



San Diego County Sheriff's Department Legal Affairs Unit

Michael Baranic, Director/Chief Legal Advisor

Mandy Kamphoefner, Legal Advisor

Heidi Williams, Legal Advisor

Samantha Jiménez, Legal Advisor

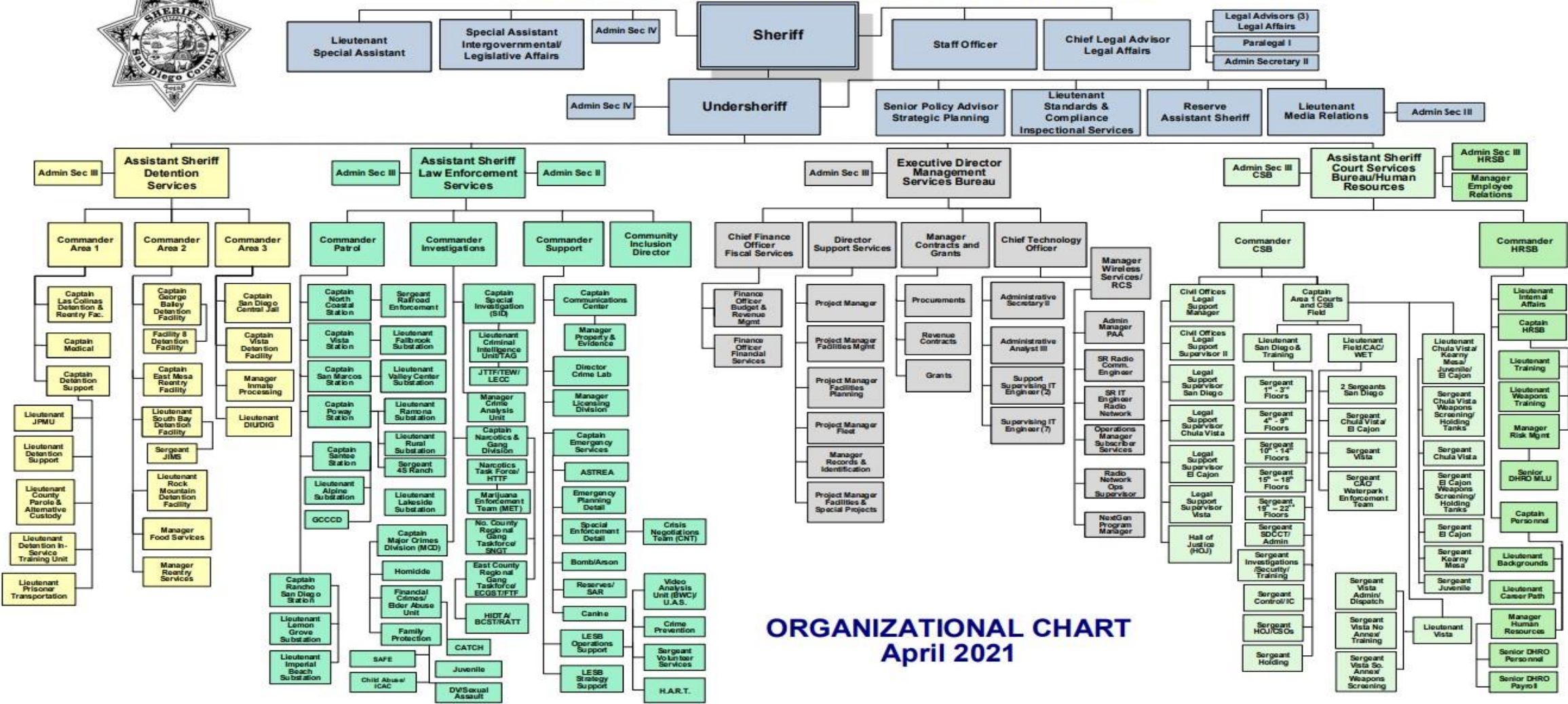
Greg Seward, Legal Advisor

Christine Lawyer, Paralegal

Nina Mascardo, Administrative Secretary

WHAT IS THE LEGAL AFFAIRS UNIT

SAN DIEGO COUNTY SHERIFF'S DEPARTMENT



ORGANIZATIONAL CHART
April 2021



WHO'S WHO IN THE LEGAL AFFAIRS UNIT

Michael Baranic

Director of Legal Affairs
Chief Legal Advisor

5 Lawyers vs. 4000 employees



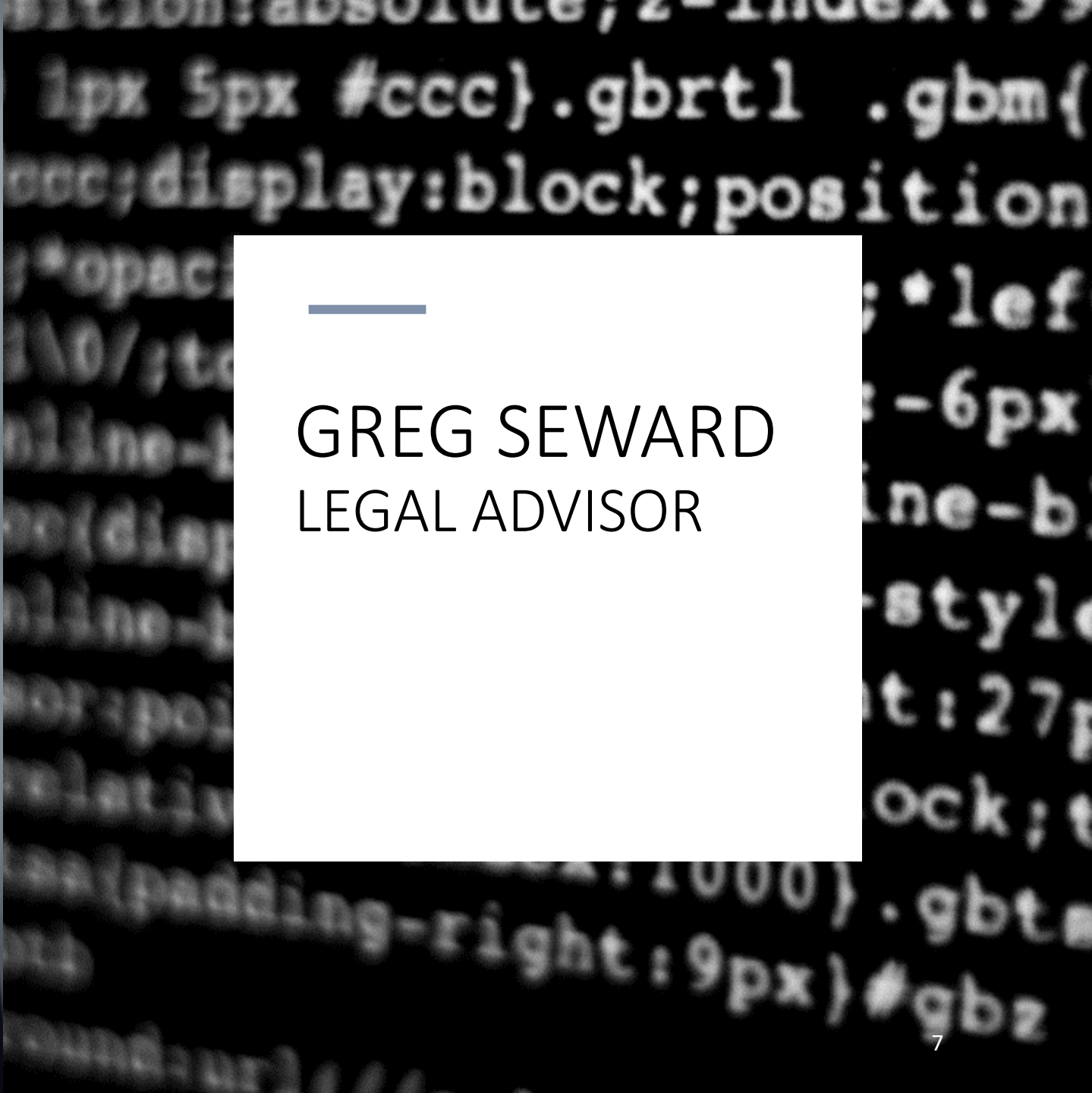
MANDY
KAMPHOEFNER
LEGAL ADVISOR



HEIDI WILLIAMS
LEGAL ADVISOR

SAMANTHA JIMÉNEZ
LEGAL ADVISOR





GREG SEWARD
LEGAL ADVISOR



Christine Lawyer, Paralegal

Nina Mascardo, Admin. Secretary



WHO CAN REQUEST SERVICES FROM LEGAL AFFAIRS



WHO CAN REQUEST SERVICES FROM LEGAL AFFAIRS

- P&P section 1.13:
- In order to promote efficiency and consistency, all requests for legal services, opinions, and inquiries must go through the chain of command, up to the level of Captain, watch commander, or professional staff equivalents. However, notifications mandated by P&P sections 6.123 and 6.124 (summons, complaints, subpoenas) should be forwarded to the Legal Affairs Unit directly.



WHAT WE DO.

Review Disciplinary Recommendations:

Review every recommendation for discipline 15 days and over.

Why?

What are we looking for?

How long does the review process take?

What happens after it is reviewed?



WHAT WE DO.

Represent the Sheriff at Civil Service Hearings

- There are five civil service commissioners that make up the Civil Service Commission.
- Scheduling can be difficult
- Meet with witnesses
- Prepare exhibits
- Hearing
- The decision

WHAT WE DO.

Represent the Sheriff at Case Evaluation Committee

- What is the case evaluation committee?
- When is settlement committee?
- Who from the Department attends?
- Why do cases settle?
- What is the Sheriff's role in the Case Evaluation Committee?

WHAT WE DO.

Represent the Sheriff in closed session with the Board of Supervisors

- What is closed session?
- Who is present from the Department?
- Can the Sheriff stop a case from settling?

We attend risk roundtables

- What is a risk roundtable?



WHAT WE DO.

We handle *Pitchess* Motions

What is a *Pitchess* motion?

How do we learn of them?

How do we respond?

IA notifies the deputy and pulls files.

WHAT WE DO.

We handle *Pitchess* Motions

Whose privilege is it?

Legal Standard for Gaining Access

What if they establish good cause to look in my file?

What if there is “stuff” in my file?

Who is part of the motion?



WHAT WE DO.

Member of CIRB

- What is CIRB?
 - Who makes up the Board?
 - A representative from each Bureau and the Office of the Sheriff:
 - Commander Buchanan – DSB Representative
 - Commander Blanco – LESB Representative
 - Commander Emig – CSB Representative
 - Commander Menzies – CIRB Chair / HRSB
 - Chief Legal Advisor Baranic – Office of the Sheriff
 - Who else is present?

WHAT WE DO.

Member of CIRB

- What types of incidents do we review?
- What happens at the hearing?
- What happens after CIRB?
- What if policy violations are discovered?
- CIRB Recommendations

WHAT WE DO.

Deal with Legal Papers:

- Subpoena
- Subpoena Policy 6.123
- Subpoena Duces Tecum

10/13/2011 07:00 6196612611 GDFADMIN PAGE 02/03

CR-126JV-525

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, or e-mail address) James J. Warner, SBN 63137 3233 Third Avenue San Diego, CA 92103	FOR COURT USE ONLY
TELEPHONE NO.: (619) 243-7333 FAXING (619) 243-7343 E-MAIL ADDRESS (OPTIONAL)	
ATTORNEY FOR (Name) Leander Crutcher	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 500 Third Avenue	
MAILING ADDRESS: CITY AND ZIP CODE: Chula Vista, CA 91910 COURT NAME: South Bay	
CASE NAME: People v. Leander Crutcher	
ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS: Subpoena/Subpoena Duces Tecum	DATE NUMBER: CS250427

You must attend court or provide to the court the documents listed below. Follow the orders checked in Item 2 below. If you do not, the judge can fine you, send you to jail, or issue a warrant for your arrest.

1. To: (name or business) George Bailey Detention Facility

2. You must follow the court order(s) checked below:

a. Attend the hearing.

b. Attend the hearing and bring all items checked in c. below.

c. Provide a copy of those items to the court (Do not use this form to obtain Juvenile Court records):

(1) _____

(2) _____

(3) _____

If this box is checked, provide all items listed on the attached sheet labeled "Provide These Items."

d. If someone else is responsible for maintaining the items checked in c. above, that person (the Custodian of Records) must also attend the hearing.

e. If this box is checked and you deliver all items listed above to the court within 8 days of service of this order, you do not have to attend court if you follow the District one in Item 3.

3. Court Hearing Date: _____ If no court hearing will be set (name and address of court):
Date: 10/17/11 Time: 8:30 Superior Court, South Bay Branch
Dept.: 16 Rm.: _____ 500 Third Avenue, Chula Vista, CA 91910

Call the person listed in Item 4 below to make sure the hearing date has not changed. If you cannot go to court on this date, you must get permission from the person in Item 4. You may be entitled to witness fees, mileage, or both, in the discretion of the court. Ask the person in Item 4 after your appearance.

4. The person who has required you to attend court or provide documents is:

Name: James J. Warner Phone No.: 619-243-7333 FOR COURT USE ONLY

Address: 3233 Third Avenue
Number, Street, Apt. No.
City: San Diego State: CA Zip: 92103

Date: 10-9-11 Signature: [Signature] Name and Title: James J. Warner

From Adopted for Mandatory Use
Revised Court or District
CR-126JV-001 Rev. 04-1-2003

ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS:
Subpoena/Subpoena Duces Tecum
(Criminal and Juvenile)

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PROVIDE THESE ITEMS

1. All Inmate Grievances filed regarding:
An incident that took place on August 1, 2011, at approximately 0050 hours, near House 1, Module C QUAD: 107-109, 207-209.
2. List/Roster of all inmates who were removed on August 1, 2011 at approximately 0050 hours from House 1, Module C, QUAD 207.

WHAT WE DO.

Deal with legal papers: Summons and Complaint

AD-440 (Rev. 12/81) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF CALIFORNIA

MAHER DARRAJ and NADER DARRAJ,
Plaintiff
vs.
COUNTY OF SAN DIEGO and DOES 1-10,
Defendant

Civil Action No. 11CV1657 AJB BGS

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

c/o San Diego Sheriff's Dept.
8811 Cuyamaca Street
Santee, California 92071

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Michael R. Marrinan
Attorney at Law
LAW OFFICES OF MICHAEL R. MARRINAN
614 Fifth Avenue, Suite D
San Diego, CA 92101

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

W. Samuel Harstrik, Jr.
CLERK OF COURT

S/ Y Barajas
Signature of Clerk or Deputy Clerk

Date: 7/27/11



Case 3:11-cv-01657-AJB-BGS Document 1 Filed 07/26/11 Page 1 of 10

1 Michael R. Marrinan (SBN 90484)
2 Attorney at Law
3 LAW OFFICES OF MICHAEL R. MARRINAN
4 614 Fifth Avenue, Suite D
5 San Diego, CA 92101
6 Telephone: (619) 238-6900
7 Facsimile: (619) 515-0505
8 E-mail: mmarrina@aol.com

9 Attorney for Plaintiffs

10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

12 MAHER DARRAJ and
13 NADER DARRAJ,
14 Plaintiffs,
15 vs.
16 COUNTY OF SAN DIEGO,
17 and DOES 1-10,
18 Defendants.

19 Case No. 11CV1657 AJB BGS
20 COMPLAINT FOR DAMAGES
21 AND DEMAND FOR JURY TRIAL

22 1. 42 U.S.C. § 1983—Civil Rights
23 Violations
24 2. 42 U.S.C. § 1983—Unlawful Policies,
25 Customs or Habits
26 3. Negligence
27 4. Battery
28 5. False Arrest
29 6. Civil Code § 52.1 Civil Rights
30 Violations

31 Plaintiffs allege:

32 **JURISDICTION**

33 1. This is a lawsuit for money damages and is brought pursuant to 42 U.S.C. § 1983,
34 et seq., and the Fourth Amendment to the United States Constitution, for personal injuries
35 and violation of constitutional rights by defendants County of San Diego and its sheriff's
36 deputies [REDACTED] and [REDACTED]. Jurisdiction is founded on 28
37 U.S.C. Section 1331 and 1343 and the aforementioned statutory and constitutional
38 provisions. State law claims of negligence, battery, false arrest and Civil Code section 52.1
39 civil rights violations are alleged as well. Plaintiffs invoke the Court's supplemental
40 jurisdiction to consider these state law claims.

- Summons and Complaints 6.124
- How should you handle service issues?

WHAT WE DO.

Deal with Legal Papers:

- Summons and Complaints 6.124
 - Request for Representation

DATE: 10/7/11

TO: Sheriff's Legal Affairs Division
Office of the Sheriff (O-41)

FROM: Deputy John Smith
(Name of Sender)

SERVICE OF SUMMONS AND COMPLAINT NO: 11cv1657 ajb bgs

Enclosed is a copy of a summons and complaint served on the following individual:

Deputy John Smith
(Please write name of person served)

METHOD OF SERVICE: Personal Mail

DATE OF SERVICE: 10-6-11 TIME OF SERVICE: 1700

PLACE OF SERVICE: Santee Station

I subscribe that I accepted service of the enclosed summons and complaint as noted above.

Further, I request that County Counsel represent me in this matter.

John Smith 858-974-2238
Signature Phone Number(s)

Enclosure: Summons and Complaint



WHAT WE DO.

California Public Record Act Requests (CPRA) P&P 7.3

The screenshot shows the 'Public Records Center' page of the San Diego County Sheriff's Department website. The page features a 'Main Menu' on the left with links to 'Records Home', 'FAQs', 'Submit a CPRA Request', 'My Request Center', and 'Back to sdsheriff.gov'. The main content area includes a 'Public Records Center' header, a brief description of the system, and a grid of six service tiles: 'Submit a CPRA Request', 'My Request Center', 'SB 1421', 'SB 978', 'Trending Topics', and 'Public Records Archive'. The page is powered by GovQA.

WHAT WE DO.

Appear in Court on Behalf of Department

Detentions

Law Enforcement

Liaison with Courts over legislative issues





WHAT WE DO.

Review P&P's

Provide training

Provide Legal Updates to Department

Review Training Bulletins



QUESTIONS?

THANK YOU