

# 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 [Senate Bill 2](#). 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 "[serious misconduct](#)" 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 [SAFE Bulletin 22-20](#) 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*

COMMISSION ON  
PEACE OFFICER STANDARDS AND TRAINING

03/06/2023

STATE OF CALIFORNIA  
POST  
GAVIN NEWSOM  
GOVERNOR  
ROB BONITA  
ATTORNEY GENERAL

Re: NOTICE OF FINAL CLOSURE  
POST CASE # [REDACTED]  
Date of Incident: [REDACTED]

Dear [REDACTED],

The purpose of this letter is to notify you of the Commission on Peace Officer Standards and Training's final determination on your certification case. The case alleged you committed the following act(s) of serious misconduct (per CPC 13510.8): [REDACTED]

After review of the allegations of serious misconduct, POST has determined the following:

**CASE CLOSED/NO FURTHER ACTION**

Should you have questions, you may contact POST at [REDACTED]

Sincerely,

[REDACTED], Bureau Chief  
Commission on POST  
Peace Officer Standards Accountability Division

cc: [REDACTED]  
AA/aa [REDACTED]

COMMISSION ON  
PEACE OFFICER STANDARDS AND TRAINING

03/07/2023

STATE OF CALIFORNIA  
POST  
GAVIN NEWSOM  
GOVERNOR  
ROB BONITA  
ATTORNEY GENERAL

Re: REVOCATION PROCEEDINGS  
POST CASE # [REDACTED]  
Peace Officer [REDACTED]

As a peace officer in the State of California, you hold a certification from the California Commission on Peace Officer Standards and Training (POST). Pursuant to Penal Code Section 13509.5, POST shall review allegations of serious misconduct (as defined in Penal Code Section 13510.8) for purposes of determining peace officer suitability.

The Peace Officer Standards Accountability Division has reviewed the investigation(s) completed by [REDACTED] pursuant to California Penal Code 13510.8(c). The Division has found reasonable grounds for your peace officer certification to be revoked due to alleged act(s) of serious misconduct. The attached investigative summary outlines the division's determination and reasons therefore.

The purpose of this letter is to inform you that you have thirty (30) calendar days from receipt of this letter to request a public hearing before the Peace Officer Standards Accountability Advisory Board (Board). Should you choose to contest this action, you are required to submit the attached POST Form 2-359, Request for Review of Peace Officer Certification or Revocation. If you fail to request a hearing within the timeframe specified above, your peace officer certification will be revoked without further proceedings. Alternatively, you may choose to surrender your peace officer certification by completing POST Form 2-358, Voluntary Surrender of Peace Officer Certification. A voluntary surrender is permanent and cannot be reinstated.

If you request a review, a public hearing will be scheduled before the Board. The Board shall review the evidence and findings of investigations presented by the Division and shall make a recommendation on what action should be taken on your peace officer certification. The Board will recommend revocation, suspension, or no further action following the hearing. The recommendation will be submitted to the Commission for review and determination.

If the Commission determines action is warranted, the matter will be scheduled for an evidentiary hearing and opinion before an Administrative Law Judge. If the Commission determines no action is warranted, no further proceedings will occur. After the evidentiary hearing, the Commission shall make the final decision regarding your peace officer certification.



# ORANGE COUNTY SHERIFF'S DEPARTMENT



## S.A.F.E. Division

### **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*

