

**MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
October 8, 2019**

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 Robert Spriggs and Lourdes Silva.
- Public Comments**
- CLERB Case 18-081: Lori Saldaña, Susan Quinn, Shane Parmely, Amie Zamudio, Art Fusco, Anita Wucinic-Turner, Adrienne Durso, Tasha Williamson, and Darwin Fishman addressed the Board.
 - CLERB Case 17-149: Paul Rieker and Thomas Taufer addressed the Board.
 - CLERB Case 18-068: Ellen Sanford addressed the Board.
- Minutes Approval**
- Michael Flitterman made a motion to approve the September 2019 meeting minutes. The motion was seconded by Darrel Harrison. The minutes will be amended to include the reason Board Members abstained and the titles will be capitalized under "Unfinished Business". The vote was unanimous; the motion carried.
- Presentation/Training**
- The presentation was postponed until further notice.
- Executive Officer's Report**
- Overview of Activities of CLERB Executive Officer and Staff
 - Staff received twelve new cases during the month of September 2019, while nine were closed. There are currently ninety-five open investigations. There are five cases in which a signed complaint has not been received, leaving staff with ninety open and active investigations. There are currently thirty-four death investigations. Documentation has been received for twenty-nine of those cases, leaving five cases pending documentation.
 - New allegations against the Sheriff's Department include criminal conduct, racial discrimination, excessive force, illegal search and seizure, false arrest, false reporting, misconduct/discourtesy, misconduct/harassment, misconduct/medical and misconduct/procedure.
 - New allegations against the Probation Department include misconduct/procedure.
 - Executive Officer Julio Estrada attended a panel discussion at the Probation Department as part of the training for Emerging Supervisors.
 - Executive Officer Estrada, Darrel Harrison and Lourdes Silva attended a Jail Extraction Training at the South Bay Detention Facility on September 24, 2019.
 - Executive Officer Estrada, Special Investigator Lenore Aldridge, Special Investigator Ellen Bohan, Eileen Delaney, Darrel Harrison and Michael Flitterman attended a tour of the Las Colinas Detention and Re-entry Facility on September 30, 2019. Upcoming facility tours include the George Bailey Detention Facility and the San Diego Central Jail. Contact Executive Officer Estrada, if you are interested in participating. As a reminder, the Probation Department has offered ride-alongs. Contact Executive Officer Estrada if you are interested in participating.
 - The Public Safety Group Deputy Chief Administrative Officer, Ron Lane, is retiring at the end of 2019. Office of Emergency Services Director, Holly Porter, will become the new Deputy Chief Administrative Officer for the Public Safety Group.
- Board Chair's Report**
- The CLERB Staff have relocated to a new suite within the same building; stop by if you get a chance.
 - Susan Youngflesh thanked the CLERB staff and the CLERB Board liaisons for their work.
 - As a reminder, new Board Members must complete their required trainings within three months of appointment. Executive Officer Estrada will coordinate these trainings.
 - As a reminder regarding the trainings hosted by the Sheriff's and Probation Departments, these trainings are provided for their staff and there may not be flexibility in regard to scheduling.
- New Business**
- Review and approval of CLERB's Annual Report
 - Michael Flitterman made a motion to approve CLERB's Annual Report. The motion was seconded by Darrel Harrison. The vote was unanimous; the motion carried.
- Unfinished Business**
- Adoption of CLERB Rules and Regulations
 - County Counsel informed the Board that the CLERB Rules and Regulations will be presented to the Board of Supervisors in December 2019.
 - There was discussion regarding confidentiality and publishing names of decedents and/or other parties involved. This topic will be researched by County Counsel and discussed at a future Board meeting.
 - Jail Inspection Subcommittee Update

- The subcommittee met on September 27, 2019, to discuss revisions to the Jail Inspection Handbook. Attendees included Susan Youngflesh, Gary Brown, Gary Wilson, Eileen Delaney, Executive Officer Estrada, and Special Investigator Aldridge. Special Investigator Aldridge will complete one jail inspection by January 2020, caseload permitting. The next meeting is scheduled for Friday, October 25, 2019, at 12 pm.

Board Comments

- There was discussion regarding an increased budget and additional staffing.
- Michael Gray and Gary Wilson gave a special thanks to Special Investigator Aldridge for her very detailed report writing.
- Darrel Harrison discussed the Jail Extraction Training, as well as, the Los Colinas Detention Facility Tour, and encouraged Board Members to attend these trainings.
- Gary Brown recommended watching the film by Bill Moyers entitled *RIKERS: An American Jail*, as a training. <https://billmoyers.com/story/watch-rikers-an-american-jail/>
- There was a mention of how CLERB is addressing systemic issues; County Counsel reminded Board Members that discussion items must be on the agenda. Gary Brown requested to add the topic of systemic issues to an upcoming CLERB agenda.

**Sheriff/Probation
Liaison Query**

- Gary Brown asked about the Americans with Disabilities Act requirements for the jails. There was also discussion regarding assistive mobility devices for individuals with challenges. Lieutenant Scott Amos stated that there are modules where individuals can have assistive mobility devices. If the person has assistive equipment at the time of arrest, the equipment is brought with them.
- Gary Brown asked about the guidelines for turning off audio for Body Worn Cameras. Lieutenant Amos stated that there are various scenarios and he would need the policy in front of him, however, the audio would be turned off if the contact has ended or if the deputy is speaking with a PERT Clinician.
- Eileen Delaney asked if the Policy & Procedure allows deputies to take individuals to hospitals. There was also discussion regarding circumstances in which a deputy would take an individual to the hospital. Lieutenant Amos stated that depending on the deputy's evaluation of the individual, they could decide to take the person directly to the hospital.
- Tim Ware asked the difference between protective custody and Enhanced Observation Housing. Lieutenant Amos stated that Enhanced Observation Housing is for situations where the individual requires checks more frequently, while protective custody is more closely related to isolation.

The Board entered closed session at 6:59 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) Conference with Legal Counsel – Anticipated Litigation: Per Government Code 54956.9(d)(4), based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

CASE NO.	LAST NAME	CASE NAME	LAST NAME
17-058	Coronel	18-048	Sullivan
17-149	Taufer	18-068	Sanford
18-034	Leal	18-081	McNeil

The meeting was adjourned at 9:02 p.m.

Minutes prepared by Tamicha Husband, Administrative Secretary


JULIO ESTRADA
Executive Officer


ROBERT SPRIGGS, JR.
Secretary to the Board