

	OIR RECOMMENDATION	SHERIFF’S OFFICE RESPONSE
1	CCSO should remove the provision from its policy manual which distinguishes treatment of complaints received over 90 days from the date of the incident.	<u>Position:</u> Accept recommendation. <u>Direction:</u> Policy amendment drafted. Implementation subject to collective bargaining regulations.
2	CCSO should devise protocols and train its supervisors that when a supervisor brings forward information suggesting “gross” or intentional misconduct by a subordinate employee, there should be an immediate meeting to learn the circumstances and devise timely next steps.	<u>Position:</u> Accept recommendation. <u>Direction:</u> Recommendation has been incorporated into PSU training materials.
3	CCSO should change its policy so that it accepts all complaints, whether generated internally or by a member of the public, in their original form, and gives PSU the exclusive responsibility to enter the appropriate information into the dashboard.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Policy amendment drafted. Implementation subject to collective bargaining regulations.
4	CCSO should plan objective audits of PSU’s complaint triage process aimed at enhancing consistency, fairness and the confidence of CCSO employees and the public in the process.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> New policy to be drafted requiring annual audit of PSU in conjunction with issuance of Annual Report.
5	CCSO should modify their policy to ensure that subjects of all internal investigations are notified in writing.	<u>Position:</u> Accept recommendation. <u>Direction:</u> Procedure manual has been revised. Policy amendment drafted. Implementation subject to collective bargaining regulations.
6	CCSO’s current policy should be revised to ensure robust and timely notification to prosecutors when potential criminal conduct of a CCSO employee becomes known. The policy should clearly state: <ul style="list-style-type: none"> <li><b>a.</b> The interpretation of potential criminal conduct should be broad.</li> <li><b>b.</b> The Undersheriff should inform the prosecutor’s office when a referral is received from PSU.</li> <li><b>c.</b> The notification to the prosecutorial entity should be prompt.</li> <li><b>d.</b> There should be contemporaneous and robust documentation of the referral and the prosecutorial response.</li> </ul>	<u>Position:</u> Accept Recommendation. Current policy reflects timely notification requirement. <u>Direction:</u> Policy amendment drafted ensuring documentation of notification and removing redundancy.
7	CCSO should develop policy that disallows internal investigations being assigned to	<u>Position:</u> Accept Recommendation.

	persons of equal or lesser rank than the subject employee.	<u>Direction:</u> Procedure to be drafted as a best practice unless particular circumstances allow otherwise.  Implementation subject to collective bargaining regulations.
8	CCSO should create written policy providing further guidance regarding the factors to consider in determining whether to reassign an employee or place her/him on administrative leave during the pendency of an investigation into serious alleged misconduct.	<u>Position:</u> Current practice and policy (#19, sec 11).  <u>Direction:</u> Continue practice.
9	In cases in which a supervisor has initiated the complaint against the subject employee, CCSO should inquire whether and why the supervisor recommends that the employee be reassigned or placed on leave.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
10	The decision about whether to place an employee on administrative leave should be fluid and subject to ongoing review.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
11	CCSO should create policy that discourages the assignment of an internal investigation to the complainant supervisor.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Procedure drafted as a best practice unless particular circumstances allow otherwise. Implementation subject to collective bargaining regulations.
12	CCSO policy should be revised to indicate that all interviews relating to an internal investigation should be tape recorded, unless it proves impracticable or when a non-CCSO witness declines. Should these exceptions occur, the file should document all reasons why an interview was not tape recorded.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Procedure drafted. Implementation subject to collective bargaining regulations.
13	CCSO should develop policy that requires all internal investigations to be completed regardless of whether the subject employee separates from the organization prior to or during the pendency of the investigation.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Procedure drafted. Implementation subject to collective bargaining regulations.
14	CCSO should modify its policies to ensure that when it receives additional allegations of misconduct, the allegations should be fully investigated.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
15	When CCSO receives an allegation of misconduct, CCSO should ensure that there is an investigation into the matter, no matter the rank of the subject employee.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.

16	When a significant supervision failure involving more than one supervisor is identified, CCSO should ensure that any subsequent investigation or review be comprehensive and identify all supervisory lapses.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice. Development of an internal audit function is planned.
17	When a supervisor requests additional investigative help to address delinquent cases or other resource shortages, CCSO should evaluate the need, balance it against other resource needs, and make a considered decision about whether and how to provide assistance.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
18	CCSO should devise protocols accompanied with training to ensure that its detectives recognize the importance of informing prosecutors of all that is included in the investigative file and to provide any requested information.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice and training.
19	As in this case, when a supervisor or deputy comes forward with information that eventually leads to a prosecution of a CCSO employee for criminal acts, CCSO should continue to communicate to its personnel an acknowledgement of the fortitude and courage such an act requires.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
20	In addition to an internal agency-wide notification, CCSO should also continue to ensure that its leadership reach out personally to the individual who came forward in order to express appreciation for fulfilling the ethical values of the organization.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
21	CCSO should review claims and lawsuits as soon as they are received for purposes of identifying potential criminal and/or administrative misconduct and take prompt action if District Attorney notification and/or an investigation is warranted.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
22	CCSO should institutionalize the disciplinary roundtable process by including it in policy.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Policy to be drafted.
23	CCSO should craft closing letters that provide more detail about the investigation, such as the number of witnesses interviewed and the nature of any additional evidence reviewed.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> New closing letter implemented.

24	CCSO should continue to prioritize, evaluate, and effectuate sufficient staffing levels for the functions of the PSU.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Additional detective added to PSU 09/01/18.
25	CCSO should devise a monitoring program that ensures that every employee has an annual performance evaluation, that the evaluation is signed, and that evaluations are reviewed to determine whether they meet minimum standards.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Workgroup has been formed to address Recommendations 25-29. In progress.
26	For every case in which the supervisor finds that an employee did not meet expectations CCSO should ensure that the evaluation is reviewed to learn whether a work plan should be devised or an investigation should be initiated into the performance deficiencies.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Workgroup has been formed to address Recommendations 25-29. In progress.
27	CCSO should provide guidance to its supervisors on the preparation of work plans and develop written protocols so that every work plan has milestones and measures of success and remediation.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Workgroup has been formed to address Recommendations 25-29. In progress.
28	CCSO work plan protocols should require the supervisor to regularly log reports of the employee’s progress (or lack thereof). The work plan protocols should also require a memorandum from the supervisor documenting successful completion or recommending more serious remediation if the plan’s goals have not been achieved.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Workgroup has been formed to address Recommendations 25-29. In progress.
29	The new auditing unit of CCSO should regularly audit performance evaluations and work plans in order to achieve consistency and ensure a level of quality control.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Workgroup has been formed to address Recommendations 25-29. In progress.
30	When a formal investigation is launched and results in a founded determination, employee work performance as indicated in performance evaluations and work plans should be considered in determining the type and level of accountability and discipline.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
31	After a civil judgment or significant settlement involving CCSO activity, CCSO should take lead in a coordinated county assessment of the factors contributing to the outcome, should devise corrective actions as relevant and needed, and should inform the	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.

	public of any systemic reforms resulting from this process.	
32	CCSO should implement the 2011 Advisory Committee recommendation and devise an Early Intervention System.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Priority is subject to County budgetary approval. Workgroup exploring alternatives.
33	Once the EIS is operational, CCSO’s Early Intervention System should regularly incorporate the input of first-level supervisors to identify deputies who might benefit from the remedial aspects of the program.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Priority is subject to County budgetary approval.
34	CCSO and the County should devise and promote a mediation program to resolve civilian complaints outside of the traditional disciplinary process.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> PSU will explore opportunities and provide a written report to Sheriff.
35	CCSO should consider creating a restorative justice disciplinary program to address courtesy violations or other low-level violations involving deputy/civilian contacts.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> PSU will explore opportunities and provide a written report to Sheriff.
36	CCSO should consider integrating the work of background investigators, professional standards, training, policy development, and the wellness program into one unit.	<u>Position:</u> Accept Recommendation <u>Direction:</u> Sheriff’s Office is currently studying realignment of functions through county Managing for Results program.
37	CCSO should regularly conduct and publicize systemic audits of key functions that impact the quality of the Department and the service provided to its public.	<u>Position:</u> Accept Recommendation <u>Direction:</u> Priority subject to County budgetary approval.
38	CCSO should interpret the DPSST notification requirements upon separation of an employee liberally, so that DPSST can be fully informed of the circumstances surrounding any employee’s departure and should not reinterpret “retirement under investigation” to mean “retirement under serious investigation”.	<u>Position:</u> DPSST has updated its Notification of Separation form to require narrative information describing circumstance of separation from service. <u>Direction:</u> none
39	CCSO’s Public Information and Media Release Policy should contain overarching language recognizing the importance of accuracy in information released to the public.	<u>Position:</u> Current practice. <u>Direction:</u> continue practice and training to practice.
40	When a press statement is challenged, CCSO should examine the challenge and take appropriate action, including clarifying the challenged information when appropriate.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
41	CCSO Policy should instruct the PIO to document and maintain the author or contributor of any media release.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.

42	CCSO should devise policy that sets out the new child abuse referral review process.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
43	In setting out the new child abuse referral review process, CCSO should set time limits for when the initial vetting by the Child Abuse Team should be accomplished.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice.
44	In selecting sergeants for contract city assignment, CCSO should work to ensure that at least one sergeant so assigned has sufficient investigative experience to effectively supervise the station detective.	<u>Position:</u> Accept Recommendation in concept subject to Collective Bargaining Agreement obligations. <u>Direction:</u> Continue training to requirements.
45	CCSO should set out expectations to its contract city detectives to regularly “check in” with the headquarters units to attend briefings, training, or receive updates from the supervisors of the detective teams.	<u>Position:</u> Current practice. <u>Direction:</u> Continue practice
46	CCSO should work with the County and the CCPOA to consider the feasibility of moving sergeants to a separate bargaining unit.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Request has been made to County Human Resources/Labor Relations and County Administrator.
47	CCSO should resume publishing regular Annual Reports including crime data but also publish CCSO community engagement initiatives.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> New case management system will support data for 2018 annual reporting year; regular annual reports to occur first quarter 2019
48	CCSO should regularly publish on its website cumulative data and analysis regarding the use of force, civilian complaints, and administrative investigations.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> New case management system will support reporting of cumulative data first quarter 2019.
49	CCSO should place its Policy Manual on its website.	<u>Position:</u> Accept Recommendation. <u>Direction:</u> Policies published to website.
50	The County and CCSO should work with an outside entity to periodically review or audit key CCSO functions relating to transparency and accountability, including the complaint process, administrative investigations, uses of force, policy development and enforcement, and training issues and to issue public reports regarding the findings.	<u>Position:</u> Sheriff's Office will provide annual report to the Board and community first quarter each year beginning 2019 for the prior year, relating to key CCSO functions
51	To the degree that the Recommendations in this Report are accepted, the County should engage with an outside entity to report publicly on the success of implementation.	<u>Position:</u> Sheriff's Office will provide a report to the Board and community regarding implementation quarterly beginning 4 <sup>th</sup> quarter 2018 through July 2019.