

**MINUTES**  
**CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING**  
*June 25, 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 Darrel Harrison and Susan Youngflesh.
- Public Comments**
- Agenda Item 5D & CLERB Case # 17-056: Terri Leyton addressed the CLERB
  - CLERB Case # 17-056: Adrienne Durso and Marsha Gresko addressed the CLERB
  - CLERB Case #17-136: Adam Brown addressed the CLERB
  - CLERB Case # 17-143: William Johnson addressed the CLERB
- Minutes Approval**
- The May 2018 meeting minutes were approved by motion by Jordan Gascon and seconded by G. I. Wilson. On page four, the first sentence of the dot point for the comment by Ms. Hoang was changed to read: It is an example of how **the system** should work; removing "...how **CLERB** should work".
- Presentation/Training**
- Overview of CLERB Internal Processes presented by CLERB Executive Officer (EO), Paul Parker
    - Death vs. Complaint Cases
      - Death
        - No signed complaint required for case involving deaths arising out of or in connection with actions of peace officers.
      - Complaint
        - Written complaint, signed under penalty of perjury, required for cases in which peace officers are charged with:
          - Excessive force,
          - Discrimination or sexual harassment in respect to members of the public,
          - Improper discharge of firearms,
          - Illegal search and seizure,
          - False arrest,
          - False reporting,
          - Criminal conduct, or
          - Misconduct.
            - Alleged violation of policies or procedures,
            - Alleged violation of state or federal law, or
            - Any act otherwise evidencing improper or unbecoming conduct.
    - Intake Investigator
      - Conducts initial investigation of all complaints received via telephone, U.S. Mail, e-mail, and in-person.
      - After assuming jurisdiction for five cases, Intake responsibilities rotate to another Investigator.
    - "Lodged" cases
      - Initial reporting of complaint, not written or signed under penalty of perjury.
        - CLERB opens a case if the complaint meets CLERB's jurisdictional requirements
          - Peace officer employed by SDSO or Probation, and
          - Alleging activities covered under "Complaint" above, and
          - Within time frames
            - One year from the date of incident giving rise to complaint
            - CLERB R&R's allow for tolling if the complainant was incarcerated or physically or mentally incapacitated.
      - If complaint lodged telephonically, investigator paraphrases content of verbal complaint/conversation in a CLERB complaint form and sends to complainant for review and signature.
        - Complainants have 21 days to return the signed document.
          - If not signed and returned, the case is procedurally closed.
            - Administrative timeframe can be extended.
          - It can be re-opened if the signed complaint is received within one year.
    - "Filed" cases

- Upon receipt of written complaint, signed under penalty of perjury, the case is considered “filed.”
  - If the signed complaint does not fall within CLERB’s jurisdiction, staff will recommend a Summary Dismissal to the CLERB Board.
- The EO will prioritize each case, using the new triage guidelines, e.g., deaths, excessive force, injuries, and likelihood of rapid evidence degradation take priority.
- CLERB notifies Subject Officer(s) of the open investigation and provides a copy of the complaint.
- CLERB requests all applicable documents/video/evidence from the respective department.
- Deaths
  - CLERB is oftentimes notified of a death by the respective department’s CLERB liaison, but sometimes we are notified by other sources, e.g., media, family, etc.
  - The CLERB EO prepares, signs, and delivers to the department a subpoena requesting the complete investigative file.
    - Each death investigation is considered a criminal investigation, therefore it is “tollled” under Peace Officers Procedural Bill of Rights (POBR).
    - Upon receiving the investigative file, CLERB reviews the content and evidence prior to completing its investigation.
- Investigation
  - Upon receipt of documentation, CLERB, if deemed necessary, drafts questions for the Subject Officer and any other County employee who may have information that will assist in the investigation.
  - All questions and investigative time periods are guided by POBR.
    - The questions are forwarded to the Subject Officer(s) via the SDSD or Probation Department CLERB liaison.
      - SDSD and Probation employees have 10 days to respond to the questions.
    - If there is evidence tending to indicate a Sustained finding may be recommended, CLERB requests an in-person interview with the Subject Officer.
      - The purpose of the interview is to obtain clarification of the information.
  - CLERB Investigators draft reports and the EO reviews and approves the reports.
    - A CLERB Investigator will review and approve the EO’s reports.
  - CLERB staff recommends a finding to the CLERB Board and provides a rationale for the finding.
    - Redacted versions of the allegation and rationale are provided to the public via the agenda and to each complainant and Subject officer via Hearing Notices.
  - If staff recommends a Sustained Finding, the Subject Officer will be served with a Notice of Adverse Action within one year of date the misconduct was discovered, as outlined in POBR.
  - Policy recommendations may result from an investigation or from a general review of P&P.
- CLERB Board
  - Investigative reports are provided to CLERB Board Members prior to the meeting during which they will be discussed (in closed session).
  - The Board Members can accept or change staff’s recommendations.
    - The final finding is communicated to the public via the Findings Report and to each complainant and Subject Officer via a Final Notice.
    - If the final finding is Sustained, the Subject officer has 15 days to appeal the finding to the Civil Service Commission.
- CLERB is advisory
- For complaint cases, CLERB cannot open an investigation without a complaint signed under penalty of perjury.
  - A complainant does not have to have been present during the alleged activities, e.g. third party based upon media accounts or other knowledge.

- Overview of SDSD Suicide Prevention Focused Response Team presented by SDSD Sergeant Joel Stranger
  - This committee was formed as part of our response to the DRC Report.
  - While researching this for CLERB, Sergeant Stranger learned that the Sheriff's Department had already created a polity. We have DSB Policy M-4.
  - Sergeant Stranger pointed out a few items not found in the Policy and Procedure.
    - The Policy and Procedure designated who would be on the committee and they have added a few more positions since the writing of the Policy and Procedure. They added three DSB Captains from three different facilities. They also added the lead Mental Health Clinician from each of the facilities as well.
    - The chairperson was changed from solely the Chief Mental Health Clinician to a co-chair position with one of the DSB Captains, Captain Frierson, of the Vista Detention Facility.
    - Standing meeting topics include psychological autopsy death review, when applicable; review of suicide attempt trends; monthly statistics on safety cell placements; and monthly statistics mental health referrals from inmate medical training.
    - They have been assigned to review the County Suicide Prevention Plan and will soon be working on one specific to the Detention Services Bureau.



M4 Suicide

Prevention and Focus

- Gary Brown: Has anyone thought about reaching out to the families of the inmates, friends, significant others, as well as, involving inmates? If you see somebody who looks like they are depressed, say something. I am just wondering if you all have considered that.
- Sergeant Stranger: I am not a member of the committee, so at this point, I cannot answer that, but I will get you an answer. I will suggest that, that is a great suggestion. If they already have it, I will report back to you. I will let you know for sure, good idea.
- Kim-Thoa Hoang: Thank you for your presentation. I would like to ask if as a result of each of these meetings, is there any writings such as minutes, summaries, recommendations issued by the team?
- Sergeant Stranger: I don't know specifically that there is. It is covered in the policy. I am sure there is because we usually do that. I can find out and find out if we would be able to provide some of them to you.
- Mr. Brown: I have one other idea, when inmates make phone calls out, you all can listen to that can't you? Unless they are attorney client privileged.
- Sergeant Stranger: Correct, in certain cases we can't, but we do have the ability to, yes.
- Mr. Brown: I am wondering if a computer could pick up or, if a program could be designed to pick up, phrases indicating depression, indicating suicidal thinking, and so on; and then warn you that a person has made calls like this.
- Sergeant Stranger: That is a great idea and I will suggest it to the committee.

**Executive Officer's Report**

- Overview of Activities of CLERB Executive Officer and Staff for May and June 2018
  - Lenore Aldridge and Aron Hershkowitz are still progressing nicely in training and handled all Intakes in May. They are now ready to investigate higher priority cases involving death, excessive force, and/or injuries.
  - The San Diego Grand Jury issued a report about CLERB (to be discussed under Agenda Item #7.a).
  - Paul Parker presented an Overview of CLERB at the San Diego Sheriff's Department (SDSD) 48<sup>th</sup> Detentions and Court Services Academy.
  - Mr. Parker presented an Overview of CLERB at the SDSD New Supervisor's School.
  - Due to a recent change in San Diego Medical Examiner Office (SDMEO) practices, SDMEO reports currently received by CLERB are redacted. The SDMEO Investigative Report is no longer provided and the examination reports are redacted. CLERB has subpoena authority and has subpoenaed records in all open CLERB death cases with hopes that reports received via subpoena response will

be complete. Mr. Parker believes that this change will not necessarily result in delayed completion of CLERB's death investigations but it will significantly reduce CLERB's ability to obtain an independent accounting of the antemortem events, additional medical history, to include suicide history or attempts, and next-of-kin or witness information. Mr. Parker met with SDMEO personnel and a resolution is in process. Mr. Parker will update the CLERB when the resolution is implemented.

- The National Association of Civilian Oversight of Law Enforcement (NACOLE) Annual Conference will be held in St. Petersburg, Florida from September 30 thru October 4, 2018. A newly announced Force Science Institute 40-hour course will be held in Sacramento from October 15 thru 19, 2018. We had already paid tuition for three people to attend a Force Science Institute course (not including airfare, lodging, and attendees)
- Investigative Workload Report for May 2018
  - There were 11 new cases (as compared to eight for May 2017).
  - At the end of May there were 105 active cases (eight in "lodged" status and 97 open and active).
    - There were 37 open death cases (three cases are on tonight's agenda). CLERB had documents for 20 cases and was awaiting documents on the remaining 17).
    - As of June 26, there will be 37 open death cases, with CLERB having documents for 18 and awaiting documents on the remaining 19.
  - There were two new death cases in May (one possible in-custody homicide and one possible in-custody suicide).
- Case Progress and Status Reports
  - Mr. Parker discussed the two reports: "CLERB Reports by Due Date" and "CLERB Reports Due by Case Number."
    - There are 34 cases scheduled to reach their one-year time limitation by December 31, 2018; 19 of those cases are on tonight's agenda. If CLERB accepts staff's recommendations on those cases, 15 cases due in calendar year 2018 will remain. Three of those cases are death cases.
- SDDS Policy Recommendation Responses
  - 16-019/Perez
    - At its January 2018 meeting, CLERB recommended a mandate to request a Psychiatric Emergency Response Team (PERT) whenever there is a belief that a person is a danger to himself, a danger to others, or gravely incapacitated.
      - The SDDS considered the recommendation and believed that the recommendation was not appropriate as there are situations that would be unsafe in which to bring a civilian, e.g., PERT clinician. The recommended was not implemented.
    - At its January 2018 meeting, CLERB recommended a mandate to request a PERT-trained deputy when a PERT is unavailable whenever there is a belief that a person is a danger to himself, a danger to others, or gravely incapacitated.
      - The SDDS considered the recommendation and believed that the existing mandatory PERT training for all patrol deputies, on-going in-service training, and collaboration with PERT makes the recommendation unnecessary. The recommended was not implemented.
    - At its January 2018 meeting, CLERB recommended a mandate to consider Crisis Negotiation Team (CNT) assistance whenever an individual threatens physical harm to himself or others and to document said consideration and final decision in the Crime/Incident Report or Computer Aided Dispatch entry, if nor report is created.
      - The SDDS considered the recommendation and stated that deputies do consider, and often call, CNT in these situations. There are many situations where the person is cooperative and the call is resolved by responding deputies and/or a responding PERT. For those reasons, SDDS believed that the recommendation to mandate a permissive action was not necessary and it was not implemented.
  - 16-099/Stegall (revised)
    - At its December 2017 meeting, CLERB recommended that SDDS amend the "Pregnant Patient's Rights" as documented in SDDS Medical Records, to

conform with verbiage in Penal Code Section 3407.

- The SDSA response to the recommendation at the April 2018 CLERB meeting was inaccurate and SDSA subsequently revised its response to reflect that the practice and policy has been to not chain and handcuff pregnant inmates, except under extraordinary circumstances as permitted by statute. In addition, SDSA changed the language in the “Pregnant Patient’s Rights” document to conform with practice and current law. The recommendation was implemented.
- Protest/Demonstration Events
  - At its January 2018 meeting, CLERB recommended that SDSA create policy and procedures that pertain to the issuance of “Temporary Area Restrictions” as defined in Chapter 15, Division 2 of the San Diego County Code of Regulatory Ordinances.
    - The SDSA responded to the recommendation as follows: The “recommendation was thoroughly reviewed. Previously, the Sheriff’s Emergency Operations Manual did not list Temporary Area Restrictions or “TARs.” The use of TARs was incorporated recently into operations and the manual has been updated in section 9.6.4.D adding the reference to the County of San Diego TAR as a section for enforcement.”
  - At its January 2018 meeting, CLERB recommended that SDSA create policy and procedures that provide guidance for the physical separation of opposing groups at protest/demonstration events without violating the First Amendment rights of attendees.
    - The SDSA responded to the recommendation as follows: “The separation of opposing groups at events, this is an area of concern with any event that involves free speech and the protection of the rights of individuals and groups to gather and speak in a public forum. Each event deserves a full briefing to the involved staff to support the operational plan developed to preserve the peace while protecting the rights of the individuals gathered. The Department’s committed that guidance is given during each individual event on the appropriateness of separating opposing groups.”
  - At its January 2018 meeting, CLERB recommended that SDSA create policy and procedures that provide expectations and guidance about the timeliness of response to and extent of law enforcement action taken during physical altercations occurring at protest/demonstration events.
    - “The...recommendation relating to the timeliness of a response to and extent of law enforcement response to physical altercations occurring during protest/demonstration events is discussed in Mobile Field Force (MFF) training. Recently, the Department has reviewed its responsiveness of staff to protests and demonstration events, and as a result, additional MFF directions have been developed. While this is an area of focus for each protest/demonstration, as discussed above each event should be recognized as unique and planned for accordingly.”
- Mr. Brown: Regarding case 16-019, what is the logic behind “mandating a permissive action”? It sounds like it is not a good idea and I just don’t understand that. Making the changes recommended by the Board would mandate a permissive action.
- Mr. Parker: Again, I am not part of the Sheriff’s Department, but having intimate knowledge of why we made this response; those from the Sheriff’s Department who are in the room, please correct me if I am wrong...at this point, the requesting of the Crisis Negotiation Team assistance is “may”. They may request. It is not written in their policy as shall or will or must. I believe it is because many of the people in these situations are not threatening and a danger to themselves or others and that the situation can be resolved by the deputy on scene or a PERT Team. To mandate something that is currently permissive, that the deputies already consider would be troublesome and not practical. Again, I am the Executive Officer, if I am wrong, the Sheriff’s Department let me know.
- Sergeant Stranger: I did not write the response, but that is the line of thinking. You explained it fairly well. Law enforcement is such a fluid situation, not every situation is the same. Any language that says shall or must is actually dangerous because that limits us on how to respond and not be flexible to adjust to the situation.

- Mr. Gascon: Given the current situation, the current environment we're in, we're seeing more psychiatric options for PERT response. Why is it that we only mandate eight hours of training for our deputies and not 24, which is an optional class? Why not mandate the 24-hour class?
- Ms. Arkin: Joel I am going to ask you to respond to that please.
- Sergeant Stranger: That is something that I could definitely look into and get back to you because I do not know the answer. I am sure that cost is a factor. The 24-hour class is mandated for deputies that are going to be working with the PERT member and for deputies who are not, they are at least required to complete 8-hours so they at least get some of the training.
- Ms. Arkin: But you will bring the answer back, okay.
- Ms. Hoang: My question is regarding the protest demonstration response. I appreciate the fact that the Sheriff is instituting a procedure and policies and have a plan to foresee what actions should be taken before the event. Are there any debriefings after each event so that whatever happened could be analyzed and there could be some conclusions; some lessons learned so that future events could be better held/handled?
- Sergeant Stranger: Absolutely, every single event is debriefed; there is an after action report written. In the specific cases that were investigated, Mr. Parker was provided with the after action reports for those cases.
- Mr. Brown: On the protest demonstrations this weekend there is supposed to be a rally or demonstration at the fountain again there will also be one I think in Encinitas, Swami Beach. Given that the TARs only affect unincorporated areas, what happens?
- Sergeant Stranger: The TARs were written in County Code. So if they are contract cities, it would be up to whatever laws those cities have in place that we could enforce. Those specific TARs would not be applicable in those areas.
- Mr. Brown: Let's use an example. One of the recommendations is about timeliness of response to an extent of law enforcement action during physical altercations. Whether or not TARs existed, I am assuming you all try to get in and stop people from beating each other up.
- Sergeant Stranger: The TAR has nothing to do with that response. There are two different recommendations. There are two completely different topics.
- Mr. Brown: I believe Encinitas is a contract city, so in planning have you all reviewed their laws and what could be done at the demonstration up there.
- Sergeant Stranger: Absolutely, that goes into every planning and planned by people who work those areas so they would be familiar with those laws.
- Mr. Brown: What is your reaction to the comment that somebody read us from Sheriff Gore saying that you were a bit slow in responding?
- Sergeant Stranger: I was not a part of that conversation, so I am unable to respond to that.
- Mr. Brown: Will you be encouraging contract cities, as well as San Diego to adopt their own ordinances similar to TAR.
- Sergeant Stranger: That's a good question. I could look into that and I will have to get back to you on that one. I am sure we do.
- Ms. Arkin: Thank you Gary and thank you Sergeant Stranger. You are going to be on the agenda next time, too.

#### **Board Chair's Report**

- Due to the length of today's meeting agenda, the draft Board Policy and Procedure Manual will be in the July Board Member packet and will be discussed at the July Board meeting.
- During the May Board meeting, Mr. Parker told you about the NACOLE conference which will be held September 30, 2018-October 4, 2018, in St. Petersburg, Florida. If you are interested in attending, please let Mr. Parker know this week.
- County Counsel has reviewed the draft Rules and Regulations. In July, Mr. Parker will incorporate suggestions made by County Counsel. After that, the Rules and Regulations Subcommittee will meet to review the recommended changes.

#### **New Business**

- San Diego County Grand Jury Report: San Diego County Citizens' Law Enforcement Review Board (CLERB), dated May 31, 2018
- In November 2017, the San Diego County Grand Jury (Grand Jury) initiated an

- investigation into CLERB after it summarily dismissed 22 death cases.
- On May 31, 2018, the Grand Jury issued its report, which contained seven findings and eight recommendations.
  - Responses to the seven findings and eight recommendations are due August 29, 2018.
    - For each finding the responding person or entity must indicate one of the following:
      - Agree
      - Disagree wholly or partially
        - If disagree, specify the portion of the finding that is disputed and include an explanation of the reasons.
    - For each recommendation the responding person or entity must report one of the following actions:
      - Recommendation has been implemented, with a summary regarding the implemented action.
      - Recommendation has not been implemented, but will be implemented in the future.
      - Recommendation requires further analysis.
      - Recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation.
  - The seven findings were as follows:
    - It is CLERB's mission and responsibility to investigate, review, and recommend policy changes to the Sheriff's or Probation Departments respectively.
    - The position of Executive Officer remained vacant at times, impeding the ability of remaining staff to handle investigative workloads.
    - Board and Investigative Unit shortages contributed to death cases not being investigated within POBOR time limitations, a responsibility CLERB did not meet resulting in 22 death cases being dismissed.
    - Lack of Board oversight of the Investigative Unit contributed to death cases remaining uninvestigated well beyond POBOR time limitations.
    - There exists a potential for bias toward the selection of Board membership when the Executive officer is involved in the selection process.
    - Removing CLERB from the Public Safety Group will provide additional independence from those departments that CLERB reviews.
    - County Counsel may have a conflict of interest when CLERB investigates issues that may raise liability to the County.
  - The eight recommendations were as follows:
    - San Diego County Board of Supervisors
      - Funding another Special Investigator position thus allowing the Executive Officer more time to supervise the Special Investigators and conduct more community outreach.
        - Mr. Parker noted that the recommended position was in addition to the one recently added.
    - CLERB Board Members
      - Removing the CLERB Executive officer from any involvement with consideration of applicants so as to avoid any question of bias in the selection of board members.
      - Updating regulations for the section of Board Members in the CLERB Rules and Regulations manual.
      - Directing the Executive Officer to develop and monitor a checklist, including time limitations with possible exceptions, to track all case investigations.
      - Ensuring that the CLERB Board evaluate the performance of the Executive Officer annually as required in the CLERB Rules and Regulations.
    - CLERB Executive Officer
      - Filling open positions in the Investigative Unit as soon as they become vacant.
      - Develop a Training Manual for the Investigative Unit.
    - San Diego County Chief Administrative Officer
      - Moving CLERB from the Public Safety Group to another Group in the County to separate oversight from the same group that supervises the

Sheriff and Probation Departments to avoid the possibility of a conflict of interest.

- Mr. Gascon: I have a question in regards to finding number seven. Do we have a line item budget for outside counsel?
- Mr. Parker: Yes.
- Mr. Gascon: Is it open ended or are we really constricted by a budget?
- Mr. Parker: We can request additional funding as we see fit.
- Mr. Brown: If we ended the discussion right now, who comes up with the responses?
- Ms. Arkin: Well, Mr. Parker has some, the Board of Supervisors has one, the Chief Administrative Officer has one and the Board has four. And if you would like, I can respond in consultation with Mr. Parker to the CLERB Board.
- Mr. Brown: Given the timeframe could we just go over a draft of that in our July or August meeting?
- County Counsel: You could. It would be an open session item.
- Mr. Brown: Paul or Sandi, do you have any initial thoughts about any of these?
- Ms. Arkin: Yes, I have thoughts; but it is something that needs to be taken seriously and written seriously by the August 28<sup>th</sup>, and we are going to do that.
- Mr. Brown: I am just wondering on 18-28, updating regulations for the section of Board Members or did they mean selection? Or we don't know.
- Ms. Arkin: I don't know. There was a section on Board Members in the Rules and Regulations.
- Mr. Parker: I believe that the intent was for the Board to update its Rules and Regulations. I know that is not what it says, but the content is that.
- Mr. Brown: The last one is for Helen, the Chief Administrative Officer, I can see lots of pros and cons on that. Similarly, having the CLERB Executive Officer involved in the consideration of applications. I'll give you an example...sometimes cities hire a City Manager, they have the sole discretion to do that. And yet some City Counsels ask their department heads to meet with the candidates to express a view on them. It brings onboard the staff that is going to have to work with the City Manager. Similarly, Mr. Parker does not have the final say, as I understand it, but just a contributing voice. And I am not even clear on that. I always thought that if a County Supervisor recommends somebody that it was pro-forma that they would get appointed. So I am not sure what influence Mr. Parker has on that.
- Mr. Parker: I do not want any influence.
- Mr. Brown: That makes it even easier.
- Mr. Gascon: My statement is in regards to 18-27 as well, when I applied to the Board, I applied to the Executive Officer, who passed that off to Public Safety. I don't believe the Executive Officer had anything to do with reading my resume. Maybe that was just my experience. My question would be if someone wants to get involved and join our Board, who do they apply to?
- Mr. Parker: The Clerk of the Board Office. That is where you go for every Board. The Clerk of the Board website has applications and that should be the place that these applications are housed.
- Delores Chavez-Harmes: Mr. Brown I think the reason for that is because it will prevent the Executive Director from hand-picking individuals that might be subject to their own personal philosophies and opinions on approaching things and I think that's a good reconciliation factor to have for us.
- Lourdes Silva: I would like to opportunity to either get a group together to discuss these individually or at the next meeting be ready to actually discuss them. Will we have that opportunity, because I have questions on several? And Certainly on item 18-33 removing CLERB from the Public Safety Group. Part of me thinks it is a good idea and then part of me doesn't understand all of it, so I would want to opportunity to discuss it and hear what everybody else has to say. Are we going to have an opportunity to hash them out, discuss them well, so we can hear about each other and possibly the Sheriff's Department, you know whoever is here to discuss them. So where are we going with this? I just want more opportunity. Or is this it?
- Ms. Arkin: No, this is not necessarily it. We have to figure out how we are going to do this so that it can be done by August 28<sup>th</sup>, and that it makes sense

to do that. One possibility would be for Mr. Parker and I to sit down and go over 18-27 through 18-30 and any of the findings that relate to the Board and come back to you with a draft. Another possibility would be to form a committee and another possibility would be to not bring anything back to the Board. I think the easiest and cleanest way would be to let Paul and I tackle this and then bring it back to the Board either in July or August.

- Ms. Silva: The third option is no. For me it would be either the committee or you and Mr. Parker. I am not acceptable with not bringing it back to the Board.
- Mrs. Chavez-Harmes: Perhaps we could consider meeting on an additional date to try to get through this and focus solely on this. That is just a suggestion. We don't need an answer right now, it is just another option.
- Jim Lasswell: I think that you and Paul should get together and meet. That would provide us a very good draft, but I would like to have that by the July meeting so that if we stir the pot significantly you have the flexibility of coming back in the August meeting before the deadline, if that's possible.
- Ms. Arkin: We will bring a draft to the July meeting and we will discuss it then. We will either approve it or we will come back with more suggestions.
- Mr. Wilson: I concur with Mr. Lasswell's suggestion.
- Mr. Brown Madam Chair would you be reviewing all of the findings and recommendations or just those for the Board?
- Ms. Arkin: I will probably do all of them.
- Ms. Hoang: Madame Chair I would just like to comment regarding item 18-27, I think the key word here is the word consideration. That the Executive Officer should not get involved concerning whether or not this person should be appointed. The consideration of the person as an applicant.
- Ms. Arkin: Okay, Mr. Parker and I will talk about all of that and bring it back in July.
- Mr. Gascon: Have we had a response from the County Board of Supervisor or from the Chief Administrative Officer?
- Mr. Parker: No, we have not. I believe there are going to get it done a little sooner. I am not privy to their responses.
- Ms. Arkin: Any other questions or comments about the Grand Jury Report. Okay, we will bring it back in July with a draft.
- 2017 CLERB Annual Report
  - Mr. Parker had forwarded a draft copy of the 2017 Annual Report to CLERB Board Members and asked for feedback prior to the meeting. Upon receiving no feedback, Mr. Parker asked that the draft version be approved so that it can be sent to the printers and distributed to the public.
    - Mr. Brown: Just a small thing, on page 8 it mentions that the Rules and Regulations Subcommittee was appointed and that the Rules and Regulations were updated for the first time since 2003 and then on page 9 you mention that you hope that it is all wrapped up. I would just hate to have somebody think that the job was all done.
    - Mr. Parker: I believe it is the Chair's Report that you are referring to there were two sections that were updated in 2017 3.7 and 3.9, and the remaining part of the Rules and Regulations is what we are dealing with now.
    - Mr. Brown: Okay.
    - Ms. Hoang: I would like to commend Mr. Parker for his thoroughness and his great diligence in coming up with this report. Thank you very much for the great work.
    - Ms. Arkin: Is there a motion to accept the 2017 Annual Report?
    - **Motion made** to accept the 2017 Annual Report by Mr. Wilson and seconded by Mr. Lasswell. **The motion carried unanimously.**
    - Ms. Arkin: Thank you Mr. Parker and the staff for collating all of the information and getting it out to us.
    - Mr. Brown: Can I just ask what is remote head trauma?
    - Mr. Parker: Its head trauma that didn't just happen like right now. It happened a while back.
- Appointment of Jail Inspection Subcommittee
  - I am appointing a jail inspection subcommittee to will come up with guidelines,

establish what the cost would entail, how many staff and what we would need to do.

- Ms. Youngflesh has agreed to chair this subcommittee, which will consist of Mr. Brown, Mr. Gascon, and Mr. Wilson. I will be there as an ex officio member since the Rules and Regulations have the Board Chair attending all of the committee meetings.
- Ms. Youngflesh will get back to the four of us and in July we will set a date and move forward from there.

**Unfinished Business**

- N/A

**Board Comments**

- N/A

**Sheriff/Probation  
Liaison Query**

- Mr. Brown: I think that the Sheriff through intelligence, through monitoring websites and so on does take the groups described by Ms. Gresko seriously. Could you describe any of your efforts on that?
- Sergeant Stranger: That is not something I could really go into detail on, but yes absolutely, it is definitely something that we look at.
- Mr. Wilson: Would you be able to, in closed session, brief the Board on extremist groups.
- County Counsel: That is not a permissible closed session topic. The Sheriff's Department is not allowed in our closed sessions.
- Mr. Gascon: Do you find it better or more effective to have deputies on the street patrolling or deputies on the computer researching these types of groups; when it comes to a general nature to these types of groups?
- Sergeant Stranger: I believe both are equally important. Several years ago the Sheriff's Department the Intelligence-Led Policing Philosophy and it weighs heavily on how important intelligence gathering really is, but you also need to be in the streets.
- Ms. Silva: Can we request that the Sheriff's Department provide a training during open session regarding the protesting so we can understand that better and how they handle that? I don't know how much of that they can share.
- Ms. Arkin: Is there anything that you could share in an open session meeting about the kind of tactical things you do in order to keep track of the groups?
- Sergeant Stranger: There might be some stuff we can present. I will get back to you on that.
- Mr. Wilson: Counsel can you explore the situation where the Sheriff's Department through their intelligence gets the tactical information that would be valuable to us and how we get that if they cannot present the material in closed session?
- County Counsel: Yes, I can think of a couple of options, but the Sheriff's Department and their legal counsel would have to be on board with sharing that information.

The Board entered closed session at 6:46 p.m.

**Closed Session**

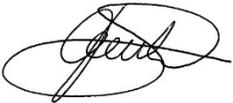
- a) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
**Discussion & Consideration of Complaints & Reports:** Pursuant to Government code Section 54957 to hear complaints or charges brought against Sheriff or Probation employees by a citizen (unless the employee requests a public session). Notice to government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

<b>CASE NO.</b>	<b>LAST NAME</b>	<b>CASE NAME</b>	<b>LAST NAME</b>
16-078	Lohman	17-014	Pettis
17-015	Pettis	17-020	Lindhardt
17-037	Watson	14-041	Helmy
17-051	Lacey	17-052	Steiner
17-056	Various	17-057	Moorehead
17-070	Maily	17-074	Shiring

17-091	Fink	17-107	Barnes
17-112	Gilchrist	17-118	Currie
17-122	Kidd	17-128	Negron
17-136	Brown	17-143	Best
17-147	Moore	17-151	Cinci
18-009	Chism	18-018	Moss
18-030	Bosco	18-045	Arges
18-051	South	18-072	Manning
18-073	Manning		

*Minutes prepared by Tamicha Husband, Administrative Secretary*

Staff were released at 7:54 pm; the meeting was adjourned at 8:05 p.m.



PAUL R. PARKER III  
Executive Officer



KIM-THOA HOANG  
Secretary to the Board

<b>DATE:</b>	MARCH 14, 2018
<b>NUMBER:</b>	M.4
<b>SUBJECT:</b>	SUICIDE PREVENTION AND FOCUSED RESPONSE TEAM
<b>RELATED SECTIONS:</b>	<a href="#">A.7</a> , <a href="#">J.1</a> , <a href="#">J.4</a> , <a href="#">J.5</a> , <a href="#">J.7</a> , <a href="#">M.7</a>

**PURPOSE**

To establish a process for the implementation of training, review of suicide prevention practices and suicide related incidents within Sheriff's detention facilities.

**POLICY**

The San Diego Sheriff's Department recognizes that suicide prevention is a collaborative effort of all employees regardless of professional discipline or job title. The Detention Services Bureau's goal is to combat inmate suicide through training and implementation of the Suicide Prevention and Focused Response (SPFR) team. Together the SPFR team and Medical Services Division (MSD) administrator shall implement a training curriculum pertaining to the mentally ill. Training will encompass identifying suicidal inmates as well as suicide intervention strategies. The SPFR team will also serve as auditors, by reviewing suicide prevention practices and suicide related incidents, to ensure compliance with policies, procedures and standards.

**PROCEDURE:**

**I. SPFR CHAIRPERSON AND TEAM**

- A. The Chief Mental Health clinician will serve as the chairperson of the SPFR team.
- B. The Detention Services Bureau (DSB) Policy and Procedure Committee members from the following: Division of Inspectional Services, Jail Population Management Unit, Detention In-Service Training Unit (DTU), Reentry Services Division, Detention Support Division, and MSD, will serve on the SPFR team.
- C. The Liberty Health Program Director or designee, as appointed by the SPFR chairperson, will also serve on the SPFR team.
- D. The SPFR team chairperson may request individuals from other bureaus or units (e.g., Detention Investigations Unit, Homicide, Sheriff's Legal Counsel, etc.) attend SPFR meetings.

**II. RESPONSIBILITIES**

- A. The SPFR team will meet on a monthly basis, or as needed, to discuss current information related to suicide prevention and or inmate suicides with the intent to collaboratively identify best practices for implementation via policies and procedures. As auditors, the SPFR team will accomplish the following:

1. Ensure compliance of all Department and Bureau policies and procedures related to suicide prevention and response.
  2. Review Inmate Safety Program (ISP) procedures to ensure they are being carried out consistently.
  3. Track and review all self-harm incidents, attempt suicides and suicides.
  4. Evaluate medical procedures performed (e.g., Cardiopulmonary Resuscitation [CPR], etc.) as well as cell entry and cut-down procedures to ensure Department and National Commission on Correctional Health Care (NCCHC) standards were met.
  5. Ensure all required documentation for suicide death reporting is reviewed within 30 days in adherence with NCCHC standards.
- B. In identifying the need for training, the SPFR team will revise and or implement training related to the mentally ill, suicide prevention and response topics. Training will be accomplished in collaboration with DTU.
- C. The review of incidents or recommendations, resulting from the Critical Incident Review Board, may prompt the need to review operational practices. In collaboration with the DSB Policy and Procedure Committee, the SPFR team will accomplish the following:
1. Revise policies and procedures related to suicide prevention and response to ensure compliance with national standards.
  2. Draft, revise, review, track and finalize policies and procedures, as assigned by the SPFR chairperson.