



# COUNTY OF SAN MATEO

## OFFICE OF THE COUNTY ATTORNEY

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### COUNTY ATTORNEY

JOHN D. NIBBELIN

July 21, 2025

*Please respond to: (650) 363-4757*

Via Email ([afield@firstamendmentcoalition.org](mailto:afield@firstamendmentcoalition.org)) and U.S. Mail

Aaron R. Field, Esq.  
First Amendment Coalition  
534 4<sup>th</sup> Street, Suite B  
San Rafael, CA 94901-3334

Dear Mr. Field:

I write in response to your letter dated July 16, 2025 to the members of the San Mateo County Board of Supervisors, wherein you “urge San Mateo County to overrule Sheriff Christina Corpus’s attempt to close her entire removal hearing to the press and public.” In short, while I cannot grant your request, the County agrees, as has been noted many times, that the Removal Hearing provided for under Section 415.2 of the County Charter and the Removal Procedures should be open to the public. If you do choose to file a lawsuit, the County Attorney’s Office will not oppose it.

As you may know, the Murphy Pearson Bradley & Feeney law firm has been retained pursuant to Section 31000.6 of the Government Code to represent the Sheriff as to certain matters related to the Removal Hearing. Attorneys at that firm have advised us that the Sheriff has demanded that the hearing be closed. While we do not concede that litigation to keep the Removal Hearing closed falls within the scope of Section 31000.6 of the Government Code, we are copying Murphy Pearson on this letter.

As you note, the Removal Procedures approved by the Board provide (in pertinent part) as follows:

If the Sheriff exercises the right to appeal, the Removal Hearing will be open to the public, unless the Sheriff, within five (5) days of receiving the Final Notice of Decision, formally objects, in the Sheriff’s written request for an appeal, to an open Removal Hearing and requests a closed Removal Hearing.

This provision, like the Removal Procedures, as a whole, was drafted with assistance from the Hanson Bridgett law firm, to address factors including the following: (1) the Sheriff’s assertions that the removal proceedings are confidential, including under Section 832.7 of the California Penal Code; (2) the legal ambiguity created by *Essick v. County of Sonoma* (2022) 80 Cal. App. 5<sup>th</sup> 562, in light of the passage of San Mateo County Measure A and resulting adoption of Section 415.2 of the San Mateo County Charter; (3) guidance of the California Court of Appeal in *San*

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*Diego Police Officers Assoc. v. City of San Diego Civil Service Commission, et al.*, (2002) 104 Cal.App.4th 275; and (4) the fact that the County's Civil Service Commission rules generally provide for closed disciplinary hearings.

I also note that the Removal Procedures adopted by the Board of Supervisors do not provide a mechanism to overrule the Sheriff's objection to an open hearing.


I hope that you will agree that even if, at the end of the day, the Removal Hearing is open to the public, portions of it will likely need to be closed to the extent necessary and consistent with statutory and constitutional principles to protect people other than the Sheriff. We would anticipate that any such closures would be limited and narrowly tailored by the experienced hearing officer to address those interests. We would ask that any order you receive (if a lawsuit becomes necessary) would confirm the hearing officer's ability to do that as provided by the approved procedures.

To reiterate, the County seeks transparency in this process and agrees that the Removal Hearing should be open to the public and the County will continue to advocate for transparency throughout this process. We appreciate your interest in this matter and your consideration of our position.

Very truly yours,

JOHN D. NIBBELIN, COUNTY ATTORNEY

By: \_\_\_\_\_

  
John D. Nibbelin, County Attorney

JDN/ag

cc: Honorable Members of the San Mateo County Board of Supervisors  
Thomas Mazzucco, Esq., Murphy Pearson Bradley & Feeney  
David Loy, Esq., Legal Director, First Amendment Coalition  
([dloy@firstamendmentcoalition.org](mailto:dloy@firstamendmentcoalition.org))