

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, SEPTEMBER 30, 2025**

MINUTE ORDER NO. 7

**SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ADOPT AN ORDINANCE AMENDING SECTIONS 340, 340.9, AND 340.15 OF
THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE 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)**

OVERVIEW

On December 10, 2024 (35), the San Diego County Board of Supervisors (Board) directed the amendment of the County of San Diego (County) laws governing the Citizens Law Enforcement Review Board (CLERB) to expand CLERB's jurisdiction related to in-custody death investigations and increase its effectiveness as well as analyze staffing and resources needed if jurisdiction was expanded, identify other oversight boards with expanded jurisdictions, engage in the meet-and-confer process with the affected labor unions, and ultimately returning to the Board with a final proposed amended ordinance and final proposed rules and regulations as approved by CLERB.

On August 7, 2025, the CLERB approved changes to their Rules and Regulations. The changes adopted provides additional jurisdiction to investigate the death of any individual which arises out of or in connection with the actions of any peace officer, custodial officer, employee or contractor, including any Health Care Provider of the Sheriff's Office or Probation while the individual was in custody of the Sheriff or Probation. The additional jurisdiction also includes the authority to investigate the death of any individual that occurs within six months of that individuals release from custody pursuant to "compassionate release."

Today's item requests the Board to consider the introduction of an ordinance related to the expansion of CLERB's jurisdiction over in-custody death investigations to include Sheriff and Probation employees and contractors, such as Health Care Providers. If the Board acts as recommended, then on September 30, 2025, the Board is requested to adopt the ordinance (second reading) and take related actions. If the proposed ordinance is altered on September 30, 2025, then on that date, a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Consider and adopt the Ordinance:
AN ORDINANCE AMENDING SECTIONS 340, 340.9, AND 340.15 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES PERTAINING TO THE DUTIES AND JURISDICTION OF THE CITIZENS LAW ENFORCEMENT REVIEW BOARD
2. Pursuant to subparagraph (b) of section 340.7 of the San Diego Code of Administrative Ordinances, consider the approval of the August 7, 2025, amendments to the Citizens Law Enforcement Review Board's rules and regulations.

3. If the Board acts on Recommendations #1 and #2 above:
 - a. Consider the approval of the request to add 2.00 staff years to support the Citizens Law Enforcement Review Board and direct the Department of Human Resources to classify the positions at the appropriate level.
 - b. Transfer appropriations of \$417,260 from County Counsel, Services & Supplies, to Citizens Law Enforcement Review Board, Salaries & Benefits (\$217,260) and Services & Supplies (\$200,000) for the purpose of funding two full-time positions and consultant services based on General Purpose Revenue.

EQUITY IMPACT STATEMENT

The requested action supports the County's Strategic Initiatives, and its vision for a San Diego that is promoting Health, Community and Justice, by protecting San Diegans, especially those disproportionately at risk of law enforcement and detention facility health care providers interaction, which increase transparency and accessibility in civilian law enforcement oversight and fostering better relationships between law enforcement and the communities they serve.

SUSTAINABILITY IMPACT STATEMENT

The proposed action supports the County of San Diego's Sustainability Goal #2 of providing just and equitable access to County services, by using data-driven and analytical analysis of detention and medical services policies and procedures to not only protect the health and well-being of our incarcerated community, but to protect the economic sustainability of the County.

FISCAL IMPACT

If CLERB jurisdiction is amended, CLERB anticipates the need for two staff years along with contracted services totaling \$489,680 annually. Based on implementation in October 2025, an estimated \$417,260 in expenditures would result in Fiscal Year (FY) 2025-26. To fund these requests beginning in October 2025, \$417,260 in General Purpose Revenue is proposed to be reallocated from County Counsel in FY 2025-26. This reallocation will impact timing for projects, within County Counsel, particularly one-time projects such as information technology. For FY 2025-26 actions, there will be no net General Fund cost increase; there will be an increase in two staff years.

Depending on caseload, an additional two staff years may be required to fully implement the change in CLERB jurisdiction beginning in FY 2026-27, for a total of four additional staff years. With the two additional staff years along with contracted services, the total annual cost beginning in FY 2026-27 is estimated to be \$817,537 and would need to be considered in the development of the Operational Plan, pending availability of funding.

There may be future fiscal impacts based on additional need for administrative support for the Probation Department and the Sheriff's Office. Staff will monitor the need for additional resources based on today's actions. The Chief Administrative Officer will continue to collaborate with the Sheriff's Office and Probation Department through the Five-Year Financial Forecast process to determine exact financial impact and availability of funding, and will return to the Board with determined fiscal impacts and related recommendations for consideration and approval by the Board.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10956 (N.S), entitled: AN ORDINANCE AMENDING SECTIONS 340, 340.9, AND 340.15 OF THE SAN DIEGO COUNTY CODE OF ADMINISTRATIVE ORDINANCES PERTAINING TO THE DUTIES AND JURISDICTION OF THE CITIZENS LAW ENFORCEMENT REVIEW BOARD.

AYES: Aguirre, Anderson, Lawson-Remer, Montgomery Steppe

NOES: Desmond

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter