

**Roll Call**

- The meeting was held via the BlueJeans Platform and came to order at 5:30 p.m. All Board members were present except Michael Gray.

**Public Comments**

- Robin Sales stated that the community lacks confidence in CLERB, noting that they would not make complaints. She stated that CLERB should hold town halls throughout the County and consider focus groups.
- Mary Best stated that she was disturbed at the rising death tolls in the detention facilities. She referenced a specific CLERB case. Ms. Best referenced a Union Tribune article and referenced the amount of money that the County spends on civil claims. She also noted that detention facility staff are not properly trained.
- Genevieve Jones-Wright stated that the outcome of a case on this meeting's agenda was frustrating and maddening. Ms. Jones-Wright stated that CLERB needed to use stronger language in its reports. She stated that CLERB needed to use its authority to hold deputies accountable. Ms. Jones-Wright urged CLERB to think outside the box regarding this unwarranted use of force and abuse.
- Yusef Miller stated that we are in a crisis regarding the loss of lives in custody. He stated that we must save lives in custody. Mr. Miller stated that families feel that they have nowhere to turn. He asked CLERB to be transparent and hold people accountable.
- Tom Packard stated that he had special interest in racial justice issues. He stated that he wanted to address the issue of being proactive rather than reactive. Mr. Packard stated that CLERB needed to get the County Board of Supervisors to expand CLERB's authority.
- Tasha Williamson stated that she was concerned with the findings in a case on this meeting's agenda. She stated that these findings fall in line with corrupt police departments, noting that many officers are racists. Ms. Williamson asked what the Board was going to do, noting that at some point people would start defending themselves.
- Natalie Neshat stated that she was concerned about the transparency of the Sheriff's Department. She quoted a recent article, noting the severe distress in the community. Ms. Neshat recommended to CLERB that they recommend to the Sheriff's Depart to release the policy regarding what leads to jail time.
- Karen Reimus thanked the Board for their work. She referenced an article from the Union Tribune, noting the glorified use of force and stating that the motto was taze and celebrate. Ms. Reimus stated that CLERB's powers need to be expanded now. She stated that they needed to make a request to the County Board of Supervisors to expand CLERB's power to include imposing discipline and revising policies.
- Julia Darling wrote *"I support greater accountability for Sheriff's and healthcare professionals working in the jails. There are recent deaths and self-mutilation that occurred where people in custody were not given appropriate concern, medical intervention, and monitoring. It is inexcusable that San Diego has the highest rate of deaths in custody, and no one is being held accountable. Please attend to each of these recent cases carefully."*
- Kristen Oha wrote *"I am in support of the Racial Justice Coalition of San Diego, North County Equity & Justice Coalition, and community members' position that changes in our jails are necessary to afford incarcerated humans safe and humane treatment while in custody. There must be more oversight and accountability for the recklessness and inhumane conditions in the County's jails. It is unacceptable that San Diego's jails have one of the highest mortality rates in California. ...among others, were avoidable and tragic. These are human beings with families, who were in the County's custody and care. These conditions are void of civility and humanity."*
- Valerie Sanfilippo wrote *"I oppose police arresting probation rearresting district attorney charging and judges sentencing guards assaulting solitarying and inmates rape and stealing the mental ill. Sacto federal court order ... My fiancé tortured overmedicated and neglected died from jail in and out 08 to 16 never cared for in hospital. My stepson tortured overmedicated irreversible brain damage raped stabbed beaten shot solitary 2*

*years prison 12 years for shoplift and trespass. Stop hurt kill mental ill transfer to hospital."*

- Doris Bittar wrote *"I am most concerned about the over militarization of our police force. They are trained by Israelis who practice on Palestinians. Here in the US that training is used mostly against people of color. Are we an occupied force? Compassion is how the police force should see us. WE are fellow citizens. I am especially concerned about refugees and Arab and Muslim people."*
- Susana Arnold thanked the CLERB for their work. Ms. Arnold stated that she was concerned about the loss of lives in custody and listed the names of some of individuals whose lives were lost. Ms. Arnold stated that the community demands accountability and further investigation. She also stated that the County of San Diego detention facilities has the highest mortality rate when compared to other counties across the state.
- Leslie Allen stated that she was the mother of one of the individuals named by Ms. Arnold and provided details of what led her to call for help. Ms. Allen stated that she requested PERT and stated that they did not listen to her. She stated that the District Attorney did not hold anyone accountable. Ms. Allen asked that her case be re-reviewed, noting the abuse of power and moral integrity.

## **Minutes Approval**

- Gary Wilson made a motion to approve the August 2021 meeting minutes. The motion was seconded by Bonnie Kenk. The motion carried with a vote of four with two abstentions.

## **Presentation/Training**

- Wes Abers provided a General Overview of PERT.
  - The Psychiatric Emergency Response Team (PERT) has existed for 25 years. PERT is a countywide resource with 72 full-time positions. PERT clinicians are distributed via heat mapping, and they are available from 6 am to 12 am. Five of these clinicians are assigned to assist the Homeless Outreach Team (HOT), which is a proactive effort. PERT does not diagnose, treat, or provide emergency assistance.
    - <https://primetime.bluejeans.com/a2m/events/playback/3c66b18e-99e9-45e5-916c-41024aa8f5d9>
      - Board Members asked questions during the discussion to include who decides where to deploy the HOT, who decides the HOT should be deployed, whether or not the clinicians are contracted staff, the types of clothing worn by the clinicians, and how many clinicians are available on any given day.

## **Executive Officer's Report**

- Overview of Activities of CLERB Executive Officer (EO) and Staff
  - On August 19, 2021, Mr. Parker had a second meeting with a civilian oversight expert working with San Diegans for Justice.
    - Mr. Parker continues to request that CLERB's jurisdiction be expanded to include personnel providing medical care to persons in the custody of the Sheriff's Department or Probation Department.
    - Mr. Parker wants to explore options for CLERB to take a more active role in death investigations and not simply wait for investigatory materials to be provided by the Departments upon the conclusion of their investigations and criminal prosecutions.
    - Mr. Parker believes that in-person interviews should be compelled when CLERB staff is contemplating recommending a sustained finding to the CLERB.
  - On August 23, 2021, Mr. Parker met with the San Jose Charter Commission's Policing and Municipal Law subcommittee in reference to San Jose's exploration of a Citizens' Law Enforcement Review Board.
  - On August 24, 2021, Mr. Parker was a panelist at the NACOLE Virtual Conference Session entitled, "There's a New Sheriff in Town."
  - Three new CLERB members are scheduled for appointment by the Board of Supervisors. If the appointments are confirmed, the three new members will be on-board in time for the October CLERB meeting.
  - In reference to the Death Data Analysis project, on September 12, 2021, the County posted a Notice of Intent to Award. Based on successful negotiations, the contract will be with Analytica Consulting, LLC. The five-day protest period will end on Friday, September 17, at which point negotiations will be initiated.

- In Mr. Parker's continued attempts at expanding transparency of CLERB and California civilian oversight of law enforcement, the October CLERB agenda will contain an item addressing this issue.
- The October meeting is tentatively scheduled to be in-person and virtual.
- Mr. Parker offered condolences to Leslie Allen in reference to the in-custody death of her son, Paul Silva.
- Investigative Workload and Classification Report for August 2021
  - There were 15 new cases (as compared to seven for August 2020).
  - There are 14 cases on tonight's agenda, five of which are
  - At the end of August there were 82 active cases (nine in "lodged" status and 73 open and active).
    - There were 26 open death cases.
      - CLERB had documents for 17 cases and was awaiting documents on the remaining nine. Five death cases are on tonight's agenda.
      - There were two new death cases in August (one in-custody homicide and one of unknown cause/manner).
    - There were 10 open uses of force resulting in gross bodily injury without a complaint.
    - There was one open discharge of firearm without a complaint.
    - There was one use of force at protest or First Amendment protected events without a complaint.
- 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 11 cases scheduled to reach their one-year time limitation by October 31, 2021. Nine of those cases are on tonight's agenda and the other two will be on October's agenda.
    - Investigators are working through the backlog of routine cases scheduled to time out within the next few months.
    - The emphasis is on the prioritization and investigation of death investigations. In addition, priority will be given to cases in which excessive force is alleged, uses of force resulting in great bodily injury, uses of force at protests, and discharges of firearms.
- Executive Officer Correspondence to Full CLERB
  - The following emails were sent to CLERB:
    - Three media article compilations containing a total of 14 articles.
- Pending Responses for Policy Recommendations
  - 20-014 / Pace – SDSD
  - 20-047 / Cheatom – SDSD
- Policy Recommendation Responses
  - 19-018 / Thornton – Probation (implemented, letter forthcoming)
- Sustained Findings Pending Responses
  - 20-012 / Death (received, will be on next month's agenda)
- Sustained Findings Responses
  - None
- Letter of Concern Pending Response
  - None
- Letter of Concern Response
  - None
- Board Chair Susan Youngflesh asked for clarification regarding the upcoming in-person board meeting, noting that the virtual aspect was being included to continue public participation. Mr. Parker stated that the meeting location would be held at the County Administration Center located at 1600 Pacific Highway, San Diego, CA 92101.
- Tim Ware asked for clarification regarding which policy recommendation response was going to be distributed for the October 2021 meeting. Mr. Parker stated that it was CLERB Case 19-018.
- County Counsel informed the Board Members that there was a pending Bill on the Governor's desk to extend virtual meetings as it relates to Brown Act Meetings.

- Board Chair's Report**
  - Board Chair Youngflesh thank the CLERB Liaisons for their support of CLERB.
  - Board Chair Youngflesh stated that she is looking forward to seeing everyone next month either virtually or in-person.
- New Business**
  - There was no new business.
- Unfinished Business**
  - Authorization for CLERB Executive Officer to Respond to Media Articles/Editorials
    - Mr. Wilson made a motion to table this item until the October 2021 meeting. The motion was seconded by Ms. Kenk. The vote was unanimous; the motion carried.
- Board Comments**
  - Ms. Kenk stated that she was pleased with the new format of the investigative reports, noting that they are easier to read. Ms. Kenk also stated that she was pleased with the new investigators and how well they are progressing.
  - Mr. Wilson thanked Mr. Abers for the presentation and asked about exploring the option to provide PERT training to Board Members. Mr. Parker stated that the option could be explored.
- Sheriff/Probation Liaison Query**
  - There was no Sheriff/Probation Liaison Query.

The Board entered closed session at 7:11 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>CASE NO.</b>	<b>LAST NAME</b>	<b>CASE NO.</b>	<b>LAST NAME</b>
20-057	Roberts	20-089	Smith
20-063	Morton	20-097	Phillips
20-065	James	20-105	Brogan
20-070	Joseph	20-112	Loredo
20-072	Jimenez	21-015	Vallin
20-080	Fornierod	21-024	Curtis
20-087	Birkhead	21-080	Rodriguez

The meeting was adjourned at 8:30 p.m.

*Minutes prepared by Tamicha Husband, Administrative Secretary*



PAUL R. PARKER III  
Executive Officer



ROBERT SPRIGGS, JR.  
Secretary to the Board