

**MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
December 7, 2021**

Attachment A

- Roll Call**
- The meeting was held via the Zoom Platform and was called to order at 5:30 p.m. All Board members were present.
- Minutes Approval**
- The November 9, 2021, meeting minutes were approved unanimously.
- Public Comments**
- Karen Reimus, Dr. Darwin Fishman, Shelly Lynd, Lynn Owens, Yusef Miller, Tom Packard, and Mary Best addressed the CLERB.
- Executive Officer's Report**
- Overview of Activities of CLERB Executive Officer (EO) and Staff
 - On November 12, 2021, Mr. Parker met with San Diegans for Justice.
 - On December 1, 2021, new CLERB members Buki Domingos, Nadia Kean-Ayub, and MaryAnne Pintar, along with CLERB staff Ellen Bohan, Briana Chiesa, Lynn Setzler, and Claudia Wigfall attended a CLERB Overview provided by Senior Deputy County Counsel Shiri Hoffman. The training topics included the County Code, Administrative Code, CLERB Rules and Regulations, and the Brown Act.
 - On December 2, 2021, Mr. Parker was interviewed by inewssource.com about CLERB's investigation into the death of Mark Armendo (Case #20-096).
 - On December 6, 2021, Mr. Parker provided a quote to the San Diego Union-Tribune about CLERB case #20-113 (Alvarez).
 - Mr. Parker meets with Analytica Consulting personnel once a week to receive an update on their in-custody death data project. We anticipate the final project in March 2022.
 - The California State Auditor's audit of CLERB continues and is scheduled to be completed in the first quarter of 2022.
 - A job offer extended to a Special Investigator candidate was accepted. The candidate is in the background process and, if successfully completed, we are hopeful the candidate will start in January 2022.
 - Mr. Parker discussed the existing District 1 (D1) CLERB member vacancy with D1 personnel. We are hopeful that candidates will be identified for interviews in the near future.
 - Chair Youngflesh's term has expired, and interviews are in process for a new District 2 (D2) CLERB member. Chair Youngflesh will continue to serve until a replacement is appointed.
 - The District 3 CLERB member vacancy should be filled soon.
 - Investigative Workload and Classification Report for November 2021 (*Attachment B*)
 - There were six new cases (as compared to eight for November 2020).
 - At the end of November there were 119 cases for the calendar year. There were 116 cases in all of calendar year 2020.
 - There are nine cases on tonight's agenda.
 - At the end of November there were 76 active cases (zero in "lodged" status and 76 open and active).
 - There were 26 open death cases.
 - CLERB had documents for 13 cases and was awaiting documents on the remaining 13. One death case is on tonight's agenda.
 - There three new SDSA in-custody-related death cases in November.
 - There were 12 open uses of force resulting in gross bodily injury without a complaint.
 - There were two open discharges 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 (*Attachment C*)
 - Mr. Parker discussed the two reports: "CLERB Reports by Due Date" and "CLERB Reports Due by Case Number."
 - There is one case scheduled to reach its one-year time limitation by December 31, 2021, and it is on tonight's agenda.

- Investigators are working through the backlog of routine cases scheduled to time out within the next few months with the ultimate goal of completing all cases within four months of receipt of a signed complaint or, in those cases not requiring a signed complaint, receipt of materials from the respective Department.
 - The emphasis continues to be on the prioritization and investigation of death investigations. In addition, priority is 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 (*Attachment D*)
 - The following emails were sent to CLERB:
 - Four media article compilations containing a total of 27 articles.
 - Response from SDSO Sergeant K. Brayman to CLERB member inquiries made at the November meeting.
 - Policy Recommendation Pending Responses
 - 20-063 / Morton (Death) – SDSO
 - 20-097 / Huie – SDSO
 - CLERB Staff Response to Death Scenes – SDSO
 - CLERB Staff Response to Death Scenes – Probation
 - Policy Recommendation Response
 - Discontinue Standard Practice of Sealing In-Custody Death Cases – SDSO (*Attachment E*)
 - SDSO implemented this change internally in April 2021 and recently updated the 2021 Homicide Manual to reflect the change.
 - Sustained Finding Pending Responses
 - None
 - Sustained Finding Response
 - None

New Business

- Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e).
- Board made a motion to continue teleconferencing in the presence of a declared state of emergency by the County’s Public Health Officer, which still exists. Motion to Continue Teleconference made by Mr. Wilson and seconded by Vice Chair Delaney. Motion carried.

Unfinished Business

- Mr. Parker stated the Board of Supervisors added support of transparency in civilian oversight to its 2022 Legislative Program. There is no further update at this time.
- In reference to obtaining jurisdiction over medical staff, Mr. Parker will continue working with Labor Relations and County Counsel to make this happen. The BOS must approve the suggested change pertaining to expansion of jurisdiction for it to occur.
- Mr. Parker meets weekly with Analytic Consulting to discuss its progress with the in-cudtosy death data project. At this point, March 2022 is when we expect their final report.

Board Member Comments

- Board Member Wilson thanked Mr. Parker for lecturing his class on death investigations. It was “literally the best lecture on death investigation.”
- Board Member Pintar thanked the CLERB staff and mentioned in last week’s briefing: Re Public Comments where a couple of people referenced the Union Tribune December 3 article about the COVID outbreaks in the jails, where 125 inmates tested positive, and two deaths were likely caused by COVID infections. She asked the Sheriff’s liaison last month about the low vaccination rates in the jails. According to their data 75% declined the vaccination. Intake/fact sheet provided. Requests that next month we ask for a training from the Sheriff’s Department on the intake process and how the vaccine is offered at that time. It seems people in jail are not receptive at that time. Wants to learn more about it. Also asked CLERB to ask the County Health Department for their assessment and recommendations for increasing the vaccination rate in the County jails. Doesn’t feel the one time offer at intake is going to do the trick. Would like to make a Policy Recommendation once we have this information.
 - Executive Officer will report back on his research with County staff. Will verify with Sheriffs regarding training.

- Buki Domingos mentioned, because of the community's diversity, she wanted to encourage us not to make assumptions on the inmate's status during intake. Also, that CLERB specifically address the COVID issue since, in her opinion, it perpetuates the biases and the status quo. Wants an item that was removed from the agenda put back on.
- Mr. Parker suggested that we keep in mind, if a Board Member has an item, it needs to be cleared with the Board Chair, who ultimately determines if an item remains on the agenda or not.
- Board Member Pintar referenced Union Tribune's December 3, 2021, article regarding the Sheriff's Department saying the camera was inoperable in the cell and requested Sheriff's Department report back with investigation of cameras, and a timeline of the system-wide upgrade. Sergeant Kristin Brayman agreed to research that, but not sure regarding inventory of inoperable cameras.
 - Board Member Wilson inquired about the Sheriff's maintenance cycle and if it's possible to rehab and use another facility.
- Delaney wanted to confirm that the Detention Facility Inspections were to take place at the end of January. Mr. Parker confirmed they should occur in the first quarter of 2022.

The Board entered closed session at 6:38 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).

CASE NO.	LAST NAME	CASE NO.	LAST NAME
20-113	Alvarez	20-116	Lippman
21-003	Johnson	21-033	Contreras
21-046	Buckelew	21-060	Meadows
21-066	Reyes	21-067	Santiago
21-087	Grino-Watson		

The meeting was adjourned at 8:35 p.m.

Minutes prepared by Eliza Hugee, Temporary Administrative Secretary



PAUL R. PARKER III
Executive Officer



ROBERT SPRIGGS, JR.
Secretary to the Board