

- 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 December 7, 2021, meeting minutes were approved unanimously.
- Public Comments**
- Dr. Darwin Fishman, Andi Macleod, Yusef Miller, David Myers, Mary Best, Robin Sales, Lori Saldana, Doris Bittar, Debbie Cortell, Tasha Williamson, and Dr. Robert Brown addressed the CLERB.
- Presentation/Training**
- Summary of Detention Services Bureau (SDB) In-County COVID-19 Vaccination and Testing Process presented by Sergeant Kristin Brayman and Sergeant Daniel Dennis.
 - County's Role in COVID-19 Vaccination of San Diego County Detention Facility Inmates presented by CLERB Executive Officer Paul Parker.
 - Mr. Parker thanked to Drs. Sayone, Foster and McDonald with the County for being gracious with their time.
 - County's Health and Human Services Agency (HHS) Medical Care Services Division (MCS) has no direct jurisdiction over the detention facilities
 - There has been increased involvement with justice-involved populations.
 - MCS communicates with Public Health Services and SDS Medical re: outbreaks and mitigation efforts.
 - San Diego Immunization Registry (SDIR)
 - Checking the County's immunization registry is a manual process for the Sheriff's medical staff.
 - The Public Health Services Immunization Registry Team has set up a process with SDS medical staff to routinely automate registry checks for the vaccination status of each inmate.
 - Based upon the list received from PHS, SDS medical personnel know if the inmate is due for a first shot, second, shot, or booster, and offers accordingly
 - It's important to contextualize efforts in this setting since preventive actions may take a back seat to acute needs at booking
 - They are staffing challenges pertaining to detention facility medical personnel.
 - PH nurses worked closely with detention medical staff early on and provided training. They assisted with offering vaccinations and helping to build capacity on jail medical teams.
 - COVID testing during Intake
 - More recently, our (HHS) understanding from communications with SDS is that the overwhelming majority of inmates are accepting testing during Intake
 - Additional inmates are accepting testing after Intake than even a few months ago thanks to heightened efforts by the SDS staff.
 - COVID vaccinations are offered during intake and then periodically while in custody.
 - The inmate can request vaccination, as well.
 - Monoclonal antibodies are offered for those who are COVID-19 positive and eligible
 - Note: These antibodies are less effective against the omicron variant and new guidelines have recently been published by the NIH
 - COVID-19 vaccines are not the only ones offered to inmates
 - Flu and Hep A are also offered
 - Vaccines, in general, have a low acceptance rate, primarily due to lack of trust or no sense of need by the inmate
 - Inmates may be more from underserved communities, as identified by the Healthy Places Index (HPI), be younger, and not have known medical issues, thus resulting in lower vaccine acceptance.
 - The challenge is to develop trust in a short time
 - There are repeated interventions with an inmate, sometimes dozens.
 - Motivational interviewing is an evidence-based approach that can and likely is utilized to "meet people where they are."

- Medical personnel must not be “pushy,” but instead must identify what is important to the inmate, at which time a connection is more likely.
- Medical personnel must also attempt to understand barriers and fears and the conversations must take place in private, not in the presence of other inmates.
- As the pandemic has progressed, the conversations are much more difficult.
 - People are exposed to and believe misinformation.
 - The beliefs are well-formed.
 - Their opinions are hardened.
- Everyone who is vaccinated is provided a vaccine information statement, which explains the risks and benefits. They are described here: [Vaccine Information Statement: Facts About VISs | CDC](#).

Executive Officer’s Report

- Overview of Activities of CLERB Executive Officer (EO) and Staff
 - Thank you for SDSD being willing to discuss and present its vaccination efforts, as they do not have to do so.
 - On January 10, 2022, William Graham started as a new CLERB Special Investigator, thus filling the final Special Investigator vacancy.
 - Eliza Huges back as temp administrative support
 - 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 has been completed. We will discuss the draft report and proposed response in tonight’s closed session. When the final report is issued, it will be placed on a future CLERB open session agenda, perhaps as soon as February.
 - A request to address concerns identified in the Center for Policing Equity (CPE) Report discussed at the December 21, 2021, CLERB Special Meeting was drafted and sent to the San Diego Sheriff’s Department (SDSD). A report back was requested within 60 days or at the March 2022 CLERB meeting.
 - In reference to a recent CLERB inquiry re: inventory of non-operable cameras, timeframes cameras would be repaired, and information as to the camera’s maintenance cycle, SDSD responded on January 7, 2022 (response was added to CLERB website and sent to the public distribution email list). Sworn staff do not have responsibility over camera maintenance and repair; the San Diego County Department of General Services and its contractors have said responsibility and are the source to obtain answers to CLERB’s questions.
 - Moving forward, on any drug-related in-custody death occurring a reasonable amount of time after booking, Mr. Parker will recommend a “Not Sustained” finding to CLERB on the general death investigation allegation. It should be noted that this is, in no way, an attempt to undermine the numerous interdiction efforts employed by SDSD personnel to prevent drug-related deaths in-custody. It is simply a realistic approach to deaths occurring after someone obtains drugs while in-custody. There was a breakdown somehow, someday. Was it on the part of sworn members? Professional staff? These questions are oftentimes unable to be answered and, if they are not, due to insufficient evidence, a “Not Sustained,” to Mr. Parker, seems to be the most appropriate recommended finding. It is certainly more appropriate than “Action Justified” and even more appropriate than “Sustained,” as “Sustained” requires evidence to support a finding of misconduct on the part of sworn staff.
 - CLERB Member Vacancy Updates
 - District 1 (D1) personnel are still reviewing applications for its vacancy.
 - 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. A nomination to the Chief Administrative Officer is expected this month.
 - District 3 (D3) personnel are still conducting interviews for its vacancy.
- Investigative Workload and Classification Report for December 2021 (*Attachment B*)
 - There were 11 new cases (as compared to two for December 2020).
 - At the end of December there were 130 cases for the calendar year, a 12% increase the 116 cases in 2020.

- There are six cases on tonight's agenda.
- At the end of December there were 78 active cases (six in "lodged" status and 72 open and active).
 - There were 28 open death cases.
 - CLERB had documents for 14 cases and was awaiting documents on the remaining 14. Two death cases are on tonight's agenda.
 - There were three new SDSD in-custody-related death cases in December.
 - There were 12 open uses of force resulting in great 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 January 31, 2022, 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 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:
 - Two media article compilations containing a total of 17 articles.
 - One media article pertaining to the CPE report and its placement as an agenda item at the December 21, 2021, CLERB Special Meeting.
- Policy Recommendation Pending Responses
 - 20-063 / Morton (Death) – SDSD
 - 20-113 / Alvarez (Death) – SDSD
 - 21-060 / Meadows – SDSD
 - CLERB Staff Response to Death Scenes – SDSD
 - CLERB Staff Response to Death Scenes – Probation
- Policy Recommendation Response
 - 20-097 / Huie – SDSD
 - SDSD implemented this change, and the use of de-escalation measures is no longer discretionary, but mandatory, when it is safe and feasible to do so.
- Sustained Finding Pending Responses
 - None
- Sustained Finding Response
 - None

The Board entered closed session at 6:38 p.m.

Closed Session

- a) AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE (Gov. Code Section 54956.75(a))
- 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.
20-104
20-107
21-019

LAST NAME
Chon
Hasenin
McCoy

CASE NO.
21-020
21-026
21-050

LAST NAME
Bounds
Brown
Mallory

The meeting was adjourned at 9:09 p.m.

Minutes prepared by Eliza Huges, Temporary Administrative Secretary



PAUL R. PARKER III
Executive Officer



ROBERT SPRIGGS, JR.
Secretary to the Board