

## **Parker, Paul**

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**From:** Parker, Paul  
**Sent:** Friday, July 14, 2023 8:58 AM  
**Cc:** Aldridge, Lenore; Bohan, Ellen; Chiesa, Briana; Hakak, Nawras; Klew, Spencer; Setzler, Lynn M; Wigfall, Claudia  
**Subject:** Updated Version of SB-519  
**Importance:** High

CLERB Members,

Below is the link to compare the most recent version of SB-519 with the version discussed at your April 24, 2023, Special Meeting.

[Compare Versions - SB-519 Corrections. Corrections. \(ca.gov\)](#)

### **Paul R. Parker III**

pronouns (*he/him/his*)

#### **Executive Officer**

County of San Diego, Citizens' Law Enforcement Review Board (CLERB)

555 W Beech St., Ste 220 San Diego, CA 92101

Cell: (619) 301-9212

Fax: (619) 238-6775

MS: A-210



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**SB-519 Corrections.** (2023-2024)

Current Version: 07/13/23 - Amended Assembly Compared to Version: 04/13/23 - Amended Senate  ⓘ

**SEC. 3. SECTION 1.** Section 832.10 is added to the Penal Code, to read:

**832.10.** (a) For purposes of this section, the following definitions shall apply:

(1) "Death incident" means an event where a person has died in the custody or supervision of the local detention facility or where a person who was previously in custody and died within 30 days of being compassionately released.

(2) "Local detention facility" means any city, county, city and county, or regional jail, camp, court holding facility, private detention facility, or other ~~facility, used for confinement or correctional holding of adults or of both adults and minors, but does not include that portion of a facility for confinement of both adults and minors that is devoted only to the confinement of minors.~~ *facility in which persons are incarcerated.*

(3) "Private detention facility" has the same meaning as in Section 7320 of the Government Code.

(4) ~~"Subject officer" means a custodial officer, or responsible health care staff, against whom possible misconduct was alleged or whose actions were reviewed during an administrative or criminal investigation of a death incident.~~ *"Person" includes, but is not limited to, a custodial officer or health care staff.*

(5) "Custodial officer" means those officers with the rank of deputy, correctional officer, patrol person, or another equivalent sworn or civilian rank whose duties include the supervision of incarcerated or detained persons at a local detention facility.

(6) ~~"Responsible health"~~ *"Health care staff"* means the health authority, individual, or agency that is designated with responsibility for providing health care in the local detention facility.

(b) Notwithstanding subdivision (a) of Section 832.7, or any other law, ~~the following records~~ *any record relating to an investigation conducted by the local detention facility involving a death incident* maintained by a local detention facility shall not be confidential and shall be made available for public inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code): *Code).*

~~(1) Any record relating to an investigation conducted by the local detention facility involving a death incident.~~

~~(2) Any local detention facility personnel record of a subject officer.~~

(c) Records disclosed under subdivision (b) shall be subject to all of the following:

(1) The record shall include all investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports; all materials compiled and presented for review to the district attorney or to any person or body charged with determining whether to file criminal charges against a ~~subject officer,~~ *person,* whether the ~~subject officer's~~ *person's* action was consistent with law and agency policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take; documents setting forth findings or recommended findings; and copies of disciplinary records relating to the death incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

~~(2) The record shall include instances where the subject officer resigned before the local detention facility or oversight agency concluded its investigation into the death incident:~~

~~(3) A record from a separate and prior investigation or assessment of a separate death incident shall not be released unless it is independently subject to disclosure pursuant to this subdivision:~~

~~(4)~~ (2) An agency shall redact a record disclosed pursuant to this section only for any of the following purposes:

(A) To remove personal data or information, such as a home address, telephone number, or identities of family members, other than the *people's* names and work-related ~~information of subject officers:~~ *information*.

(B) To preserve the anonymity of whistleblowers, complainants, victims, and witnesses.

(C) To protect confidential medical, financial, or other information of which disclosure is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible ~~misconduct by subject officers:~~ *misconduct*.

(D) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of ~~the subject officer, or another~~ *any* person.

~~(5)~~ (3) Notwithstanding paragraph (4), an agency may redact a record disclosed pursuant to this section, including personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information.

~~(6)~~ (4) A local detention facility may withhold a record of a death incident described in ~~paragraphs (1) and (2) of~~ subdivision (b) that is the subject of an active criminal or administrative investigation, in accordance with any of the following:

(A) (i) During an active criminal investigation, disclosure may be delayed for up to 60 days from the date the death incident occurred or until the district attorney determines whether to file criminal charges related to the death incident, whichever occurs sooner. If a local detention facility delays disclosure pursuant to this clause, the local detention facility shall provide, in writing, the specific basis for the facility's determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. This writing shall include the estimated date for disclosure of the withheld information.

(ii) After 60 days from the death incident, the local detention facility may continue to delay the disclosure of records or information if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against ~~a subject officer:~~ *any person*. If an agency delays disclosure pursuant to this clause, the agency shall, at 180-day intervals as necessary, provide, in writing, the specific basis for the agency's determination that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding. The writing shall include the estimated date for the disclosure of the withheld information. Information withheld by the agency shall be disclosed when the specific basis for withholding is resolved, when the investigation or proceeding is no longer active, or by no later than 18 months after the date of the death incident, whichever occurs sooner.

(iii) In an action to compel disclosure brought pursuant to Section 7923.000 of the Government Code, a local detention facility may justify delay by filing an application to seal the basis for withholding, in accordance with Rule 2.550 of the California Rules of Court, or any successor rule, if disclosure of the written basis itself would impact a privilege or compromise a pending investigation. This clause does not prohibit a court from conducting in camera review to determine whether privilege exists.

(B) If criminal charges are filed related to the death incident, the local detention facility may delay the disclosure of records or information until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea pursuant to Section 1018.

(C) During an administrative investigation into an incident described in ~~paragraphs (1) and (2) of~~ subdivision (b), the local detention facility may delay the disclosure of records or information until the facility determines whether the death incident violated a law or agency policy, but no longer than 180 days after the date of the local detention facility's discovery of the death incident by a person authorized to initiate an investigation.

~~(7) A record of a complaint, or the investigations, findings, or dispositions of that complaint, shall not be released pursuant to this section if the complaint is frivolous, as defined in Section 128.5 of the Code of Civil Procedure, or if the complaint is unfounded:~~

~~(8)~~ (5) The cost of copies of records subject to disclosure pursuant to this subdivision that are made available upon the payment of fees covering direct costs of duplication pursuant to subdivision (a) of Section 7922.530 of the Government Code shall not include the costs of searching for, editing, or redacting the records.

~~(9)~~ (6) Except to the extent temporary withholding for a longer period is permitted pursuant to paragraph ~~(6)~~, (5), records subject to disclosure under this section shall be provided at the earliest possible time and no later than 45 days from the date of a request for their disclosure.

~~(10)~~ (7) (A) For purposes of releasing records pursuant to this subdivision, the attorney-client privilege does not prohibit the disclosure of either of the following:

(i) Factual information provided by the local detention facility to its attorney or factual information discovered in any investigation conducted by, or on behalf of, the local detention facility's attorney.

(ii) Billing records related to the work done by the attorney so long as the records do not relate to active and ongoing litigation and do not disclose information for the purpose of legal consultation between the local detention facility and its attorney.

(B) This paragraph does not prohibit the local detention facility from asserting that a record or information within the record is exempted or prohibited from disclosure pursuant to any other federal or state law. However, to the extent that the local detention facility asserts attorney-client privilege or any other prohibitive disclosure provided by federal or state law, the court may conduct in camera review unless prohibited by law.

~~(d) Notwithstanding Section 832.7, the local detention facility may do any of the following:~~

~~(1) Release to the complaining party a copy of the complaining party's own statements at the time the complaint is filed.~~

~~(2) Disseminate data regarding the number, type, or disposition of complaints made against its subject officers if that information is in a form that does not identify the individuals involved.~~

~~(3) Release factual information concerning a disciplinary investigation if the subject officer who is the subject of the disciplinary investigation, or the officer's agent or representative, publicly makes a statement they know to be false concerning the investigation or the imposition of disciplinary action. Information shall not be disclosed by the local detention facility unless the false statement was published by an established medium of communication, such as television, radio, or a newspaper. Disclosure of factual information by the local detention facility pursuant to this paragraph is limited to facts contained in the subject officer's personnel file concerning the disciplinary investigation or imposition of disciplinary action that specifically refute the false statements made public by the subject officer or their agent or representative.~~

~~(e) (1) The local detention facility shall provide written notification to the complaining party of the disposition of the complaint within 30 days of the disposition.~~

~~(2) The notification described in this subdivision is not conclusive or binding or admissible as evidence in any separate or subsequent action or proceeding brought before an arbitrator, court, or judge of this state or the United States.~~

~~(f)~~ (d) This section does not affect the discovery or disclosure of information contained in a subject officer's personnel file pursuant to Section 1043 of the Evidence Code.

~~(g)~~ (e) This section does not affect the disclosure of other records provided under this chapter or any other law.

~~(h)~~ (f) This section does not supersede or affect the criminal discovery process outlined in Chapter 10 (commencing with Section 1054) of Title 6 of Part 2, or the admissibility of personnel records pursuant to Section 832.7, which codifies the court decision in Pitchess v. Superior Court (1974) 11 Cal.3d 531.

~~(i)~~ (g) Nothing in this chapter is intended to limit the public's right of access as provided for in Long Beach Police Officers Association v. City of Long Beach (2014) 59 Cal.4th 59.

~~(h)~~ This section shall become operative on July 1, 2024.

**SEC. 4. 2.** Section 6024 of the Penal Code is amended to read:

**6024.** (a) Commencing July 1, 2012, there is hereby established the Board of State and Community Corrections. The Board of State and Community Corrections shall be an entity independent of the Department of Corrections and Rehabilitation. The Governor may appoint an executive officer of the board, subject to Senate confirmation,

who shall hold the office at the pleasure of the Governor. The executive officer shall be the administrative head of the board and shall exercise all duties and functions necessary to ensure that the responsibilities of the board are successfully discharged. As of July 1, 2012, any references to the Board of Corrections or the Corrections Standards Authority shall refer to the Board of State and Community Corrections. As of that date, the Corrections Standards Authority is abolished.

(b) The mission of the board shall include providing statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system, including addressing gang problems, and to promote legal and safe conditions for youth, inmates, and staff in local detention facilities. This mission shall reflect the principle of aligning fiscal policy and correctional practices, including, but not limited to prevention, intervention, suppression, supervision, and incapacitation, to promote a justice investment strategy that fits each county and is consistent with the integrated statewide goal of improved public safety through cost-effective, promising, and evidence-based strategies for managing criminal justice populations.

(c) The board shall regularly seek advice from a balanced range of stakeholders and subject matter experts on issues pertaining to adult corrections, juvenile justice, and gang problems relevant to its mission. Toward this end, the board shall seek to ensure that its efforts (1) are systematically informed by experts and stakeholders with the most specific knowledge concerning the subject matter, (2) include the participation of those who must implement a board decision and are impacted by a board decision, and (3) promote collaboration and innovative problem solving consistent with the mission of the board. The board may create special committees, with the authority to establish working subgroups as necessary, in furtherance of this subdivision to carry out specified tasks and to submit its findings and recommendations from that effort to the board.

(d) The board shall act as the supervisory board of the state planning agency pursuant to federal acts. It shall annually review and approve, or review, revise, and approve, the comprehensive state plan for the improvement of criminal justice and delinquency and gang prevention activities throughout the state, shall establish priorities for the use of funds as are available pursuant to federal acts, and shall approve the expenditure of all funds pursuant to such plans or federal acts, provided that the approval of those expenditures may be granted to single projects or to groups of projects.

(e) It is the intent of the Legislature that any statutory authority conferred on the Corrections Standards Authority or the previously abolished Board of Corrections shall apply to the Board of State and Community Corrections on and after July 1, 2012, unless expressly repealed by the act that added this section. The Board of State and Community Corrections is the successor to the Corrections Standards Authority, and as of July 1, 2012, is vested with all of the authority's rights, powers, authority, and duties, unless specifically repealed by this act.

(f) For purposes of this chapter, "federal acts" means Subchapter V of Chapter 46 of the federal Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351, 82 Stat. 197; 42 U.S.C. Sec. 3750 et seq.), the federal Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. Sec. 5601 et seq.), and any act or acts amendatory or supplemental thereto.

**SEC. 3.** *Section 6034 is added to the Penal Code, to read:*

**6034.** *(a) There is hereby created the independent Office of the Local Detention Monitor within the Board of State and Community Corrections. The Governor shall appoint, subject to confirmation by the Senate, the Local Detention Monitor to a six-year term. The Local Detention Monitor shall not be removed from office during that term, except for good cause.*

*(b) The Local Detention Monitor shall be responsible for oversight of conditions in local detention facilities, as defined in Section 832.10, pursuant to subdivision (g) under policies to be developed by the Local Detention Monitor.*

*(c) When requested by the Governor, the Senate Committee on Rules, the Speaker of the Assembly, or a Board of Supervisors by a resolution, the Local Detention Monitor shall initiate an audit or review of policies, practices, and procedures of the local detention facility pursuant to subdivision (g). Following a completed audit or review, the Local Detention Monitor may perform a followup audit or review to determine what measures the department implemented to address the Local Detention Monitor's findings and to assess the effectiveness of those measures.*

*(d) (1) Upon completion of an audit or review pursuant to subdivision (c), the Local Detention Monitor shall prepare and submit a written report, which may be held as confidential and disclosed in confidence, along with*

*all underlying materials the Local Detention Monitor deems appropriate, to the Board of State and Community Corrections, the audited local detention facility, and the requesting entity in subdivision (c).*

*(2) The Local Detention Monitor shall also prepare a public report. When necessary, the public report shall differ from the complete written report only in the respect that the Local Detention Monitor shall have the discretion to redact or otherwise protect the names of individuals, specific locations, or other facts that, if not redacted, might hinder prosecution related to the review, compromise the safety and security of staff, inmates, or members of the public, or where disclosure of the information is otherwise prohibited by law, and to decline to produce any of the underlying materials. Copies of public reports shall be posted on the Board of State and Community Corrections' internet website.*

*(3) The board may call upon the local detention facility to respond at a regularly scheduled meeting to discuss the audit findings or report.*

*(e) The Local Detention Monitor shall, during the course of an audit or review, identify areas of full and partial compliance or noncompliance with local detention facility policies and procedures, specify deficiencies in the completion and documentation of processes, and recommend corrective actions, including, but not limited to, additional training, additional policies, or changes in policy, as well as any other findings or recommendations that the Local Detention Monitor deems appropriate.*

*(f) The Local Detention Monitor shall, in consultation with the board and the Department of Finance, develop a methodology for producing a workload budget to be used for annually adjusting the Local Detention Monitor's budget, beginning with the budget for the 2025–26 fiscal year.*

*(g) The Local Detention Monitor shall have authority of public oversight of a local detention facility in matters relating to both of the following:*

*(1) In-custody deaths.*

*(2) Delivery of medical and mental health care.*

*(h) In conducting the audits authorized pursuant to this section, the Local Detention Monitor shall apply objective, clinically appropriate, and metric-oriented evaluation.*

*(i) The Local Detention Monitor shall not hire a person known to be considered a suspect or subject in an investigation being conducted by a federal, state, or local agency.*

*(j) The Local Detention Monitor shall not destroy any papers or memoranda used to support a completed review within three years after a report is released.*

*(k) Except as provided in subdivision (l), all books, papers, records, and correspondence of the office pertaining to its work are public records subject to Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code and shall be filed at any of the regularly maintained offices of the Local Detention Monitor.*

*(l) The following books, papers, records, and correspondence of the Local Detention Monitor pertaining to its work are not public records subject to Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code, nor shall they be subject to discovery pursuant to any provision of Title 3 (commencing with Section 1985) of Part 4 of the Code of Civil Procedure or Chapter 7 (commencing with Section 19570) of Part 2 of Division 5 of Title 2 of the Government Code in any manner:*

*(1) All reports, papers, correspondence, memoranda, electronic communications, or other documents that are otherwise exempt from disclosure under all other applicable laws regarding confidentiality, including, but not limited to, the California Public Records Act, the Public Safety Officers' Procedural Bill of Rights, the Information Practices Act of 1977, the Confidentiality of Medical Information Act of 1977, and the provisions of Section 832.7, relating to the disposition notification for complaints against peace officers.*

*(2) Any papers, correspondence, memoranda, electronic communications, or other documents pertaining to any audit or review that has not been completed.*

*(3) Any papers, correspondence, memoranda, electronic communications, or other documents pertaining to internal discussions between the Local Detention Monitor and the Local Detention Monitor's staff, or between staff members of the Local Detention Monitor, or any personal notes of the Local Detention Monitor or the Local Detention Monitor's staff.*

(4) All identifying information, and any personal papers or correspondence from any person requesting assistance from the Local Detention Monitor, except in those cases where the Local Detention Monitor determines that disclosure of the information is necessary in the interests of justice.

(m) The Local Detention Monitor, or any employee or former employee of the Local Detention Monitor, shall not divulge or make known in any manner not expressly permitted by law to any person not employed by the Local Detention Monitor any particulars of any record, document, or information the disclosure of which is restricted by law from release to the public. This prohibition is also applicable to any person who has been furnished a draft copy of any report for comment or review or any person or business entity that is contracting with or has contracted with the Local Detention Monitor and to the employees and former employees of that person or business entity or the employees of any state agency or public entity that has assisted the Local Detention Monitor in connection with duties authorized by this chapter.

(n) Notwithstanding any other law, the Local Detention Monitor during regular business hours or at any other time determined necessary by the Local Detention Monitor, shall have access to and authority to examine and reproduce any and all books, accounts, reports, vouchers, correspondence files, documents, and other records, and to examine the bank accounts, money, or other property of the local detention facility in connection with duties authorized by this chapter. Any officer or employee of any agency or entity having these records or property in their possession or under their control shall permit access to, and examination and reproduction thereof consistent with the provisions of this section, upon the request of the Local Detention Monitor or the Local Detention Monitor's authorized representative.

(o) In connection with duties authorized by this chapter, the Local Detention Monitor or the Local Detention Monitor's authorized representative shall have access to the records and property of any public or private entity or person subject to review or regulation by the public agency or public entity to the same extent that employees or officers of that agency or public entity have access. No provision of law, memorandum of understanding, or any other agreement entered into between the employing entity and the employee or the employee's representative providing for the confidentiality or privilege of any records or property shall prevent disclosure pursuant to subdivision (n). Access, examination, and reproduction consistent with the provisions of this section shall not result in the waiver of any confidentiality or privilege regarding any records or property.

(p) An officer or person shall not fail to or refuse to permit access, examination, or reproduction, as required by this section.

(q) The Local Detention Monitor may require any employee or contractor of the local detention facility to be interviewed on a confidential basis. Any employee or contractor requested to be interviewed shall comply and shall have time afforded by the appointing authority for the purpose of an interview with the Local Detention Monitor or the Local Detention Monitor's designee. The Local Detention Monitor shall have the discretion to redact the name or other identifying information of any person interviewed from any public report issued, where required by law or where the failure to redact the information may hinder prosecution or an action in a criminal, civil, or administrative proceeding, or where the Local Detention Monitor determines that disclosure of the information is not in the interests of justice. It is not the purpose of these communications to address disciplinary action or grievance procedures that may routinely occur. When conducting an investigation into allegations that an employee of the local detention facility engaged in misconduct relating to issues under subdivision (g), the Local Detention Monitor shall comply with Sections 3303, 3307, 3307.5, 3308, 3309, and subdivisions (a) to (d), inclusive, of Section 3309.5 of the Government Code, except that the Local Detention Monitor shall not be subject to the provisions of any memorandum of understanding or other agreement entered into between the employing entity and the employee or the employee's representative that is in conflict with, or adds to the requirements of, Sections 3303, 3307, 3307.5, 3308, 3309, and subdivisions (a) to (d), inclusive, of Section 3309.5 of the Government Code.

(r) Notwithstanding Section 10231.5 of the Government Code, the Local Detention Monitor shall report annually to the Governor and the Legislature a summary of its reports. The summary shall be posted on the Board of State and Community Corrections' internet website and otherwise made available to the public upon its release to the Governor and the Legislature. The summary shall include, but not be limited to, significant problems discovered by the office, and whether recommendations the office has made have been implemented.

(s) (1) The requirement for submitting a report imposed under subdivision (r) is inoperative on January 1, 2028, pursuant to Section 10231.5 of the Government Code.

(2) A report to be submitted pursuant to subdivision (r) shall be submitted in compliance with Section 9795 of the Government Code.



~~SEC. 5. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. The Legislature finds and declares that Section 3 of this act, which adds Section 6034 to the Penal Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:~~

*This section balances the public's right to access information with the need to protect sensitive and confidential information, particularly during a potential ongoing investigation, and to maintain robust oversight over local detention facilities relating to in-custody deaths and the delivery of health care to individuals in custody.*

~~SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

~~SECTION 4. Section 23013 of the Government Code is amended to read:~~

~~23013. (a) The board of supervisors of any county may, by resolution, establish a department of corrections and rehabilitation, to be headed by an executive officer appointed by the board, which shall have jurisdiction over all county functions, personnel, and facilities, or so many as the board names in its resolution, relating to institutional punishment, care, treatment, and rehabilitation of incarcerated persons, including, but not limited to, the county jail, industrial farms, and fire or road camps, their functions and personnel.~~

~~(b) If a board of supervisors exercises the authority conferred by subdivision (a), the board shall set forth its reasons for establishing a department of corrections and rehabilitation, which may include, but are not limited to, any of the following findings:~~

~~(1) A department of corrections and rehabilitation will better protect public health and safety.~~

~~(2) There has been a disproportionate increase in deaths within the county jail.~~

~~(3) There is persistent unequal treatment of individuals within a protected class under the Unruh Civil Rights Act (Section 51 of the Civil Code).~~

~~(4) A department of corrections and rehabilitation will provide better administration or operation of the county jail.~~

~~(5) There has been persistent abuse or disregard of the civil and human rights of individuals within the county jail.~~

~~(6) There has been a violation of a federal decree or settlement relating to institutional punishment and rehabilitation.~~

~~(7) County jail operations have failed to adhere to Title 15 of the California Code of Regulations.~~

~~(8) The county jail failed to secure accreditation by one or more national corrections associations.~~

~~(c) If a board of supervisors exercises the authority conferred by subdivision (a), the executive officer appointed by the board shall meet all of the following qualifications:~~

~~(1) Either of the following:~~

~~(A) Professional experience in corrections management.~~

~~(B) Extensive familiarity with Title 15 of the California Code of Regulations and national standards for jail accreditation.~~

~~(2) Extensive familiarity with the requirements of appropriate medical and mental health care within a corrections setting.~~

~~(3) Demonstrated commitment to protecting the civil and human rights of incarcerated individuals.~~

~~(4) Knowledge of best practice and evidence-based approaches to rehabilitation.~~

~~(d) If a board of supervisors exercises the authority conferred by subdivision (a), the executive officer appointed by the board shall assume a sheriff's duties under Chapter 1 (commencing with Section 4000) of Title 4 of Part 3 of the Penal Code and under the provisions of Article 1 (commencing with Section 26600) of Chapter 2 of Part 3 of Division 2 of Title 3 pertaining to a county jail.~~

~~(e) The boards of supervisors of two or more counties may, by agreement and the enactment of ordinances in conformity thereto, establish a joint department of corrections and rehabilitation to serve all the counties included in the agreement, to be headed by an executive officer appointed by the boards jointly.~~

**SEG. 2:** Section 26605 of the Government Code is amended to read:

~~**26605.** (a) Notwithstanding any other provision of law, the sheriff shall take charge of and be the sole and exclusive authority to keep the county jail and the incarcerated persons in it including persons confined to the county jail pursuant to subdivision (b) of Section 3454 of the Penal Code for a violation of the terms and conditions of their postrelease community supervision, except for work furlough facilities where by county ordinance the work furlough administrator is someone other than the sheriff.~~

~~(b) Subdivision (a) does not apply to either of the following:~~

~~(1) A county in which the sheriff, as of July 1, 1993, is not in charge of and the sole and exclusive authority to keep the county jail and the incarcerated persons in it.~~

~~(2) A county that has established a department of corrections and rehabilitation pursuant to Section 23013.~~

## **Parker, Paul**

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**From:** Parker, Paul  
**Sent:** Thursday, July 20, 2023 5:50 PM  
**To:** Aldridge, Lenore; Bohan, Ellen; Chiesa, Briana; Hakak, Nawras; Klew, Spencer; Setzler, Lynn M; Wigfall, Claudia  
**Subject:** Media Articles #23-35

Good evening, CLERB Members,

Please see the following media article:

1. [Transgender woman recalls beating in San Diego County jail \(10news.com\)](#) – In-depth piece about Kristina Frost’s incident (CLERB Case #21-055), our policy recommendation, and the SDSD’s response to include a statement from SDSD and interviews with Ms. Frost, her attorneys, and me.

Respectfully,  
Paul



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**Subject:** Testimony on SB 519

Good evening, CLERB members,

If you are interested, my testimony on SB 519 in Sacramento on July 11, 2023, can be viewed at the following link:

[CLERB Executive Officer Paul Parker's testimony on SB 519 July 11, 2023 - YouTube](#)

Paul

### **Paul R. Parker III**

pronouns (*he/him/his*)

#### **Executive Officer**

County of San Diego, Citizens' Law Enforcement Review Board (CLERB)

555 W Beech St., Ste 220 San Diego, CA 92101

Cell: (619) 301-9212

Fax: (619) 238-6775

MS: A-210



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