



## Legislation Text

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**File #:** 2020-0717, **Version:** 1

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**To:** Board of Supervisors

**Department or Agency Name(s):** County Administrator and County Counsel

**Staff Name and Phone Number:** Michelle Arellano (565-2241) and Robert Pittman (565-2421)

**Vote Requirement:** Majority

**Supervisory District(s):** All

**Title:**

IOLERO Ad Hoc Committee Charter

**Recommended Action:**

- A) Review and Approve the IOLERO Ad Hoc Committee Charter.
- B) Approve use of \$40,000 in FY 2020-21 General Fund Contingencies to fund staffing and County Counsel support and community outreach and engagement to lead County coordination of amendments to the IOLERO authorizing ordinance and related policy reforms.
- C) Provide direction to staff on soliciting participation from the District Attorney, Chief Probation Officer and Public Defender to provide support to the IOLERO Ad Hoc Committee.

**Executive Summary:**

On June 23, 2020, the Board directed the formation of an ad hoc committee (IOLERO Ad Hoc) to explore possible amendments to Chapter 2, Article XXVII of the Sonoma County Code (IOLERO Ordinance) and other related policy reforms. The goal of these reforms is to increase transparency and accountability of law enforcement and to rebuild the public's trust in County government and the Sheriff's Office. This proposed Charter provides background, purpose and scope, recommended department and agency staff involvement, and solidifies the structure of the Ad Hoc Committee. The IOLERO Ad Hoc Committee will consist of Chair Susan Gorin and Vice Chair Lynda Hopkins and will be supported by staff from the County Administrator's Office, County Counsel, the Independent Office of Law Enforcement Review and Outreach (IOLERO), and the Sheriff's Office. Staff request the Board approve \$40,000 in FY 2020-21 General Fund Contingencies to cover community outreach and engagement and staff support to the IOLERO Ad Hoc Committee, and seeks direction on whether to engage participation from the District Attorney, Chief Probation Officer and Public Defender to support the IOLERO Ad Hoc Committee.

**Discussion:**

**Background**

George Floyd's death sparked global protests and acutely exposed systemic racism in our nation. While the initial focus has been on law enforcement, the Sonoma County Board of Supervisors acknowledged that institutionalized racial and social injustice pervades all aspects of our community. The Board is committed to

working together with the community to overcome these injustices and continues to explore ways to work with the Sheriff's Office and other law enforcement agencies in Sonoma County to increase transparency and accountability for law enforcement. On June 23, 2020, the Board:

- Formally supported Assembly Bill 1185 (AB-1185), a state bill that would authorize counties to establish sheriff oversight boards and vest those boards with certain powers to ensure they could perform their duties;
- Amended the County's Legislative Platform to add a Law Enforcement Accountability and Transparency Issue to allow the County to take a position on legislation related to police accountability, training, and transparency that arises during the term; and
- Directed the Chair to appoint an ad hoc committee to explore possible amendments to the IOLERO ordinance and other related policy reforms.

In addition, the Board directed staff to coordinate with County departments and agencies, as well as our city partners, to forge a unified approach to law enforcement oversight.

### **IOLERO Ad Hoc Committee Charter**

The IOLERO Ad Hoc Committee Charter (Attachment A) provides background, purpose and scope, recommended department and agency staff involvement, and solidifies the structure of the Ad Hoc Committee. The IOLERO Ad Hoc Committee will consist of Chair Susan Gorin and Vice Chair Lynda Hopkins and will be supported by the IOLERO Director, the Sheriff, and staff from the County Administrator's Office and County Counsel.

The Sheriff has suggested that the IOLERO Ad Hoc solicit the participation of the following Justice Partners: the District Attorney, the Chief Probation Officer, and the Public Defender. The IOLERO Ad Hoc does not believe the District Attorney, the Chief Probation Officer, or the Public Defender are instrumental to the Ad Hoc's review and possible amendment of the IOLERO Ordinance. However, the Ad Hoc agrees with the Sheriff that all of our Justice Partners should have a place at the table in the greater public policy discussions in their capacity as County law enforcement agencies. Should the Board provide direction to include one or more of these departments to provide substantive support to the IOLERO Ad Hoc, staff will modify the Charter accordingly and coordinate with the department staff.

### **Initial Focus**

The IOLERO Ad Hoc Committee will initially focus on reforms to the IOLERO Ordinance. Community advocates and the IOLERO Community Advisory Council continue to request amendments to the IOLERO Ordinance to provide more authority to the IOLERO Director to perform her duties.

Since last fall, proponents of a petition entitled the "Evelyn Cheatham IOLERO Ordinance" have been gathering signatures to place the initiative on the November 2020 ballot. While those signature efforts have fallen short to date, in the wake of George Floyd's death, proponents have urged the Board to place the initiative on the ballot. If adopted, the Evelyn Cheatham Initiative would repeal and replace the IOLERO Ordinance and expand the independence and oversight authority of both IOLERO and the IOLERO Community Advisory Council.

The Charter proposes an ambitious timeline for the IOLERO Ad Hoc to: facilitate a robust community outreach process to solicit input on possible amendments to the IOLERO Ordinance; direct staff and other stakeholders to review and provide comments on the Evelyn Cheatham Initiative; and for the IOLERO Ad Hoc Committee to

develop a list of priority amendments to the IOLERO Ordinance and return to the full Board with recommendations for consideration and direction. The goal of the IOLERO Ad Hoc Committee is to adopt amendments to the IOLERO Ordinance by mid to late October.

Staff request the Board approve the use of up to \$40,000 in FY 2020-21 General Fund Contingencies to support the community outreach and engagement process and cover staff support to the IOLERO Ad Hoc Committee. Staff also requests direction from the Board on whether to engage participation from the District Attorney, Chief Probation Officer and Public Defender to provide additional support to the IOLERO Ad Hoc Committee.

**Prior Board Actions:**

June 23, 2020 - Board approved formation of the IOLERO Ad hoc Committee

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 19-20 Adopted</b>	<b>FY20-21 Projected</b>	<b>FY 21-22 Projected</b>
Budgeted Expenses			
Additional Appropriation Requested		40,000	
<b>Total Expenditures</b>		<b>40,000</b>	
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies		40,000	
<b>Total Sources</b>		<b>40,000</b>	

**Narrative Explanation of Fiscal Impacts:**

For July 14, 2020 through December 31, 2020 staff estimate the cost for initial staff support to the IOLERO Ad Hoc Committee and related community outreach and engagement, will be \$40,000. This includes approximately \$25,000 in staffing costs in County Counsel support (45-75 hours total) and \$15,000 to conduct several community town halls and meetings to solicit public input on proposed amendments. If approved, budget adjustments will be made as part of the second round of FY 2020-21 Supplemental Budget Adjustments.

From January 2021 onward, the Board may consider additional funding based on the results that come out of Phase 3 of the IOLERO Ad Hoc Charter.

<b>Staffing Impacts:</b>
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<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

**Attachments:**

Attachment A: IOLERO Ad Hoc Committee Charter

**Related Items “On File” with the Clerk of the Board:**