To: Kalina, Brett

Subject: Board of Supervisors Update

Date: Tuesday, September 9, 2025 5:09:32 PM

Board Members and Staff-

19. ADOPT AN ORDINANCE AMENDING SECTIONS 340, 340.9, AND 340.15 OF THE SAN DIEGO COUNTY CODE OF ADMINSTRATIVE ORDINANCES PERTAINING TO THE DUTIES AND JURISDICTION OF THE CITIZENS LAW ENFORCEMENT REVIEW BOARD (September 9, 2025– First Reading; September 30, 2025 - Second Reading unless ordinance is modified on second reading)

Motion to Adopt Ordinance and R&Rs passes 4-1

20. SUPPORT FOR STATE ASSEMBLY BILL 847 – PEACE OFFICERS: CONFIDENTIALITY OF RECORDS

Motion to support passes 3-2

To: Kalina, Brett

Subject: BOS Meeting - September 9, 2025

Date: Sunday, September 7, 2025 6:14:28 PM

Attachments: CLERB Additional Jurisdiction (1).pdf

Attachment A Ordinance Amending Sections 340 340.9 and 340.pdf

Attachment D Citizens Law Enforcement Review Board Rules and Regulations- CLEAN.pdf

Attachment F - Memoranda (1).pdf

Sheriff Memo to Board of Supervisors - Delay Expanded CLERB Oversight to Continue Jail Improvement

Momentum and Avoid Potential for Medical Care Liability 7.29.25.pdf SUPPORT FOR STATE ASSEMBLY BILL 847 v5 SIGNED.pdf Signed A 72 Form SUPPORT FOR STATE ASSEMBLY BILL 847.pdf

Attachment A AB 847 Support Letter (1).pdf

All-

Here is a link to the Board of Supervisors Meeting Calendar page for Agenda Item #19: COUNTY OF SAN DIEGO - File #: 25-474

ADOPT AN ORDINANCE AMENDING SECTIONS 340, 340.9, AND 340.15 OF THE SAN DIEGO COUNTY CODE OF ADMINSTRATIVE ORDINANCES PERTAINING TO THE DUTIES AND JURISDICTION OF THE CITIZENS LAW ENFORCEMENT REVIEW BOARD (September 9, 2025- First Reading; September 30, 2025 - Second Reading unless ordinance is modified on second reading) (DISTRICTS: ALL)

The first document is the Board Letter. The last two documents are the two separate Sheriff's Responses.

Agenda #20: SUPPORT FOR STATE ASSEMBLY BILL 847 - PEACE OFFICERS: CONFIDENTIALITY OF RECORDS (DISTRICTS: ALL)

Documents attached.

To: Kalina, Brett

Cc: <u>Ellen Gross; Duane Bennett</u>
Subject: Civil Service Decisions

Date:Sunday, September 7, 2025 5:42:26 PMAttachments:08-06-2025 CSC Meeting Minutes.pdf

All-

The Civil Service Commission has recently issued public decisions from the August 6, 2025, hearing. This document will be provided as an attachment to the October meeting.

Although these are public decisions, we will be expecting a Civil Service Commission presentation at the October Meeting and can discuss the CSC decisions compared to CLERB Board decisions in closed session.

From: Kalina, Brett
To: Kalina, Brett

Cc: <u>Duane Bennett; Ellen Gross; Christopher Pisano</u>

Subject: FW: Civil Service Decisions

Date: Thursday, September 11, 2025 3:10:05 PM **Attachments:** 08-06-2025 CSC Meeting Minutes.pdf

All -

Please see the attached Civil Service Commission minutes from August 6, 2025, hearing which contain three CLERB cases.

Please note these are public documents. For the upcoming CLERB meeting on October 2, 2025, you will receive the confidential decisions along with the original CLERB investigative reports and findings shared via confidential means.

Although there will be a presentation from Civil Service Commission Director, Todd Adams, please refrain from any case specific questions until closed session.

Best regards - **Brett**

From: Kalina, Brett <Brett.Kalina@sdcounty.ca.gov> On Behalf Of FGG, CLERB

Sent: Sunday, September 7, 2025 5:42 PM

To: Kalina, Brett <Brett.Kalina@sdcounty.ca.gov>

Cc: Ellen Gross <efgrosslawcorp@gmail.com>; Duane Bennett <debennettlaw@gmail.com>

Subject: Civil Service Decisions

All-

The Civil Service Commission has recently issued public decisions from the August 6, 2025, hearing. This document will be provided as an attachment to the October meeting.

Although these are public decisions, we will be expecting a Civil Service Commission presentation at the October Meeting and can discuss the CSC decisions compared to CLERB Board decisions in closed session.

To: Kalina, Brett

Subject: Media Update 9-21-25

Date: Sunday, September 21, 2025 12:05:47 PM

Prop. 36 promised treatment for people with serious drug addiction, but jails are left holding the bag

https://www.sandiegouniontribune.com/2025/09/21/prop-36-promised-treatment-for-people-with-serious-drug-addiction-but-jails-are-left-holding-the-bag/

To: <u>Kalina, Brett</u>
Subject: Media Update

Date: Tuesday, September 2, 2025 8:30:41 AM

9th Circuit blocks release of sheriff's internal jail-death reviews, denying Union-Tribune's request

https://www.sandiegouniontribune.com/2025/08/28/9th-circuit-blocks-release-of-sheriffs-internal-jail-death-reviews-denying-union-tribunes-request/

In-Custody Death Investigation

In-Custody Death - San Diego Central Jail

Post Date: 08/30/2025 8:54 PM

On Saturday, August 30, 2025, Sheriff's Homicide investigators were notified an 35-year-old male in Sheriff's custody passed away at the San Diego Central Jail.

On August 30, 2025, at around 3:08 p.m., several Incarcerated Persons at the San Diego Central Jail notified Sheriff's Deputies that an Incarcerated Person was in medical distress. Deputies discovered the individual unresponsive inside his cell. Upon observing the situation, the deputies immediately activated 9-1-1, requested additional assistance from the facility's medical staff, and began life saving measures.

Paramedics and the San Diego Fire Department assumed lifesaving measures upon their arrival and the individual was transported to a local hospital. Despite their efforts, the individual was pronounced deceased at the hospital at about 4:31 p.m.

This individual had been in Sheriff's custody since August 29, 2025, and was facing charges for vehicle theft and possession of stolen property.

The identity of the deceased is currently being withheld pending notification of his family. The San Diego Sheriff's Office extends our sympathies to the decedent's family and all those affected by his passing. A Sheriff's Family Liaison Officer will support the family as they navigate through this difficult time.

The Citizens' Law Enforcement Review Board (CLERB) has been notified regarding the incident. As is the protocol for all in-custody deaths, the Sheriff's Homicide Unit responded and is conducting a thorough investigation to ensure all aspects of this incident are examined. The cause and manner of death will be determined by the Medical Examiner's Office.

Media Contact: Juan Marquez, Lieutenant

<u>Juan.Marquez@sdsheriff.org</u> Homicide Unit / 858-285-6330

Investigación de muerte

Muerte bajo custodia - Cárcel Central de San Diego

El sábado 30 de agosto de 2025, los investigadores de homicidios del alguacil fueron notificados de que un hombre de 35 años bajo custodia del alguacil falleció en la Cárcel Central de San Diego.

El 30 de agosto de 2025, alrededor de las 3:08 p.m., varias personas encarceladas en la Cárcel Central de San Diego notificaron a los agentes del alguacil que una persona encarcelada estaba en problemas médicos. Los agentes descubrieron al individuo inconsciente dentro de su celda. Al observar la situación, los agentes activaron inmediatamente el 9-1-1, solicitaron asistencia adicional al personal médico de la instalación y comenzaron a tomar medidas para salvar vidas.

Los paramédicos y el Departamento de Bomberos de San Diego asumieron medidas para salvar vidas a su llegada y el individuo fue transportado a un hospital local. A pesar de sus esfuerzos, el individuo fue declarado fallecido en el hospital alrededor de las 4:31 p.m.

Esta persona había estado bajo custodia del alguacil desde el 29 de agosto de 2025 y enfrentaba cargos por robo de vehículos y posesión de propiedad robada.

La identidad del fallecido se mantiene actualmente en reserva a la espera de la notificación a su familia. La Oficina del Sheriff de San Diego extiende nuestras condolencias a la familia del difunto y a todos los afectados por su fallecimiento. Un oficial de enlace familiar del alguacil apoyará a la familia mientras navegan por este momento difícil.

La Junta de Revisión de Aplicación de la Ley de Ciudadanos (CLERB) ha sido notificada sobre el incidente. Como es el protocolo para todas las muertes bajo custodia, la Unidad de Homicidios del Sheriff respondió y está llevando a cabo una investigación exhaustiva para garantizar que se examinen todos los aspectos de este incidente. La causa y la forma de la muerte serán determinadas por la Oficina del Médico Forense.

Contacto con los medios: Juan Márquez, Teniente

Unidad de Homicidios

<u>Juan.Marquez@sdsheriff.org</u> / 858-285-6330

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This email was sent to $\underline{brett.kalina@sdcounty.ca.gov}$ using govDelivery Communications Cloud on behalf of: San Diego County Sheriff, California · PO Box 939062 San Diego, CA 92193

I want to share something that's been weighing on my heart the past few days after hearing inappropriate and, frankly, inexcusable language at Tuesday's Board of Supervisors meeting. While it

can be shocking to see and hear this type of ugly behavior, I think it's important to be clear about what I expect as the Chief Administrative Officer, and what we should expect as one County team.

I'm referring to an incident involving a member of the public who spoke during public comment about the agenda and directed a word that represents hate and ignorance at a member of our Board of Supervisors. This is not OK. It is beyond not OK. It is reprehensible. It is upsetting to hear, and it can cause trauma. **Hate has no place here.**

Unfortunately, negative and troubling comments toward our team have become all too common. I recognize this makes your amazing work more challenging, but I am inspired that it does not deter you. Know that I have your back.

While we must uphold people's Constitutional right to free speech, the <u>rules of procedure for Board of Supervisors meetings</u> recognize the need for respectful dialogue. Each person who addresses the Board of Supervisors shall not use loud, shouting, threatening, impertinent, slanderous, profane, or abusive language to any member of the Board, staff, or the general public. Such language is unwanted, unwelcomed, inappropriate, and interferes with the ability of those present to listen and understand.

And, our <u>County policy</u> is clear – we are committed to a work environment in which all employees are treated with respect and dignity, and every employee has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment.

Thank you for continuing to uphold <u>our values as an organization</u> – which include belonging, equity and integrity – and <u>our culture of kindness</u> in your work with each other and the community. And know that there are resources and support if you need it. The <u>Employee Assistance Program</u> offers no-cost counseling and emotional well-being resources, the <u>Office of Ethics and Compliance</u> helps to ensure that San Diego County employees and customers are treated fairly, and there is a range of resources to support <u>diversity and inclusion</u> in our work.

Together, we will lead by example to reflect belonging and respect in everything we do.

Kind regards,

Ebony Shelton (She/Her/Hers)

Chief Administrative Officer

Thong Dreston

From: <u>Kalina, Brett</u> on behalf of <u>FGG, CLERB</u>

To: Kalina, Brett
Subject: Media Update 9-5-25

Date: Friday, September 5, 2025 1:11:05 PM

SDSO deputy's response to woman found in ditch being investigated – NBC 7 San Diego

To: Kalina, Brett
Subject: Media Update 9-7-25

Date: Sunday, September 7, 2025 5:03:27 PM

San Diego County may become first in the U.S. to give civilian board oversight of jail healthcare providers

https://www.sandiegouniontribune.com/2025/09/07/san-diego-county-may-become-first-in-the-u-s-to-give-civilian-board-oversight-of-jail-healthcare-providers/

To: Kalina, Brett
Subject: Media Update 9-9-25

Date: Tuesday, September 9, 2025 7:08:13 AM

San Diego County may become first in the U.S. to give civilian board oversight of jail healthcare providers

https://www.sandiegouniontribune.com/2025/09/07/san-diego-county-may-become-first-in-the-u-s-to-give-civilian-board-oversight-of-jail-healthcare-providers/

'Reckless' and 'inhumane': Family blames jail officials for man's death after cell beating

https://www.sandiegouniontribune.com/2025/09/08/reckless-and-inhumane-family-blames-jail-officials-for-mans-death-after-cell-beating/

To: Kalina, Brett

Subject: Media Update 9-10-25

Date: Wednesday, September 10, 2025 12:19:24 PM

Over sheriff's objections, county supervisors vote to expand civilian jail oversight board's authority

https://www.sandiegouniontribune.com/2025/09/09/over-sheriffs-objections-sandiego-county-supervisors-expand-civilian-jail-oversight-boards-authority/

County supervisors back bill to bolster civilian oversight of law enforcement

https://www.sandiegouniontribune.com/2025/09/09/county-supervisors-back-bill-to-bolster-civilian-oversight-of-law-enforcement/

To: Kalina, Brett

Subject: Media Update 9-16-25

Date: Tuesday, September 16, 2025 8:21:01 AM

Federal judge declines to dismiss latest jail-death case against San Diego County

https://www.sandiegouniontribune.com/2025/09/15/federal-judge-declines-to-dismiss-latest-jail-death-case-against-san-diego-county/

To: Kalina, Brett

Subject: Media Update 9-29-25

Date: Monday, September 29, 2025 7:30:35 AM

Jail watchdog that exposed grim conditions faces elimination under L.A. County plan

https://www.msn.com/en-us/news/us/jail-watchdog-that-exposed-grim-conditions-faces-elimination-under-la-county-plan/ar-AA1MX9kh?ocid=BingNewsVerp

Man's death in February followed fall from bunkbed in Vista jail

https://www.sandiegouniontribune.com/2025/09/26/mans-february-death-followed-fall-from-bunkbed-in-vista-jail/

In rare move, San Diego County sues its own jail health care providers over brutal cellmate killing

https://www.sandiegouniontribune.com/2025/09/27/in-rare-move-san-diego-county-sues-its-own-jail-healthcare-providers-over-brutal-cellmate-killing/

To: Kalina, Brett

Hakak, Nawras; Biggs, Amanda B; Adams, Lori M; Klew, Spencer; Knowland, Adam; Salas, Bobby Ray C; Setzler, Lynn M; Adele Fasano; Ariana Federico Mondragon; Jim Mendelson; MaryAnne Pintar; nadia kean-ayub; Robert Bcc:

Brown; Tim Ware

Subject: Media Update 9-30-25

Tuesday, September 30, 2025 2:33:00 PM Date:

San Diego County Supervisors strengthen law enforcement oversight board | KPBS Public Media

To: Kalina, Brett

Subject: Op-Ed East Bay Times 9-6-25

Date: Sunday, September 7, 2025 5:53:26 PM

Attachments: 2025- 09-02 Civilian Oversight of Law Enforcement Is Dying.pdf

Published Version:

https://www.eastbaytimes.com/2025/09/06/opinion-five-years-after-floyd-civilian-police-oversight-is-dying-on-the-vine/

From: <u>Kalina, Brett</u> on behalf of <u>FGG, CLERB</u>

To: Kalina, Brett

Bcc: Hakak, Nawras; Adams, Lori M; Klew, Spencer; Knowland, Adam; Salas, Bobby Ray C; Setzler, Lynn M; Adele

Fasano; Ariana Federico Mondragon; Jim Mendelson; MaryAnne Pintar; nadia kean-ayub; Robert Brown; Tim

<u>Ware</u>

Subject: SDSO Liaison Question/Answer 9-16-25

Date: Tuesday, September 16, 2025 12:39:00 PM

Pursuant to a board member question at the September meeting regarding deputies' obligations to report misconduct, the SDSO Liaison directed CLERB to the following SDSO Policies:

2.57 Duty to Intercede

Purpose:

As a Sheriff's Office employee, we represent our organization and are accountable for upholding Office values to maintain public trust. Sworn staff employees have tremendous authority and that

authority must be balanced with responsibility to meet the high standards of the communities we serve.

Office training, expectations, and practices require intervention when sworn employees witness or have knowledge of criminal activity (i.e., misdemeanor or felony crimes) or potential excessive

force by any office employee or sworn law enforcement officer.

Definitions:

Intercede includes, but is not limited to:

- Physically stopping the excessive use of force.
- Recording the excessive force, if equipped with a body-worn camera, and documenting efforts to intervene.
- Efforts to deescalate the offending officer's excessive use of force and confronting the offending officer about the excessive force during the use of force.
- Reporting to a supervisor or the watch commander on duty or dispatch to have them intercede. The reporting deputy will have to state the offending officer's name, unit, location, time, and situation.

Potential excessive force is defined as force that an employee believes to be beyond that which is necessary, taking into account the possibility that other deputies may have additional information

regarding the threat posed by a subject.

2.59 Duty to Report Misconduct

All employees both sworn and non-sworn have an affirmative duty to report misconduct. When reporting serious acts of misconduct, employees do not have to adhere to the chain of command. If the misconduct has implications of criminal activity, corruption, or other serious offenses, employees may report directly to the Internal Affairs Unit.

Misconduct is defined as serious or repeated misconduct that violates office policy and procedure, equates to criminal activity, or otherwise evidences a lack of fitness to serve as a peace officer. Examples of misconduct include, but are not limited to, policy violations of truthfulness, discrimination, excessive force, sexual harassment, moral turpitude, or constitutional violations.

Employees have an affirmative duty to cooperate fully during the investigation of an allegation of employee misconduct.

Section 11 Use of Force Guidelines: 11.8 Duty To Intervene

Deputies shall intervene when present and observing another deputy using force that is clearly beyond that which is objectively reasonable and necessary under the circumstances. Deputies should take into account the possibility other deputies may have additional information regarding the threat posed by a subject or their actions prior to additional deputies arriving on scene. The presence of a supervisor does not relieve an employee from their duty to stop misconduct from continuing. Deputies shall immediately report excessive force to a supervisor or Internal Affairs (see Policy and Procedure Section 2.57 – Duty to Intervene).

To: Kalina, Brett

Subject: SDSO Liaison Response to Board Member question Date: Wednesday, September 10, 2025 12:22:42 PM

Hi Brett,

These are primarily Medical Services Division (MSD) functions. A urine drug screen (UDS) will be offered to anyone booked that states they use any illegal substances. The test can be refused. Erratic and/or disturbed behavior will not trigger us to do a UDS. Routine drug testing can be done in custody for the IPs that participate in the MOUD and/or MAT programs. The MAT provider would be the one that would determine if the IP would do routine UDS.

- 1) Do you do drug testing in detentions?
 - a. There is a urine drug screening (UDS) that takes place during the intake process to assist health staff in identifying substance abuse treatment protocol to offer the person while in custody. It is not mandatory and is triggered by the IP's answers to the intake questionnaire.
- What precipitates the drug test, i.e. "erratic" or "disturbed" behavior?
 - a. The intake questionnaire. Outside of that, there are certain medications,
 Buprenorphine being one, that adjustments to the requested dose for treatment requires a UDS to check levels and the presence of substances.
- 3) Who makes the decision?
 - a. This is a health staff function. Other than with a warrant or during an investigation, the only time in custody where a UDS or other type of drug screening is conducted by or at the direction of sworn staff is during CPAC screening for County Parole participants. Those are done in facility prior to being placed out of custody on the program or during a home parole check.

I think this answers any questions they had but let me know if it does not. Thanks.

IJ

To: Kalina, Brett

Subject: SDSO Response to Board Question RE GJ findings and CQI

Date: Sunday, September 7, 2025 6:01:30 PM

Attachments: Response to the Grand Jury Report - Performance Indicators Displayed on a Publicly Accessible Dashboard May

Be Beneficial in Lowering Death Rate in Jails .pdf

Board Members -

This document was provided by the SDSO Liaison in response to a Board Members questions (from September Meeting) regarding Key Performance Indicators (KPIs) and Continuous Quality Improvement (CQI).

To: Kalina, Brett

Subject: Sheriff Martinez Statement on CLERB Jurisdiction Expansion

Date: Tuesday, September 9, 2025 5:15:27 PM

Statement on CLERB Jurisdiction Expansion

Sheriff Martinez comments on today's decision.

Post Date: 09/09/2025 5:00 PM



Today, Sheriff Kelly Martinez addressed the San Diego County Board of Supervisors regarding the proposed ordinance to expand the authority of the Citizens' Law Enforcement Review Board (CLERB) to include oversight of healthcare service providers in San Diego County jails.

With an average daily population of 4,400 individuals across seven detention facilities, the San Diego County Sheriff's Office operates one of the largest and most complex county correctional systems in California. The incarcerated population faces disproportionately high rates of chronic illness, mental health conditions, and substance use disorders, creating an urgent need for a structured, evidence-based evaluation of healthcare delivery.

Sheriff Kelly Martinez reaffirmed the Sheriff's Office's commitment to advancing healthcare in the jail system. Over the last three years, the Sheriff's Office, in collaboration with contracted partners, has made significant improvements in medical, mental health, and substance use treatment—serving nearly 50,000 individuals annually. These efforts reflect national standards, including benchmarks from the National Commission on Correctional Health Care (NCCHC).

"I was elected Sheriff with a commitment to improving the level of care in our jails, and I stand by that commitment," said Sheriff Martinez. "Our correctional nurses, mental health clinicians, contracted physicians, and over 50 community service partners work every day with ethics, integrity, and compassion in some of the most challenging environments. I will continue to protect their work and the progress we've made."

While she understands and agrees that community trust and transparency of jail operations is critical, Sheriff Martinez raised concerns about the unprecedented nature of the ordinance, noting the lack of a risk model for medical providers and insurers in any county across the nation. Instead, the Sheriff urged the Board to support an independent, interdisciplinary assessment of jail healthcare that would evaluate clinical quality, operations, governance, and accountability.

"While I am disappointed the majority of the Board of Supervisors did not approve my recommendation for an independent, comprehensive evaluation of our jail healthcare system, my commitment to the individuals in our custody remains unchanged, and I will move forward on advancing improvements," added Sheriff Martinez. "I have always supported the important work of the CLERB and will continue to do so, at the same time fighting for meaningful improvements."

 From:
 Kalina, Brett on behalf of FGG, CLERB

 fo:
 Kalina, Brett

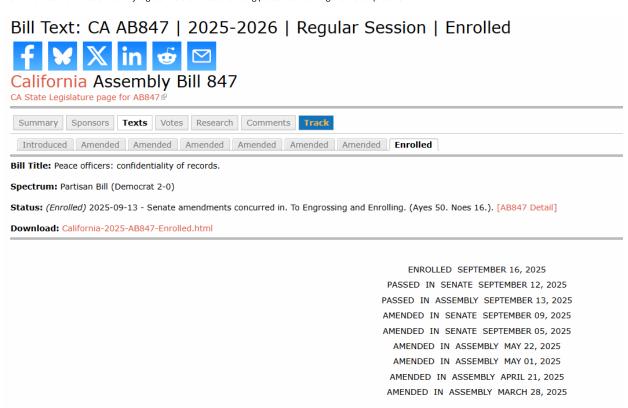
 Subject:
 Update on AB 847 9-19-25

 Date:
 Friday, September 19, 2025 2:44:39 PM

 attachments:
 image001.png

Board Members -

AB 847 was enrolled on September 16, 2025. "Enrolled means the final, official version of a bill that has been passed in identical form by both houses of the legislature and is ready to be sent to the governor for their signature to become law. This final version incorporates all agreed-upon amendments from both chambers and is certified by legislative clerks before being presented to the governor or president."



CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION