

**MINUTES**  
**CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING**  
*January 10, 2023*

**Attachment A1**

Open session was convened via the Zoom Platform at 5:30 p.m.	
Agenda Item	Discussion
<b>Roll Call</b>	<ul style="list-style-type: none"> <li>▪ All Board Members were present except for Ariana Federico Mondragon</li> </ul>
<b>Public Comments</b>	<ul style="list-style-type: none"> <li>▪ Members of the public addressed comments to the Board.</li> </ul>
<b>Minutes Approval</b>	<ul style="list-style-type: none"> <li>▪ No revisions made to the December 13<sup>th</sup> meeting minutes. Votes to approve were as follows:               <ul style="list-style-type: none"> <li>▪ Eileen Delaney: Yes</li> <li>▪ MaryAnne Pintar: Yes</li> <li>▪ Pastor Robert Spriggs: Yes</li> <li>▪ Andrew Hayes: Yes</li> <li>▪ Dr. R. Lee Brown: Yes</li> <li>▪ Nadia Kean-Ayub: Abstain</li> <li>▪ Bonnie Kenk: Yes</li> <li>▪ Tim Ware: Yes</li> <li>▪ Gary Wilson: Yes</li> <li>▪ Motion carried 8-0, with one abstention.</li> </ul> </li> </ul>
<b>Executive Officer's Report</b>	<ul style="list-style-type: none"> <li>▪ Staff have been working to ensure virtual capability is flawless when we go back to in-person meetings no later than March.</li> <li>▪ Investigative Workload and Classification Report for December 2022 (<i>Attachment B</i>)</li> <li>▪ Fifteen new cases were reported in December, bringing the yearly total to 165.</li> <li>▪ At the end of December there were 97 open cases.               <ul style="list-style-type: none"> <li>▪ There were 31 open death cases.</li> <li>▪ One is on tonight's agenda.</li> <li>▪ CLERB staff has materials for 11, awaiting materials on 20.</li> </ul> </li> <li>▪ There were no new SDSL death cases reported in December.               <ul style="list-style-type: none"> <li>▪ There were 11 open uses of force resulting in great bodily injury.</li> <li>▪ Four are on tonight's agenda.</li> <li>▪ CLERB staff has materials for all 11.</li> </ul> </li> <li>▪ There were five open discharges of firearms.</li> <li>▪ CLERB staff has materials for two.</li> <li>▪ There were no open uses of force at protests/First Amendment-protected events.</li> <li>▪ Case Progress and Status Reports (<i>Attachment C</i>)</li> <li>▪ Mr. Parker discussed the two reports: "CLERB Reports by Due Date" and "CLERB Reports Due by Case Number."</li> <li>▪ Executive Officer Correspondence to Full CLERB (<i>Attachment D</i>)</li> <li>▪ One re: two CLERB-related media interviews.</li> <li>▪ One contained five articles, two CLERB-specific and three oversight-related.</li> <li>▪ Policy Recommendation Pending Responses – 13-SDSD (one received prior to the meeting and will be on the next meeting agenda), five – Probation (one received prior to the meeting and will be on the next meeting agenda)</li> <li>▪ Internal CLERB PR Process disseminated prior to meeting. Will serve as a topic for a future meeting.</li> <li>▪ Policy Recommendation Responses – 10-SDSD (<i>Attachments E-K</i>)</li> <li>▪ Board Members and members of the public expressed thoughts and concerns. Board discussed and would like to request to resubmit Policy Recommendation (<i>attachment J</i>). Votes to approve were as follows:               <ul style="list-style-type: none"> <li>▪ Eileen Delaney: Yes</li> <li>▪ MaryAnne Pintar: Yes</li> <li>▪ Pastor Robert Spriggs: Yes</li> <li>▪ Andrew Hayes: No</li> <li>▪ Dr. R. Lee Brown: Yes</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>▪ Nadia Kean-Ayub: Yes</li> <li>▪ Bonnie Kenk: Yes</li> <li>▪ Tim Ware: Yes</li> <li>▪ Gary Wilson: Yes</li> <li>▪ Motion carried 8-1</li> <li>▪ Sustained Finding Pending Responses</li> <li>▪ 21-069 / Rodriguez (Death)</li> <li>▪ Sustained Finding Response</li> <li>▪ 22-045 / Christianson (Attachment L)</li> </ul>
<b>Board Chair's Report</b>	<ul style="list-style-type: none"> <li>▪ Board Chair Eileen Delaney thanked the members of the public for all the participation and comments.</li> <li>▪ Welcomed Sheriff Martinez and invited her to attend the CLERB meetings.</li> <li>▪ Encouraged the Board of Supervisors to approve CLERB's oversight of Medical Service Providers for CLERB'S investigations.</li> </ul>
<b>New Business</b>	<ul style="list-style-type: none"> <li>a) Continuance of Teleconferencing Meeting option Pursuant to Government Code Section 54953 (e) <ul style="list-style-type: none"> <li>▪ County Counsel Shiri Hoffman specified the appropriate motion to the group. The votes to approve were as follows: <ul style="list-style-type: none"> <li>▪ Eileen Delaney: Yes</li> <li>▪ MaryAnne Pintar: Yes</li> <li>▪ Pastor Robert Spriggs: Yes</li> <li>▪ Andrew Hayes: No</li> <li>▪ Dr. R. Lee Brown: Yes</li> <li>▪ Nadia Kean-Ayub: Yes</li> <li>▪ Bonnie Kenk: No</li> <li>▪ Tim Ware: Yes</li> <li>▪ Gary Wilson: Yes</li> <li>▪ Motion carried 7-2.</li> </ul> </li> </ul> </li> <li>b) Schedule a Special Meeting Prior to 02-09-23 to: <ul style="list-style-type: none"> <li>i. Receive Public Input on Proposed Revisions to CLERB's Rules and Regulations</li> <li>ii. Continue Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e) <ul style="list-style-type: none"> <li>▪ The Board agreed to have a Special Meeting, Jan 31<sup>st</sup>. The votes to approve were as follows: <ul style="list-style-type: none"> <li>▪ Eileen Delaney: Yes</li> <li>▪ MaryAnne Pintar: Yes</li> <li>▪ Pastor Robert Spriggs: Yes</li> <li>▪ Andrew Hayes: Yes</li> <li>▪ Dr. R. Lee Brown: Yes</li> <li>▪ Nadia Kean-Ayub: Yes</li> <li>▪ Bonnie Kenk: Yes</li> <li>▪ Tim Ware: Yes</li> <li>▪ Gary Wilson: Yes</li> <li>▪ Motion carried 9-0.</li> </ul> </li> </ul> </li> </ul> </li> </ul>
<b>Unfinished Business</b>	<ul style="list-style-type: none"> <li>a) Update: Completed Investigation of CLERB Case #20-050/Bils (Death), Voted by CLERB to Continue Investigation Pursuant to CLERB Rules and Regulations Section 5.8</li> <li>b) 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</li> </ul>

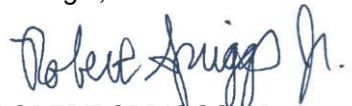
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	c) Update: Authority for the Executive Officer to Work with County Staff to Request that the County Board of Supervisors Expand CLERB's Jurisdiction to Include All Sheriff's Department Personnel and Personnel Involved in Providing Medical Care in County Detention Facilities																
<b>Board Comments</b>	<ul style="list-style-type: none"> <li>Nadia KeanAyub restated to have Sheriff Kelly Martinez attend and respond to the items submitted including the LGBTQ request.</li> </ul>																
<b>Sheriff/ Probation Liaison Query</b>	<ul style="list-style-type: none"> <li>Vice Chair MaryAnne Pintar asked a question regarding the Sheriff's Policy for surveillance video retention and critical incidents. Sergeant Tingley will follow up with Executive Officer Paul Parker and have responses during the next meeting.</li> <li>Sgt. Tingley provided some answers to last meeting questions regarding intake and reviewed numbers on policy recommendations. The Sheriff's received 40 Policy Recommendations in the last year and have provided a response Ten are cCurrently being evaluated. Sent out a Training Bulletin on one of the Policy Recommendations regarding Handicap Parking Placards. Policy will be sent out as an attachment during next meeting.</li> </ul>																
<b>Open session was adjourned at 8:13 p.m.</b>																	
<b>Closed session was convened at 8:22 p.m.</b>																	
<b>Closed Session</b>	<p>a) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE</p> <p><b>Discussion &amp; Consideration of Complaints &amp; Reports:</b> 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> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">CASE NO.</th> <th style="text-align: center;">CASE NO.</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">20-050</td> <td style="text-align: center;">22-119</td> </tr> <tr> <td style="text-align: center;">22-004</td> <td style="text-align: center;">22-120</td> </tr> <tr> <td style="text-align: center;">22-051</td> <td style="text-align: center;">22-132</td> </tr> <tr> <td style="text-align: center;">22-071</td> <td style="text-align: center;">22-142</td> </tr> <tr> <td style="text-align: center;">22-075</td> <td style="text-align: center;">22-154</td> </tr> <tr> <td style="text-align: center;">22-117</td> <td style="text-align: center;">22-157</td> </tr> <tr> <td></td> <td style="text-align: center;">22-161</td> </tr> </tbody> </table>	CASE NO.	CASE NO.	20-050	22-119	22-004	22-120	22-051	22-132	22-071	22-142	22-075	22-154	22-117	22-157		22-161
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<b>Closed session was adjourned at 9:02p.m.</b>																	

  
**PAUL R. PARKER III**  
 Executive Officer

*Minutes prepared by Valeria Zagal, Administrative Secretary III*

  
**ROBERT SPRIGGS, JR.**  
 Secretary to the Board