

County of San Diego



2009 ANNUAL REPORT

“SERVING THE COMMUNITY AND THE JUSTICE SYSTEM FOR 19 YEARS”

**2009 CLERB ANNUAL REPORT
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About the Citizens' Law Enforcement Review Board

San Diego County citizens voted to establish the Citizens' Law Enforcement Review Board in November 1990. The Review Board was established to receive and investigate complaints of misconduct concerning peace officers performing their duties while employed by the Sheriff's Department or the Probation Department. The Review Board also is authorized to investigate any death that occurs in the custody of, or in connection with actions of, deputies and probation officers. The Review Board is made up of 11 citizens who are appointed by the Board of Supervisors.

Mission Statement

To increase public confidence in government and the accountability of law enforcement by conducting impartial and independent investigations of citizen complaints of misconduct concerning Sheriff's Deputies and Probation Officers employed by the County of San Diego.

2009 Board Members

James Achenbach, Chairperson
Don Warfield, Vice Chairperson
Edward Castoria, Secretary
Sheryl Bennett
George DeLaBarre II
Riley Gordon
Thomas Iniguez
Mark Marchand
Carolyn Norris Rhein
Loren Vinson
Robert Winston
Louis Wolfsheimer

Staff

Carol Trujillo, Executive Officer
Lynn Setzler, Special Investigator
Danica James, Special Investigator
Ana Marie Becker, Administrative Secretary III
William Smith, Chief Deputy County Counsel

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**RÉSUMÉS OF
REVIEW BOARD MEMBERS
SERVING IN 2009**

James Achenbach
Chair

A San Diego native, Mr. Achenbach is a speech-language pathologist with San Diego City School District. He has participated in Boy Scouts, the Partnership in Education with San Diego City Schools and has served as the Clinic Executive Director for the California Scottish Rite Foundation. Mr. Achenbach graduated from San Diego State University with Bachelor of Arts and Master of Arts degrees in Communicative Disorders. He is credentialed in Clinical Rehabilitative Services. Mr. Achenbach lives in La Mesa with his wife and two children.

Don Warfield
Vice Chairperson

A San Diego native, Mr. Warfield is owner of Donald Warfield & Associates, a real estate firm dealing in the sales of investment properties & residential real estate. Mr. Warfield is a graduate of San Diego State University and the Graduate School of Savings & Loan at Indiana University, and served in the United States Air Force. He has worked in the banking industry for 28 years and served on various boards, including Boys & Girls Club; the Mother Goose Parade Association; Rotary Club; the El Cajon Chamber of Commerce; the El Cajon Police Selection Board; the City of El Cajon & County of San Diego United Way Boards; Tax Payers Association and Chaired Cajon Valley School Tax Override. Mr. Warfield was also a member of the Crime Commission. Mr. Warfield currently serves as a member of the San Diego Police RSVP in Central Division and is the Treasurer of the Del Cerro Heights Home Owners' Association.

Edward Castoria
Secretary

A resident of the Tierrasanta area of San Diego, Edward Steven "Eddie" Castoria, M.A., J.D. is President and CEO of TeleTran Tek Services, a San Diego-based consulting company which, among other projects, manages the region's motorist aid call box system. He holds a B.A. in Psychology from the University of San Francisco, as well as an M.A. in Counseling Psychology and a J.D. in law from the

University of New Mexico. Before entering private business, Mr. Castoria worked as a government public works program manager for both San Diego County and Nueces County, Texas. As an attorney, he prosecuted major fraud cases for the U.S. Department of Justice in Washington, D.C., and practiced civil litigation in New Mexico and California. Before law school, Mr. Castoria managed an in-house inmate counseling program in the Bernalillo County, NM jail system. He was a decorated Army Infantry Airborne Ranger officer who served as a Pathfinder commander during the Vietnam war. He is an avid golfer.

Sheryl Bennett

Mrs. Bennett is the Director of Human Resources for the City of Escondido, where she has worked since 1999. She has chaired the San Diego City and County Personnel Association and participates in the California Public Employers Labor Relations Association, the Society of Human Resources Management, and Toastmasters. Mrs. Bennett has owned and operated her own medical transcription business and has worked as an information technology manager and bookkeeper. Mrs. Bennett is actively involved in the education and school activities of her children and has volunteered for Habitat for Humanity, the San Diego Horticultural Society, and Boys and Girl Scouts. Mrs. Bennett graduated with distinction from San Diego State University with a Bachelor's of Science degree in Criminal Justice Administration and holds a Master of Business Administration degree with an emphasis in Human Resources Management from National University. Mrs. Bennett lives in Escondido with her husband and three children.

George DeLaBarre II

Mr. DeLaBarre is a Systems/Project Engineer for General Atomics Aeronautical Systems and has worked in the defense industry in San Diego since 1985. A graduate of Fallbrook High School, Mr. DeLaBarre holds degrees and graduated with honors from San Diego City College (Electronics Technology) and the University of Phoenix (Information Technology.) He served in the U.S. Navy as a fire control technician and instructor in electronics, microcomputers, and submarine sonar training. Mr. DeLaBarre has served on the Serra Mesa Planning Group, the Serra Mesa Community Council, and the Serra Mesa Recreation Council. Mr. DeLaBarre served as an assistant scout master for

BSA Troop 278 and is an elder at Peace Lutheran Church. Mr. DeLaBarre resides in Serra Mesa with his family.

Riley Nunn Gordon

Retired from a long career in government, Mr. Gordon was the deputy director of the Discrimination Complaints Service, Department of Veterans Affairs, Office of Equal Opportunity in Washington, D.C., where he supervised the processing of complaints and conducted training in EEO investigation. He also served as a labor relations specialist in the Office of Labor Relations and Collective Bargaining for the District of Columbia as a negotiator and advisor. After retiring to San Diego, Mr. Gordon was recruited to serve on the Citizens' Review Board on Police Practices at the City of San Diego in May 1999. From June 2005 to June 2006, Mr. Gordon was the chairman of the 23-member CRB. In addition to his work in civilian oversight, Mr. Gordon has participated as a discussion leader for Brandeis University's National Women's Committee. Mr. Gordon has taught graduate courses in public administration, collective bargaining, public personnel administration, and fiscal administration at Roosevelt University's Graduate School of Public Administration. Mr. Gordon holds a Bachelor's Degree in economics from Fisk University and a Master's Degree in Public Administration from Roosevelt University. He lives in Rancho Bernardo with his wife.

Thomas Iniguez

A resident of Bonita, Thomas Iniguez is currently employed by Walters Management as a Community Director and Property Manager for the Eastlake Community of Chula Vista. He served in the U.S. Navy from 1970-1974. Mr. Iniguez is retired from the Chula Vista Police Department and had served previously with the Imperial Police Department and the San Diego Sheriff's Department. Mr. Iniguez is a member of the Bonita Optimist Club; the Bonita - Sweetwater Civic Association, and the Bonita Highlands Homeowners Association.

Mark Marchand

A long-time resident of the Bonita/Chula Vista area, Mr. Marchand is CEO of the Pacific Southwest Association of Realtors, manages the San Diego County Commercial Association and the Coronado Association of Realtors. He serves on the SR 125

Advisory Committee, Chula Vista Bayfront Master Plan Advisory Committee, The Salvation Army Board of Directors, Christmas in October, Boy's and Girl's Club, as well as five corporate boards. He has also been on the Chula Vista Mobile Home Rent Review Commission. Mr. Marchand served in the Navy Security Group and is a graduate of Dallas Baptist University, North Texas State University, and Duke University. Appointed in July 2004, Mr. Marchand resigned from the Board in November 2009 after more than five years of service.

Carolyn Norris Rhein

A long-time resident of San Diego County, following residence in Arizona, Ms. Rhein currently lives and works as a realtor in Carlsbad. As a legal assistant, she worked in labor, real estate, corporate, estate planning and family law. She has extensive experience as a volunteer: past vice-chair of the Harrington House, a project of the Harrington Arthritis Research Center in Phoenix; past board member for the Sojourner Center in Phoenix; and past board member of the Make-A-Wish Foundation of Central & Southern Arizona, to name a few. She served as president of the Maricopa County Medical Society Alliance and the Columbus County, North Carolina Hospital Auxiliary. She worked as a realtor in Scottsdale, Arizona, served as Interim Executive Director of the Make-A-Wish Foundation of Central & Southern Arizona, and was the Executive Director of the Whiteville Downtown Development Commission in Whiteville, North Carolina. Ms. Rhein was appointed to the Review Board in October 2009.

Loren Vinson

Mr. Vinson has more than 28 years of experience as a probation officer, which included conducting investigations for the courts. He retired from the United States Probation Office in 1998 as the Deputy Chief Probation Officer in charge of the Investigation Division. He also worked as a Division Chief in the Supervision Division. He worked as a probation officer in investigation and supervision. As a Deputy Probation Officer and Senior Probation Officer, he supervised adults and juveniles in the San Diego County Probation Office from 1969 to 1975. After retirement, he taught a variety of criminal justice/administration courses as a part-time adjunct professor at three local colleges. Before being appointed to the Review Board, he completed eight years of service on the City of San Diego's Citizens'

Review Board on Police Practices, where he chaired the training committee, authored an investigation manual, and was First Vice-Chair. Mr. Vinson holds a Masters of Science degree in Criminal Justice Administration and a Bachelor of Arts degree in Political Science from San Diego State University. Mr. Vinson lives in the Tierrasanta neighborhood of San Diego with his wife.

Robert Winston

A resident of Carlsbad, Mr. Winston is a Senior Vice President for Morgan Stanley. He holds degrees in Criminal Justice Administration from San Diego State University and in Behavioral Science from Indian Valley College. Mr. Winston has served on the Board of Directors of the UCSD Cancer Center Foundation. He volunteered as a reserve police officer for the San Diego Police Department from 1993 through 1999. He also serves as a director for the San Diego Police Foundation. Mr. Winston served on the Review Board since 2002 and was its chair since 2004. Mr. Winston was termed out in July 2009.

Louis Wolfsheimer

Originally from Baltimore, MD, Mr. Wolfsheimer has been a resident of San Diego since 1962. He was First Lieutenant in the United States Air Force. Mr. Wolfsheimer currently practices law with the firm of Milch & Wolfsheimer. He is a graduate of the University of North Carolina and California Western School of Law. Presently, Mr. Wolfsheimer is a member of the State Bar of California, and is "Of Counsel" with the law firm of Procopio, Cory Hargreaves and Savitch, LLP. In the past, Mr. Wolfsheimer has served on a multitude of board committees such as Francis W. Parker School, American Jewish Committee, Episcopal Community, Combined Arts of San Diego (COMBO), Salvation Army and Human Subjects Committee of UCSD Medical School, to name a few.

MESSAGE FROM THE CHAIR

Faced with worsening budgetary constraints and consequent staff issues, 2009 has been a challenging year for the Citizens' Law Enforcement Review Board (CLERB). Thanks to the dedication and tireless efforts of the staff, however, the Board has been able to analyze law enforcement and detention procedures and make policy recommendations when warranted by the facts of a case. We have also made progress towards revising our rules in order to comply with recent legal determinations.

The Review Board is made up of 11 volunteers who are nominated by the County of San Diego's Chief Administrative Officer and appointed by the Board of Supervisors. The Review Board members make final determination as to whether allegations of misconduct against Sheriff's deputies or Probation officers are appropriate and, if not, make recommendations for disciplinary action. All complaints are taken seriously and investigated thoroughly and professionally.

CLERB provides the citizens of San Diego County with the ability to file a grievance or allegation of misconduct by a Sheriff's deputy or Probation officer that is independent of either department's internal complaint process. The findings in most cases indicate that the Sheriff's deputy or Probation officer acted properly, both under departmental policy and under the law. There are cases, however, that indicate that misconduct has occurred, and the Review Board is then able to make appropriate recommendations.

As a citizen of San Diego I am grateful for the outstanding leadership at both the Probation Department and Sheriff's Department and for the

dedicated law enforcement professionals that serve our country. I am also pleased to serve on a board that is dedicated to providing a measure of assurance that both departments respect the rights of all individuals while performing their duties.

James Achenbach
Chairperson – 2009

EXECUTIVE SUMMARY

DATA

Intakes

The Review Board logged **135** complaints in 2009, a 29% increase from the **105** complaints received in 2008.¹ Allegations totaled 518 in 2009, a 36% increase from 380 allegations in 2008. Included in the yearly total were **7** death cases, compared to 3 death cases opened in 2008.

Sheriff's facilities or units with double digit complaint totals increased slightly to 3 from 2 in 2008. Leading in complaint totals as they have in past years were the Sheriff's Department's largest jails - the San Diego Central Jail with 26 complaints (12 in 2008), followed by the George Bailey Detention Facility with 22 complaints (14 in 2008). The next highest was Vista Station with 13 complaints. The Encinitas, Lemon Grove, and San Marcos stations each had 7 complaints. The Probation Department received 13 complaints in 2009, compared to 6 in 2008. (See Table 1, Page 9.)

Total complaints traditionally are broken into three segments by count and percentage: Sheriff's law enforcement, which includes courts and units that could not be identified from the complaint; Sheriff's jails; and the Probation Department. In 2009, Sheriff's law enforcement had 66 complaints or 49% of the total (compared to 72 or 51% in 2007); Sheriff's jails had 56 complaints or 41% (compared to 37 or 35% in 2008); and the Probation Department

¹ The average number of complaints over the last 5 years is 134. The highs and lows in the past ten years were 229 in 2002 and 105 in 2008. See Graph 1, Page 9.

had 13 complaints or 10% of total complaints (compared to 6 or 6% in 2008).

Closures

The Review Board met 6 times² and closed **112** cases during the year, compared to meeting 8 times and closing 126 cases in 2008, an 11% decrease in case closures. Of the 112 cases closed, **46** were *Procedurally Closed* by staff because a signed complaint was not returned by the complainant. This was a 44% increase from the 32 cases that were *Procedurally Closed* in 2008. Overall, however, "PC" cases accounted for 34% of the year's complaint total (135), which was comparable to last year's total of 30% (105). Another **12** cases were submitted to the Review Board for *Summary Dismissal* following an abbreviated investigation of a signed complaint. Cases were dismissed for lack of jurisdiction or because further investigation was not possible without the complainant's cooperation. This was a 61% decrease from the 31 *Summary Dismissal* cases submitted to and approved by the Board in 2008. The remaining **54** closed cases were fully investigated and submitted to the Review Board, compared to 63 fully investigated cases submitted in 2008, a 14% decrease. Included in the number of fully investigated cases were 8 deaths. Of the 54 fully investigated cases, **3** or 6% had *Sustained* allegations, compared to 5 or 8% of the 63 fully investigated cases in 2008. Of the 54 fully investigated cases, the number of sustained findings was **5**, representing 3% of the 159 findings in fully investigated cases. (See Table 7, Page 15.)

² The Review Board adopted an every-other month meeting schedule to accommodate an investigator vacancy since February 2009.

The 5 sustained findings, all against Sheriff's deputies, were for illegal seizure of a person, false arrest, and procedural misconduct -- speeding (2) and improperly classifying/housing an inmate;

At year's end there were **84** open cases. This was a 38% increase from the 61 open cases at the end of 2008. This increase in backlog, along with the decrease in case closures, was consistent with an increase in workload during a critical staff vacancy. It also reflected staff time spent opening more cases than they were able to complete.

PERSONNEL

In January, the Board elected James Achenbach chair, Don Warfield vice chair, and re-elected Eddie Castoria treasurer. Loren Vinson, a retired Federal probation officer, was appointed to fill a vacancy in the Third District left by Otto Emme, who was deployed to Kosovo. Board Members Riley Gordon, March Marchand, and George DeLaBarre II were re-appointed to three-year terms. Robert Winston, the Review Board's long-time chair and a member since 2002, termed out in July 2009. Carolyn Norris Rhein of Carlsbad was appointed in October 2009 to fill his slot. Mark Marchand, who had served since 2004, resigned in November 2009. A vacancy in the First District continued into the new year.

At the Sheriff's Department, Sergeant Scott Amos succeeded Sergeant David Paseman as the Review Board's processor in the Division of Inspectional Services. Sheriff William Kolender retired in July. Undersheriff William D. Gore was appointed to replace him as Sheriff. Supervising Probation Officer

Cesar Escuro continued to serve as the Review Board's liaison to the Probation Department.

TRAINING

In addition to participating in ride-alongs and facility tours, Review Board members enhanced their understanding of law enforcement topics through the following presentations at Board meetings: Medical Screening and Response in the jails, by Dr. Earl Goldstein and a deputy's responsibilities in medical situations by Sergeant Scott Amos. Detective Chris Cross and Sergeant Amos gave a hands-on demonstration about uses of force and a law enforcement officer's thought process in evaluating and responding to threats.

COMMUNITY OUTREACH

The Executive Officer gave presentations to the San Diego County Grand Jury and the San Diego County Bar Association's Lawyer's Information and Referral Service. The Executive Officer also participated in "best practices" interviews by Riverside County League of Women Voters about death investigations.

To facilitate receiving complaints, the Review Board added a clerbcomplaints@sdcounty.ca.gov email address to its website. Also, to make it easier to track complaint outcomes, the Review Board initiated a "findings" report that is posted on its website after each Board meeting.

RULES REVISION

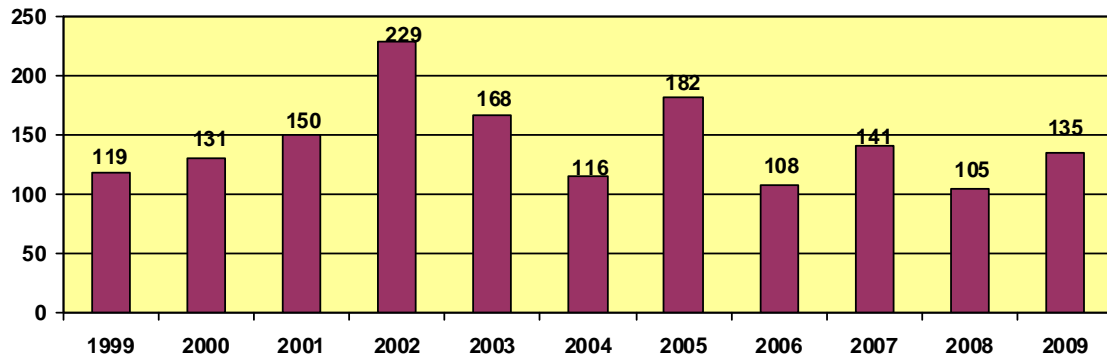
In November, the Review Board initiated a revision of its Rules and Regulations, which were promulgated in 1992 and are available on its website. The purpose of the revision was to conform them to significant changes in the law in 2006 and 2008 – specifically that hearings on complaints of peace officer misconduct must be held in closed session; that investigative reports may not be publicly disclosed; and that provisions of the Public Safety Officers' Procedural Bill of Rights apply to civilian oversight bodies such as the Review Board. This project, which continued into 2010, attracted comments and speakers from the City of San Diego's Citizens' Review Board on Police Practices, the American Civil Liberties Union, members of the National Association for the Civilian Oversight of Law Enforcement, and past executive officers for the Review Board. After adoption by the Review Board, the rules are subject to a meet and confer process with labor representatives for Sheriff's Deputies, Probation Officers, and Supervising Probation Officers. After meet and confer, the rules will return to the Review Board for approval, then submission to the County of Board of Supervisors for final approval.

CIVIL SERVICE COMMISSION HEARING

In January, a deputy challenged a 2008 sustained Review Board finding before the County of San Diego's Civil Service Commission (CSC). This was only the third CSC hearing in the Review Board's 19-year history. Civil Service Rule XV permits deputies and probation officers to have a "de novo" or new hearing of the complaint before the Commission, with

the Review Board bearing the burden of proof. The issue was whether the deputy accessed a confidential law enforcement database to check the vehicle license plate and driver's license status of a parolee neighbor for an unofficial purpose, which is not authorized by Sheriff's Department policy, or for an official purpose, such as officer safety or suspicion of criminal activity, which is permitted. After a day-long hearing, the CSC determined that the Review Board had not met its burden and deemed the finding Not Sustained.

Graph 1: TOTAL COMPLAINTS RECEIVED BY YEAR 1999 - 2009



Graph 2: COMPLAINTS RECEIVED BY QUARTER – 2008/2009

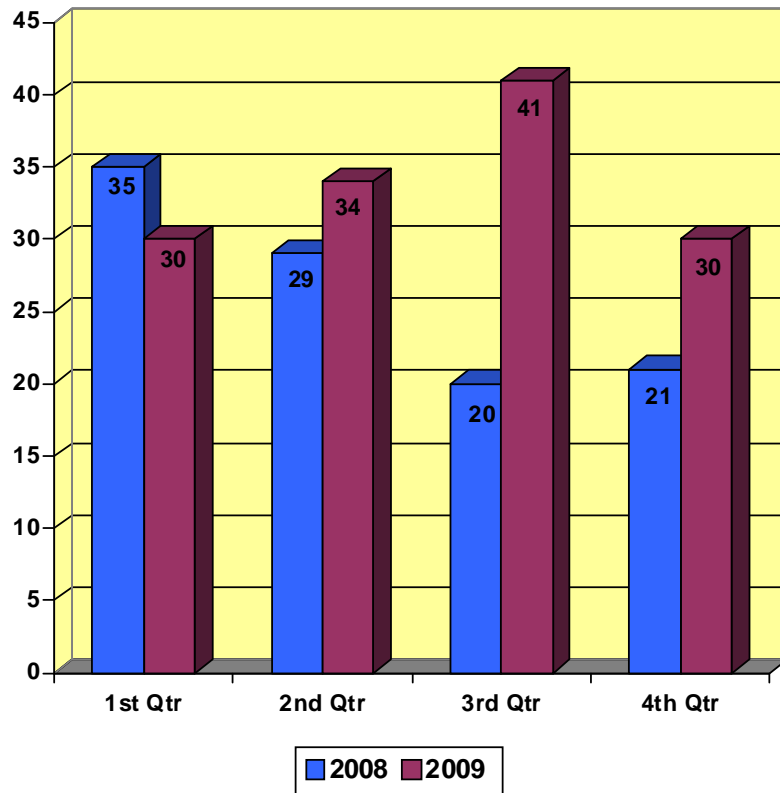


TABLE 1: COMPLAINTS & ALLEGATIONS RECEIVED BY UNIT OR FACILITY IN 2009

STATIONS/UNITS:	Complaint										Allegation Totals	
	Totals	CC	Deaths	Discr.	EF	FA	FR	ISS	IDF	Misconduct		
BORREGO SPRINGS	1	1	-	-	-	-	-	-	-	-	2	3
CAMPO/TECATE SUBSTATION	1	-	-	-	-	-	-	-	-	-	2	2
COURT SERVICES	6	2	-	-	-	-	-	1	-	-	22	25
CSB: PRISONER TRANSPORT	1	-	-	-	-	-	-	-	-	-	4	4
ENCINITAS STATION	7	1	-	4	2	3	1	2	-	-	24	37
FALLBROOK SUBSTATION	5	-	-	-	1	4	-	3	-	-	18	26
GEO. BAILEY DETENTION FACILITY	22	2	4	5	6	-	1	-	-	-	69	87
IMPERIAL BEACH STATION	3	1	-	-	1	2	1	-	-	-	7	12
LAS COLINAS DETENTION FACILITY	1	-	-	-	-	1	-	-	-	-	3	4
LEMON GROVE STATION	7	2	-	-	1	2	-	7	-	-	38	50
OFFICE OF THE SHERIFF	2	-	-	-	-	-	-	-	1	-	-	1
POWAY STATION	3	-	-	2	-	2	2	-	-	-	9	15
RANCHITA/WARNER SPRINGS SUB.	1	-	-	1	-	-	-	1	-	-	3	5
SAN MARCOS STATION	7	-	2	1	6	-	-	1	-	-	9	19
SANTEE STATION	4	-	-	1	-	2	2	2	-	-	25	32
SAN DIEGO CENTRAL JAIL	26	-	6	2	10	-	4	-	-	-	58	80
SOUTH BAY DETENTION FACILITY	2	1	-	1	-	-	-	-	-	-	4	6
UNKNOWN SHERIFF'S UNIT	5	1	-	-	-	1	-	-	-	-	4	6
VISTA DETENTION FACILITY	5	1	-	-	1	-	-	-	-	-	6	8
VISTA STATION	13	-	-	8	9	3	3	5	-	-	28	56
PROBATION: ADULT SERVICES	10	-	-	-	2	4	1	4	-	-	25	36
PROBATION: INSTIT. SERVICES	2	-	-	-	-	-	-	-	-	-	3	3
PROBATON: JUV. SERVICES	1	-	-	1	-	-	-	-	-	-	-	1
Totals (23 UNITS) :	135	12	12	26	39	24	15	26	1	363	518	

NOTES:

- 1) CC= Criminal Conduct; Discr= Discrimination; EF= Excessive Force; FA= False Arrest; FR= False Reports; ISS= Illegal Search & Seizure; IDF= Improper Discharge of Firearm.
- 2) Allegation totals always exceed complaint totals and are multiplied by the number of personnel involved.
- 3) Unknown Unit: staff was unable to identify personnel or a command from the complaint

GRAPH 3: ALLEGATION TOTALS FOR COMPLAINTS RECEIVED IN 2009

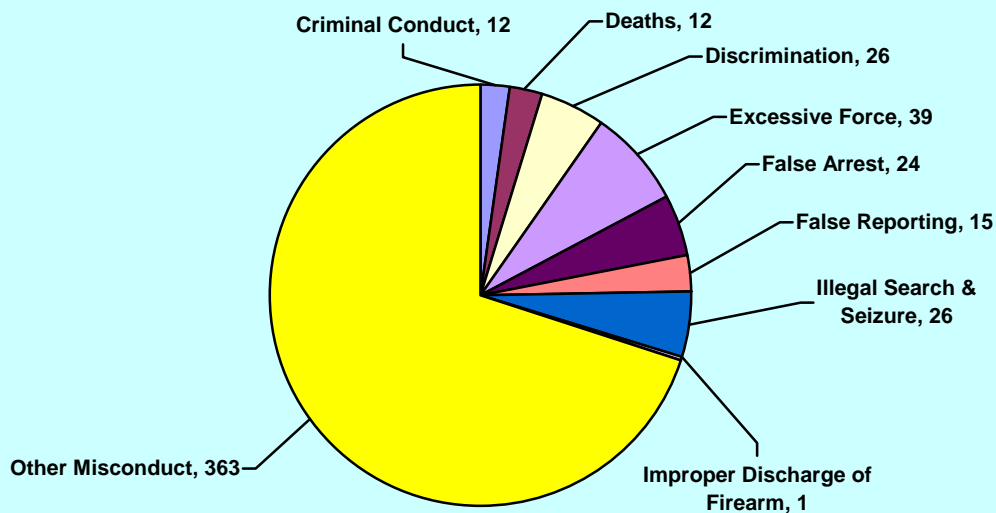


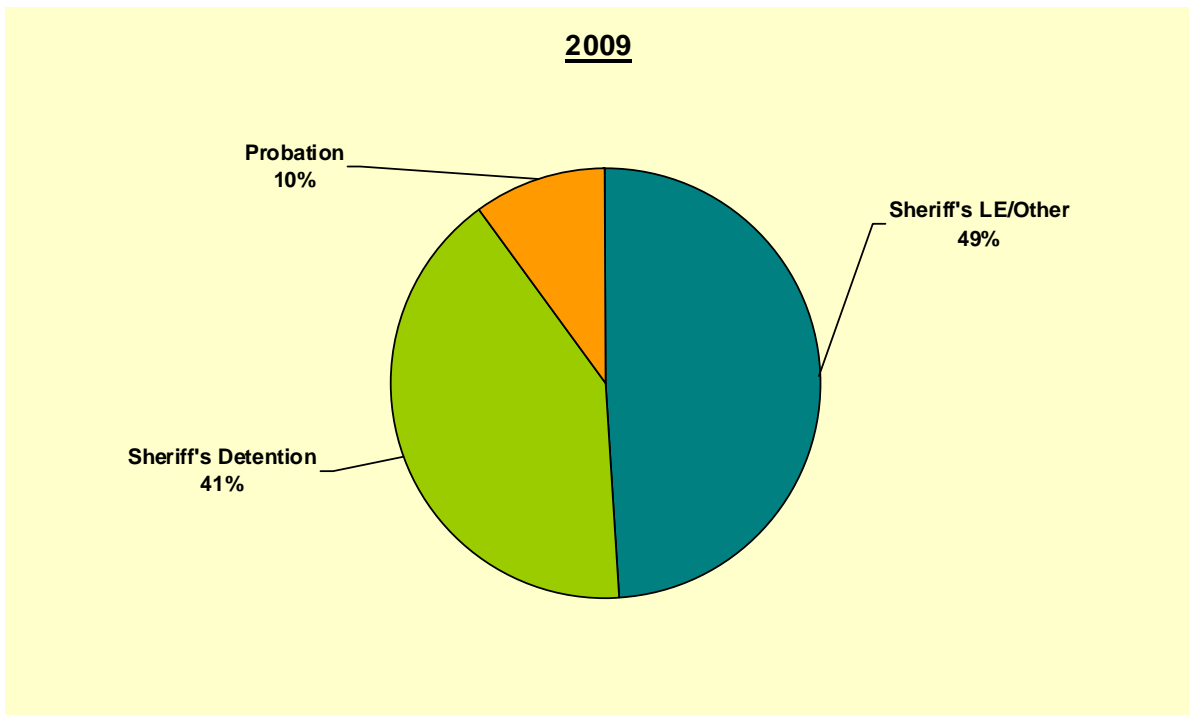
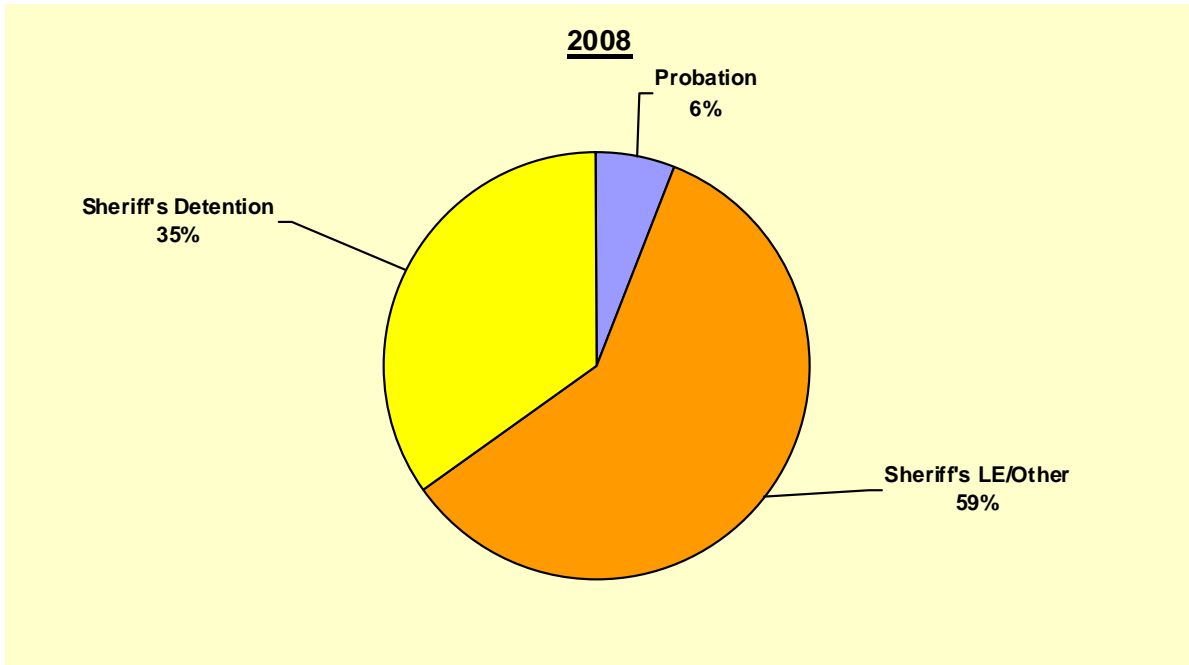
Table 2: TOTAL COMPLAINTS BY MAJOR ORG / BUREAU		
Organization/Bureau	2008	2009
Sheriff's Detention Facilities	37	56
Sheriff's Law Enforcement Services & Other	59	61
Probation Department-All	6	13
Unknown Sheriff's Unit	3	5
TOTAL	105	135

Table 3: BREAKDOWN OF DISCRIMINATION ALLEGATIONS		
Description	2008	2009
National Origin	-	2
Other	3	6
Racial	4	13
Religious	-	5
Sexual/Gender	1	-
TOTAL	8	26

Table 4: BREAKDOWN OF MISCONDUCT ALLEGATIONS		
Description	2008	2009
Discourtesy	30	55
Harassment	12	9
Intimidation	21	27
Medical (info only)	3	13
Procedure	192	241
Retaliation	8	5
Truthfulness	8	13
TOTAL	274	363

Table 5: BREAKDOWN OF EXCESSIVE FORCE ALLEGATIONS		
Description	2008	2009
Baton/Impact Weapon	5	3
Carotid Restraint	4	-
Drawn Firearm	2	-
K-9 Bites	-	-
OC Spray	-	2
Other	18	20
Taser	1	3
Tight Handcuffs	3	2
Unspecified	2	2
Kicks	-	7
TOTAL	35	39

GRAPHS 4 & 5: COMPLAINT PERCENTAGES BY MAJOR ORG / BUREAU – 2008/2009



GRAPHS 6 & 7: ALLEGATIONS BY PERCENTAGE – 2008 / 2009

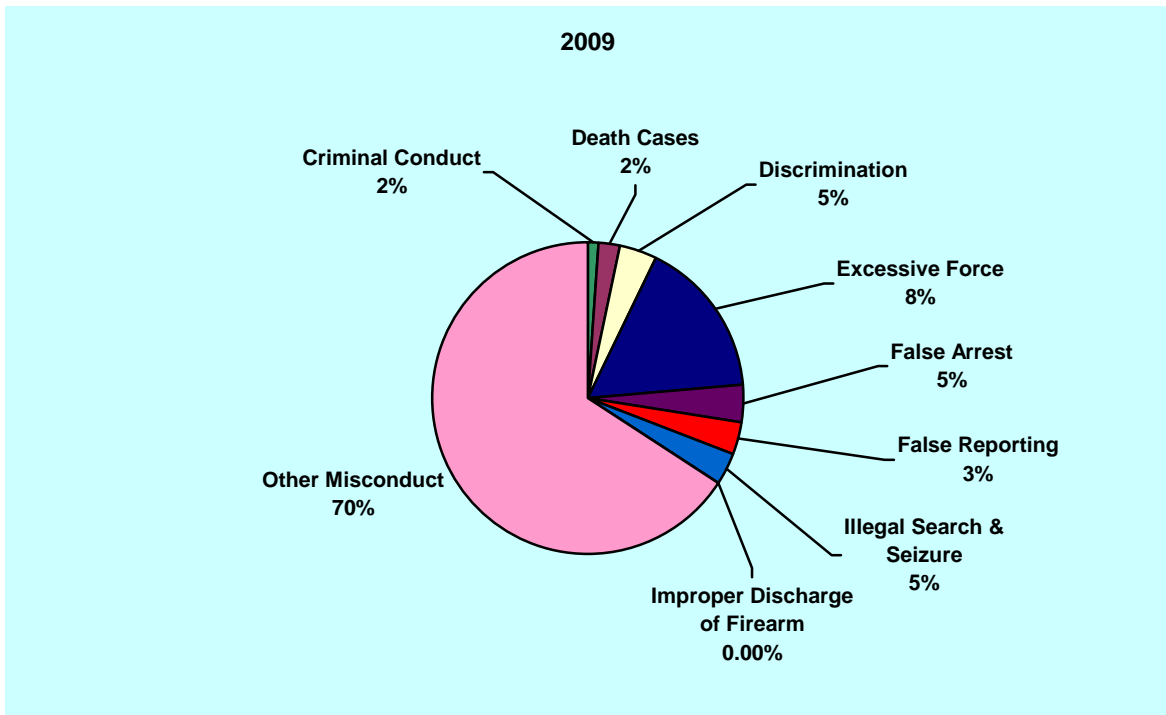
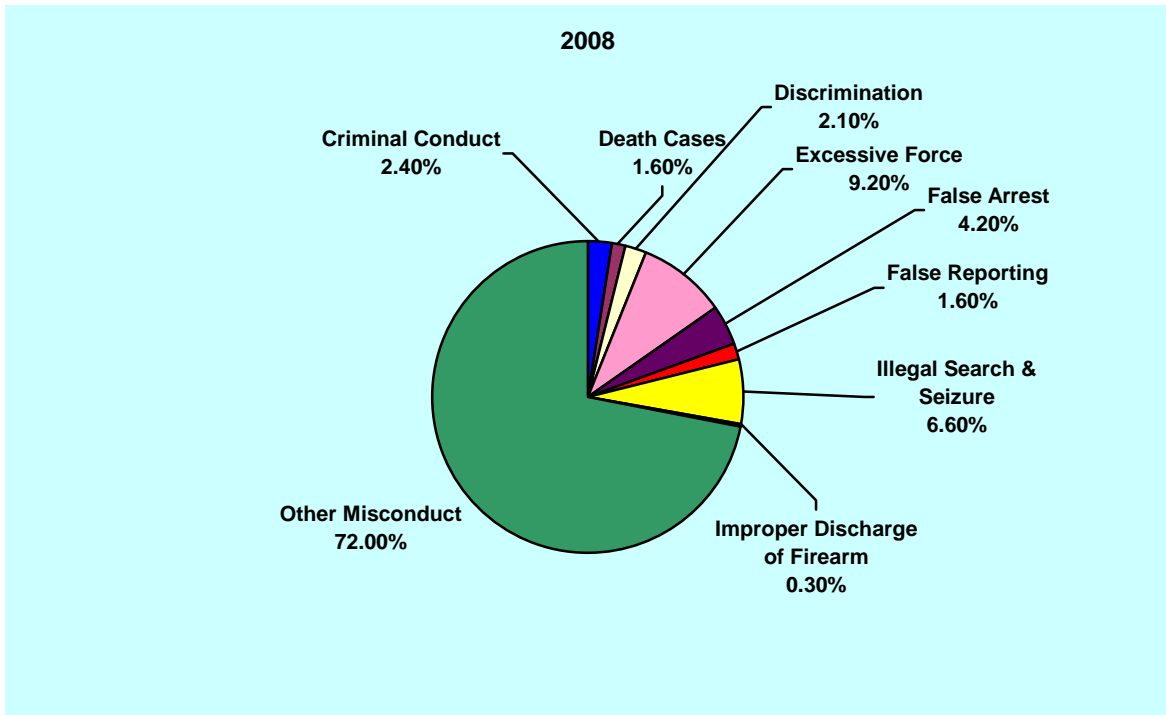


TABLE 6: COMPLAINTS & ALLEGATIONS CLOSED BY UNIT OR FACILITY IN 2009

STATIONS/UNITS	Complaint											Allegation Totals
	Totals	CC	Deaths	Discr.	EF	FA	FR	ISS	IDF	Misconduct	Totals	
ALPINE SUBSTATION	1	-	-	-	-	1	-	-	-	-	2	3
BORREGO SPRINGS	1	1	-	-	-	-	-	-	-	-	2	3
CAMPO/TECATE SUBSTATION	3	1	-	-	-	1	-	-	-	-	6	8
COURT SERVICES	5	2	-	-	-	-	-	-	-	-	8	10
ENCINITAS STATION	3	-	2	1	-	-	-	-	-	-	7	10
FALLBROOK SUBSTATION	5	-	-	-	1	4	-	3	-	-	17	25
GEO. BAILEY DETENTION FACILITY	17	3	6	2	8	-	2	-	-	-	37	58
IMPERIAL BEACH STATION	2	-	-	-	3	1	-	-	-	-	6	10
INTERNAL AFFAIRS	1	-	-	-	-	-	-	-	-	-	2	2
JULIAN SUBSTATION	1	-	-	-	-	-	-	-	-	-	6	6
LAKESIDE SUBSTATION	1	5	-	-	-	1	-	-	-	-	1	7
LAS COLINAS DETENTION FACILITY	3	-	-	-	-	1	-	-	-	-	6	7
LEMON GROVE STATION	10	-	6	-	4	1	-	1	-	-	26	38
OFFICE OF THE SHERIFF	1	-	-	-	-	-	-	-	1	-	-	1
POWAY STATION	1	-	-	-	1	-	-	1	1	-	4	7
RANCHITA / WARNER SPRINGS	1	-	-	1	-	-	-	1	-	-	3	5
SAN MARCOS STATION	7	-	-	1	6	2	-	3	-	-	15	27
SANTEE STATION	6	-	-	1	8	-	-	8	-	-	11	28
SAN DIEGO CENTRAL JAIL	15	-	3	-	4	1	1	-	-	-	31	40
SOUTH BAY DETENTION FACILITY	1	-	-	-	1	1	-	-	-	-	10	12
UNKNOWN UNIT	5	1	-	-	-	1	-	-	-	-	4	6
VISTA DETENTION FACILITY	6	1	-	-	-	1	1	-	-	-	11	14
VISTA STATION	8	-	4	2	2	2	1	-	-	-	18	29
PROB: ADULT SVCS.	6	-	-	-	-	-	-	-	-	-	17	17
PROB: INST. SERVICES	2	-	-	-	-	-	-	-	-	-	3	3
Totals (25 stations)	112	14	21	8	38	18	5	17	2	253	376	

NOTES:

- 4) CC= Criminal Conduct; Discr= Discrimination; EF= Excessive Force; FA= False Arrest; FR= False Reporting; ISS= Illegal Search & Seizure; IDF= Improper Discharge of Firearm.
- 5) Allegation totals always exceed complaint totals. 6) Unknown Unit indicates staff was unable to identify involved personnel or a work station

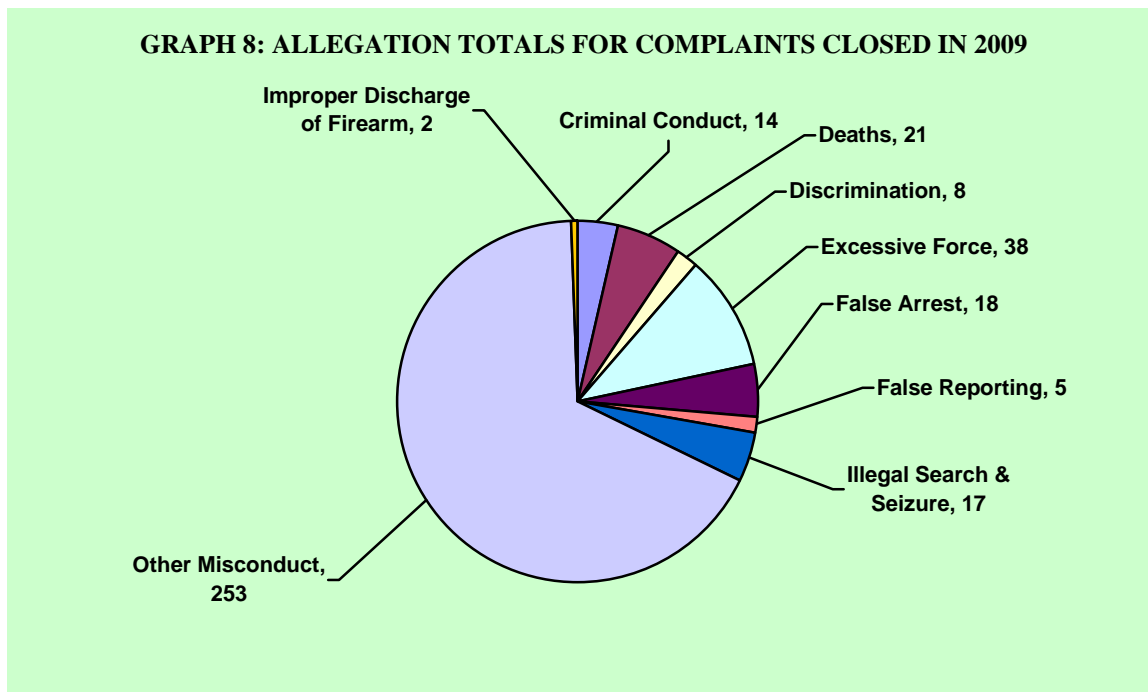


TABLE 7: FULLY INVESTIGATED CASES / FINDINGS BY DATE CLOSED - 2009
(Procedurally Closed & Summary Dismissal Cases are listed separately.)

CASE #	COMPLAINANT	FINDINGS					DATE CLOSED
		Sustained	Not Sustained	Action Justified	Unfounded	Summary Dismissal	
06-102	Medina (death case)			1			01-13-09
07-135	Evaro	1	1				01-13-09
08-011	Barcello			5			01-13-09
08-017	Adams		1	1			01-13-09
08-020	Byrd			2	2		01-13-09
08-061	Seaton		1	1			01-13-09
07-037	Rivera			3			03-10-09
08-018	Wenbourne			1			03-10-09
08-026	Smith			2			03-10-09
08-027	Smelser			4	1		03-10-09
08-031	Turner			2			03-10-09
08-033	Reed	1					03-10-09
08-036	Williams			2			03-10-09
08-037	Threat		1	1		2	03-10-09
08-095	Brown (death case)			1			03-10-09
09-011	Hernandez			2			03-10-09
07-085	Martinez (death case)			1			05-12-09
08-039	Colon			6			05-12-09
08-042	Risque		2				05-12-09
08-047	Perez			1			05-12-09
08-054	Kurtz			1	1		05-12-09
08-057	Rico			1	1		05-12-09
08-062	Martin (death case)			1			05-12-09
08-063	Mosier			2	1		05-12-09
08-069	Stanford		1				05-12-09
08-073	Sanfilippo			1		2	05-12-09
08-050	Gardner	3		3			07-14-09
08-051	Gardner		1				07-14-10
08-059	Picazo		2	2			07-14-10
08-071	Perry		3				07-14-09
08-075	McFadden			1		2	07-14-09
08-081	Anderson		1	2			07-14-09
08-082	Vargas		3				07-14-09
09-004	De Casas		2	1	1	1	07-14-09
09-013	Amerson			1			07-14-09
08-068	Corleone		3	2			09-08-09
08-070	Winje		1	7		1	09-08-09
08-093	Padgett			3		2	09-08-09
09-021	Kopkowski (death case)			1			09-08-09
09-022	Phillips (death case)			1			09-08-09
09-075	Lovato			2			09-08-09
09-083	Sweetser		1	1		1	09-08-09
07-008	Mendoza (death case)			1			11-10-09

CASE #	COMPLAINANT	FINDINGS					DATE CLOSED
		Sustained	Not Sustained	Action Justified	Unfounded	Summary Dismissal	
08-076	Kirk			4	1		11-10-09
08-077	Smith				1	4	11-10-09
08-083	Gray			1	1		11-10-09
08-084	Gray			1			11-10-09
08-097	Balto			4			11-10-09
08-098	Howard			5	7		11-10-09
08-099	Williams		4	1			11-10-09
09-032	Millan			1	2		11-10-09
09-042	Brown		1	2			11-10-09
09-065	Parker (death case)			1			11-10-09
09-088	Cobb			1			11-10-09
TOTALS	Fully investigated cases: 54	5	29	91	19	15	159 findings/ 6 meetings

TABLE 8: SUMMARY DISMISSAL / PROCEDURALLY CLOSED CASES BY DATE - 2009

CASE #	COMPLAINANT	FINDINGS		DATE CLOSED
		SUMMARY DISMISSAL	PROCEDURALLY CLOSED	
08-102	Giaconelli		X	01-02-09
08-008	Behling	X		01-13-09
08-105	Jaggi		X	01-26-09
09-001	Cowan		X	01-30-09
09-002	Klein		X	01-30-09
09-015	Valverde		X	03-18-09
09-018	Glasby		X	03-25-09
09-019	Helmy		X	03-25-09
09-026	Gonzales		X	04-15-09
09-027	Dawes		X	04-15-09
09-028	Young		X	04-20-09
08-053	Espudo	X		05-12-09
08-065	Quezada	X		05-12-09
08-066	Quezada	X		05-12-09
09-033	Serratos		X	05-26-09
09-037	McCliman		X	05-28-09
09-038	Douglas		X	05-28-09
09-039	Villasi		X	06-04-09
09-040	Sierra		X	06-04-09
09-047	Williams		X	06-23-09
09-048	Beard		X	06-23-09
08-072	Shoval	X		07-14-09
09-045	Quimby	X		07-14-09
09-052	Espino	X		07-14-09
09-058	Jimenez		X	07-21-09
09-066	Playford		X	08-03-09
09-067	Lutz		X	08-10-09
09-071	Carney		X	08-11-09
09-073	McGowan		X	08-12-09
09-078	Budzynowski		X	08-26-09
09-079	Budzynowski		X	08-26-09
09-080	Loring		X	08-26-09
09-085	Hall		X	08-31-09
08-078	Ewing	X		09-08-09
09-036	Ochoa	X		09-08-09
09-056	Reeves	X		09-08-09
09-072	Austin	X		09-08-09
09-087	Giglio		X	09-09-09
09-089	De Sarno		X	09-09-09
09-091	Dunn		X	09-09-09
09-095	Taylor		X	09-15-09
09-099	Pimentel		X	10-06-09

CASE #	COMPLAINANT	FINDINGS		DATE CLOSED
		SUMMARY DISMISSAL	PROCEDURALLY CLOSED	
09-101	Bolecky		X	10-26-09
09-104	Maldonado		X	10-26-09
09-108	Gerbella		X	10-28-09
09-113	Akans		X	11-03-09
09-114	Akans		X	11-03-09
09-117	Butler		X	11-05-09
08-100	Schofield	X		11-10-09
09-110	Aigbuza		X	11-13-09
09-118	Torres		X	11-13-09
09-119	Devereaux		X	11-13-09
09-123	Cagle		X	12-10-09
09-124	Barba		X	12-10-09
09-130	Robb		X	12-23-09
09-131	Gola		X	12-31-09
09-132	Martin		X	12-31-09
09-133	Hernandez		X	12-31-09
TOTALS		12	46	

TABLE 09: CLERB TWO-YEAR ADOPTED/APPROVED OPERATIONAL BUDGET

LINE ITEM CATEGORY	2009-10	2010-11
Salaries & Fringe Benefits	\$391,577	\$400,800
Services & Supplies	\$107,450	\$109,000
Total Expense	\$499,027	\$509,800
General Revenue	\$499,027	\$509,800
Employee positions	4 ³	4

³ The Review Board accommodated a 14% budget cut from FY 2008-09 but by leaving one of its two investigator positions vacant after February 2009 and maintaining its Administrative Assistant III as a half-time rather than full-time position. The Executive Officer took on one-half of the investigative workload during the investigator vacancy.

GLOSSARY OF TERMS & DEFINITIONS

Action Justified:

The investigation showed the alleged act did occur, and was lawful, justified and proper.

Not Sustained (Insufficient Evidence):

There was insufficient evidence to either prove or disprove the allegation.

Procedurally Closed:

A lodged case is closed by the Executive Officer when it is not returned with a signature under penalty of perjury.

Summary Dismissal: Action taken by the Review Board on a filed complaint:

- (a) The Review Board has no jurisdiction over the complaint or an allegation; or
- (b) The Review Board has no jurisdiction because the complaint was not timely filed; or
- (c) The complaint was so clearly without merit that no reasonable person could sustain a finding based on the facts.

Sustained:

The evidence supports the allegation and the act or conduct was not justified.

Unfounded:

The investigation showed the alleged act or conduct did not occur.

Lodged versus Filed Complaints:

A complaint is "lodged" or recorded and given a case number when a person contacts the Review Board to complain about an incident and is sent a complaint form. The complaint is "filed" when the person returns the complaint form signed under penalty of perjury.

Preponderance of the Evidence:

Evidence that has more convincing force than that opposed to it. "Preponderance of the evidence" is the standard of proof used in the Review Board's investigations.

Summary Hearings:

The Review Board considers the staff reports on complaint investigations in Summary Hearings in closed session.

APPENDIX A:
CHARTER OF THE COUNTY OF SAN DIEGO

Section 606: Citizens Law Enforcement Review Board.

- (a) The Board of Supervisors, by ordinance, shall establish a Citizens Law Enforcement Review Board consisting of not less than nine (9) nor more than fifteen (15) members nominated by the Chief Administrative Officer and appointed by the Board of Supervisors. Members of the Citizens Law Enforcement Review Board shall serve without compensation for terms not to exceed three years as established by ordinance, and members shall be appointed for not more than two consecutive full terms. County employees and persons employed as peace officers or custodial officers shall not be eligible to be members of the Citizens Law Enforcement Review Board.
- (b) Members of the Citizens Law Enforcement Review Board shall serve at the pleasure of the Board of Supervisors, and they may be removed at any time by a majority vote of the Board of Supervisors.
- (c) Vacancies on the Citizens Law Enforcement Review Board shall be filled for the balance of the unexpired term in the same manner as the position was originally filled.
- (d) The Citizens Law Enforcement Review Board shall have the power to subpoena and require attendance of witnesses and the production of books and papers pertinent to its investigations and to administer oaths.
- (e) The Citizens Law Enforcement Review Board may appoint in accordance with its established procedures such personnel as may be authorized by the Board of Supervisors. Notwithstanding any other provision of this Charter, any authorized executive director and investigators of the Citizens Law Enforcement Review Board shall be in the classified or the unclassified service as determined, by ordinance, by the Board of Supervisors.
- (f) The Board of Supervisors, by ordinance, shall establish the duties of the Citizens Law Enforcement Review Board and its duties may include the following:
 - (1) Receive, review and investigate citizens complaints which charge peace officers or custodial officers employed by the Sheriff's Department or the Probation Department with (A) use of excessive force, (B) discrimination or sexual harassment in respect to members of the public, (C) the improper discharge of firearms, (D) illegal search or seizure, (E) false arrest, (f) false reporting, (G) criminal conduct or (H) misconduct. All action complaints shall be in writing and the truth thereof shall be attested under penalty of perjury. "Misconduct" is defined to mean and include any alleged improper or illegal acts, omissions or decisions directly affecting the person or property of a specific citizen by reason of:
 - 1. An alleged violation of any general, standing or special orders or guidelines of the Sheriff's Department or the Probation Department; or
 - 2. An alleged violation of any state or federal law; or

3. Any act otherwise evidencing improper or unbecoming conduct by a peace officer or custodial officer employed by the Sheriff's Department or the Probation Department.
 - (2) Review and investigate the death of any individual arising out of or in connection with actions of peace officers or custodial officers employed by the Sheriff's Department or the Probation Department, regardless of whether a citizen complaint regarding such death has been filed with the Citizens Law Enforcement Review Board.
 - (3) Prepare reports, including at least the Sheriff or the Probation Officer as recipients, on the results of any investigations conducted by the Citizens Law Enforcement Review Board in respect to the activities of peace officers or custodial officers, including recommendations relating to the imposition of discipline and recommendations relating to any trends in regard to employees involved in citizen complaints.
 - (4) Prepare an annual report to the Board of Supervisors, the Chief Administrative Officer, the Sheriff and the Probation Officer summarizing the activities and recommendations of the Citizens Law Enforcement Review Board, including the tracking and identification of trends in respect to all complaints received and investigated during the reporting period.
 - (5) Notify in writing any citizens having filed a complaint with the Citizens Law Enforcement Review Board of the disposition of his or her complaint. The Chief Administrative Officer shall also receive appropriate notification of the disposition of citizen complaints.
 - (6) Review and make recommendations on policies and procedures of the Sheriff and the Probation Officer.
 - (7) Establish necessary rules and regulations for the conduct of its business, subject to approval of the Board of Supervisors.
 - (8) Perform such other duties as the Board of Supervisors, by ordinance, may assign to the Citizens Law Enforcement Review Board.
 - (9) Established rules and procedures for receipt of complaints from detention facility inmates.
- (g) In the event that a County Department of Corrections is established, the Citizens Law Enforcement Review Board shall have the same powers and duties in respect to that Department, its Director, and its peace officer and custodial officer employees, as the Citizens Law Enforcement Review Board has in respect to the Sheriff, the Probation Officer and their departments and employees.

(Added, Effective 12-26-90)

APPENDIX B:

SAN DIEGO COUNTY ADMINISTRATIVE CODE

ARTICLE XVIII - CITIZENS LAW ENFORCEMENT REVIEW BOARD

SEC. 340. PURPOSE AND INTENT.

It is the purpose and intent of the Board of Supervisors to establish a Citizens Law Enforcement Review Board of the County of San Diego to advise the Board of Supervisors, the Sheriff and the Chief Probation Officer on matters related to the handling of citizen complaints which charge peace officers and custodial officers employed by the County in the Sheriff's Department or the Probation Department with misconduct arising out of the performance of their duties. The Citizens Law Enforcement Review Board is also established to receive and investigate specified citizen complaints and investigate deaths arising out of or in connection with activities of peace officers and custodial officers employed by the County in the Sheriff's Department or the Probation Department. In addition, the Citizens Law Enforcement Review Board is to make appropriate recommendations relating to matters within its jurisdiction, report its activities, and provide data in respect to the disposition of citizen complaints received by the Citizens Law Enforcement Review Board. It is the purpose and intent of the Board of Supervisors in constituting the Citizens Law Enforcement Review Board that the Review Board will be advisory only and shall not have any authority to manage or operate the Sheriff's Department or the Probation Department or direct the activities of any County officers or employees in the Sheriff's Department or the Probation Department. The Review Board shall not decide policies or impose discipline against officers or employees of the County in the Sheriff's Department or the Probation Department.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.1. CITIZENS LAW ENFORCEMENT REVIEW BOARD.

The Board of Supervisors hereby establishes the Citizens Law Enforcement Review Board of the County of San Diego, hereinafter referred to as "Review Board."

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.2. NUMBER OF MEMBERS.

The Review Board shall consist of eleven (11) members.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.3. NOMINATION AND APPOINTMENT.

(a) The Board of Supervisors shall appoint all eleven members to the Review Board, all of whom shall be residents and qualified electors of the County. Members shall be nominated by the Chief Administrative Officer. In making nominations the Chief Administrative Officer shall attempt to reflect in Review Board membership comprehensive representation of age, sex, socioeconomic status, racial and ethnic background and geographical distribution, including representation of both the unincorporated areas and the cities that contract with the County for law enforcement by the Sheriff's Department. The list of nominees submitted to the Board of Supervisors shall include a statement of the qualifications of each person nominated.

(b) Public notice and publicity shall be given of intention to appoint members to the Review Board. An application form shall be provided to members of the public.

(c) County employees and persons employed as peace officers and custodial officers shall not be eligible to be members of the Review Board.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.4. TERM OF OFFICE.

(a) Each member shall serve a term of three years; provided, however, that the terms of the initial members of the Review Board shall be determined as follows:

At the first meeting of the Review Board, the eleven members shall draw lots to determine which four members will serve a three year term, which four members will serve a two year term, and which three members will serve a one year term.

(b) A member shall serve on the Review Board until a successor has been appointed. A member shall be appointed for no more than two consecutive full terms. Appointment to fill a vacancy shall constitute appointment for one term. The term for all members shall begin on July 1 and end on June 30. The term of all persons who are the initial appointees to the Review Board shall be deemed to commence on July 1, 1991.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.5. REMOVAL.

Members of the Review Board serve at the pleasure of the Board of Supervisors and may be removed from the Review Board at any time by a majority vote of the Board of Supervisors.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.6. VACANCIES.

A vacancy shall occur on the happening of any of the following events before the expiration of the term:

- (1) The death of the incumbent.
- (2) The resignation of the incumbent.
- (3) The ceasing of the incumbent to be a resident of the County of San Diego.
- (4) Absence of the member from three consecutive regular meetings of the Review Board, or
- (5) Failure to attend and satisfactorily complete the required training course within three months of the beginning of a member's term or of the member's appointment to fill a vacancy.

When a vacancy occurs the Board of Supervisors and, where appropriate, the member shall be notified of the vacancy by the Chairperson. Vacancies shall be filled in the same manner as the position was originally filled. Vacancies shall be filled within forty-five days and, subject to the provisions of this article, shall be filled for the balance of the unexpired term.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.7. ORGANIZATION.

(a) *Officers.* The Review Board shall select annually from its membership a Chairperson, a Vice-Chairperson and a Secretary.

- (b) *Rules.* The Review Board shall prepare and adopt necessary rules and regulations for the conduct of its business, subject to approval of the Board of Supervisors. A current copy of the rules and regulations shall be filed with the Clerk of the Board of Supervisors.
- (c) *Quorum.* A majority of members currently appointed to the Review Board shall constitute a quorum. A majority of members currently appointed to the Review Board shall be required to carry any motion or proposal.
- (d) *Minutes.* The Review Board shall keep written minutes of its meetings, a copy of which shall be filed with the Clerk of the Board of Supervisors.
- (e) *Meetings.* The Review Board shall establish a regular meeting schedule and shall give public notice of the time and place of meetings. All meetings shall be held in accordance with the requirements of the Ralph M. Brown Act (Government Code, section 54950 et seq.).

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.8. COMPENSATION.

Members of the Review Board shall serve without compensation, except they shall be reimbursed for expenses incurred in performing their duties in accordance with provisions of the County Administrative Code regulating reimbursement to County officers and employees.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.9. DUTIES AND RESPONSIBILITIES.

The Review Board shall have the authority to:

(a) Receive, review and investigate citizen complaints filed against peace officers or custodial officers employed by the County in the Sheriff's Department or the Probation Department which allege: (A) use of excessive force; (B) discrimination or sexual harassment in respect to members of the public; (C) the improper discharge of firearms; (D) illegal search or seizure; (E) false arrest; (F) false reporting; (G) criminal conduct; or (H) misconduct. The Review Board shall have jurisdiction in respect to all citizen complaints arising out of incidents occurring on or after November 7, 1990; provided, however, that the Review Board shall not have jurisdiction to take any action in respect to complaints received more than one year after the date of the incident giving rise to the complaint, except that if the person filing the complaint was incarcerated or physically or mentally incapacitated from filing a complaint following the incident giving rise to the complaint, the time duration of such incarceration or physical or mental incapacity shall not be counted in determining whether the one year period for filing the complaint has expired. All action complaints shall be in writing and the truth thereof shall be attested under penalty of perjury. "Citizen complaints" shall include complaints received from any person whatsoever without regard to age, citizenship, residence, criminal record, incarceration, or any other characteristic of the complainant. "Misconduct" is defined to mean and include any alleged improper or illegal acts, omissions or decisions directly affecting the person or property of a specific citizen by reason of:

1. An alleged violation of any general, standing or special orders or guidelines of the Sheriff's Department or the Probation Department; or
2. An alleged violation of any state or federal law; or
3. Any act otherwise evidencing improper or unbecoming conduct by a peace officer or custodial officer employed by the Sheriff's Department or the Probation Department.

The Review Board shall have no authority pursuant to this subdivision to take action in regard to incidents for which no citizen complaint has been filed with the Review Board.

- (b) Review and investigate the death of any individual arising out of or in connection with actions of peace officers or custodial officers employed by the County in the Sheriff's Department or the Probation Department, regardless of whether a citizen complaint regarding such death has been filed with the Review Board. The Review Board shall have jurisdiction in respect to all deaths of individuals coming within the provisions of this subdivision occurring on or after November 7, 1990; provided, however, that the Review Board may not commence review or investigation of any death of an individual coming within the provisions of this subdivision more than one year after the date of the death, unless the review and investigation is commenced in response to a complaint filed within the time limits set forth in subdivision (a) of this section.
- (c) Prepare reports, including at least the Sheriff or the Probation Officer as recipients, on the results of any investigations conducted by the Review Board in respect to the activities of peace officers or custodial officers, including recommendations relating to the imposition of discipline, including the facts relied on in making such recommendations, and recommendations relating to any trends in regard to employees involved in citizen complaints. The Review Board is not established to determine criminal guilt or innocence.
- (d) Prepare an annual report to the Board of Supervisors, the Chief Administrative Officer, the Sheriff and the Probation Officer summarizing the activities and recommendations of the Review Board including the tracking and identification of trends in respect to all complaints received and investigated during the reporting period.
- (e) Notify in writing any citizen having filed a complaint with the Review Board of the disposition of his or her complaint. The Chief Administrative Officer shall also receive appropriate notification of the disposition of citizen complaints. Such notifications shall be in writing and shall contain the following statement: "In accordance with Penal Code section 832.7, this notification shall not be conclusive or binding or admissible as evidence in any separate or subsequent action or proceeding brought before an arbitrator, court, or judge of California or the United States."
- (f) Establish necessary rules and regulations for the conduct of its business, subject to approval of the Board of Supervisors.
- (g) Review and make recommendations on policies and procedures of the Sheriff's Department and the Probation Departments to the Board of Supervisors, the Sheriff, and the Chief Probation Officers.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91; amended by Ord. No. 7914 (N.S.), effective 6-27-91; amended by Ord. No. 9737 (N.S.), effective 10-27-05; amended by Ord. No. 9782 (N.S.), effective 7-20-06)

SEC. 340.10. REVIEW BOARD INVESTIGATIONS.

Citizen complaints received by the Review Board shall be transmitted forthwith to the Sheriff or the Probation Officer.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.11. SUBPOENAS.

The Review Board shall, pursuant to the Charter of the County of San Diego, section 606(d), have the power to subpoena and require attendance of witnesses and the production of books and papers pertinent to its investigations and to administer oaths.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.12. STAFF ASSISTANCE.

The Review Board shall appoint such personnel as may be authorized by the Board of Supervisors.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.13. TRAINING REQUIREMENTS.

All members shall attend and satisfactorily complete a training course within three months of the beginning of the member's term or of the member's appointment to fill a vacancy. The training requirements shall be established by the Chief Administrative Officer. Failure to attend and satisfactorily complete the training course within the prescribed time shall result in the member's removal from the Review Board and shall automatically create a vacancy on the Review Board.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.14. RECORDS.

Any personnel records, citizen complaints against County personnel in the Sheriff's Department or the Probation Department, and information obtained from these records, which are in the possession of the Review Board or its staff, shall be confidential and shall not be disclosed to any member of the public, except in accordance with applicable law. Copies of records and complaints of the Review Board shall be made available to the Sheriff or the Probation Officer upon completion of the investigation of the Review Board unless prohibited by applicable law.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)

SEC. 340.15. COOPERATION AND COORDINATION.

In the discharge of its duties, the Review Board shall receive complete and prompt cooperation from all officers and employees of the County. The Review Board and other public officers, including the Sheriff, the District Attorney, and the Grand Jury, shall coordinate their activities so that the other public officers and the Review Board can fully and properly perform their respective duties.

(Added by Ord. No. 7880 (N.S.), effective 5-2-91)