

**MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
November 12, 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 Michael Gray and Tim Ware.
- Public Comments**
- There were no public comments.
- Minutes Approval**
- Michael Flitterman made a motion to approve the October 2019 meeting minutes. The motion was seconded by Darrel Harrison.
- Presentation/Training**
- County Counsel provided a training on the Brown Act and Robert's Rules of Order.
- Executive Officer's Report**
- Overview of Activities of CLERB Executive Officer and Staff
 - Special Investigator Lenore Aldridge presented to the Detention and Court Services Academy on October 4, 2019. These presentations are part of CLERB's Department Excellence Goals, – to provide quarterly training to law enforcement officers. The intent is to offer a better understanding of CLERB's functions and promote a culture of collaboration.
 - Special Investigator Aldridge attended two Continued Professional Training sessions hosted by the Sheriff's Department: De-escalation Communication Training and Mobile Tactics Training.
 - The County of San Diego hosted the first Budget Development Advocacy Day on October 21, 2019. The public was provided with an opportunity to ask questions pertaining to how the budgeted money is spent by the department.
 - The Sheriff's Department and Detentions Academy are sponsoring a Pro-Strait Chair Training on Monday, January 13, 2020, from 8a-4p. The training will be held at the San Diego Regional Public Safety Training Institute. The department can accommodate up to five board members and three staff members. Contact Executive Officer Estrada if you are interested.
 - The Departmental Liaisons have arranged the Meet and Greet meetings with their respective departments.
 - Sheriff's Department: Sheriff Gore – Monday, November 25, 2019, at 1:30 pm.
 - Probation Department: Chief Gonzales – Wednesday, November 27, 2019, at 1:00 pm.
 - Elections for the CLERB Board Officials will be held in January 2020.
 - The CLERB meetings scheduled in January, February, and March 2020 will be held at the County Operations Center, in the Hearing Room, located at 5520 Overland Avenue, San Diego, CA 92123.
 - Special Investigator Bohan gave a brief overview of the 2019 Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference. The theme was Courage, Collaboration and Community. The training tracks included Training for Oversight; Community Trust; Institutional Culture and Oversight; and Collaboration. More detailed information will be disseminated to the Board Members via email. Common themes identified included transparency; building relationships and trust; accountability; creditability; and the ability to be fair, impartial, and consistent. The next NACOLE Conference will be held in Tucson, Arizona, from August 30, 2020 to September 3, 2020.
 - Staff received nine new cases during the month of October 2019, while eight were closed. There are currently ninety-six open investigations. There are five cases in which a signed complaint has not been received, leaving staff with ninety-one open and active investigations. There are currently thirty-one death investigations. Documentation has been received for twenty-five of those cases, leaving six cases pending documentation.
 - New allegations against the Sheriff's Department include racial discrimination, excessive force, false reporting, misconduct/discourtesy, misconduct/harassment, misconduct/medical, and misconduct/procedure.
 - There were no new allegations against the Probation Department.
- Board Chair's Report**
- Thank you to the CLERB staff and to the CLERB Liaisons.
 - Upcoming changes include a real-time portal which will support CLERB's vision to be as transparent as the law allows CLERB to be.
 - Board Members that attended the Vista Detention Facility tour are asked to speak about this experience during Board Member Comments. Sergeant Aaron Meleen puts forth a lot of effort to arrange these tours and everyone is encouraged to attend when possible.
 - Ms. Youngflesh informed the Board of the Sheriff Department's response to the Policy Recommendation regarding CLERB Case McNeil. The Sheriff's Department has respectfully disagreed with the Board's findings.

New Business

- There was no new business to discuss.

Unfinished Business

- CLERB Rules and Regulations BOS adoption update
 - County Counsel has been working with the Public Safety Group (PSG) to docket a Board Letter with the Board of Supervisors on December 10, 2019.
- Jail Inspection Subcommittee Update
 - The last subcommittee meeting was held on October 25, 2019. The focus of that meeting was the Jail Inspection Handbook. The goal to complete the draft of the revised Jail Inspection Handbook is December 12, 2019. The goal to complete the first inspection in January 2020, may be delayed due to staff workload, but we are hopeful. Thank you to Special Investigator Aldridge for taking the lead.

Board Comments

- Eileen Delaney gave an overview of her experience touring the Vista Detention Facility. There was discussion about “Civil Commits”. The topic of “Civil Commits” will be presented at a future CLERB meeting. Executive Officer Estrada stated that attending the tours was helpful in understanding the information provided within the investigative reports.
- Lourdes Silva requested a Body Worn Camera demonstration.
- Mr. Harrison gave an overview of his experience touring the Vista Detention Facility. There was discussion about the Veterans Program.
- Mr. Flitterman asked if there had been any movement on his request to investigate CLERB’s publication of the names of the decedents. Susan Youngflesh stated that the action item would be addressed at a later date.
- Mr. Flitterman asked if there is a way to better track the workload hours required in order to complete each case, as this would assist with the Board’s requests for additional funding. Ms. Youngflesh clarified that Mr. Flitterman was making a motion to add this item to an upcoming CLERB agenda.

Sheriff/Probation Liaison Query

- Ms. Silva asked how long it takes for an officer to activate their Body Worn Camera. Sergeant Meleen stated that deputies wearing the Body Worn Cameras tap them and they are activated immediately. Sergeant Meleen also stated that the Body Worn Cameras run on a continuous loop without audio.
- Ms. Silva also asked if there are instances where the audio would be turned off. Sergeant Meleen stated that there are circumstances in which deputies would need to mute the Body Worn Cameras. Sergeant Meleen offered to arrange a presentation from the Body Worn Camera Unit.
- Ms. Silva asked how the Sheriff’s Department deals with officers that do not turn on their Body Worn Cameras. Lieutenant Scott Amos stated that it would depend on the circumstances. Ms. Silva requested the Policy for Body Worn Cameras. There was discussion regarding types of discipline for not engaging the Body Worn Cameras and the circumstances in which not engaging the Body Worn Camera on would be acceptable. Lieutenant Amos stated that the Policies and Procedures are available online and may be viewed by anyone. Sergeant Meleen added that CLERB staff have a copy of the Sheriff Department Policies and Procedures.
- Ms. Delaney asked if a person did not agree with the 4th Amendment Waiver, would they be denied probation. Senior Probation Officer Ross Lewin stated that it would be possible, however, the decision would be up to the judge.
- Ms. Delaney asked if there are safeguards for other residents during a 4th Amendment Waiver Search. Senior Probation Officer Lewin stated that every location accessible to the probationer is subject to a search, however, this should not be confused with a protective sweep.
- Ms. Delaney asked the definition of the term NetRMS. Sergeant Meleen stated that it was an acronym for a records management system. (NetRMS = Reginal Law Enforcement Records Management System)
- Ms. Delaney asked why issuing an “ultimatum” to a probationer would be considered inappropriate. Supervising Probation Officer Lewin stated that circumstances such as the tone and the content or juvenile versus adult would be considered.
- Ms. Delaney asked to clarify at what point the Sheriff’s Department takes custody of individuals that are transported by an outside agency. She stated that she believed it was when the band was attached. Sergeant Meleen confirmed that information to be correct.
- Gary Brown asked if a system could be developed to track which policy recommendations the Sheriff’s Department accepted and which ones were declined. Sergeant Meleen stated that CLERB staff are notified each time a policy is updated. Executive Officer Estrada stated that policy recommendations, as well as, the responses are tracked by CLERB staff.
- Mr. Flitterman asked if the policy recommendation responses are provided to the Board. Ms. Youngflesh stated that CLERB staff provide the responses to the Board when they are received. There was further discussion regarding policy recommendations and the responses received. Mr. Brown stated that information regarding policy recommendations is provided in CLERB’s Annual Report. Executive Officer Estrada informed the Board that policy recommendation responses could be located on CLERB’s website.

- Mr. Brown asked if there were any insights as to why the notification of deaths from the Sheriff's Department seems to lack transparency. Lieutenant Amos stated that this issue had been addressed with CLERB's Executive Officer and may be discussed in closed session.
- Mr. Brown asked if it would be possible to receive an update at a future meeting regarding the recommendations from the Disability Rights California Report and what had been implemented. Lieutenant Amos stated that the department is currently working to become accredited with the National Commission on Correctional Healthcare.

The Board entered closed session at 7:00 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.

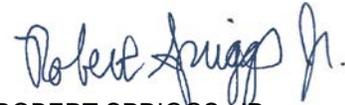
CASE NO.	LAST NAME	CASE NAME	LAST NAME
18-097	Gomez	18-150	Morris
18-138	Dubois	18-151	Turner
18-143	Franco	18-152	Solomon
18-144	Bland	19-011	Rosete
18-149	Chiappara		

The meeting was adjourned at 8:13 p.m.

Minutes prepared by Tamicha Husband, Administrative Secretary



JULIO ESTRADA
Executive Officer



ROBERT SPRIGGS, JR.
Secretary to the Board