

San Diego County Sheriff's Department



Division of Inspectional Services Manual

Revised 5/12/2022



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Division of Inspectional Services

The Division of Inspectional Services (DIS) is assigned to the Office of the Sheriff. DIS shall assess internal processes and review high-risk events in order to promote a more efficient, effective and economical operational environment throughout the Department.

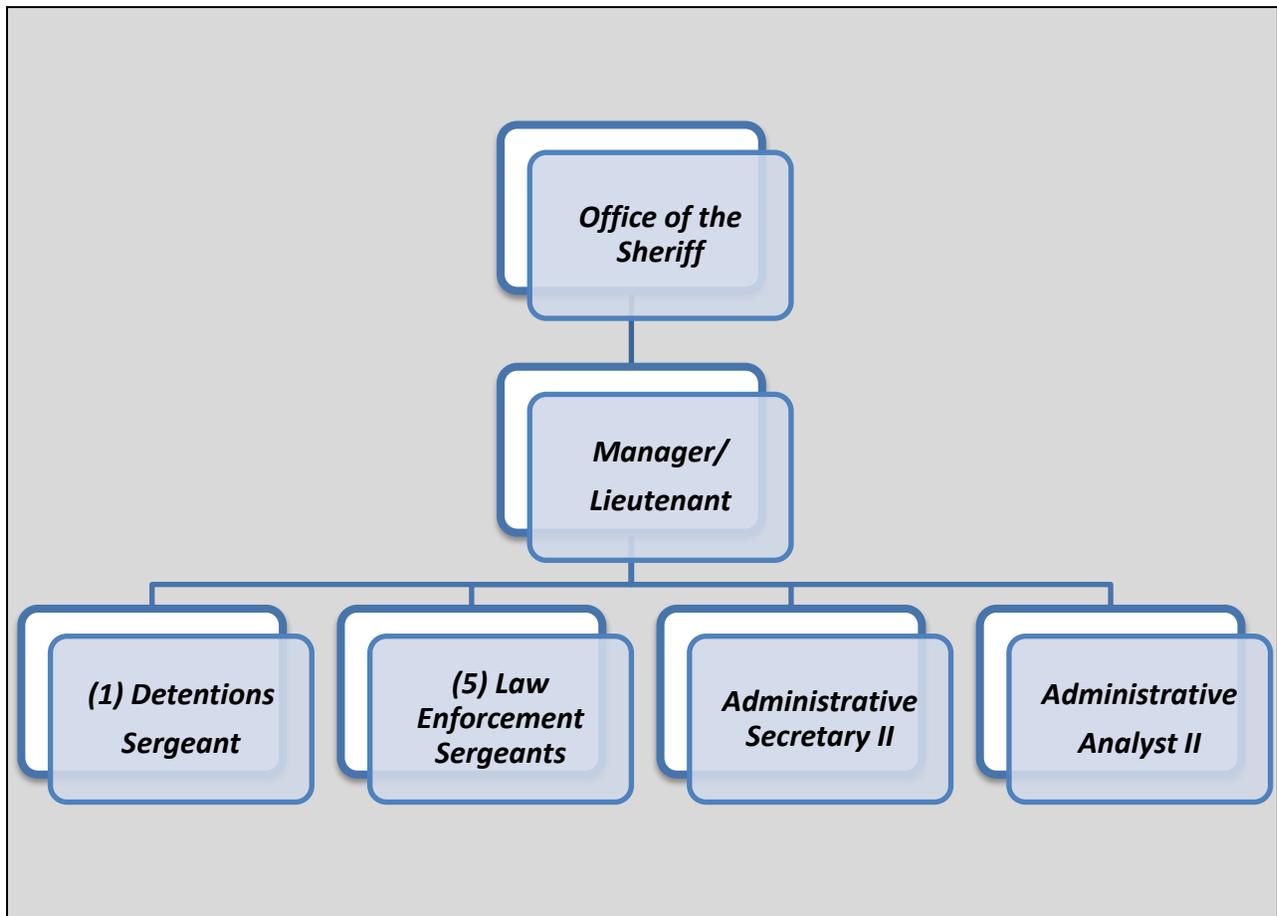
DIS will coordinate liability issues related to use of force, vehicle operations, application of law, jail conditions, and any action by staff that causes an injury. Additionally, they will liaison with the Citizens' Law Enforcement Review Board and County Counsel Claims Division. DIS will review and facilitate the update of the Department Policy and Procedure Manual.

It is the Department's philosophy that risk management activities shall take place at all levels of the Sheriff's Department. However, the Division of Inspectional Services shall manage the process whereby issues of liability in the workplace and actions that may cause injury and/or property damage are reviewed and reported to management.

(SDSD Policy 1.12, 4.25, DIS Charter)



Organizational Chart





Areas of Responsibility

DIS is assigned the following areas of responsibility:

- Department process inspections
- CLERB liaison
- Patrol Station/Substation/Jail Facility/Court Liaison
- Critical Incident Review Board (CIRB) presentation
- Use of Force Review
- Policy and Procedure Review
- Claims oversight
- Liaison to County Counsel
- DMV License monitoring program
- Prison Rape Elimination Act (PREA) Coordination and Reporting to the Bureau of Justice Statistics (BJS) and compiling an annual report for publishment on the public website
- Special tasks as assigned by the Office of the Sheriff
- Provide analysis and statistics regarding critical incidents to the Sheriff.
- Submission of Use of Force data to the Department of Justice (DOJ) and the FBI National database.
- Coordinate and facilitate Board of State and Community Corrections (BSCC) audits and inspections of jails, court houses and patrol stations. Scheduling and Reporting of BSCC Compliance Inspections
- PC 832.7(b) Redaction
- Department Retention Policy coordination and review.



DIS Notifications

For any incidents or questions that occur during normal business hours (M-F 0600-1700), please call the DIS Main Line at 858-974-2724. For after-hours incidents, please contact the Communications Center at 858-565-5030.

The following incidents require a telephone notification (unless otherwise stated) to a DIS Sergeant as soon as reasonably practical:

- All work-related illness or *serious injury of Sheriff's personnel (sworn or non-sworn) that results in treatment at a medical facility, hospitalization, or death. If the injury is not serious, but employee is still treated at a medical facility, please send an email notification to DIS.notifications@sdsheriff.org.
- All bio-hazard exposures of Sheriff's personnel (sworn or non-sworn) that result in professional medical treatment or where assistance is needed with the administrative blood draw process. To review the Blood Borne Pathogen- Administrative Blood Draw Process, click on the following link: <https://ssp.sdsheriff.com/OTS/DIS/Blood%20Draw%20Power%20Point/Forms/AllItems.aspx>. If the employee does not seek medical treatment and is only documenting the exposure, please send an email notification to DIS.notifications@sdsheriff.org.
- All on-duty or off-duty deputy involved shootings, regardless of jurisdiction or injury.
- All on-duty or off-duty unintended discharges of firearms with injury. If there is no injury, please send an email notification to DIS.notifications@sdsheriff.org.
- Shooting of an animal in self-defense or defense of others (does not include dispatching of an animal for humanitarian reasons).
- Use of force incidents resulting in significant media attention, *serious injury, hospitalization, or death.
- All canine (K-9) contacts, regardless of injury. **(Continued on next page)**



- Traffic pursuits involving a vehicle collision resulting in *serious injury, hospitalization, death, or moderate to major property damage.
- Any and all forcible stops involving Sheriff's vehicles.
- All department related traffic collisions resulting in *serious injury, hospitalization, death, or moderate to major property damage.
- All PREA incidents where the subject was allegedly sexually assaulted by Sheriff's personnel (sworn or non-sworn). If the PREA incident did not involve Sheriff's personnel, please send an email notification to DIS.notifications@sdsheriff.org.
- All in-custody deaths.
- Any injury occurring in-custody where Homicide responds. For any other *serious injury occurring in-custody, regardless of cause, or life threatening medical emergency please send an email notification to DIS.notifications@sdsheriff.org.
- Any in-custody suicide attempts where the subject is *seriously injured. If the in-custody subject is not seriously injured, please send an email notification to DIS.notifications@sdsheriff.org.
- All escapes.
- All attempted escapes where DIU responds. If DIU does not respond, please send an email notification to DIS.notifications@sdsheriff.org.
- All erroneous releases with a felony charge or if DIU responds. If the charge is a misdemeanor or if DIU is not responding, please send an email notification to DIS.notifications@sdsheriff.org.

* **Serious Injury** is defined as an impairment of physical condition, including one or more of the following:

- Prolonged loss of consciousness
- Concussion
- Bone fracture(s)
- Impairment of any bodily member or organ



Meeting

The DIS Lieutenant or designee will attend the weekly Office of the Sheriff meeting. During this meeting, significant weekly DIS notifications are discussed with the Sheriff and Undersheriff for information and review.

The divisional briefing is presented twice per year which compares the current and prior year's 6-month statistics. The divisional brief will also include an overview of the DIS responsibilities, budget, and staffing. In addition to reporting statistical summaries, projects of note, special reviews/projects or ongoing review issues may be included in the reporting process. The statistics generated for this report are managed by the Administrative Analyst.



Use of Force Review and Reporting

All use of force incident reports are reviewed by DIS for completeness and compliance with department policy. Additionally, all use of force incident reports are reviewed for statistical reporting to state and federal agencies. When available, body worn camera footage from a sampling of incidents is reviewed by the assigned sergeants. Any deviation from Department P&P will be reported to the DIS Lieutenant for follow-up with the respective Command.



Compliance Monitoring

DIS reports to the State of California use of force statistics in compliance with AB71 annually. The information in the same format is also reported to the Federal Bureau of Investigations monthly.

DIS sergeants and analyst will conduct process inspections within the Department for compliance with applicable laws and Department policies and procedures.

Upon completion of the process inspection, DIS will complete a report with their inspection results for dissemination to the appropriate command.

Some types of process inspections include (but are not limited to):

1. Detention's quarterly inspections
2. Title 15 inspections
3. BSCC inspections
4. RMS case inspections
5. Property and Evidence inspections
6. Periodic BWC review
7. And any other inspections requested by a facility/station captain or above.



Citizens Law Enforcement Review Board (CLERB)

DIS is the interface between the Sheriff's Department and CLERB. In accordance with the voter approved amendment to the County of San Diego Charter the CLERB was established to provide an advisory citizen law enforcement oversight board.

CLERB receives and investigates complaints about the alleged misconduct of peace officers employed by the San Diego County Sheriff's Department and Probation Department. CLERB investigates all in-custody deaths or any death which arises out of, or in connection with, the actions of deputies and probation officers, regardless of whether a complaint is filed. CLERB also reviews any Use of Force related to any 1st Amendment incident and all Use of Forces where great bodily injury occurs.

DIS staff receives and reviews complaints from CLERB and facilitates the information gathering process in support of the investigation of the complaint. Information provided to CLERB may include report, logs, video and BWC footage, photographs, and any other pertinent evidence.

CLERB may also request additional information from involved deputies. This information request will be forwarded to the deputy from DIS as a Sheriff's Employee Response Form (SERF). CLERB has subpoena powers for documentation and for in-person testimony.

Sworn staff has the right to representation of their choice as afforded per the California Peace Officer Bill of Rights (POBR).

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CLERB Continued

Board members examine evidence and review the investigative reports prepared by CLERB investigators at regular meetings. Board members discuss the investigations in a closed meeting format and decide by majority vote, based on preponderance of evidence, whether an allegation is sustained, not sustained, unfounded, or the action taken was justified. CLERB may make recommendations for complaint-related policy and procedure changes which are advisory and non-binding. CLERB may not impose discipline on a sustained finding or compel a change in policy or procedure.

The findings and policy recommendations are submitted to DIS for review. All policy recommendations shall be reviewed by the bureau of responsibility. The assigned DIS sergeant disseminates the findings and policy recommendations to the appropriate Command. Response to the CLERB should involve review and consultation with Sheriff's Legal and the affected Bureau to the Commander level when warranted. The final response to CLERB correspondence will be on a signed Sheriff's letterhead from the DIS manager, after the bureau level review is complete. All written responses to CLERB should be considered public information unless otherwise documented as confidential.

All CLERB's sustained findings, policy recommendations or potential issues shall be discussed with the Office of the Sheriff as soon as identified.

(SDSD Policy and Procedure 6.107)

(CLERB Rules and Regulations)

(CLERB Charter)

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CLERB Continued

Based on a signed Memorandum of Understanding, a CLERB investigator will be allowed access to death scenes involving Sheriff's personnel. The on-call DIS Sergeant will act as the liaison with the CLERB investigator, notifying the on-call CLERB investigator via telephone of the death, and of where to meet. The DIS Sergeant will give the CLERB investigator a synopsis of the incident as approved by the Homicide Lieutenant or Designee. The CLERB investigator may be allowed to view the scene from a position as determined by Homicide Lieutenant or designee.

(MOU with CLERB)



Claims

Any person wanting to file a claim against the Sheriff's Department shall be referred to the Clerk of the Board of Supervisors.

All Claims made against the Sheriff's Department will be forwarded to the Division of Inspectional Services (DIS) by the County Counsel – Claims Division.

Upon receipt of the claim, DIS will contact Internal Affairs (IA) to confirm if the incident is the subject of an IA investigation. If the incident is an open/closed internal investigation, County Counsel will be advised and referred to IA. If the incident is not part of an IA investigation, DIS will proceed as follows:

If the claim is deemed to be a Department Claim (i.e. less than \$2,500.00), it will be investigated completely by the assigned command and will include a recommendation stating if payment should be full, partial or none of the requested amount, if necessary. This information is required by the Auditor and Controller's office to issue payment. Once completed, the claim package will be forwarded for review/approval via the bureau's chain of command and then returned to DIS.

All other claims will be assigned to the appropriate command for collection of all materials according to the evidence checklist. Once completed, the claim package will be forwarded for review/approval via the bureau's chain of command and then returned to DIS.

Upon receipt and review of the claim file by the DIS Lieutenant, a copy will be submitted to County Counsel – Claims Division.

The Division of Inspectional Service will maintain the original claim file and management log. (P&P 6.54)



Board of State and Community Corrections (BSCC)

The California Board of State and Community Corrections (BSCC) is an independent statutory agency that provides leadership to the juvenile criminal justice system, expertise on public safety realignment and technical assistance on community correction issues. The BSCC is governed by a board of 13 members. Each member is appointed by the State Governor and confirmed by the Senate. BSCC is comprised of various groups that promulgate regulations for detention facilities, develop standards for selection and training of detention deputies, and administer significant public safety-related grant funding.

Within BSCC, field representatives are assigned to every local detention facility, court house and patrol station within the state. The field representatives will conduct an independent audit and or inspection of these areas, on an annual or biennial basis, for Title 15 and Title 24 compliance. The DIS Detention Sergeant will be responsible for coordinating and facilitating all of the audits/inspections conducted by the BSCC field representative. With additional support as needed, the Detentions Sergeant will schedule, attend and follow-up with needs and requests of the BSCC field representative. All follow-up items will be tracked and reported the appropriate bureau within the department.



Critical Incident Review Board (CIRB) Presentation

The purpose of this board is to consult with Department legal counsel when an incident occurs which may give rise to litigation. The focus of the CIRB will be to assess the Department's civil exposure to designated incidents, determine if an administrative investigation is warranted, to address any training concerns, or if any policy should be modified or created. The goal is to minimize potential liability in the future.

Specific and designated incidents reviewed by the CIRB are specified in Department P&P Section 4.23.

The DIS Sergeant assigned to each CIRB or pre-CIRB incident is responsible to facilitate the presentation and ensure the necessary information is conveyed.

The DIS Lieutenant and assigned Sergeant will present and/or attend the CIRB or pre-CIRB presentations. The DIS Sergeant will ensure that any action items stemming from the CIRB or pre-CIRB presentations are assigned to the appropriate bureau or unit and liaison with the assigned unit until the action item is completed. The DIS Sergeant will complete an after-action summary for filing with Sheriff's Legal.



DMV License Notification

DIS staff are assigned to work with the County of San Diego DMV license pull notification program. The DIS sergeant assigned to this program will act at the conduit for any Department employee or volunteer. The DIS sergeant will be notified of any suspended or expired licenses. DIS will then notify the employee's or volunteer's supervisor of the license status and will direct the supervisor to notify the employee or volunteer they are not permitted to drive a county vehicle until the driver's license status is brought current.



Analysis and Statistics

DIS is responsible for creating, maintaining, and updating data for:

- a. Use of Force (UOF) / Officer Involved Shootings
 - b. CIRB
 - c. CLERB
 - d. DIS Incident Notifications
 - e. Claims
 - f. PREA
 - g. Department Retention Policy
 - h. Lautenberg Amendments
2. Create reports, graphs and analysis regarding all the incidents listed above.
 3. Monitor the complete approval process of SO-120's (UOF) reports. Contact the respective commands as needed to ensure 100% completion of the SO-120 approval process. An annual report with detailed information regarding use of force data is released to the public Sheriffs' website every February.
 4. Collect and analyze data regarding UOF.
 5. Report incidents through the use of force incident reporting database (URSUS) provided by the California Department of Justice as required by Government Code 12525.2.

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Analysis and Statistics Continued

6. Report use of force incidents through the Law Enforcement Enterprise Portal (LEEP) per the FBI reporting requirements.
7. Create an annual public report for dissemination to the Sheriff's website with PREA incidents and use of force statistics.
8. Obtain data from the Internal Affairs Unit in a yearly basis. Create a report for public release to the Sheriff's website that contains Internal Affairs annual totals.



PC 832.7(b) Redaction

DIS coordinates and oversees the PC 832.7(b) redaction process and personnel assigned to conduct case redactions.

The redaction responsibilities include the following:

- Identify cases for public release, specific to PC832.7(b)
- Gather, prepare, and redact cases per current law
- Liaison with other agencies for notification of releases
- Liaison with Sheriff's Legal for any pertinent law changes
- The DIS Sergeant is responsible for the final review and approval of each redacted case
- Publish redacted cases to the public website



Department P&P

DIS is responsible for maintaining current and revised editions of Department Policy and Procedures (P&P). DIS assists with guiding revisions through the approval process including adding or amending P&P based on directives from the Undersheriff and convening a Department P&P review committee every three years.

Any member of the Department may initiate a revision to Department P&P. Once approved by a bureau commander, all revisions are sent to DIS. The DIS sergeant responsible for P&P will then coordinate the presentation of the policy changes to the Sheriff's Operational Planning Committee (SOPC) and the Sheriff's Leadership Council (SLC). Upon approval of policy changes, the DIS analyst then disseminates the updated policy to all members of the Department through the Learning Management System (LMS).



Appendix

Sheriff's Policy and Procedure:

- 1.12 Policy and Procedure Preparation
- 4.23 Critical Incident Review Board
- 4.25 Division of Inspectional Services
- 6.54 Claims Procedures
- 6.107 Citizens Law Enforcement Review Board

Division of Inspectional Services Charter (found on DIS website)

Use of Force Instructions (found on DIS website)

CIRB Presentation Guide (found on DIS website)

CLERB Rules and Regulations (found at www.sandiegocounty.gov/clerb/)

CLERB Charter (found at www.sandiegocounty.gov/clerb/)

Government Code 12525.2

California Senate Bill 1421

Memorandum of Understanding between the San Diego County Sheriff's Department and the San Diego County Citizen's Law Enforcement Review Board regarding access to death scenes (found on Legal Affairs website).