enforcement (NACOLE) meeting in Fort Worth, Texas. An overview of the content will be presented at the October 11, 2022, CLERB Meeting. ▪ On September 20, 2022, Mr. Parker presented CLERB's 2021 Annual Report and 2022 Semi-Annual Report to the Leon L. Williams Human Relations Commission. ▪ Mr. Parker clarified a comment made during the August 9, 2022 meeting that was misconstrued by a Deputy Sheriff's Association Director concerning deputies not being able to assert their Fifth Amendment protections. Parker pointed everyone to the meeting video at the one hour, 40 minute mark.

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	<ul style="list-style-type: none"> ▪ Investigative Workload and Classification Report for August 2022 (<i>Attachment B</i>) <ul style="list-style-type: none"> ▪ There were 14 new cases (as compared to 15 for August 2021). ▪ There are 10 cases on tonight's agenda. ▪ At the end of August there were 91 active cases (six in "lodged" status, 83 open and active, and two POBR tolled). <ul style="list-style-type: none"> ▪ There were 31 open death cases. <ul style="list-style-type: none"> ▪ CLERB had documents for 10 cases and was awaiting documents on the remaining 21. <ul style="list-style-type: none"> ▪ One is on tonight's agenda. ▪ There were two new SDSD death cases in August (one at GBDF and one out of at Lakeside Station). ▪ There were 14 open uses of force resulting in great bodily injury without a complaint. <ul style="list-style-type: none"> ▪ One was reported in August. ▪ There were four 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>) ▪ Policy Recommendation Pending Responses <ul style="list-style-type: none"> ▪ 21-004 / Moreno (Death) – SDSD ▪ 21-055 / Frost – SDSD ▪ 21-060 / Meadows – SDSD ▪ 21-096 / Cernilia – SDSD ▪ 21-100 / Richardson – SDSD ▪ 22-058 / Blue – SDSD ▪ Digital Scanning and Delivery of Non-Legal Mail to Incarcerated Persons – SDSD ▪ Physical Search or Scanning of All Persons in Detention Facilities, to Include Staff – SDSD ▪ 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"> ▪ None ▪ Sustained Finding Pending Responses <ul style="list-style-type: none"> ▪ 21-055 / Frost ▪ Sustained Finding Response <ul style="list-style-type: none"> ▪ None ▪ Continuing to work with the Department of Purchasing and Contracting in reference to the Analytica report; there are currently follow up items to solidify and finalize the contract to work on the additional areas of study. ▪ Members of the Public addressed comments to the Board.
<p>Board Chair's Report</p>	<ul style="list-style-type: none"> ▪ Chair Eileen Delaney expressed condolences for those that have lost loved ones in custody. ▪ Special thanks to all Members and Liaisons ▪ Proposed to have trainings for all new Board Members in particular, trainings on cell extractions and different restraints. Mr. Parker to arrange trainings with Sgt. Tingley.

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New Business	<p>a) Continuance of Teleconferencing Meeting option Pursuant to Government Code Section 54953 (e)</p> <ul style="list-style-type: none"> ▪ Counsel, Shiri Hoffman, specified the appropriate motion to the group. The votes were as follows: <ul style="list-style-type: none"> ▪ Eileen Delaney: Yes ▪ Pastor Robert Spriggs: Yes ▪ Andrew Hayes: Yes ▪ Dr. R. Lee Brown: Yes ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Kenk: Abstain ▪ Ariana Federico Mondragon: Yes ▪ Tim Ware: Yes ▪ Gary Wilson: Yes ▪ Motion carried, 8-0 with one abstention 												
Unfinished Business	<ul style="list-style-type: none"> ▪ a) Update: Authority for the Executive Officer to Work with County 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. ▪ 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. 												
Sheriff/ Probation Liaison Query	<ul style="list-style-type: none"> ▪ Mr. Wilson addressed the following: ▪ Get an update from the SDSO regarding investigation on other agencies regarding officer involvement shootings/use of force. ▪ Update on BWC; challenges or difficulties. ▪ Data on Fentanyl Dogs ▪ What are the policies, procedures, protocols for interagency and interjurisdictional investigations. 												
Open session was adjourned at 6:49 p.m.													
Closed session was convened at 6:59 p.m.													
Closed Session	<p>a) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE</p> <p>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%;"> <tr> <td style="text-align: center;">CASE NO.</td> <td style="text-align: center;">CASE NO.</td> </tr> <tr> <td>21-083</td> <td>21-126</td> </tr> <tr> <td>21-105</td> <td>22-011</td> </tr> <tr> <td>21-107</td> <td>22-028</td> </tr> <tr> <td>21-108</td> <td>22-036</td> </tr> <tr> <td>21-118</td> <td>22-095</td> </tr> </table> <p>b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION Notice pursuant to Government Code section 54957 Title: Executive Officer, CLERB</p>	CASE NO.	CASE NO.	21-083	21-126	21-105	22-011	21-107	22-028	21-108	22-036	21-118	22-095
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Closed session was adjourned at 8:19 p.m.													

Minutes prepared by Valeria Zagal, Administrative Secretary III

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PAUL R. PARKER III
Executive Officer

ROBERT SPRIGGS, JR.
Secretary to the Board