3.146.50 SHERIFF'S DEPARTMENT FAIR HOUSING NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURE

The Department expressly prohibits discrimination against any person related to housing on the basis of the following protected characteristics: sex (including gender, gender identity, and sexual orientation), race, color, religion, national origin, disability, or familial status (pregnancy, having children under age 18).

This means that the Department, its members, its agents, and all persons acting for or with them will not discriminate in any aspect of housing, including by doing any of the following within the course of their employment:

- Discriminating in the sale or rental of, or otherwise making unavailable or denying, a dwelling to any person, on the basis of a protected characteristic
- Discriminating in the terms, conditions, or privileges of the sale or rental of a dwelling, or in the provision of services or facilities in connection with a dwelling, on the basis of a protected characteristic
- Adopting, maintaining, enforcing, or implementing any laws, regulations, policies, procedures, or practices that discriminate, on the basis of a protected characteristic.
- Interfering with or retaliating against any person in the exercise or enjoyment of, or on account of any person exercising or enjoying, or aiding or encouraging another person in exercising or enjoying, any right protected by the Fair Housing Act

The Department's Civil Rights Coordinator shall receive and review all complaints of discrimination related to housing made against the Sheriff's Department, any of its members within the course of their employment, and any of its agents or contractors. If the complaint is made verbally, the Civil Rights Coordinator or their designee will ask the complainant to file a written complaint or, if that is not possible or the complainant requires assistance, the Civil Rights Coordinator or their designee will make a written record of the complaint or assist the

complainant in doing so. Any complaint made to the Sheriff's Department alleging that any of its employees have violated this Policy will be directed to the Civil Rights Coordinator and subject to this complaint process.

A complaint should include all pertinent details, including, but not limited to, the date and circumstances of the incident(s) and the names of all persons involved, including witnesses.

The Civil Rights Coordinator may be contacted:

- By phone: (909) 387-3687
- By email: CRCoordinator@sbcsd.org
- By mail: San Bernardino County Sheriff's Department
  Civil Rights Coordinator
  PO Box 569
  San Bernardino, CA 92402

If a complaint is received that alleges misconduct by a Department member related to housing discrimination under this Policy, the Civil Rights Coordinator shall forward the complaint to the Internal Affairs Division for investigation. The Internal Affairs Division shall complete its investigation pursuant to Department guidelines. An investigation shall be completed, and the reports submitted to the appropriate Deputy Chief, within forty-five (45) days after the date the complaint was submitted to the Civil Rights Coordinator. Any extension of the forty-five (45) daytime limit requires specific approval of the appropriate Deputy Chief and notification to the Civil Rights Coordinator. Upon completion of the investigation, the findings shall be reported back to the Civil Rights Coordinator, who will provide those findings in writing to the complainant. If the investigation is not completed and/or findings are not reported back to the Civil Rights Coordinator within forty-five (45) days), the Civil Rights Coordinator shall report the status of investigation to the complainant after forty-five (45) days and every forty-five (45) days thereafter until completion of the investigation.

If a complaint is received that does not allege misconduct by a Department member but is still a complaint of discrimination related to housing under this Policy against the Department, its members, its agents, any person acting for or with them (including contractors), the Civil Rights Coordinator shall have forty-five (45) days to investigate the complaint and take appropriate action to resolve the complaint. The Civil Rights Coordinator's investigation of the complaint shall include: (1) gathering and assessing all the facts the Civil Rights Coordinator deems necessary to resolve it; (2) meeting with complainant, alleged discriminator(s), and any witnesses separately and individually; and (3) using whatever means or methods deemed necessary or appropriate to resolve the complaint based upon all facts gathered. Upon completion of the investigation, the Civil Rights Coordinator will provide the findings from the investigation in writing to the complainant, which will occur no later than forty-five (45) days after reporting the incident. If the complainant has not received a satisfactory response within forty-five (45) days after reporting the incident, the complainant should immediately contact the Captain overseeing the Professional Standards Division at internalaffairs@sbcsd.org or by calling the Internal Affairs Division at (909) 387-3726. The Civil Rights Coordinator will maintain documentation of the investigation and resolution.

There are no deadlines for filing complaints with the Civil Rights Coordinator.

The Civil Rights Coordinator will review all complaints related to this Policy at the time they are submitted to the Department and at the time the investigation is completed—whether investigated by the Internal Affairs Division or the Civil Rights Coordinator—to identify any patterns, trends, or recurring issues related to housing discrimination. The Civil Rights Coordinator will conduct this review to ensure compliance with this Policy and the Fair Housing Act, including by identifying and/or recommending potential changes to policies or training.

Complaints regarding housing discrimination may also be made directly to the US Department of Housing and Urban Development by calling 1-800-669-9777 or 1-800-877-8339 (TTY), or by filing a complaint online at https://www.hud.gov/fairhousing/fileacomplaint. The complaint online is
Also available in Spanish at
https://potalapps.hud.gov/FHEO903/Form903/Form903Start.action?lang=es
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> Note: Filing a complaint under this process does not necessarily meet the requirements under the California Tort Claims Act, Gov. Code §§ 810-996.6, which requires that persons seeking to sue a California public entity first file a claim form with the government entity.

No one will be subject to any form of discipline, reprisal, intimidation, or retaliation for good-faith reporting of incidents of discrimination of any kind, pursuing any claim, or cooperating in an investigation into alleged discrimination. In addition to violating this Policy, retaliation for reporting of discrimination is against the law.

The Civil Rights Coordinator shall maintain copies of the Consent Order in Case No. 5:19-cv-02298 AB (SPx), this Policy in English and in Spanish, and the HUD complaint form entitled "Are you a victim of housing discrimination?" in English and in Spanish, and make these materials freely available to anyone, upon request and without charge, including any person making a complaint pursuant to this Policy.

The Civil Rights Coordinator will provide the US Department of Justice with notification and documentation of any complaint received relating to housing against the Sheriff's Department, or any of its agents, employees, or any person acting for or with it, regarding discrimination, harassment, retaliation, or other violation of the Consent Order, including any complaints made under this Policy within ten (10) days of receipt of such documentation. Notification will include a copy of the complaint.

The Civil Rights Coordinator will provide the US Department of Justice with all information it may request concerning any complaints received pursuant to this Policy and will inform the US Department of Justice of any resolution of any investigation into such complaints within fifteen (15) days of reaching any such resolution.

All Department members, agents, and all persons acting for or with the Department must report any apparent or alleged housing discrimination to the Civil Rights Coordinator. Failure to do so constitutes a violation of this Policy.

Violations of this Policy may subject members to discipline, up to and including termination of employment; may subject agents to termination of their agency relationship with the Department; and may subject contractors to termination of their contract with the Department.