

Rights of concern in creating board to review sheriff

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A group of attorneys and civil rights organizations has announced its intentions to keep an eye on the county Board of Supervisors to see that the civilian review board for the Sheriff's Department is implemented correctly and with sensitivity to citizens' civil rights.

The group, called CLEAR for Citizens for Law Enforcement Accountability and Review, was formed to make sure the civilian panel is strong and effective, said Michael Crowley of the San Diego American Civil Liberties Union.

Other review boards set up around the state have had difficulties, Crowley said, because "complacency set in ... everybody was assuming that because the board was set up the problem was going to be solved, and in fact the boards became ineffectual."

The Citizen's Law Enforcement Review Board, passed by the voters as Proposition A in November, calls for a panel of 11 civilians to oversee reports of misconduct in the county Sheriff's and Probation departments, and to recommend discipline.

The panel will differ from the existing board that oversees the San Diego Police Department in that it will have much broader investigative powers.

At a news conference last week, Crowley called the San Diego panel "ridiculous" and called on the county to avoid the same mistakes by shelling out some additional money up front to beef up the staff of the sheriff's review board.

"Certainly some of the things that we are asking for, such as independent counsel and the proper amount of investigators, is going to take some money," Crowley said, noting that the plans now call for a single investigator. "But it's one of those 'pay me now or pay me later' type of things. It would be money well spent."

Sheriff Jim Roache, who based his campaign on his call for a review panel, agreed that the panel may need more staff to conduct its duties. To do so, however, might boost the cost tremendously and the county probably will not be able to afford it, he said.

Roache said he believed the county's official estimate of \$300,000 for the first-year start-up costs of the board was "woefully low" and estimated it could cost up to \$1 million to implement.

CLEAR members said they would also fight to see that the review panel hearings will be open to the public and the disposition of each case made public.

The San Diego County Deputy Sheriffs Association will take the county to court Jan. 18 in hopes of forcing the supervisors to negotiate with the deputies before implementing the review board.

Crowley said he believed the association's effort was a "red herring" intended to disguise the deputies' real intent: to maintain their secrecy.

"We're generally in favor of revealing everything that can possibly be revealed," Crowley said. The group stopped short, however, of saying that it would push for the disclosure of extensive details of the investigations or names of deputies investigated or punished for misconduct.

CLEAR members said the members of the review board and its investigators must be extensively trained in the law and know the constitutional limits of law enforcement authority. They also asked the supervisors to select a strong and experienced leader for the panel.

The group also suggested the number on the board be increased from 11 to 15 to accommodate its workload and ensure greater ethnic and cultural representation.

Credit: Tribune Staff Writer

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Abstract (Document Summary)

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