



San Diego County Probation Department

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Tamika Nelson, Chief Probation Officer

September 13, 2023

Eileen Delaney, Chair
Citizens' Law Enforcement Review Board
555 West Beech Street, Suite 505
San Diego, CA 92101-3819

POLICY RECOMMENDATION: PROHIBITION OF LAW ENFORCEMENT GANGS

Dear Chair Delaney,

The Probation Department supports the Citizens' Law Enforcement Review Board's (CLERB) independent review of our policies and the recommendation for improvement.

On November 17, 2022, CLERB recommended:

The Probation Department comply with Penal Code § 13670, "Law Enforcement Gangs" by implementing a policy prohibiting participation in a law enforcement gang.

The San Diego County Probation Department's current policy regarding Standards of Conduct contains language that is consistent with the requirements of California Penal Code section 13670. The Probation Department's Policy Manual Section 903 (Standards of Conduct) lists as causes for discipline the following sections:

903.6.2(h) (Ethics): "Any other failure to abide by the standards of ethical conduct."

903.6.4(d) (Relationships): "Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the employee knows or reasonably should know of the criminal nature of the organization..."

903.6.9(m) (Conduct): "Any other on-or-off duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its employees."

The Probation Department's Policy and Legislative Unit is continuously evaluating department policies and recommending updates. An update to this section (Standards of Conduct) is currently under review by Executive Staff to include the following new verbiage:

“Participation in a law enforcement gang as defined by Penal Code § 13670 is grounds for termination”.

We appreciate the time and effort of the Citizens' Law Enforcement Review Board for its dedicated service to the residents of San Diego County and for this policy recommendation. It is our goal to provide the highest level of service to the residents of San Diego County. Should you have any questions, please contact Division Chief Irene Lilly at irene.lilly@sdcounty.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tamika Nelson', with a stylized, cursive script.

TAMIKA NELSON
Chief Probation Officer