



**Independent Office of Law Enforcement Review and Outreach (IOLERO)
Community Advisory Council (CAC)
Public Meeting Agenda
December 5, 2022 6:00 p.m.**

In accordance with Executive Orders N-25-2 and N-29-20 the December 5, 2022 Community Advisory Council meeting will be held virtually.

MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON.

The December 5, 2022 Community Advisory Council meeting will be facilitated virtually through Zoom.

Join the Zoom meeting application on your computer, tablet or smartphone:

Go to:

<https://sonomacounty.zoom.us/j/98787256449?pwd=b0FxS3o1WmNCaUdZbU5UYzVEL2hEQT09>

Call-in and listen to the meeting:

By telephone: Dial 1-669-900-9128

Webinar ID: 987 8725 6449

Passcode: (IOLERO) 465376

1. Spanish interpretation will be provided as an accommodation if requested in advance. Please contact the CAC Community Engagement Analyst at (707) 565-1534 or by email cac@sonoma-county.org by Noon on Friday, December 2, 2022. We will make every effort to provide for an accommodation. Spanish interpretation will be provided within the zoom application, you must use version 4.5.0 or later.
2. **Interpretación al español se proveerá si usted lo pide antes de la junta.** Por favor llame a la secretaria al 707-565-1534 o notifícanos por correo electrónico cac@sonoma-county.org antes de las 5:00 p.m., viernes, 2 de Diciembre del 2022. Haremos todo lo posible para complacerlo. Para traducción en español, se tiene que usar la versión de Zoom 4.5.0 o una versión más adelantada.
3. If you have a disability which requires an accommodation or an alternative format to assist you in observing and commenting on this meeting, please contact the CAC Secretary at (707) 565-1534 or by email cac@sonoma-county.org by Noon on Friday, December 2, 2022. We will make every effort to provide for an accommodation.

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 time-limited. Time limitations are at the discretion of the Director and Chair and may be adjusted to accommodate all speakers.

In addition to oral public comment at the meetings, the community is also invited to communicate with IOLERO staff and CAC members through 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 or staff, may send an email addressing these matters to CAC@sonoma-county.org

CAC members may not deliberate or take action on items not on the agenda, and may only listen and respond briefly in limited circumstances. 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. Materials related to an item on this Agenda submitted to the CAC after distribution of the agenda packet are available for public inspection in the IOLERO office at the above address during normal business hours or via email.

Agenda

1. Welcome and Roll Call

Facilitated by Chair and Vice Chair

- Agenda Review
- Public Comment
- Approval of Minutes of November 7, 2022 meeting

2. Correspondence Items

- Panel Discussion
- Public Comment

3. Director's Report

- Panel Discussion
- Public Comment

4. CAC Liaison follow-up on correspondence addressed to DOJ

- Panel Discussion
- Public Comment
- Possible Action Item by CAC

5. Presentation on Race & Equity Training

- Panel Discussion
- Public Comment
- Possible Action Item by CAC

6. Community Advisory Council Ad Hoc Reports

- Community Engagement
- Extremism in Policing
- Policy Recommendation Review and Update
- Public Comment

7. Requests for Future Agenda Items

- Panel Discussion
- Public Comment

8. Public Comment for items not appearing on the agenda but within the subject matter jurisdiction of the CAC. Please state your name and who you represent, if applicable. Comments will be limited at the discretion of the chairs based on number of comments and other factors.

9. Adjournment The next regular meeting of the Community Advisory Council will be held on January 9, 2023 at 6:00pm.

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;
- Adhere to time limits for each individual speaker, in order to allow as many people 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.

Designed Team Alliance

All are encouraged to engage in respectful, non-disruptive communication that supports freedom of speech and values diversity of opinion. Our Designed Team Alliance is a list of norms, which describe the way CAC wants to show-up and be in community while modeling collaborative behavior. We request that CAC members, staff, and the public follow the CAC's agreed upon Designed Team Alliance.

Our Designed Team Alliance is:

- Be tough on topic not on people
- Respect others
- Respect other's perspective
- Respect time
- Practice active listening
- Be open minded
- Speak to others as you would Like to be spoken to
- Honor freedom of speech
- Call each other "in"



Community Advisory Council Meeting Minutes - DRAFT
Independent Office of Law Enforcement Review and Outreach
November 7, 2022

In accordance with Executive Orders N-25-20 and N-29-20 the November 7, 2022 Community Advisory Council meeting was held virtually.

PRESENT

Council Members: Lorez Bailey, Lorena Barrera, Marcy Flores, Nancy Pemberton, Tom Rose, Nathan Solomon, Evan Zelig

IOLERO Staff: John Alden, Director; Lizett Camacho, Community Engagement Manager

SCSO: Lt. Andy Cash, Lt. Sean Jones, Lt. Jason Squires

Members of the Public: 31 members of the public attended via ZOOM.

Absent: Councilmember Pearl

Call to Order

The meeting was called to order at 6:00 p.m.

Agenda

1. Welcome and Roll Call

Facilitated by CAC Chair Evan Zelig and Vice Chair Lorena Barrera

- Agenda Review
- Public Comment: No members of the public addressed the council.
- Approval of Minutes – October 3, 2022 meeting
Motion to approve: Councilmember Rose
2nd: Councilmember Bailey
Vote:
Ayes: Flores, Pemberton, Rose, Solomon, Zelig
Abstain: Bailey, Barrera
Absent: Pearl

2. Correspondence Items

- Chair Zelig reviewed letter from DOJ, which describes their response on why they didn't take the case of David Pelaez Chavez. CAC also received an email from Keith Rhinehart sharing support for CAC.
- Public Comment: 3 members of the public addressed the Council.

3. Director's Report

- Director Alden reported on the Community Engagement Manager Lizett as supporting the CAC meetings from now on. Lizett had an interview on KRCB radio. Mentioned the lovely reception CAC had for John last month. First ever Race &

Equity training for dept heads was hosted by Dept of Race & Equity here in Sonoma County. 2nd Jail tour to be scheduled and will accompany some of the CAC members. John attended and spoke at the Human Rights Commission meeting. John shared about having contact with neighboring counties about creating a Sheriffs Oversight in SF, Mendocino, and Marin. We continue to working with the Sheriffs Office with audits. We were able to attend Dia de los Cien. IOLERO is hiring for an Auditor on a rolling basis. NACOLE has been doing their Virtual trainings. NACOLE trainings will be available for future use. IOLERO has received direction as to future CAC meetings and County Counsel will have more advice as to how CAC meetings will be run in 2023. We are looking for spaces for those future in-person meetings. Lastly, the 3 issues with the Letters of Agreement concerns that the CAC has regarding the Whistleblower issue, we are working on hiring the Auditor which will help with that concern. 2nd issue IOLERO can issue a subpoena to the Sheriff's Office and the expectation is that the Sheriff's Office will comply unless there is a legal issue. 3rd issue is the timing of when IOLERO starts their independent investigation where use of force or an in-custody death is still in process.

- Lizett shared announcements. January meeting will be changed from January 2nd to January 9th due to the county holiday. 2nd Jail tour to be scheduled after Thanksgiving break. CAC members should have already received an email from Sonoma Higher Ed regarding trainings for Diversity, Inclusion, and Equity.

4. CAC Liaison follow-up on correspondence addressed to and copied to Board of Supervisors

- Panel discussion:
- Public Comment: members of the public addressed the Council.
- Possible Action Item by CAC

5. Presentation on Jail Policies

- Lt Jason Squires shared about some Jail Policy language being reviewed by early 2023. He shared North County facility is not being used, however has a capacity to hold 330 beds. MADF has a capacity of 916 beds and currently holds 730 inmates. CAC can review policies that need to be approved by the Sheriff's Office. Lt Squires shared about having some Administrative Reviews and how those are handled as well.
- Public Comment: 2 members of the public addressed the Council.

6. Community Advisory Council Ad Hoc Reports

- Community Engagement: Councilmember Flores shared most events currently having to do with the holidays.
- Extremism in Policing: Councilmember Solomon reported meeting soon with Lt. Cash and Lt. Cutting to discuss Extremism in Policing.
- Policy Recommendation Review and Update: Councilmember Barrera intends to get direction after Jail tour, perhaps in January 2023.
- Public Comment: No member of the public addressed the Council.

7. Requests for Future Agenda Items

- Items suggested as future agenda items included:

- Response letter to DOJ regarding the fatal shooting of David Pelaez Chavez
- Public Comment: No members of the public addressed the Council.

8. Public Comment for items not appearing on the agenda

0 member of the public addressed the Council.

9. Closing – Adjournment

The meeting was adjourned at 7:42pm.

The next meeting of the CAC is scheduled for Monday, December 5, 2022, at 6:00pm via ZOOM.

DRAFT LETTER TO ATTORNEY GENERAL ROB BONTA & SENIOR ASST
ATTY GEN'L JAMES ROOT FROM CAC

[DATE]

Attorney General Rob Bonta & Senior Asst. Atty. Gen'l James Root
California Department of Justice
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Email: Jim.Root@doj.ca.gov

RE: Your letter dated October 18, 2022 regarding the fatal shooting of David Palaez-Chavez
by Sonoma County Deputy Sheriff Michael Dietrick on July 29, 2022

Dear Mr. Bonta & Mr. Root:

We thank you for your letter dated October 18, 2022 explaining why the California Department of Justice declined to undertake its statutory obligation under AB 1506 to investigate fatal shootings by law enforcement by “unarmed” citizens. Unfortunately, we find your explanation unconvincing.

We are well aware of the protocols and bulletins available on your web site. What your administrative protocols and your letter fail to address, however, is the totality of your obligation to investigate, which includes where “there is a reasonable dispute as to whether the civilian was armed.” Calif. Gov’t Code §12525.3(b)(2)(A). As you acknowledge in your letter, Mr. Palaez-Chavez “appeared” to possess a rock. That appearance is just that – an appearance – and deserved more investigation to determine whether this ordinary object, indeed, was (a) to be used as a weapon, and (b) was “deadly.” Some basic questions such as how much the rock weighed, how far it could be thrown by a person who had just run barefoot for 45 minutes, how far the deputies were from Mr. Palaez-Chavez at the time of the shooting, need to be answered before such a determination could be made. Your office did none of that.

While you may “expect that a thorough and impartial investigation and review” will be conducted by local authorities, many in our community find that expectation unreasonable in light of the history of investigations into fatal shootings by law enforcement in Sonoma County. Indeed, AB 1506 was passed because that expectation was unreasonable given the inherent bias and conflicts of interest when one local law enforcement agency investigates another.

We are disappointed in your response to our request and ask you to reconsider your decision.

Sincerely,

Evan Zelig, Chairperson
Lorena Barrera, Vice-Chairperson