



San Diego County Probation Department

Post Office Box 23597 • San Diego, California 92193-3597

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Tamika Nelson, Chief Probation Officer

March 18, 2024

Eileen Delaney, Chair
Citizens' Law Enforcement Review Board
1600 Pacific Highway, Suite 251
San Diego, CA 92101

POLICY RECOMMENDATION: CLERB CASE #23-062/GUTIERREZ

Dear Chair Delaney,

The Probation Department supports the Citizens' Law Enforcement Review Board's (CLERB) independent review of our policies and the recommendation for improvement.

On February 14, 2024, CLERB recommended the Probation Department:

- 1) Amend Institutions Services Policy section 514, Use of Force, Subsection 514.6.2, Required Notifications, to include language which establishes a timeframe in which a parent or legal guardian notification shall be made, following a use of force incident.
- 2) Provide Institution Services staff a Training Bulletin which highlights Institution Services Policy Section 514, Use of Force, Subsection 514.6, Reporting the Use of Force, to include language which instructs that all staff who use force shall complete a written use of force report and that a separate involved staff's report shall not replace or substitute for their own account of the incident.

As to item #1, a revision to Institutional Services Policy section 514 (Use of Force), subsection 514.6.2 (Required Notifications) has been submitted by the Department's Policy and Legislation Unit for review. The revision would add the language, "as soon as practicable" to the end of the above stated section. If adopted, the revised policy section would read as follows:

"In addition to the notification of medical and mental health staff, the Division Chief or designee should ensure the parent or legal guardian of the youth is informed of any use of force, including the use of chemical agents, as soon as practicable..."

As to item #2, the current policy already adequately addresses this issue. However, beginning this month, both institutions will formally include this issue on the agenda of an upcoming weekly Supervisor meeting. Further, the issue will also be formally included on the agenda of the daily facility staff briefings for one consecutive week, so the information can be disseminated to staff on all shifts. It should be noted that this topic has been addressed via these conduits for the past six months. Additionally, a meeting has been conducted with the instructors of the report writing course in the Juvenile Institutions Core academy. Moving forward, instructors will emphasize the need for staff who use force to complete an incident report (Staff Addenda) as dictated per policy. Lastly, this topic will be the subject of a future Department Training Bulletin (Expected release by April 2024).

We appreciate the time and effort of the CLERB and appreciate the dedicated service to the Citizens of San Diego County and for this policy recommendation. It is our goal to provide the highest level of service to the residents of San Diego County.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tamika Nelson', written in a cursive style.

TAMIKA NELSON
Chief Probation Officer

TN: rl