

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

482



FROM: Executive Office

SUBMITTAL DATE:
July 13, 2010

**SUBJECT: 2009-10 Grande Jury Report: Riverside County Sheriff's
Department General Orders Policy and Procedures**

RECOMMENDED MOTION: That the Board instructs Riverside County Sheriff's Department to forward to the Executive Office – within 30 days – a draft of the Board's response to the findings and recommendations of the Grand Jury that pertain to the Department's operational areas; and direct the Executive Office to submit draft responses to the Board within 60 days.

BACKGROUND: The attached report has been issued by the Grand Jury.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to matters under the control of the Board, and that a response be provided to the Presiding Judge of Superior Court within 90 days.

Draft responses received from the affected department will be consolidated and presented for the Board's consideration; the response ultimately approved by the Board will then be forwarded to the Grand Jury as required by statute.

Attachment

30daysheriff.generalorders07.10

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE
BY: *Jay E. Orr*
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: July 13, 2010
xc: E.O., Grand Jury, Sheriff, COB

Kecia Harper-Ihem
Clerk of the Board
By: *[Signature]*
Deputy

3.13

Dept's Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

2009-2010 GRAND JURY REPORT

Riverside County Sheriff's Department General Orders Policy and Procedures

Background

The Riverside County Sheriff's Department follows a common police agency quasi-military structure and chain of command. The usage of a number of publications helps to communicate various policies and directives.

A general order is a written order, issued by the Sheriff, describing a policy, procedure, rule or regulation regarding a matter that affects the entire department or a portion thereof. General orders are permanent directives and remain in effect until amended or cancelled by the Sheriff.

Policy and procedures describe how to carry out the orders and operational directives and are subordinate to the department's general orders.

Findings

1. The general orders fail to specifically mention the use of tasers. There is no direct reference in the general orders paragraph 1011.02, which states: "The Sheriff may authorize the use of alternative types of weapon systems that include, but are not limited to, chemical agents, tear gas guns, grenade launch devices and other special weapon systems, such as fully automatic weapons."
2. The general orders section 700.00 Coroner's Office and section 800.00 Public Administrator's Office has been left blank.
3. Attachment (b) of the general orders, (County of Riverside Harassment Policy and Complaint Procedure), states:

"An employee or job applicant who believes he or she has been harassed has a responsibility to immediately make a complaint orally or in writing with any of the following:

 - Immediate Supervisor.
 - Any supervisor or management employee/officer within the department, including the department head.
 - The Human Resources Director for the County of Riverside.

The employee or job applicant also has the right to file a complaint with the State Department of Fair Employment and Housing or the federal Equal Employment Opportunity Commission.

Any supervisor or management employee, or County Officer who receives a harassment complaint shall immediately notify the County's Human Resources Director."

Six former employees of the Lake Elsinore Sheriff's Station complained on numerous occasions to department personnel, including a supervision office assistant, sergeants, lieutenants, a captain and a chief deputy. The complaints included: allegations of sexual harassment, felonious battery, false imprisonment, perjury, malicious prosecution, hostile work environment, rude and discourteous conduct and age discrimination. When human resources were contacted they found no record of any complaints filed during the period of 2007-2009 from Lake Elsinore Sheriff's Station; however, there were records of complaints from other sheriff stations.

Recommendations

Riverside County Board of Supervisors Riverside County Sheriff's Department

1. Update the general orders paragraph 1011.02 to include the taser.
2. Update the general order section 700.00 Coroner's Office and 800.00, Public Administrator's Office, to include at a minimum a reference to the appropriate operations manual and/or policy and procedures manual.
3. Ensure all supervisors and managers are properly trained and complying with harassment policy and complaint procedure.



RIVERSIDE COUNTY GRAND JURY

(951) 955-8990 OFFICE • (951) 955-8989 FAX

June 23, 2010

Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street, 1st Floor
Riverside, CA 92501

Subject: 2009-10 Grand Jury Report:
Riverside County Sheriff's Department
General Orders Policy and Procedures

Dear Board Members:

Please note that Penal Code Section 933 et seq., specifies that you respond within ninety days. Further, it specifies that this report be kept **confidential for a minimum of two working days** prior to public release. The contents of this report will be made public after the close of business **June 25, 2010**.

Sincerely,

John B. Todd, Foreperson
2009-10 Riverside County Grand Jury

JBT:gs
Attach.