



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: 22-1142

December 07, 2022

Introduced: 11/29/2022

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Receive a report concerning the Sheriff's Office oversight options.
- b. Provide direction to staff as appropriate.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive a report concerning the Sheriff's Office oversight options.
- b. Provide direction to staff as appropriate.

SUMMARY:

On September 30, 2020, Governor Newsom signed Assembly Bill (AB) 1185. The law added a new Section 25303.7 to the California Government Code. Among other things, Section 25303.7 vests Boards of Supervisors with discretion to provide for oversight of the county Sheriff by creating (a) an Oversight Board, (b) an Inspector General, or (c) both. AB 1185 took effect on January 1, 2021.

DISCUSSION:

There are very few counties within California that have implemented an oversight body pursuant to AB 1185. Thus, it is difficult to analyze their effectiveness at this juncture. Below is a description of the type of oversight models currently in use:

Inspector General

Orange County is using an inspector general model and has created the "Office of Independent Review". According to their website, the Office of Independent Review "monitors and reviews specific incidents, systemic issues, and assists in developing and assessing corrective actions that address high risk practices related to the Departments it oversees." Orange County's Office of Independent Review performs these tasks for five agencies: Sheriff, Probation, the District Attorney, the Public Defender, and Social Services. The Office of Independent Review is run by County employees and an Office of Independent Review Director was recently hired.

Santa Cruz County is using an inspector general model and staff received direction on January 11, 2022, to "develop a scope of work that meets the requirements of AB 1185 and issue a Request for Proposal or enter into contract with an independent police auditor."

Sacramento County also uses the Inspector General model whose "primary function . . . is to ensure the integrity of the citizen complaint process for all misconduct complaints regarding employees of the . . . Sheriff's Office." Sacramento's establishment of an inspector general predates AB 1185.

Santa Clara County also uses a similar model and created an Office of Correction and Law Enforcement Monitoring in 2018. Santa Clara’s model works through a contractor instead of a hired employee.

Oversight Board

San Diego County uses an oversight board model without an inspector general. Its Citizens’ Law Enforcement Review Board, which was established prior to AB 1185, consists of 11 members appointed by the Board of Supervisors who are tasked to “independently and impartially investigate citizen complaints against San Diego County Sheriff’s deputies and probation officers”.

Oversight Board and Inspector General

Sonoma County uses a dual Inspector General/Oversight model. Sonoma created the Office of Law Enforcement Review and Outreach (“OLERO”) in 2015. In addition, the Board of Supervisors appoints an 11-member advisory council to advise the OLERO Director.

San Francisco uses a similar model with an oversight board that oversees an inspector general. The oversight board was created by a voter measure in 2020.

Los Angeles County also has both an Office of Inspector General and a Citizens Oversight Commission with paid staff. Los Angeles’ Office of Inspector General was established in 2014 “to promote constitutional policing and the fair and impartial administration of justice, and to facilitate the Board of Supervisors’ responsibility” to “supervise the official conduct of officers under Government Code section 25303”.

Other Considerations:

Beyond choosing a model, the Board will need to consider the scope and goals of any oversight model. Some models include providing members of the public with access to data and reports (increasing transparency); looking at particular policies or incidents and providing feedback; and/or reviewing citizen complaints.

OTHER AGENCY INVOLVEMENT:

Not applicable.

FINANCING:

At this stage it is unclear what the cost of establishing an oversight model would be or where the funds for such a model would be budgeted.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared and Approved by:

A handwritten signature in blue ink, appearing to read 'Susan K. Blich', is written over a horizontal line.

Susan K. Blich, Chief Assistant County Counsel, Ext. 5161

Attachments:

Board Report