

Jerry L. Steering; SBN 122509  
Law Office of Jerry L. Steering  
4063 Birch Street  
Suite 100  
Newport Beach, CA 92660  
(949) 474-1849  
(949) 474-1883 Fax  
e-mail: [jerrysteering@yahoo.com](mailto:jerrysteering@yahoo.com); [info@steeringlaw.com](mailto:info@steeringlaw.com)

Attorney for defendant JOHN DOE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE, HARBOR JUSTICE CENTER

PEOPLE OF THE STATE OF  
CALIFORNIA,

Plaintiff,

vs.

JOHN DOE,

Defendant.

Case Number 10HM08559

DEFENDANT'S MEMORANDUM OF  
POINTS AND AUTHORITIES IN SUPPORT  
OF MOTION FOR DISCOVERY OF PEACE  
OFFICER PERSONNEL RECORDS FRO  
ORANGE COUNTY SHERIFF'S  
DEPARTMENT (CAL. EVID. CODE §§  
1043-1047)

DATE: AUGUST 8, 2011

DEPT: H13

TIME: 8:30 A.M.

**FACTUAL BACKGROUND**

For the Factual Background for this instant memorandum of points and authorities, defendant hereby realleges and incorporates by reference the allegations set forth in the attached declaration of Jerry L. Steering, as if set forth in full herein.

**ARGUMENT**

- I. AN ORDER SHOULD ISSUE OUT OF THIS HONORBLE COURT DIRECTING SANDRA HUTCHENS , SHERIFF OF ORANGE COUNTY, CALIFORNIA, TO DIVULGE TO AND TO GIVE TO DEFENSE COUNSEL IN THIS ACTION, BECAUSE ANY SUCH EVIDENCE IS RELEVANT AND MATERIAL TO THE ISSUE OF GUILT OR INNOCENSE IN THIS CASE, IS EXCULPATORY EVIDENCE, AND WILL GREATLY AID THE DEFENDANT IN HIS DEFENSE OF THIS INSTANT ACTION.**

DEFENDANT'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION  
FOR DISCOVERY OF PEACE OFFICER PERSONNEL RECORDS FROM ORANGE COUNTY  
SHERIFF'S DEPARTMENT (CAL. EVID. CODE §§ 1043-1047)

1 A. The Peace Officer Personnel Records Information Sought By Way Of This Instant  
2 Motion Are Discoverable In This Action Because Such Evidence Is Relevant And  
3 Material To The Disputed Material Facts In This Case, And Because Such  
4 Evidence Will Greatly Aid The Defendants In Their Defense In This Action.

5 1. A Criminal Defendant Has The Right To Discover Relevant And Material  
6 Evidence, Even If Said Evidence Is In The Form Of Peace Officer  
7 Personnel Records Regarding Complaints Or Investigation Of Complaints  
8 Of Misconduct By A Peace Officer.

9 a. discovery of investigation of complaints against peace officers  
10 prior to the enactment of the Evidence Code's statutory discovery  
11 scheme of 1978 – *Pitchess v. Superior Court*.

12 In *Pitchess v. Superior Court* (1974) 11 Cal.3d 531 the defendant was charged with battery  
13 against four deputy sheriffs. Prior to trial, he moved for discovery of records of investigations of  
14 citizens' accusations of excessive force by the four deputies. The defendant asserted that at trial he  
15 would claim that he acted in self-defense in response to the deputies' use of excessive force and argued  
16 that the requested records were necessary as character evidence regarding the deputies' tendency for  
17 violence supporting his defense. The California Supreme Court held that a criminal defendant has a right  
18 to discovery of peace officer personnel records "based on the fundamental proposition that he [or she] is  
19 entitled to a fair trial and an intelligent defense in light of all relevant and reasonably accessible  
20 information." *Id.*, 11 Cal.3d at 535. The court noted that "in contrast to the formal requirements of civil  
21 discovery, an accused in a criminal prosecution may compel discovery by demonstrating that the  
22 requested information will facilitate the ascertainment of facts and a fair trial." *Id.*, 11 Cal.3d at 536.  
23 The court explained that "[t]he requisite showing may be satisfied by general allegations which establish  
24 some cause for discovery other than "a mere desire for the benefit of all information which has been  
25 obtained by the People in their investigation of the crime." [Citations.]" *Id.*, 11 Cal.3d at 537.

26 The *Pitchess* court further noted that "[e]ven upon a showing of good cause, however, the right  
27 of an accused to obtain discovery is not absolute." *Id.* 11 Cal.3d at 538. The court explained that a court  
28 considering an accused's discovery motion "retains wide discretion to protect against the disclosure of  
information which might unduly hamper the prosecution or violate some other legitimate government  
interest.[Citations.]" (quoting *Joe Z. v. Superior Court* (1970) 3 Cal.3d 797, 804.)

The guidelines specified in *Pitchess* were articulated "in the absence of legislation." *Pitchess v.*  
*Superior Court*, 11 Cal.3d at 535-536. Thus, in 1978, the Legislature codified the privileges and  
procedures surrounding what had come to be known as "Pitchess motions" by enacting Penal Code

1 sections 832.7 and 832.8 and Evidence Code sections 1043 through 1045. *City of Santa Cruz v.*  
2 *Municipal Court* (1989) 49 Cal.3d 74,81 260 Cal.Rptr. 520.

3 b. Discovery of investigation of complaints against peace officers  
4 after the enactment of the Evidence Code's statutory discovery  
5 scheme of 1978 – Cal. Evid. Code § 1043 *et seq.*

6 Evidence Code sections 1043 and 1045 set out a two-step process for discovery of peace officer  
7 personnel records. *City of Santa Cruz v. Municipal Court* (1989) 49 Cal.3d 74, 776, 260 Cal.Rptr. 520  
8 Evidence Code section 1043 specifies that the moving party must submit a written motion which  
9 contains “[a] description of the type of records or information sought,” supported by “[a]ffidavits  
10 showing good cause for the discovery or disclosure sought, setting forth the materiality thereof to the  
11 subject matter involved in the pending litigation and stating upon reasonable belief that such  
12 governmental agency identified has such records or information from such records.” *Id.*, *See also*, Cal.  
13 Evid. Code § 1043(b).

14 The affidavits may be a sole one by defense counsel based on information and belief, and only  
15 needs to show that under the facts of the case that police misconduct **might have happened**, and that the  
16 type of misconduct evidence sought be related to the defense of the action:

17 “At issue here is the first part of the good cause requirement—the materiality to the  
18 pending litigation of the discovery sought. Specifically, the question is this: What must  
19 the defendant show to warrant the court’s in-chambers review of documents or  
20 information in the officer’s personnel file that is potentially relevant to the claimed  
21 misconduct? We hold that to obtain in-chambers review a defendant need only  
22 demonstrate that the scenario of alleged officer misconduct could or might have  
23 occurred.. . .

24 . . . To show good cause as required by section 1043, defense counsel’s declaration in  
25 support of a *Pitchess* motion must propose a defense or defenses to the pending charges.  
26 The declaration must articulate how the discovery sought may lead to relevant evidence  
27 or may itself be admissible direct or impeachment evidence (*People v. Hustead, supra*, 74  
28 Cal.App.4th at p. 417; *Larry E. v. Superior Court* (1987) 194 Cal.App.3d 25, 32-33) that  
would support those proposed defenses. These requirements ensure that only information  
“potentially relevant” to the defense need be brought by the custodian of the officer’s  
records to the court for its examination in chambers. (*People v. Mooc, supra*, 26 Cal.4th  
at p. 1216; *Santa Cruz, supra*, 49 Cal.3d at p. 84.)

29 Counsel’s affidavit must also describe a factual scenario supporting the claimed officer’s  
30 misconduct. **That factual scenario, depending on the circumstances of the case, may  
consist of a denial of the facts asserted in the police report.** In *People v. Hustead,*  
*supra*, 74 Cal.App.4th 410, a defendant facing a charge of felony evasion of arrest after a  
high-speed automobile chase sought *Pitchess* discovery of whether the pursuing officer

1 had “a history of misstating or fabricating facts” in police reports. (*Id.* at p. 416.) In  
2 support of the motion, the defense declaration denied that defendant had driven in the  
3 way or along the route described by the officer. (*Id.* at p. 417.) Presiding Justice Ardaiz,  
4 writing for the Court of Appeal in *Hustead*, concluded that the defendant had met his  
5 burden of making “an initial showing that the information he is seeking is material to the  
6 case at hand.” (*Id.* at p. 416.) In other words, defense counsel’s declaration in *Hustead*  
7 made allegations sufficient to “establish a plausible factual foundation” for a defense that  
8 the defendant did not drive in the fashion described in the police report and that the  
9 officer’s report was untrue. (*Id.* at p. 417.)

10 In other cases, the trial court hearing a *Pitchess* motion will have before it defense  
11 counsel’s affidavit, and in addition a police report, witness statements, or other pertinent  
12 documents. The court then determines whether defendant’s averments “[v]iewed in  
13 conjunction with the police reports,” and any other documents suffice to “establish a  
14 plausible factual foundation” for the alleged officer misconduct and to “articulate a valid  
15 theory as to how the information sought might be admissible” at trial. (*Santa Cruz*,  
16 *supra*, 49 Cal.3d at p. 86.) Although a *Pitchess* motion is obviously strengthened by a  
17 witness account corroborating the occurrence of officer misconduct, such corroboration is  
18 not required. What the defendant must present is a specific factual scenario of officer  
19 misconduct that is plausible when read in light of the pertinent documents. (*Santa Cruz*,  
20 *supra*, 49 Cal.3d at p. 86; *Haggerty v. Superior Court*, *supra*, 117 Cal.App.4th at p.  
21 1087.)

22 A *Pitchess* motion need not, however, provide a motive for the alleged officer  
23 misconduct. We do not require the prosecutor to prove motive at trial in order to obtain a  
24 conviction. (CALJIC No. 2.51.) It would be anomalous to require a criminal defendant  
25 to do so in order to obtain discovery. Moreover, because most defendants will only be  
26 able to postulate an officer’s motive for misconduct, to require every defendant to  
27 demonstrate a motive would require most of them “to allege with particularity the very  
28 information” they seek to discover. (*People v. Memro*, *supra*, 38 Cal.3d at p. 684.)  
Imposing a motive requirement would be contrary to the principles of discovery and  
would, in most instances, require defense counsel to engage in rank speculation.

29 The question remaining is this: What degree or quantity of justification must the moving  
30 party offer to establish a plausible factual foundation for the claim of officer misconduct?  
31 Here, the Court of Appeal concluded that to be plausible a factual foundation must be  
32 reasonably probable or apparently credible and not merely possible. In so doing, the  
33 Court of Appeal imposed a greater burden on the party seeking *Pitchess* discovery than  
34 required by our prior cases or the statutory scheme. To require a criminal defendant to  
35 present a *credible* or *believable* factual account of, or a motive for, police misconduct  
36 suggests that the trial court’s task in assessing a *Pitchess* motion is to weigh or assess the  
37 evidence. It is not. A trial court hearing a *Pitchess* motion normally has before it only  
38 those documents submitted by the parties, plus whatever factual representations counsel  
may make in arguing the motion. The trial court does not determine whether a  
defendant’s version of events, with or without corroborating collateral evidence, is  
persuasive—a task that in many cases would be tantamount to determining whether the

defendant is probably innocent or probably guilty. (See *People v. Johnson, supra*, 118 Cal.App.4th at p. 304.)”

*Warrick v. Superior Court* (6/2/05) Cal., No. S115738.

The moving party must also provide notice to the governmental agency which possesses the records, and the agency must, in turn, notify the person whose records are sought. Cal. Evid. Code § 1043(a). Evidence Code section 1045 specifies that once the moving party has made a showing of good cause for disclosure of peace officer personnel records, the trial court proceeds to an in chambers examination of the records to determine whether they have any relevance to the issues presented in the current proceedings. During this examination, the trial court must exclude “complaints concerning conduct occurring more than five years before the event or transaction which is the subject of the litigation in aid of which discovery or disclosure is sought,” “the conclusions of any officer investigating a complaint,” and “[f]acts . . . which are so remote as to make disclosure of little or no practical benefit.” Cal. Evid. Code, § 1045(b)(1)(2)(3). Evidence Code section 1045 also provides the governmental agency and the peace officer whose records have been requested with the right to move for a protective order, thus assuring the officer of due process and protecting him or her from “neglect on the part of his [or her] employer.” *City of Fresno v. Superior Court* (1988) 205 Cal.App.3d 1459, 1472.

As the California Supreme Court recognized in *City of Santa Cruz v. Municipal Court*, 49 Cal.3d at 84, this statutory scheme “carefully balances two directly conflicting interests: the peace officer's just claim to confidentiality, and the criminal defendant's equally compelling interest in all information pertinent to his [or her] defense.” The court further explained: “The relatively relaxed standards for a showing of good cause under section 1043, subdivision (b) – ‘materiality’ to the subject matter of the pending litigation and a “reasonable belief” that the agency has the type of information sought -- insure the production for inspection of all potentially relevant documents. The in camera review procedure and disclosure guidelines set forth in section 1045 guarantee, in turn, a balancing of the officer's privacy interests against the defendant's need for disclosure.” *Id.*

In *People v. Memro* (1985) 38 Cal.3d 658,680, the California Supreme Court recognized that in adopting the above provisions of the Evidence Code and Penal Code, the Legislature “not only reaffirmed but expanded” the principles of *Pitchess*. Thus, while *Pitchess* arose in the context of a defendant charged with battery upon four deputy sheriffs who sought to discover the deputies’ personnel records in order to support his claim of self-defense, the Supreme Court concluded that the above

statutes “do not limit discovery of such records to cases involving altercations between police officers and arrestees.” *Id.*, 38 Cal.3d at 679.

2. Defendant Is Entitled To The Peace Officer Personnel Record Information Requested In This Instant Motion.

As set forth in the attached affidavit of Jerry L. Steering in support of this instant motion, the defendant is claiming in this action that the Orange County Sheriff’s Department deputies, and not him, were the aggressors in this action, and that this action is an attempt to frame him for crimes that they did not commit, in order to protect themselves from civil and criminal liability.

Accordingly, a criminal defendant is entitled to the discovery of complaints and investigation of complaints of acts of unreasonable force by the alleged victim peace officer, and by others acting in concerted action with him/her, to assist the defendant in proving that the officer was the aggressor. *See, People v. Mooc* (2001) 26 Cal.4th 1216, 36 P.3d 21, 27 Cal.4th 101, 114 Cal.Rptr.2d 482; *People v. Memro* (1985) 38 Cal.3d 658; *People v. Olguin* (1981) 119 Cal.App.3d 39, 173 Cal.Rptr. 663; *People v. Curtis* (1969) 70 Cal.2d 347, 74 Cal.Rptr. 713; *People v. Moreno* (1973) 32 Cal.App.3d Supp. 1, 108 Cal.Rptr. 338. Likewise, evidence of incidents of false arrests by the officers, or of acts of dishonesty by the officers, is also exculpatory evidence, that the defendants are entitled to the discovery of. *Warrick v. Superior Court* (6/2/05) Cal., No. S115738.<sup>1</sup> Accordingly, defendant is entitled to the items sought via this instant motion.

**II. AN ORDER SHOULD ISSUE OUT OF THIS HONORBLE COURT DIRECTING SANDRA HUTCHENS , SHERIFF OF ORANGE COUNTY, CALIFORNIA, TO DIVULGE TO AND TO GIVE TO DEFENSE COUNSEL, THE INFORMATION AND EVIDENCE REQUESTED IN THIS INSTANT MOTION REGARDING ANY INTERNAL AFFAIRS INVESTIGATION AND/OR ADMINISTRATIVE INVESTIGATION AND/OR ANY CIVIL LIABILITY INVESTIGATION OF THE JULY 4, 2010 INCIDENT COMPLAINED OF IN THIS INSTANT ACTION,**

<sup>1</sup> “To summarize, defendant has established good cause for *Pitchess* discovery, entitling him to the trial court’s in-chambers review of the arresting officers’ personnel records relating to making false arrests, planting evidence, fabricating police reports or probable cause, and committing perjury. In other words, defendant has “satisfied the criteria for discovery under section 1043, subdivision (b),” thus entitling him to a determination of relevance under the provisions of section 1045. (*Santa Cruz, supra*, 49 Cal.3d at p. 93.) Section 1045 requires in-chambers record review by the trial court, permits that court to issue an order protecting the officer against “unnecessary annoyance, embarrassment or oppression” (subd. (d)), and requires the trial court to limit the use of any records that are disclosed. By doing so, the section maintains a balance between the officer’s legitimate privacy interests and the criminal defendant’s constitutionally guaranteed right to a fair trial. (*People v. Mooc, supra*, 26 Cal.4th at p. 1227.)” *Warrick v. Superior Court* (6/2/05) Cal., No. S115738.

1 **BECAUSE THE USUAL RESTRICTIONS OF INITIAL DISCOVERY IN**  
2 **PITCHESS MOTIONS DO NOT APPLY TO INVESTIGATIONS OF THE SAME**  
3 **INCIDENT OVER WHICH THE DEFENDANT IS BEING PROSECUTED.**

4 The usual restrictions of only divulging the names, addresses and telephone numbers of persons  
5 who made personnel complaints (or who were witnesses to such incidents) do not apply to investigations  
6 of the same incident for which a criminal defendant is being prosecuted. See, *Haggerty v. Superior*  
7 *Court* (Guindazola) (2004) 117 Cal.App.4th 1079 (judicially created practice of initially only divulging  
8 to the names, addresses, phone numbers, incident date and investigation outcome, of records of  
9 investigations of complaints of police misconduct only applied to discovery of a police agency's  
10 investigation of a third party complaint of police misconduct regarding some incident other than the one  
11 at bar in the criminal action<sup>2</sup>, and not to discovery of the statements and reports of the same incident  
12 complained of in the action in which such records are being sought.)

13 Moreover, even actual absolute privileges, such as attorney – client privilege and official  
14 information privilege must give way to discovery of internal affairs / administrative investigations of the  
15 same incident that the defendant is being prosecuted for. For example, in *Vela v. Superior Court of Los*  
16 *Angeles County* (1989) 208 Cal.App.3d 141, 255 Cal.Rptr. 921, the Court of Appeal held defendant  
17 Vela was entitled to even documents that would otherwise be deemed privileged pursuant to the  
18 California Attorney – Client privilege, because the attorney-client privilege must give way to Vera's  
19 constitutional right to a fair trial and to cross-examine witnesses:

20 **“Here, the City seeks to protect from disclosure written statements of the very police**  
21 **officers whose trial testimony will be necessary to prove the criminal charges filed**  
22 **against the defendants. In such circumstances adherence to a statutory attorney-**  
23 **client privilege must give way to pretrial access when it would deprive a defendant**  
24 **of his constitutional rights of confrontation and cross-examination. . . . The attorney-**  
25 **client privilege may be overridden only if, and to the extent, necessary to ensure**  
26 **defendant's constitutional rights of confrontation and cross-examination.**  
27 *Id.*, 208 Cal.App.3d at 150-51 (emphasis added.)

28 Also, in *Gonzales v. Municipal Court for Los Angeles Judicial District of Los Angeles County*  
(1977) 67 Cal.App.3d 111, 136 Cal.Rptr. 475, a prosecution for assaulting and resisting a peace officer,  
the Court of Appeal upheld Gonzales' right to discovery of the internal affairs investigation records the  
Court of Appeal held:

---

<sup>2</sup> That action in which such a motion is brought.

1           **“Absent some governmental requirement that information be kept confidential for**  
2           **the purposes of effective law enforcement, the state has no interest in denying the**  
3           **accused access to all evidence that can throw light on issues in the case, and in**  
4           **particular it has no interest in convicting on the testimony of witnesses who have not**  
5           **been as rigorously cross-examined and as thoroughly impeached as the evidence**  
6           **permits.”**

7           As the California Supreme Court has also held:

8           **“Finally, it is noteworthy that one legitimate goal of discovery is to obtain**  
9           **information “for possible use to impeach or cross-examine an adverse witness . . . .”**  
10           **(Foster v. Superior Court (1980) 107 Cal. App. 3d 218, 227 [165 Cal. Rptr. 701].) As**  
11           **this court observed almost 30 years ago, “[absent] some governmental requirement**  
12           **that information be kept confidential for the purposes of effective law enforcement,**  
13           **the state has no interest in denying the accused access to all evidence that can throw**  
14           **light on issues in the case, and in particular it has no interest in convicting on the**  
15           **testimony of witnesses who have not been as rigorously cross-examined and as**  
16           **thoroughly impeached as the evidence permits.” (People v. Riser (1956) 47 Cal. 2d**  
17           **566, 586 [305 P.2d 1])” emphasis added.**

18           *People v. Memro* (1985) 38 Cal. 3d 658,677, 214 Cal.Rptr. 832.

19           The federal constitutional requirement that the government divulge any exculpatory evidence to  
20           a criminal defendant<sup>3</sup> applies equally to impeachment evidence<sup>4</sup>. Also as shown above, for discovery  
21           purposes the federal constitution does not differentiate between exculpatory evidence and impeachment  
22           evidence. As the statements of witnesses obtained by police authorities<sup>5</sup> are impeachment materials, if  
23           the Evidence Code’s scheme for the discovery of peace officer personnel records did seem to prohibit  
24           the discovery of records of an internal affairs investigation of the same incident over which a criminal  
25           defendant is being prosecuted, those records would nonetheless have to remain discoverable.

26           <sup>3</sup> In *Brady v. Maryland* (1963) 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215, the Supreme Court held that  
27           the suppression by the prosecution of evidence favorable to an accused upon request violates due  
28           process<sup>3</sup> where the evidence is material either to guilt or to punishment, irrespective of the good faith or  
            bad faith of the prosecution.” *Id.*, 373 U.S. at 87.

<sup>4</sup> In *Giglio v. United States* (1972) 405 U.S. 150, 92 S.Ct. 763, 31 L.Ed.2d 104, the Supreme Court  
            addressed several issues left open in *Brady*, and held that impeachment evidence falls within the *Brady*  
            rule, and that the prosecutor has a duty to disclose any material leniency or immunity agreement  
            between the government and a prosecution witness. In *United States v. Bagley* (1985) 473 U.S. 667, 105  
            S.Ct. 3375, 87 L.Ed.2d 481, the Supreme Court disavowed any difference between exculpatory and  
            impeachment evidence for *Brady* purposes.

<sup>5</sup> As stated in *People v. Shipp, supra.*, when discussing the Superior Court’s refusal to order the  
            production to Shipp of a police report authored by the witness police officer, the California Supreme  
            Court stated: “Since we do not know the contents of the report, we must assume that production would  
            have enabled Shipp to impeach Officer Rodney and thereby neutralize his testimony.” *Id.*, 59 Cal.2d  
            850.



Accordingly, defendant JOHN DOE, now respectfully requests that an order issue out of this honorable court, commanding Sandra Hutchens, Sheriff of Orange County, California, to divulge to and to give to defense counsel, the information and evidence requested in this instant motion.

Respectfully submitted,

Dated: July 15, 2011

Jerry L. Steering

PROOF OF SERVICE

I declare that I am employed in the County of Orange, State of California. I am over the age of eighteen years and not a party to the within cause; my business address is 4063 Birch Street, Suite 100, Newport Beach, California 92660.

On July 15, 2011, I served the attached:

DEFENDANT'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF  
DEFENDANT'S MOTION FOR DISCOVERY OF PEACE OFFICER PERSONNEL RECORDS  
FROM ORANGE COUNTY SHERIFF'S DEPARTMENT (CAL. EVID. CODE §§ 1043-1047)

On the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

Tony Rackauckas District Attorney Orange County District Attorney's Office 4601 Jamboree Blvd. Newport Beach, CA 92660	Sandra Hutchens Sheriff Orange County Sheriff's Department 550 N. Flower Street Santa Ana, CA 92701
--	---

☒ BY PERSONAL SERVICE

☐ BY MAIL I placed each sealed envelope with postage there prepaid, for collection and mailing at Newport Beach, California, following ordinary business practices. I am readily familiar with the practice that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for processing.

☐ BY FAX

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This the 15<sup>th</sup> day of July, 2011, at Newport Beach, California.

\_\_\_\_\_  
Gregory Peacock

DEFENDANT'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION  
FOR DISCOVERY OF PEACE OFFICER PERSONNEL RECORDS FROM ORANGE COUNTY  
SHERIFF'S DEPARTMENT (CAL. EVID. CODE §§ 1043-1047)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DEFENDANT’S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION  
FOR DISCOVERY OF PEACE OFFICER PERSONNEL RECORDS FROM ORANGE COUNTY  
SHERIFF’S DEPARTMENT (CAL. EVID. CODE §§ 1043-1047)