

Parker, Paul

From: Parker, Paul
Sent: Thursday, June 10, 2021 4:11 PM
Cc: Lenore Aldridge; Ellen Bohan; Husband, Tamicha; Lynn Setzler
(Lynn.Setzler@sdcounty.ca.gov)
Subject: Public Records Act Response re: San Diego Sheriff's Department Use of Force and Deputy-Involved Shootings
Attachments: PRA Response - People's Association of Justice Advocates.pdf

CLERB Members—

Attached is our response to a Public Records Act (PRA) request pertaining to San Diego Sheriff's Department (SDSD) Use of Force and Deputy-Involved Shootings. The People's Association of Justice Advocates disseminated this information and the SDSD response to the same PRA during a press conference earlier today. This information will be the subject of a July agenda item.

Respectfully,
Paul

Paul R. Parker III | Executive Officer (he/him/his)
San Diego County Citizens' Law Enforcement Review Board (CLERB)
555 W. Beech Street, Suite 220, San Diego, CA 92101
O: (619) 238-6766

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County of San Diego

CITIZENS' LAW ENFORCEMENT REVIEW BOARD

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June 9, 2021

People's Association of Justice Advocates
ATTN: Reverend Shane Harris

RE: Public Records Request of April 19, 2021

Dear Reverend Harris:

The San Diego County Citizens' Law Enforcement Review Board (CLERB) is in receipt of your letter dated April 19, 2021, seeking records pursuant to the California Public Records Act. Specifically, you requested information pertaining to general use of force incidents and deputy-involved shooting incidents by employees of the San Diego Sheriff's Department (SDSD).

CLERB's database extends back to its formation in 1990. Current and former sworn members of the SDSD are not differentiated in CLERB's data, therefore, it is reasonable to assume that some employees captured in the data are no longer members of the SDSD. It should also be noted that for many years in the 1990's, CLERB only received the complainant's version of events, therefore, the preponderance of evidence did not include information from SDSD, thus resulting in Sustained findings.

CLERB's findings are defined as follows:

Action Justified: If the investigation shows the alleged act did occur but was lawful, justified, and proper.

Not Sustained: If the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.

Procedurally Closed: If a lodged complaint is not returned signed under penalty of perjury, therefore, not investigated.

Summary Dismissal: If CLERB lacks jurisdiction or the allegation clearly lacks merit.

Sustained: If the investigation disclosed evidence sufficient to prove the allegation by a Preponderance of the Evidence.

Unfounded: If the investigation clearly established that the allegation is not true.

CLERB's responses to the requests are as follows:

1. We are requesting a breakdown on how many officers and employees within the San Diego County Sheriff's Department from the Sheriff down in its entirety have 2 or more sustained use of force incidents on their record? Sustained meaning there was sufficient evidence to justify disciplinary action against the officer(s).

Response:

CLERB has identified one deputy with two or more cases in which excessive force was sustained.

2. How many of those within the San Diego County Sheriff's Department from the Sheriff down in its entirety have 2 or more unfounded claims on their record for use of force?

Response:

CLERB has identified nine deputies with two or cases in which excessive force was unfounded.

After a conversation with Reverend Harris, CLERB identified 200 deputies with two or more cases in which allegations of excessive force were found to be anything other than sustained, i.e., action justified, not sustained, procedurally closed, summarily dismissed, or unfounded.

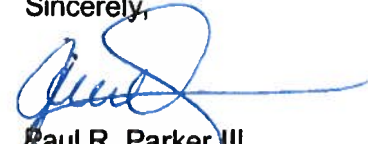
3. How many of those same people in the department that I have mentioned above have also been involved in an officer involved shooting?

Response:

Of the nine deputies with two or more cases in which excessive force was unfounded, two of those deputies were involved in deputy-involved shootings resulting in a death.

Of the 200 deputies with two or more cases in which allegations of excessive force were found to be anything other than sustained, 21 of those deputies were involved in deputy-involved shootings resulting in a death.

Sincerely,



Paul R. Parker III
CLERB Executive Officer

Parker, Paul

From: Parker, Paul
Sent: Friday, June 11, 2021 9:39 AM
Cc: 'Lenore Aldridge'; 'Ellen Bohan'; Husband, Tamicha; 'Lynn Setzler (Lynn.Setzler@sdcounty.ca.gov)'
Subject: Media Articles re: Public Records Act Response re: San Diego Sheriff's Department Use of Force and Deputy-Involved Shootings

CLERB Members—

Please see the following media articles pertaining to the data generated in response to the PRA:

1. [Data shed light on use-of-force records of San Diego police officers, sheriff's deputies - The San Diego Union-Tribune \(sandiegouniontribune.com\)](https://www.sandiegouniontribune.com)
2. [Activists call on San Diego Sheriff's to do more to prevent excessive force instances \(10news.com\)](https://www.10news.com)
3. [Civil Rights Leader Calls For Reform Of Local Law Enforcement | KPBS](https://www.kpbs.com)

Paul

From: Parker, Paul
Sent: Thursday, June 10, 2021 4:11 PM
Cc: Lenore Aldridge <Lenore.Aldridge@sdcounty.ca.gov>; Ellen Bohan <Ellen.Bohan@sdcounty.ca.gov>; Husband, Tamicha <Tamicha.Husband@sdcounty.ca.gov>; Lynn Setzler (Lynn.Setzler@sdcounty.ca.gov) <Lynn.Setzler@sdcounty.ca.gov>
Subject: Public Records Act Response re: San Diego Sheriff's Department Use of Force and Deputy-Involved Shootings

CLERB Members—

Attached is our response to a Public Records Act (PRA) request pertaining to San Diego Sheriff's Department (SDSD) Use of Force and Deputy-Involved Shootings. The People's Association of Justice Advocates disseminated this information and the SDSD response to the same PRA during a press conference earlier today. This information will be the subject of a July agenda item.

Respectfully,
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Parker, Paul

From: Parker, Paul
Sent: Wednesday, June 16, 2021 4:06 PM
Cc: Lenore Aldridge; Ellen Bohan; jeffrey.gross@sdcounty.ca.gov; Husband, Tamicha; Lynn Setzler (Lynn.Setzler@sdcounty.ca.gov); Wigfall, Claudia
Subject: Media Articles #21-10

CLERB Members—

In an attempt to keep you updated about media stories in which CLERB is mentioned or that somehow touch upon our mission in San Diego County or law enforcement practices in general, I will send you links to those media stories. If you would like to opt out of these emails, just let me know.

Here are 10 media articles:

1. [San Diego County pays \\$1M to family in inmate death, pushing year's payouts past \\$14M - The San Diego Union-Tribune \(\[sandiegouniontribune.com\]\(http://sandiegouniontribune.com\)\)](#)
2. [Mexican-American Woman Says She Was Wrongfully Arrested After Protest Clash | KPBS](#)
3. [Jail Phone Calls | News Release | San Diego County Sheriff \(\[sdsheriff.gov\]\(http://sdsheriff.gov\)\)](#)
4. [CA Supreme Court decision upholds jury award for man who fell in Vista jail - The San Diego Union-Tribune \(\[sandiegouniontribune.com\]\(http://sandiegouniontribune.com\)\)](#)
5. [DA's office develops app to promote cultural awareness for law enforcement in San Diego County - The San Diego Union-Tribune \(\[sandiegouniontribune.com\]\(http://sandiegouniontribune.com\)\)](#)
6. [Gonzalez bill to regulate use of force at protests passes Assembly - The San Diego Union-Tribune \(\[sandiegouniontribune.com\]\(http://sandiegouniontribune.com\)\)](#)
7. <https://www.10news.com/news/team-10/san-diego-county-settles-million-dollar-jail-death-lawsuit>
8. [San Diego County fentanyl deaths: Officials warn of spike in fentanyl-related overdoses \(\[fox5sandiego.com\]\(http://fox5sandiego.com\)\)](#)
9. [How police and politicians undermine civilian oversight of law enforcement - Washington Post](#)
10. [Analysis of police misconduct record laws in all 50 states - The San Diego Union-Tribune \(\[sandiegouniontribune.com\]\(http://sandiegouniontribune.com\)\)](#)

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Parker, Paul

From: Parker, Paul
Sent: Wednesday, June 30, 2021 9:47 AM
Cc: Lenore Aldridge; Ellen Bohan; Gross, Jeffrey; Husband, Tamicha; Lynn Setzler (Lynn.Setzler@sdcounty.ca.gov); Wigfall, Claudia
Subject: Media Articles #21-11

CLERB Members—

In an attempt to keep you updated about media stories in which CLERB is mentioned or that somehow touch upon our mission in San Diego County or law enforcement practices in general, I will send you links to those media stories. If you would like to opt out of these emails, just let me know.

Here are five media articles:

1. [Activists urge families of inmates who died in San Diego County jails to testify at state audit hearing - The San Diego Union-Tribune \(sandiegouniontribune.com\)](#)
2. [Concern raised over death rate in San Diego County jails \(10news.com\)](#)
3. [Autopsy shows man died from COVID-19 while in custody, family files lawsuit against San Diego County | cbs8.com](#)
4. [US police 'very nervous' about officer-initiated enforcement as gun violence soars - CNN](#)
5. [Police oversight boards are proliferating, but do they actually work? - ABC News \(go.com\)](#)

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From: Parker, Paul
Sent: Thursday, July 1, 2021 9:14 AM
Cc: 'Lenore Aldridge'; 'Ellen Bohan'; Husband, Tamicha; 'Lynn Setzler (Lynn.Setzler@sdcounty.ca.gov)'; Gross, Jeffrey; Wigfall, Claudia
Subject: UPDATE: JLAC Audit Request Letter
Importance: High

CLERB Members,

During yesterday's Joint Legislative Audit Committee (JLAC) meeting in Sacramento, JLAC voted to conduct an audit of San Diego County jail deaths going back 15 years. During the meeting the auditor estimated it would take approximately 2,900 hours and would be completed in approximately seven months. To be clear, we will still move forward with our independent analysis, a status update of which will be provided at the July 13 CLERB meeting. We will also move forward with detention facility inspections, scheduled to start in 2022; an update on that status will also be provided at the July 13 CLERB meeting.

Also mentioned during yesterday's meeting (and touched upon in the original letter), CLERB's staffing situation will be audited in addition to the policy recommendations it has made to the Sheriff's Department (Department) and a breakdown of how many have been implemented by the Department. For additional information about the JLAC meeting, please see the below article which provides an accurate review of what I heard at the meeting.

[State auditor to investigate deaths at San Diego County jails - The San Diego Union-Tribune \(sandiegouniontribune.com\)](http://sandiegouniontribune.com)

Paul

From: Parker, Paul
Sent: Tuesday, May 18, 2021 9:23 AM
Cc: Lenore Aldridge <Lenore.Aldridge@sdcounty.ca.gov>; Ellen Bohan <Ellen.Bohan@sdcounty.ca.gov>; Husband, Tamicha <Tamicha.Husband@sdcounty.ca.gov>; Lynn Setzler (Lynn.Setzler@sdcounty.ca.gov) <Lynn.Setzler@sdcounty.ca.gov>
Subject: JLAC Audit Request Letter

CLERB Members—

In reference to the article I sent yesterday, I thought it might be a good idea to also forward you the actual audit request letter.

I have identified three specific questions in the JLAC audit request pertaining to CLERB and, if asked, will provide the following answers to each, as follows:

1. In the year that County of San Diego's Citizens' Law Enforcement Review Board (CLERB) could not complete their work, how many cases in total were under review for that year?

In November 2017, CLERB summarily dismissed 22 death cases. In 2017, CLERB opened 152 cases, a 38% increase from the prior year, and closed 158 cases, to include the 22 death cases. End of month totals for that year indicated that CLERB had from 90-130 cases open, to include 41 to 59 open death cases. This caseload was

primarily carried by two full-time investigators and an Executive Officer who worked on cases as time permitted. In 2018, CLERB was provided another full-time investigator to assist with the caseload.

2. What is CLERB doing to ensure that the Sheriff's department is reviewing/revising protocol to ensure inmate safety?

CLERB has the authority to review and make recommendations on SDCSD policies and procedures. It is through this recommendations, in addition to conducting thorough investigations in which issues are sometimes identified, that CLERB has the greatest success in ensuring the SDCSD reviews/revise its protocol to maximize the safety of its inmates. Since January 2017, CLERB has made 44 policy and procedure recommendations to the SDCSD; 28 of those recommendations have specifically addressed Detention Services Bureau operations. Of those 28 recommendations, 13 were implemented, nine were not implemented, and six are currently under review by SDCSD. It should be noted that CLERB is only advisory and we have no authority to mandate the Sheriff's Department to accept our recommendations or revise their protocols.

3. Does CLERB have enough staff and resources available to complete the work that they've been tasked with?

In 2020, CLERB's budget was increased almost 50% and our investigative staff doubled from three to six, to include a front-line supervisor. As of this writing, the answer to this question is unknown. The three new investigators are currently in the background process. It is my hope they were be on-board by July 1, 2021. After they complete an extensive training program and are actively working cases independent of their training officer, I will be better able to assess whether we need additional staffing and resources.

Paul

From: Parker, Paul

Sent: Monday, May 17, 2021 3:25 PM

Cc: Lenore Aldridge <Lenore.Aldridge@sdcounty.ca.gov>; Ellen Bohan <Ellen.Bohan@sdcounty.ca.gov>; Husband, Tamicha <Tamicha.Husband@sdcounty.ca.gov>; Lynn Setzler (Lynn.Setzler@sdcounty.ca.gov) <Lynn.Setzler@sdcounty.ca.gov>

Subject: San Diego U-T Article Referencing CLERB

CLERB Members,

Below is an article that was published a few days ago in which CLERB was prominently mentioned.

[San Diego-area lawmakers file joint request for state audit of county jail deaths - The San Diego Union-Tribune](#)

Respectfully,

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