

CIVIL SERVICE COMMISSION MINUTES

March 4, 2026

A regular meeting of the Civil Service Commission was held at 2:30 p.m., in person in room 402-A at the County Administration Center; 1600 Pacific Hwy.; and via Videoconference/Teleconference.

Present: P. Kay Coleman
Sam McGovern
Joe O. Montenegro
Laura Bassett

Absent: Will Rodriguez-Kennedy

Comprising a quorum of the Commission

Support Staff Present:

Todd Adams, Executive Officer
Morgan Foley, Commission Legal Advisor.

Approved
Civil Service Commission
May 6, 2026

**SAN DIEGO COUNTY CIVIL SERVICE COMMISSION
REGULAR MEETING AGENDA
MARCH 4, 2026**

- 1:30 p.m. CLOSED SESSION: Discussion of Personnel Matters and Pending Litigation
- 2:30 p.m. OPEN SESSION: Attend in-person at the County Administration Center, 1600 Pacific Highway, 4th Floor, Room 402A, San Diego, California, or via videoconference/teleconference
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Notice pursuant to Government Code Section 54954.2.

CLOSED SESSION AGENDA
County Administration Center, Room 458

Members of the public may be present at this location to hear the announcement of the closed session agenda.

A. Commissioner Bassett: CONSIDERATION OF PUBLIC EMPLOYEE DISCIPLINE (GOV. CODE SEC. 54957(B)) Miguel A. Peñalosa Jr., on behalf of **2025-033P**, Deputy Probation Officer, appealing a Final Order of Suspension and Charges from the Probation Department.

B. Commissioner Bassett: CONSIDERATION OF PUBLIC EMPLOYEE DISCIPLINE (GOV. CODE SEC. 54957(B)) Miguel A. Peñalosa Jr., on behalf of **2025-034P**, Deputy Probation Officer, appealing a Final Order of Suspension and Charges from the Probation Department.

OPEN SESSION AGENDA

ORDER OF BUSINESS

A. **ROLL CALL**

Present: Bassett, Coleman, McGovern, Montenegro

Absent: Rodriguez-Kennedy

B. **APPROVAL OF MINUTES:** Regular meeting of February 4, 2026.

Motion by Commissioner Montenegro to approve the minutes of the regular meeting of February 4, 2026; seconded by Commissioner McGovern. All in favor.

C. **NON-AGENDA PUBLIC COMMENT:** None.

D. **AGENDA ITEM DISCUSSION:** None.

E. **FORMATION OF CONSENT AGENDA**

Agenda items #6 and #7 have been pulled for discussion. Therefore, agenda items #1-5 and #8 formed the Consent Agenda.

Motion by Commissioner Bassett to approve the Consent Agenda; seconded by Commissioner McGovern. Motion passed with all in favor.

F. **DISCUSSION ITEMS**

Items #6 and #7 have been pulled for discussion

AGENDA ITEMS

CONFIRMATION OF ASSIGNMENTS

1. Commissioner Rodriguez-Kennedy: **2026-001**, appealing a Final Order of Removal and Charges from the Department of Purchasing and Contracting.

2. Commissioner Montenegro: David J. Lopez, Esq. on behalf of **2026-002P**, Deputy Probation Officer, appealing a Final Order of Removal and Charges from the Probation Department.

3. Commissioner McGovern: James J. Cunningham, Esq., on behalf of **2026-003P**, Sheriff's Captain, appealing the Citizens' Law Enforcement Review Board's sustained finding.

4. Commissioner Bassett: **2026-004**, former Property Assessment Specialist I, appealing a Final Order of Removal and Charges from the Assessor/Recorder/County Clerk.

5. Commissioner Coleman: David J. Lopez, Esq., on behalf of **2026-005P**, Deputy Sheriff, appealing the Citizens' Law Enforcement Review Board's sustained finding.

Item Nos. 1-5 approved on Consent.

DISCIPLINE

Findings

6. Commissioner Bassett: Miguel A. Peñalosa Jr., on behalf of **2025-033P**, Deputy Probation Officer, appealing a Final Order of Suspension and Charges from the Probation Department.

FINDINGS AND RECOMMENDATIONS:

Appellant 2025-033P ("Employee") appealed a Final Order of Suspension and Charges suspending her for three (3) days (24 hours) from the position of Deputy Probation Officer in the Probation Department ("Department") was presented to the Civil Service Commission. The Commission appointed Commissioner Laura Bassett, to hear the appeal and submit findings, conclusions, and recommendations to the Civil Service Commission. Thereafter, a hearing was held on January 15, 2026.

The causes of discipline were negligence resulting in harm or the significant risk of harm to the public and inefficiency.

The Employee was the shift leader for the Department's Youth Transition Campus Commitment and Detentions facility ("YTC") during the late-night shift beginning the evening of August 29, 2024, and ending in the morning of August 30, 2024.

Under normal circumstances Central Control is staffed with three (3) deputy probation officers. Two (2) of the deputies are each designated as a "pilot," and monitor activities each using three (3) computer screens that show live feeds from a total of 13 cameras throughout the YTC, and one (1) deputy serving as the "Shift Leader."

Employee was assigned to the Central Control as shift leader, along with DPO Doe, who served as the "pilot" in that unit.

Because there was only one pilot assigned the Employee was responsible for assisting the pilot in monitoring activities on the campus, while at the same time performing other tasks necessary to manage the operations of the YTC.

On August 30, 2024, at or around 12:43 a.m., San Diego Police Officer H ("Officer H") arrived at the YTC facility, to book a juvenile into the facility following transportation from Rady's Children's Hospital. The juvenile had previously been

rejected from the facility and was transported to Rady's Children's Hospital for evaluation based on statements made indicating that the juvenile might harm himself (i.e., suicidal thoughts or tendencies).

Officer H was allowed to enter the YTC facility in her vehicle, ultimately parking in the sally port outside the door to the facility's "intake, booking, release" ("IBR") unit. Officer H removed and stored her weapons in her vehicle and, taking paperwork with her, walked to the door of the IBR unit, and buzzed, or rang, for entry.

Officer H was allowed entry and after approximately one minute exits IBR and returns to her vehicle. While attempting to remove him from the vehicle Officer H was attacked by the juvenile, knocking her to the ground. After struggling with the juvenile outside her police unit the juvenile was able to stand free of Officer H and swung his fist at her. (The juvenile had slipped one of the cuffs while in the vehicle, with the handcuffs remaining on the other hand.)

The juvenile proceeded to run away from Officer H, circulating around the sally port parking lot, attempting to find a way to escape by checking the IBR door, making efforts to scale the fences, and evading Officer H as she followed cautiously.

After approximately three minutes the juvenile finally dropped to the ground, next to the police unit, and Officer H gained control by placing her hand on his shoulder and knee on his back and re-placed the handcuffs.

San Diego Police responded to Officer H's radio call for assistance and took the juvenile into custody.

Officer H suffered a concussion, a cut to her lip, and a chipped tooth, caused by the juvenile's strikes to her head and body.

During this time the Employee was collecting keys from the janitorial staff employed by Nova and returning their IDs to them. Once that was completed the Employee then returned to work on updating the "sep list," which is a list of juveniles who must remain separated from one or more fellow juveniles in the YTC (due to court orders, or to prevent discussions to corroborate a story - if they were involved in the same incident - or to keep one juvenile safe from another.) Also, during this time, DPO Doe, as the pilot, finally observed

Officer H chasing the juvenile, and radioed that the juvenile "got loose." A call was made to the Employee, the Watch Commander and deputies in the IBR. It wasn't until after the San Diego Police responded and gained access to the sally port by climbing the fence that an IBR deputy finally exited the door to the sally port. The Employee did not observe any of the activity involving the chase around the sally port until she saw Officer H with her hand and knee on the juvenile.

Employee is guilty of negligence as she failed to properly prioritize her work in Central Control in the early morning hours of August 30, 2024. If she was unfamiliar with the operation of the cameras and computers that captured the activities at the YTC she should have focused on overseeing the work of DPO Doe, the sole pilot, to observe the transfer of a juvenile by Officer H and, in particular, the few minutes it took for Officer H to remove the juvenile from the vehicle to make the transfer.

This is especially important for the safety of the juvenile and the law enforcement personnel transporting the juvenile when (as she knew) the IBR deputies were no longer going out to assist in the process at that time due to shortages in staffing.

Employee is guilty of inefficiency by failing to recognize and address the need to monitor the sally port and IBR activities upon the arrival of a juvenile in police custody. Rather than take the time to focus on the transfer to IBR she instead made it a priority to collect keys from Nova employees, and to update the "sep list," which was already behind schedule.

Despite her negligence, and inefficiencies, during the early morning hours of August 30, 2024, this hearing officer recognizes that the Department must share in some of the blame.

New equipment requires new training. Not simply an "observation." It must be easy to understand how to select screens and choose the proper camera.

Also, allowing Central Control (and IBR, for that matter) to operate without the minimum number of deputies can only lead to difficulties for deputies, juveniles, and law enforcement

personnel involved in the transfer and booking of juveniles at YTC.

Based on these mitigating factors it is my belief that the discipline of the Employee should be reduced.

Based on the findings and conclusions set forth above, it is hereby recommended that the Final Order of Suspension and Charges suspending Employee for three (3) days (24 hours) be modified and reduced to a suspension of two (2) days (16 hours); that Employee be awarded back pay, benefits, and interest for the one (1) day (8 hours) of suspension served in excess of two (2) days (16 hours); and that the proposed decision shall become effective upon the date of approval by the Civil Service Commission.

Motion by Commissioner Bassett to approve the decision; seconded by Commissioner McGovern. Motion passed with all in favor.

7. Commissioner Bassett: Miguel A. Peñalosa Jr., on behalf of **2025-034P**, Deputy Probation Officer, appealing a Final Order of Suspension and Charges from the Probation Department.

FINDINGS AND RECOMMENDATIONS:

Appellant 2025-034P ("Employee") appealed a Final Order of Suspension and Charges suspending her for two (2) days (16 hours) from the position of Deputy Probation Officer in the Probation Department ("Department") was presented to the Civil Service Commission. The Commission appointed Commissioner Laura Bassett, to hear the appeal and submit findings, conclusions, and recommendations to the Civil Service Commission. Thereafter, a hearing was held on January 15, 2026.

The causes of discipline were negligence resulting in harm or the significant risk of harm to the public and inefficiency.

The facts of this case are very similar to those in the report I just read, except that Employee was the pilot in Central Control for the Department's Youth Transition Campus Commitment and Detentions facility ("YTC") during the late night shift beginning the evening of August 29, 2024, and ending in the morning of August 30, 2024. Her assignment to Central Control paired her with DPO Roe, who was the Shift

Leader stationed in Central Control. Since the facts are so similar, and for the sake of brevity, I won't repeat them.

Employee is guilty of negligence as she failed to properly prioritize her work in Central Control in the early morning hours of August 30, 2024. If she was unfamiliar with, or faced challenges in the operation of the cameras and computers that captured the activities at the YTC she should have focused on seeking the assistance of the Shift Leader, DPO Roe, for one of them to pay greater attention to the transfer of a juvenile by Officer H and, in particular, the few minutes it took for Officer H to remove the juvenile from the vehicle to make the transfer. By seeking the assistance of the Shift Leader, who could take the place of the absent, second pilot, the Employee would have noticed the actions of the juvenile in attempting to escape from custody and notified IBR deputies of the need for immediate assistance.

This is especially important for the safety of the juvenile and the law enforcement personnel transporting the juvenile when (as she knew) the IBR deputies were no longer going out to assist in the process at that time due to shortages in staffing.

Employee is guilty of inefficiency by failing to recognize and address the need to monitor the sally port and IBR activities upon the arrival of a juvenile in police custody. Rather than take the time to focus on the transfer to IBR she instead made it a priority to continue scanning other cameras during the incident, at a time where most activity and movement of staff and juveniles is, comparatively, reduced. Further, returning to the task to update the "sep list," which was already behind schedule, was a lesser priority.

This hearing officer recognizes that the Department shares some of the blame. New equipment requires new training. Not simply an "observation." It must be easy to understand how to select screens and choose the proper camera.

Also, allowing Central Control (and IBR, for that matter) to operate without the minimum number of deputies can only lead to difficulties for deputies, juveniles, and law enforcement personnel involved in the transfer and booking of juveniles at YTC.

Despite all this, Employee's actions and inactions during the early morning hours of August 30, 2024, were negligent and

inefficient, resulting in injuries to Officer H. It is my belief that the discipline of the Employee is appropriate.

Based on the findings and conclusions set forth above, it is hereby recommended that the Final Order of Suspension and Charges suspending Employee for two (2) days (16 hours) be affirmed; and that the proposed decision shall become effective upon the date of approval by the Civil Service Commission.

Motion by Commissioner Bassett to approve the decision; seconded by Commissioner McGovern. Motion passed with all in favor.

SELECTION PROCESS

Findings

8. **2026-006**, Applicant, appealing the Department of Human Resources' removal of their name from the employment list for Deputy Sheriff Cadet-Detentions/Court Services.

Approved on Consent.

ADJOURNED: 2:54 p.m.

ASSISTANCE FOR THE DISABLED: Agendas and records are available in alternative formats upon request. Contact the Civil Service Commission office at (619)531-5751 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Americans with Disabilities Coordinator at (619)531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 24 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.