



Draft Procedures for Conducting Removal Proceeding Pursuant to San Mateo County Charter Section 412.5

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Presented By:



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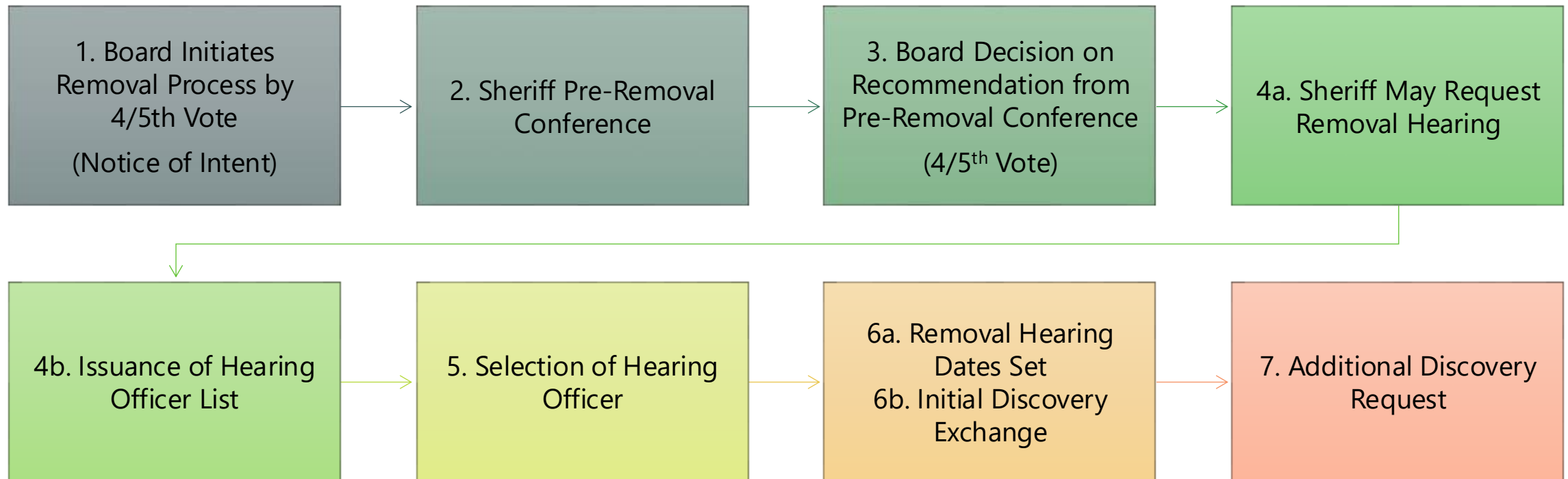
Charter Section 412.5

- a. The Board of Supervisors may remove a Sheriff from office for cause, by a four-fifths vote, after a Sheriff has been:
 - 1) Served with a written statement of alleged grounds for removal; and
 - 2) Provided a reasonable opportunity to be heard regarding any explanation or defense.
- b. For the purposes of this Section 412.5, "cause" shall mean any of the following:
 - 1) Violation of any law related to the performance of a Sheriff's duties; or
 - 2) Flagrant or repeated neglect of a Sheriff's duties as defined by law; or
 - 3) Misappropriation of public funds or property as defined in California law; or
 - 4) Willful falsification of a relevant official statement or document; or
 - 5) Obstruction, as defined in federal, State, or local law applicable to a Sheriff, of any investigation into the conduct of a Sheriff and/or the San Mateo County Sheriff's Department by any government agency (including the County of San Mateo), office, or commission with jurisdiction to conduct such investigation.
- c. The Board of Supervisors may provide for procedures by which a removal proceeding pursuant to this Section 412.5 shall be conducted.
- d. This Section 412.5 shall not be applied to interfere with the independent and constitutionally and statutorily designated investigative function of a Sheriff.
- e. This Section 412.5 shall sunset and be of no further force and effect as of December 31, 2028 unless extended by voters of San Mateo County

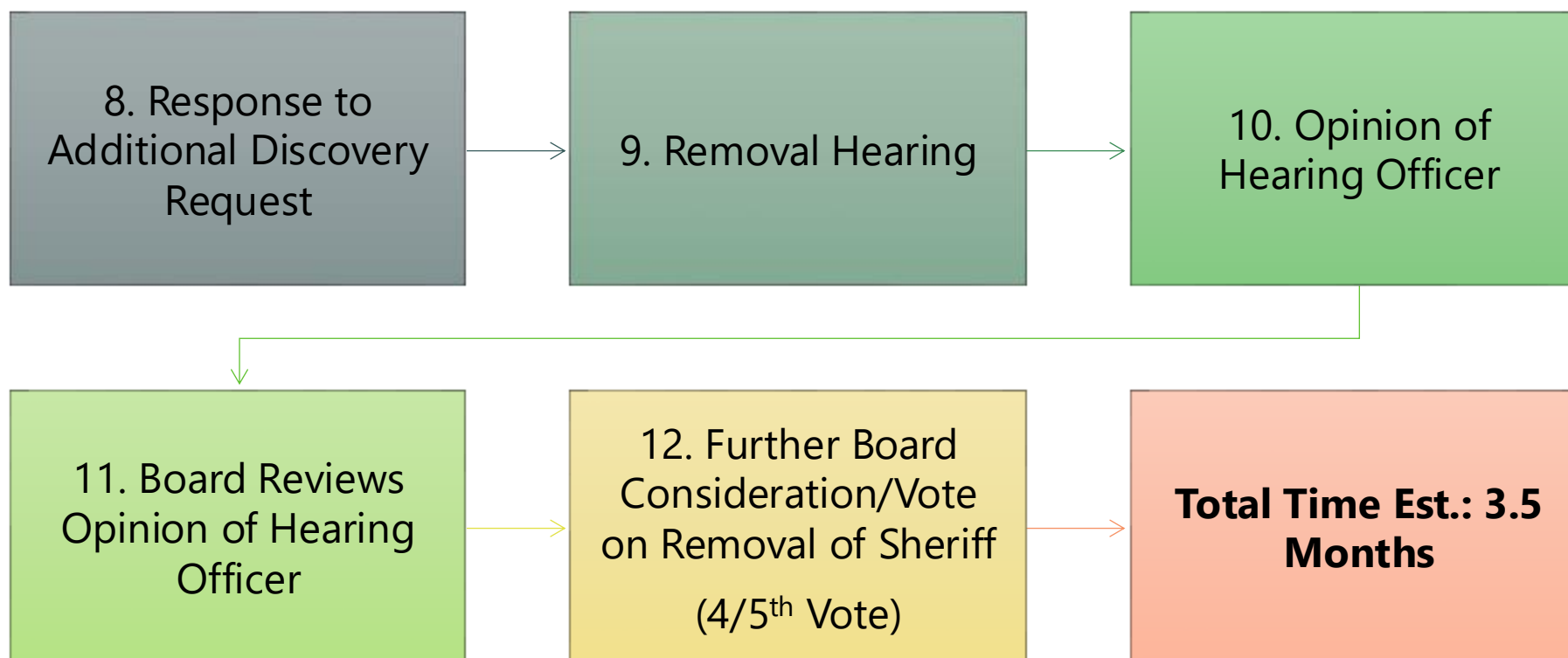
Draft Removal Procedure Summary

1. Initiation of Removal Procedure (Board Action, 4/5th approval)
2. Notice of Intent to Remove
3. Pre-Removal Conference
4. Final Notice of Decision (Board Action, 4/5th approval)
5. Removal Hearing Request from Sheriff
6. Hearing Officer Selection
7. Removal Hearing
8. Hearing Officer Opinion
9. Board Issues Final Decision (Board Action, 4/5th approval)

Removal Process Part 1



Removal Process Part 2



Removal Hearing

- Will be open to the public unless objected to by the Sheriff.
- Informal in nature; not governed by rules outside of those set forth in Removal Procedures.
- Each side will have up to five (5) days to present case (10 days total).
- Limited discovery.
- Administrative subpoenas issued by Hearing Officer.

QUESTIONS?