

Parker, Paul

From: Parker, Paul
Sent: Tuesday, August 23, 2022 11:00 AM
Subject: Article re: CLERB Recommendation to Scan or Search All Persons Entering Detention Facilities, to Include Employees

In addition to the below article, I was just interviewed for a KPBS piece about this topic that should air later today.

[Should all jail staff and visitors be scanned for drugs? Review board says yes - The San Diego Union-Tribune \(sandiegouniontribune.com\)](https://www.sandiegouniontribune.com)

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Parker, Paul

From: Parker, Paul
Sent: Tuesday, August 23, 2022 2:54 PM
Subject: FW: [External] Officer-Involved Shooting – City of San Diego

CLERB Members,

Just FYI...this is now the third OIS investigated by SDSD under the MOU signed a few months ago.

Paul

From: San Diego County Sheriff <sdsheriff@public.govdelivery.com>
Sent: Tuesday, August 23, 2022 2:50 PM
To: Parker, Paul <Paul.Parker@sdcounty.ca.gov>
Subject: [External] Officer-Involved Shooting – City of San Diego

Officer-Involved Shooting – City of San Diego

Man wielding sharp object shot by SDPD Officer.

Post Date: 08/23/2022 2:45 PM

The following information is fragmentary and has not been completely verified. It is based, in part, on hearsay and is intended for early information use rather than being a formal investigative report.

On August 23 just after 8:00 a.m., San Diego Police Officers responded to a home in the 1500 block of Bridgeview Drive in Fairmount Park in the City of San Diego for a report of an assault with a deadly weapon.

Officers arrived on scene and located two victims, a 73-year-old woman and a 79-year-old woman. One victim had a laceration to her head and the other a laceration to her neck. The suspect, a 48-year-old man, is believed to be the nephew of the victims. The assault of the victims happened following a verbal argument. At this time, the weapon used on the victims is being described as a metal object. Both victims were immediately taken to a hospital for treatment. They are expected to survive.

A perimeter was set around the home where the assaults took place. Officers made entry into the home and discovered the suspect had barricaded himself in the bathroom. Officers attempted to deescalate the situation by talking with the suspect. As the situation continued, officers were able to open the bathroom door and tried to use pepper spray on the suspect which was ineffective. A decision was made to use a police canine. The police canine made contact with the suspect.

At some point while officers were attempting to get control of the suspect, he brandished a sharp object causing one officer to shoot the suspect. Officers immediately began life-saving measures. The San Diego Fire Department arrived and transported the suspect to a hospital for treatment where he was later pronounced deceased.

The San Diego County Sheriff's Department Homicide Unit responded and has [assumed responsibility of the officer-involved shooting investigation](#).

No officers were injured during this incident.

Parker, Paul

From: Parker, Paul
Sent: Thursday, August 25, 2022 12:10 PM
Subject: CLERB 2021 Annual Report
Attachments: 2021 Annual Report.pdf

Importance: High

Good morning,

Attached is the final CLERB 2021 Annual Report. The draft report was updated with the following highlighted information:

Resumes of Review Board Members

- Updated Mr. Wilson's bio.

Executive Officer's Summary

- The ethnicity breakdown for the 18 SDCS detention facility-related deaths were as follows:
 - Black – 1 (6%), County population – 5%
 - Latinx – 8 (44%), County population – 33%
 - Other – 0 (0%), County population – 15%
 - White – 9 (50%), County population – 47%
- Of the 14 SDCS detention facility deaths closed by CLERB in 2021, the time-period between booking and the incident giving rise to or treatment for the subsequent cause of death were as follows:
 - 0-2 days: 3
 - 3-6 days: 2
 - 7-30 days: 3
 - 31-100 days: 3
 - 101+ days: 3 (114, 115, and 416 days)

When investigating in-custody deaths or allegations of misconduct, oftentimes a question arises as to the standard of care provided by medical and mental health providers practicing in the detention facilities. Unfortunately, CLERB does not have jurisdiction of medical staff, who are non-sworn and sometimes contract personnel. The lack of jurisdiction over SDCS non-sworn staff, and specifically medical staff, has always been a concern to complainants and CLERB members, as critical allegations pertaining to medical care cannot be investigated by CLERB. For example, in non-death cases closed in 2021, 10.3% of the summarily dismissed allegations were against medical personnel. Without jurisdiction over medical staff, CLERB is unable to fully investigate in-custody deaths, great bodily injury cases, and any other allegation against medical personnel, as CLERB is unable to review the totality of circumstances leading to many of the deaths, care provided after uses of force, and the standard of care provided during routine operations. I am in the process of pursuing this jurisdiction and will provide an update in the 2022 Annual Report.

For the majority of 2021, CLERB had only two investigators and a supervising investigator. Two new investigators completed training and finally inherited a solo caseload in September.

Added the following graphs:

In-Custody Deaths by Facility, 2021 (Graph 5)

In-Custody Deaths by Ethnicity, 2021 (Graph 6)

In-Custody Deaths by Manner, 2021 (Graph 7)

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Parker, Paul

From: Parker, Paul
Sent: Thursday, August 25, 2022 12:10 PM
Subject: CLERB 2022 Semi-Annual Report
Attachments: 2022 Semi-Annual Report.pdf

Importance: High

Good morning,

Attached is the final CLERB 2022 Semi-Annual Report. The following highlighted items were added to the final version:

Resumes of Review Board Members

- Updated Mr. Wilson's bio.

Executive Officer's Summary

- The ethnicity breakdown for the 16 SDSO detention facility-related deaths were as follows:
 - Black – 1 (6%), County population – 5%
 - Filipino – 1 (6%), County population (other) – 15%
 - Latinx – 6 (38%), County population – 33%
 - Other Asian – 1 (6%), County population (other) – 15%
 - White – 7 (44%), County population – 47%
- Of the 16 SDSO detention facility deaths closed by CLERB from 1/1-8/20/22, the time-period between booking and the incident giving rise to or treatment for the subsequent cause of death were as follows:
 - 0-2 days: 1
 - 3-6 days: 2
 - 7-30 days: 2
 - 31-100 days: 2
 - 101+ days: 9 (110, 141, 163, 196, 218, 230, 354, 440, and 501 days)

On February 14, 2022, CLERB and SDSO entered a Memorandum of Understanding, based upon the acceptance of a CLERB policy and procedure recommendation, for a CLERB investigator to respond to death scenes for the purpose of ensuring timely and independent CLERB death investigations. For at least the next two years, I will represent CLERB at these scene responses and, as of August 20, 2022, had responded to 16 scenes.

Although SDSO has implemented numerous measures to deter drugs from entering its detention facilities, there is no doubt that illicit substances are being introduced to the incarcerated person (I/P) population. As such, when it cannot be determined where or how the illicit substances entered the facility and a subsequent death is drug-related, CLERB no longer rules the general death investigation allegation "Action Justified" but instead now rules it "Not Sustained."

When investigating in-custody deaths or allegations of misconduct, oftentimes a question arises as to the standard of care provided by medical and mental health providers practicing in the detention facilities. Unfortunately, CLERB does not have jurisdiction of medical staff, who are non-sworn and sometimes contract personnel. The lack of jurisdiction over SDSO non-sworn staff, and specifically medical staff, has always been a concern to complainants and CLERB members, as critical allegations pertaining to medical care cannot be investigated by CLERB. For example, in non-death cases closed so far in 2022, 18.4% of the summarily dismissed allegations were dismissed because they were against medical personnel. Without jurisdiction over medical

staff, CLERB is unable to fully investigate in-custody deaths, great bodily injury cases, and any other allegation against medical personnel, as CLERB is unable to review the totality of circumstances leading to many of the deaths, care provided after uses of force, and the standard of care provided during routine operations. I am in the process of pursuing this jurisdiction and will provide an update in the 2022 Annual Report.

While continuing to assess our operations, I realized that some of CLERB’s own Rules and Regulations prohibit our effectiveness. For example, we are unable to investigate allegations received more than one year after the date of the incident giving rise to them. In 2021, 39.1% of the closed summarily dismissed allegations were filed more than one year after the date of incident; so far in 2022, the total is 27.5%. This is not in line with the practices of the law enforcement agencies to whom we provide oversight, as internal investigations can be initiated no matter the date of the incident. I will work with County Counsel to align our R&Rs with the guidelines provided in the Public Safety Officers Procedural Bill of Rights (POBOR).

Added the following graphs:

- In-Custody Deaths by Facility, 2022 (Graph 5)

- In-Custody Deaths by Ethnicity, 2022 (Graph 6)

- In-Custody Deaths by Manner, 2022 (Graph 7)

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Parker, Paul

From: Parker, Paul
Sent: Thursday, August 25, 2022 3:48 PM
Subject: ICD Booking Date and Incident or Death Date
Attachments: ICD Booking Date and Incident or Death Date.xlsx

CLERB Members,

Attached is the in-custody death data briefly discussed the other night, originally compiled by Bonnie (thank YOU, Bonnie!!!!), revised by me, and referenced in the 2021 Annual Report and 2022 Semi-Annual Report.

The "# Days" are the number of days between I/P booking and (1) the incident subsequently resulting in death or (2) being found and subsequently pronounced dead.

Paul

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Case #	Name	Facility	Date In	DOD or Incident	# Days	Manner
Closed 2021						
19-100	Sevilla	GBDF	5/30/2019	8/26/2019	87	A
20-071	Fonseca	SDCJ	6/7/2020	6/9/2020	2	S
19-128	Serna	LCDF	11/6/2019	11/11/2019	5	A
19-104	Pickett	SDCJ	9/4/2019	9/6/2019	2	A
20-096	Armendo	VDF	2/5/2020	6/29/2020	114	A
19-126	Ralph	SDCJ	9/12/2019	10/26/2019	44	S
19-143	Godfrey	SDCJ	11/3/2029	11/27/2019	24	N
20-012	Wilson	SDCJ	1/16/2020	1/26/2020	10	A
20-063	Morton	VDF	5/11/2020	5/17/2020	6	S
20-105	Brogan	VDF	9/17/2020	10/16/2020	29	N
20-112	Loredo	GBDF	7/21/2020	11/13/2020	115	N
20-102	Rogers	VDF	7/26/2020	10/7/2020	73	A
20-114	Gonzaba	VDF	10/4/2019	11/24/2020	416	A
20-113	Alvarez	SDCJ	11/20/2020	11/22/2020	2	A

Total: 14

Closed 2022

20-104	Chon	SDCJ	2/27/2020	10/16/2020	230	N
20-107	Hasenin	GBDF	9/4/2020	11/3/2020	60	A
20-108	Mills	SDCJ	7/24/2020	11/11/2020	110	N
21-004	Moreno	SDCJ	1/6/2021	1/6/2021	0	A
21-084	Davey	SDCJ	8/27/2021	8/30/2021	3	N
21-038	Whitlock	GBDF	2/13/2020	4/27/2021	440	A
21-051	Marroquin	SDCJ	12/18/2020	5/30/2021	163	S
21-028	Gomez	VDF	2/17/2021	3/14/2021	25	N
21-063	Estrada	VDF	7/2/2021	7/5/2021	3	A
21-104	Tuazon	LCDF	9/4/2021	9/28/2021	24	N
21-116	Smith	VDF	4/2/2021	11/6/2021	218	N
21-120	Alamos	VDF	10/13/2021	12/1/2021	49	N
21-094	Wright	VDF	3/4/2021	9/16/2021	196	N
21-053	Aleman	GBDF	1/18/2021	6/9/2021	141	A
22-008	Ruiz	SDCJ	9/17/2020	1/31/2022	501	N
21-112	Hernandez	SDCJ	10/24/2020	10/13/2021	354	S

Total: 16

Manner

A - Accident (Drug-Related)

N - Natural

S - Suciide

Parker, Paul

From: Parker, Paul
Sent: Monday, August 29, 2022 6:00 PM
Cc: Zagal-Garcia, Valeria
Subject: CLERB Special Meeting: August 30 at 5:30pm

Good evening, CLERB members,

I am scheduled to present CLERB's 2021 Annual Report and 2022 Semi-Annual Report to the BOS tomorrow. As my item is not time certain, I may still be at the BOS meeting at 5:30pm. Just in case, I have asked Lynn to be me at tomorrow's special meeting. I don't imagine the meeting will go very long, as there is only the teleconference vote on the agenda. Other than Lynn, neither CLERB staff nor Department liaisons will be present for this meeting.

If you have not received your meeting link, please respond to Val via this email.

Lynn,

Thank you for covering for me.

Paul

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Parker, Paul

From: Parker, Paul
Sent: Tuesday, August 30, 2022 11:40 AM
Subject: Media Articles #22-11

CLERB Members—

In an attempt to keep you updated about media stories in which CLERB is mentioned or that somehow touch upon our mission in San Diego County or local, state, or national law enforcement practices in general, I will send you links to those media stories. If you would like to opt out of these emails, just let me know.

Please know that Valerie has been working on obtaining a San Diego U-T subscription for your viewing of unlimited articles; we will update you on the status at the 9/20 regular meeting.

Here are seven articles:

1. <https://www.desertsun.com/story/opinion/2022/08/28/why-riverside-county-so-secretive-jail-deaths/7905358001/> (CLERB's work is mentioned as a model)
2. [Sheriff's review board offers hope for era of accountability - The San Diego Union-Tribune \(sandiegouniontribune.com\)](#)
3. [Oversight board wants San Diego jail staff to be scanned for drugs | KPBS Public Media](#)
4. [Should all jail staff and visitors be scanned for drugs? Review board says yes - The San Diego Union-Tribune \(sandiegouniontribune.com\)](#)
5. [Jail beating of transgender woman result of 'systemic failure' by Sheriff's Department, CLERB finds - The San Diego Union-Tribune \(sandiegouniontribune.com\)](#)
6. [New police accountability laws up demands on California agencies \(vcstar.com\)](#)
7. [Is police accountability working in San Francisco? \(Part I\) \(missionlocal.org\)](#)

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