



Independent Office of Law Enforcement Review and Outreach (IOLERO)  
Community Advisory Council (CAC)  
Meeting Minutes  
June 4, 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 5:31pm.*

**2. ROLL CALL**

*The following members were absent: Rick Brown, Liz Cozine, and Maria Pacheco.*

**3. ANNOUNCEMENTS; ADJUSTMENTS TO AGENDA; BRIEF MEMBER REPORTS (up to 5 minutes)**

*Member Duffy extended his concerns and condolences regarding a recent officer-involved shooting in the Sonoma Valley to the Sheriff's Office staff in attendance. He then requested that California Senate Bill 1421 be placed on the next meeting agenda of the CAC for discussion and as a possible action item. Member Duffy then referenced a recent Press Democrat editorial about California Assembly Bill 3118, and then requested that the Sheriff's Office provide an update on whether their office has a backlog of rape testing kits. Finally, he noted that Member Rick Brown was absent and that the CAC should defer any discussions of their annual priorities given that Member Brown had spearheaded this effort to date.*

*Member Roman Diaz then shared her thoughts about the recent opening of Andy's Unity Park, and her perception that community healing and improving law enforcement relations in the Moorland neighborhood still needs to take place. She then detailed a couple different interactions with young people at the park opening who were interested in pursuing a law enforcement career, and she suggested working with the Sheriff's Office for an orientation on necessary qualifications for potential hires to help bridge the gap between community members and local law enforcement.*

*Member Joanne Brown provided feedback on the Sheriff's Forum that the CAC co-sponsored. She shared that she was impressed with the process, including community outreach and the depth of the questions that were presented to the candidates.*

**4. USE OF FORCE POLICIES OF THE SHERIFF'S OFFICE (up to 1 hour)—discussion & possible action item**

- General Use of Force Policy Presentation by Lt. Eddie Engram (up to 20 minutes)  
*Prior to presenting on the Sheriff's Office Use of Force policy, and in response to Member Roman Diaz's comments, Lt. Eddie Engram detailed the Sheriff's Office Explorer Program for youth who are interested in careers in law enforcement. He then presented on the Use of Force policy.*
- Questions and discussion from CAC members (up to 20 minutes)  
*Member Joanne Brown confirmed with Lt. Engram that the Use of Force Policy was last revised on March 2, 2017.*

*Member Carbajal inquired whether this policy would apply to bystanders and if the Sheriff's Office takes into consideration factors such as a subject's health or physical condition prior to using force. Lt. Engram stated that he doesn't know of a situation where a deputy would use force on a bystander. As far as considering a subject's health, the Sheriff's Office does consider these factors and dissuades use of certain techniques such as carotid restraint on individuals who are pregnant or minors.*

*Member Joanne Brown asked if this policy applies to the Detention Division as well, and Lt. Engram confirmed that it is an office-wide policy.*

*Member Duffy announced to the public in attendance that he is organizing a community working group on the Sheriff's use of force policies, and anyone interested in feedback is welcome to contact him. Member Duffy then stated that he hopes the Sheriff's Office would be receptive to a more robust sanctity of life statement, and that the policy should highlight a sanctity of life statement. He then asked Lt. Engram for examples of when a deputy would shoot ~~at~~ from a moving vehicle. Lt. Engram stated that it's not necessarily an optimal situation, but there are instances where a deputy may shoot at a moving vehicle, e.g., a kidnapping situation with clear lines of sight to the suspect. Member Duffy then suggested more robust training in the areas of de-escalation and tactical communications to avoid uses of force.*

*Member Carbajal then asked about the "reasonable officer" standard, and whether a deputy would take into consideration the factors used to determine the reasonableness of force in the existing policy. According to Lt. Engram, the policy dictates that deputies consider these factors prior to using force.*

*Director Threet stated that the reasonable officer standard may be an important focus area for any recommendations the CAC may make in this area. He then described the federal and state legal standards that govern use of force, and how local law enforcement agencies can adopt standards on use of force that are more strict than those established on the federal and state level.*

- Public Comment (up to 20 minutes)  
*Thomas Bonfigli*  
*Michael Titone*  
*Scott Wagner*

#### **5. CAC ANNUAL PRIORITIES (up to 15 minutes) – discussion & possible action item**

- Report of Working Group (up to 10 minutes)  
*Chair Cheatham moved to table this item given the absence of Member Rick Brown; this was seconded by Member Duffy and passed on a 6-0 vote.*
- Discussion among CAC members of possible future goals of CAC (up to 10 minutes)
- Public Comment (up to 10 minutes)

#### **6. SHERIFF'S OFFICE DRAFT DRONE POLICY (up to 30 minutes) – discussion & possible action item**

- Draft Policy Presentation by Lt. Ruben Martinez (up to 10 minutes)  
*Lt. Martinez presented on the draft Unmanned Aerial System (UAS) policy. He stated that the Sheriff's Office would like to schedule additional community meetings to consider public feedback as the policy is further developed.*

- Questions and discussion from CAC members (up to 10 minutes)  
*Member Duffy asked about a provision in the draft policy that allows for use of an UAS to record images in situations when there is probable cause to believe that certain felonies have occurred or are occurring. According to Lt. Martinez the UAS would only be used in situations where there is sufficient probable cause and/or a legal search warrant.*

*Director Threet suggested that the Sheriff's Office also consider feedback from organizations like the ACLU and Electronic Frontier Foundation.*

*Member Carbajal inquired into any consequences that may arise from violations of the UAS policy. Lt. Martinez stated that while the policy doesn't currently delineate specific consequences, the Sheriff's Office will hold deputies accountable to the policy.*

- Public Comment (up to 10 minutes)  
*There was no public comment on this item.*

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

*Member Duffy made a motion to adopt the April 2, 2018, Draft Minutes; this was seconded by Member Joanne Brown and passed on a 6-0 vote.*

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

*Director Threet stated that he had just finished a significant and challenging audit of the Detention Division that involved several deputies and multiple uses of force. He said that the review took about 180 hours to complete and was over 75 pages long. According to Director Threet there should be policy recommendations that come out of the audit, although at this point those recommendations were still under consideration.*

*Director Threet then provided an update on the number of complaint investigations filed during the current fiscal year. To date, 41 complaint investigations have been filed; IOLERO has completed review on 18 investigations; 14 have been referred for audit and are pending IOLERO review; and 9 more complaints are waiting for investigation by the Sheriff's Office. Of the 41 complaints, 19 are for uses of force, 15 miscellaneous policy and procedures, 4 search and seizures, 3 biased policing, and 1 medical negligence. This puts IOLERO on pace to significantly eclipse prior-year complaints.*

*Director Threet then provided a budget update in advance of the County's annual Budget Hearings. The County Administrator's Office recommended that IOLERO reduce its budget by 6%. The proposed cuts would impact a contract that IOLERO administers with a local non-profit, Restorative Resources, for restorative justice services in local middle schools. Director Threet detailed that there are significant shortfalls in the current budget, and that the supervisors may look for additional funds to supplement these shortfalls. He thanked the CAC members for their support of IOLERO's full budget at the upcoming hearings.*

*Finally, he detailed the opening of Andy's Unity Park and how it was a rewarding and beautiful community focused event that honored the life and death of Andy Lopez on what would have been his 18<sup>th</sup> birthday. He thinks that the park will become a wonderful community asset and he thanked the*

*community members who advocated so strongly for the park. Director Threet then thanked Member Meraz for volunteering at the Sonoma County Pride event that same day.*

- 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.  
*Thomas Bonfigli*  
*Scott Wagner*

**10. ADJOURNMENT**

*The meeting adjourned at 7:05pm.*

- 11. NEXT MEETING OF CAC: MONDAY, JULY 2<sup>nd</sup>, FROM 5:30PM-7:30PM, AT PRMD HEARING ROOM (2550 VENTURA AVE, SANTA ROSA CA 95403**