

IOLERO

Annual Report 2022-2023



ANNUAL REPORT ROADMAP

Table of Contents, Executive Summary, Message from CAC

SECTION I Measure P

SECTION II IOLERO's Budget and Staffing



ANNUAL REPORT ROADMAP

SECTION III Outreach Update

SECTION IV The Complaints and Audits

SECTION V Conclusion



July 2022 – June 2023: IOLERO Summary



- IOLERO fully staffed, June 2023
- IOLERO initiated new projects to implement Measure P
- Increased outreach efforts
- Annual Report back on track to align with Fiscal Year
- 53 complaints received and forwarded to SCSO
- 27 cases returned from SCSO and audited by IOLERO

Measure P Progress

2022-2023



- Letters of Agreement late June 2022 re-confirms IOLERO:
 - Subpoena power
 - Direct access to SCSO records including Body Worn Camera
 - Independent investigations in specific kinds of cases
 - Ability to make recommendations regarding disciplinary actions
 - Investigation of Whistleblower complaints
- Amended Letters of Agreement May 2023 allows concurrent IOLERO and SCSO investigations in fatalities

IOLERO Budget and Staffing 2022-23



- Approved FY22-23 operating budget = \$2,020,415, including funding mandate to equal 1% of Sheriff's Office budget.
- Programs Manager hired July 2022 for Outreach
- One new full-time Auditor, one part-time Auditor, and one full-time Administrative Coordinator hired at the end of the year.
- IOLERO fully staffed by June 30, 2023.

COMPLAINTS & AUDITS

IOLERO received

53 complaints from the public,

All complaints were forwarded to the SCSO for investigation.

SCSO IAD completed and returned

**27 Administrative Investigations,
back to IOLERO for audit**

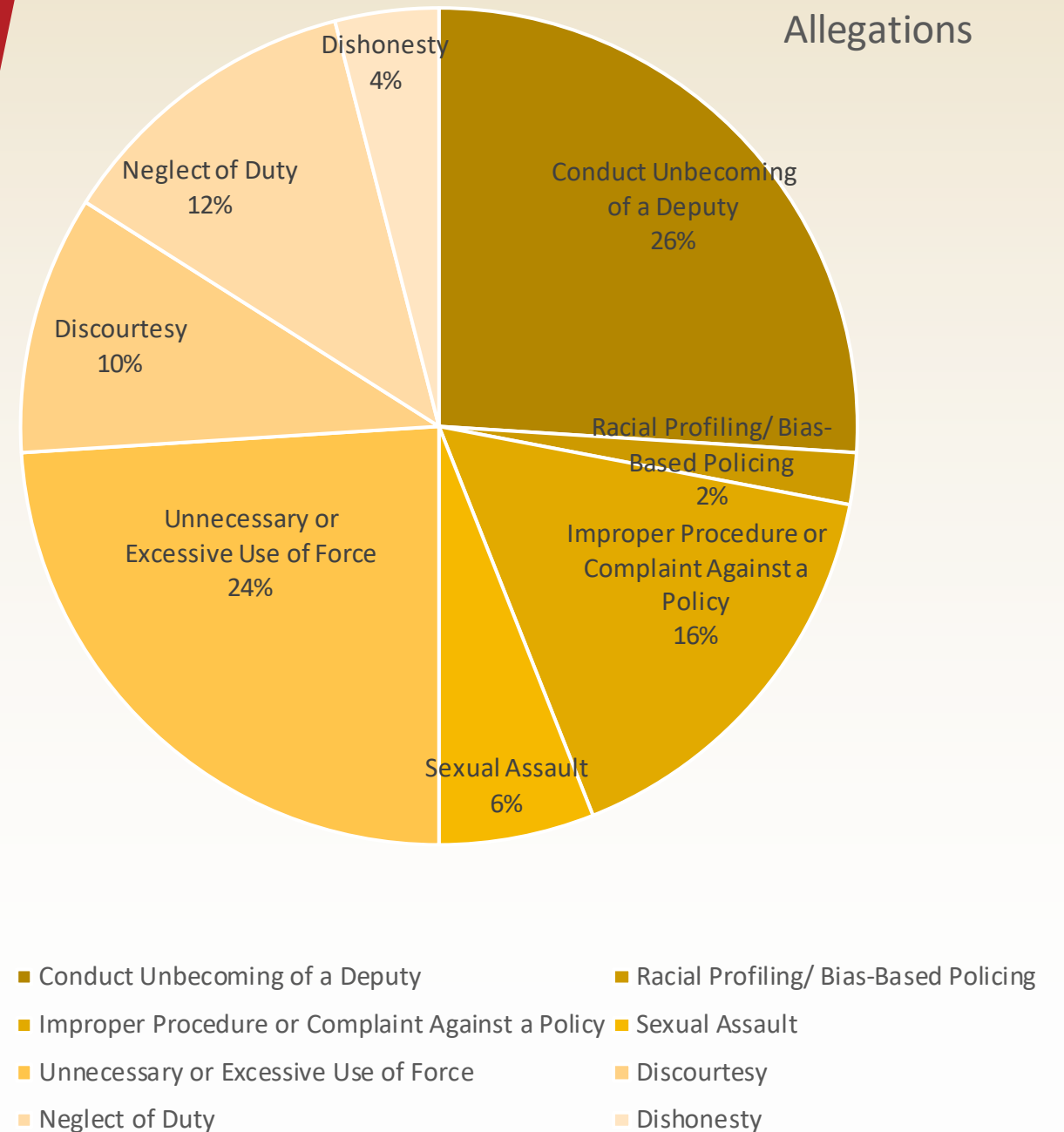
Therefore the anticipated

**IOLERO audit caseload
increases**

in FY2023-2024

IOLERO

By the Numbers



IOLERO AUDIT CONCLUSIONS

When we audit an SO investigation, IOLERO reaches three general conclusions:

AGREE

IOLERO agrees that the finding reached by the SO was justified given the evidence gathered.

DISAGREE

IOLERO believes a different finding was justified given the evidence gathered, usually accompanied by which of the four findings were justified.

INCOMPLETE

The investigation was not thorough enough to reach a conclusion.

Because many investigations include multiple allegations, sometime about multiple deputies, IOLERO may reach different conclusions on different allegations within the investigation. In that case, we will issue a mix of conclusions.

SCSO Investigative Findings

When the Sonoma County SO investigates a complaint, the SO makes four general findings as to each separate allegation of misconduct in that case:

1 SUSTAINED

Means the SO found a violation of its policies based on the evidence.

3 NOT SUSTAINED / INCONCLUSIVE

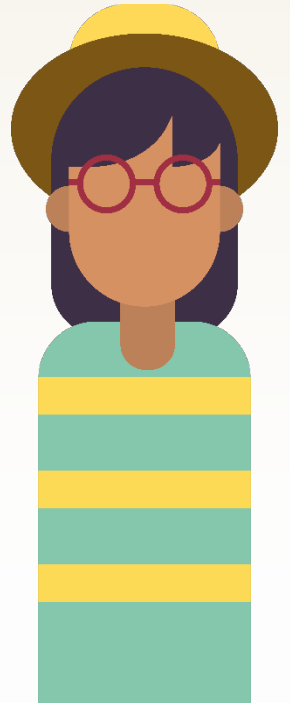
Means there was not enough evidence to prove or disprove the complaint.

2 EXONERATED

Means the SO found there was no violation of policy.

4 UNFOUNDED

Means the evidence does not support the complaint.



IOLERO Audits – New Organizational Scheme

- We now organize the report by subject matter instead of finding.
- Subject Matters in this report:
 - Officer Involved Shootings
 - In-Custody Deaths
 - PREA Investigations
 - Use of Force Reviews
 - Neglect of Duty Complaints
 - Use of Force Complaints
 - Encounters with Homeless Persons
 - MADF (Jail) Claims
 - Canine Use of Force



TRENDS



First, the percentage of SCSO investigations that were INCOMPLETE in this cycle was much improved over the prior cycle.

Incomplete Investigations:

6 of the 27 investigations summarized in this report were incomplete or partly incomplete, or 22%. Last year, more than half were incomplete or partly incomplete.

Checklist:

Moving forward in FY '23-'24, we now have a Completeness Checklist to ensure advance notice to IAD of what constitutes completeness, and also to ensure consistency across IOLERO's audits.

TRENDS



Second, IOLERO concluded SCSO should have SUSTAINED findings as to all canine bites reviewed.

- IOLERO reviewed three cases of bites causing injury in this reporting period. One more from SCSO is pending.
- IOLERO concluded none of the three bites were consistent with policy.
- SCSO policy and practice did not appear to meet current law.

Moving forward in FY '23-'24, IOLERO recommends SCSO:

- * Reexamine policy for legal compliance
- * Reconsider whether policy matches public expectation
- * Reassess training

TRENDS



Third, IOLERO noted that SCSO investigations of Use of Force should be more robust.

While reviewing parallel CRIMINAL investigations of Deputies in fatal use of force cases is a strong start, it is NOT ENOUGH to rely on that investigation alone.

Deputies should be INTERVIEWED to capture their thinking about why they used force.

INCOMPLETE findings were more often found in Use of Force Cases than other kinds of cases:

- *2 of 3 CANINE cases were INCOMPLETE

- *4 of the 6 INCOMPLETE findings were in USE OF FORCE cases

TRENDS



Finally, IOLERO noted two more trends:

Social Media

Some SCSO Social Media postings about cases subject to IAD investigations had material that later proved to not be accurate or complete.

IOLERO encourages use of such statements in order to inform the public, but with greater caution as to the contents.

Timeliness

At least 5 cases (18%) were sent to IOLERO after the deadline to take action had passed.

IOLERO and SCSO are working on timeliness criteria for FY '23-'24.

MOVING FORWARD

In 2023-2024, we
will continue to
work on:

1

More on building out Measure P programs, such as civil case auditing, the first year of the whistleblower program, and more on independent investigations;

2

New IOLERO Investigative Resources, including construction of an interview room, and launching a case management database program.

3

Completing the first iteration of an IOLERO internal policies and procedures manual so our work is transparent and consistent;

4

Writing Timeliness Guidelines and similar tools for measuring and routinizing our work.

THANK YOU

