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Monitoring of Sheriff's Department pegged at \$320,000

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By Emmet Pierce

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Maintaining a fully staffed citizens review board to monitor the Sheriff's Department could cost the county nearly \$320,000 a year, according to a report released yesterday by the Chief Administrative Office.

The county Board of Supervisors is considering placing a measure to create the envisioned panel on the fall ballot, and the cost report comes as supervisors are facing a \$38 million budget shortfall in the coming year.

Heavily dependent on state funding, county officials anxiously are awaiting an end to the deadlock in Sacramento before adopting their own spending plan for fiscal 1990-91.

The county received an unexpected jolt last week when a jury awarded \$1.1 million to Jim Butler, a former Navy chaplain who contended he had been mistreated by deputies. The judgment is believed to be the largest ever in a San Diego law-enforcement brutality case.

The report released yesterday by the Chief Administrative Office said the initial cost of a review board to "investigate, review and monitor practices and policies" within the Sheriff's Department would be nearly \$348,000. About \$30,000 of that amount would be for one-time starting costs, however.

Creating the review board may be a sound investment in light of the Butler case, said Supervisor Brian Bilbray.

"It depends on if you think a proper review will avoid lawsuits like the one we saw last week," he said. "Some people will claim that it would not. I think we can't just walk away from the issue. We're going to have to try to address it.

"The money concerns me, obviously," he added. "A \$1 million lawsuit worries me, too."

Privately, some county officials said the Butler case is likely to add momentum to the drive to create the law enforcement review panel.

The proposal was offered by Supervisor Susan Golding, following numerous complaints about the administration of county jails.

Sheriff John Duffy, who isn't seeking re-election in the fall, could not be reached yesterday for comment. Assistant Sheriff Jack Drown, who is a candidate in the race to replace Duffy, said he favored creating a second grand jury to monitor the department. He said that the level of staffing proposed by the Chief Administrative Office is not necessary.

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Sheriff's Capt. Jim Roache, who is running against Drown, yesterday said a review panel could function well with minor staffing. The proposal before the supervisors doesn't represent a sound investment of county funds, he added.

Golding disagreed, saying a review board staff is needed.

"Without staff, all you have is window dressing," the supervisor said.

In June, the supervisors' staff was directed to prepare proposals for a review board measure that could be placed on the fall ballot. Officials said such a panel was needed to restore public confidence in the Sheriff's Department.

The report released yesterday envisions an unpaid, nine-member board with a staff consisting of an executive director, an investigator, a secretary and a clerk.

Alternatives before the supervisors call for establishing the panel by ordinance, by charter amendment or by statute. A review board established by ordinance would lack subpoena power, so the scope of investigations would be less than those of a board created by charter, officials said. An enabling charter amendment would require approval of a ballot measure by the voters, however.

A third way to create the board would be to seek the approval of the state Legislature for the creation of a second grand jury to monitor the Sheriff's Department. All three alternatives prepared for the supervisors include full staffing.

"I think it's a good investment," Golding said. "You are talking about people's physical safety. I'm not sure when you decide to compromise."

Randy Dibb, president of the Deputy Sheriff's Association, said he would support the creation of a review board if officials kept political considerations out of the appointment process.

"The selection of panel members has to be fair and representative of all the jurisdictions we work within," he said.

Credit: Staff Writer