

MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
April 10, 2018

Attachment A

- Roll Call**
- The meeting was held at the County Administration Center and came to order at 5:30 p.m. All Board members were present except Delores Chavez-Harmes.
- Minutes Approval**
- The March 2018 meeting minutes were approved by motion by Darrell Harrison and seconded by G. I. Wilson.
- Presentation/Training**
- N/A
- Executive Officer's Report**
- Overview of Activities of CLERB Executive Officer and Staff for March 2018
 - Lenore Aldridge and Aron Hershkowitz started on March 16 and are in a training program with Lynn Setzler and Paul Parker. They are progressing nicely and ahead of schedule.
 - CLERB's workspace is being remodeled to accommodate the new employees. This remodel is scheduled for completion before April 20.
 - Mr. Parker participated in a panel discussion about CLERB at the Probation Department's Leadership Academy.
 - Tamicha Husband identified an opportunity for CLERB to save \$8,400/year, or \$42,000 over the course of a five-year lease when she realized CLERB was paying \$700/month for parking at its W. Beech Street location, as opposed to parking for free at the County's Cedar Street Parking Garage two blocks away from the office. As of April 1, 2018, all CLERB employees started parking at the Cedar Street Garage, resulting in an immediate reduction in CLERB's monthly rent. Mr. Parker encouraged Ms. Husband to submit this cost-saving measure to the County's Do-It-Better-By-Suggestion (DIBBS) program for award consideration for her excellent idea.
 - The Sheriff's Department has offered to conduct another Force Options Simulator for Board Members and staff. The training will occur at Miramar on May 2 from 5:00pm to 8:00pm. Board Members should advise Mr. Parker of their interest in attending.
 - Due to a recent change in San Diego Medical Examiner Office (SDMEO) practices, SDMEO reports must be requested via subpoena. Mr. Parker does not know if this change will result in any investigative delays.
 - An updated Board Member and Staff roster was included in tonight's Board Member Meeting Packets.
 - Two previous CLERB Executive Officers, Sue Quinn and John Parker, have been instrumental in providing resources and historical background to Mr. Parker over the past few months. Mr. Parker wanted to take a moment to publicly acknowledge their contributions and dedication to civilian oversight and CLERB's success.
 - Louis Wolfsheimer, a pillar in San Diego County and CLERB Board Member from 2005 to 2013 died earlier this month. On behalf of the CLERB, Mr. Parker expressed condolences to Mr. Wolfsheimer's family and friends.
 - Investigative Workload Report for March 2018
 - There were 15 new cases (as compared to 8 for March 2017).
 - At the end of March there were 101 active cases (six in "lodged" status and 95 open and active).
 - There were 37 open death cases (CLERB has documents for 22 cases and is awaiting documents on the remaining 15).
 - There were four new death cases in March.
 - Case Progress and Status Reports
 - Case Progress and Status Report
 - There are only nine cases scheduled to reach their one-year time

limitation by July 1, 2018. Once Ms. Aldridge and Mr. Hershkowitz are off of training, we anticipate a rapid decrease in the number of existing open cases.

- SDSD Policy Recommendation Responses
 - 16-099/Stegall
 - Lieutenant Gilmore addressed the CLERB regarding the Policy Recommendation response for CLERB Case Number 16-099. Lieutenant Gilmore stated that the statement referenced in the response regarding restraining during labor & delivery was inaccurate as it was referenced from an old internal system. The most recent San Diego County Sheriff's Department policy states that inmates will be shackled/restrained only as permitted by law.
 - Gary Brown: Will the language be changed? Lieutenant Gilmore: Yes, we will look at how to change it.
 - Mr. Brown: What factors go into the decision-making regarding when to restrain inmates during labor & delivery? Lieutenant Gilmore: If they are not an escape risk, the restraints are removed. Each individual's medical needs are considered.
 - Mr. Wilson: According to the American Medical Association and the American Congress of Obstetricians and Gynecologists, shackling pregnant women at any point is medically unsafe. Lieutenant Gilmore: The Jail Information Management System (JIMS) statement and the Policy Recommendation response were incorrect; however, the policy is correct.
 - 17-114/Smith
 - The SDSD reviewed CLERB's recommendation. SDSD's records management and case law supports its policy and procedures regarding field contacts, and therefore Field Interview specific policy was not deemed necessary.
- SDSD Sustained Finding Responses
 - 14-027/Dawson
 - 16-098/Moreno
 - 17-144/Samuels
 - SDSD forwarded each sustained finding to the respective Command/Unit. If appropriate, the cases will be referred to Internal Affairs.
 - Mr. Brown: Who makes the decision to refer a sustained finding to Internal Affairs and how quickly is that done? Lieutenant Gilmore: The Command makes the decisions regarding whether or not to refer a case to Internal Affairs. The sustained finding is sent to the Command almost in unison with the response.
 - Mr. Brown: If a case is referred to Internal Affairs, would you be able to inform the CLERB Members? Lieutenant Gilmore: The decision would be up to the Command and they cannot discuss personnel issues with you.
 - Mr. Wilson: I would like to get a legal opinion on this. Can our counsel meet with the Sheriff's counsel? Shiri Hoffman: I can look into that and we can discuss it at another meeting.
 - James Lasswell: If CLERB had some form of definitive statement, it would add to CLERB's creditability.
 - Lourdes Silva: I also support the decision to confer with Sheriff's counsel and that CLERB should receive some form of definitive statement regarding the sustained finding responses.

- Board Chair's Report**
- On March 28, 2018, a request for input concerning CLERB's Executive Officer's Annual Performance Evaluation was sent to CLERB Board Members and Staff. If you have not already responded, please respond to Sandra Arkin via email no later than Friday, April 13, 2018. If you are unable to locate the original email or if

you did not receive it, please inform Ms. Arkin.

- New Business** ▪ N/A
- Unfinished Business** ▪ CLERB Board Member Policy and Procedure Manual Subcommittee update
 - The draft CLERB Board Member Policy and Procedure Manual has been completed and will be included in the CLERB Board Member packet that will be distributed in early May 2018. The draft CLERB Board Member Policy and Procedure Manual will be discussed at the CLERB meeting scheduled for May 8, 2018.
- Board Comments** ▪ N/A
- Public Comments** ▪ N/A
- Sheriff/Probation Liaison Query** ▪ Mr. Wilson recognized Lieutenant Gilmore for his candor and openness regarding the SDSD Policy Recommendation response for CLERB Case Number 16-099.

The Board entered closed session at 5:54 p.m.

- Closed Session** a) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
 - Discussion & Consideration of Complaints & Reports:** Pursuant to Government code Section 54957 to hear complaints or charges brought against Sheriff or Probation employees by a citizen (unless the employee requests a public session). Notice to government Code Section 54957 for deliberations regarding consideration of subject officer discipline recommendation (if applicable).

CASE NO.	LAST NAME	CASE NAME	LAST NAME
16-073	Moya	16-101	Almejo
17-045	Willis	17-046	Phom
17-130	Hulihee	18-019	Reed
18-027	Spenser	18-036	Chism

The meeting was adjourned at 6:06 p.m.

Minutes prepared by Tamicha Husband, Administrative Secretary



PAUL R. PARKER III
Executive Officer



KIM-THOA HOANG
Secretary to the Board