



San Diego County Sheriff's Department

Post Office Box 939062 • San Diego, California 92193-9062



September 28, 2018

William D. Gore, Sheriff

David Gotfredson
CBS News 8
7677 Engineer Rd.
San Diego, CA 92111

dgotfredson@kfmb.com

VIA EMAIL AND U.S. MAIL

Re: *Your email of September 24, 2018*

Dear Mr. Gotfredson:

The San Diego County Sheriff's Department is in receipt of your email dated September 24, 2018 seeking the following:

Under the CPRA, I am requesting records detailing the total number of citizen complaints alleging sexual misconduct by SDSO deputies/officers during the time period 2008 to present. I seek statistical data only tallying the number of complaints by year, the nature of the complaint, and whether the deputy/officer was on-duty or off-duty. I am not seeking names or identifying information of the complainants.

The Sheriff's Department has no records responsive to your request. Specifically, we not have a record "detailing the total number of citizen complaints alleging sexual misconduct by SDSO deputies/officers during the time period 2008 to present." Nor is there a way to ascertain these figures without having someone manually read through every citizen complaint since 2008 and create a document that reflects the "tally" of sexual misconduct complaints for each year. This is not something that is required of a public agency in response to a Public Records Act request. *Haynie v. Superior Court* (2001) 26 Cal. 4th 1064, 1075; *Fredericks v. Superior Court* (2015) 233 Cal. App. 4th 209, 227.

Sincerely,

WILLIAM D. GORE, Sheriff

Sanford A. Toyen, Legal Advisor
Office of the Sheriff – Legal Affairs Unit

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