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Citizens Law Enforcement Review Board (CLERB)

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Agency: County of San Diego- Boards and Commissions

Date: Sept. 3, 2024

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Summary

The meeting began with public comments from families of inmates who died in custody at San Diego County facilities expressing dissatisfaction with how the cases were handled and raising concerns including improper cell checks, drugs entering facilities, and medical negligence and lack of mental health support. The meeting also included a presentation by Captain Derek Williamson on the Sheriff's Department's ADA compliance unit, which highlighted efforts to improve accommodations for inmates with disabilities. The new CLERB Executive Officer, Brett Kalina, was also introduced to the Board during the meeting. Some concern was raised by members of the public that the community had not been involved more in the hiring process.

Here's what you need to know

- Numerous family members of individuals who died in custody at San Diego County facilities spoke about their dissatisfaction with how the cases had been handled and called on CLERB to provide stronger oversight and promote transparency and accountability.
- Brett Kalina, the new CLERB Executive Officer was introduced to the Board and officially began work in the role.
- Chair MarryAnne Pinter said that Sheriff Kelly Martinez had agreed to attend a

CLERB meeting in the fall, something members of the public have been requesting.

Immediate Actions

- None

Accessibility Issues

- Diedre McLeod said that she prefers to submit written public comments due to a disability and that she had trouble getting them read into the record at several meetings.

Follow-Up Questions

- What was the hiring process for the new CLERB Executive Officer? How much community input was there?
- How accessible/available is information of in-custody deaths in San Diego County facilities? What data is kept?
- What are actions that CLERB could take to better address community concerns?

Notes

Meeting Call to Order:

- The meeting was called to order at 5:30pm by Chair MaryAnne Pintar.
- The agenda for this meeting may be viewed by clicking [here](#), while a video and/or audio recording of the meeting may be found by clicking [here](#) and [here](#), respectively.
 - **All timestamps below were taken from the [audio](#) recording.**

Board Members in Attendance:

- Chair, MaryAnne Pintar - Present
- Vice Chair, Nadia Kean, Ayub - Present
- Secretary, Bonnie Kenk - Present
- Board Member, Dr. R. Lee Brown - Present
- Board Member, Andrew Hayes - Present
- Board Member, Ariana Federico Mondragon - Present
- Board Member, Tim Ware - Present
- Board Member, Gary I. Wilson - Present

Staff Present:

- Nawras Hakak, Chief Deputy, Interim CLERB Executive Director
- Brett Kalina, New CLERB Executive Officer (as of 9/3/24)

- Captain Derek Williamson
- Lieutenant Livian Cole
- Sergeant Kyle Pike

Non-Agenda Public Comments: 0:01:00

- Sundee Weddle 0:01:26
 - With North County Equity and Justice Coalition
 - Mother of [Saxon Rodriguez who died in San Diego Central Jail several days after being arrested](#)
 - Said she believes her son's death was not accidental and that the sheriff's department failed to do timely cell checks
 - Rodriguez overdosed on fentanyl. Weddle questioned how fentanyl got inside the jail
 - Said Central Jail has high overdose rates, noticed that the way overdoses are reported recently changed and asked for clarification around the numbers
 - Asked CLERB to push for jurisdiction over medical staff
- Sabrina Weddle 0:03:30
 - Older sister of Saxon Rodriguez
 - Said she has been attending CLERB meetings since her brother died approximately 37 months ago and that there have been almost 50 in-custody deaths since then
 - Stated the names of the deputies and nurses who were working when her brother died who she views as responsible
 - Said her brother would still be alive if they had “done their job properly”
 - Said she is hopeful that the new CLERB Executive Officer will bring change and more impactful investigations
- Brenda Settles 0:05:49
 - Said he had a severe mental illness and was on conservatorship
 - Said he was transferred to a facility where he could not be seen by his case manager and was not taking his meds
 - Said she called multiple times with concerns about his state and was unable to talk to him or anyone on his care team
 - Said she hopes more is done to help people with mental illness in the system
 - (For context) The San Diego Union-Tribune reported that the mother of [Matthew Settles who died at the George Bailey Detention Facility in August 2022](#)
- David Settles 0:07:35

- Brother of Matthew Settles
 - Said he has been coming to CLERB meetings for two years
 - Said Matthew had schizophrenia and was at the county mental hospital and that he needed help with severe mental illness and was in crisis
 - Said he was transferred to the jail which the family feared would be a “death sentence”
 - Said he was put into general population and that he was assaulted and the transferred to George Bailey without the family being alerted
 - Said his mom called everyday to try to reach him and get more information but was unable to until they were notified two weeks later that he had died in solitary confinement
 - Said they still have little information about the circumstances surrounding his death and time in custody
 - Called for a “strong CLERB” to investigate incidents like his brother’s
- Karen Reimus (via Zoom) 0:10:01
 - Quoted Union Tribune article about in-custody deaths in SD County facilities
 - Said she is an attorney licensed for over 30 years
 - Said she understands that CLERB is limited in their enforcement mechanism but encouraged them to use what power they do have to ask for intervention and help from the State Attorney General and US Attorney General
- Tom Packard (via Zoom) 0:11:53
 - Member of Showing up for Racial Justice, North County
 - Said he asked CLERB to provide meeting attachments indicating progress and status of outstanding recommendations but has not been able to find it
 - Specifically asked for the status of a recommendation that CLERB have oversight over civilian staff
 - Said that meeting minutes are not detailed and do not include comments from the public and that he would like to see this to know they are listening and paying attention to concerns
- Darwin Fishman 0:13:42
 - With the Racial Justice Coalition of San Diego
 - Said he is disappointed in the selection of the new CLERB Executive Officer
 - Said there was little community input and that this was an opportunity to show that they were responsive to concerns but that they failed
 - (For context), [KPBS reported that a community group pushed for more involvement and transparency in selecting a new executive.](#)
- Paloma Serna 0:15:52

- Mother of Elisa Serna, who died in custody in 2019.
 - With the North County Equity and Justice Coalition
 - Blamed sheriff's department and medical staff for her daughter's death
 - Said Sheriff Kelly Martinez is responsible for not doing more to prevent in-custody deaths
 - Said 911 was not called when her daughter had a seizure and that nothing was done to help her when she was exhibiting medical distress
 - (For context) [The county settled a case with the Serna family.](#)
- Leslie Crawford **0:17:59**
 - With North County Equity and Justice
 - Mother of Raymond Goldberg (sp?)
 - Blames sheriff department neglect for his death
 - Acknowledged that CLERB has "little control over the situation" but that they still need to push for the implementation of statutes and mandates that would help
- Diana Serna **0:20:18**
 - Sister of Elisa Serna, gave her time to her mother Paloma Serna
 - Continued naming people who she views as responsible for her daughter's death
- Yusef Miller **0:22:58**
 - With North County Equity and Justice
 - Called the situation a crisis and said that it is only getting worse and that there is over incarceration of homeless and mentally ill individuals
 - Said that the facilities to support these people do not currently exist
 - Said that he thinks that dignity for those in custody also needs to be a priority
- Diana Sanchez **0:25:31**
 - Mother of Vianna Granillo who died at Las Colinas in 2022
 - Said she did not receive necessary medical attention
 - Said she herself is a former drug addict who was previously incarcerated and that the system does not address the needs of this population
 - Said her daughter had a son who she left behind
 - Called on Kelly Martinez to attend a CLERB meeting
 - ([For context](#))
- Diedre McLeod (written comment read into record by staff) **0:27:56**
 - Expressed support for body scans for staff in detention facilities to prevent drugs from entering
 - Said that not enough is being done to prevent overdose deaths in jails
 - Said canine units are not effective

- Michael Serna (via Zoom) 0:30:03
 - Father of Elisa Serna
 - Said that the issues in SD county facilities “start at the top” and called on leaders in the Sheriff’s Department to do more
 - Appealed to new Executive Officer to do more and push for change

Agenda Item #4: Minutes approval from last meeting 0:32:50

- Passed unanimously

Agenda Item #5: American with Disabilities Act (ADA) presentation/training, by SDSD 0:34:00

Presentation:

- Presented by Captain Derek Williamson with the Sheriff's department
 - Joined by Lieutenant Livian Cole and Sergeant Kyle Pike
- Background on ADA creation and content
- Said CDC calculates about 1 in every 4 Americans has a disability
- Article II of ADA states that state and local governments must provide individuals with disabilities “equal opportunity to benefit from programs, services and activities”
- SD Sheriff’s Office ADA Unit was formed in July 2023
 - Includes a Commander, Captain, Lieutenant, Sergeant, 3 deputies, SRN, RN and legal advisor but also works with others
 - ADA deputies interview in-custody individuals to identify if they qualify for ADA accommodations on an ongoing basis
 - The unit has done more than 2,1000 of these interviews since its creation
 - Work on accommodations for work training programs
 - Said all detention facilities are equipped with tablets with interpretation software for those who are deaf or hard of hearing to communicate
 - Gave overview of other auxiliary aids and available services
 - Vests have been provided to identify individuals with disabilities (optional)
 - Complaint procedure for those in custody and their family members
- Commission, Council, or Committee comments:
 - Dr. Lee Brown 0:43:26

- Asked if given the number that 1 in 4 people have a disability, if they are adequately staffed to deal what is happening in the jails, if they are capable of handling all the needs
 - Asked to hear more about what they do and if mentally ill and homeless population are included in their work
 - Williamson said he is lucky to have a good staff, recently started liaison program
 - Unit has only been around for a year, believes they have accomplished a lot but want to get more training out
- Ariana Federico Mondragon 0:46:59
 - Asked presenters to share more about process for family of incarcerated folks to submit complaints and ask for accommodations for loved ones
 - Cole answered, said that they respond to phone calls and written communication weekly
- Nadia Kean-Ayub 0:49:02
 - Asked if neurodivergence falls under unit's purview
 - Williamson said yes that it is included under the ADA
 - Clarified that probation is a separate department
- Gary I. Wilson 0:50:05
 - Asked about mobility issues, asked if staff have tried to navigate the jail in wheelchair
 - Williamson said yes, at a recent training
- Tim Ware 0:52:31
 - Asked about why all of this can be done for this program but can't be done to stop in-custody deaths, asked for information on overdose deaths
 - Williamson said he can only speak to his departments work, but understands frustration and that the departments are looking at ways to improve
- MaryAnne Pinter 0:54:19
 - Said majority of presentation focused on hard of hearing or deaf accommodations, asked for examples of the unit's other work
 - Williamson said they are developing education and work training programs,
 - Pinter asked for example of helping someone who is sight impaired
 - Cole said they offer braille materials and audio books
 - Asked why this unit was not created sooner

- Williamson said that the need was recognized but that its creation was delayed by retirements and the pandemic
- Asked if they have ASL staff
 - Williamson said they do, but not many that are certified, said that if someone prefers an in-person interpreter they make arrangements
- Dr. Brown **0:58:43**
 - Said he is curious how they help neurodivergent and mentally ill people cope with entering jails
 - [Mentioned blue envelope program](#)
- Gary I. Willson **1:00:44**
 - Asked about putting individuals with disabilities in solitary confinement or administrative separation
 - Williamson said those individuals should not be put in those conditions, reiterated that should not be happening
 - Said some of the construction being done facilities is to improve ADA accessibility

Presenters left before public comment

- Public comments:
 - Sabrina Weddle **1:02:36**
 - Said that the reason this unit was only recently created was due to a lawsuit, not initiative of the Sheriff's Department
 - Said she is a registered behavioral technician
 - Asked about those with sensory issues, said brother was paralyzed from the chest down
 - Yusef Miller **1:04:31**
 - Said he had heard of tablets being withheld as punishment for inmates
 - Diana Serna **1:06:19**
 - Thanked presenters for presentation and for being prepared, said usually they do not have answers
 - Asked for Kelly Martinez to attend meetings and answer to families
 - Darwin Fishman **1:07:31**
 - Mentioned SF class action lawsuit related to inspection of jail ADA compliance
 - Said the department is not doing this work voluntarily
 - Said Sheriff's department should not get credit for making these

changes on their own

- Paloma Serna **1:09:44**
 - Commented on the presenters leaving before public comment on the presentation
 - Reiterated idea that the new unit is result of lawsuits
- Diedre McLeod (written statement read into the record) **1:11:15**
 - Commented on CLERBs compliance with ADA, said that she has a disability that prevents her from speaking at meetings
 - Said there was a period when her written comments were not read into the record

Agenda Item #6: Executive Officer's Report

- Nawras Hakak **1:12:56**
 - Said that someone was hired for Special Investigator position, HR is completing background checks and paperwork, start date to be announced soon
 - One Special Investigator position is still open, actively looking to fill
 - Updates on in-custody deaths, documents attached to agenda
 - Waiting for response from Sheriff's department regarding data

Agenda Item #7: Chair Report **1:20:27**

- Said that she invited Sheriff Kelly Martinez to attend a meeting and that she said she plans to do so in the fall
- Said that some of the requested documents and data will be available
- Reported last month that applicants were interviewing candidates for District 4 CLERB positions (2 available)

Intro of new CLERB Executive Officer, Brett Kalina **1:22:50**

- Former FBI special agent, previously a private practice attorney
- Said he is an advocate for transparency and accountability

Board Member Comments **1:26:00**

- Pintar
 - Said one thing that impressed her was his commitment to doing outreach and asked the community to give him a chance
- Dr. Brown
 - offered welcome and support

- Ariana Federico Mondragon
 - Asked for presenters to stay for public comment in the future and provide materials in advance going forward
 - Pintar agreed
- Pintar
 - Asked for staff to go through questions about the ADA presentation and present a response for the public

Board Member Query for Sheriff/Probation Liaisons 1:29:54

- None for probation liaison
- None for Sheriff liaison

Adjournment:

- **Chair MaryAnne Pintar adjourned the public portion of the meeting at 7:04.**

Board went into closed session.

If you believe anything in these notes is inaccurate, please email us at documenters@inewssource.org with "Correction Request" in the subject line.