

MINUTES
CITIZENS' LAW ENFORCEMENT REVIEW BOARD MEETING
January 12, 2010

Attachment A

- Roll Call**
- The regular meeting was held at the County Administration Center and came to order at 5:36 p.m. All Board Members were present except Don Warfield, who was excused.
- Minutes Approval**
- The November 2009 meeting minutes were approved by acclamation.
- Executive Officer Report**
- Executive Officer Carol Trujillo summarized the Investigative Workload & Classification Report for November and December 2009.
 - The Board Member vacancy in the First District is still open and there are no current applications on file. Please refer any recommendations for applicants to Executive Officer Carol Trujillo. Supervisor Greg Cox's office has stated that they are working on finding an applicant.
 - Executive Officer Carol Trujillo read a letter to former Board Member Mark Marchand in appreciation for his 5 ½ years of service.
 - Three Board Members' terms will expire on June 30, 2010, and they are eligible for re-appointment if they choose: Board Members Castoria, Wolfsheimer and Bennett.
 - 2009 Form 700 Economic Interest forms will be distributed shortly and are due April 1, 2010.
 - The Next Review Board meeting is scheduled for March 9, 2010.
 - Carol Trujillo distributed and summarized the 2009 Annual Report, which is available on the website: Review Board received 135 complaints in 2009, a 29% increase from 2008's total of 105. Two figures reflected the increased workload while short staffed: 1) a backlog of 84 open cases, a 38% increase from 2008 and one of the highest in recent history; 2) a 14% decrease in number of completed fully investigated cases submitted to the Review Board. Figures showed staff spent more time responding to new complaints than completing existing investigations. Another consequence was the 8 cases on the agenda for summary dismissal because staff was unable to complete them in one year, as is required by state law. Briefed on complaint trends and forecasted Review Board's challenges in 2010: backlog will remain while short staffed; more "one year" cases will be recommended for summary dismissal; staffing is likely to remain unchanged; less community outreach and Board Member training because the Executive Officer will continue to take in and investigate complaints; public interest in the Review Board; the need to contract for legal services in FY 2010-11; election for Sheriff.
- New Business**
- CLERB Chair Jim Achenbach swore in new Board Member Carolyn Norris Rhein.
 - Sheriff's Department training video: shooting reaction times, with discussion by Sgt. Scott Amos.
 - Nomination / Election of 2010 CLERB Executive Board. The following members were selected: James Achenbach (re-elected) Chair, George Delabarre as Vice Chair and Eddie Castoria (re-elected) as Secretary.
 - Farewell and thank you to Chief Deputy County Counsel William D. Smith, who is retiring after 35 years of service with the County of San Diego.
 - Senior Deputy County Counsel Karen Landers will advise CLERB.
 - Carolyn Norris Rhein and Eddie Castoria volunteered to organize a celebration to mark the Review Board's 20th Anniversary in November 2010.
 - Passed 9-1: Executive Officer's recommendation to enhance communication about specific cases, to ask a representative of the Sheriff's Department or Probation Department to be available outside the meeting room during closed session discussion of cases to return and answer questions from Board Members about those cases.
- Unfinished Business**
- CLERB Rules and Regulations, County Counsel/Executive Officer Recommendation: Approve the attached proposed revised Rules and Regulations. Request the Department of Human Resources to meet and confer with affected bargaining units and report back to this Board on its progress. Final approval by this Board cannot take place until that process is complete. The Rules and Regulations will then be submitted to the Board of Supervisors for approval.
 - Review Board members stated they needed more time to study the proposed revised Rules and Regulations. The Review Board approved a subcommittee to work on the rules and report back to the Review Board, with Eddie Castoria and Loren Vinson volunteering to serve on the sub-committee.
 - Accordingly, the Conference with Labor Negotiators (Government Code Section 54957.6) was taken off the closed session agenda. Labor Relations Manager Susan Brazeau summarized the meet and confer process after the Review Board approves revised Rules and Regulations.

Public Comments

The following individuals addressed the Review Board on the proposed Rules and Regulations:

- Sue Quinn, former CLERB Executive Officer
- Sarah Abshear for the ACLU
- Written comments on the proposed Rules and Regulations from John Parker, James Sandler, Sue Quinn and Sarah Abshear were provided to the Board Members before the meeting and were available to the public at the meeting.

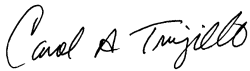
Closed Session

- a) Conference with Labor Negotiators: taken off calendar, as stated above in “unfinished business.”
- b) Discussion & Consideration of Complaints & Reports - (Govt. Code 54957): Hearing of citizen complaints brought against Sheriff or Probation peace officers (held in closed session unless the employee requests a public session).

<u>CASE NO.</u>	<u>LAST NAME</u>	<u>CASE NO.</u>	<u>LAST NAME</u>
08-079	Brooking	08-104	Lewis
08-080	Glover	09-005	Brodale
08-086	Szymanski & Ostermann	09-051	Sanchez
08-091	Mertz	09-053	Scimeca
08-092	Lindermann & Trotter	09-098	Vidyakin
08-101	Hernandez	09-105	Hoodneh
08-103	Meza		

The meeting was adjourned at 7:35 p.m.

Minutes prepared by Ana Becker, Administrative Secretary



CAROL TRUJILLO
Executive Officer



EDDIE CASTORIA
Secretary of the Board