



San Diego County Probation Department

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www.sandiegocounty.gov/probation



Tamika Nelson, Chief Probation Officer

March 11, 2026

Citizens' Law Enforcement Review Board
Brett Kalina, Executive Officer
1600 Pacific Highway, Suite 251
San Diego, CA 92101

Probation Employee Response Form (PERF)

Dear Brett,

I am writing to address several legal concerns regarding CLERB's recent PERF requests seeking written testimony and documents from probation officers. After reviewing the requests, we have determined that our officers cannot lawfully comply with certain portions as currently written. To ensure both our officers and the Department remain in compliance with state confidentiality laws, we are requesting that CLERB take the following corrective steps before officers respond.

1. Testimony Involving Welfare and Institutions Code 827 Information Requires a Court Order

The current PERF instructs the officer to provide testimony in writing. Because some of the questions may require discussion of confidential Welfare and Institutions Code (WIC) section 827 information, we must ensure the officer is legally authorized to provide that testimony.

To protect the officer and the Department from unlawful disclosure, please provide a copy of the court order authorizing testimony regarding WIC 827 protected information each time such testimony is requested. A copy of the order must accompany the PERF in the officer's file and be returned with the officer's completed response. Without this documentation, the Department cannot permit the officer to respond, as doing so would risk violating state law.

2. Officers Cannot Produce WIC 827 Documents

The PERF also directs the officer to provide documents that are confidential under WIC 827. Only the juvenile court may authorize disclosure of WIC 827 protected records. Asking an officer to produce these documents places them in the position of violating the law and exposes the County to liability.

We respectfully request that CLERB strike any PERF questions requiring an officer to produce WIC 827 protected documents. If the officer confirms that such a report exists,

Probation can obtain the record and submit it directly to the Court for release under the applicable protective order.

We remain committed to working collaboratively with CLERB, as permitted by law, to meet our statutory duties. Please feel free to notify the CLERB liaison if you would like to discuss these matters further.

Sincerely,



KRISTINE LEFEBVRE
Division Chief