



## Meeting Minutes

Independent Office of Law Enforcement Review and Outreach (IOLERO)

Community Advisory Council (CAC)

January 8, 2017, 5:30pm-7:30pm

PRMD Public Hearing Room, 2550 Ventura Ave., Santa Rosa CA 95403

CAC Members: Joanne Brown (leave of absence), Rick Brown (Vice-Chair), Emilia Carbajal, Evelyn Cheatham (Chair), Elizabeth Cozine, Alma Roman Diaz, Jim Duffy, Ramon Meraz, Maria Pacheco, (two vacancies).

### 1. CALL TO ORDER

*Vice-Chair Rick Brown called the meeting to order at 5:30pm.*

### 2. ROLL CALL

*All the members, with the exception of Chair Cheatham and Member Joanne Brown were present; Chair Cheatham arrived late; Member Joanne Brown is on an approved leave of absence.*

### 3. ANNOUNCEMENTS; ADJUSTMENTS TO AGENDA; BRIEF MEMBER REPORTS (up to 10 minutes)

*Vice-Chair Rick Brown informed the group the Member Joanne Brown is taking a temporary leave of absence, as she was appointed as a judge pro tem on the local Superior Court to fill a short-term position, and this precludes her from serving on a public body.*

*Member Ramon Meraz introduced Commissioner Carmen Cervantes from the Sonoma County Human Rights Commission who was in attendance, as she serves as a liaison to IOLERO in her Commissioner role.*

*Member Duffy announced that he would be tabling on behalf of the CAC and IOLERO at an upcoming Martin Luther King Jr. event at Santa Rosa High School and that he welcomed additional volunteers. He also informed the group about the annual MLK Jr. event at Community Baptist Church as another volunteer opportunity.*

*Member Cozine detailed her experience with use of force training at the Sheriff's Office, including the use of force simulator, and that it helped her have a greater understanding of policies and practices in this area. She encouraged other members to attend future trainings, if given the opportunity.*

### 4. SONOMA COUNTY PUBLIC DEFENDER AND HOMELESS INTERACTIONS WITH JUSTICE SYSTEM (up to 45 minutes)—discussion

- Presentation by Sonoma County Public Defender Kathleen Pozzi (up to 15 minutes)  
*Sonoma County Public Defender Kathleen Pozzi detailed her experience at the Public Defender's Office, and her focus as Public Defender on immigration issues, homelessness, as well as mental health. Her office has adopted a more holistic approach to representation of homeless clients, who she characterizes as individuals without stable housing, by collaborating with various local service providers to refer homeless individuals to the "Homeless Court." This court handles misdemeanor cases on a quarterly basis, and it allows for homeless individuals to have all their past-due fees and fines vacated in-lieu of community service, on the condition that they participate in the services offered by the referring agency. She detailed how homeless clients are*

*often willing to attend the court and accept community service, but there have been challenges with individuals participating in the services or accepting the requirements of the referring agencies. Each quarterly session of the homeless court process the cases of about 15 clients. Participating referring agencies include: Committee on the Shelterless, West County Community Services, Catholic Charities, and the Sonoma County Probation Department (among others). Public Defender Pozzi detailed her office's participation in Project HOPE. Pozzi also described that her office acts as a planning partner for the proposed Roseland Village Homeless Navigation Center, which will offer residents of Camp Michaela/Remembrance Village wraparound housing and legal navigation services. She then stated that the Sheriff, Assistant Sheriff Randall Walker, and the District Attorney have been clear that minor, so-called "quality of life" crimes associated with homelessness are not a priority, and individuals should not be subject to arrest unless there a more serious violation such as narcotics, refusal to leave areas, or battery on police officers.*

- Discussion from CAC members (up to 15 minutes)  
*Member Cozine asked how long the homeless court has been in existence. According to Public Defender Pozzi, the court just finished its first year and has served approximately 45 clients over that time. Member Cozine then asked what recommendations would Public Defender Pozzi, based on her experience, suggest to the Sheriff's Office to improve their interactions with this population. Public Defender Pozzi stated that a best practice would be for all deputies to carry homeless resource guides, because she believes that many homeless people aren't always aware of the full range of services that are available.*

*Vice-chair Rick Brown asked if there are any changes in policies or practices based her office's interactions with the Sheriff's Office that would make them a better partner. Once again, Public Defender Pozzi highlighted how helpful it would be if deputies could carry homeless resource guides.*

- Public Comment (up to 15 minutes)  
*Public Comment Speakers:*  
*Gregory Fearon*  
*Linda Picton*  
*Anita LaFollette*  
*Victoria Yanez*  
*Bernice Espinoza*

*Member Cozine then asked the Public Defender if she had any insight into how difficult it is for homeless individuals to retrieve their belongings following an arrest. Public Defender Pozzi stated that local law enforcement agencies will store belongings for safekeeping, but any possessions not seized during an arrest are left behind and it is very unlikely that an individual will find them upon their release. She then detailed how her office is exploring the idea of a public repository where homeless individuals could leave copies of vital documents that often get lost during arrests, such as driver's licenses, birth certificates, marriage licenses, military separation paperwork, etc.*

*Vice-chair Rick Brown asked if the Public Defender takes up issues around unreasonable search and seizures during homeless sweeps, and the Public Defender indicated her office files procedural motions to suppress any evidence seized during an unlawful search, particularly any evidence which may have come from a homeless person's tent, as that is considered a domicile*

*and afforded protections from unreasonable searches. Member Rick Brown then asked if the Sheriff's Office is trained in recognizing that homeless individuals in tents are afforded 4<sup>th</sup> Amendment protections, and the Public Defender indicated that the Sheriff's Office is well trained in this area, but she has heard of instances where an unlawful search will occur and the individuals is not arrested, therefore her office may never see any formal documentation that such an unlawful search occurred.*

*Director Threet then asked the Public Defender to clarify whether her office has 18,000 clients or cases a year, and the Public Defender stated her office has 18,000 cases a year. Director Threet then asked if she knew what percentage of those cases were for unsheltered residents, and the Public Defender stated that she would like to know that number and she has asked all her attorney's to document in their case management system; however, due to staff sometimes not entering this information given demands of their caseloads, she is unable to provide reliable statistics. She estimates that about 20% of her clients have unstable housing, although the percentage may be even higher than that.*

*Member Pacheco then asked if the Public Defender could offer any suggestions for dealing with the issue of lost property that oftentimes will occur because of an arrest, and the Public Defender stated it would be ideal if there was an agency that would assist in retrieving belongings for safekeeping following an arrest.*

## **5. HOMELESS ADVOCATES, INDIVIDUALS, AND SERVICE PROVIDERS (up to 1 hour)—discussion**

- Presentation by Adrienne Lauby of Homeless Action and homeless and/or formerly homeless individual(s) (up to 15 minutes)

*Ms. Lauby summarized a recent Homeless Talk report on the root causes of homelessness and perceptions of homeless individuals in Santa Rosa and Sonoma County, and she then introduced Mark Esposito. Mr. Esposito is a long-time resident of Sonoma County, a veteran, father, grandfather, one-time homeowner and business owner, and a former convicted felon who is now homeless. Mr. Esposito detailed his experiences with Sonoma County Sheriff's deputies and his perception of a general level of aggressiveness and lack of compassion exhibited by some deputies, while other deputies go out of their way to be helpful in a manner not required by their duty.*

*Ms. Lauby then provided some statistics on homeless count numbers in Sonoma County, which states that there are 2,835 homeless people in Sonoma County, but according to other estimates provided to Ms. Lauby, there are likely twice as many homeless residents in the county. This discrepancy largely is attributable to the annual homeless census not accurately counting individuals, and not considering individuals with non-stable housing as truly being homeless. She then detailed that homeless residents of color, e.g., Latinos, Asians, Native Americans, etc., represent a larger percentage of the homeless population when compared to their overall census numbers. She suggested that even this number may underrepresent the number of people of color with insecure housing, as these communities often house family members instead of letting them become homeless. This dynamic also creates situations where there's additional household stress for these families, and these individuals may not have access to homeless services because they are considered to have housing. Ms. Lauby then described trends towards the criminalization of homelessness in cities, largely through issuing infractions on so-called "quality of life" crimes, such as sleeping in public places, loitering, etc. According to Ms. Lauby, the Santa Rosa Police issued roughly 1,100 of these types of infractions over a two-year period. She then detailed how local shelters, in particular Sam Jones, have restrictions*

*against pets or couples sleeping together, and these restrictions, along with the generally crowded, unsafe and chaotic atmosphere, discourage homeless residents from using the shelter. She also described instances where victims of domestic violence are unable to use the shelter because their abuser is living there as well. Ms. Lauby then provided a list of essential property that the Sheriff's Office and other law enforcement agencies should consider for storage when they arrest a homeless individual (see attached following minutes). Ms. Lauby then asked the CAC to consider bringing the following recommendations to the Sheriff's Office: standardized training on homelessness, increased protection of property and storage, the adoption of a local Homeless Bill of Rights, and additional mental health services.*

- *Presentation by Akash Kalia of the Palms Inn (up to 15 minutes)*  
*Mr. Kalia is the owner of the Palms Inn, which is located in the unincorporated area of Santa Rosa. He detailed his experience working proactively with the Sheriff's Office to address previous issues with drug activity and prostitution at the hotel, and the development of a close working relationship with deputies. He then detailed the shift of the Palms Inn from a traditional residential hotel to a permanent supportive housing site for formerly homeless individuals and veterans. Mr. Kalia described a study commissioned by the Palms, which showed that in the first 6 months of operations, residents of the Palms saw a reduction of ambulance transports by 56%, admittance to emergency rooms and in-patient hospitalization went down by 45%, interactions with law enforcement reduced by 77%, and use of suicide hotlines and crisis intervention went down by 98%, when compared to when the residents were homeless. Mr. Kalia emphasized the dynamic and complex nature of homelessness, but based on his experience, how important mental health services are in addressing some of the core issues that lead to homelessness. To this end, he advocated greater support for the Sonoma County Behavioral Health's Mobile Support Team, as they are limited in the hours that they can offer their services.*
- *Discussion from CAC members (up to 15 minutes)*  
*Chair Cheatham asked if the Sam Jones Shelter similarly tracks the statistics Mr. Kalia cited, and he suggested that they may track but he is unsure.*

*Member Meraz asked about the population staying at the Palms and whether they are permanent residents. Mr. Kalia stated the Palms is permanent supportive housing with no sunset date, although some individuals do transition out of the Palms into other situations.*

*Member Pacheco asked how many units are at the Palms and how many residents have transitioned out of the Palms since its inception. According to Mr. Kalia, there are 104 units and approximately 14%-18% of the residents have transitioned to alternative housing. Member Pacheco then asked for clarification on the Mobile Support Team, and Mr. Kalia described that this is a program of Sonoma County Behavioral Health that will provide mobile crisis intervention services. He then described an experience on a ride-along with Santa Rosa Police Department, where he encountered a homeless youth undergoing a crisis, and Mr. Kalia was able to advise the SRPD officer about the Mobile Support Team as the officer was previously unaware of that service. Member Pacheco then questioned Mr. Kalia's opinion of the Mobile Support Team, and he indicated that it was great, although there have been instances where he was unable to get a response from the program due to their limited hours.*

*Director Threet described how the Mobile Support Team not only has limited hours, but also a limited geographic availability, as their service response tends to be clustered around Santa*

*Rosa. He suggested that limitations on responsiveness also could be due to the small number of staff assigned to the Mobile Support Team compared to the demand.*

*Member Cozine thanked Mr. Kalia for work with the Palms, and recounted how her husband is a firefighter who is stationed near the Palms Inn, and her report that there has been a significant reduction in calls for emergency service in the area following the establishment of the Palms Inn as permanent supportive housing. She then offered her support for forming a recommendation to increase resources for the Mobile Support Team, given all the restrictions on hours, service area, etc. Member Cozine then suggested that IOLERO complaints forms be provided at locations that serve the homeless so there is greater awareness around the resources the office provides.*

- Public Comment (up to 15 minutes)

*Public Comment Speakers:*

*Gregory Fearon*

*Linda Picton*

*Gerry La Londe-Berg*

*Victoria Yanez*

#### **6. GOVERNANCE COMMITTEE (up to 15 minutes) – discussion & possible action item**

***Motion:** Member Duffy moved to table this item given that the meeting was running late, this was seconded by Member Pacheco and passed unanimously.*

*Member Rick Brown requested that the Homeless Working Group compile their recommendations in advance of the next meeting.*

*Member Carbajal then inquired about the status of the Sheriff's Office draft homeless policy that was mentioned at a previous meeting of the CAC, and Director Threet indicated that the Sheriff's Office was working on a draft, although he hasn't received a copy and he would inquire about the status.*

- Governance Committee Self-Assessment Survey Results (up to 5 minutes)
- Possible discussion from CAC members (up to 5 minutes)
- Public Comment (up to 5 minutes)

#### **7. REVIEW/APPROVAL OF MINUTES (up to 5 minutes)**

*Member Cozine moved to approve the minutes as amended; this was seconded by Member Meraz and passed unanimously.*

#### **8. IOLERO DIRECTOR'S REPORT (up to 5 minutes)**

*Director Threet stated that as a result of the October fires, all county departments are expected to provide a weekly update on their activities which support fire recovery efforts, submit a work plan on how their office will continue to support fire recovery efforts over the next 18 months, and that all the departments were directed by the County Administrator to propose 2%/4%/6% budget reduction plans for the coming fiscal year because of potential budget shortfalls. He then stated that December 2017 marked the expiration of the CAC member's appointment to the body, and with Member Terry not being present at numerous meetings of the CAC, along with his inability to make a commitment to attending future meetings, that he did not renew Member Terry's appointment. Finally, he detailed*

*IOLERO's application and acceptance into the AmeriCorps Vista program, and following a successful recruitment, the Vista member will assist with community outreach and engagement with an emphasis on the Latinx and immigrant communities.*

**9. GENERAL PUBLIC COMMENT (up to 15 minutes):** Public comment for items not listed on the agenda

- Public comment is normally limited to three minutes per person, unless adjusted by the Chair.

*Public Comment Speakers:*

*Gregory Fearon*

*Mark Esposito*

**10. ADJOURNMENT**

*The meeting was adjourned at 8:01pm.*

**11. NEXT MEETING OF CAC: MONDAY, FEBRUARY 5th, FROM 5:30PM-7:30PM, AT PRMD HEARING ROOM (2550 VENTURA AVE, SANTA ROSA CA 95403)**

**Disabled Accommodation**

If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting please contact:

The Independent Office of Law Enforcement Review & Outreach, (707) 565-1534 or email:

[Beau.Anderson@sonoma-county.org](mailto:Beau.Anderson@sonoma-county.org)

Please contact us as soon as possible to ensure arrangements for accommodation.

**Commitment to Civil Engagement**

All are encouraged to engage in respectful communication that supports freedom of speech and values diversity of opinion. CAC Members, Staff, and the public are encouraged to:

- Create an atmosphere of respect and civility where CAC Members, County Staff, and the Public are free to express their ideas within the time and content parameters established by the Brown Act and the CAC's standard Parliamentary procedures (Robert's Rules of Order);
- Adhere to time limits for each individual speaker, in order to allow as many persons as possible the opportunity to be heard on as many agenda items as possible;
- Establish and maintain a cordial and respectful atmosphere during discussions;
- Foster meaningful communication free of attacks of a personal nature and/or attacks based on age, (dis)ability, class, education level, gender, gender identity, occupation, race and/or ethnicity, sexual orientation;
- Listen with an open mind to all information, including dissenting points of view, regarding issues presented to the CAC;
- Recognize it is sometimes difficult to speak at meetings, and out of respect for each person's perspective, allow speakers to have their say without comment or body gestures, including booing, whistling or clapping;

**Public Comment at Community Advisory Council Meetings**

Members of the public are free to address the CAC. Public comments:

- Should fall under the subject matter jurisdiction of the CAC (as noted in the founding documents).
- Are limited to up to 3 minutes *per person per agenda item*; time limitations are at the discretion of Chair and may need to be adjusted to accommodate all speakers.

While oral public comment on agenda items is always available during CAC meetings, the public also is invited to communicate with IOLERO staff and CAC members through email, which will be included in the agenda for the next meeting of the CAC following receipt of the email. Members of the public who would like to make statements that may exceed the time limits for public comment, suggest topics to be placed on future agendas, or suggest questions to be raised and discussed by CAC members of staff, may send an email of any length addressing these matters to [Beau.Anderson@sonoma-county.org](mailto:Beau.Anderson@sonoma-county.org)

CAC members may not deliberate or take action on items not on the agenda, and generally may only listen. Should CAC members wish to deliberate on an issue raised during public comment, that issue may be placed on a future agenda of the CAC for discussion and possible action.