



SAN DIEGO COUNTY SHERIFF'S OFFICE

Kelly A. Martinez, Sheriff

Rich Williams, Undersheriff

February 28, 2025

MaryAnne Pintar, Board Chairperson
Citizens' Law Enforcement Review Board
1600 Pacific Highway, Suite 251
San Diego, CA 92101

CLERB POLICY RECOMMENDATION: 22-043

Dear Chairperson Pintar,

The San Diego County Sheriff's Office (SDSO) welcomes and supports the Citizens' Law Enforcement Review Board's (CLERB) independent review of complaints alleging improper actions by members of the Sheriff's Office. The San Diego County Sheriff's Office continuously strives to respond with professionalism and concern to the citizens we serve, and the CLERB process provides invaluable input to that end.

CLERB sent SDSO the following policy recommendations reference CLERB Case #22-043:

1. It is recommended the San Diego Sheriff's Department (SDSD) define facility incident video retention to include all critical incidents as defined by SDSD P&P 4.23 Department Committees and Review Boards-Critical Review Board (sic). CLERB also recommends facility incident videos are retained for twelve hours prior to and after incident occurrence.

In response to this request, the Sheriff's Homicide Unit was consulted. The Homicide Unit advised their current practice is to have twenty-four (24) hours of detention facility surveillance video retained for the time period taking place prior to an in-custody death incident. The Homicide Unit may retain post-incident surveillance footage on a case-by-case basis when investigators determine such footage has evidentiary value related to their investigation. The Homicide Unit does not retain twelve (12) hours of detention facility surveillance video after an incident concludes, as that footage generally has no evidentiary value related to their investigation.

Since CLERB does not receive the Homicide investigation and evidentiary video until the Homicide case is closed, the assigned CLERB investigator should contact the SDSO Division of Inspectional Services (DIS) CLERB Liaison Sergeant, at any time, if they would like to confirm that twenty-four (24) hours of facility surveillance video was retained, while the Homicide Unit's investigation is pending and/or before CLERB receives the completed investigation.

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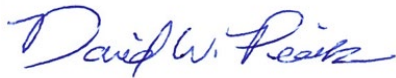
Regarding defining facility incidents to include all critical incidents as defined by SDSO P&P 4.23, SDSO is considering how to specifically, better define which incidents would be considered critical incidents in a detention facility. Many of the incidents defined as critical incidents in 4.23, involve patrol operation activities such as pursuit collisions, deputy-involved shootings, K-9 contacts, etc. These law enforcement-specific critical incidents defined in P&P 4.23 currently retain all pertinent video related to those incidents as well. We are reviewing the addition of defining language specific to critical incidents in detention facilities.

In closing, we appreciate the time and effort of the Citizens' Law Enforcement Review Board.

Thank you for your service to the citizens of San Diego County and the policy recommendation. Our goal is to provide the highest quality public safety service to everyone in San Diego County.

Sincerely,

KELLY A. MARTINEZ, SHERIFF



David Perkins, Lieutenant
Division of Inspectional Services
KAM:DP