

IOLERO's Annual Report

2020-21

Annual Report Roadmap

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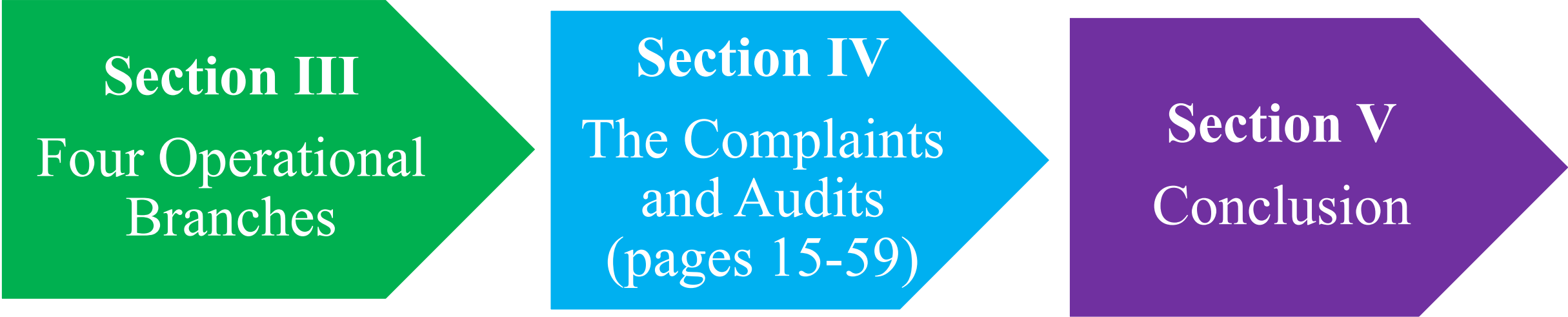
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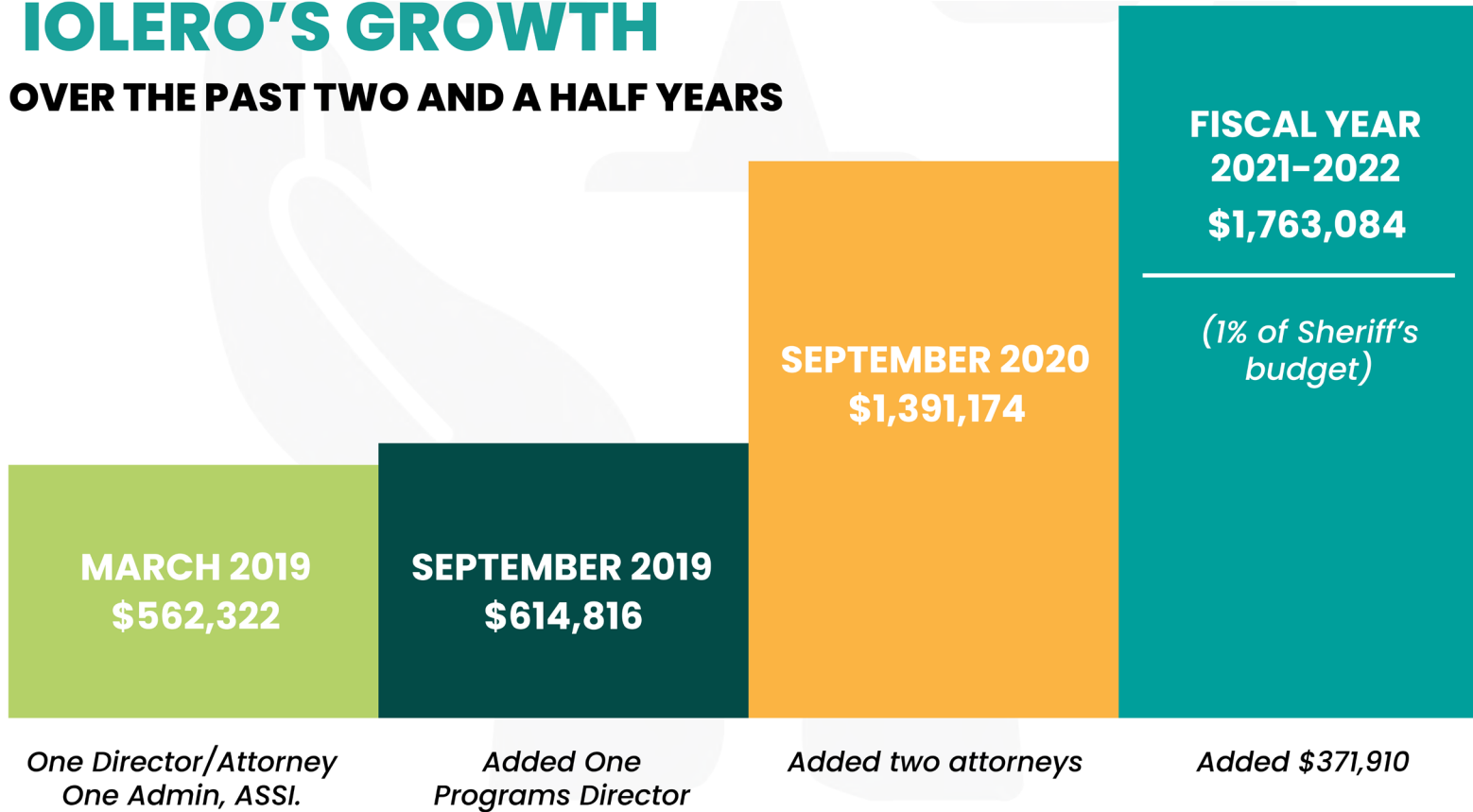
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IOLERO Budget and Staffing

IOLERO'S GROWTH

OVER THE PAST TWO AND A HALF YEARS



Adopted Budget FY 2021-2022

- \$1,763,084
- 1.0 Director/Attorney
- 2.0 Attorneys
- 1.0 Programs Manager
- 1.0 Admin. Asst.

IOLERO's Four Operational Branches

COMMUNITY ADVISORY COUNCIL (CAC)

The CAC makes community-driven policy recommendations, promotes large-scale, systemic reform and community partnership in law enforcement operations.

AUDITS

IOLERO audits the SCSO's investigations of complaints, incidents where force is used and in-custody deaths to ensure the SCSO is following its policies and to make recommendations for institutional improvement.



COMMUNITY OUTREACH

For IOLERO to be effective, the whole community has to be aware of the department and its services.

PROACTIVE WORK

To truly create a change in culture, increase transparency and improve the relationship between the Sheriff's Office and the community, IOLERO must proactively "relationship-build" with both the community and the Sheriff's Office.

Sharing Info with the Public is Limited by Law

Generally speaking, CA law provides protections for two categories of confidential peace officer records: (1) personnel records, and (2) **records of citizen complaints** about individual officers, and reports or findings relating to investigation of such complaints.

The law allows for discussion of the auditor's critiques and evaluation of the administrative investigation, the manner in which the SO's procedures and practices may have contributed to the basis of the complaint and IOLERO's recommendations for institutional improvement.

In 2019, SB 1421 expanded the information that may be shared with the public by creating four exceptions to confidentiality restrictions: cases involving the discharge of a firearm, the use of force causing "great bodily injury" or death, cases involving sustained findings of sexual assault, and cases involving sustained findings of dishonesty.

- Superior Courts interpretation of legal definition to the term "great bodily injury" for the purpose of Public Record Act (PRA) requests.
 - Law enforcement agencies have argued that the more restrictive "serious bodily injury" definition should apply, "a bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ." (Govt. Code, §12525.2, subd. (d).)
 - California courts have interpreted the term broadly. "Some physical pain or damage, such as lacerations, bruises, or abrasions" constitutes great bodily injury." (People v. Washington (2012) 210 Cal.App.4th 1042, 1047-1048)

Audit Categories

When a complaint is investigated, there are four general findings that are made by the SO:

1. **Sustained:** Means the SO found a violation of its policies based on the evidence.
2. **Exonerated:** Means the SO found there was no violation of policy.
3. **Inconclusive:** Means there was not enough evidence to prove or disprove the complaint.
4. **Unfounded:** Means the evidence does not support the complaint.

Summaries

From August 1, 2020 to November 18, 2021:

- Processed 38 complaints against the SO.
- Received 31 completed investigations from the SO.
- Completed more than 30 audits*

IOLERO is on track to completely eliminate its backlog which dates back to 2017.

*Summaries of 25 audits completed as of the drafting of the annual report are included.

Summaries

Sheriff's Office Decisions

- 5 cases were sustained (violation found)
- 12 cases were exonerated (no violation found)
- 8 cases were unfounded

IOLERO's Conclusion

- Agreed (2) and made recommendations
- Incomplete (1) and made recommendations
- Mixed (2)
- Agreed (3) and made recommendations
- Incomplete (2) and made recommendations
- Disagreed (3) and made recommendations
- Mixed (4) and made recommendations
- Agreed (6)
- Incomplete (2) and made recommendations

Trends

1. Incomplete Investigations: Nine of the investigations summarized in this report were incomplete.

2. Issues with medical and mental health treatment at the jail: Five of the audits is connected to medical and mental health treatment.