



Contra
Costa
County

To: Board of Supervisors
From: PUBLIC PROTECTION COMMITTEE
Date: August 9, 2022
Subject: Sheriff Oversight

RECOMMENDATION(S):

1. ACCEPT an update on the topic of Sheriff oversight;
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.

FISCAL IMPACT:

No fiscal impact related to today's item. However, there could be additional costs depending on the direction given to staff. Further analysis of the cost would be required.

BACKGROUND:

Public Protection Committee Discussion

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

1. Board of Supervisors authority pursuant to Government Code 25303;

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☒ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **08/09/2022** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 9, 2022

Contact: Paul Reyes,
925-665-2049

Monica Nino, County Administrator and Clerk of the Board of
Supervisors

By: , Deputy

cc: David Livingston, Sheriff-Coroner

2. Assembly Bill 1185;
3. Actions of other San Francisco Bay Area counties; and
4. A proposed reporting structure for the Sheriff's Office.

BOS Authority – Government Code Section 25303

Government Code (GC) Section 25303 requires the Board of Supervisors to supervise the official conduct of all county officers and ensure that they faithfully perform their duties. This code section also states that the Board of Supervisors shall not obstruct the investigative function of the Sheriff. The full text of GC Section 25303 is included as Attachment A.

BACKGROUND: (CONT'D)

AB 1185

Assembly Bill 1185, which became effective January 1, 2021, added Section 25303.7 to the Government Code. That section authorizes the County to establish a Sheriff oversight board and/or an inspector general to assist the Board of Supervisors with its duties required pursuant to GC Section 25303 that relate to the Sheriff. Creation of a Sheriff oversight board and/or an inspector general would require either action of the Board of Supervisors or a vote of County residents. The bill also authorizes the chair of an oversight board and/or an inspector general to issue a subpoena when deemed necessary to investigate a matter within the jurisdiction of the oversight board or the inspector general. Section 25303.7 also provides that the exercise of powers under Section 25303.7 shall not be considered to obstruct the investigative functions of the Sheriff.

The full text of Assembly Bill 1185 is included as Attachment B.

Actions by Other Bay Area Counties

In reviewing the actions of neighboring counties, four out of nine counties have established an Inspector General or a Sheriff oversight board. Two counties appear to be in the process of establishing an Inspector General and/or a Sheriff oversight board. One county requested the Sheriff, County Administrator, and the Chair of the Board of Supervisors to work on the formation of a community forum and requested that the Sheriff identify areas where members of the public can participate in established committees. The remaining two counties have taken no action. A summary of these actions is included as Attachment C.

Proposed Sheriff Reporting

To improve the communication between the Sheriff's Office, the Board of Supervisors, and the community, and to provide greater transparency, 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. These quarterly reports would provide an update regarding the activities of the Sheriff's Office and allow for questions and public discussion of operational issues. The areas that would be covered include custody services, field operations, support services, and administration. The Sheriff's Office will provide a presentation on the proposed reporting parameters. The Sheriff's Office's presentation is included as Attachment D.

CLERK'S ADDENDUM

Speakers: Caller 6770; No name given; Katherine Wally, Walnut Creek; Patricia Aguilar, ACCE; Theresa, Danville; Elsa; Elaine; Marilyn Hoff, Pinole; Gigi Crowder, Executive Director NAMI; Carol; Stephanie; Melvin Willis, Racial Justice Coalition; Jan Warren, Walnut Creek; Latanya Little, co-founder of Freed for Equity and Diversity (FREED); Karen Beck, Danville; Phil Arnold; Kate, El Sobrante; Doug Leich, Multifaith Action Coalition; Kimberly Gilando, Immigrants Rights Alliance; Andrew; Elsie Mills, Showing Up for Justice (SURJ); Michael Pearson, Racial Justice Coalition; Stephen Beck, Danville; Elder Desiree; Ogie Strogatz, SURJ; Cheryl. Written commentary provided by: Courtney Coon; Veronica Benjamin, Conscious Contra Costa; Elsa Stevens, ACCE; Jeff Macdonald; Stephanie Taddeo; Doug Leich, Multi Faith Action Coalition (attached).

ACCEPTED the report; APPROVED implementation of a quarterly Oversight Report to the Board of Supervisors as recommended and outlined by the Public Protection Committee; DIRECTED the meeting quarterly report be public and televised; REQUESTED a set schedule for the presentation of the reports as soon as is practicable.

ATTACHMENTS

Attachment A - Gov Code Section 25303

Attachment B - Assembly Bill 1185

Attachment C - Summary of Actions by Local Counties

Attachment D - Sheriff's Presentation

Attachment E - CAO Presentation