

MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
June 14, 2022

Attachment A

Open session was convened via the Zoom Platform at 5:30 p.m.	
Agenda Item	Discussion
Roll Call	<ul style="list-style-type: none"> ▪ All Board members were present except Robert Spriggs Jr. and Susan Youngflesh.
Public Comments	<ul style="list-style-type: none"> ▪ Karen Reimus, Dr. Fishman, Clovis H., Brody McBride, Martin Eder, Buki Domingos, Mary Best, Francine Maxwell, Catherine Cox, Yusef Miller, Robin Sales, Doris Bittar, Tom Packard, Dave Myers, Heather Friedman, William Keith, addressed the CLERB. ▪ Written comments by Julia Darlene and Natalie Neshat were read into the record.
Minutes Approval	<ul style="list-style-type: none"> ▪ April meeting minutes were discussed for approval. <ul style="list-style-type: none"> ○ Eileen Delaney called for a motion; Bonnie Kenk seconded the motion ○ (EO) P. Parker called the votes: ○ Vice Chair, Eileen Delaney: Yes ○ Buki Domingos: Abstain ○ Nadia Kean-Ayub: Yes ○ Bonnie Kenk: Yes ○ MaryAnne Pintar: Yes ○ Gary Wilson: Yes ○ Motion Carries ▪ May meeting minutes were discussed for approval. <ul style="list-style-type: none"> ○ Eileen called for a motion; Bonnie seconded the motion ○ (EO) P. Parker called the votes: ○ Vice Chair, Eileen Delaney: Yes ○ Buki Domingos: Abstain ○ Nadia Kean-Ayub: Yes ○ Bonnie Kenk: Yes ○ MaryAnne Pintar: Yes ○ Gary Wilson: Yes ○ Motion Carries
Presentation/Training	<ul style="list-style-type: none"> a) P. Parker, CLERB 2022 Operational Plan <ul style="list-style-type: none"> ▪ CLERB overview and Mission ▪ CLERB Highlights & Accomplishments ▪ Looking Forward/ Future Outlook ▪ Key Performances Measures ▪ General Fund Expenditure Summary ▪ Alignment to Strategic Plan <ul style="list-style-type: none"> ▪ Public comment from Francine Maxwell. b) Overview of Causes and Manners of Death for San Diego County Detention Facility-Related Deaths: January 2020 to May 2022 by CLERB Executive Officer Paul Parker <ul style="list-style-type: none"> ▪ Public comment from Francine Maxwell and Yusef Miller.
Executive Officers' Report	<ul style="list-style-type: none"> ▪ Overview of Activities of CLERB Executive Officer (EO) and Staff <ul style="list-style-type: none"> ▪ On May 11, Paul Parker presented an overview of CLERB to the League of Women Voters. ▪ On May 16, Mr. Parker and Chair Susan Youngflesh attended the first ever Commission on Police Practices (CPP)/CLERB collaboration meeting. The CPP Interim Executive Officer and Chair and Vice Chair also attended, and we discussed areas of similar concerns. We look to meet monthly.

	<ul style="list-style-type: none">▪ On May 17, Mr. Parker attended the California Civilian Oversight Association meeting. This purpose of the meeting was to facilitate discussion among numerous civilian oversight leaders in the state. This is a quarterly meeting and Mr. Parker will attend each moving forward.▪ On May 19, Mr. Parker presented CLERB's 2022-2023 Operational Plan to the Board of Supervisors.▪ From May 23 through June 8, Mr. Parker attended five afterhours community budget meetings, one from each supervisorial district.▪ On May 25, Mr. Parker provided an Overview of CLERB to the Executive Team of the Deputy Sheriff's Association, San Diego Police Officers' Association, Probation Officers Association, and District Attorney Investigators Association.▪ On May 25, Mr. Parker attended the Local Oversight meeting, a different group of California civilian oversight practitioners. This purpose of the meeting was to facilitate discussion among numerous civilian oversight leaders in the state. This is a quarterly meeting and Mr. Parker will attend each moving forward.▪ On May 25, Mr. Parker attended the County's Cloud Review Committee to receive permission to move forward with creating a CLERB Facebook account for investigatory purposes and a CLERB Twitter account for outreach and communication purposes.▪ On June 2, the baton was passed from outgoing outside counsel James Sandler to incoming outside counsel Duane Bennet during a meeting with them, Mr. Parker, and Supervising Special Investigator Lynn Setzler.▪ On June 7, CLERB convened a Special Meeting to vote on the teleconference option and create the Board Officer Nominating Committee.▪ On June 13, Mr. Parker attended the Board of Supervisors' daytime Community Budget Hearing.▪ The Special Investigator opening has been posted and a first review of applications will occur next week.▪ Investigative Workload and Classification Report for May 2022 (Attachment B)<ul style="list-style-type: none">▪ There were 10 new cases (as compared to 10 for May 2021).▪ There are 11 cases on tonight's agenda, to include three death cases, one great bodily injury case, and one use of force at a protest event.▪ At the end of May there were 88 active cases (three in "lodged" status, 83 open and active, and two POBR tolled).▪ There were 30 open death cases.▪ CLERB had documents for 13 cases and was awaiting documents on the remaining 17.▪ Three are on tonight's agenda.▪ There were three new SDSD death cases in May, two at San Diego Central Jail and one from the Courts Bureau.▪ There were 13 open uses of force resulting in great bodily injury without a complaint.<ul style="list-style-type: none">▪ None were reported in May.▪ One is on tonight's agenda.
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	<ul style="list-style-type: none"> ▪ There were three open discharges of firearm without a complaint. ▪ There was one use of force at protest or First Amendment protected events without a complaint; it is on tonight's agenda. ▪ Case Progress and Status Reports (Attachment C) <ul style="list-style-type: none"> ▪ Mr. Parker discussed the two reports: "CLERB Reports by Due Date" and "CLERB Reports Due by Case Number." ▪ Executive Officer Correspondence to Full CLERB (Attachment D) <ul style="list-style-type: none"> ▪ No EO correspondence was sent to CLERB. ▪ Policy Recommendation Pending Responses <ul style="list-style-type: none"> ▪ 21-004 / Moreno (Death) – SDS ▪ 21-060 / Meadows – SDS ▪ Reduction of Racially Disparate Policing Practices – SDS ▪ Create Fentanyl Canine Policy and Procedures – SDS ▪ CLERB Staff Response to Death Scenes – Probation ▪ Use of Technology to Monitor Health and Safety of Inmates – Probation ▪ Policy Recommendation Response <ul style="list-style-type: none"> ▪ 20-113 / Alvarez (Death) – SDS (Attachment E) <ul style="list-style-type: none"> ▪ First recommendation – current policy already addresses ▪ Second recommendation – already occurs ▪ 21-014 / Calhoun (Death) – SDS (Attachment F) <ul style="list-style-type: none"> ▪ Neither recommendation accepted ▪ 21-038 / Whitlock (Death) – SDS (Attachment G) <ul style="list-style-type: none"> ▪ Not accepted due to funding, staffing, and operational delay issues ▪ 21-078 / Blakeney – SDS (Attachment H) <ul style="list-style-type: none"> ▪ Not accepted, as "shall" already in place for calls for service; the recommendation pertained to law enforcement-initiated contacts. ▪ Expansion of Family Liaison Program – SDS (Attachment I) <ul style="list-style-type: none"> ▪ In review prior to recommendation; changes have been made that will address CLERB's core concerns. ▪ Provide Inmate Access to Naloxone – SDS (Attachment J) ▪ Accepted and are in process of installing in each module in each facility. ▪ Use of Technology to Monitor Health and Safety of Inmates – SDS (Attachment K) <ul style="list-style-type: none"> ▪ Concept accepted. ▪ Sustained Finding Pending Responses <ul style="list-style-type: none"> ▪ None ▪ Sustained Finding Response ▪ 21-028 / Gomez (Death) – SDS (Attachment L)
Board Chair's Report	<ul style="list-style-type: none"> ▪ Nothing to report
New Business	<ul style="list-style-type: none"> a) Authorization of Teleconferencing Meeting option Pursuant to Government Code Section 54953 (e) <ul style="list-style-type: none"> ▪ Counsel Shiri Hoffman specified the appropriate motion to the group. b) Gary Wilson made a motion to continue the virtual CLERB meetings for the upcoming Board Meeting. Nadia Kean-Ayub seconded the motion

	<ul style="list-style-type: none"> ▪ The votes were as follows: ▪ Vice Chair, Eileen Delaney: Yes ▪ Buki Domingos: Abstain ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Kenk: No ▪ MaryAnn Pintar: Yes ▪ Gary Wilson: Yes ▪ 4 in favor; 1 No; 1 Abstention. Motion failed ▪ Eileen suggests reconsidering the vote due to COVID-19, Counsel, Shiri Hoffman, suggests to have a Special Meeting for a re-consideration. ▪ Eileen Delaney made a motion; Nadia Kean-Ayub seconded the motion. ▪ Buki Domingos and Gary Wilson commented on the motion. ▪ Public comment from JKeely and Francine Maxwell. ▪ The votes were as follows: ▪ Vice Chair, Eileen Delaney: Yes ▪ Buki Domingos: Abstain ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Kenk: No ▪ MaryAnn Pintar: Yes ▪ Gary Wilson: Yes ▪ Buki Domingos commented on the motion. ▪ Will hold a Special Meeting to discuss further, when there are more CLERB members present. Special Meeting will be held July 5th. ▪ Public comment from Mary Best, was read into the record <p>c) Election of CLERB Officers</p> <ul style="list-style-type: none"> ▪ Nominations as follow: Chair, Eileen Delaney; Vice Chair, MaryAnn Pintar; Secretary Pastor Spriggs and Bonnie Kenk. ▪ (EO) P. Parker called the votes for Chair, Eileen Delaney: ▪ Vice Chair, Eileen Delaney: Yes ▪ Buki Domingos: Abstain ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Kenk: Yes ▪ MaryAnn Pintar: Yes ▪ Gary Wilson: Yes ▪ Vote passes 5 yes 1 Abstention ▪ The votes were as follows for Vice Chair, MaryAnn Pintar: ▪ Vice Chair, Eileen Delaney: Yes ▪ Buki Domingos: No ▪ Nadia Kean-Ayub: Yes ▪ Bonnie Kenk: Yes ▪ MaryAnn Pintar: Yes ▪ Gary Wilson: Yes ▪ Vote passes 5 yes; 1 No ▪ The votes were as follows for Secretary Pastor Spriggs: ▪ Gary Wilson: Yes ▪ MaryAnn Pintar :Yes ▪ Bonnie Kenk: No ▪ Nadia Kean Ayub: No ▪ Buki Domingos: No ▪ Vice Chair, Eileen Delaney: Yes ▪ Vote does not pass, 3 yes; 3 No
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	<ul style="list-style-type: none"> ▪ The votes were as follows for Secretary, Bonnie Kenk: ▪ Gary Wilson: No ▪ MaryAnn Pintar: Yes ▪ Bonnie Kenk: Yes ▪ Nadia Kean Ayub: Yes ▪ Buki Domingos: Yes ▪ Vice Chair, Eileen Delaney: No ▪ Vote does not pass, 4 Yes; 2 No. This will be added to the special meeting agenda. <p>d) Feasibility of Third-Party Jail Administration</p> <ul style="list-style-type: none"> ▪ Mr. Parker will work with County Counsel and other County staff to determine the legalities and feasibility of this topic and the making of recommendations pertaining to it and report back at a future meeting. <p>e) Overview of Improvement Opportunities Identified by San Diegans for Justice (SDJ) (Attachment M)</p> <ul style="list-style-type: none"> ▪ Mr. Parker detailed all 70 areas of potential improvement, as identified by SDJ, and indicated whether he approved of the items. <ul style="list-style-type: none"> ▪ Public comment from Yusef Miller and Andrea St. Julian
Unfinished Business	<p>a) Update: Authority for the Executive Officer to Work with County Staff to Pursue Legislation and/or to Add a Policy to the County Legislative Program in Support of Increased Transparency in Civilian Oversight of Peace Officers and Custodial Officers</p> <p>b) Update: Authority for the Executive Officer to Work with County Staff to Request that the County Board of Supervisors Expand CLERB's Jurisdiction to Include Personnel Involved in Providing Medical Care in County Detention Facilities</p>
Board Member Comment	<ul style="list-style-type: none"> ▪ Special Thanks to Buki Domingos for her service. ▪ MaryAnne Pintar toured six detention facilities and found the tours extremely beneficial. She recommended all CLERB members tour the facilities.
Sheriff/ Probation Liaison Query	<ul style="list-style-type: none"> ▪ Gary Wilson had one question for the Sheriff's department re: the number of times the MOU for investigating SDPD shooting has been utilized. Sergeant Brayman will connect with Paul Parker regarding question.
Open session was adjourned at 9:10 p.m.	
Closed session was convened at 9:23 p.m.	
Closed Session	<p>a) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE</p> <p>Discussion & Consideration of Complaints & Reports: Pursuant to Government code Section 54957 to hear complaints or charges brought against Sheriff or Probation employees by a citizen (unless the employee requests a public session). Notice to government Code Section 54957 for deliberations regarding consideration of subject officer discipline recommendation (if applicable).</p>
Closed session was adjourned at 9:59 p.m.	

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PAUL R. PARKER III
Executive Officer



ROBERT SPRIGGS, JR.
Secretary to the Board