

# Update on Sheriff Oversight

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# Recommendations

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1. ACCEPT an update on the topic of Sheriff oversight pursuant to Assembly Bill 1185;
2. CONSIDER approving a regular reporting structure for the Sheriff's Office as recommended by the Public Protection Committee; and
3. PROVIDE direction to staff.



# Background

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In April and May 2022, the Public Protection Committee discussed the topic of Sheriff oversight, including the following:

- a. The Board of Supervisors authority pursuant to Government Code 25303;
- b. Assembly Bill 1185;
- c. Actions of other Bay Area counties; and
- d. A proposed reporting structure for the Sheriff's Office.



# Board of Supervisors' Authority

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1. Government Code Section 25303 outlines the Board of Supervisors' duty to supervise all county officers, and to ensure they faithfully perform their duties.
2. The code section also states that the Board of Supervisors shall not obstruct the investigative function of the sheriff of the county.



# AB 1185 - Sheriff's Oversight

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1. Introduced by Assembly Member Kevin McCarthy in 2019, and signed into law September 30, 2020, with effective date of January 1, 2021.
2. Adds section 25303.7 to the Government Code
  - a. Authorizing the creation, either by board of supervisor action or vote of county residents, a sheriff oversight board and/or an inspector general.
  - b. Also authorizes the chair of the oversight board and/or the inspector general to issue a subpoena when deemed necessary to investigate a matter within their jurisdiction.
3. Provides that the exercise of powers under Section 25303.7 shall not be considered to obstruct the investigative functions of the Sheriff.



## AB 1185 - Sheriff's Oversight (Cont.)

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4. Not a legislative mandate
5. No state funding was provided by this legislation
6. If established, scope of authority of the Oversight Board and/or Inspector General would need to be determined by the Board of Supervisors



## Actions by Other Bay Area Counties

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1. Four (4) neighboring counties (Sacramento, San Francisco, Santa Clara, and Sonoma) have established an Inspector General or a sheriff oversight board.
2. Two (2) counties (Alameda and Santa Cruz) appear to be in the process of establishing an Inspector General and/or a sheriff oversight board.
3. One (1) county (Solano) requested the Sheriff, County Administrator, and the Chair of their Board of Supervisors to work on the formation of a community forum and requested the Sheriff to identify areas where members of the public can participate in already established committees.
4. The remaining two (2) counties (Marin and San Mateo) have taken no action.



# Proposed Sheriff Reporting

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1. The County Administrator's Office and the Sheriff's Office developed a framework for a quarterly "Oversight Report" to the PPC and/or the Board of Supervisors.
2. This reporting structure is intended to improve the communication and transparency between the Sheriff's Office, the Board of Supervisors, and the community.
3. The reporting structure would provide an update on the activities of the Sheriff's Office and allow for questions and discussion on operational issues. The current areas that would be covered include custody services, field operations, support services, and administration.
4. The Sheriff's Office has prepared a presentation on the specific data points.





## Next Steps

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1. Consider approving a regular reporting structure for the Sheriff's Office to the Public Protection Committee and/or the Board of Supervisors.
2. Provide additional direction to staff.