Meeting Minutes
Independent Office of Law Enforcement Review and Outreach (IOLERO)
Community Advisory Council (CAC)
March 6, 2017, 5:30pm-7:30pm
PRMD Public Hearing Room
2550 Ventura Ave., Santa Rosa CA 95403

CAC Members: Rick Brown, Emilia Carbajal, Evelyn Cheatham (Vice-Chair), Elizabeth Cozine, Jim Duffy, Kirstyne Lange, Maria Pacheco, Alicia Roman (Chair), Danielle Ronshausen, Ben Terry.

1. **CALL TO ORDER**
   The meeting was called to order at 5:30pm.

2. **ROLL CALL**
   All members of the Community Advisory Council were present.

3. **ANNOUNCEMENTS; ADJUSTMENTS TO AGENDA** (5 minutes)
   Member Carbajal notified the group and members of the public that a “Know Your Rights” training related to immigration will be taking place on March 7, 2017, at El Verano Elementary School. There were no adjustments to the agenda.

4. **REVIEW/APPROVAL OF MINUTES** (action item) (5 minutes)
   The February 6, 2017, Community Advisory Council minutes were approved on a 10-0 vote.

5. **GENERAL PUBLIC COMMENT**: Public comment for items not listed on the agenda (15 minutes)
   a. Public comment is limited to three minutes per person, unless otherwise noted.
   **Public comment speakers:**

   Valerie White—Thanked the CAC for their work and informed the group that the Indivisible Groups throughout the county offer their support. Asked if the CAC and/or IOLERO regularly meet with the Sheriff, and if the Sheriff’s Office has any town hall meetings currently scheduled.

   Ernesto Olivares—Spoke in his capacity as member of the California Cities Violence Prevention Network, thanked the CAC for their work to date, and offered his assistance to the group. Updated CAC on work that the Network is doing to improve law enforcement and community relations.

   Conner Duncan—Introduced himself as high school student at Sonoma Academy and spoke about a proposed ordinance that he is advocating which would strengthen community oversight of the Santa Rosa Police Department, and limit the use and
acquisition of electronic surveillance equipment, e.g., monitoring social media, license plate readers, etc., by the Department.

Fred Allebach—Stated that he has been in touch with the Immigrant Legal Resources Center, and according to information that was provided to him, Sonoma County is not in the top-tier of counties that interact with ICE. He questioned what the CAC and IOLERO can do to achieve higher levels of disentanglement from ICE.

Millis Frisch—Asked if the CAC could help provide information and resources on ICE immigration enforcement actions in Sonoma County – Director Threet responded by explaining the limitations on information about the enforcement actions of ICE.

Rebecca Hachmyer—Inquired if there is a public arrest log available from the Sheriff’s Office – Director Threet responded by explaining that a great deal of information on arrests by the Sheriff’s Office is available on the County’s Open Data website.

Member Cozine informed the group and audience members about an upcoming Know Your Rights workshop that is taking place in Windsor on March 22nd; Chair Roman mentioned a similar workshop that is being sponsored by KBBF Radio on March 18th.

6. IOLERO DIRECTOR’S REPORT (10 minutes)
Director Jerry Threet provided an update on IOLERO activities since the last the last CAC meeting. An additional two audits of complaints have been completed, which brings the total number of audits completed to eight since last August; nine more investigations await audit and nine complaints are awaiting completion by the Sheriff’s Office. Director Threet detailed IOLERO’s recent Sonoma Valley Community Engagement Circle event, which gave over 50 community members the opportunity to sit and share their thoughts around law enforcement and community relations with a deputy from the Sheriff’s Office. A majority of those that attended were Latino community members, and feedback indicated that the event was valuable for both the community members and deputies. Director Threet suggested that the successful turnout can be attributed to effective outreach, but also a heightened fear among community members in regards to potential I.C.E. enforcement actions. In addition, he described how he was the keynote speaker at the Exchange Club of Santa Rosa’s recent honoring of CHP Officer Justin Pell with their Officer of the Year award. He recounted a recent ride along with the Sheriff’s MAGNET team and how it was a valuable experience. Finally, he described a recent profile of the office by the Bohemian newspaper, and despite heavy editing, it provided a fairly accurate representation of the functions and duties IOLERO and the CAC.

Member Brown asked Director Threet if he intended to provide complaint trend analysis as this may help inform the CAC’s policy recommendations; Director Threet suggested that the IOLERO Annual Report would contain this information.
7. IMMIGRATION POLICIES OF THE SHERIFF’S OFFICE (continued from 2/6/17):

a. Sheriff’s Office Immigration Policies and scope of interagency cooperation with U.S. Department of Immigration and Customs Enforcement (I.C.E.) - (total 1 hr) (discussion and possible action item)

- Update by Jerry Threet, Director, IOLERO (10 minutes)

Director Threet recapped the CAC’s preliminary recommendation on Sheriff’s Office immigration policy, and how the group created three subcommittee’s to further support and bolster the recommendation.

- Presentation by Lt. James Naugle, Sonoma County Sheriff’s Office (10 minutes)

Lt. Naugle stated that he was available to answer any questions that the CAC may have and that he would not be presenting any new material. Member Terry then questioned how juveniles are classified for gang enhancements in charging crimes without the use of a gang database by the Sheriff’s Office. Director Threet described how deputies will detail in an incident report any information indicating gang affiliation following an arrest, and that deputies rely on those incident reports to support a criminal charging recommendation that includes a gang enhancement.

Member Brown asked that the Sheriff’s Office notify the CAC and IOLERO should ICE contact the Sheriff’s Office with a request to deputize Sheriff’s Office staff to perform immigration enforcement actions. Lt. Naugle indicated that this is a reasonable request and he would notify Director Threet should this type of communication occur.

- Questions & discussion from CAC members (20 minutes)

Member Brown began the discussion by summarizing the findings of the Data & Research Subcommittee, that research indicates that higher levels of cooperation in immigration enforcement between local law enforcement agencies and ICE actually have measurable negative effects on public safety in communities. For instance, data indicates that some of the negative effects include lower levels of reporting crimes and decreased economic activity. Member Cozine stated that research indicates that not cooperating with ICE actually promotes public safety goals, as sanctuary cites have lower crime & poverty rates, along with increased employment and economic activity.
Member Carbajal presented the findings of the Community Engagement Subcommittee which is comprised of herself and Member Lange. Both subcommittee members attended the Community Engagement Circle event that was previously mentioned by Director Threet, and they found it to be a large platform for Spanish-speaking residents to share their concerns. Once again, there was widespread fear among members of the public in regards to threats of deportation and consequent concerns about cooperating with local law enforcement.

Chair Roman then presented the findings of the Policy Recommendation Subcommittee, and the decision making process behind their recommendations on immigration policy.

- Public Comment (20 minutes)

Public comment speakers:

Richard Coshnear—Presented materials to the CAC on the status of SB 54, which would limit local law enforcement cooperation with immigration enforcement. He also notified the group and members of the public of an upcoming Community Forum sponsored by Vidas Legal on immigration. The event will begin at 6pm on March 15th, and will be held at 2150 Giffen Ave. in Santa Rosa.

Kathleen Finnigan—Questioned the Sheriff’s Office policy of notifying ICE for individuals without criminal convictions.

Susan Lamont—Recounted how she attended a recent Windsor City Council meeting and her perception that the council members were uninformed about how law enforcement functions in Sonoma County. She suggested that the CAC approach the different cities in the county to offer a workshop on how law enforcement works in Sonoma County. In addition, she stated that the Sheriff’s Office policy needs to be amended so they only interact with ICE in instances where someone has an actual criminal conviction.

Fred Allebach—Commended the CAC on their work to date, and agreed that the proposed policy recommendation provides a strong basis for disentangling the Sheriff’s Office from ICE immigration enforcement. He spoke of a recent meeting hosted by the Sonoma Valley School District and the fears among community members in regards to threats of deportation.
Rebecca Hachmyer—Asked to hear from the CAC about the process that led to them keeping serious and violent felonies in their policy recommendation and how the definitions of these crimes were settled on. Chair Roman stated that she relied on the definitions already embodied in Sheriff’s Office police, which were derived from the California trust Act.

Anita LaFollette—Asked the CAC to question Sheriff Freitas on his recent trip to Washington D.C. and his meeting with then-nominee for Attorney General, Jeff Sessions.

Following public comment, Member Brown moved to make the following motion: 1) accept the Immigration Policy Recommendations from the Policy Subcommittee and include the Working Group reports as supporting documentation; 2) make them an addendum to Member Cozine’s resolution that passed at the February 6, 2017; 3) request that the Sheriff’s Office respond to our recommendation by the next CAC meeting; indicating whether it planned to accept our recommendation in full or in part, and if so, why or why not. This was seconded by Chair Roman.

Member Cozine offered her support for the recommendation, and introduced a friendly amendment to include the following language to her resolution:

“Whereas, the overwhelming research shows that communities are safer and economically stronger when local law enforcement limits cooperation with ICE,” and “Therefore: We, the CAC, do recommend that the Sonoma County Sheriff’s Office refrain from any cooperation whatsoever with ICE (including, but not limited to, release notifications, access to an inmate’s file, or personal interviews) unless the subject of the cooperation has been convicted of a serious and violent felony during the five years previous to the cooperation.”

Member Lange requested a point of order on whether the CAC can amend an existing amendment. Director Threet stated that the CAC could repass the motion with the amendments and add language that it should supersede the previous version.

The friendly amendment was accepted by Member Brown following revisions to the language Member Cozine suggested, so that the language was changed from “refrain from any cooperation whatsoever” to “limit cooperation”. The resulting motion thus was revised to read: “Therefore: We, the CAC, do recommend that the Sonoma County Sheriff’s Office limit cooperation with ICE (including, but not limited to, release notifications, access to an inmate’s file, or personal interviews)
to circumstances where the subject of the cooperation has been convicted of a serious and violent felony during the five years previous to the cooperation.”

Member Duffy expressed his reservations about accepting the recommendations as a single recommendation and stated that he would rather vote on each component of the recommendation individually for the purposes of IOLERO’s Annual Report. After discussion, there was no motion to change the main motion.

Chair Roman then called a vote on Member Brown’s motion and it was passed on a 10-0 vote.

8. IOLERO CAC WORK PLAN (discussion and possible action item) (30 minutes)

To start the discussion, Member Duffy paraphrased from the CALLE Task Force report on the role of the CAC, and how it was intended to “... assist the community to understand law enforcement intent, policies and procedures; ... enhance and improve law enforcement practices to best serve the community”; and with “... the aim of supporting the positive relationships between the community and law enforcement.” He then read the following passage from the Task Force Report and their recommendations for what was described as a Citizens Advisory Committee:

“(The) Citizens Advisory Committee is intended to assist and complement the Independent Auditor as liaison between the community and law enforcement with the ultimate aim of creating a sense of security, mutual respect and trust between all parties. In pursuit of transparency and an aim towards building public confidence in law enforcement practices, it is important that the current policies and procedures which dictate law enforcement activity are understood by the public and that the public have the opportunity to discuss concerns and questions with the Independent Auditor and the Citizens Advisory Committee. There are two specific opportunities for the OIA Citizens Advisory Committee to lend support to both law enforcement and local community members in understanding and providing input to current policies and procedures, trainings and hiring practices. The first is to ensure that current policies, procedures and training curriculum is available to the public for review on the OIA’s website and on the website of local law enforcement. The Sheriff’s Office has indicated that they are in the process of providing this information on their website; it is estimated that these documents will be available on the Sheriff’s website in the spring of 2015. The second opportunity for the OIA Citizens Advisory Committee to support the community in understanding current policies and procedures and to support law enforcement gaining an understanding of community concerns is for the OIA Citizens Advisory Committee to provide reserved space on its agenda to hear from the public regarding law enforcement policies and procedures. If the Committee is interested in learning more following a community member’s concern, the Committee may pursue the issue with law enforcement and may place the topic on the agenda at a subsequent meeting to report back to the public the results of the conversation and to announce any further action if
necessary. Based on community input and discussions with law enforcement, the OIA Citizens Advisory Committee can issue written recommendations related to policies, procedures, training and hiring practices. These recommendations will be created with both input from law enforcement and input from the public. These recommendations will be made public so that the community is made aware of the recommendations. Law Enforcement will then be asked to respond to these recommendations by either enacting the recommendations or providing feedback as to why the recommendations will not be enacted. The response of law enforcement will also be made public in an effort to ensure the community clearly understands the intent and limitations of law enforcement in making changes to protocol."

Member Brown stated his support for focusing on the following categories: Use of Force policies; procedures and practices related to how the Sheriff’s Office deals with individuals with mental illness; communication efforts, or “bridging the gap” between the community and the Sheriff’s Office; privacy and use of surveillance tools; and practices related to homelessness.

Member Cozine expressed her preference for evaluating hiring practices and trainings.

Member Lange suggested that the CAC should identify specific community concerns, and then evaluate how those may overlap with any issues that the CAC is considering to help clarify the process and determine if there is any overlap.

Member Duffy supported adding training programs, hiring practices, and how substance abuse is handled as a criminal matter and not a health issue. He also stated that he would like the CAC to consider what should be included in the ILOERO Annual Report. He further suggested that the CAC should focus on state legislation and how the county uses its lobbying funds.

Chair Roman suggested that the CAC should break out into groups—one focused on policy and one on outreach—then come back to the CAC with their top recommendations and a plan for the remainder of the year.

Member Lange voiced her preference for the CAC, as a whole, to focus their efforts on a specific issue as her past experience with serving on other boards is that work product suffers when multiple projects are delegated to subcommittees.

Member Cozine supported the idea of splitting into subcommittees, one for law enforcement and one for community outreach, to flesh out proposals the remaining year, then report back on recommended priorities.

Member Brown then suggested that the CAC communicate with the Sheriff’s Office to see their priorities for areas of public input and to clarify the Sheriff’s Office position on a particular policy or subject.
Member Pacheco affirmed her support for communicating with the Sheriff’s Office while evaluating and prioritizing the CAC’s work plan, as it could prove useful for collaboration in areas of mutual interest.

Member Cozine stated that the process around creating the immigration policy recommendation was worthwhile and could serve as a template for future work efforts.

Director Threet suggested that the immigration policy recommendation was a relatively simple policy, compared to some others, and that future policy recommendation could be much more involved and drawn out, so the group should take that into consideration when developing their work plan.

Member Ronshausen expressed her desire that the once the CAC makes a policy recommendation that they follow-up by tracking the status of recommendations and what aspects, if any, were adopted by the Sheriff’s Office.

Member Duffy stated his preference for allowing members of the public the opportunity to state their preference for what is included in the Annual Report, and to ensure that it is a reflection of the community’s desires.

Member Brown affirmed his support for Member Duffy’s suggestions, and stated that Annual Report topics should be included as a standing agenda item for future CAC meetings.

Member Cozine stated that the Annual Report is an important tool for making the CAC’s findings public on a broad scale, and should the Sheriff choose to either adopt or ignore the recommendations, it would then be a matter of public record.

Member Lange summarized the work plan discussion and proposed the following items for the next meeting of the CAC: create two separate agenda items—one which reflects necessities and priorities of law enforcement from a policy perspective, and another that reflects necessities based on community outreach, and that the CAC should focus on the areas where there is overlap between the categories for their future work plan.

Following feedback from Director Threet, Member Cozine proposed adopting Member Lange’s suggestion, adding the Annual Report to the agenda, and dedicating time for the Sheriff’s Office to give a response to the CAC’s immigration policy recommendations.

Member Carbajal clarified that at the next meeting of the CAC, community members will be invited to speak and provide feedback on areas of focus for the CAC. Member Brown stated that he would create a draft of the policy areas that were discussed, and that he would work with staff to circulate the list to the CAC in advance of the next meeting.
9. ADJOURNMENT

The meeting was adjourned at 7:34pm.

10. NEXT MEETING OF CAC: April 3, 2017

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: Law.Enforcement.Auditor@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 dialog 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);
- Establish and maintain a cordial and respectful atmosphere during discussions;
- Foster meaningful dialogue 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 3 minutes per person per agenda item; time limitations are at the discretion of the Chair.

CAC members may not deliberate or take action on items not on the agenda, and generally may only listen.