



Independent Office of Law Enforcement Review and Outreach (IOLERO)
Community Advisory Council (CAC)
Public Meeting Agenda
April 2, 2018, 5:30pm-7:30pm
PRMD Public Hearing Room, 2550 Ventura Ave., Santa Rosa CA 95403

CAC Members: Joanne Brown, 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**
2. **ROLL CALL**
3. **ANNOUNCEMENTS; ADJUSTMENTS TO AGENDA; BRIEF MEMBER REPORTS (up to 10 minutes)**
4. **CAC ANNUAL PRIORITIES (up to 30 minutes) – discussion & possible action item**
 - Report of Working Group (up to 10 minutes)
 - Discussion among CAC members of possible future goals of CAC (up to 10 minutes)
 - Public Comment (up to 10 minutes)
5. **SONOMA COUNTY SHERIFF'S ELECTION CANDIDATE FORUM (up to 30 minutes)— discussion & possible action item**
 - Report of Working Group (up to 10 minutes)
 - Discussion from CAC members (up to 10 minutes)
 - Public Comment (up to 10 minutes)
6. **HOMELESS POLICIES WORKING GROUP (up to 30 minutes)—discussion & possible action item**
 - Homeless Policies Working Group Policy Recommendations (up to 10 minutes)
 - Discussion from CAC members (up to 10 minutes)
 - Public Comment (up to 10 minutes)
7. **REVIEW/APPROVAL OF MARCH 5, 2018 DRAFT MINUTES (up to 5 minutes)**
8. **IOLERO DIRECTOR'S REPORT (up to 5 minutes)**
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.
10. **ADJOURNMENT**
11. **NEXT MEETING OF CAC: MONDAY, JUNE 4TH, FROM 5:30PM-7:30PM, AT PRMD HEARING ROOM (2550 VENTURA AVE, SANTA ROSA CA 95403)**

**Progress Report on the Sheriff Candidates Primary Forum and Debate
Submitted to the IOLERO Community Advisory Council
From the CAC's Forum and Debate Working Group
(Joanne Brown, Emilia Carbajal, Jim Duffy)
Dated: March 28, 2018**

We have confirmed the three candidates for Sheriff for participation in a Forum and Debate on April 30 from 6:30 to 8:15 at the Santa Rosa Veterans Building's Auditorium. The venue has been booked courtesy of Beau. A copy of the proposed layout is attached.

As of this writing, confirmed co-sponsors are the Sonoma County Commission on the Status of Women and the Sonoma County Commission on Human Rights. By the time the CAC meets, we may have other co-sponsors. We are only accepting co-sponsors who are groups that will never issue an endorsement (basically governmental entities and IRS 501(c) (3) charitable entities). As of this writing, at least two other groups are actively exploring becoming co-sponsors. Co-sponsorship will include the obligation to contribute towards the cost of the event and to publicize the event to your membership, the right to have an information table at the event, and the right to participate in the meeting where we will select the questions to be used at the event.

We have conducted outreach to the over 20 groups and individuals to gather potential questions for the event. We told the candidates that it is our intent to provide them with a list of all potential questions two weeks prior to the event to ameliorate any concerns about "gotcha" questioning. Our purpose here is to display the differences between the three candidates, their visions, experience and management styles. Outreach included the candidates and their campaigns, employee groups who work with the Sheriff (DSA, SCLEA, DA and PD employee groups, etc), organizations that have endorsed any of the candidates, event co-sponsors and potential co-sponsors, and organizations that have been involved in LE accountability and transparency in Sonoma County over the past three decades (Women's Justice Center, Police Brutality Coalition, etc.) **If any CAC member has ideas and contact information for groups that we should reach out to for potential questions, please pass them along to the working group as soon as possible.** The script that we used for this outreach is as follows:

"For the first time in over a quarter of a century we are fortunate in Sonoma County to have a contested race for Sheriff during which the public can have a discussion with candidates about their vision for the office. We have three candidates, all who of whom are qualified, all with different visions for the office and different management styles.

The Community Advisory Council for the Sonoma County Independent Office for Law Enforcement Review and Outreach, the Sonoma County Commission on the Status of Women, and the Sonoma County Commission on Human Rights are co-sponsoring a Forum and Debate for the Candidates at 6:30 on April 30 at the Santa Rosa Veterans Building. We encourage the public to attend and to submit questions for the candidates. Questions may be submitted to either jmbrown.iolerocac@gmail.com, emiliacarbajal.cac@gmail.com, or jim.duffy.iolerocac@gmail.com. Deadline for question submission is April 13.

We hope to see an engaged electorate at the event on April 30!

Please consider submitting questions and sharing this announcement with your members."

All questions submitted will be entered into the potential question list as submitted. Having a full list of submitted questions to give to the candidates from the broader community is extremely valuable to educate the next Sheriff on the issues and questions that are of concern to the public. Final questions for the event will be selected by the IOLERO Director, the Event Working Group and the Co-sponsor Representatives collaboratively the week before the event. After the candidates have had the questions for a few days we are going to ask them if there are ones from the list that they think should be asked to draw the greatest distinctions between themselves and their opponents. As of this writing the list of potential questions stands at 36 (the proposed format will allow for 15 to be selected). This list is growing every few days.

In order to have an event which is as impactful as possible, we have proposed a mixed format event with four parts: (1) yes/no lightning round questions, (2) 6 long answer questions; (3) 5 minutes to expand on their lightning round answers, and (4) questions from the candidates to each other.

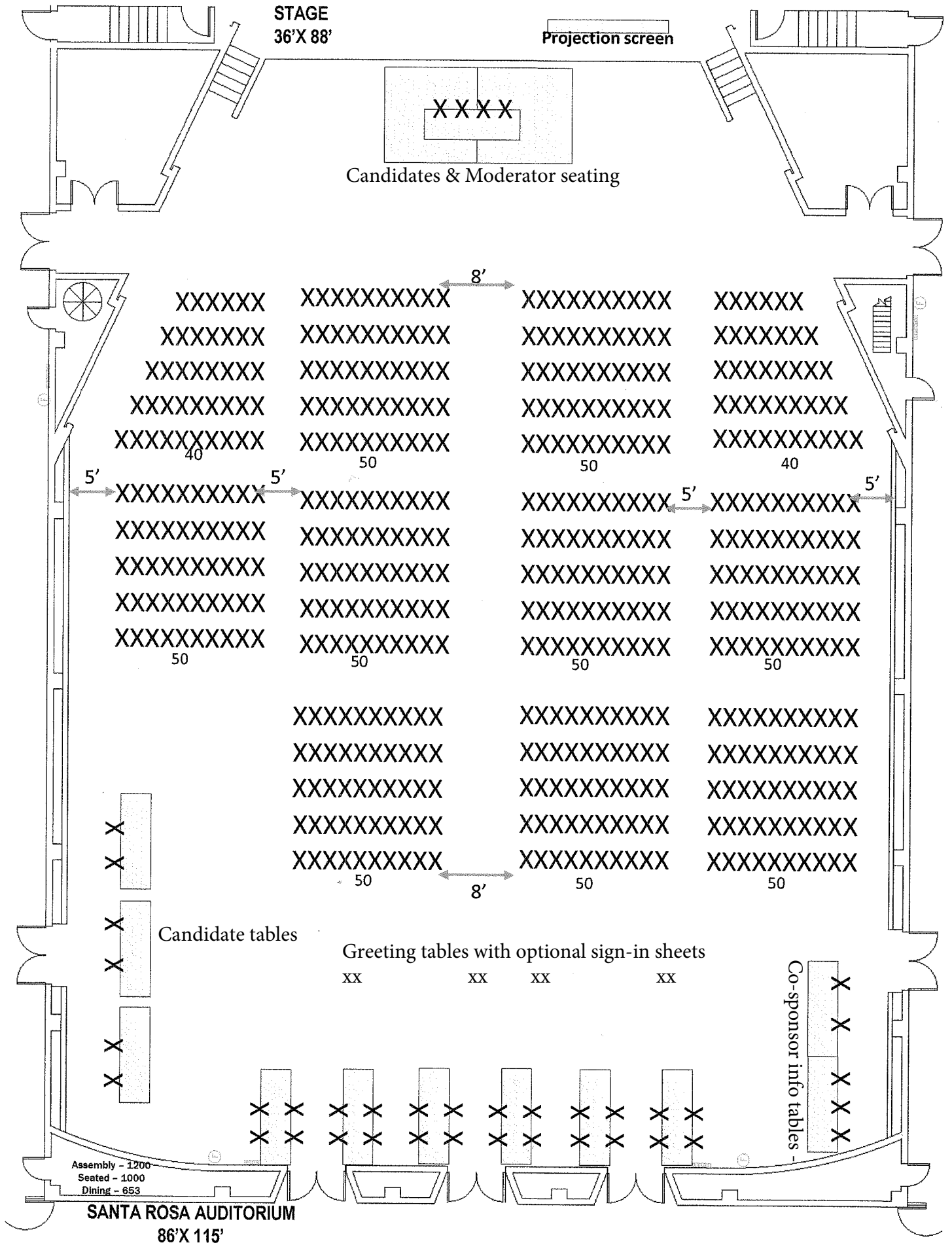
Below is the proposed time breakdown (it moves fast):

- One minute Moderator Introduction
- Candidate Opening Statements – 90 seconds each
- Nine Lightning Round “Yes/No” questions (1 Minute for moderator to ask and 5 seconds per candidate to respond)
- Six Typical Open-Ended Questions (30 seconds for moderator to ask and 90 seconds per candidate to answer)
- Candidates Explain Lightning Round Answers (by this point we have had time to input the candidates’ yes/no answers into a chart and project it on the screen to display the clear differences between their positions. They now get 5 full minutes each to describe why their answers are the correct ones.)
- Inter-Candidate Questioning (Each candidate is asked to come with 3 prepared questions – one for each of their two opponents as an individual and one to be asked to both of their opponents. The candidates get one minute per ask and two minutes per answer.)
- Candidate Closing Remarks at 3 Minutes each

Total time for this proposal is 95 minutes. It is sure to run over and we have the facility for only 2 hours to keep on budget which is roughly \$550 with rental and translation services.

In acknowledgment of the long-standing, often-cited, and never resolved issues with workplace diversity in the Sonoma County Sheriff’s Office, the Working Group had an initial desire for a moderator who is a woman of color. At this point we may be moving to someone who is a woman or a person of color. We have had a few declinations due to conflicts of interest or prior endorsements. The search is ongoing.

Outreach and Publicity will be a main focus of the time between the CAC meeting and the event.



**Sheriff's Department Homeless Policy Recommendations by the Working Committee of the
Community Advisory Council to the Independent Office of Law Enforcement Review
March 28, 2018**

We would like to thank everyone who has supported the CAC for the past few months in providing much needed education, information, and thoughtful points, questions, and feedback for all of us to review. A small working committee comprised of Maria Pacheco, Ramon Meraz, Alma Roman Diaz, and Emilia Carbajal, got together and congregated all of the information above and conducted our own research into issues relating to law enforcement and people facing homelessness.

We quickly learned that homelessness is a community-wide issue which needs to be addressed in a coordinated manner through the collaboration and efforts of homeless advocates, mental health professionals, health care agencies, community-based organizations and other public and private agencies. However, knowing that law enforcement does play a prominent role in how homelessness is viewed and treated in our community we decided to focus on the scope of the CAC's role- to provide recommendations to the IOLERO in its effort to in turn provide recommendations to the Sheriff's Department. We generated draft policy recommendations concerning the Sheriff's Department interaction with people experiencing homelessness in Sonoma County. Our understanding is that the Sheriff's Department is currently working on a draft policy concerning this very topic. We have based our recommendations on current successful programs utilized by other law enforcement agencies in the US, research, testimony by homeless individuals and community members.

Thus, the following are recommendations to the Sheriff Department's Homeless policy for Sonoma County:

1. The Sheriff's office will develop a Homeless Outreach Team (HOT) comprised of officers who have received training on issues specific to homelessness and are comfortable/compassionate with that population. (<http://www.calea.org/calea-update-magazine/issue-107/colorado-springs-police-department-s-hot-program-providing-outreach-> . These designated officers can host community meetings with homeless individuals, advocates, service providers and community partners (i.e. members of Homeless Action! And/or volunteers), mental health professionals and social workers to develop realistic solutions. The emphasis is to enhance communication and trust between law enforcement, homeless individuals and service providers. <https://www.policeone.com/iacp-2017/articles/435016006-IACP-Quick-Take-How-H-O-T-cops-are-helping-the-homeless/>
2. New officers will receive a 2hour training, (Homeless 101) which can be sponsored by a legal clinic for the homeless and includes presentations by previous homeless individuals, information on the homeless bill of rights, constitutional rights and local resources. This training will include how officers approach homeless individuals who call in for assistance. The individual's needs will be addressed without reference to their state of homelessness. <http://wraphome.org/wp-content/uploads/2017/10/EnglishHBRUpdatedVersionOctober2017.pdf>, http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_0601-0650/sb_608_bill_20150227_introduced.html

3. All Sheriff deputies will have resource cards which include available shelters, medical services, mental health hotline, homeless help line, 24-hour shelter hotline and community advocacy group contact information. This information will be revised annually. <https://www.hhs.gov/programs/social-services/homelessness/resources/index.html#ResourcesforPersonsExperiencingHomelessness>
4. HOT member can apply for grants specifically for homeless services. A high percentage of homeless individuals have mental health/substance abuse issues, there is money available to provide services. <https://www.samhsa.gov/grants>
5. Continue collaborating with Sonoma County Behavioral Health Division to train deputies in Crisis Intervention and De-escalation. A 4 day/32-hour training which started in 2008 and expand hours or have on call services. <http://www.sonoma-county.org/health/services/citmst.asp>
6. The Detention Administration shall designate one or more officers to work with the homeless population and homeless services. The officers shall have available homeless affidavits waivers for free California birth certificates and free California ID. The officer shall certify homeless status on affidavits. The affidavits will be placed in inmates valuable property and released to inmate upon release.

7. Personal property Storage

One of the most challenging aspects of not having a home is the storage and maintenance of personal property. The protection of a home, no matter how small it may be, allow people to maneuver their daily lives with the comfort of knowing that everything they have worked hard to obtain is safely kept from exposure to environmental and social elements. But for some, this is a privilege they do not have. There are members in our community that do not have a home and must carry and protect everything they own at all times such as birth certificates, toiletries, medications, cell phones, photos, blankets, tents, and other belongings.

The risk of losing or having such property destroyed often comes up when a law enforcement agent is tasked with interacting with the individual or the individual's personal belongings in a public space. As many know, personal property is subject to Constitutional protections. To date, there is no Sheriff's Department policy on law enforcement interaction with homeless individuals and their property.

However, since 2017, Sonoma County has seen the Sheriff's Department embrace the need to change and or adopt new policies for the often unrecognized, vulnerable, and underrepresented residents of this county and that includes individuals who do not have a home. Currently, the Sheriff's Department is working on a policy to address law enforcement interaction with the homeless community in Sonoma County.

Sonoma County residents have a special opportunity to provide feedback in anticipation of this upcoming policy. One of the recommendations made by the public, experts, and other concerned residents at the last three Community Advisory Council meetings is the need for a policy concerning the storage of valuable property.

There have been instances in other cities such as San Francisco¹, Fresno², and Los Angeles³ in which law enforcement agencies were discovered and/or determined by courts to have destroyed property in violation of Fourth, Fifth, and Fourteenth Amendment protections. The goal of this community is for such violations not to occur in Sonoma County.

Thus, to avoid the practice of summarily confiscating and destroying unabandoned possessions of homeless persons living within Sonoma County and to comply with Fourth⁴, Fifth, and Fourteenth Amendment protections⁵ for all individuals⁶, the following procedures are recommended with respect to personal property:

- Ensure adequate and prominent public notice before enforcement, including direct interaction with persons to explain the ordinances, location of storage facilities, and location of services.
 - Prior to issuing a citation regarding personal property persons shall receive an initial warning with information regarding available storage, if available.
 - If the individual does not remove personal property law enforcement per the applicable city or county ordinance must provide a written pre-removal notice, the notice must contain a 1) general description of personal property to be removed; 2) the location from which the personal property will be removed; 3) the date and time the notice was posted. The pre-removal notice must be left in a prominent place for any property taken on the belief that it is abandoned, including advising where the property is being kept and when it may be claimed by the rightful owner.⁷
 - The address where the removed personal property will be located must include a telephone number and the internet website of the city or law enforcement agency through which a person may receive information as to impounded personal property.⁸
- Upon removal of stored personal property, the notice must be conspicuously posted in the area where such property was removed. The written notice must contain the following: 1) a general description of the personal property removed; 2) the date and approximate time the personal property was removed; 3) a statement that the personal property was stored in a public area in

¹ On June 9, 2016, the Lawyers' Committee for Civil Rights of the San Francisco Bay Area, ACLU of Northern California, Wilmer Cutler Pickering Hale and Dorr, LLP submitted a demand letter to then Mayor Edwin Lee alleging fourth amendment and due process violations when on February 13, 2016, City workers from the Department of Public Work and the California Highway Patrol officers were captured on video disposing homeless persons' tents into a garbage truck on Division Street. <http://www.lccr.com/wp-content/uploads/Final-Signed-Demand-Letter.pdf>

² Kincaid v. City of Fresno, 244 FRD. 497 (2008) <https://www.clearinghouse.net/chDocs/public/PB-CA-0005-0016.pdf>; for disposition post-case settlement see First Report of Settlement Administrator (2008) https://www.aclunc.org/sites/default/files/asset_upload_file850_8469.pdf and Second Report of settlement Administrator (2009) <https://www.aclunc.org/sites/default/files/2009.05.21%20Second%20Report%20of%20Settlement%20Administrator.pdf>

³ Lavan v. City of Los Angeles, 693 F.3d 1022 (2012) 9th Cir.

⁴ Miranda v. City of Cornelius, 429 F.3d (2005) 9th Cir, p. 864: A city ordinance authorizing property impounds does not in an of itself determine the reasonableness of the seizure under the Fourth Amendment.

⁵ Fuentes v. Shevin, 407 U.S. 67, 86 (1972); Ingraham v. Wright, 430 U.S. 651, 672 (1977).

⁶ Cal. Civ. Code §§ 655, 663, 671 California law recognized the right of ownership of personal property, a right held by "[a]ny person, whether citizen or alien".

⁷ Lavan v. City of Los Angeles, 693 F.3d 1022 (2012) 9th Cir.

⁸ Los Angeles, [California, Municipal Code art. 6, ch. V, §56.11](#). The Los Angeles ordinance is cited to reflect the source for the language recommendation.

violation of the city or county's applicable ordinance; 4) the address where the personal property will be located, including a telephone number and internet website of the city or law enforcement agency through which the person may receive information regarding their personal property; 5) A statement that impounded Personal Property may be discarded if not claimed within the applicable number of days pursuant to city or county ordinance.⁹

- Provide a process where the property owner is given an opportunity to be heard and argue against the taking as part of their right under the 5th and 14th amendment.¹⁰ Such a right to this process must be adequately described in all notices given to affected individuals.¹¹
- Allow affected individuals to authorize a third party to collect personal belongings on the individual's behalf and a reasonable opportunity to make such arrangements before the confiscation or destruction of such property.
- Provide a reasonably extended grace period for individuals to reclaim personal property if the individual is incarcerated or allow the individual to make arrangements for a third party to collect belongings in trust.
- Create a list of valuables that must not be confiscated or destroyed but stored as part of the individual's effects including:

1. cell phone
2. wallets, purses
3. medicine
4. dentures
5. medical equipment (e.g. crutches, wheelchairs, walker)
6. personal papers & documents
7. tents
8. sleeping bags
9. blankets
10. bags/backpacks
11. shoes
12. socks
13. clothes
14. rain gear
15. tarps
16. other camping equipment, including camp stoves, pots, dishes & utensils
17. working bicycles
18. bicycle and other carts
19. vehicles
20. tools/toolboxes

⁹ Id.

¹⁰ *Clement v. City of Glendale*, 518, F.3d 1090, 1093 9th Cir. 2008), "[t]he government may not take property like a thief in the night; rather, it must announce its intentions and give the property owner a chance to argue against the taking".

¹¹ *City of West Covina v. Perkins*, 525 U.S. 234, 240 (1999). Law enforcement required "to take reasonable steps to give notice that the property has been taken so the owner can pursue available remedies for its return".



Draft Meeting Minutes

Independent Office of Law Enforcement Review and Outreach (IOLERO)

Community Advisory Council (CAC)

March 5, 2018, 5:30pm-7:30pm

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

CAC Members: Joanne Brown, 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

Chair Cheatham called the meeting to order at 5:30pm.

2. ROLL CALL

All the members, with the exception of Members Cozine and Roman Diaz were present.

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

Member Joanne Brown announced that she had completed her temporary assignment on the bench at the Sonoma County Superior Court and that she is pleased to be back. Member Rick Brown talked about how at the last meeting of the CAC the group discussed the potential of increased civil immigration enforcement by ICE, and he was curious if any of the other members had heard about ICE actions, and whether they knew if the Sheriff's Office had responded to any such actions. Member Carbajal stated that she was unaware of any actions by the Sheriff's Office and she discussed a Rapid Response effort in Napa related to an ICE civil immigration enforcement action. Member Rick Brown then asked Director Threet if he had any knowledge of enforcement activities, and Director Threet stated that he was unaware of any activities that may have taken place in the county.

4. CAC ANNUAL PRIORITIES (up to 30 minutes) – discussion & possible action item

- CAC Review of Accomplishments/Shortfalls of Past Period (up to 10 minutes)
 - Discussion among CAC members of possible future goals of CAC (up to 10 minutes)
- Member Pacheco suggested a focus on greater community outreach and immigration rights. Member Duffy stated he would like to see the group continue their review of Use of Force policies. In addition, he would like to review the follow-through process once the CAC has made a recommendation. Member Duffy cited the CAC's efforts to issue a Body Worn Camera policy, and that this information, along with any response by the Sheriff's Office, isn't readily available on the CAC website. Member Rick Brown supported the recommendation around a review on the impact of policy recommendations and the complaint procedure, as well as increased reporting on any changes to Sheriff's Office policy that has been implemented as a result of recommendations. Member Rick Brown also highlighted focusing on community engagement as a goal of the CAC on the coming year.*

In response, Director Threet detailed the policy recommendation process between the CAC and IOLERO Director. As envisioned and under the way it has been working, the CAC makes a recommendation to the Director. Should the Director intend to issue a recommendation in that area, the input provided by the CAC will be considered in any presentations to the Sheriff's Office. Director Threet acknowledged there has been multiple recommendations from the CAC since the

beginning of the fiscal year, and several factors such as the October fires, drafting the first Annual Report and preparing for the subsequent public hearing, impacted IOLERO's workload. These factors contributed to a backlog in the audit of complaint investigations, which in turn, limited the office's focus on policy recommendations. Director Threet stated that he intends to issue policy recommendations in the following areas: video policies and conflicts of interest. In the area of body worn cameras, Director Threet stated that he is waiting for feedback from the District Attorney as this area affects her work; however, with the impact of the October fires this request is still pending. In terms of putting up the CAC recommendations on the website, with IOLERO's limited staff, this item hasn't been a workload priority. Director Threet described the ideal workflow process where recommendations would be posted shortly after CAC issuance, and if and when the Director issues a recommendation, they would be included on main IOLERO webpage under the "Reports & Policy Recommendations" section. Director Threet detailed how he intends to undergo a Use of Force review, and with the recent trainings that the CAC members took with Sheriff's Office staff in this area, the CAC should be more well-informed once the group decides to take up the topic.

In the area of community engagement, Director Threet reiterated how he considers this aspect of IOLERO's mission to be just as important as the review and audit of complaint investigations. However, Director Threet received feedback from the Board of Supervisors that the audit and review function of the office should be prioritized over community engagement to ensure timely completion of audits. Prior to the October fires there was support from 3 of the supervisors for consideration of an additional staff member during the FY 18-19 budget hearings, but that position has likely changed with the subsequent uncertainty in county finances. Director Threet outlined how IOLERO is working with Sonoma State University (SSU) to host an AmeriCorps Vista member during the upcoming academic year. As envisioned, the Vista member would plan and create a survey on community and law enforcement relations, and then go door-to-door in immigrant communities to survey residents. One benefit of the Vista member is that they are affiliated with SSU and can partner with multiple departments, and in turn, leverage students for assisting with their projects. A second goal of the Vista member project is identifying community members who are willing to organize their own community around law enforcement issues, who would then work with IOLERO and the Sheriff's Office on a regular basis to improve community and law enforcement relations. The application for the Vista member is currently open and information is available on IOLERO's Facebook page.

Member Rick Brown then suggested that in the future, the IOLERO Director bring any policy recommendations in draft form to the CAC for review and feedback. Director Threet indicated that there is value in this process, especially recommendations that come from the review and audit of complaint investigations where the CAC was not previously involved.

- Public Comment (up to 10 minutes)

Public Comment speakers:

Susan Lamont

Gig Hitao

Adrienne Lauby

Francisco Saiz

Member Carbajal then suggested that the CAC prioritize use of force recommendations given that the Sheriff's Office election is underway and mail-in ballots will be sent out in May. Director Threet cautioned that it is unlikely that any final recommendations will occur prior to June, given the complexity of the issue and the anticipated review process

Member Rick Brown stated that the CAC should pursue a public affairs strategy, which could include regular media communications, letters to the editor, etc. Member Rick Brown suggested that one or more CAC members gather the feedback from the CAC and the public on this item, and bring it back for next month's meeting as an agenda items. Member Meraz echoed the public affairs idea and highlighted local radio stations such as KBBF where the CAC could provide updates.

5. SONOMA COUNTY SHERIFF'S ELECTION CANDIDATE FORUM (up to 20 minutes)— discussion & possible action item

- Discussion from CAC members (up to 10 minutes)

Member Duffy introduced this item and stated his preference for holding the forum in late April, prior to mail-in ballots being sent out. He discussed potential formats, such as requesting questions in advance from the public and providing these to the candidates. He stated that all three candidates are qualified and each have different visions. The forum would give the public a chance to see the candidates and get a better sense of how they would lead the Sheriff's Office.

Member Carbajal suggested looking into partnering with another group to sponsor the forum, as this could assist with visibility. She discussed including a mixture of open ended questions along with yes/no questions.

Member Meraz reminded the CAC that the Sonoma County Human Rights Commission is interested in co-sponsoring an event. He suggested that the Junior Commission on Human Rights should be contacted to see if they are interested in sponsoring as well.

Member Rick Brown expressed how initially he had some concerns about this item when he saw it on the agenda, as it may be perceived as an advocacy function as opposed to community outreach and engagement. These concerns were addressed by Member Duffy, as well the proposed format. Member Brown added that he would be much more comfortable sponsoring with the Human Rights Commission as opposed to a non-profit or other community group. Finally, he advocated against asking the candidates yes/no questions without allowing an opportunity to respond, as he would like to hear more substantive answers than can be provided in that type of question format.

Director Threet then advised the CAC that he had checked with County Counsel regarding any legal restrictions around the CAC hosting an informational candidate's forum, and based on their feedback, there are no issues preventing the CAC from doing so.

Public Comment (up to 10 minutes)

Public Comment speakers:

Scott Wagner

Gig Hitao

Member Duffy then suggested that the CAC form a working group for coordinating the forum. He indicated that he was willing to lead the working group, contact the candidates, select a venue, etc. Member Rick Brown stated that he would like the entire CAC to review the meeting format and logistics at the next meeting. This item will be added to the agenda of the April 2, 2018, CAC meeting.

6. PROPOSED REQUEST TO SHERIFF'S CANDIDATES TO DECLARE POSITIONS ON PRESIDENT'S 21ST CENTURY TASK FORCE PRINCIPLES (up to 20 minutes)— discussion & possible action item

- Discussion from CAC members (up to 10 minutes)

Member Duffy introduced this item and stated that as of this afternoon, two of the sheriff's candidates (Ernesto Olivares and John Mutz), had declared their support for the 21st Century Task Force principles at an event at Sonoma State University. Member Carbajal asked for a reminder about what the 21st Century Task Force principles and Member Duffy offered a brief recap. Director Threet then detailed how the 21st Century report was used heavily by the Community and Local Law Enforcement (CALLE) Task Force during their deliberations after the Andy Lopez shooting. He stated that the CALLE Task Force relied on many of the principles to guide their work in addressing the different elements of the situation between local law enforcement and the community. Director Threet detailed how the 21st Century report is an influential document in the civilian oversight field and has been used by many jurisdictions across the country to help law enforcement agencies address disruptive situations that created bad relationships. He stated that for some people the 21st Century report may be controversial, even though it was largely authored by established institutional law enforcement figures.

- Public Comment (up to 10 minutes)

There was no public comment on this item.

Member Duffy made a motion to adopt the request and this was seconded by Member Rick Brown; this motion passed 7-0 with all in favor.

7. HOMELESS POLICIES WORKING GROUP (up to 30 minutes)—discussion

- Homeless Policies Working Group Progress Report (up to 10 minutes)

Member Carbajal introduced this item, which included an overview of the group's work to date and their draft recommendations. Member Pacheco outlined a draft recommendation around the Sheriff's Office adopting a dedicated Homeless Outreach Team program. She highlighted some other jurisdictions which have this type of program, and she indicated that grant funding opportunities are available in this area. In addition, she described a "Homeless 101" program that some law enforcement agencies have as a training component where homeless or previously homeless individuals share their perspective and experiences with new deputies. She then detailed a program where deputies carry a small card with local resources and referrals for homeless individuals. Finally, she described how Sonoma County Behavioral Health Division has a Crisis Intervention Training (CIT) in conjunction with the Sheriff's Office, but she was unsure if it was still offered. Director Threet clarified the CIT is an ongoing collaborative training offered by Behavioral Health and the Sheriff's Office to all local law enforcement agencies, with a goal of having every deputy trained.

Member Carbajal then provided an overview of the personal property storage recommendations that she drafted. Director Threet suggested that the working group look at a series of lawsuits in Oakland involving Caltrans, as they were settled with agreement that specify different types of property presumed to be valuable. Member Rick Brown suggested that the list of valuable property include identification cards as that wasn't included on the list submitted by Member Carbajal.

- Discussion from CAC members (up to 10 minutes)

Member Meraz suggested that the CAC also look at areas where the Sheriff's Office has done positive work so it doesn't create a perception that the CAC is only criticizing or critiquing their

efforts. Member Joanne Brown suggested that the working group include examples where law enforcement jurisdictions have established homeless programs that are effective. Member Pacheco cited a couple examples that were included in her draft recommendations such as Colorado Springs and Alameda County. Director Threet highlighted his recent attendance at a National Association for Civilian Oversight of Law Enforcement that addressed how the City and County of Denver deals with these issues. He cautioned that the CAC should consider the differences between jurisdictions like Denver, which is a dense urban area with greater staffing than the more rural Sonoma County, when considering program recommendations.

- Public Comment (up to 10 minutes)

Public Comment speakers:

Anita LaFollette

Ilona Reitzner

Adrienne Lauby

Member Carbajal indicated that the working group will present their final recommendations on homeless policies and procedures at the next meeting of the CAC.

8. REVIEW/APPROVAL OF MINUTES (up to 5 minutes)

Member Duffy made a motion to adopt the February 2, 2018, draft meeting minutes and this was seconded by Member Meraz; the motion passed 6-0 with Member Joanne Brown abstaining.

9. IOLERO DIRECTOR'S REPORT (up to 5 minutes)

Director Threet detailed how he recently sent a spreadsheet to the Sheriff's Office with all the recommendations he's made on policy, practice, and process. The spreadsheet was shared with Sheriff's Office staff so that there is a common understanding of what their responses have been, and it his hope to share this information with the CAC and the public prior to the CAC's next meeting.

Director Threet then provided an update on the audit of complaint investigations. Since the publication of the Annual Report in August 2017, IOLERO has logged 22 investigations. Of those 22, the Sheriff's Office has completed 15 and referred them to IOLERO for auditing, with 7 still being investigated. Of the 15 referred investigations, IOLERO has completed audits of 11. Of the remaining 4 completed investigations, 3 are under audit, with 2 of those being complex matters involving multiple deputies. He listed the types of complaints as follows: 13 use of force; 5 improper procedure; 2 Fourth Amendment violations; and 2 discourtesy/conduct unbecoming. In 3 of the 11 completed audits, IOLERO disagreed with one or more findings of an investigation—in 1 this resulted in a change of the finding. In 6 of the investigations, IOLERO found the investigation to be incomplete in some way.

Director Threet then detailed that IOLERO is experiencing another backlog in the audit of complaint investigations. He stated that this is a largely a resource issue given the workload IOLERO is tasked with. The most serious delays were caused by drafting IOLERO's Annual Report, prepping for the subsequent Board Hearing, while IOLERO staff attended the annual conference of the National Association for Civilian Oversight of Law Enforcement, and during the October fires. The average audit review takes 44 working days, and during the same period, the average investigation by the Sheriff's Office has taken 46 working days.

10. 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.
There was no public comment on this item.

11. ADJOURNMENT

Member Joanne Brown moved to adjourn the meeting and this was seconded by Member Carbajal. The meeting adjourned at approximately 7:25pm.

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