



## Legislation Details (With Board Report)

**File #:** PAR 22-017      **Name:** Ref 2022.02 Sheriff Oversight Board - Prelim Resp.  
**Type:** Preliminary Analysis Report      **Status:** Agenda Ready  
**File created:** 3/14/2022      **In control:** Board of Supervisors  
**On agenda:** 3/22/2022      **Final action:**  
**Title:** Receive a preliminary analysis report in response to Board Referral No. 2022.02 requesting formation of a Sheriff Oversight Board.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Ref No. 2022.02 (Askew) Sheriff Oversight Board, 3. Completed Board Order Item No. 23

Date	Ver.	Action By	Action	Result
3/22/2022	1	Board of Supervisors	continued	Pass

Receive a preliminary analysis report in response to Board Referral No. 2022.02 requesting formation of a Sheriff Oversight Board.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors receive a preliminary analysis report in response to **Board Referral No. 2022.02** and provide further direction.

**PRELIMINARY ANALYSIS:**

**Referral Summary & Background:** In September 2020, Assembly Bill 1185 (AB 1185) - Sheriff’s Oversight Board was signed into law by Governor Gavin Newsom. The law became effective on January 1, 2021. AB 1185 empowers California counties to institute a sheriff oversight board or office of inspector general, either by action of the board of supervisors or through a vote of county residents. Referral No. 2022.02, submitted by Supervisor Wendy R. Askew, requests that the Monterey County Board of Supervisors consider formation of such an oversight board. The referral further requests that staff return to the Board with an analysis in response to the referral including bylaws, resolution, and summary of anticipated administrative needs to support the oversight board. Said referral was assigned to the County Administrative Office at the January 11, 2022, Board meeting.

**Proposed Project Description:** Staff is seeking additional direction before returning with more specifics on potential cost and administrative needs. Specifically, staff need direction on the Board’s desire as to whether they want to proceed with the hiring of an Auditor/Inspector or to form a committee and what the scope of duties would be for the individual or committee. To date, no other California counties have initiated oversight purely through AB 1185. Rather, inspectors and/or committees have been formed through ordinances, Board action or initiatives.

If the Board chooses to proceed, some of the issues to consider are as follows:

- 1) If an Independent Auditor/Inspector is hired by the County.
  - a. Should it be an independent contractor or employee?
    - i. If independent contractor, should it be for specified contractual term?

- b. Who should this individual report to (Board, CAO, etc.)?
  - c. Should the scope be just Sheriff or all elected departments?
  - d. What is the scope of review?
    - i. Policies, Procedures and Programs
    - ii. Implementation of Policies, Procedures and Programs
    - iii. Budget
    - iv. Staffing
    - v. Citizen Complaints
    - vi. Equity and Diversity Issues
    - vii. Would jurisdiction be concurrent with Grand Jury, HR, CRO, DA, EEOC, DFEH, BSCC, DOJ, etc. or would jurisdiction be only if these entities did not address an issue?
- 2) If an Advisory/Oversight Committee approach is chosen, there are similar issues as to the scope of review and composition of such a committee. Similarly, staff support would have to be determined.
- 3) Finally, some jurisdictions have instituted community advisory committees. This could be an alternate approach. For example, the City of Salinas has a Police Community Advisory Committee which reviews and makes recommendations on Police Department policies, procedures, and community relation strategies. The committee also discusses problems and strategies for appropriate enforcement in specific neighborhoods.

**Estimated Project Cost:** Further analysis is required depending on the direction given by the Board.

**Staffing Level Estimate:** Further analysis is required depending on the direction given by the Board.

**Departmental Challenges:** Preliminary challenges that are foreseen include identifying a preferred model, developing a scope of duties and finding an appropriate funding source.

**Proposed Response Date:** Staff anticipates returning to the Board with further details within sixty days of being provided direction.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

AB 1185 aligns with the Board’s administrative and public safety initiatives by providing an avenue for further accountability and transparency.

Mark a check to the related Board of Supervisors Strategic Initiatives

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

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Attachments:

Board Referral No. # 2022.02 (Askew)