



San Diego County Sheriff's Department

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Kelly A. Martinez
Undersheriff

Anthony C. Ray, Sheriff

May 20, 2022

Susan N. Youngflesh, Board Chairperson
Citizens' Law Enforcement Review Board
555 West Beech Street, Suite 505
San Diego, CA 92101-3819

CLERB POLICY RECOMMENDATION: POLICY RECOMMENDATION REF CLERB CASE #21-014

Dear Chairperson Youngflesh,

The Sheriff's Department welcomes and supports the Citizens' Law Enforcement Review Board's (CLERB) independent review of complaints alleging improper actions by members of this organization and in-custody deaths. We continuously strive to respond with professionalism and concern to the citizens we serve and the CLERB process provides invaluable input to that end.

On April 12, 2022, CLERB recommended the following policy change related to San Diego County Sheriff's Department's Policy and Procedure.

1. It is recommended that SDSD modify P&P Section 6.43 – Vehicle Pursuit, to mandate that deputies shall not initiate or participate in a pursuit in which the only known offense at the time of the initiation or subsequent participation is a non-violent crime, to include a stolen vehicle.
2. It is recommended that SDSD modify P&P Section 6.43 – Vehicle Pursuit, to indicate that when initiating a pursuit, a deputy must not only consider all public safety factors applicable to the particular facts and circumstances, but “shall” (as opposed to the current standard of “may”) consider the applicable public safety factors listed in the P&P.

Thank you for your recommendations as it pertains to SDSD P&P Section 6.43 – Vehicle Pursuit. In the Background section of P&P Section 6.43 it states in part, "When engaged in a pursuit, deputies should weigh the seriousness of the violator's suspected crime against the potential for death or injury if the pursuit is continued. Frequently, discontinuance of a pursuit in the interest of public safety is most appropriate."

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Additionally, under the Initiating a Pursuit section it states in part, "When initiating a pursuit a deputy must consider all public safety factors applicable to the particular facts and circumstances. A deputy may consider any applicable public safety factors included in but not limited to the following list:

- Seriousness of the offense and its relationship to community safety.
- Safety of the public and the pursuing deputy.
- Traffic conditions (pedestrian and vehicles).
- Weather conditions.
- Roadway conditions (road design, construction, surfaces, and visibility).
- Location/familiarity of pursuing deputies with the area of the pursuit.
- Speed.
- Time of day.
- Capabilities and condition of vehicles involved.
- Quality of radio communications.
- Juvenile occupant(s) of pursued vehicles.
- Capabilities/conditions of involved personnel."

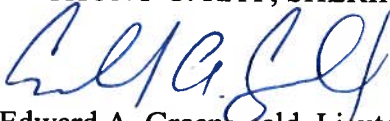
The SDDS P&P 6.43 is in compliance with 17004.7 CVC which states what shall be in a police department's pursuit policy.

Deputies receive annual pursuit and pursuit policy refresher training per 13519.8 (a-e) PC and CCR 1081 to ensure they are trained in pursuits and the safety of the public. Deputies attend state mandated perishable skills training through Continued Professional Training (CPT) which includes at least four hours of emergency vehicle operations. During the course attendees receive training on current laws pertaining to pursuits, pursuit policy, and participate in mock pursuits where the deputies must apply their knowledge of pursuit policy and vehicle operations.

In closing, we appreciate the time and effort of the Citizens' Law Enforcement Review Board. We believe with all the measures taken mentioned above our policy is sufficient in giving deputies guidance when involved in initiating a pursuit and when involved in a pursuit. We would like to thank you for your service to the Citizens of San Diego County and the policy recommendations. It is our goal to provide the "Highest quality public safety services" to everyone in San Diego County.

Sincerely,

ANTHONY C. RAY, SHERIFF



Edward A. Greenawald, Lieutenant
Office of the Sheriff
Division of Inspectional Services
ACR:EG/kb