

**CITIZENS' LAW ENFORCEMENT REVIEW BOARD  
POLICY RECOMMENDATION**

**WHITE SUPREMACY AND/OR EXTREMIST GROUPS IN LAW ENFORCEMENT**

**BACKGROUND:**

In late October 2022, Catalyst California and the American Civil Liberties Union of Southern California released a study of four large California sheriff's departments, to include the San Diego County Sheriff's Department (SDSD), which indicated deputies from those departments conduct traffic and pedestrian stops of people of color at higher rates than white persons. This is the third study over the past 18 months or so that suggests the SDSD engages in racially disparate policing. In early 2022, CLERB made seven policy recommendations to SDSD focused on reducing racially disparate practices; SDSD did not implement six of them.

Law enforcement agencies nationwide have come under increasing criticism for its employees participating in groups or organizations which have led to an erosion of public trust in law enforcement officials, specifically white supremacist and extremist organizations. Further, there continues to be an abundance of examples of individuals, groups and/or organizations which promote hate and/or hold beliefs which are counter to an equitable society.

In 2006, the Federal Bureau of Investigation (FBI) warned of the potential consequences of white supremacists infiltrating state and local law enforcement agencies, even going so far as to say it was a national security issue.

"Addressing White Supremacy and Extremism" was a training session presented at the National Association of Civilian Oversight of Law Enforcement (NACOLE) 2022 Annual Conference. The overview of the session was, in part, as follows:

Recent events, including the January 6, 2021, insurrection, demonstrate that some law enforcement officers have aligned themselves with white supremacist organizations and paramilitary gangs, like the Oath Keepers and the Three Percenters. Armed gangs and groups of avowed racists, homophobes, and misogynists should play no role in contemporary law enforcement. Too often, law enforcement officers have affiliated themselves with groups dedicated to white supremacy. This, coupled with over-policing, places communities of color at risk. Unfortunately, several law enforcement agencies have embraced white supremacist groups and paramilitary gangs as partners in law enforcement.

When law enforcement officers join, support or advance hate group propaganda and beliefs, questions arise as to their own fairness, judgment and commitment to fulfilling the oath they swore to uphold. Also, their association with these groups undermines the credibility and legitimacy of the agency that employs them and creates doubt that all communities will be served equitably. Many law enforcement agencies invest considerable time, effort and money to cultivate community trust. Any association with hate groups or paramilitary gangs tends to sabotage that investment and damage public trust.

The San Diego Sheriff's Department (SDSD) has several Policy and Procedures pertaining to prohibited conduct and associations, as follows:

P&P Section 2.4, "Unbecoming Conduct," reads as follows:

Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on this Department. Unbecoming conduct shall include that which tends to bring this Department into disrepute or reflects discredit upon the employee as a member of this Department, or that which tends to impair the operation and efficiency of this Department or employee.

P&P Section 2.9, "Associations," reads as follows:

Employees shall not associate on either a personal or business basis or have dealings with persons whom they know, or should know, or have reason to believe are, or have been racketeers, sexual offenders, drug dealers, illegal drug users, illegal gamblers, persons whom the employee suspects, or should suspect, are involved in felonious activities, convicted felons, persons held in county custody, felons serving or who have served time in custody, or persons under criminal investigation or indictment, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships.

P&P Section 2.53, "Discrimination," reads as follows:

Employees shall not express any prejudice or harassment concerning race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, pregnancy, marital status, gender, age, political beliefs, sexual orientation, sexual or gender identity, lifestyle or similar personal characteristics. Examples of discriminatory acts which will not be tolerated include the use of verbal derogatory comments, slurs, or jokes, derogatory pictures, cartoons or posters and actions which result in a person being treated unequally.

P&P Section 2.58, "Law Enforcement Gangs," reads as follows:

Employees are prohibited from any participation in a law enforcement gang. Any participation in a gang is grounds for termination. A "law enforcement gang" is a group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to, excluding, harassing, or discriminating against any individual based on a protected category under antidiscrimination laws, engaging in or promoting conduct that violates the rights of other employees or members of the public, violating agency policy, the persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified, falsifying police reports, fabricating or destroying evidence, targeting persons for enforcement based solely on protected characteristics of those persons, theft, unauthorized use of alcohol or drugs on duty, unlawful or unauthorized protection of other members from disciplinary actions, and retaliation against other officers who threaten or interfere with the activities of the group.



These policies do not acknowledge that participation, whether in-person, electronically, or via social media, in groups which and/or association with individuals who hold or espouse beliefs which discriminate or allegedly discriminate against a group of people undermines the credibility and legitimacy of SDSD and creates doubt that all communities will be served equitably.

The Citizens' Law Enforcement Review Board (CLERB) believes the SDSD must take all necessary and legal measures to establish and maintain the public's trust and, as such, should amend current policy to more specifically prohibit its employees from participating in or associating with groups or individuals defined in the previous paragraph.

**POLICY RECOMMENDATION:**

Pursuant to Section 340.9(g) of the San Diego County Administrative Code, the Citizens' Law Enforcement Review Board (CLERB) shall have the authority to review and make recommendations on policies and procedures of the San Diego County Sheriff's Department (SDSD) and San Diego County Probation Department. As such, CLERB recommends the SDSD amend Policy and Procedures (P&P) Section 2.9 "Associations," or create a new, stand-alone P&P that captures the following, or words to that effect:

Employees shall not participate and/or associate, whether in-person, electronically, or via social media, with groups or individuals who espouse beliefs which discriminate against an entire class of people, typically for their immutable characteristics. Such participation or association undermines the credibility and legitimacy of SDSD and creates doubt that all communities will be served equitably.

Submitted by: 	Date:  11-3-22	Reviewed by: 	Date:  11-3-22
Paul R. Parker III, Executive Officer		Lynn Setzler, Supervising Special Investigator	