



DISCIPLINE REVIEW BOARD
GENERAL ORDER #26.03

Adopted: 2/13/18

Pages: 2

Persons Affected: Sworn personnel

1 Appendix

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IACLEA Standards: 4.2.1

Revision History

Replaces SUDPS General Order #26.03 (08/04/06)

PURPOSE

The purpose of this Order is to clarify the role of the Discipline Review Board (DRB). The Santa Clara County Sheriff's Office (SCCSO) may exercise the option to conduct a Discipline Review Board for matters that involve a Stanford University Department of Public Safety (SUDPS) deputy. The DRB's duty is to determine whether to recommend discipline in a matter that was investigated by the SCCSO. See Appendix for the SCCSO's General Order.

The SCCSO Disciplinary Review Board, in cases involving SUDPS deputies, is limited to determining;

- 1) Whether or not the conduct of the involved deputy is inconsistent with that of a Santa Clara County Reserve Deputy Sheriff.*
- 2) Whether or not the conduct rises to the level of recommending to the Sheriff the suspension or revocation of the deputization of the involved SUDPS deputy.*



POLICY

The Sheriff's Office *retains the right to decide whether to send an Internal Affairs investigations conducted by the SCCSO involving an SUDPS deputy to the Sheriff's Office Discipline Review Board (DRB). If the DRB is assigned to review a matter involving a SUDPS deputy, the DRB will make a single ruling of whether or not to suspend or revoke the deputization of the involved SUDPS Deputy.*

Nothing in this general order shall be construed to limit the authority of the Stanford University Director of Public Safety to take such disciplinary action as he or she deems appropriate against any employee of the Stanford Department of Public Safety including any SUDPS deputies, irrespective of any decision made by the SCCSO DRB.

PROCEDURE (IACLEA 4.2.1)

See Appendix.



**DISCIPLINE REVIEW BOARD
GENERAL ORDER #26.03**

Adopted: 07/07/2010
Replaces: G.O. #26.03 adopted 4/15/08

Updated: 02/22/2010
Reviewed: 02/22/2010

POLICY

It shall be the policy of the Sheriff's Office that all Internal Affairs investigations that require disciplinary action be presented to the Disciplinary Review Board (DRB) and that the DRB will make a single ruling of discipline and present that ruling to the Undersheriff.

PURPOSE

The purpose of the Disciplinary Review Board is to determine the level of discipline, which is to be administered to an employee upon the completion of a sustained IA investigation, or upon specified findings by the Accident Review Board or the Shooting Review Board..

PROCEDURE

The Disciplinary Review Board shall meet and review all Internal Affairs investigations that are found to be sustained. Upon completing their review of the investigation, a consensus as to the level of discipline will be reached and forwarded to the Undersheriff.

I. DISCIPLINARY REVIEW BOARD COMPOSITION

A. The DRB will consist of a chairperson, who will be appointed by the Sheriff and will hold the rank of Commander. The Board's membership will consist of the following:

Voting members -

- Assistant Sheriff
- Two Captains - selected by the chairperson
- Lieutenant from involved employee's division
- Captain from Personnel



Non-voting members -

- Lieutenant from Internal Affairs - Case Briefing - NO DECISION ON DISCIPLINE

B. Board members shall meet the following guidelines:

1. Are not currently the subject of an Internal Affairs investigation;
2. Are not involved in a matter before the Board as the investigator, personally involved in the investigation, a witness, or direct supervisor of the involved employee;
3. Are not related to any person involved in the matter before the Board

C. The Chairperson may request additional investigative data containing specific details prior to or during the hearing, and in addition, may require other Sheriff's Office members to appear as witnesses.

D. The Chairperson may also request other individuals to appear, which the Chairperson feels may have information or expertise, which may be beneficial to the board. Any individual brought in to appear at the board meeting, other than those listed above, shall have no decision in the recommended discipline.

II. DISCIPLINARY REVIEW BOARD MEETING

A. The DRB shall meet on the third Wednesday of every month or as deemed necessary by the chairperson.

B. Should there be a necessity to reschedule the meeting, the chairperson shall notify all members of the board as to the new date and time.

C. The DRB will be provided with a copy of all investigations to be reviewed prior to the scheduled meeting.

D. The Internal Affairs Lieutenant shall ensure that the investigative reports, background information, and any other pertinent information relating to the case to be reviewed are present at the meeting.

E. The board shall hear a brief overview of the case from the IA Lieutenant and will be able to ask questions regarding the merit of the case.

F. The board shall openly discuss the investigation and the level of discipline each member recommends.



G. After a consensus recommendation is achieved, all investigative materials and notes will be returned to the Internal Affairs Office.

III. DISTRIBUTION OF FINDINGS

A. The chairperson shall present the written recommendation of the disciplinary action sought against the employee to the other Assistant Sheriff for review.

B. If the recommendation involves suspension of more than ten (10) days, demotion or termination, the Assistant Sheriff will forward the recommendation to the Sheriff for immediate review. Once the Sheriff's review is completed, the Sheriff will forward a final recommendation to Personnel requesting disciplinary action be taken.

C. If the recommendation involves any action less than a ten (10) day suspension, the Assistant Sheriff will review the recommendation and will forward a final recommendation to Personnel requesting disciplinary action be taken.

**LAURIE SMITH
SHERIFF**