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County of San Diego

CITIZENS' LAW ENFORCEMENT REVIEW BOARD

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REGULAR MEETING AGENDA
TUESDAY, JUNE 9, 2015, 5:30 P.M.
San Diego County Administration Center
1600 Pacific Highway, Room 302/303, San Diego, 92101

(Free parking is available in the underground parking garage, on the south side of Ash Street, in the 3-hour public parking spaces.)

Pursuant to Government Code Section 54954.2 the Citizens' Law Enforcement Review Board will conduct a meeting at the above time and place for the purpose of transacting or discussing business as identified on this agenda. Complainants, subject officers, representatives or any member of the public wishing to address the Board on any of today's agenda items should submit a "Request to Speak" form to the Administrative Secretary prior to the commencement of the meeting.

DISABLED ACCESS TO MEETING

A request for a disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting. Any such request must be made to Ana Becker at (619) 238-6776 at least 24 hours before the meeting.

WRITINGS DISTRIBUTED TO THE BOARD

Pursuant to Government Code 54957.5, written materials distributed to CLERB in connection with this agenda less than 72 hours before the meeting will be available to the public at the CLERB office located at 555 W Beech Street, Ste. 505, San Diego, CA.

1. ROLL CALL

2. MINUTES APPROVAL

a) Minutes of the May 2015 Regular Meeting *(Attachment A)*

3. PRESENTATION / TRAINING

a) Sheriff William D. Gore

4. EXECUTIVE OFFICER'S REPORT

a) Workload Report - Open Complaints/Investigations Report *(Attachment B)*

5. NEW BUSINESS

a) Board Member Recognition

-continued on next page-

6. UNFINISHED BUSINESS

a) N/A

7. BOARD MEMBER COMMENTS

8. PUBLIC COMMENTS

a) This is an opportunity for members of the public to address the Board on any subject matter that is within the Board's jurisdiction. Each speaker should complete and submit a "Request to Speak" form to the Administrative Secretary. Each speaker will be limited to three minutes.

9. SHERIFF / PROBATION LIAISON QUERY

10. CLOSED SESSION

a) **Request for Reconsideration –** Pursuant to CLERB Rules & Regulations: 16.9 Reconsideration of Final Report. Upon request by the complainant, subject officer or their representatives, the Final Report may be re-opened for reconsideration by the Review Board provided that: (a) previously unknown relevant evidence is discovered which was not available to the Review Board before it issued its Final Report, and; (b) there is a reasonable likelihood the new evidence will alter the findings and recommendations contained in the Final Report.

- 15-033 / Khelaf

b) **Discussion & Consideration of Complaints & Reports:** Pursuant to Government Code Section 54957 to hear complaints or charges brought against Sheriff or Probation employees by a citizen (unless the employee requests a public session). Notice pursuant to Government Code Section 54957 for deliberations regarding consideration of subject officer discipline recommendation (if applicable).

- 12-108 / Malacara (Misconduct/Procedure – Sustained, Deputy 1)
- 14-023 / Hagins (Misconduct/Procedure – Sustained, PO 1)

DEFINITION OF FINDINGS	
Sustained	The evidence supports the allegation and the act or conduct was not justified.
Not Sustained	There was insufficient evidence to either prove or disprove the allegation.
Action Justified	The evidence shows the alleged act or conduct did occur but was lawful, justified and proper.
Unfounded	The evidence shows that the alleged act or conduct did not occur.
Summary Dismissal	The Review Board lacks jurisdiction or the complaint clearly lacks merit.

CASES FOR SUMMARY HEARING (8)

ALLEGATIONS, RECOMMENDED FINDINGS & RATIONALE

14-040

1. Misconduct/Procedure – PO's 1, 2, 3 and 4 entered the complainant's backyard without notice.

   Recommended Finding: Action Justified
   Rationale: The complainant alleged that PO's 1, 2, 3 and 4 entered her backyard without notice. PO 1 and members of the Probation Department's Juvenile Gang Suppression Unit were conducting unannounced home visits and Fourth Waiver residential searches in the North County region of San Diego, when they entered the property of the complainant to conduct a Fourth Waiver Search on the complainant's son, a juvenile probationer. One condition of the juvenile's probation, to which he stipulated, required that he would submit his person, property, or vehicle, and any property under his immediate custody or control to a search at any time, with or without probable cause, with or without a search warrant. Prior to entering the property, an unknown male subject observed the approaching officers and ran from the complainant's driveway into her backyard. PO 1 instructed the suspect to stop and clearly announced probation's presence, satisfying Penal Code § 844, Knock and Notice requirements. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

2. Excessive Force - PO's 1, 2, 3 and 4 entered the complainant's backyard with their guns drawn.

   Recommended Finding: Action Justified
   Rationale: The complainant alleged that PO's 1, 2, 3 and 4 entered her backyard with their guns drawn. Upon arrival at the target location, officers encountered an unknown subject who fled into the complainant's backyard when he observed the approaching officers. Due to the inherent danger associated with foot pursuits, the possibility of the presence of weapons, as well as dealing with subjects that display noncompliant behavior, all involved officers reported that they unholstered their weapons, as they pursued the unknown subject into the complainant's backyard. The officers displayed and pointed their duty weapons as they entered the complainant's property in accordance with Probation Department Administrative Policy Section 1206.10(B), Safe Handling of Firearms - a situation believed to be dangerous - and using the authority granted to them under Penal Code §835, Peace Officer Use of Force to Arrest, used a reasonable amount of force to effect an arrest. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

3. Excessive Force –PO 3 shot and killed the complainant's dog.

   Recommended Finding: Action Justified
   Rationale: The complainant alleged that PO 3 used excessive force in shooting and killing her dog. Upon entering the complainant's backyard, PO 3 was attacked by the complainant's dog, which appeared to be a Bulldog / Pit bull mix. The dog barked and growled viciously as it quickly lunged toward PO 3's face, striking her left hand, forearm, and chest area. PO 3 reacted by kicking and pushing the dog off of her several times, but it continued to jump onto her chest, hitting her with its paws and head. After observing that all accompanying officers were clear and at a safe distance, PO 3 fired one round, aiming toward the back of the dog's neck, as the dog was descending from her chest. The dog jumped on PO 3 once more after the first shot, at which point she stepped to the side and fired two more rounds into his body, causing the dog to fall to the ground. Probation Department Administrative Policy 1206.9(d), Use of Deadly Force/Firearms, allows for deadly force to be used to kill an animal which poses a clear and present threat to the safety of humans, when no other recourse is practical, and public safety has been given prime consideration. PO 3's actions were within Probation Department policy in that she attempted to get the animal off of her by kneeing and kicking it, prior to discharging her weapon. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

4. Misconduct/Procedure –PO 2 refused to provide to the complainant the name of the Probation Officer who shot the complainant's dog.

   Recommended Finding: Action Justified
   Rationale: The complainant reported that PO 2 refused to provide her the name of the Probation Officer who shot her dog. The complainant arrived at her home after probation officers had conducted a Fourth Waiver search, and were in the process of clearing the scene. She demanded to know who shot the family dog, and began yelling and using profanities stating, "Oh, they're gonna be sorry." DPO 2 explained to the complainant

that their dog had attacked one of the officers, and fearing for her life, she shot the dog in self-defense. The complainant persisted in attempting to gain the identity of the probation officer who had shot her dog, and when again denied this information, she stated, "I feel sorry for the officer that shot my dog. They better watch out." Probation Department Administrative Policy 1417.3, Threats, Danger to Employees, state that employees are not expected, during the performance of their duties, to place themselves or others in any situation, which presents an unreasonable degree of peril to their lives or health. Given the complainant's indirect threats and the family's ties to criminal gangs, PO 2 acted prudently in not disclosing to the complainant the requested information. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

5. False Arrest – PO 1 arrested the complainant's son.

   Recommended Finding: Action Justified
   Rationale: The complainant alleged that PO 1 arrested her son, a juvenile probationer, without cause. When PO 1 entered the complainant's backyard, he observed a dark room at the corner of the residence where the complainant's son was later located hiding. PO 1 and other probation officers had passed this room while pursuing a fleeing subject and the probationer had failed to inform officers of his presence in the room. The probationer was located and arrested on probation violations for failing to submit to a Fourth Waiver search and failing to present himself after knowing probation officers were at his residence. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

14-042

1. Misconduct/Procedure – Deputies were slow/late to respond to a child abuse incident.

   Recommended Finding: Action Justified
   Rationale: The complainant believed that the Sheriff's Department's response to a child abuse incident was too slow. The initial call for service to Sheriff's Communications was placed by the complainant's ex-husband, wherein he reported he had been assaulted by his son. Deputies arrived on scene 40 minutes after the initial call was placed. Communications classified the initial call as a family disturbance. At that time there were no units available to dispatch, so the call was held pending available units. The complainant called approximately 30 minutes after the initial call, to report that her son was experiencing medical difficulties because of the altercation between her ex-husband and son. Sheriff's Communications modified the call to reflect a possible child abuse, elevated the priority, and dispatched deputies to the scene. Deputies arrived on scene approximately eight minutes after the call was re-broadcast. Sheriff's Communications classified the type of call and assigned the priority level based on the initial report, and properly reclassified the call after receiving additional information. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

2. Misconduct/Procedure – Deputy 2 took no action when the complainant's ex-husband violated court orders.

   Recommended Finding: Action Justified
   Rationale: The complainant reported that Deputy 2 failed to take action after she told him that her ex-husband was under the influence of alcohol or drugs in violation of court orders. Deputy 2 noted faint smells of alcohol on the breath of the complainant's ex-husband, and asked the complainant if she had any documentation pertaining to the court orders, but she did not. Absent documentation to demonstrate that her ex-husband had violated court orders, Deputy 2 did not have authority to take him into custody. The evidenced showed that the act did occur, but was lawful, justified and proper.

3. Misconduct/Procedure – Deputy 2 refused to speak with the complainant about an incident involving her minor son.

   Recommended Finding: Action Justified
   Rationale: The complainant stated that Deputy 2 refused to speak with her because she was not present to witness an altercation between her son and her ex-husband. Deputy 2 reported that he did speak with the complainant about a number of matters, including her son's mental/medical condition, suspected violation of

court orders, and the disposition of her son after the incident. Deputy 2 did not take the complainant's statement because she was not a witness to the incident. The evidenced showed that the act did occur, but was lawful, justified and proper.

4. Misconduct/Procedure – Deputy 2 did not arrest the complainant's ex-husband after he physically assaulted their teenage autistic son.

   Recommended Finding: Action Justified
   Rationale: The complainant believed that her husband had physically assaulted their son, and subsequently, should have been arrested. The complainant did not witness the altercation between her son and her ex-husband, and Deputy 2 documented that the complainant's son was the aggressor in the father/son altercation, facts supported by other witnesses. The complainant was advised that their son was going to be cited as the aggressor, and transported to hospital for 72-hour evaluation. The evidenced showed that the act did occur, but was lawful, justified and proper.

5. Misconduct/Procedure – Deputy 2 provided preferential treatment to the complainant's ex-husband.

   Recommended Finding: Action Justified
   Rationale: The complainant stated that because her ex-husband's brother was a sheriff's deputy, Deputy 2 did not file a suspected child abuse report against her ex-husband. Deputy 2 denied that any preferential treatment was provided because of a familial relationship to a sheriff's deputy. Furthermore, Deputy 2 documented the subject incident in a Crime/Juvenile Contact Report, noted that Child Welfare Services (CWS) was contacted, and indicated a cross-reference report was generated, as required by Department policy 6.17, Child Abuse Policy. The Child Abuse and Neglect Reporting Act precluded CLERB from accessing follow-up and/or child abuse investigation reports. The evidence showed that Deputy 2 documented the incident in accordance with department policy, and the act was lawful, justified and proper.

6. Misconduct/Procedure – Deputy 1 sent a partial report to CWS, resulting in a child abuse case against the complainant.

   Recommended Finding: Action Justified
   Rationale: The complainant contended that the reports filed by Deputy 1 were incomplete, because they omitted statements by her and another witness. Deputy 1 stated that he contacted all witnesses to the incident and documented their statements in his report, including those of the complainant and her witness. Deputy 1 documented the incident in a Crime/Incident Report, noted that CWS was contacted, and that a cross-reference report was generated, as required by Department policy 6.17, Child Abuse Policy. The Child Abuse and Neglect Reporting Act precluded CLERB from accessing follow-up and child abuse investigation reports. The evidence showed that Deputy 1 documented the incident in accordance with department policy, and the act was lawful, justified and proper.

7. Misconduct/Procedure – Deputy 2 transmitted a CWS report, which stated "no follow-up needed."

   Recommended Finding: Action Justified
   Rationale: The complainant stated that Deputy 2's report to CWS stated "no follow-up needed," which resulted in a lack of investigation by authorities. Deputy 2's notation in the Crime/Juvenile Contact Report did indicate that no follow-up was required; however, all cases of suspected child abuse are submitted to the Sheriff's Child Abuse Unit for their review and determination to determine whether follow-up or additional investigation is necessary. Deputy 2 documented the subject incident in a Crime/Juvenile Contact Report, noted that Child Welfare Services (CWS) was contacted, and indicated a cross-reference report was generated, as required by Department policy 6.17, Child Abuse Policy. The Child Abuse and Neglect Reporting Act precluded CLERB from accessing follow-up and/or child abuse investigation reports. The evidence showed that Deputy 2 properly documented the incident in accordance with department policy, and the act was lawful, justified and proper.

14-043

1. Illegal Search & Seizure - Deputy 1 detained the complainant without reasonable suspicion and/or probable cause.

   Recommended Finding: Sustained
   Rationale: The complainant reported that Deputy 1 exited his patrol vehicle, called him over and proceeded to question him. Deputy 1 was in the vicinity to investigate a family disturbance that did not include the complainant and had no reason to suspect the complainant of wrongdoing, and therefore no basis for a detention. The complainant did respond to Deputy 1's questions and provided his identification. However, when asked, the complainant protested being searched, voiced his objections, and asked Deputy 1 why he was being treated like a criminal. Deputy 1 did not conduct the patdown search and returned the complainant's identification, but failed to respond to the complainant's questions. The complainant reported that Deputy 1 then told him, "I need to take your picture," to which he reportedly responded, "I am not going to say no." At this point, the complainant felt compelled to comply with the deputy's orders and submitted to his authority. Applying the reasonable person test to determine whether the complainant was free to leave, there was no threatening presence of deputies, no display of the deputy's weapon (drawn weapon), and no physical touching of the complainant. However, the complainant's verbal objections, the deputy's failure to respond to the complainant's questions, and the reported directive that he needed to take the complainant's picture, transitioned what previously was a consensual encounter, into an unlawful detention because the complainant no longer believed that he was free to leave. The evidence supported the allegation and the act was not justified.

2. Misconduct/Procedure – Deputy 1 photographed the complainant without cause.

   Recommended Finding: Sustained
   Rationale: The complainant said that Deputy 1 stated, "I need to take your picture." Deputy 1 rebutted the statement and indicated he requested to take the complainant's photograph for inclusion in a Field Investigative Report, to which the complainant responded, "I am not going to tell you no." Case law permits those that are lawfully detained to submit to being photographed for identification purposes. However, detaining someone for the purpose of obtaining information about them, or photographing them, is illegal unless there is a specific basis for believing the person is involved in criminal activity. Deputy 1 did not have any basis to believe that the complainant was involved in criminal activity, and the complainant submitted to the deputy's authority because he felt compelled to comply or risk the threat of force and/or arrest. As such, the complainant had unwillingly conceded to the deputy's authority, which constituted an unlawful detention. Therefore, the evidence supported the allegation and the act was not justified.

3. Misconduct/Procedure – Deputy 1 failed to properly investigate reports of screaming at a residence.

   Recommended Finding: Not Sustained
   Rationale: The complainant observed Deputy 1 return to his patrol vehicle and leave the area without going to the residence he was investigating. Deputy 1 stated that he returned to his patrol vehicle to document the contact with the complainant, and then contacted the reporting party at her residence. Sheriff's Department records documented that Deputy 1 contacted the reporting party a short time after his contact with the complainant. The reporting party could not be located to verify the contact, therefore there was insufficient evidence to prove or disprove this allegation.

14-044

1. Misconduct/Procedure – Deputies 1 and 2 improperly housed the complainant at George Bailey Detention Facility (GBDF) after he had been assaulted by other inmates at the facility.

   Recommended Finding: Action Justified
   Rationale: The complainant reported that he objected to a scheduled transfer from San Diego Central Jail (SDCJ) to George Bailey Detention Facility (GBDF) because he feared for his safety. The complainant had been

the victim of two assaults at GBDF, which subsequently led to his reassignment to SDCJ. As a result of the assaults and the complainant's fear for his safety, he was placed into Protective Custody. Classification Deputies 1 and 2 reported that the complainant's entire record was considered when reassigned to GBDF, and that the protective custody designation would ensure that he was assigned only to protective custody housing. Classification Deputies performed the proper reviews, documentation, and housing assignment per Detentions Policies and Procedures R.11, Inmate Facility Assignment Criteria. The complainant experienced no further assaults while in the custody of the Sheriff's Department. The evidence showed that the complainant was reassigned to GBDF, but the act was lawful, justified and proper.

14-048

1. Misconduct/Discourtesy – Deputies 1 and 2 were rude and discourteous to the complainant during their contact with her.

   Recommended Finding: Summary Dismissal
   Rationale: The complainant reported that Deputies 1 and 2 were rude and discourteous during their contact with her, and refused to take a report, in which the complainant alleged that she was being stalked by a man. This man was reportedly a prominent member of an international "Organized Crime Group," that was involved in "drug trafficking, money laundering and racketeering." This alleged stalker was also reported to have sent two agents to contact the complainant, who allegedly pounded on the complainant's car windows, photographed her and placed trash on her windshield. The complainant was to provide CLERB photographs she claimed to have taken of her stalker and his two agents, and surveillance video supportive of her allegations, but failed to do so. In subsequent questioning, the complainant could not specify the deputies' alleged discourteous conduct, stating only that she did not like the deputies' "tone" and "attitude." The allegations against Deputies 1 and 2 were not supported by evidence and the complainant failed to establish a prima facie showing of misconduct. Such complaints may be referred to the Review Board for Summary Dismissal, pursuant to CLERB Rules & Regulations: Section 9: Investigation of Complaints; Subsection 9.2: Screening of Complaints.

2. Misconduct/Procedure - Deputies 1 and 2 refused to take a report from the complainant

   Recommended Finding: Summary Dismissal
   Rationale: See Rationale #1

14-052

1. Excessive Force – Deputy 2 pepper-sprayed the aggrieved's dog, while serving a Probation Warrant.

   Recommended Finding: Action Justified
   Rationale: The complainant did not witness the incident, filing the complaint as told to her by the aggrieved and another witness. The complainant stated that deputies busted through a shed door and pepper-sprayed the aggrieved's dog. Deputies had been dispatched to investigate a suspicious person with known felony warrants, and were advised that the suspect had a dog with a history of biting people. The aggrieved and another witness stated, that when the aggrieved opened the shed door, deputies told him to keep his hands in the air and get on the ground, after which the dog ran out of the shed. As Deputies 2 and 3 approached the shed door, Deputy 2 said he yelled for the aggrieved to keep the dog inside. The door opened, the dog was released, and appeared to lunge toward Deputy 2. Deputy 2 stated he felt threatened by the dog as he backed away from the shed, so he used pepper spray as a means to obtain control of the dog. Deputies reported that the pepper spray appeared to achieve the desired effect, as the dog moved away from the shed. The Department Use of Force Guidelines permit the use of pepper spray as an offensive measure, or if deputies fear potential injury to themselves, or other persons. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

2. Excessive Force – Deputy 3 shot and killed the aggrieved's dog.

Recommended Finding: Action Justified
Rationale: The complainant stated that after the aggrieved commanded the dog to return to the shed, deputies pulled the aggrieved from the shed, and then shot the dog. The aggrieved said he called for his dog to return, and the dog went back into the shed, and stood beside him. The Department Use of Force Guidelines permit the use of firearms to kill an animal which is seriously injured or poses a real threat to the safety of humans when no other disposition is practical and the safety of people has been given prime consideration. Deputy 3 observed the dog exit the shed and attack his K-9 partner, biting down on the K-9 partner's head, causing injury. Deputy 2 had already deployed pepper-spray on the dog, which initially achieved its intended purpose, but the dog returned and attacked Deputy 3's K-9 partner. Deputy 3 feared that his K-9 partner and/or deputies present were in danger, and fired two shots, which struck and killed the aggrieved's dog. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

3. Misconduct/Truthfulness – Deputies 1, 2, 3, and/or 4 said the dog was ordered by his owner to attack deputies.

   Recommended Finding: Unfounded
   Rationale: The complainant said that press reports stated that the deputies reported the aggrieved ordered the dog to attack the deputies and their K-9. Deputies 2 and 3 denied making any such statement. Deputy 2 reported that the dog exited as the shed door opened, and Deputy 3 stated that the aggrieved purposely let go of the dog. Deputies 1 and 4 were not present at the shed to observe the incident. No press reports were located that attributed that that deputies said the dog was ordered to attack. The evidence showed that the alleged act did not occur.

14-057

1. Misconduct/Procedure – Deputy 2 housed the complainant in Administrative Segregation for over 90 days without a hearing.

   Recommended Finding: Action Justified
   Rationale: The complainant stated he was assigned to Administrative Segregation without a hearing. The complainant had briefly been assigned to general population housing prior to filing his complaint, but was returned to Administrative Segregation pending an investigation into possible criminal activity. Detentions Policy and Procedure J.3, Segregation: Definition and Use, permits assignment of inmates to Administrative Segregation pending a hearing for a rule violation or investigation of a criminal act, and for those inmates that have displayed a continual ability or unwillingness to adjust and conform to the minimum standards expected of those in mainline housing or designated special housing. Since the complainant had not been charged with a rule violation, there was no requirement to conduct a hearing. Detentions procedures also require weekly review of all those assigned to Administrative Segregation; Department documentation demonstrated that the weekly review of the complainant's status was conducted, and he remained assigned to Administrative Segregation. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

2. Misconduct/Procedure – Deputy 1 instructed Classification/Housing Deputies not to assign the complainant a cellmate.

   Recommended Finding: Not Sustained
   Rationale: The complainant reported that Deputy 1 told Classification/Housing Deputies that the complainant was not to be assigned a cellmate. Deputy 1 denied that he directed the complainant not have a cellmate. The complainant previously abused the telephone privileges of cellmates and other incarcerated inmates, which resulted in restricting the complainant's telephone access. This well-documented history precluded the assignment of a cellmate, because a cellmate would have been required to conform to the complainant's telephone restrictions. Although the assignment of the complainant to a cell without a cellmate was within policy, there was insufficient evidence to either prove or disprove the allegation.

3. Misconduct/Procedure – Deputy 1 housed the complainant in Administrative Segregation for former offenses previously adjudicated.

Recommended Finding: Action Justified
Rationale: The complainant stated that he had been placed in Administrative Segregation without due process, and without being given an opportunity to address allegations under investigation. Deputy 1 reported that he placed the complainant into Administrative Segregation pending investigation, and due to the complainant's history of circumventing jail telephone security systems. Detentions Policy and Procedure J.3, Segregation: Definition and Use, permits the assignment of inmates to Administrative Segregation pending investigation of a criminal act, and for those who have displayed a continual ability or unwillingness to adjust and conform to the minimum standards expected of those in mainline housing or designated special housing. The complainant's classification status was reviewed weekly per Detentions policy, and the complainant continues to be housed in Administrative Segregation. The evidence showed that the alleged act did occur, but was lawful, justified and proper.

15-007

1. Misconduct/Procedure – Deputy 1 failed to respond to the complainant's grievances regarding his lack of access to the facility's law library.

   Recommended Finding: Unfounded
   Rationale: The complainant alleged that Deputy 1 failed to respond to his grievances regarding his lack of access to the facility's law library. The complainant was granted pro per (Propria Persona) status by Court Order in a criminal case, and as such was entitled to certain privileges while incarcerated in San Diego Central Jail. Detentions Policy N.7, Pro Per Inmates (Propria Persona Status), outlines these privileges, which includes access to the facilities' law library, where the inmates can conduct legal research on their criminal cases. Pro per privileges remain in place as long as inmates abide by the rules and regulations that govern this status; however, these privileges terminate once an inmate is sentenced, or the conclusion of their conditions of confinement case in the trial court. The complainant was sentenced, effectively rendering him ineligible for pro per privileges, as he had no further court proceedings; however, he was provided options through a legal research associate to continue to conduct legal research. The Jail Information Management System (JIMS) record documents Deputy 1's and other detentions staff's timely responses to the complainant's multiple grievances with detailed explanations as to why he was ineligible for law library access. This documentation showed that the alleged act did not occur.

End of Report