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The Citizens' Law Enforcement Review Board made the following findings in the closed session portion of its **June 4, 2026 & August 6, 2026**, meetings held in person. **Any changes or additions to staff's recommended findings are bolded in red.** Redactions by order of Juvenile Court are bolded in blue. Minutes of the open session portion of this meeting will be available following the Review Board's review and adoption of the minutes at its next meeting. Meeting agendas, minutes, and other information about the Review Board are available upon request or at www.sdcounty.ca.gov/clerb.

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 pursuant to Government Code Section 54957 for deliberations regarding consideration of subject officer discipline recommendation (if applicable).

DEFINITION OF FINDINGS	
Action Justified	The evidence shows that the alleged act or conduct did occur but was lawful, justified and proper.
Not Sustained	There was insufficient evidence to either prove or disprove the allegation.
Sustained	The evidence supports the allegation and the act or conduct was not justified.
Unfounded	The evidence shows that the alleged act or conduct did not occur.
Summary Dismissal	The Review Board lacks jurisdiction or the complaint clearly lacks merit.

CASES FOR SUMMARY HEARING (14)

ALLEGATIONS, BOARD FINDINGS & RATIONALES

24-135/DOE 2403 (GBI) **Deferred on 06-04-26**

Final findings to be released upon approval of the Juvenile Court.

24-136/DOE 2404 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officers Juler Deleon, Omar Figueroa, Christopher Nunez, William Radovich, David Townsend, and Maricela Vazquez used force against "Doe 2404" on 04-21-21.

Board Finding: **Action Justified**

Staff Recommended Finding: Not Sustained

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at the East Mesa Juvenile Detention Facility (EMJDF) in which Doe 2404 sustained "possible loss of consciousness." The records received included incident reports and a medical report. No video evidence of this incident was received. In addition, five of the six subject officers are no longer employed by the Probation Department. The incident report stated on 04-27-21, Doe 2404, repeatedly requested to use the restroom during the evening shower program, they became increasingly agitated, and engaged in disruptive behavior including yelling, banging on the door, and covering their window. Staff attempted to de-escalate the situation and told Doe 2404 they would be allowed to use the bathroom once Doe 2404 uncovered the window and once other youth were secured in their rooms. After being allowed out to use the restroom, Doe 2404 remained on the toilet for approximately twenty minutes, during which Doe 2404 threatened to slow down the

program and waved feces-covered toilet paper at staff. As additional staff, including a Watch Commander and a Supervising Probation Officer responded, Doe 2404 exited the bathroom but refused multiple directives to go to "cover." Doe 2404 was physically placed into the prone position, handcuffed, and a spit sock was applied due to continued yelling and spitting. Throughout subsequent attempts to move Doe 2404, Doe 2404 repeatedly resisted, dropped their body weight, yelled, and kicked towards POs. POs utilized prone control, handcuffs, ankle restraints, and a wheelchair to transport Doe 2404. Upon arrival, Doe 2404 continued resisting and was again placed in a prone position as staff attempted to remove restraints. Doe 2404 momentarily appeared unresponsive for roughly two seconds, prompting a medical emergency call. Medical staff responded and cleared the emergency within minutes after confirming Doe 2404 was speaking and alert. POs successfully removed the handcuffs and secured Doe 2404 in a room without further physical incidents. A PO provided a confidential statement to CLERB that was considered as a part of the investigation. Per Probation P&P Section 514.4, Use of Force, "(a) Authorized officers must use only that amount of force that reasonably appears necessary given the facts and totality of circumstances known to or perceived by the officer at the time of the event, including facts known about Client vulnerabilities such as age, medical or mental conditions or disabilities, to accomplish a legitimate government purpose such as to gain control of the youth; protect and ensure the safety of youths, staff members, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and officer orders; or ensure the institution's security and good order. Force must not be used in response to disrespectful or noncompliant behavior that does not pose such a threat. The force options available to officers, including both physical and non-physical options, and the circumstances under which such force options are appropriate, are outlined throughout this Policy." Per P&P Section 600.5.1, Prehearing Separation, "Youths who are accused of a major rule violation may be removed from the general population of youths with the Watch Commander's approval, if there is a threat to safety or security of other youths, staff members, or visitors." Per P&P Section 7.5.8, Major Misbehavior (Rule Violations), "...Major violations of facility rules are acts of misbehavior that display flagrant disregard for the authority of officers, rules of the institution, or laws of the State or Federal government. Major rule violation may result in separation, forfeiture of good time, or Administrative Removal. Such acts also endanger the safety and security of the facility, other youth and/or staff. Each facility has designated consequences for major rule violations that are uniform in nature... Major Rule Violations include one or more of the following. Although sanctions are designated by each facility, they are comparable, only taking into account the programs each facility offers... Threats Toward Officers... This includes, but is not limited to, use of any threatening or abusive language towards a staff member, any threats of physical harm directed towards officers or assuming any threatening posture towards officers. Room Water Misbehavior... Misuse of the room sink and toilet, such as clogging, overflowing or otherwise misusing the room water features." Per P&P Section 7.3.4.13, The Cover Command, "When youth hear the command, 'COVER,' they must immediately go to a kneeling position with their hands clasped behind their head, so that their arms cover the side of the head and the face area. The head is pulled down toward the knees as far as possible so that the elbows come close to touching the knees and the ankles are crossed. Youth are not allowed to communicate or move until officers provide further direction. Officers use the 'COVER' command whenever there is a problem or emergency, repeating the command several times. Periodic response drills are to be conducted by officers to assure that the youth know what is expected of them. Failure to comply with the 'COVER' command and to stay in the 'COVER' position until released by officers is a major rule violation." The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.

2.

AYE: 7
NAY: 0

Redacted by order of Juvenile Court

24-139/DOE 2407 (GBI)

1. Use of Force Resulting in Great Bodily Injury- Probation Officer (PO) Christopher Lim and PO Michael Peterson used force against Doe 2407 resulting in great bodily injury.

Board Finding: **Action Justified**

Staff Recommended Finding: Not Sustained

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at the East Mesa Juvenile Detention Facility (EMJDF) in which Doe 2407 sustained a "large abrasion and laceration". Per Probation records, on 10-19-21, four POs were supervising fourteen juveniles while they participated in recreational time. Unidentified Juvenile 1 (UJ1) and Unidentified Juvenile 2 (UJ2) began kicking and punching one another. Doe 2407 and Unidentified Juvenile 3 (UJ3) inserted themselves into the altercation and assaulted UJ1 by kicking and punching them, while UJ1 was laying on the ground protecting their face with their hands. PO Peterson intervened and pushed Doe 2407 to stop Doe 2407 from continuing to assault UJ1. PO Peterson then tried to remove UJ1 from the fight. PO Lim saw Doe 2407 "standing trying to fight [redacted] as staff were controlling the other youths". PO Lim intervened and grabbed Doe 2407 and forced Doe 2407 to the ground and placed Doe 2407 into a control hold until additional help arrived and Doe 2407 could be safely handcuffed. Doe 2407 was evaluated by medical staff and treated for injuries. Following a Watch Commander Incident Review, the documented reason for the assault on UJ1 was due to UJ1 being new to the unit and the other juveniles viewed UJ1 as being disrespectful. Per Probation P&P Section 514.3, Use of Force: *Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes.* Per Probation P&P Section 514.3.4, Health Care: *A youth who has been the subject of a use of force should be seen by medical and mental health staff, even in cases where no emergency care appears necessary (15CCR1357).* Due to the lack of corroborating CCTV footage, the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.

2. [REDACTED]

AYE: 7
NAY: 0

Redacted by order of Juvenile Court

24-143/DOE 2411 (GBI)

1. Use of Force Resulting in Great Bodily Injury - Probation Officers Kovan Abdul-Razzak and Alejandro Borquez used force against Doe 2411 on 04-14-22.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at the East Mesa Juvenile Detention Facility (EMJDF) in which Doe 2411 sustained "torn knee cartilage." On 04-14-22, eight POs were supervising sixteen juveniles while they participated in recreational time. Doe 2411 and Unidentified Juvenile 1 (UJ1) were among the juveniles. Doe 2411 and UJ1 began throwing closed fist punches at one another. Verbal commands were issued and both Doe 2411 and UJ1 ignored the commands and continued fighting one another. PO's Borquez and Abdul-Razzak pulled Doe 2411 by their shirt forcing them to the ground. Once on the ground, PO Borquez placed Doe 2411 into a control hold. PO Abdul-Razzak secured Doe 2411 in handcuffs, and escorted them off the quad. Doe 2411 was evaluated by EMJDF medical staff and was documented as having sustained injuries. Probation P&P Section 514.3, stated, "Use of Force: Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes." Probation P&P Section 514.3.4, Health Care stated, "A youth who has been the subject of a use of force should be seen by medical and mental health staff, even in cases where no emergency care appears necessary (15CCR1357)." The Investigation showed the alleged act did occur but was lawful, justified, and proper.

2. [REDACTED]

[REDACTED]

Redacted by order of Juvenile Court

AYE: 7
NAY: 0

24-144/DOE 2412 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officer Brian Fritz used force against "Doe 2412" on 04-22-22.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at a juvenile detention facility in which Doe 2412 sustained a "dislocated finger." On 04-22-22 Doe 2412 physically assaulted another juvenile in the dayroom of a detention facility. Doe 2412 and an unidentified juvenile (UJ) started punching each other and the fight went to the ground. PO's separated the juveniles. PO Fritz described Doe 2412 as, "actively resisting my commands and trying to get back up to go after [redacted]." CCTV verified Doe 2412 resisted PO Fritz's efforts to control Doe 2412. PO Fritz and Doe 2412 struggled on the ground. At one point PO Fritz was on his back when Doe 2412 laid across PO Fritz's legs. While in this position, PO Fritz struck Doe 2412 on the back with his hand. Doe 2412 did not discontinue his position. PO Fritz struck Doe 2412 on the back again with his hand. Doe 2412 complied and lay prone on the ground. Per medical records the incident occurred at 8:32pm hours, the medical clinic was notified at 8:44pm and Doe 2412 was examined at 8:46pm. Per SD Probation correspondence, PO Fritz is no longer employed with the agency as of 02-21-24. Per Probation Policy Section 514.3 Use of Force: "Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that

amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes... While various degrees of force exist, each officer is expected to use only that degree of force that is reasonable under the circumstances to successfully accomplish the legitimate and lawful purpose in accordance with this policy...Circumstances may arise in which officers may reasonably believe it would be impractical or ineffective to use any of the standard tools, weapons, or methods provided by the Department. Officers may find it more effective or practical to improvise their response to rapidly unfolding conditions they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree reasonably necessary to accomplish a legitimate government purpose... Medical checks will be performed by a qualified health care professional on all youths who have been subjected to force as soon as practicable regardless of apparent injury. If no qualified health care professional is available, the youth shall be transported to the designated health care facility..." Per Section 514.5 Immediate and Calculated Use of Force: "An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by staff may be necessary to stop a youth from inflicting life-threatening self-injuries or to stop an assault on any other person, including other youths. The destruction of government property may require the immediate use of force by staff in some circumstances..." The investigation showed the alleged act did occur but was lawful, justified, and proper.

AYE: 7
NAY: 0

24-148/DOE 2416 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officers Derick Nykaza and Lino Rojas used force against "Doe 2416" on 07-01-22.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred on 07-01-22 at the East Mesa Juvenile Detention Facility (EMJDF) in which Doe 2416 sustained a "broken finger". The records received included incident reports, CCTV footage, and a medical report. The evidence showed, on 07-01-22, at EMJDF, Doe 2416 approached an Unidentified Juvenile (UJ1) and engaged in a physical altercation with UJ1. POs responded to separate the juveniles, and PO Rojas was observed placing Doe 2416 in the prone position. Doe 2416 attempted to get away from PO Rojas by attempting to stand up. PO Nykaza responded to assist and used knee strikes to Doe 2416's left side while attempting to place Doe 2416 in the prone position. POs were able to gain control of Doe 2416 and secure them in handcuffs without further force used. Doe 2416 sustained an injury during the incident and was evaluated by EMJDF medical staff. Per Probation P&P Section 514.4, Use of Force: "(a) Authorized officers must use only that amount of force that reasonably appears necessary given the facts and totality of circumstances known to or perceived by the officer at the time of the event, including facts known about Client vulnerabilities such as age, medical or mental conditions or disabilities, to accomplish a legitimate government purpose such as to gain control of the youth; protect and ensure the safety of youths, staff members, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and officer orders; or ensure the institution's security and good order. Force must not be used in response to disrespectful or noncompliant behavior that does not pose such a threat. The force options available to officers, including both physical and non-physical options, and the circumstances under which such force options are appropriate, are outlined throughout this Policy." The investigation showed the alleged act did occur but was lawful, justified, and proper.

AYE: 7
NAY: 0

24-149/DOE 2417 (GBI)

1. Use of Force resulting in Great Bodily Injury – Probation Officer Adrian Rodriguez used force against "Doe 2417" on 08-22-22.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at the East Mesa Juvenile Detention Facility (EMJDF) in which Doe 2417 sustained a "fractured tooth." On 08-22-22, multiple youth were involved in a fight. During the fight, Doe 2417 was attacked by two juveniles including being hit with a chair. As the fight progressed, Doe 2417 and the two other juveniles fell over a table which caused them to separate. One PO grabbed a juvenile going back toward Doe 2417 and placed him on the ground. Doe 2417 turned and was now facing PO Rodriguez. Doe 2417's feet were about shoulder width apart and his hands were raised to his chin area. PO Rodriguez and Doe 2417 were about an arm's length away from each other. PO Rodriguez shoved Doe 2417 in the chest causing Doe 2417 to fall backward to the ground. PO Rodriguez tried to secure Doe 2417 on the ground and was punched in the back of the head by UJ3. While PO Rodriguez was handcuffing Doe 2417, UJ3 "stomped" on Doe 2417's head and was heard saying, "I punched that nigga in the back of the head and stomped that niggas head, too." Probation Policy Section 514.3, "Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes." The investigation showed the alleged act did occur but was lawful, justified, and proper.

AYE: 7

NAY: 0

24-150/DOE 2418 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officers (PO's) Abraham Arce, Daniel Garcia, and Adrian Rodriguez used force against "Doe 2418" on 08-22-22.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at the East Mesa Juvenile Detention Facility (EMJDF) in which Doe 2418 sustained a "fractured tooth". On 08-22-22, four POs were supervising 23 juveniles in the dayroom. Two Unidentified Juveniles (UJ1 and UJ2) were involved in a gang-related physical altercation. While UJ1 and UJ2 were being detained, Unidentified Juvenile 3 (UJ3) began punching Unidentified Juvenile 4 (UJ4). Doe 2418 inserted themselves into the altercation and picked up a chair, lifted it over their head and slammed it down onto UJ3 and UJ4. PO Rodriguez issued Doe 2418 a verbal command which Doe 2418 ignored and continued fighting. PO Rodriguez shoved Doe 2418 and pinned them against the wall. Doe 2418 fell to the floor and landed in the prone position. PO Rodriguez observed several other juveniles fighting and left Doe 2418 in the prone position unhandcuffed while he went to assist by placing UJ4 into the prone position. Doe 2418 stood up and ran behind PO Rodriguez and used a closed fist to strike the side of PO Rodriguez's head. Doe 2418 then stomped on UJ4's head causing injury to UJ4's jaw, teeth, and chin. PO Arce observed Doe 2418 stomp on UJ4's head and intervened by tackling Doe 2418 to the ground. PO's Garcia and Arce gave Doe 2418 verbal commands to place their hands behind their back. Doe 2418 ignored the verbal commands and continued to resist by tucking their arms under their body and tried to push up to a standing position. PO Garcia delivered knee strikes to Doe 2418's thigh and body while PO Arce delivered knee strikes to Doe 2418's triceps area. Doe 2418 stopped resisting and PO Arce handcuffed Doe 2418. A PO sustained an injury as a direct result of Doe 2418's actions. Doe 2418 also sustained injuries from the altercation and was later transported to a hospital. Per Probation P&P Section 514.3, Use of Force: *Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes.* The investigation showed the alleged act did occur but was lawful, justified, and proper.

AYE: 7

NAY: 0

24-153/DOE 2421 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officers Pedro Bernal and Thomas Tutogi used force against “Doe 2421” on 07-12-23.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at a juvenile detention facility in which Doe 2421 sustained “*fractured bone in hand.*” On 07-12-23, Doe 2421 assaulted an Unidentified Juvenile (UJ1) in the dayroom. According to CCTV, Doe 2421 was sitting in a chair when UJ1 entered the dayroom. Doe 2421 rose from his chair and charged at UJ1. Doe 2421 and UJ1 physically fought. Probation Officers Bernal and Tutogi attempted to separate the juveniles. Neither Doe 2421 nor UJ1 complied with commands to go to a cover position. As a result, PO’s Bernal and Tutogi used physical force to control both juveniles. PO Bernal and Doe 2421 wrestled on the floor as PO Tutogi attempted to control UJ1. Doe 2421 got out of PO Bernal’s grip and lunged towards PO Tutogi and UJ1. PO Tutogi turned his attention to Doe 2421 and attempted to assist PO Bernal with gaining control of Doe 2421. UJ1 then stood and attempted to re-engage with Doe 2421, interfering with PO Bernal and Tutogi’s attempt to control Doe 2421. Additional officers arrived and both Doe 2421 and UJ1 were taken into custody without further incident. Probation Officers used their hands, body weight, and body positions during the use of force. Doe 2421 sustained an injury during this incident. Per medical records, Doe 2421 was treated at the facility by a nurse and was sent to the emergency room for further evaluation. Per Probation P&P Section 514.3 Use of Force: “*Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution’s security and good order, or for other lawful purposes... Circumstances may arise in which officers may reasonably believe it would be impractical or ineffective to use any of the standard tools, weapons, or methods provided by the Department. Officers may find it more effective or practical to improvise their response to rapidly unfolding conditions they are confronting...*” Per Section 514.5 Immediate and Calculated Use of Force, “*An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by staff may be necessary to stop a youth from inflicting life-threatening self-injuries or to stop an assault on any other person, including other youths...*” Per Section 514.3.4 Health Care, “*...A youth who has been the subject of a use of force should be seen by medical and mental health staff, even in cases where no emergency care appears necessary...*” The investigation showed the alleged act did occur but was lawful, justified, and proper.

2. [REDACTED]

[REDACTED]

Redacted by order of Juvenile Court

3. [REDACTED]

[REDACTED]

Redacted by order of Juvenile Court

AYE: 7
NAY: 0

24-156/DOE 2424 (GBI)

Final findings to be released upon approval of the Juvenile Court.

24-158/DOE 2426 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officer Pedro Diaz used force against “Doe 2426”, juvenile probationer on 09-21-23.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at the East Mesa Juvenile Detention Facility (EMJDF) in which Doe 2426 sustained a “*fractured bone in elbow.*” On 09-21-23, five PO’s were supervising 27 juveniles while they participated in recreational time. While lining up to leave, Juvenile 1 (J1) physically attacked Juvenile 2 (J2) with closed fist punches. A cover command was given for all juveniles to get on the ground. The remaining uninvolved juveniles immediately got on the ground on their stomachs. However, Doe 2426 remained standing and ran towards the fight to insert themselves in the assault. PO Diaz grabbed Doe 2426 by the upper torso and forced them to the ground and issued a verbal command to stay on the ground. The initial force was not effective, Doe 2426 immediately stood back up. PO Diaz grabbed Doe 2426 once more and forced them to the ground. Doe 2426 complied with PO Diaz’s verbal commands and remained on the ground until handcuffed. Doe 2426 was evaluated by EMJDF medical staff and it was documented Doe 2426 had sustained an injury and was transported to the hospital for further treatment. An Incident Review report documented when Doe 2426 was asked to explain their actions they stated, “*I got something against (redacted)*”. Probation Department P&P Section 514.3 – *Use of Force: Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution’s security and good order, or for other lawful purposes.* The evidence showed the alleged act did occur but was lawful, justified, and proper.

AYE: 7
NAY: 0

24-160/DOE 2428 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officers Isaac Elias, Ivar Escalona Guerrero, and Rafael Zermeno used force against “Doe 2428” on 11-23-23.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 10-10-24, the Probation Department reported a Use of Force incident that occurred at the Youth Transition Campus (YTC) in which Doe 2428 sustained “*mild concussion.*” On 11-23-23, three PO’s were supervising twelve juveniles in the dayroom at the Youth Transition Campus (YTC).

Doe 2428 got into a verbal altercation with Unidentified Juvenile 1 (UJ1) and attempted to strike UJ1 with a closed right fist. PO Elias intervened and used his left hand to push Doe 2428 in the chest while simultaneously using his right hand to pull the back of Doe 2428's shirt. PO Elias issued verbal commands to Doe 2428, which Doe 2428 ignored. PO Elias grabbed Doe 2428 around their waist and Doe 2428 responded by thrashing their body to break free. PO Elias forced Doe 2428 to the ground into the prone position. PO Escalona Guerrero assisted by controlling Doe 2428's legs while PO Elias placed Doe 2428 into handcuffs. PO Elias and PO Zermeno escorted Doe 2428 to their room. During the escort, Doe 2428 began cursing at staff and UJ1 and tried to break free from staff. POs Elias and Zermeno placed Doe 2428 in the "*bent over position*" and attempted to place Doe 2428 in the prone position on the ground. Doe 2428 stopped walking and planted his feet on the ground which prevented the escort from proceeding. Doe 2428 tried to trip PO Zermeno by "*hooking and kicking*" their leg in between PO Zermeno's feet. Doe 2428's actions caused POs Elias and Zermeno to lose their balance and all three fell to the floor. While on the ground, POs Elias and Zermeno gained control of Doe 2428 and completed the escort without further incident. Doe 2428 sustained an injury, was evaluated by YTC medical staff, and was ultimately transported to the hospital for further evaluation. Per Probation P&P Section 514.3, Use of Force: *Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes.* The investigation showed the alleged act did occur but was lawful, justified, and proper.

AYE: 6
NAY: 1

25-014/DOE 2501 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officer Karla Cuevas used force against "Doe 2501" on 01-07-25.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 02-10-25, the Probation Department reported a Use of Force incident that occurred at the East Mesa Juvenile Detention Facility (EMJDF). Per Probation records, on 01-07-25, an Unidentified Juvenile (UJ1) and Doe 2501 were involved in a fight. During the fight, Doe 2501 tried to defend themselves as UJ1 continued to punch Doe 2501. Probation Officer's separated the youths and as PO Cuevas grabbed Doe 2501, both fell to the ground. Once on the ground, PO Cuevas was able to handcuff Doe 2501 and removed them from the scene. Doe 2501 told the facility nurse that PO Cuevas fell on their elbow when they fell on the ground. Doe 2501 was taken to an area hospital with a complaint of pain in their elbow. Per Probations Use of Force policy, "*Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes.*" The investigation showed the alleged act did occur but was lawful, justified, and proper.

AYE: 7
NAY: 0

25-047/DOE 2502 (GBI)

1. Use of Force Resulting in Great Bodily Injury – Probation Officer Jesus Orozco used force against Doe 2502 on 02-27-25.

Board Finding: Action Justified

Staff Recommended Finding: Action Justified

Rationale: This case was reviewed in accordance with CLERB Rules & Regulations 4.3, Complaint Not Required: Jurisdiction with Respect to Specified Incidents. On 04-10-25 the Probation Department reported a Use of Force incident that occurred at the East Mesa Juvenile Detention Facility (EMJDF) in which Doe 2502 sustained

"avulsion of teeth." On 02-27-25 Doe 2502 assaulted an Unidentified Juvenile 3 (UJ3) while on the outside quad of a facility. According to CCTV, Unidentified Juvenile 1 (UJ1), Doe 2502, and Unidentified Juvenile 2 (UJ2) walked across the quad to where UJ3 was standing. UJ1 began a physical altercation with UJ3. Doe 2502 and UJ2 joined UJ1 in assaulting UJ3. Probation Officer (PO) Orozco called for cover units, and deployed OC spray for approximately four seconds towards the facial area of all juveniles involved. The fight continued. PO 1 arrived to assist and deployed OC spray for approximately five seconds towards the facial area of the juveniles involved. The fight continued. PO Orozco physically assisted Doe 2502 to the ground and used body weight to control Doe 2502. Doe 2502 was restrained approximately sixteen seconds after the fight began. Doe 2502 was handcuffed and brought to a nurse for medical evaluation for injury to their teeth. Doe 2502 declined decontamination of the OC. Per Probation P&P Section 514.3 Use of Force, "Officers may use force as reasonably appears necessary in the performance of their duties, but excessive force shall not be used. Officers must use only that amount of force that appears reasonably necessary under the circumstances in order to gain control of the youth; protect and ensure the safety of youths, staff, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and staff orders; or ensure the institution's security and good order, or for other lawful purposes. The Department provides tools, weapons, and training on techniques to use when responding to resistance and violent encounters. While various degrees of force exist, each officer is expected to use only that degree of force that is reasonable under the circumstances to successfully accomplish the legitimate and lawful purpose in accordance with this policy. Medical checks will be performed by a qualified health care professional on all youths who have been subjected to force as soon as practicable regardless of apparent injury..." Per Section 514.3.4 Health Care, "...A youth who has been the subject of a use of force should be seen by medical and mental health staff, even in cases where no emergency care appears necessary (15 CCR 1357)." Per Section 514.4 Use of Chemical Agents, "...Youths who have been affected by chemical agents should be promptly provided with the proper solution to decontaminate the affected areas. If the youth refuses to decontaminate, such a refusal shall be documented..." Per Section 514.5 Immediate and Calculated Use of Force, "An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by staff may be necessary to stop a youth from inflicting life-threatening self-injuries or to stop an assault on any other person, including other youths." The investigation showed the alleged act did occur but was lawful, justified, and proper.

AYE: 7
NAY: 0

End of Report