

# SEMI- ANNUAL REPORT 2022



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

*SERVING THE COMMUNITY AND JUSTICE SYSTEM FOR 32 YEARS*



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# Introduction

## About the Citizens' Law Enforcement Review Board

San Diego County citizens voted to establish the Citizens' Law Enforcement Review Board (CLERB) in November 1990. The Review Board was established to receive and investigate complaints of misconduct concerning peace officers performing their duties while employed by the Sheriff's Department or the Probation Department. The Review Board is also authorized to investigate, without a complaint (1) any death arising out of, or in connection with, actions of deputies or probation officers, (2) incidents involving the discharge of a firearm by deputies or probation officers, (3) the use of force by deputies or probation officers resulting in great bodily injury, and (4) the use of force by deputies or probation officers at protests of other events protected by the First Amendment. The Review Board is made up of 11 citizens who are appointed by the Board of Supervisors.

## Mission Statement

To increase public confidence in and accountability of peace officers employed by the Sheriff's Department or the Probation Department by conducting independent, thorough, timely, and impartial reviews of complaints of misconduct and deaths and other specified incidents arising out of or in connection with actions of peace officers.

## Board Members as of June 30, 2022

Susan Youngflesh, Chairperson  
Eileen J. Delaney, Vice Chairperson  
Robert Spriggs, Secretary  
Buki Domingos  
Nadia Kean-Ayub  
Bonnie Kenk  
MaryAnne Pintar  
Tim Ware  
Gary I. Wilson

## Staff as of June 30, 2022

Paul R. Parker III, Executive Officer  
Lynn Setzler, Supervising Special Investigator  
Lenore Aldridge, Special Investigator  
Ellen Bohan, Special Investigator  
Briana Chiesa, Special Investigator  
Claudia Wigfall, Special Investigator  
Valeria Zagal-Garcia, Administrative Secretary III

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## Resumés of Review Board Members

### **Susan Youngflesh, Chairperson**

Ms. Youngflesh is the Associate General Counsel and Privacy Officer for the San Diego City Employees' Retirement System. As an attorney over the last fourteen years, she has worked as a Deputy District Attorney for the Washoe County District Attorney's Office, Staff Counsel at the Hartford, Judicial Law Clerk, and as an undergraduate criminal justice instructor. She holds a Bachelor of Science in Business Administration from the University of Nevada, Las Vegas, and a Juris Doctorate from Santa Clara University.

### **Eileen J. Delaney, Vice Chairperson**

Mrs. Delaney is President of DAC1 Companies. Along with a business background, she also has extensive knowledge in planning, development, and land use. She has served as an elected member of the Fallbrook Planning Group since 1999 and has chaired the Fallbrook Design Review Board since 2000. She was a member of the first San Diego County District Attorney's Citizens Academy in 2006, in partnership with the San Diego County Sheriff's Department. Mrs. Delaney has been appointed to numerous County Boards and Committees and has also served on the Board of Directors of many non-profit organizations. She has been the recipient of honors and awards including California State Senate Woman of the Year, Boys & Girls Club Champion of Youth, Chamber of Commerce Community Champion, Fallbrook Citizen of the Year and has had the distinct honor of being an Olympic Torch Bearer for the 2002 Olympics. Mrs. Delaney is dedicated to helping improve the lives of others and to make San Diego County a better and safer place to live and visit.

### **Robert Spriggs, Secretary**

Pastor Spriggs, a resident of San Diego, founded and served as the Senior Pastor of the Temple of Praise and Deliverance Center. He currently serves as a Staff Pastor and Servant Leader over the Safety & Security Team at the Greater Life Church in Emerald Hills. He is also a Campus Security Assistant at the San Diego Unified School District. Pastor Spriggs has a Bachelor of Arts in Human Development and is finishing a master's degree in Organizational Leadership at San Diego Christian College.

### **Buki Domingos**

Ms. Domingos was born in Nigeria, West Africa, and worked as a registered geriatric nurse and an alternative singer/songwriter in Germany for 13 years. She is currently a hospice nurse in San Diego County. She is fluent in five languages and draws upon her experience of being born and raised in Nigeria and life in Europe as a student and professional singer to bond with everyone with whom she comes into contact. Ms. Domingos is Board Chair of Activist San Diego (ASD), a social justice non-profit organization associated with radio station KNSJ. Ms. Domingos is co-founder of the Racial Justice Coalition of San Diego and co-hosts the KNSJ radio show, "Alafia: Voice of the African Diaspora."

### **Nadia Kean-Ayub**

Ms. Kean-Ayub is a resident of the city of Chula Vista where she commits to bettering the community through her activism. She is the Executive Director of Rainbow Spaces, a non-profit geared towards creating inclusive spaces for LGBTQ+ youth. She serves on the City of Chula Vista Human Relations Commissioner as Vice Chair and serves in various leadership roles in community groups.

### **Bonnie Kenk**

Ms. Kenk, a native of Pennsylvania, has been a resident of San Diego since 1981. She served on the 2007-2008 San Diego County Grand Jury and spent over a decade volunteering with the state and local Grand



Jury alumni organizations. She served a three-year term as the public member of the San Diego County Parole Board and a two-year term on the Community Review Board for Police Practices. Ms. Kenk works as a Tax Associate for TurboTax during the tax season. She, her husband Bill, their three dogs and six parrots reside in the Del Cerro area of the City of San Diego.

### **MaryAnne Pintar**

Ms. Pintar has more than 20 years of experience in San Diego government and politics. She began her political career in San Diego serving as then-San Diego Mayor Susan Golding's press secretary in the 1990s, eventually serving as her communications director and chief of staff. More recently, she has served for 9 years as Congressman Scott Peters' chief of staff. In the early 2000s, Pintar had her own public affairs and communications sole proprietorship and was frequently hired by organizations in need of her crisis communications skills. Prior to this, she worked at two of San Diego's leading public affairs firms. She is a former City of San Diego Library Commissioner, formerly served on the La Jolla YMCA Board of Directors, and was Parent-Teacher President Group President at All Hallows Academy. In 2018, San Diego Moxie Theater named her one of their Moxie Awards given to Women of San Diego with Grit and Determination, and in 2004 she was named one of *San Diego Business Journal's* 40 Under 40 to watch. She has a bachelor's degree and master's degree from San Diego State University, and she and her husband have three children.

### **Tim Ware**

After a successful Collegiate Career and Rose Bowl Championship at the University of Southern California (USC), Mr. Ware played professionally for the San Diego Chargers, Los Angeles Raiders and a brief stint with the Kansas City Chiefs. Since retiring from the National Football League, Tim has diversified his skills by developing creative systems as a School District Administrator, Youth Prevention and Intervention Systems Designer, Co-founder and coordinator of the *Ballerz 4 Christ* youth organization and a Deputy Probation Officer. In his current role as Coordinator of School Safety & Security for the San Diego County Office of Education, Tim leads the challenge of building safe and orderly schools for all forty-two school districts in the county. Born and raised in Compton, California, Tim brings a unique perspective as a motivational speaker. Tim specializes in the topics of leadership, Coaching with Integrity, the Role of Men in the Home and in the Community and a variety of topics from a Christian and Secular perspective.

### **Gary I. Wilson**

Mr. Wilson, a resident of Carlsbad, is a retired United States Marine Corps combat veteran. He is an Adjunct Professor at Palomar College and a Board-Certified Protection Professional (CPP), Certified Threat Manager (CTM), DHS-certified Master Trainer in the instruction of Behavioral Threat Assessment and Management (BTAM), and a forensic consultant. He has a Force Science Institute Certification in Force Science Analysis. He has a Bachelor of Arts in Psychology and Biology, a Master of Arts in Security Management, and a Master of Arts in Forensic Psychology.



## Executive Officer's Summary

This is the first-ever CLERB semi-annual report. Due to the concerns about the rate of deaths in San Diego County jails, this semi-annual report will primarily focus on in-custody deaths and CLERB's policy recommendations pertaining to deaths.

From 2006 through 2020, 185 people died in San Diego County's jails. The rate of deaths in San Diego County's jails raised concerns about underlying systemic issues within the San Diego Sheriff's Department's (SDSD) policies, procedures, and practices.

The California State Auditor (CSA) conducted an audit of the SDSD to determine the reasons for in-custody deaths; concluded that the SDSD failed to adequately prevent and respond to deaths of individuals in its custody; and made several recommendations pertaining to intake screenings, medical and mental health care, safety checks, and responses to medical emergencies.

A CLERB-commissioned study by Analytica Consulting comparing death rates in San Diego County jails to those from 11 other California counties found the following:

1. Residents of San Diego County are no more likely to die than residents of other California counties.
2. After considering countywide mortality rates, San Diego jails have the highest number of unexpected deaths.
3. In San Diego County, Whites are more likely to die in jail; Blacks are more likely to be in jail.
4. San Diego County inmates have the highest overdose/accidental death rates. An inmate in San Diego is two times more likely to die in this manner than what is expected based on county mortality rates. San Diego County was the only county with a statistically significant excess number of overdose/accidental deaths. A review of drug-related causes of death for inmates over the past two years indicated that fentanyl, a synthetic opioid, contributed to most of those deaths.
5. San Diego is one of many counties with high suicide rates in jails.
6. Elevated risk of death appears to be isolated to the unsentenced population.
7. Public oversight of in-custody deaths lacks key information.

As of August 20, 2022, 22 death cases have been opened; the breakdown of those deaths is as follows (see Table 5, pages 18 and 19):

- The following 16 deaths (14 males and two females) occurred in SDSD detention facilities:
  - Three natural deaths: one each at George Bailey Detention Facility (GBDF), San Diego Central Jail (SDCJ), and Vista Detention Facility (VDF). The natural death at SDCJ was COVID-related.
  - The remaining 13 deaths have pending causes and manners, presumably due to delayed toxicological testing.
- The ethnicity breakdown for the 16 SDSD detention facility-related deaths were as follows:
  - Black – 1 (6%), County population – 5%
  - Filipino – 1 (6%), County population (other) – 15%
  - Latinx – 6 (38%), County population – 33%
  - Other Asian – 1 (6%), County population (other) – 15%
  - White – 7 (44%), County population – 47%
- Of the 16 SDSD detention facility deaths closed by CLERB from 1/1-8/20/22, the time-period between booking and the incident giving rise to or treatment for the subsequent cause of death were as follows:
  - 0-2 days: 1
  - 3-6 days: 2
  - 7-30 days: 2
  - 31-100 days: 2



- 101+ days: 9 (110, 141, 163, 196, 218, 230, 354, 440, and 501 days)
- Two barricade situations in SDSD law enforcement service areas resulted in gunshot wound suicides.
- Two deaths with unknown causes and manners, one each in Lakeside and Vista.
- Two deputy-involved shooting deaths, one by a Bomb/Arson assigned deputy and one by Court Services deputies.

As of August 20, 2022, CLERB has made 26 total policy recommendations, 24 to SDSD (12 pertaining to deaths) and two (both pertaining to death) to Probation (see Table 7, pages 21 to 25).

- Eight recommendations to SDSD (six pertaining to deaths) were implemented,
- Nine recommendations to SDSD (three pertaining to deaths) were not accepted, and
- Seven recommendations to SDSD (three pertaining to deaths) are still under review by SDSD.
- Two recommendations to Probation (pertaining to deaths) are still under review by Probation.

On February 14, 2022, CLERB and SDSD entered a Memorandum of Understanding, based upon the acceptance of a CLERB policy and procedure recommendation, for a CLERB investigator to respond to death scenes for the purpose of ensuring timely and independent CLERB death investigations. For at least the next two years, I will represent CLERB at these scene responses and, as of August 20, 2022, had responded to 16 scenes.

Although SDSD has implemented numerous measures to deter drugs from entering its detention facilities, there is no doubt that illicit substances are being introduced to the incarcerated person (I/P) population. As such, when it cannot be determined where or how the illicit substances entered the facility and a subsequent death is drug-related, CLERB no longer rules the general death investigation allegation "Action Justified" but instead now rules it "Not Sustained."

When investigating in-custody deaths or allegations of misconduct, oftentimes a question arises as to the standard of care provided by medical and mental health providers practicing in the detention facilities. Unfortunately, CLERB does not have jurisdiction of medical staff, who are non-sworn and sometimes contract personnel. The lack of jurisdiction over SDSD non-sworn staff, and specifically medical staff, has always been a concern to complainants and CLERB members, as critical allegations pertaining to medical care cannot be investigated by CLERB. For example, in non-death cases closed so far in 2022, 18.4% of the summarily dismissed allegations were against medical personnel. Without jurisdiction over medical staff, CLERB is unable to fully investigate in-custody deaths, great bodily injury cases, and any other allegation against medical personnel, as CLERB is unable to review the totality of circumstances leading to many of the deaths, care provided after uses of force, and the standard of care provided during routine operations. I am in the process of pursuing this jurisdiction and will provide an update in the 2022 Annual Report.

CLERB was also audited as part of the CSA audit of SDSD. Six recommendations for improvement were made; as of August 20, 2022, the status of the recommendations was as follows:

- Recommendation One: Discuss and modify its current agreement with the Sheriff's Department and the labor organization to allow CLERB's investigators to conduct independent interviews of Sheriff's Department sworn staff.

In July 2022, the CLERB Executive Officer (EO), the Deputy Sheriff's Association (DSA) President, DSA Counsel, and CLERB's Outside Counsel continued the conversations initiated in the last quarter of 2021. The DSA will permit interviews of San Diego Sheriff's Department (SDSD) sworn staff when CLERB staff deems an interview is necessary. SDSD personnel, CLERB staff, and the DSA will ensure the interviews are conducted pursuant to the protections provided by the Public Safety Officers Procedural Bill of Rights Act detailed in California Government Code Sections 3300-3313 and any other applicable law.





- Recommendation Two: Develop a comprehensive training manual for its investigators that outlines standard procedures for investigations. The manual should include a specific section dedicated to investigations of in-custody deaths, including guidance for evaluating the circumstances leading up to an in-custody death, such as the decedent's mental health history and the appropriateness of the decedent's housing assignment.

A comprehensive training manual containing the following topics has been completed:

- County structure
- CLERB historical perspective
- County Charter, Section 606
- County Administrative Code, Section 340
- CLERB Rules and Regulations
- Civil Service Commission Rule XV
- Case Law Including and impacting CLERB
- Public Safety Officer Procedural Bill of Rights (POBOR)
- Statutes Pertaining to Peace Officer Records
- San Diego County Grand Jury Reports Pertaining to CLERB
- Ralph M. Brown Act
- San Diego County Operational Plan Pertaining to CLERB
- CLERB's Internal Policies and Procedures

The training manual is being finalized to include a specific section dedicated to investigations of in-custody deaths, to include an evaluation of the circumstances leading up to an in-custody death, and to include a review of the decedent's mental health history and the appropriateness of the decedent's housing assignment. It will also include evaluations of a trainee's performance and documentation as to his/her progress, or lack thereof. In addition to these critical topics, there will be documented instructions to evaluate the timeliness and thoroughness of welfare checks conducted on the decedent by deputies and assess whether deputies appropriately determined that a life-threatening emergency existed and responded accordingly. The EO will advise the CSA of the final training manual status during its one-year update.

- Recommendation Three: Create policies and procedures to require its investigators to finish casework on in-custody death investigations within three months of receiving the homicide investigation file. These policies and procedures should also require investigators to attempt to independently verify any information they receive from the Sheriff's Department; to thoroughly review deputy statements and reports from the homicide investigation file; and to request interviews with relevant detentions staff and other witnesses in all instances where they identify discrepancies or missing information.

On February 3, 2022, the EO incorporated all aspects of this recommendation into existing CLERB Policy #300.5, entitled, "Death Investigations."

- Recommendation Four: CLERB should revise its rules and regulations to include prioritization criteria for investigating in-custody deaths above all other investigations.

The EO and County Counsel have drafted verbiage to revise CLERB's Rules and Regulations (R&R) to prioritize death investigations over all other investigations. The EO is pursuing this change along with some other changes to the R&R and County Administrative Code (Code). Those additional changes require the assistance of Labor Relations and conferences with the affected labor associations. Once the labor relations process is complete, CLERB will review the proposed changes to the Code and R&R. If CLERB approves the changes, they will be brought before the Board of Supervisors for final approval. The EO will advise the CSA of the Code and R&R revision status during its one-year update.

- Recommendation Five: CLERB should revise its rules and regulations to include clarification that its investigations of in-custody deaths include those classified as natural deaths.





The EO and County Counsel have drafted verbiage to revise the R&R to clarify that CLERB's jurisdiction over death investigations includes those deaths classified as natural deaths. The EO is pursuing this change along with some other changes to the R&R and Code. Those additional changes require the assistance of Labor Relations and conferences with the affected labor associations. Once the labor relations process is complete, CLERB will review the proposed changes to the Code and R&R. If CLERB approves the changes, they will be brought before the Board of Supervisors for final approval. The EO will advise the CSA of the Code and R&R revision status during its one-year update.

- Recommendation Six: CLERB should perform an analysis of overall trends related to these deaths, including demographic information, and determine whether the trends suggest deficiencies in the Sheriff's Department's policies and procedures. It should also identify policy recommendations for improving the safety of individuals in the Sheriff's Department's custody. CLERB should include these trends and analysis in its annual reports starting with its 2021 report.

The current EO has prioritized in-custody death investigations and the analysis of overall trends related to the deaths, to include demographic information. The current EO has committed to expanding the reporting to include an analysis of overall trends related to deaths, including demographic information and whether the trends suggest a deficiency in the SDSD's policies and procedures, in the 2021 Annual Report. In addition, all CLERB policy recommendations made in 2021 will be included in the 2021 Annual Report. The 2021 Annual Report will be presented to CLERB in August 2022.

Our commitment to continuing to proactively improve upon the invaluable civilian oversight role we provide to the public, the SDSD, and the County is unwavering. The implementation of the CSA recommendations will assist with CLERB's provision of independent, timely, full, and thorough investigations into in-custody deaths which may, in turn, prevent future deaths.

On February 12, 2021, a stolen vehicle being pursued by San Diego Sheriff's Department (SDSD) personnel entered an intersection against a red light and collided with a vehicle driven by Isabella Nicole Calhoun. Ms. Calhoun was transported to a hospital where, despite aggressive resuscitative efforts by deputies and medical personnel, she died shortly thereafter. There is no dispute that decisions to pursue a motor vehicle are among the most critical ones made by law enforcement officers. These decisions are made quickly and under difficult, often unpredictable, circumstances. The inherent risk of injury and death to the public and pursuing deputies created by the initiation and / or participation in vehicle pursuits must be balanced with law enforcement's duty to enforce the law and apprehend violators. Pursuits should be prohibited when the only known offense at the time of initiation and / or participation in them is non-violent, to include a vehicle stolen under non-violent circumstances. It is true that many pursuits result in the uneventful apprehension of violators with no serious injuries or deaths to members of the public, involved law enforcement personnel, or the violators themselves. What is also true, however, is that a single death occurring as the result of a pursuit for a non-violent offense, especially a property crime, i.e., a stolen vehicle, is one death too many. CLERB made the following recommendations:

1. It is recommended that SDSD modify P&P Section 6.43 – Vehicle Pursuit, to mandate that deputies shall not initiate or participate in a pursuit in which the only known offense at the time of the initiation or subsequent participation is a non-violent crime, to include a stolen vehicle. SDSD did not accept the recommendation.
2. It is recommended that SDSD modify P&P Section 6.43 – Vehicle Pursuit, to indicate that when initiating a pursuit, a deputy must not only consider all public safety factors applicable to the particular facts and circumstances, but “shall” (as opposed to the current standard of “may”) consider the applicable public safety factors listed in the P&P. SDSD did not accept the recommendation.

In the last quarter of 2021, CLERB asked for public input into its investigations of racial discrimination



allegations. While researching the topic, it was discovered that a Campaign Zero report detailing its investigation into the SDSL practices from 2016-2108 identified racially disparate policing outcomes. In addition, a report by the Center for Policing Equity (CPE) commissioned by the SDSL also identified racially disparate policing outcomes. Both reports indicated that persons of color are subjected to enforcement at a greater rate than those who are white. Based upon these reports, CLERB created the "Racial Disparity, Racial Profiling, and Implicit Bias Ad Hoc Committee" for the purpose of identifying opportunities for and making recommendations to the SDSL to reduce racially disparate policing practices.

As data indicate that minor infractions and low-level offenses are enforced in a largely disparate fashion, with people of color subjected to the enforcement on a much more frequent basis than those who are white, CLERB made the following recommendations:

1. Reduce discretionary stops or contacts, traffic or otherwise, pertaining to low-level offenses that do not compromise actual public safety. Many of these stops are pretextual in nature and oftentimes used to make an initial contact with the primary goal of locating weapons, drugs, warrants, suspended licenses, etc.
  - a. Eliminate stopping or contacting people solely for lower-level traffic offenses, such as:
    - i) Expired registration,
    - ii) Equipment violations, and
    - iii) No seatbelt in use.

Just as registered owners of vehicles are responsible for parking violations upon receipt of a citation left on their vehicles, lower-level violations of the vehicle code can be handled by mailing a citation to registered owners. It should also be noted that California Vehicle Code 21455.5 already provides for the use of traffic signal automated enforcement and non-physical contact by deputies when certain requirements are met, thus resulting in persons being mailed citations for traffic signal violations. CLERB envisions deputies photographing violators and SDSL establishing a confidential process for reviewing, approving, and delivering citations, via mail, to the registered owners of involved vehicles.

Parking violation enforcement and traffic signal automated enforcement are cited herein solely to provide examples of citations already being issued without physical contact between suspected violators and deputies. CLERB is not suggesting, in any fashion, that activities jeopardizing public safety, e.g., speeding, failure to stop at a stop sign, running a red light, etc., should not result in a contact or stop. Activities placing public safety at risk must continue to be addressed as they occur.

- b. Eliminate contacting people solely for quality-of-life issues not jeopardizing public safety, such as loitering or jaywalking.

CLERB was not suggesting, in any fashion, that activities jeopardizing public safety should not result in a contact or stop. Activities placing public safety at risk must continue to be addressed as they occur. SDSL did not accept recommendations #1, #1a, or #1b.

2. Add to Subsection B of Field Operation Manual Policy 1, "Use of Discretion," that discretionary decisions should be evaluated for whether they will result in racially disparate treatment or outcomes. SDSL did not accept this recommendation.
3. Provide justification for a stop or contact on body worn camera (BWC). SDSL did not accept this recommendation, as SDSL indicated deputies already engage in this practice.
4. Proactively review BWC footage for the sole purpose of analyzing deputy interactions with people of color in comparison to interactions with white people. SDSL did not accept this recommendation, as supervisors already "spot check" BWC and take appropriate action based upon their review.



5. Because there exists a lack of evidence indicating that implicit bias training is effective and sustainable, institute pre-employment screening for existing implicit and explicit bias. SDSD accepted this recommendation, as it had already been occurring in full.

On three occasions over the past two years, CLERB received complaints alleging that deputies assigned to the Imperial Beach Substation either failed to respond to community members while being videorecorded or attempted to interfere with a community member's right to videorecord law enforcement activity. During that time, CLERB did not receive similar allegations about deputies assigned to any other station. As this activity tended to indicate a systemic issue or trend, CLERB made the following recommendation, which is still under review:

1. CLERB recommends the San Diego Sheriff's Department (SDSD) update the Legal Affairs Update entitled "The Public Can Record the Police" dated 11-14-14, and document its review with all deputies, specifically those assigned to the Imperial Beach Substation.

In mid-2022, CLERB determined that the assault and injury of a transgender female in SDSD custody were the result of a systemic failure on the part of SDSD exemplified by insufficient policies and procedures, a lack of sensible and appropriate communication among numerous staff members, and no apparent forethought by several employees as to the ramifications of placing a transgender female in a cell with three cisgender men. CLERB recommended the persons be booked into a facility that coincides with their gender identity; the recommendation is under review as of this writing.

Transparency in accordance with applicable law is a cornerstone of CLERB. I believe clear and unambiguous information is critical to the effectiveness of CLERB, thus increasing stakeholder and public confidence in and perception of us. Prior to July 1, 2022, when CLERB staff completed investigations, they recommended a finding for each allegation and provided a rationale for each finding to assist CLERB during its case deliberations. Per the Review Board Rules and Regulations, the CLERB is the final arbiter on allegation findings, not CLERB staff. The publication of CLERB staff recommended findings and rationales on meeting agendas and in Hearing Notices, sent to complainants and subject officers prior to the CLERB's final adoption, lead to confusion and mixed messaging when the full CLERB, after deliberating a case, adopted final findings different than those recommended by CLERB staff. CLERB's adoption of different findings may tend to indicate that CLERB staff and the CLERB produce two end products, when, in fact, the only findings of record are those contained within the CLERB Final Report, documented in the Final Notices sent to each complainant and subject officer and Final Finding Report published on the CLERB website. The publication of CLERB staff recommended findings had been misconstrued by complainants, subject officers, community members, and the media to indicate those findings were CLERB's final findings. As of July 1, 2022, CLERB staff recommended findings and rationales are no longer published on meeting agendas or listed in Hearing Notices. The agenda and Hearing Notices only contain the allegations and policy recommendations to be considered during CLERB's closed session case deliberations.

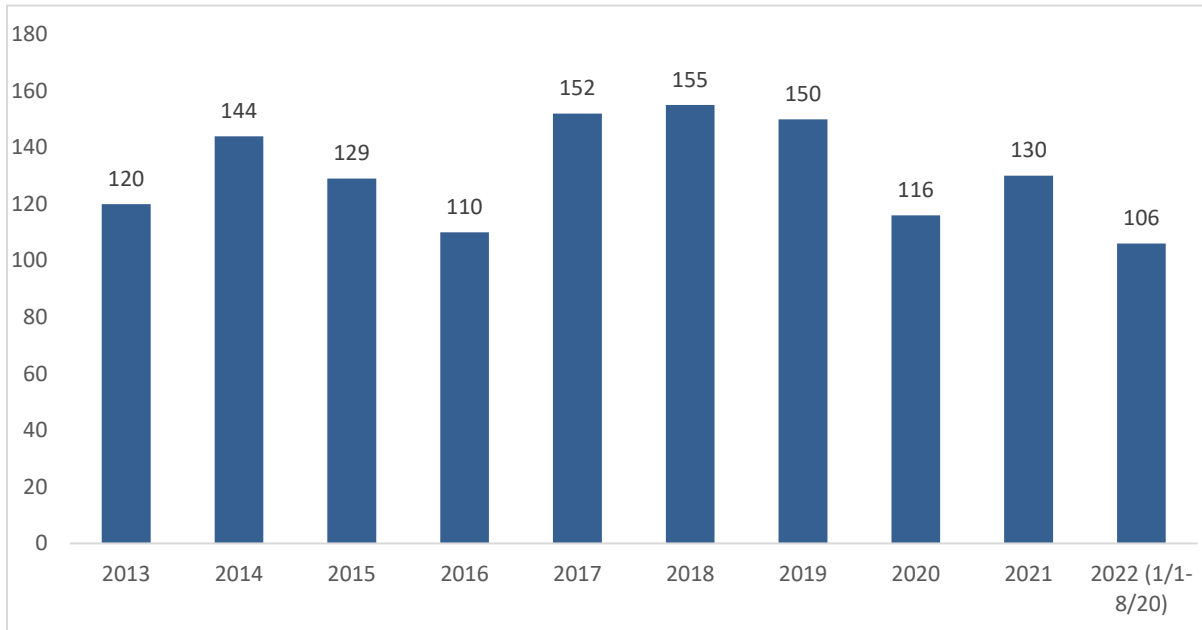
While continuing to assess our operations, I realized that some of CLERB's own Rules and Regulations prohibit our effectiveness. For example, we are unable to investigate allegations received more than one year after the date of the incident giving rise to them. In 2021, 39.1% of the closed summarily dismissed allegations were filed more than one year after the date of incident; so far in 2022, the total is 27.5%. This is not in line with the practices of the law enforcement agencies to whom we provide oversight, as internal investigations can be initiated no matter the date of the incident. I will work with County Counsel to align our R&Rs with the guidelines provided in the Public Safety Officers Procedural Bill of Rights (POBOR).

Finally, San Diegans for Justice (SDJ) commissioned a study into CLERB for the purpose of strengthening it. In early 2022, SDJ presented 70 opportunities for improvement, and I am currently working with County staff on the implementation of upwards of 68 of them. I will provide additional information in the 2022 year-end Annual Report.

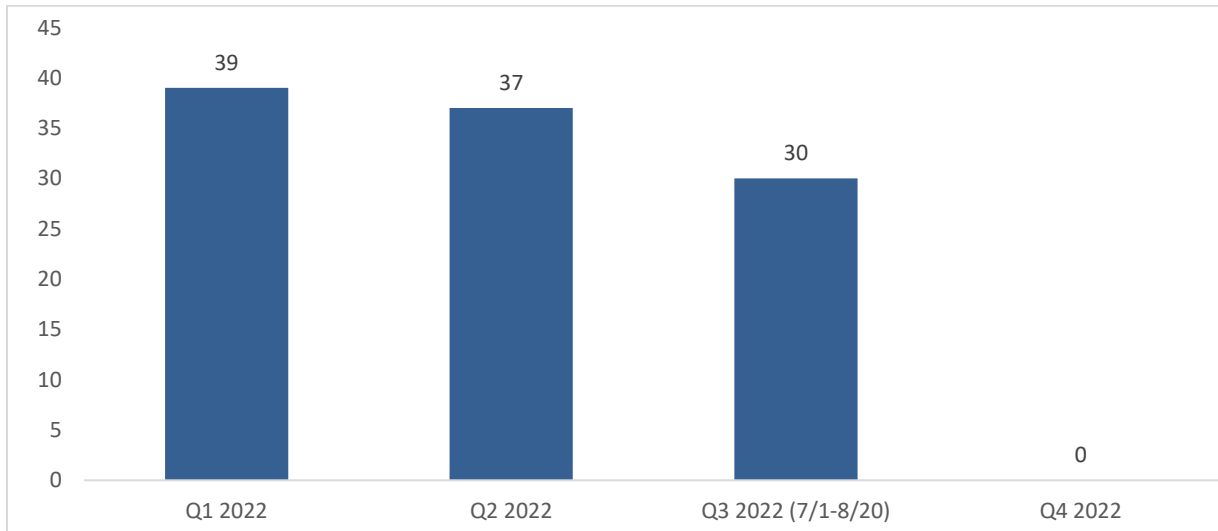
**PAUL R. PARKER III**  
Executive Officer, 2022



**Total Complaints Received by Year, 2013 – 2022 (Graph 1)**



**Total Complaints Received by Quarter, 2022 (Graph 2)**





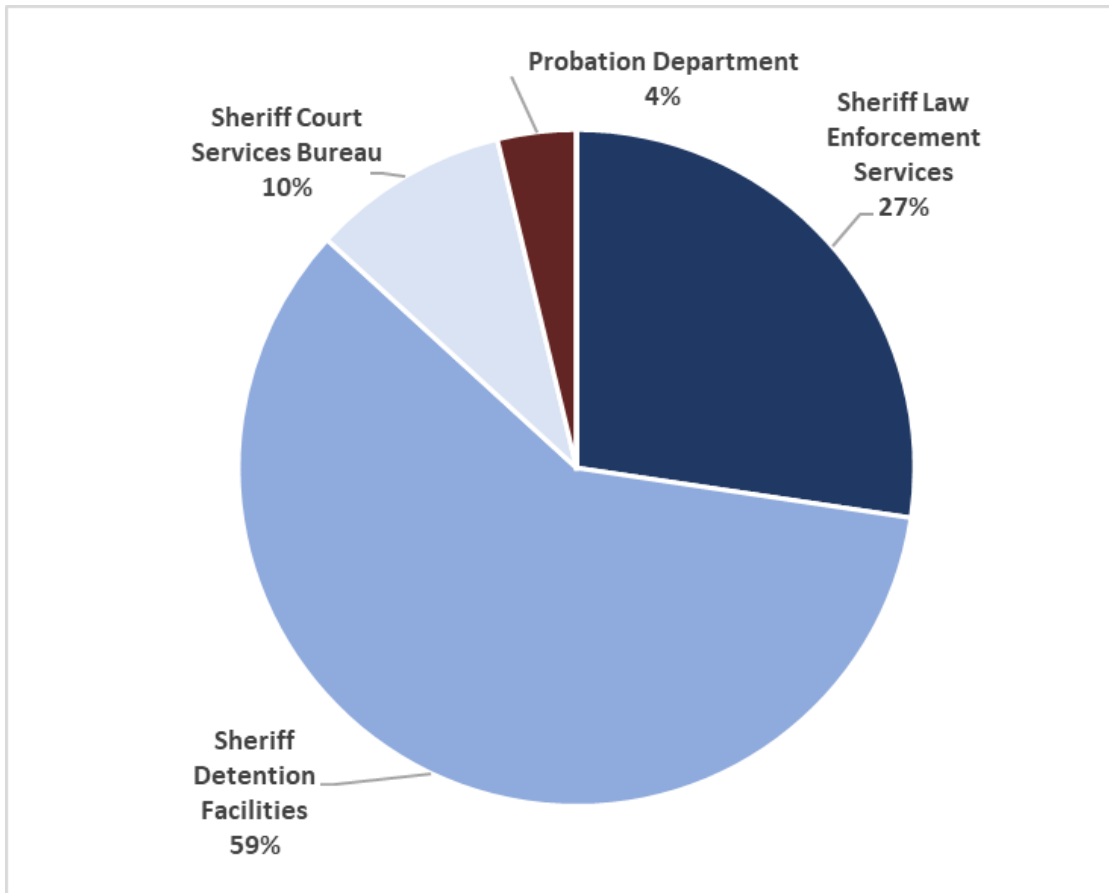
## Cases, Deaths, &amp; Specified Incidents Received by Unit, 2022 (Table 1)

| Unit/Facility                   | Case Totals | Death     | UOF GBI   | UOF Protest | DC Firearm |
|---------------------------------|-------------|-----------|-----------|-------------|------------|
| <b>LAW ENFORCEMENT</b>          |             |           |           |             |            |
| 4S RANCH SUBSTATION             | 0           | 0         | 0         | 0           | 0          |
| ALPINE STATION                  | 0           | 0         | 0         | 0           | 0          |
| BORDER CRIME SUPPRESSION TEAM   | 0           | 0         | 0         | 0           | 0          |
| BORREGO SPRINGS                 | 0           | 0         | 0         | 0           | 0          |
| BOULEVARD/JACUMBA OFFICE        | 0           | 0         | 0         | 0           | 0          |
| CAMPO/TECATE SUB                | 0           | 0         | 0         | 0           | 0          |
| FALLBROOK SUB                   | 0           | 0         | 0         | 0           | 0          |
| IMPERIAL BEACH SUBSTN           | 1           | 0         | 0         | 0           | 0          |
| JULIAN SUB                      | 0           | 0         | 0         | 0           | 0          |
| LAKESIDE SUB                    | 2           | 1         | 0         | 0           | 0          |
| LEMON GROVE SUBSTN              | 3           | 0         | 0         | 0           | 0          |
| NORTH COASTAL SHERIFF'S STATION | 6           | 0         | 1         | 0           | 0          |
| OFFICE OF THE SHERIFF           | 0           | 0         | 0         | 0           | 0          |
| PINE VALLEY SUB                 | 0           | 0         | 0         | 0           | 0          |
| POWAY STN                       | 2           | 0         | 0         | 0           | 0          |
| RAMONA SUB                      | 1           | 0         | 0         | 0           | 0          |
| RANCHITA/WARNER SPR SUB         | 0           | 0         | 0         | 0           | 0          |
| RANCHO SAN DIEGO STATION        | 4           | 0         | 2         | 0           | 0          |
| RURAL LAW ENFORCEMENT           | 0           | 0         | 0         | 0           | 0          |
| SAN MARCOS STN                  | 4           | 0         | 2         | 0           | 0          |
| SANTEE STN                      | 1           | 1         | 0         | 0           | 0          |
| SPRING VALLEY STOREFRONT        | 0           | 0         | 0         | 0           | 0          |
| UNKNOWN UNIT                    | 3           | 1         | 0         | 0           | 0          |
| VALLEY CTR/PAUMA SUB            | 0           | 0         | 0         | 0           | 0          |
| VISTA STN                       | 2           | 1         | 0         | 0           | 1          |
| <b>LAW ENFORCEMENT TOTAL</b>    | <b>29</b>   | <b>4</b>  | <b>5</b>  | <b>0</b>    | <b>1</b>   |
| <b>DETENTIONS</b>               |             |           |           |             |            |
| EAST MESA DF                    | 2           | 0         | 0         | 0           | 0          |
| FACILITY EIGHT DF               | 0           | 0         | 0         | 0           | 0          |
| GEORGE BAILEY DF                | 15          | 3         | 3         | 0           | 0          |
| LAS COLINAS DF                  | 4           | 2         | 0         | 0           | 0          |
| SD CENTRAL JAIL                 | 27          | 8         | 2         | 0           | 0          |
| SOUTH BAY DF                    | 0           | 0         | 0         | 0           | 0          |
| TRANSPORTATION UNIT             | 1           | 0         | 0         | 0           | 1          |
| VISTA DF                        | 14          | 3         | 2         | 0           | 0          |
| <b>DETENTIONS TOTAL</b>         | <b>63</b>   | <b>16</b> | <b>7</b>  | <b>0</b>    | <b>1</b>   |
| <b>COURT SERVICES</b>           |             |           |           |             |            |
| COURT SVCS                      | 8           | 2         | 1         | 0           | 0          |
| SAN DIEGO COURT                 | 1           | 0         | 0         | 0           | 0          |
| EL CAJON COURT                  | 1           | 0         | 0         | 0           | 0          |
| VISTA COURT                     | 0           | 0         | 0         | 0           | 0          |
| <b>COURT SERVICES TOTAL</b>     | <b>10</b>   | <b>2</b>  | <b>1</b>  | <b>0</b>    | <b>0</b>   |
| <b>OTHER</b>                    |             |           |           |             |            |
| OTHER L.E.                      | 0           | 0         | 0         | 0           | 0          |
| <b>OTHER TOTAL</b>              | <b>0</b>    | <b>0</b>  | <b>0</b>  | <b>0</b>    | <b>0</b>   |
| <b>PROBATION</b>                |             |           |           |             |            |
| XPROB: ADULT SVCS.              | 4           | 0         | 0         | 0           | 0          |
| XPROB: INST. SVCS.              | 0           | 0         | 0         | 0           | 0          |
| XPROB: JUV. SVCS                | 0           | 0         | 0         | 0           | 0          |
| <b>PROBATION TOTAL</b>          | <b>4</b>    | <b>0</b>  | <b>0</b>  | <b>0</b>    | <b>0</b>   |
| <b>GRAND TOTAL</b>              | <b>106</b>  | <b>22</b> | <b>13</b> | <b>0</b>    | <b>2</b>   |

UOF GBI = Use of Force Resulting in Great Bodily Injury; UOF Protest = Use of Force at a Protest or First Amendment Protected Event; DC Firearm = Discharge of Firearm.

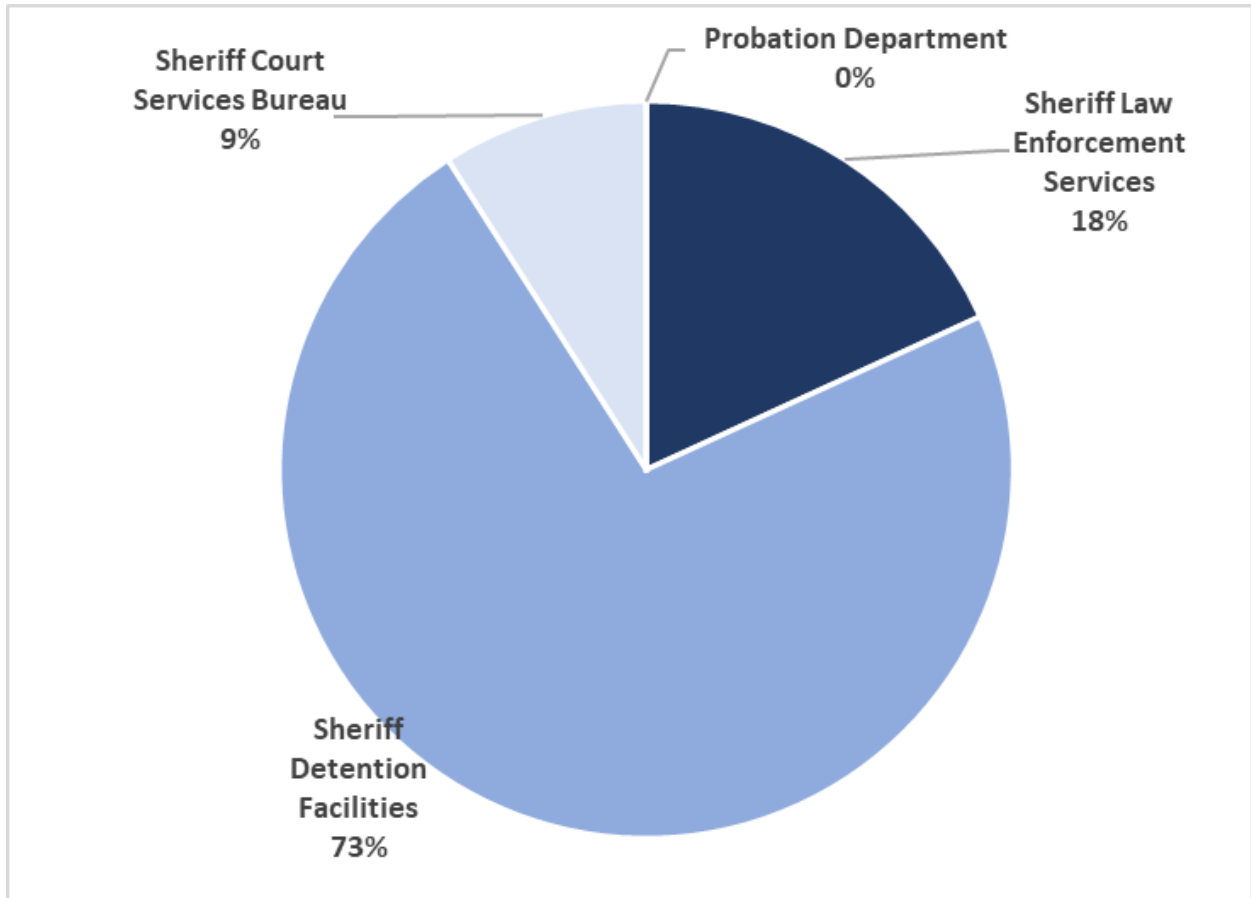


### Case Percentages by Organization/Bureau Received, 2022 (Graph 3)





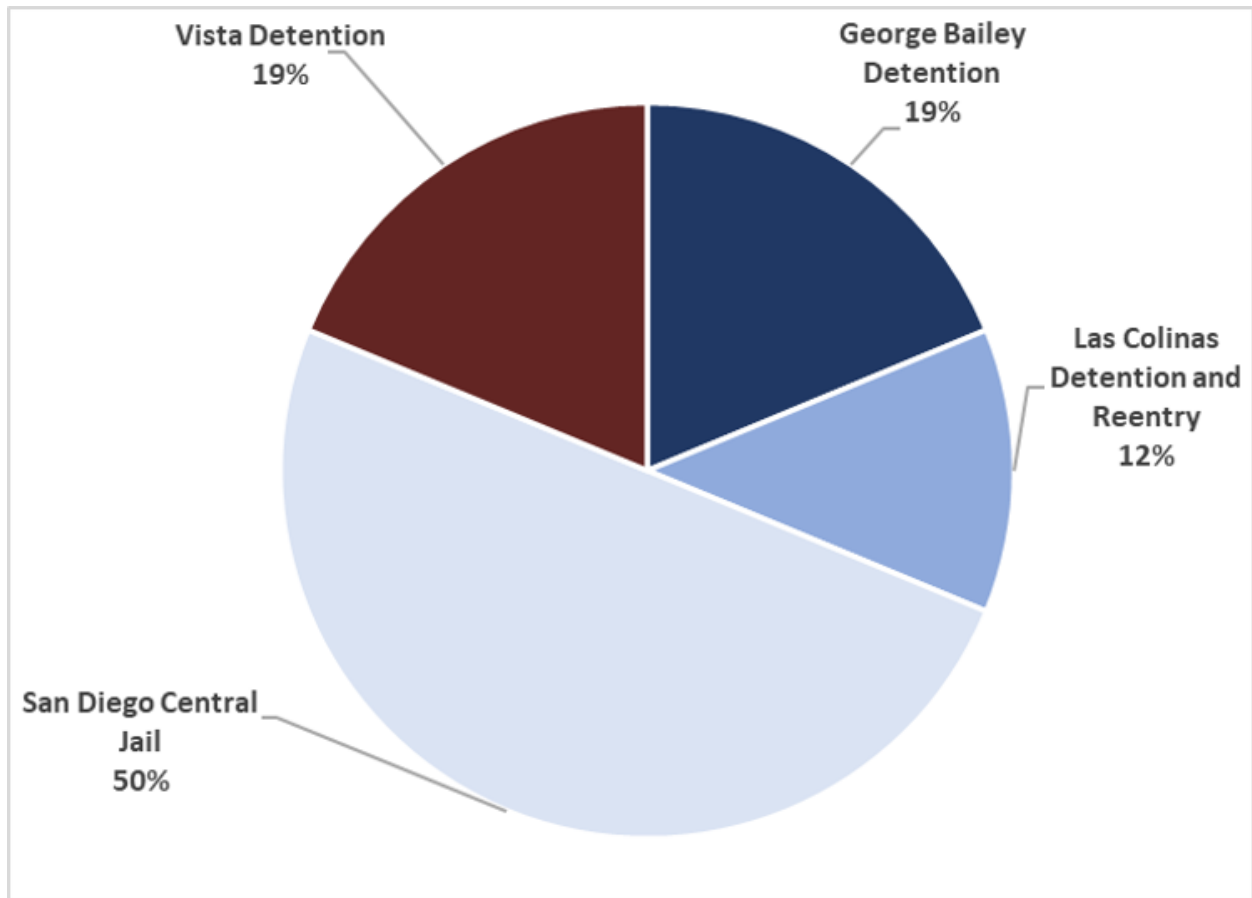
### Death Case Percentages by Organization/Bureau, 2022 (Graph 4)





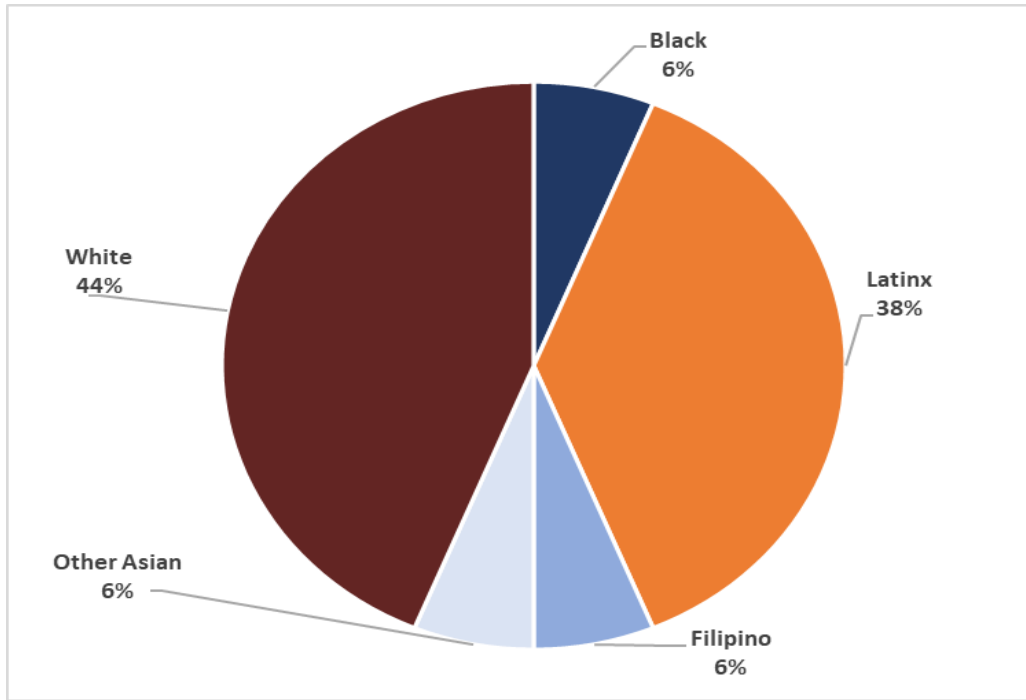


### In-Custody Deaths by Facility, 2022 (Graph 5)

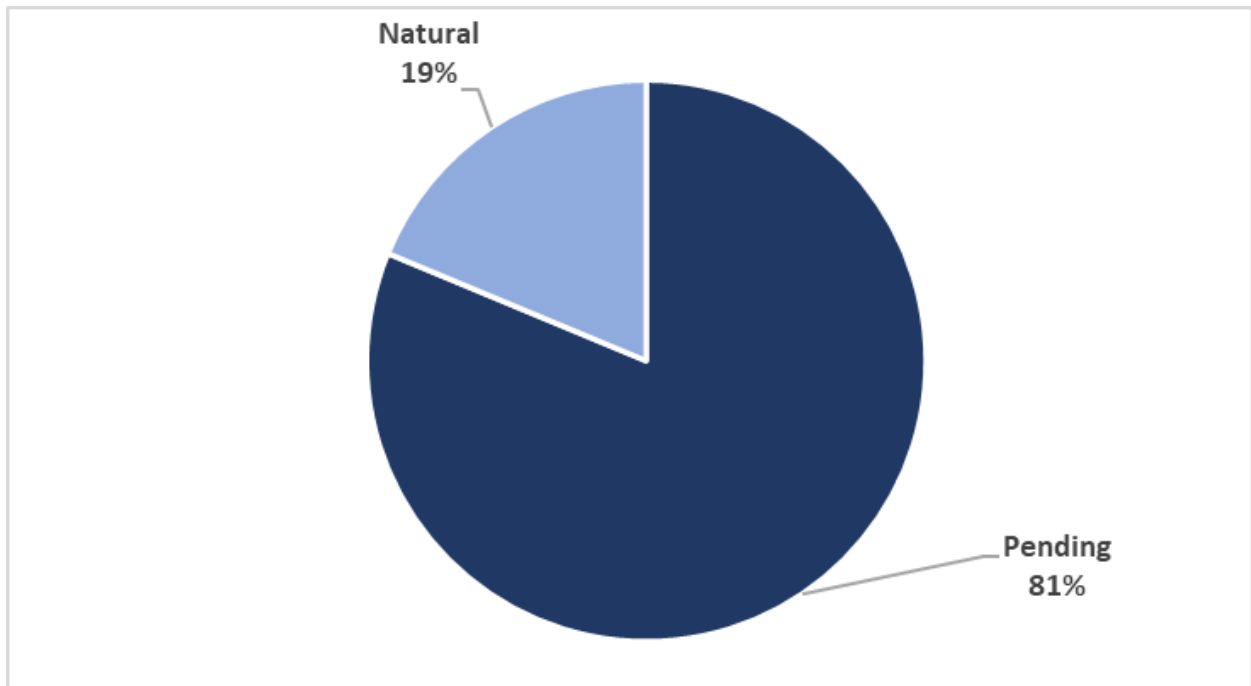




### In-Custody Deaths by Ethnicity, 2022 (Graph 6)



### In-Custody Deaths by Manner, 2022 (Graph 7)





## Board Action by Date Closed, Case Number, & Findings, 2022 (Table 2)

*Note: Procedurally Closed Cases are listed separately in Table 3*

| CASE #      | FINDINGS         |               |           |           |                   |                              | DATE CLOSED |
|-------------|------------------|---------------|-----------|-----------|-------------------|------------------------------|-------------|
|             | Action Justified | Not Sustained | Sustained | Unfounded | Summary Dismissal | One-Year Summary Dismissal * |             |
| 20-104 (I)  |                  | 1             |           | 2         |                   |                              | 01-11-22    |
| 20-107      |                  | 1             |           |           |                   |                              |             |
| 21-019      | 6                |               |           |           |                   |                              |             |
| 21-020      | 2                |               |           |           |                   |                              |             |
| 21-026      | 1                |               |           |           |                   |                              |             |
| 21-050      | 4                |               |           |           |                   |                              |             |
| 20-104 (II) |                  |               | 2         |           |                   |                              | 02-08-22    |
| 20-108      | 1                |               |           |           |                   |                              |             |
| 21-008      | 1                | 5             |           | 7         | 5                 |                              |             |
| 21-027      |                  |               |           |           | 3                 |                              |             |
| 21-031      | 4                |               |           | 1         | 1                 |                              |             |
| 21-034      |                  |               |           |           | 7                 |                              |             |
| 21-035      |                  | 4             |           | 2         | 1                 |                              |             |
| 21-040      | 5                | 2             |           | 6         |                   |                              |             |
| 21-004      |                  |               | 5         |           |                   |                              | 03-08-22    |
| 21-084      | 1                |               |           |           | 1                 |                              |             |
| 21-089      | 5                |               | 1         | 3         | 1                 |                              |             |
| 21-128      |                  |               |           |           | 2                 |                              |             |
| 22-003      |                  |               |           |           | 8                 |                              |             |
| 21-014      | 3                |               |           |           |                   |                              | 04-12-22    |
| 21-038      |                  | 1             |           |           |                   |                              |             |
| 21-044      | 7                | 2             |           | 2         |                   |                              |             |
| 21-051      | 1                |               |           |           |                   |                              |             |
| 21-054      | 4                |               |           | 4         |                   |                              |             |
| 21-058      | 1                |               |           |           |                   |                              |             |
| 21-078      | 4                |               |           |           |                   |                              |             |
| 21-079      | 1                |               |           |           |                   |                              |             |
| 21-106      |                  |               |           | 1         | 7                 |                              |             |
| 21-112      | 1                | 4             |           | 1         |                   |                              |             |
| 21-028      |                  | 1             | 2         |           |                   |                              | 05-10-22    |
| 21-032      | 19               |               |           | 5         | 1                 |                              |             |
| 21-057      | 2                |               |           |           |                   |                              |             |
| 21-063      |                  | 1             |           |           |                   |                              |             |
| 21-092      | 2                |               |           |           |                   |                              |             |
| 22-040      |                  |               |           |           | 2                 |                              |             |
| 22-047      |                  |               |           |           | 1                 |                              |             |
| 21-052      | 1                | 1             |           | 2         |                   |                              | 06-14-22    |
| 21-056      | 8                |               |           | 3         |                   |                              |             |
| 21-061      | 4                | 1             |           | 1         | 3                 |                              |             |



| CASE #    | FINDINGS         |               |           |           |                   |                              | DATE CLOSED                                     |
|-----------|------------------|---------------|-----------|-----------|-------------------|------------------------------|---|
|           | Action Justified | Not Sustained | Sustained | Unfounded | Summary Dismissal | One-Year Summary Dismissal * |   |
| 21-097    |                  | 1             |           |           | 2                 |                              |   |
| 21-099    |                  |               |           | 2         |                   |                              |   |
| 21-104    | 1                |               |           |           |                   |                              |   |
| 21-115    | 7                |               |           |           |                   |                              |   |
| 21-116    | 1                |               |           |           |                   |                              |   |
| 21-120    | 1                |               |           |           |                   |                              |   |
| 22-013    | 1                |               |           | 1         | 15                |                              |   |
| 21-055    | 4                | 3             | 5         |           | 1                 |                              | 7-12-22   |
| 21-070    | 3                |               |           | 5         |                   |                              |   |
| 21-076    | 4                | 1             |           | 4         |                   |                              |   |
| 21-094    | 1                |               |           |           |                   |                              |   |
| 21-100    |                  |               | 1         | 2         |                   |                              |   |
| 21-119    |                  |               |           | 1         | 2                 |                              |   |
| 21-127    | 2                |               |           |           |                   |                              |   |
| 22-035    |                  | 1             |           |           | 3                 |                              |   |
| 22-058    | 2                | 1             |           | 7         | 1                 |                              |   |
| 22-059    |                  |               |           |           | 1                 |                              |   |
| 22-066    |                  |               |           |           | 4                 |                              |   |
| 21-053    |                  | 1             |           |           |                   |                              | 08-09-22  |
| 21-071    | 7                |               |           |           |                   |                              |   |
| 21-096    |                  | 1             |           | 2         |                   |                              |   |
| 21-110    | 3                |               |           | 2         |                   |                              |   |
| 22-008    | 1                |               |           |           |                   |                              |   |
| 22-029    | 3                |               |           |           |                   |                              |   |
| 22-048    |                  |               |           |           | 7                 |                              |   |
| 22-069    |                  |               |           |           | 2                 |                              |   |
| <b>64</b> | <b>129</b>       | <b>33</b>     | <b>16</b> | <b>66</b> | <b>81</b>         | <b>0</b>                     | <b>8 Meetings<br/>64 Cases<br/>325 Findings</b> |

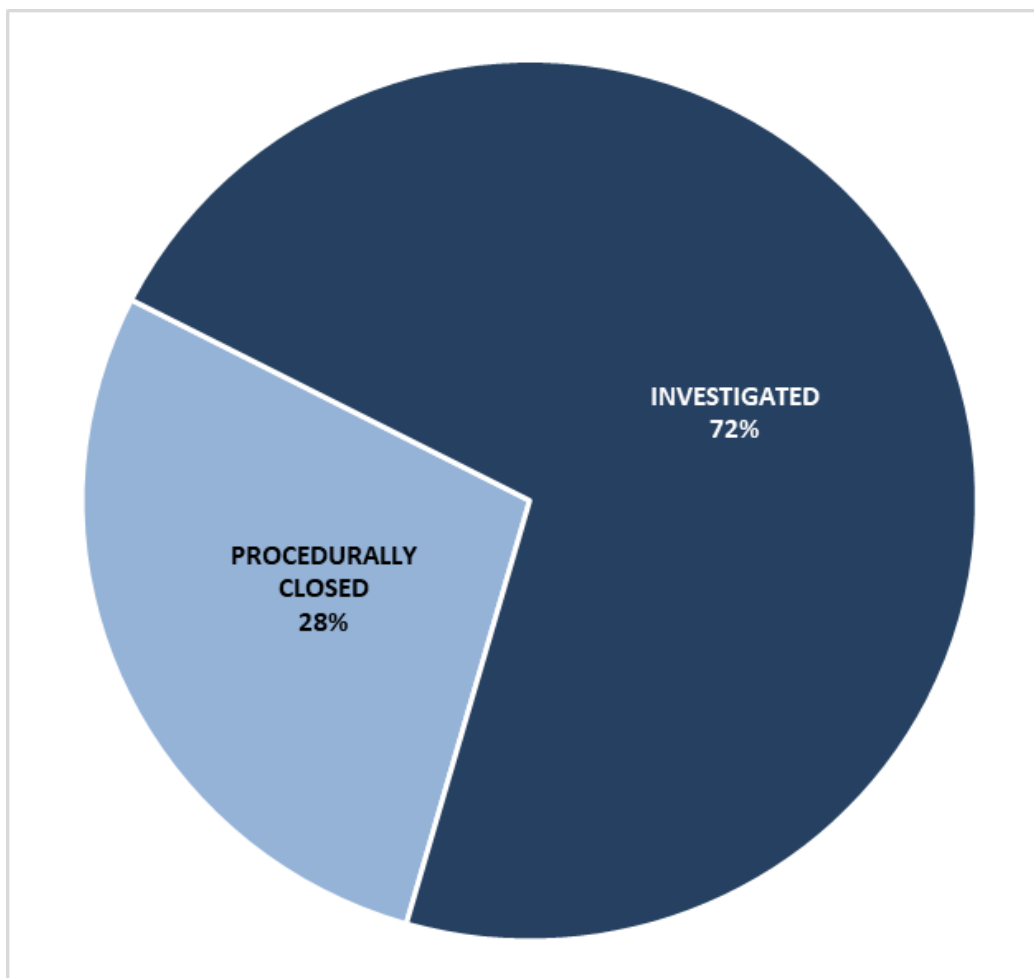
\* Court decisions applicable to the Review Board and Government Code Section 3304(d) of the Public Safety Officers' Procedural Bill of Rights require that an investigation of a misconduct that could result in discipline be completed within one year of discovery of the misconduct, unless statutory exceptions apply. A review of the complaint showed no statutory exceptions applied, and the Review Board approved Summary Dismissal.



### Procedurally Closed Cases by Case Number, 2022 (Table 3)

| Procedurally Closed by Staff – 25 |        |        |        |        |        |        |
|-----------------------------------|--------|--------|--------|--------|--------|--------|
| 21-121                            | 21-122 | 21-123 | 21-124 | 21-129 | 22-001 | 22-002 |
| 22-005                            | 22-009 | 22-016 | 22-017 | 22-019 | 22-020 | 22-022 |
| 22-024                            | 22-025 | 22-033 | 22-042 | 22-044 | 22-060 | 22-061 |
| 22-064                            | 22-067 | 22-074 | 22-094 |        |        |        |

### Case Closure Type by Percentage, 2022 (Graph 8)



**Death Cases Opened in 2021 (SDSD Jail Deaths in Red) (Table 4)**

| Case # | Decedent           | Category                      | Facility/Area                               | Cause of Death  | Manner of Death |
|--------|--------------------|-------------------------------|---|---|-----------------|
| 21-004 | Moreno, Omar       | In-custody drug-related       | San Diego Central Jail                      | Choking<br>Contributing: Acute methamphetamine intoxication   | Accident        |
| 21-006 | Bullock, Jeffrey   | Barricade                     | Lakeside Station                            | Perforating gunshot wound of head   | Suicide         |
| 21-014 | Calhoun, Isabella  | Traffic/Pursuit               | Rancho San Diego                            | Blunt force injuries  | Accident        |
| 21-015 | Vallin, Guillermo  | Barricade                     | Rural Law Enforcement                       | Penetrating gunshot wound of head   | Suicide         |
| 21-022 | Rojas, Anastasio   | Barricade                     | Unknown                                     | Perforating intraoral gunshot wound   | Suicide         |
| 21-028 | Gomez, Luis        | In-custody natural            | Vista Detention Facility                    | COVID-19 pneumonia  | Natural         |
| 21-038 | Whitlock, Jonathan | In-custody drug-related       | George Bailey Detention                     | Acute fentanyl intoxication<br>Contributing: Obesity  | Accident        |
| 21-051 | Marroquin, Lester  | In-custody suicide            | San Diego Central Jail                      | Acute water intoxication  | Suicide         |
| 21-053 | Aleman, Jerry      | In-custody drug-related       | George Bailey Detention                     | Acute fentanyl intoxication   | Accident        |
| 21-057 | Anderson, Eric     | Deputy-involved shooting      | North Coastal Station                       | Perforating gunshot wound of torso  | Homicide        |
| 21-058 | Sawyer, David      | Drug-related (patrol)         | Alpine Station                              | Toxic effects of methamphetamine<br>Contributing: Hypertensive cardiovascular disease; obesity  | Accident        |
| 21-063 | Estrada, Ronaldino | In-custody drug-related       | Vista Detention Facility                    | Acute fentanyl intoxication<br>Contributing: Hypertensive and atherosclerotic cardiovascular disease  | Accident        |
| 21-069 | Rodriguez, Saxon   | In-custody drug-related       | San Diego Central Jail                      | Combined fentanyl and methamphetamine toxicity  | Accident        |
| 21-082 | Salyers, Richard   | In-custody homicide           | San Diego Central Jail                      | Strangulation   | Homicide        |
| 21-084 | Davey, Glenn       | In-custody natural            | San Diego Central Jail                      | Hypertensive and atherosclerotic cardiovascular disease<br>Contributing: Obesity  | Natural         |
| 21-088 | Alan A.            | In-custody poss. drug-related | Kearny Mesa Juvenile Detention Facility     | Awaiting records  | Pending         |
| 21-094 | Wright, John       | In-custody natural            | Vista Detention Facility                    | Hyperglycemia and ketoacidosis due to diabetes mellitus<br>Contributing: Volvulus with thrombosis of superior mesenteric artery; atherosclerotic cardiovascular disease | Natural         |
| 21-104 | Tuazon, Teresita   | In-custody natural            | Las Colinas Detention and Re-Entry Facility | Complications of diabetes mellitus<br>Contributing: Hypertensive and atherosclerotic cardiovascular disease; cirrhosis of liver   | Natural         |
| 21-113 | Hernandez, Rafael  | In-custody suicide            | San Diego Central Jail                      | Hanging   | Suicide         |
| 21-114 | Eshback, Richard   | In-custody natural            | George Bailey Detention Facility            | Complications of COVID-19<br>Contributing: Cirrhosis of liver; pulmonary emphysema  | Natural         |



| Case #   | Decedent           | Category            | Facility/Area            | Cause of Death   | Manner of Death |
|--|--------------------|---------------------|--------------------------|--|-----------------|
| 21-116   | Smith, Earl        | In-custody natural  | Vista Detention Facility | Complications of COVID-19  | Natural         |
| 21-118   | Moniger, Robert    | In-custody natural  | San Diego Central Jail   | COVID-19 viral pneumonia<br>Contributing: Atherosclerotic and hypertensive cardiovascular disease  | Natural         |
| 21-120   | Alamos, Gumercindo | In-custody natural  | Vista Detention Facility | Atherosclerotic and hypertensive cardiovascular disease<br>Contributing: Non-small cell lung cancer; COVID-19 viral infection; diabetes mellitus | Natural         |
| 21-125   | Borunda, Jerry     | In-custody pending  | San Diego Central Jail   | Anoxic encephalopathy due to resuscitated cardiorespiratory arrest due to fentanyl toxicity<br>Contributing: Blunt force torso trauma            | Accident        |
| 21-130   | McCoy, Dominique   | In-custody homicide | San Diego Central Jail   | Blunt force injuries of head   | Homicide        |
| Total Cases: 25 (18 – SDSL detention facility-related) |                    |                     |                          |  |                 |

## Death Cases Opened in 2022 (SDSD Jail Deaths in Red) (Table 5)

| Case # | Decedent           | Category                  | Facility/Area            | Cause of Death  | Manner of Death |
|--------|--------------------|---------------------------|--------------------------|---|-----------------|
| 22-006 | Isaac, Daniel      | Suicide                   | Santee Station           | Gunshot wound of head   | Suicide         |
| 22-007 | Marler, Doyle      | In-custody natural        | Vista Detention Facility | Metastatic adenocarcinoma of esophagus  | Natural         |
| 22-008 | Ruiz, Rafael       | In-custody natural        | San Diego Central Jail   | Complications of COVID-19<br>Contributing: End-stage renal disease; diabetes mellitus | Natural         |
| 22-010 | Gil, Gilbert       | In-custody pending        | Vista Detention Facility | Awaiting records  | Pending         |
| 22-014 | Corrales, Mizaël   | Deputy-involved shooting  | Bomb/Arson               | Multiple gunshot wounds   | Homicide        |
| 22-021 | Li, Yan            | Deputy-involved shooting  | Court Services Bureau    | Multiple gunshot wounds   | Homicide        |
| 22-026 | Schuck, William    | In-custody pending        | San Diego Central Jail   | Awaiting records  | Pending         |
| 22-031 | Rupard, Lonnie     | In-custody pending        | San Diego Central Jail   | Awaiting records  | Pending         |
| 22-037 | Baker, Derek       | In-custody poss. homicide | San Diego Central Jail   | Awaiting records  | Pending         |
| 22-043 | Lacy, Jerrell      | In-custody pending        | San Diego Central Jail   | Pulmonary thromboemboli due to deep venous thromboses of lower extremities            | Natural         |
| 22-053 | Ornales, Omar      | In-custody pending        | George Bailey Detention  | Awaiting records  | Pending         |
| 22-056 | Villasenor, Leonel | In-custody pending        | San Diego Central Jail   | Awaiting records  | Pending         |
| 22-057 | Nugent, Robert     | Suicide                   | Court Services Bureau    | Thermal injuries with smoke inhalation  | Suicide         |





| Case #   | Decedent | Category           | Facility/Area          | Cause of Death | Manner of Death |
|--|----------|--------------------|------------------------|----------------|-----------------|
| 22-063   | Reynolds | In-custody pending | San Diego Central Jail | Pending        | Pending         |
| 22-070   | Pending  | Pending            | Vista Patrol           | Pending        | Pending         |
| 22-077   | Wahlberg | In-custody pending | Las Colinas            | Pending        | Pending         |
| 22-080   | Granillo | In-custody pending | Las Colinas            | Pending        | Pending         |
| 22-087   | Good     | In-custody pending | San Diego Central Jail | Pending        | Pending         |
| 22-088   | Sarabia  | In-custody pending | George Bailey          | Pending        | Pending         |
| 22-093   | Bousman  | In-custody pending | Vista Detention        | Pending        | Pending         |
| 22-104   | Settles  | In-custody pending | George Bailey          | Pending        | Pending         |
| 22-106   | Doe      | Pending            | Lakeside Station       | Pending        | Pending         |
| Total Cases: 22 (16 – SDSL detention facility-related) |          |                    |                        |                |                 |

### Death Cases Closed in 2022 (Table 6)

| Case # | Decedent           | Category                 | Facility/Area                    | Cause of Death  | Manner of Death |
|--------|--------------------|--------------------------|----------------------------------|---|-----------------|
| 20-104 | Chon, Anthony      | In-custody natural       | San Diego Central Jail           | Bilateral pulmonary embolism due to deep vein thrombosis of the leg<br>Contributing: Cardiomegaly and congestive hepatomegaly | Natural         |
| 20-107 | Hasenin, Omar      | In-custody drug-related  | George Bailey Detention Facility | Toxic effects of fentanyl<br>Contributing: Atherosclerotic cardiovascular disease   | Accident        |
| 20-108 | Mills, Kevin       | In-custody natural       | San Diego Central Jail           | Hypertensive cardiovascular disease   | Natural         |
| 21-004 | Moreno, Omar       | In-custody drug-related  | San Diego Central Jail           | Choking<br>Contributing: Acute methamphetamine intoxication   | Accident        |
| 21-014 | Calhoun, Isabella  | Traffic/Pursuit          | Rancho San Diego                 | Blunt force injuries  | Accident        |
| 21-028 | Gomez, Luis        | In-custody natural       | Vista Detention Facility         | COVID-19 pneumonia  | Natural         |
| 21-038 | Whitlock, Jonathan | In-custody drug-related  | George Bailey Detention          | Acute fentanyl intoxication<br>Contributing: Obesity  | Accident        |
| 21-051 | Marroquin, Lester  | In-custody suicide       | San Diego Central Jail           | Acute water intoxication  | Suicide         |
| 21-053 | Aleman, Jerry      | In-custody drug-related  | George Bailey Detention          | Acute fentanyl intoxication   | Accident        |
| 21-057 | Anderson, Eric     | Deputy-involved shooting | North Coastal Station            | Perforating gunshot wound of torso  | Homicide        |



|                        |                    |                         |   |   |          |
|------------------------|--------------------|-------------------------|---|---|----------|
| 21-058                 | Sawyer, David      | Drug-related (patrol)   | Alpine Station                              | Toxic effects of methamphetamine<br>Contributing: Hypertensive cardiovascular disease; obesity  | Accident |
| 21-063                 | Estrada, Ronaldino | In-custody drug-related | Vista Detention Facility                    | Acute fentanyl intoxication<br>Contributing: Hypertensive and atherosclerotic cardiovascular disease  | Accident |
| 21-084                 | Davey, Glenn       | In-custody natural      | San Diego Central Jail                      | Hypertensive and atherosclerotic cardiovascular disease<br>Contributing: Obesity  | Natural  |
| 21-094                 | Wright, John       | In-custody natural      | Vista Detention Facility                    | Hyperglycemia and ketoacidosis due to diabetes mellitus<br>Contributing: Volvulus with thrombosis of superior mesenteric artery; atherosclerotic cardiovascular disease | Natural  |
| 21-104                 | Tuazon, Teresita   | In-custody natural      | Las Colinas Detention and Re-Entry Facility | Complications of diabetes mellitus<br>Contributing: Hypertensive and atherosclerotic cardiovascular disease; cirrhosis of liver   | Natural  |
| 21-116                 | Smith, Earl        | In-custody natural      | Vista Detention Facility                    | Complications of COVID-19   | Natural  |
| 21-120                 | Alamos, Gumercindo | In-custody natural      | Vista Detention Facility                    | Atherosclerotic and hypertensive cardiovascular disease<br>Contributing: Non-small cell lung cancer; COVID-19 viral infection; diabetes mellitus                        | Natural  |
| 22-008                 | Ruiz, Rafael       | In-custody natural      | San Diego Central Jail                      | Complications of COVID-19<br>Contributing: End-stage renal disease; diabetes mellitus   | Natural  |
| <b>Total Cases: 18</b> |                    |                         |   |   |          |

**2022 Policy Recommendations (PRs Related to Deaths in Blue) (Table 7)**

| <b>POLICY RECOMMENDATIONS - 2020</b> |                     |   |  |
|--------------------------------------|---------------------|---|--|
| <b>#</b>                             | <b>Case #</b>       | <b>Policy Recommendations</b>   | <b>Outcome</b>   |
| 1                                    | 2021-004<br>(DEATH) | 1. It is recommended that the SDSD identify who answers the "Arresting Officer Questions" on the Receiving Screening Questionnaire during the booking process.  | Awaiting Response  |
| 2                                    | N/A<br>(DEATH)      | <u>To SDSD:</u><br>1. Research, and publicly report the results of its research efforts, i.e., associated costs, technology considered, reasons for not implementing, if applicable, etc., the use of technological devices to identify and subsequently aid inmates who may be in medical distress.<br><br>2. Incorporate into policy the use of technological devices to identify and subsequently aid inmates who may be in medical distress.      | Recommendations #1 and #2 Implemented  |
| 3                                    | N/A<br>(DEATH)      | <u>To Probation:</u><br>1. Research, and publicly report the results of its research efforts, i.e., associated costs, technology considered, reasons for not implementing, if applicable, etc., the use of technological devices to identify and subsequently aid inmates who may be in medical distress.<br><br>2. Incorporate into policy the use of technological devices to identify and subsequently aid inmates who may be in medical distress. | Awaiting Response to Recommendations #1 and #2   |
| 4                                    | N/A                 | 1. Reduce discretionary stops or contacts, traffic or otherwise, pertaining to low-level offenses that do not compromise actual public safety. Many of these stops are pretextual in nature and oftentimes used to make an initial contact with the primary goal of locating weapons, drugs, warrants, suspended licenses, etc.<br><br>a. Eliminate stopping or contacting people   | Recommendations #1, #1a, #1b, #2, #3, and #4 Not Accepted<br><br>Recommendation #5 Implemented |



|   |                |   |   |
|---|----------------|---|---|
|   |                | <p>solely for lower-level traffic offenses, such as:</p> <ul style="list-style-type: none"> <li>i) Expired registration,</li> <li>ii) Equipment violations, and</li> <li>iii) No seatbelt in use.</li> </ul> <p>b. Eliminate contacting people solely for quality-of-life issues not jeopardizing public safety, such as loitering or jaywalking.</p> <ol style="list-style-type: none"> <li>2. Add to Subsection B of Field Operation Manual Policy 1, "Use of Discretion," that discretionary decisions should be evaluated for whether they will result in racially disparate treatment or outcomes.</li> <li>3. Provide justification for a stop or contact on body worn camera (BWC).</li> <li>4. Proactively review BWC footage for the sole purpose of analyzing deputy interactions with people of color in comparison to interactions with white people.</li> <li>5. Because there exists a lack of evidence indicating that implicit bias training is effective and sustainable, institute pre-employment screening for existing implicit and explicit bias.</li> </ol> |   |
| 5 | N/A<br>(DEATH) | <ol style="list-style-type: none"> <li>1. It is recommended that the SDSD update P&amp;P Section 6.134 entitled, "Family Liaison Protocol," to mandate that the Family Liaison, or designee, meet with the family at the conclusion of the investigation into a shooting, use of force resulting in significant injury or death, or an in-custody death. The purpose of the meeting will be to advise the family of the investigative outcome, answer questions, and provide information when appropriate. As currently stated in the P&amp;P, when information cannot be released, the family will be provided with an explanation, follow-up, or referrals to appropriate agencies.</li> </ol>  | <b>Recommendation Implemented</b>             |
| 6 | N/A<br>(DEATH) | <ol style="list-style-type: none"> <li>1. It is recommended that SDSD modify P&amp;P Section 6.43 – Vehicle Pursuit, to mandate that deputies shall not initiate or participate in a pursuit in which the only known offense at the time of the initiation or subsequent participation is a non-violent crime, to include a stolen vehicle.</li> <li>2. It is recommended that SDSD modify P&amp;P Section 6.43 – Vehicle Pursuit, to indicate</li> </ol>   | <b>Recommendations #1 and #2 Not Accepted</b> |



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|    |                     | that when initiating a pursuit, a deputy must not only consider all public safety factors applicable to the particular facts and circumstances, but "shall" (as opposed to the current standard of "may") consider the applicable public safety factors listed in the P&P.   |  |
| 7  | 2021-038<br>(DEATH) | 1. It is recommended that the San Diego Sheriff Department update its Detention Services Bureau (DSB) P&P Section I.50 Body Scanners and X-Rays, as it pertains to Subsection III C and require that body scans be completed to include inmates transferred between facilities.  | <b>Recommendation Not Accepted</b>           |
| 8  | 2021-078            | 1. It is recommended that the SDSD change SDSD P&P Section 6.131 titled, "Body Worn Camera," to direct that deputies shall begin recording prior to initiating any law enforcement related contact.  | <b>Recommendation Implemented</b>            |
| 9  | N/A<br>(DEATH)      | 1. Make naloxone "readily available" to San Diego County Detention Facility inmates.<br><br>2. Educate inmates on opioid overdose and its signs, correct technique for administration of naloxone and, essential procedures, including performance of cardiopulmonary resuscitation.   | <b>Recommendations #1 and #2 Implemented</b> |
| 10 | N/A<br>(DEATH)      | 1. Update Detentions Services Bureau Policy I.87, entitled, "Detention Canine Program," and its Detentions Canine Manual to include said P&P. The P&P should indicate that the fentanyl canine will be used for searches of contraband in all areas; to conduct sniffs of all persons entering a facility to include visitors, inmates, and staff; and to conduct sniffs of persons already inside of a facility, to include visitors, inmates, and staff. | <b>Recommendation Implemented</b>            |
| 11 | 2021-055            | 1. It is recommended that the San Diego Sheriff Department (SDSD) revise Patrol Procedures Manual Policy 25 Prisoner Transportation (and any other associated policies), as it pertains to Subsection C, Deputy's Responsibilities at Detention Facility to mandate that an arrestee shall be  | <b>Awaiting Response</b>                     |



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|    |                | <p>taken to a facility that coincides with the arrestee's gender identity. As such, an arrestee who identifies as being female shall be taken to Las Colinas Detention Re-Entry Facility or Vista Detention Facility, and an arrestee who identifies as being male shall be taken to San Diego Central Jail, or Vista Detention Facility. If the arrestee identifies as non-binary, the arresting officer shall inquire as to whether the arrestee would prefer to be booked into a male or female facility and transport accordingly.</p> |                          |
| 12 | 21-100         | <p>1. CLERB recommends the San Diego Sheriff's Department (SDSD) update the Legal Affairs Update entitled "The Public Can Record the Police" dated 11-14-14, and document its review with all deputies, specifically those assigned to the Imperial Beach Substation.</p>  | <b>Awaiting Response</b> |
| 13 | 22-058         | <p>1. CLERB recommends the San Diego Sheriff's Department (SDSD) create a Training Bulletin on the subject of handicap parking law enforcement, to include but not limited to temporary and permanent handicap placards and parking restrictions, for distribution to all patrol deputies.</p>   | <b>Awaiting Response</b> |
| 14 | 21-096         | <p>1. It is recommended that the San Diego Sheriff's Department (SDSD) expand Policy and Procedures Section 6.131 entitled, "Body Worn Camera (BWC)" to incorporate the use of BWC to record all law enforcement-related contacts/interactions (i.e., telephonic calls for service, deputy call-backs, etc.), not just those contacts arising out of in-person scene responses or in-person deputy-initiated contacts.</p>   | <b>Awaiting Response</b> |
| 15 | N/A<br>(DEATH) | <p>1. Digitally scan all non-legal mail and ideally deliver to the incarcerated person addressed the mail via an electronic and non-physical method, e.g., kiosk, computer terminal, etc.</p>  | <b>Awaiting Response</b> |



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| 16 | N/A<br>(DEATH) | <p>1. Physically search or body scan all persons entering a SDCS-operated detention facility, to include all SDCS employees, County employees, contractors, and those persons conducting county-related business.</p> <p>“All persons” also includes social and professional visitors and incarcerated persons (I/Ps) upon booking and transferring between facilities or re-entering a facility after having departed it for court, medical treatment, etc.</p> | <b>Awaiting Response</b> |
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# Budget

## CLERB Two-Year Adopted Operational Plan Budget

The County of San Diego Adopted Operational Plan is the Board of Supervisors' two-year financial plan that allocates resources to specific programs and services that support the County's long-term goals; it includes the adopted budget for the first year and a tentative budget that is approved in principle for the second year.

| Line Item Category        | FY 2020-21         | FY 2021-22         |
|---------------------------|--------------------|--------------------|
| <b>Total Expenses</b>     | <b>\$1,501,491</b> | <b>\$1,559,269</b> |
| Salaries & Benefits       | \$1,237,779        | \$1,296,351        |
| Services & Supplies       | \$263,712          | \$262,918          |
| <b>General Revenue</b>    | <b>\$1,501,491</b> | <b>\$1,559,269</b> |
| <b>Employee Positions</b> | <b>8</b>           | <b>8</b>           |

Source: [https://www.sandiegocounty.gov/content/dam/sdc/auditor/pdf/adoptedplan\\_21-23\\_fgg.pdf](https://www.sandiegocounty.gov/content/dam/sdc/auditor/pdf/adoptedplan_21-23_fgg.pdf)



# Glossary of Terms & Definitions

**Action Justified:**

A finding that indicates CLERB's investigation showed the alleged act did occur, and was lawful, justified and proper.

**Lodged versus Filed Complaints:**

A complaint is "lodged" and given a case number when a person contacts CLERB to complain about an incident but has not sworn to the truth of the statement. The complaint is "filed" when the complainant submits a signed statement attesting or swearing to the truth of the complaint.

**Not Sustained (Insufficient Evidence):**

A finding that indicates CLERB's investigation produced insufficient evidence to either prove or disprove the allegation.

**Preponderance of the Evidence:**

Evidence that has more convincing force than that opposed to it. This is the standard of proof used in CLERB's investigations.

**Procedurally Closed:**

A lodged case closed by the Executive Officer when it is not returned with a signature under penalty of perjury.

**Summary Dismissal:**

- (a) CLERB had no jurisdiction over the complaint or an allegation; or
- (b) CLERB had no jurisdiction because the complaint was not timely filed; or
- (c) The complaint was so clearly without merit that no reasonable person could sustain a finding based on the facts.

Note: A **One-Year Summary Dismissal** occurs when a case is summarily dismissed as it was not completed within the year stated by CLERB's Rules & Regulations, Section 15.d: *Case investigation is not completed within one year, not including applicable tolling exemptions; Staff shall submit the case to CLERB for Summary Dismissal.*

**Sustained:**

A finding that indicates CLERB's investigation supported the allegation and the act or conduct was not justified.

**Tolling:**

The pausing or delaying of the running or period of time set forth by a statute of limitations.

**Unfounded:**

A finding that indicates CLERB's investigation showed the alleged act or conduct did not occur.