

**MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
February 9, 2021**

Attachment A

Roll Call

- The meeting was held via the BlueJeans Platform and came to order a 5:33 p.m. All Board members were present.

Public Comments

- There were seven public comments.
 - Yusef Miller with the North County Equity and Justice Coalition, and the Racial Justice Coalition of San Diego. Here in support of a state-led independent investigation of in-custody deaths. He would like to get around the back and forth of data, whether we use what formula or what population and get an independent solid description of what's going on so we can address it properly. In 2019, the District Attorney put out a new blueprint for mental health reform, as it relates to law enforcement and we can see that that also translates to what's going on in our jails. The process, in his opinion, between medical health and enforcement is broken and that process needs to be truly investigated and sorted out so we can save lives. The CJC and RJC have a campaign called the Saving Lives in Custody Campaign, and they are going to be interested in reaching out to our State officials, our local officials to make sure that they have an unbiased direct investigation as to what's going on. They are very serious about getting to the bottom of what's going on in our jails. They have a lot of loved ones who expect their support them and see what's going on here.
 - Lori Saldana wanted to let the Board know that the COVID infection rates in the jail are quite high. While she realizes that's not something that has to do necessarily with a lot of our reports, it's almost 10 percent according to the report that came out today on the County website where they've done testing on over 12,000 inmates and they've found nearly 1,200 of those tested positive for COVID, and what that means is that we have a really sick population of people in our county jails, and that probably means we also have a lot of Deputies and other support Staff working in the jails at high risk. She wanted to let folks know because we are seeing people dying in custody from a variety of reasons and adding COVID to that is likely to increase the risk and potentially the death rates once again. She knows there is an agenda item regarding a subcommittee to look at these deaths in custody, so she wanted to make CLERB aware that there is another factor which is this higher-than-average COVID infection rate. She thinks it would be under CLERB's jurisdiction to review if deputies are taking all steps to protect themselves and protect inmates from transmitting COVID and knowing it is higher than the average population outside of our jails. Wish success along with others.
 - Pat Warner member of SURJ, mentioned that she has become increasingly concerned about the racial disparities in the ways that law enforcement interacts with the people they serve. In particular, she's been deeply disturbed about that assault on the Capitol on January 6. The images of the building being invaded, and the idea of members of Congress fleeing in fear are embedded in her mind and were also brought to mind today in the impeachment news. At least three of the people indicted so far in this event are police officers and there's been substantial discussion of how much advanced planning and coordination were actually a part of the siege. In regard to the San Diego County Sheriff's Department, she would like to know if there are limits on its members as to what organizations they can belong to. Many of the participants in the attack on January 6 where members of the Oath Keepers, the Proud Boys and The Three Percenters. Would membership in these organizations which have the goal of disrupting the rule of law be forbidden for members of the sheriff's department? If not, she would feel that law enforcement would be compromised in its commitment to maintaining law and order. She understood that this is not the forum for a direct response to these questions at this time, but she hopes CLERB will take her concerns under advisement. And she also echoed Ms. Saldana's best wishes in the challenges ahead.
 - Darwin Fishman, Racial Justice Coalition, and Equity in Justice Coalition. He has also served with CRB. Read with great interest the Agenda for tonight, but his comments changed based on what he saw. Concerned because he's looking at some of the same patterns, same stuff, cases and he thought that the work and the direction CLERB was headed in a few years ago would help nip this in the bud. Some of the same issues faced in the city of San Diego in terms of the caseload, which is the same type of cultural patterns, and clearly here with the Sheriff's Department types of cases and then complaints based on things like excessive force and abuse, that are really critical to change and help get in the right direction and it helps to foster better community relationships, it helps obviously to decrease the amount of complaints so, with that he would encourage CLERB to continue with that work, knowing how difficult that is and the limited part that Civilian oversight has in but he don't see sustained charges. Which is really a huge factor, and especially in terms of the narrative CLERB determined for what took place in the sense that it was 100% or 99% of the time accepting law enforcement's version of what took place suggests that there are some serious problems. It also then leads to what Mr. Miller and Ms. Saldana had talked about earlier which is for more serious cases, with in-

custody deaths, there's a huge believability problem CLERB has with the community. It's hard to trust any of the civilian oversight as well as the District Attorney when you have such a high percentage of your cases going in favor of law enforcement. I don't know what it would take for something like an in-custody death where you would ever go against in that sense law enforcement or ever think that there's any malice or mistake made. It's extraordinary to read these stories day after day and to read in the UT and to hear from Kelly Davis and what others are reporting. It's just really sad. I've never lived in a community like this in my entire and I've lived all over the country. Really wants to help play a positive role, and that's definitely the community work we're going to do so the civilian oversight is taken more seriously and help hopefully get the Sheriff's department in the right direction and that you'll stop having all these horrific cases, these high number of in-custody deaths and these kind of excessive force cases.

- Andrea St. Julian called in after reading CLERB's findings regarding Elisa Serna. When she looked at that, she was absolutely shocked. There were two human beings who she saw another human being have a seizure, hit her head and slide to the ground, and their response was to leave her there to die and lock her in a jail cell. And the response of the over-seeing body was, "Well, we don't see any rules were broken.". A 10-year-old has a higher moral compass than that. I think the excuse was, "well, the nurse was ok with leaving her and since the nurse is the medical person then the officer can just rely on that and we're fine." So basically we're saying that, "well, you know, the officer, we can't tag them with anything because they were just following what they were allowed to do." That kind of statement is within a breath of saying "*I was just following orders.*" I think history has taught us that that kind of response is reprehensible. Before going any further, she is the Chair of San Diego for Justice, she wrote the Charter Amendment that became Measure B and so obviously over the last few years her energy has been devoted to the City of San Diego oversight. She was hoping that CLERB was ahead of the City of San Diego, but when she sees things like this, she see that they're not. To have a system that would allow this kind of an outcome is completely inappropriate, and something has to be done about that. And she's not sure what should be done about it. Certainly, CLERB should be able to investigate medical malfeasance even though she thinks that even with that there's still a problem. To go out of the way to find something not to hold this officer accountable is deeply disturbing. There are other things that require officers to have common sense, human decency. Is that not what an officer is required to have?
- Lisa Vincent, Showing up for Racial Justice, North County, expressed concern regarding the Serna case. It's her understanding that the CLERB issued a Not Sustained response pertaining to this case and while she recognizes that the CLERB does not have the medical expertise to evaluate medical treatment, she does believe we're more than capable for reviewing the Standard Operating Procedures and determinate whether those protocols got followed in this case. Having worked in the Emergency medical field for over 10 years she can assure us that based on the information presented, the other medical protocols do not appear to have been followed. A seizure is an ALS, adult life support emergency, lack of consciousness is an ALS emergency, and drug and alcohol detox is also an ALS emergency. Any one of those items alone should have triggered a process of activating an emergency medical response and the fact that this woman was left unattended for any period of time displays undeniable medical negligence. As an EMT on an ambulance I have responded to dozens of emergency medical calls in jails and prisons. And I understand that many times suspects and inmates will try to fake medical problems while in custody, but this cannot and should not ever prevent medical staff from having patients medically evaluated. The default should always be to err on the side of caution. Is this not already the standard of medical care in San Diego County medical facilities. Those protocols need to be re-evaluated and updated. Also it is noted that the deputy involved in this incident was not trained or qualified for emergency medical care. I would ask then why was this deputy assigned to this unit if they were not qualified for this position and what training is required to work in a medical unit? Inmates safety falls under the guardianship of that Department.
- Tom Packard spoke at last month's meeting as a representative of Showing Up for Racial Justice-North County. He asked the following questions at that meeting: How many deaths in the jails are acceptable to your Board: Is being "about in the middle" good enough? What is the Sheriff's standard, and how are you working with him to help him to meet or improve his standard? He would appreciate CLERB providing answers to these questions and the following questions in its regular minutes: Re: the Elisa Serna report: Given a "Not Sustained" finding regarding sheriff staff responsibility, do members of your Board think anyone on Sheriff staff did anything wrong on this case, or do you believe Sheriff staff did everything right? If Sheriff staff did nothing wrong, did the inmate and/or nursing staff do anything wrong? Something obviously went very wrong. He understood the differences in roles between the Sheriff staff and medical staff but I really would hope you'd address the role of the Sheriff staff on this.

**Minutes
Approval**

- G.I. Wilson made a motion to approve the January 2021 meeting minutes. The motion was seconded by Edward Collins. The vote was unanimous; the motion carried. Ms. Silva and Mr. Alberga abstained due their absence from last month's meeting.

Presentation/Training

- There was no presentation or training.

**Executive Officer's
Report**

1. Overview of Activities of CLERB Executive Officer (EO) and Staff
 - a. On January 25, 2021, Mr. Parker was interviewed by KPBS for a story about protest-related concerns.
 - b. On January 27, 2021, Mr. Parker presented an overview of CLERB to the San Diego Sheriff's Department's (SDSD) 56th Detention and Court Services Academy
 - c. Staffing Update:
 - i. The Supervising Special Investigator position and two Special Investigator positions posted on December 17, 2020.
 1. On January 14, 2021, interviews for the Supervising Special Investigator were conducted. The panel's selected candidate will be presented during tonight's closed session.
 2. The Special Investigator closed on December 31, 2020 and 74 applications were received.
 - a. Interviews will be scheduled after a Supervising Special Investigator candidate is approved by the CLERB.
 - d. On January 28, 2021, Mr. Parker met with County Communications and discussed long-term outreach efforts, e.g., creating a social media presence, updating CLERB's website, etc., and topics for future County News Center CLERB-related articles.
 - e. On February 2, 2021, Mr. Parker provided a CLERB Update to Supervisory District 4 staff.
 - f. On February 4, 2021, Mr. Parker was interviewed about CLERB's lack of jurisdiction over SDSD medical staff and contracted personnel.
 - g. Mr. Parker is scheduled to provide a CLERB Update at the Chief Administrative Officer's Leadership Team Meeting on February 11, 2021. This meeting is attended by executive and senior management personnel from every County department.
 - h. Mr. Parker is scheduled to meet with Deputy Sheriffs' Association President David Leonhardi on February 18, 2021.
 - i. Chair Youngflesh, Vice-Chair Delaney, and Mr. Parker are scheduled to meet with Board of Supervisors (BOS) Chair Nathan Fletcher on February 22, 2021.
 - j. The draft CLERB 2021 Annual Report has been completed and its discussion and approval are on tonight's agenda.
 - i. If approved, Mr. Parker will present the Annual Report to the BOS on March 2, 2021.
 - k. After discussions during the November 2020 CLERB Meeting, Mr. Parker created a "Body Worn Camera (BWC) and Jail Surveillance Requested and Received Tracking Log." Starting with cases received in calendar year 2020, thus far:
 - i. BWC has been requested in 22 cases and received in 18 cases.
 1. In two cases, CLERB had no jurisdiction.
 2. In two other cases, release of BWC was not possible due to confidentiality laws.
 3. There were no reports of a failure to activate or failure to retain BWC.
 - ii. Jail surveillance video was requested in 17 cases and received in 14 cases.
 1. In two cases, the video requested was from the George Bailey Detention Facility (GBDF). There is an issue with the video surveillance capabilities at GBDF. GBDF is slated for renovation upon completion of the Rock Mountain Detention Facility and the surveillance capabilities will be addressed at that time.
 2. In one case, the area of alleged misconduct was not covered by surveillance cameras.
 - iii. CLERB staff will maintain this log moving forward and Mr. Parker will report out on this topic every month.
 - iv. As of this moment, as it pertains to CLERB's cases, there is no apparent systemic issue or trend pertaining to failure to activate or retain BWC.
2. Investigative Workload and Classification Report for January 2021
 - a. There were eight new cases (as compared to 11 for January 2020).
 - b. At the end of January there were 73 active cases (two in "lodged" status and 71 open and active).
 - i. There were 20 open death cases.
 1. CLERB had documents for 11 cases and was awaiting documents on the remaining nine.
 2. There were two new death cases in January.

- c. On January 31, 2021, the first discharge of firearm without a complaint situation occurred since CLERB's authority expanded. This case was opened on February 1, 2021.
3. Case Progress and Status Reports
 - a. Mr. Parker discussed the two reports: "CLERB Reports by Due Date" and "CLERB Reports Due by Case Number."
 - i. There are 13 cases scheduled to reach their one-year time limitation by February 28, 2021; to include the 60-day Peace Officers Bill of Rights timeline extension mandated by Governor Newsom in March 2020. Six of those cases are on tonight's agenda.
4. Executive Officer Correspondence to Full CLERB
 - a. Two media articles specifically addressing or mentioning the formation of a CLERB subcommittee to review death data were forwarded to the CLERB.
 - b. Two media article compilations were also sent to the CLERB.
5. Pending Responses for Policy Recommendations
 - a. 17-020 / Lindhardt – SDS
 - b. 17-150 / Horsey – SDS
 - c. 18-080 / Ghio – SDS
 - d. 18-150 / Morris – SDS
 - e. 19-018 / Thornton – Probation
 - f. 19-021 / Pitoau – SDS
 - g. 19-076 / Burgess – SDS
 - h. 19-091 / Brooks - SDS

Board Chair's Report

- Board Chair Susan Youngflesh thanked the liaisons from Sheriff's Department and Probation for being present.
- Chair Youngflesh thanked the Board and public for attending the meeting.
- Chair Youngflesh appreciates all of Mr. Parker's efforts and notices an increasing community outreach. Even if critical comments, they're welcome.
- Chair Youngflesh reminded everyone that we only have limited jurisdiction. If there are Medical personnel that need to be evaluated on any case, we do not have jurisdiction over them.
- Chair Youngflesh also reminded everyone that, if there's a topic in public comment that's not on our agenda we cannot not speak on, nor discuss it. We are restricted with what we share with the public. The Closed session is to discuss details of cases.
- Chair Youngflesh mentioned there was an inquiry as to how Board members may be reached directly. The best way, which is how it's been done, is to reach out to Mr. Parker. Another way, as people present are aware, is through public comment, which can reach the Board members directly to be made aware of concerns.
- Chair Youngflesh had some general comments that, we are not always happy personally with results of things, but we do have to follow rules in place and the law. It is important to note that we try to make an unbiased decision in following what our mission is to provide oversight.
- Chair Youngflesh reminded Board members, that they will be receiving notification of a Form 700 which is through the County and will need to be filed by April 1.
- Chair Youngflesh thanked everyone for being here.
- Mr. Parker added that CLERB members can, in response to comments made by the public, refer an item to staff for action or request to add the topic as an agenda item for a future meeting.

New Business

- There were three public comments regarding New Business.
 - Robin Sales, a resident of San Diego for 43 years, and represent SUFRJ, NC County Justice Coalition, would like to talk about the dehumanization of inmates of color, people struggling with addiction and mental health crises and inmates in general. One case, Elisa Sema, was treated with such disregard by medical and sheriff personnel that it resulted in her death. CLERB issued a not sustained finding. She does not think CLERB had enough information to make that assessment as it is not in CLERB's purview to investigate the medical aspect but the DSM-V classifies both mental illness and additions as psychiatric diagnoses. Though inmates may have committed crimes, many of them are persons whose conditions are medical in nature, not personality defects. She appreciates Mr. Parker's suggestion that the CLERB have oversight responsibility over medical personnel who are working under the auspices of the Sheriff's Department. She fully supports that. As a licensed, clinical social worker, working in crisis intervention for 40 years, she understands the stress and frustration or working with mentally ill and alcohol dependent individuals. She recognizes, though, that once medical or law enforcement begin to dehumanize that inmate, the genuine desire to help others is gone and substandard care is likely to follow. Your recommendation to the Sheriff's Department should include better and frequent training and supervision, implicit and explicit bias evaluations of officers, screenings for affiliations with white supremacy groups, as well as stress relief for deputies and medical staff. She implored CLERB and the County of San Diego to institute oversight of medical personnel as well as law enforcement. Sheriff Gore has made it clear that he only has the final say over all

personnel in the County jails. Therefore, CLERB should have that oversight capability. The Sheriff's Department must recognize and act on inhumane treatment of inmates.

- Lori Saldana, regarding 7a. The County took up a new initiative regarding equity last year. There's nothing in the Annual Report that has to do with the demographics of the people that are part of what is being reported upon. So we don't have an easy way to determine which of the people involved. Are they Latinos, Hispanic, Asian American, White, and I think to meet the County's goal of equity, that the report needs to start dealing with the demographics of who is being impacted in the reports that you are generating. Also, she realized that a few of you are attorneys and business people. As an attorney and a business person sitting on this Board, if you were to recognize the county has spent \$2M last year in five months on litigation, she encouraged CLERB to look at this from a business and legal perspective. The County is appealing decisions, they are paying millions and the county is self-insured, which means that every one of us is paying for those legal costs. Really want to encourage to Board to think on those terms because your background is in business and in legal issues. Think of it in terms of what we are paying when people die in custody. And, then finally, as far as the Subcommittee, she did not think many of CLERB members have the kind of background in auditing a complex, reviewing methodology, she wanted to encourage CLERB, again, to consider sourcing this out. She does not believe the research available to the Board is sufficient, to really go into why there are disputes on the methodology between what the Sheriff is saying and what investigators and reporters are saying. She encouraged CLERB to find a way for the State to compare the deaths in custody in San Diego County to other comparable counties and be a neutral arbitrator of why so many people are dying and, more importantly, why taxpayers are paying millions of dollars in these findings when the Courts are finding the County at fault. Please add demographic information to the Annual Reports so we see who is really being most impacted by these deaths in custody as well as their families. As in this last case, the woman was pregnant. When we talk about this woman who was left on the floor of her cell, two people died that day in her cell. I hope you will take those numbers into account as we go forward.
- Kathy Michaels, a member of the CLERB Task Force and Showing Up For Racial Justice in North County, Been attending these meetings for the last several months and was pleased that you're trying to set up a committee to investigate into the calculations of in-custody deaths as presented by the Sheriff's office versus the research done and published by the Union Tribune. When do you expect the Committee to have completed their evaluation is one question. Also, she has reviewed our Annual Report draft and looked at the death cases over the last two years. It appears that the biggest contributors are from drugs and for medical reasons. What puzzles her is when an individual is arrested why they are not assessed medically to determine if they have drugs in their system or have extenuating medical factors. It would seem logical to me to start there so they will receive proper treatment, rather than just being place in the cell. I think that Mr. Parker indicated that I had submitted several questions through your website and hope that you will be able to answer them. I understand this Board has subpoena powers but rarely uses them to bring deputies before the Board. Can you please advise me why you do not interview them, but simply have them fill out a questionnaire. Another question, do you believe that people in jail should have access to AA and NA services especially if they have been participating in these organizations and simply fell off the wagon. Lastly, she would like to how how/when will the questions submitted will be answered?
- Mr. Parker presented CLERB's 2020 Annual Report (presentation attached to these minutes).
 - Tim Ware asked how CLERB staff determines the difference between procedural violations on the part of sworn staff and medical misconduct on the part of medical staff.
 - Pastor Spriggs asked what type of outreach is CLERB going to do re: underserved communities.
 - Tim Ware stated that people in the community felt CLERB was lacking in outreach to groups of color. If we're not reaching out to groups of color, what groups are we reaching out to. Would like to know about outreach activities in advance, if possible. Members of CLERB would like to go out and be part of it as well.
 - Lourdes Silva would like to see a calendar of outreach activities once we've filled the positions and Mr. Parker has the time to do that; she would like to see a six-month ahead calendar on the communities that you're reaching out to. Does understand that COVID's a current issue, and staffing's a bit of a problem right now, as well, but as soon as those things are taken care of, a six month calendar would be an awesome thing to have for the CLERB Board.
 - Pastor Spriggs made a motion to approve the Annual Report item, and Eileen Delaney seconded the motion to approve.
- Mr. Parker also discussed the death data review subcommittee
 - Susan Youngflesh invited Dave Alberga, Mike Gray, and Mr. Parker to be part of the Subcommittee. Bonnie Kenk also requested to participate as well.

- Unfinished Business**
 - There was no Unfinished Business to discuss.
- Board Comments**
 - Edward Collins had a question regarding COVID in jails being 10% and that was higher than the general population. Not sure that the jails are higher than the general population. Also, as far as a query to the law enforcement folks and the organizations they belong to. There are 1.5M non-profit organizations which include churches and LGBTQ. That's a pretty broad brush to ask law enforcement to which organizations they belong.
- Sheriff/Probation Liaison Query**
 - Eileen Delaney acknowledged that CLERB does not have jurisdiction over medical staff. But are there policies or procedures regarding circumstances where and when a detention facility deputy has concerns during the medical situation that where the decisions and the care are not being handled properly or adequately by the medical staff. If they're responding with medical staff and medical staff...and they have concerns about the medical staff. What are their policies, if any, regarding those circumstances? Sgt. Kristin Brayman responded that deputies are trained to be a first responder and administer CPR, but in a jail setting, medical is there for a reason so they would actually defer to medical to respond to them, believing they have more training. The Deputy has the basics. Will have to defer to get a more thorough answer to that.
 - GI Wilson wants to know if the liaison could find out if jail/detention staff, are they *compelled* to defer to the medical staff or may they *defer* if they decided to, to the medical staff. Can you research and find out. He wants to know if the deputies have to or can they elect to. Sgt. Brayman responded they're to first defer to medical. Otherwise, they're to call the fire department. GI Wilson wants to know if the contractor is in control. Or can the deputy call the supervisor or elect not to defer to medical personnel. Sgt. Brayman responded that deputies can't tell medical how to respond to a medical emergency, but will do some research and get back.
 - Tim Ware knows each case is unique, but is there some type of standard or a template for writing a report that would ensure certain information is in every report, for example the timeline when a deputy performed a certain action; is there a template to follow? Sgt. Brayman responded that there is a basic template.
 - Mike Gray asked if detentions deputies took an oath of office like a full-sworn law enforcement deputy. If so, do you know what that oath of office would be? Sgt. Brayman responded that they do and she would look that up. Lt. Amos also responded in the affirmative.

The Board closed the open session at 7:12 p.m.
 The Board entered closed session at 7:22 p.m.

- Closed Session**
- a) PUBLIC EMPLOYEE APPOINTMENT
 Notice pursuant to Government Code section 54957(b)
 Title: Supervising Special Investigator, CLERB
 - b) 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 NO.	LAST NAME
19-104	Pickett	20-004	Rodak
19-128	Serna	19-117	Mann
19-135	Strausbaugh	19-142	Fonseca
19-138	Villanueva	20-115	Dorada

Minutes prepared by Eliza Huges, Administrative Secretary

Closed session adjourned at 9:02 p.m.
 The Board re-entered open session at 9:06 p.m.

- The CLERB approved the appointment of Lynn Setzler as the Supervising Special Investigator.

The meeting was adjourned at 9:07 p.m.



PAUL R. PARKER III
 Executive Officer



ROBERT SPRIGGS, JR.
 Secretary to the Board

Parker, Paul

From: Andi MacLeod <andi.macleod@gmail.com>
Sent: Monday, February 8, 2021 11:51 AM
To: Parker, Paul
Subject: Fwd: Please send my CLERB Questions

Hi Paul,

Hope things are well with you. We're all looking forward to the next CLERB meeting tomorrow night. Kathy Michaels, another member of our SURJ North County Governance Team, wanted to submit questions for the board but couldn't find a way to do it on the CLERB site. I had seen before that folks could submit written questions even if they didn't speak. Hope that option hasn't disappeared.

In any event, I'm forwarding you Kathy's questions, and hope if there's still a way to submit written questions in advance of meetings that you'll let us know.

Thanks,

Andi

----- Forwarded message -----

From: Kathy Michaels <kamich52@gmail.com>
Date: Mon, Feb 8, 2021 at 10:14 AM
Subject: Please send my CLERB Questions
To: Andi MacLeod <Andi.MacLeod@gmail.com>

I haven't found anywhere on their website that I can submit my questions. Can you please send them to whoever they need to go to?

Thanks - Kathy

I just wanted to follow up to see if you were able to get that committee set up, who is on the committee and what the specific goal of this committee is and what is the timeline for completing your evaluation of the statistics related to in-custody deaths.

At the last meeting you indicated Chair Youngflesh and Executive Officer Parker would be meeting to attempt to set up a meeting between Sheriff Gore and Kelly Davis so they could discuss how to evaluate the in-custody deaths. Were you able to meet? Were you able to get that meeting set up?

I understand that this Board has subpoena powers that they are not used to bring deputies into your investigation. Can you please advise why you do not interview them, but simply have them fill out a questionnaire?

Do you feel there is adequate medical and mental health staff in the jails? What is the next step to make sure there is sufficient staff to make the necessary evaluation.

Do you believe that people in jail should have access to AA and NA services, especially if they have been participating in these organizations and fell off the wagon?

Is the PERT program being used to its fullest? Is it sufficiently staffed and funded? What can you do to make sure it is properly staffed and funded?

I noticed that there has been a 150% increase over 2019 in the number of complaints filed for the Vista Detention Center, and 7 complaints filed at the Santee Patrol Station compared to only 1 in 2019. What is a reason for this major increase?

Hugee, Eliza

From: Parker, Paul
Sent: Monday, February 8, 2021 6:56 PM
To: Aldridge, Lenore; Bohan, Ellen; Hugee, Eliza; Setzler, Lynn M
Subject: Fw: 2/9/21 CLERB Meeting, Agenda Item #2, RE 19-128 CERNA Jail Death Investigation

Follow Up Flag: Follow up
Flag Status: Flagged

From: Parker, Paul <Paul.Parker@sdcounty.ca.gov>
Sent: Monday, February 8, 2021 6:55 PM
Subject: Fw: 2/9/21 CLERB Meeting, Agenda Item #2, RE 19-128 CERNA Jail Death Investigation

CLERB Members,

Please see the below email from former CLERB Executive Officer Sue Quinn. She will be addressing the CLERB at tomorrow's meeting.

Respectfully,
Paul

From: Sue Quinn <suelqq@aol.com>
Sent: Sunday, February 7, 2021 10:52 PM
To: Parker, Paul <Paul.Parker@sdcounty.ca.gov>
Subject: 2/9/21 CLERB Meeting, Agenda Item #2, RE 19-128 CERNA Jail Death Investigation

To: CLERB Members via this email to Exec. Officer Paul Parker
Re: Agenda Item 2.
CERNA #19-128 (jail death), with two recommended Not Sustained Findings.

My questions:

1. Are the Assistant Sheriff Detentions, the Undersheriff & Sheriff Gore sworn officers?
2. Calif. Title 15 requires reviews of jail deaths in county jails; who conducts these Jail Deaths Reviews in San Diego?
3. Do the Jail Death Reviews go Sheriff Gore for his final review of **medical and sworn staff actions** and if policy revisions are needed?
4. Did the Sheriff's Department send SERNA's Jail Death Review to CLERB?
5. Did CLERB examine SERNA's Jail Death Review, and determine that it found **medical and sworn staff actions** were sufficient?

If the Assistant Sheriffs, the UnderSheriff and Sheriff Gore's actions are subject to CLERB investigations, and they determine the sufficiency of Jail Death Review evidence, I request CLERB's SERNA death investigation be taken off the 2/9/2021 Agenda for further staff investigation before Findings are made; and CLERB discuss its jurisdiction over actions of Sheriff's Command Staff, and the Sheriff at a future meeting.

I realize such discussion cannot occur tonight, and would belong on a future Agenda.

Respectfully submitted, with gratitude the painstakingly difficult and necessary work CLERB performs for all county citizens.

Sue Quinn

CLERB 2020 Annual Report Overview

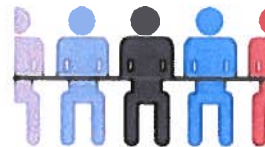
Paul R. Parker III
Executive Officer, CLERB



1

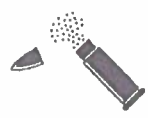


Board Directed Actions

- CLERB reassignment
- Revised CLERB member nomination and selection process
- Workload analysis, increased staffing and services and supplies budget
- Expanded CLERB oversight



2

Amended County Ordinance

- Discharge of firearm 
- Use of force resulting in great bodily injury 
- Use of force at First Amendment protected events 

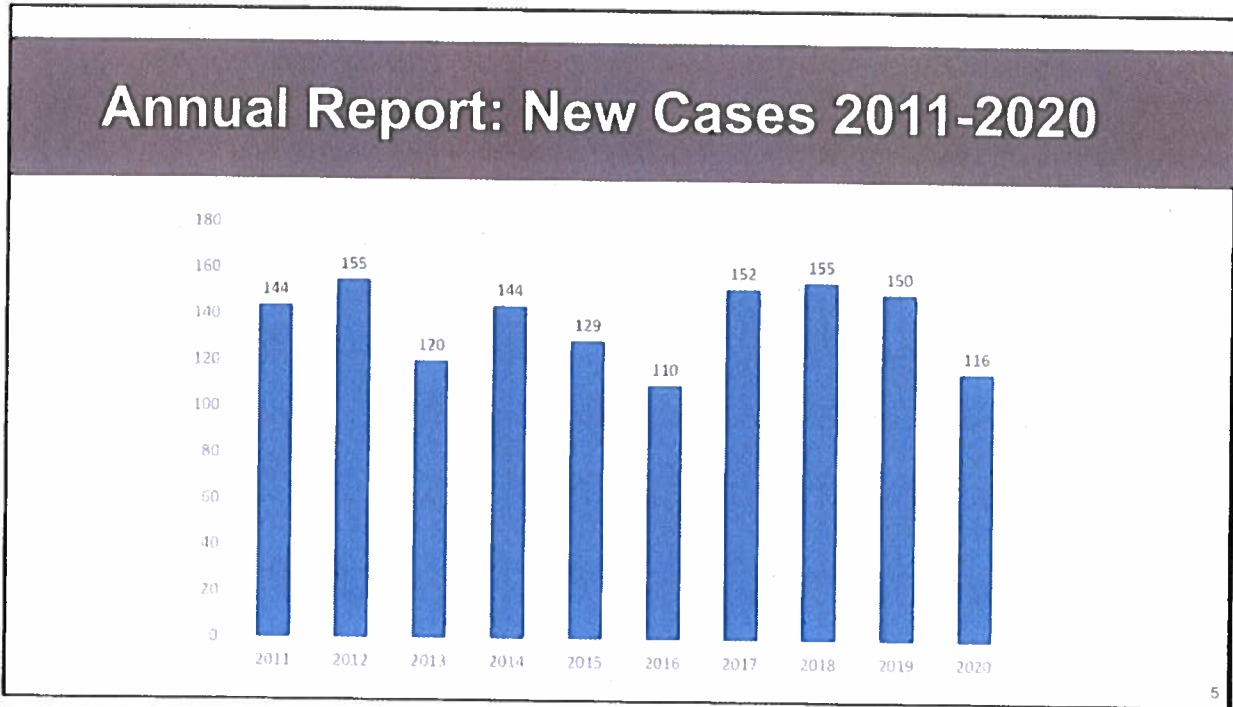
3

Workload Analysis

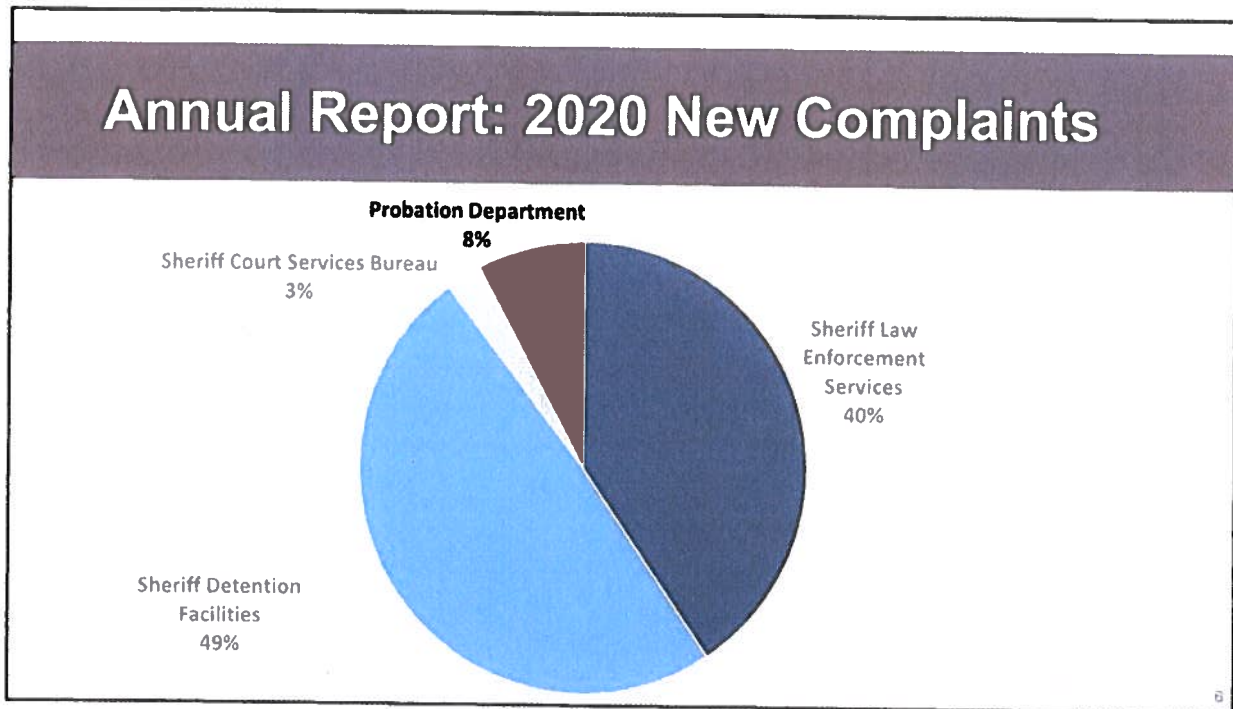
- Additional 37 cases
 - One discharge of a firearm investigation
 - 36 uses of force resulting in great bodily injury investigations
 - ? uses of force associated with protests
- Increase three staff
 - One supervisor
 - Two investigators

Projected Annual Workload & Recommended Support - 2020	
Projected Annual Complaints	152
Additional Cases Estimated	37
Projected Number of Jail Inspections	7
Projected Total Workload	196

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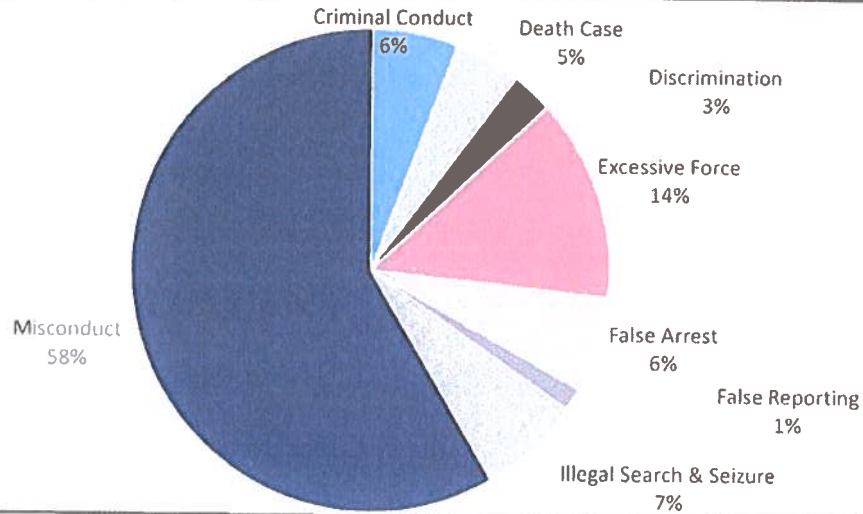


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Annual Report: 2020 New Complaints



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Annual Report: Discrimination

Description	2020
National Origin	0
Other	1
Racial	6
Religious	0
Sexual/Gender	2
TOTAL	9

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Annual Report: Excessive Force

Description	2020
Baton/Impact Weapon	0
Carotid Restraint	1
Drawn Firearm	0
Fists	2
K-9 Bites	1
Kicks	5
Less Lethal Munitions	2
OC Spray	2
Other	14
Pepperball Launcher	1
Poss. Restraint	0
Taser	2
Tight Handcuffs	2
Unspecified	13
TOTAL	45

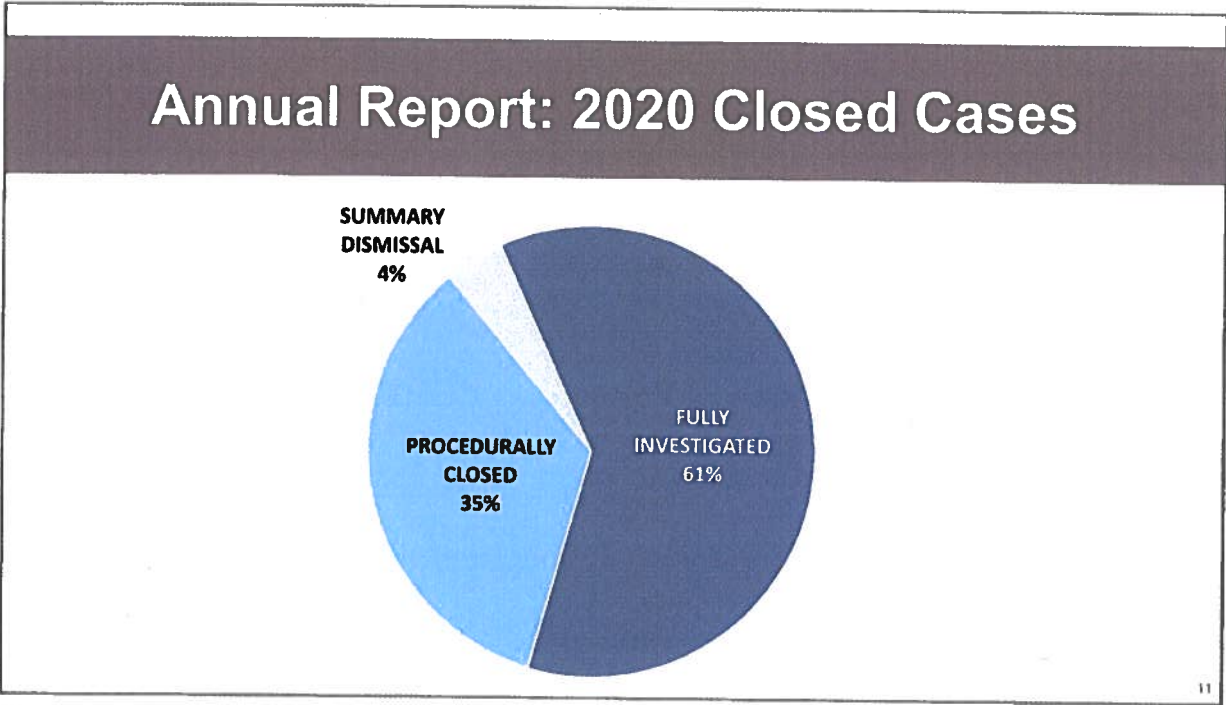
9

Annual Report: Misconduct

Description	2020
Discourtesy	14
Harassment	8
Intimidation	10
Medical (Info only)	5
Procedure	142
Retaliation	9
Truthfulness	5
TOTAL	193




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Annual Report: 2020 Summary

- 12 Policy Recommendations 
- 15 New Death Investigations 
- Outreach activities 

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Annual Report: Trend Identification

- Body Worn Camera Usage
- Death Investigations
 - Subcommittee to review detention facility death data
- Sustained findings



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CLERB 2020 Annual Report Overview

Paul R. Parker III
Executive Officer, CLERB



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