ORANGE COUNTY SHERIFF'S DEPARTMENT



S.A.F.E. Division

Senate Bill 2 –NOTIFICATION LETTERS TO AGENCIES AND PEACE OFFICERS

On September 30, 2021, Governor Gavin Newsom signed into law <u>Senate Bill 2</u>. This law mandates all agencies employing peace officers to report to the Commission on Peace Officer Standards and Training (POST) the employment, appointment, or separation from employment of a peace officer, any complaint, charge, allegation, or investigation into "<u>serious misconduct</u>" of a peace officer that could render the officer subject to suspension or revocation, findings by civil oversight entities, and civil judgements that could affect the officer's certification. (Please see <u>SAFE Bulletin 22-20</u> for more information)

The Peace Officer Standards Accountability Division (POSAD) of POST reviews all allegations of serious misconduct by a peace officer pursuant to CPC 13510.8. If POSAD finds reasonable grounds for revocation or suspension of a peace officer's certification, they are mandated to promptly notify the peace officer involved, in writing, and provide "a detailed explanation of the decertification procedure and the peace officer's rights to contest and appeal." CPC 13510.85. Notification letters will fall within several categories. The most common notifications peace officers and agencies will receive are "No Action Taken, Decertification Recommended, or Immediate Temporary Suspension." See below for descriptions of these letters.

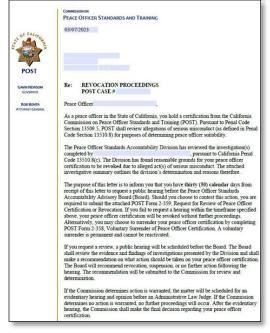
No Action Taken:

POST has reviewed the allegation(s) of serious misconduct and has determined the case will be closed with no action. In general, this means the case did not meet the statutory and regulatory definition of serious misconduct or the evidentiary standard of clear and convincing was not met. Required notice must be sent to: Peace Officer, Agency

Decertification Recommended:

POST has reviewed the allegation(s) of serious misconduct and has determined reasonable grounds exist for peace officer certification to be revoked due to allegations of serious misconduct. The notification will include information regarding the reasons for the action and the appeal rights of the peace officer. Required notice must be sent to: Peace Officer, Agency







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Immediate Temporary Suspension:

POST has reviewed the allegation(s) of serious misconduct and has determined the allegations meet a legal standard to temporarily suspend the peace officer's certification per Penal Code 13510.8. During the suspension, the officer is not authorized to serve as a peace officer in the State of California. The suspension shall remain in effect until the final decision on revocation is determined. *Required notice must be sent to: Officer, Agency, District Attorney*