

DEEPENING TRUST,  
CONFIDENCE, AND  
ACCOUNTABILITY

# AMENDMENTS TO CLERB

San Diegans for Justice

Andrea St. Julian and Maresa Martin Talbert, Co-Chairs

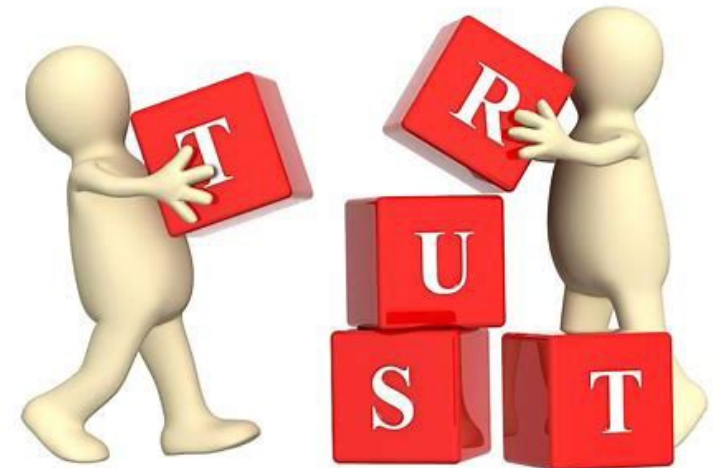
[SanDiegansForJustice.com](https://www.SanDiegansForJustice.com)

March 28, 2023

# Trust is built

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- CLERB's mission is to increase public confidence and the accountability of county peace officers
- Without public trust, there can be no confidence or accountability
- Trust and accountability help keep communities safe

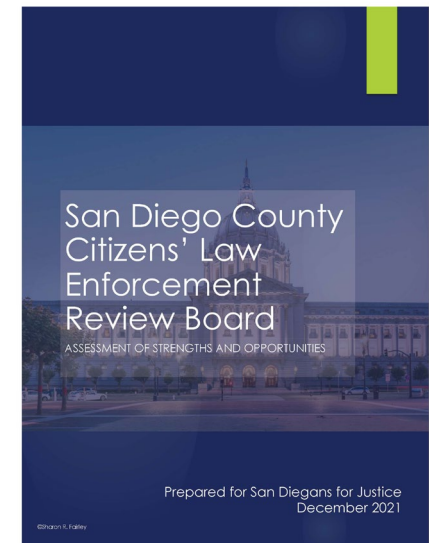


# Community input builds trust

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- Community members gave SDJ input on law-enforcement oversight
- This input informed the SDJ CLERB report
- See the results of our community exchanges at <https://patrick.ucsd.edu/tracking-measure-b>



# Independent counsel builds trust

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- The community has great difficulty trusting counsel that represents both CLERB and law enforcement
- County counsel's ethical walls are very difficult for the community to feel comfortable with



INDEPENDENT



# Independence from other government bodies builds trust

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- CLERB must choose its executive director for approval by the County
- CLERB in conjunction with community members must choose board members
- CLERB must have adequate board members, staff, and funding

# Designated duties build trust and accountability

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- The amended ordinance must specify what CLERB is mandated to do, not just what CLERB has the authority to do.
- Without mandated duties, neither CLERB nor the law enforcement it oversees can be appropriately accountable to San Diegans



# Specific designated duties build accountability

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- Robust investigation of all serious complaints
- Periodic unannounced visits to each detention facility
- Mandatory audits and pattern and practice investigations



# Expanded jurisdiction and authority build trust and accountability

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- CLERB must have jurisdiction over investigators employed by the district attorney's office
- CLERB must investigate potential wrongdoings discovered during an investigation, even if no complaint has been filed
- CLERB must have the authority to conduct pattern and practice investigations without the filing of a complaint
- CLERB must have the ability to investigate allegations of domestic violence and without the filing of a complaint



# Simple complaint procedures build trust

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- CLERB should not require complaints be signed with a “wet signature”
- CLERB should not require complaints be signed under penalty of perjury



# Robust investigations build trust and accountability

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- Law enforcement and other county staff must be personally interviewed and recorded
- At least two board members must do a full file review before closing a case
- Serious cases must have legal input throughout the investigative process and a legal review prior to closing

# Timeliness builds accountability

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- CLERB must have direct access to complaints filed
- CLERB must have direct access to department reports and information systems
- CLERB must have direct access to legally obtainable personnel and disciplinary records in order to conduct investigations, including pattern and practice investigations
- CLERB ordinance must set out very specific time deadlines for law enforcement compliance

# Independence of thought builds trust

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The new ordinance must prohibit investigators from giving an opinion as to the disposition of the case



# Transparency builds trust and accountability

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- Everything that can be made public must be made public
- CLERB should be required to aggregate and publish data from the case outcomes and other matters that are subject to audits
- The expanded definition of confidentiality contained in the proposed amendment is contrary to transparency



# The ordinance provisions build accountability

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- The suggested additions to the amended ordinance should be made in the ordinance itself as well as in the rules and regulations
- In the event some of our suggestions need to be approved by the voters, we request that CLERB recommend to the County Board of Supervisors that it place those changes on the next ballot.

# Questions

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