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*County of San Diego*  
**CITIZENS' LAW ENFORCEMENT REVIEW BOARD**

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February 13, 2024

Sheriff Kelly Martinez, County of San Diego  
Attn: Lieutenant David Perkins, Division of Inspectional Services  
9621 Ridgehaven Court  
San Diego, CA 92123

**LETTER OF CONCERN – COMMUNICATION ISSUES IN CLERB CASE #22-012 / TALAVERA**

Dear Sheriff Martinez:

On November 28, 2023, the Citizens' Law Enforcement Review Board (CLERB) reviewed CLERB Case No. 22-012 regarding the on-duty non-fatal discharge of firearms at Erik Talavera by Deputies David Lovejoy and Jonathan Young.

In this situation, a Sheriff's Department detective assigned to the Regional Auto Theft Taskforce (RATT) was tasked to coordinate communication with the Lakeside substation to dispatch deputies for an enforcement/apprehension stop a stolen vehicle. Due to a radio frequency and an encryption issue, the normal dispatch frequency was unreadable to the detective. A Santee deputy contacted the RATT detective, via cell phone, and assisted him with dispatching Lakeside deputies to the location of the stolen vehicle. A complainant advised that this disjointed line of communication was "dangerous and reckless," because it prevented the RATT detectives from communicating directly with the uniformed deputies who were handling the traffic stop, thus placing detectives in danger. CLERB's investigation highlighted that the communication between the undercover detectives and the assisting uniformed deputies was disjointed and complicated, as they had to rely on cell phones and relayed messages through multiple channels.

During its review of the case, CLERB agreed with the complaint's assertion, expressed concerns about the communications issues that may have contributed to this shooting, and requested that that its concerns and following questions be forwarded to you via this letter:

1. Have the communication issues experienced during this situation been resolved?
  - a. If not, will they be?
  - b. If so, what needs to be done to resolve the issues?
2. Have any changes been made to the Sheriff's Departments practices, policies, or procedures based upon the communication issues identified during CLERB's investigation?
  - a. If so, what changes have been made?
3. Is there any information the Sheriff's Department can provide that would allay CLERB's concern about the risk to bystanders and undercover detectives in future similar situations?

CLERB supports the Sheriff's Department's careful and prompt review of these questions / concerns and we look forward to your response.

Sincerely,

EILEEN DELANEY, Chair  
Citizens' Law Enforcement Review Board (CLERB)

ED:prp  
cc: Sergeant Stanley Bracy