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Title: The Independent Office of Law Enforcement Review and Outreach (IOLERO) State of the Office Report

Sponsors: Independent Office of Law Enforcement Review and O

Indexes:

Attachments: 1. Summary.pdf, 2. Attachment I - IOLERO Annual Report 2021-2022.pdf, 3. Attachment II - Presentation.pdf, 4. IOLERO annual report response 2023.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|------------------|--------|
| 3/21/2023 | 1 | Board of Supervisors | Information only | |

To: Board of Supervisors

Department or Agency Name(s): Independent Office of Law Enforcement Review and Outreach

Staff Name and Phone Number: John Alden, 707-565-8570

Vote Requirement: Informational Only

Supervisorial District(s): Countywide

Title:

The Independent Office of Law Enforcement Review and Outreach (IOLERO) State of the Office Report

Recommended Action:

- A) Receive the IOLERO 2021-2022 Annual Report
- B) Receive the Sonoma County Sheriff's Office response to IOLERO 2021-2022 Annual Report

Executive Summary:

The Independent Office of Law Enforcement Review and Outreach (IOLERO) was established by county ordinance in 2016, and expanded in 2020 by Measure P. The operational mission of IOLERO is to strengthen the relationship between the Sonoma County Sheriff's Office (SCSO or Sheriff's Office) and the community it serves through outreach and the promotion of greater transparency of law enforcement operations.

To accomplish this goal, IOLERO audits certain complaints against the SCSO, directly investigates a smaller set of high-consequence SCSO incidents and makes policy and training recommendations based on those audits and investigations. IOLERO also works with a Community Advisory Council (CAC) to conduct comprehensive community engagement, promote community-driven policy recommendations, support systemic reform, and build community partnership in law enforcement operations.

Today the Board is requested to receive the 2021-22 IOLERO Annual Report which covers the period from late November 2021 through June 2022. Ideally these reports are presented to the Board shortly after the end of the fiscal year. But historically, IOLERO deviated from this cycle in some years. This report therefore puts

IOLERO back on track for fiscal year reporting, such that the annual report for fiscal year 2022-2023 should be before the Board this fall.

This report details IOLERO's four operational branches, the complaints process, and audit summaries and recommendations, among other topics. Among the issues covered here is the closure of the former audit backlog at IOLERO. Resolution of this backlog allowed IOLERO to start fiscal year 2022-2023 with a fresh slate so that it may better implement Measure P in the current year.

Discussion:

Fiscal Year 2021 - 2022 presented both challenges and accomplishments for IOLERO. Former Director Karlene Navarro was appointed by Governor Newsom to serve as a Judge of the Superior Court and separated from the County in November 2021. In January 2022, the Board appointed Garrick Byers as the Interim Director. Mr. Byers remained the Interim Director throughout the remainder of Fiscal Year 2021-22. Due to the appointment of Mr. Byers, IOLERO was left with one Law Enforcement Auditor until May 2022. IOLERO also experienced other staffing challenges including a vacant Community Engagement Manager position who engages the community through outreach efforts and is the primary support for the Community Advisory Council.

Key in this last year was an order from California's Public Employee Relations Board (PERB) blocking many aspects of Measure P, which Sonoma County voters passed overwhelmingly in November 2020. As discussed in IOLERO's prior report, the order from PERB prevented IOLERO from implementing most of its newfound investigative and review duties under Measure P, leaving intact new rules for the structure of the Community Advisory Council (CAC) and IOLERO funding.

In the final week of the fiscal year, a favorable ruling from California's appellate courts and a negotiated agreement with a series of unions opened the door for IOLERO to begin implementation of all the provisions of Measure P. Moving forward, IOLERO staff is excited to fully implement Measure P.

Sections I-III of this annual report discuss IOLERO's legal authority to do the work of law enforcement oversight, IOLERO's budget and staffing, and IOLERO's work in the community. These aspects of IOLERO remain substantially the same as in the prior report. Because of high turnover during this period, and a series of resulting vacancies, the work of IOLERO was limited largely to resolving the historical backlog of audits. Fewer policy recommendations were completed in this period than in others, and little outreach was completed. Thus, most of this annual report is dedicated to a discussion of the complaints against the SCSO, and reviews of significant cases involving the use of force and in-custody deaths. The SCSO investigates these complaints. IOLERO then reviews those investigations through an auditing process. The audit summaries included in this report describe the facts of these cases as much as is allowed by state law, describes IOLERO's audits of those cases, and notes IOLERO's recommendations for institutional improvement in each case. Despite the staffing challenges during this reporting period, IOLERO resolved the prior backlog of cases discussed in our prior annual report. Some of the backlog cases dated as far back as 2017. Therefore, some of the trends and policy issues mentioned in this Annual Report have since been resolved by the SCSO.

Those who served at IOLERO during this time deserve credit for taking on tough challenges with limited resources. They cleared a significant backlog of cases, closing more cases in the 8-month period reported here that were reported out in any prior annual report. They helped ensure Measure P could be fully implemented now, in fiscal year 2022-2023. They kept the hiring process running so that new staff could be brought on. And they continued to support the Community Advisory Committee.

The Sheriff's Office is also going through its own transition. IOLERO staff is looking forward to working collaboratively with Sheriff Eddie Engram in the upcoming year, as Sheriff Engram has offered.

These transitions set the stage for an exciting, collaborative, and productive 2023. IOLERO staff is looking forward to working with the Board of Supervisors, the Community Advisory Committee, the community generally, and of course with the Sheriff's Office to ensure law enforcement in Sonoma County is transparent and accountable, just as the people of Sonoma County envisioned in Measure P.

Strategic Plan:

N/A

Prior Board Actions:

N/A

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

There are no budget impacts associated with this item.

Narrative Explanation of Staffing Impacts (If Required):

There are no staffing impacts associated with this item.

Attachments:

- Attachment I - IOLERO Annual Report 2021-2022
- Attachment II - Presentation
- Attachment III - IOLERO annual report response 2023

Related Items "On File" with the Clerk of the Board:

None