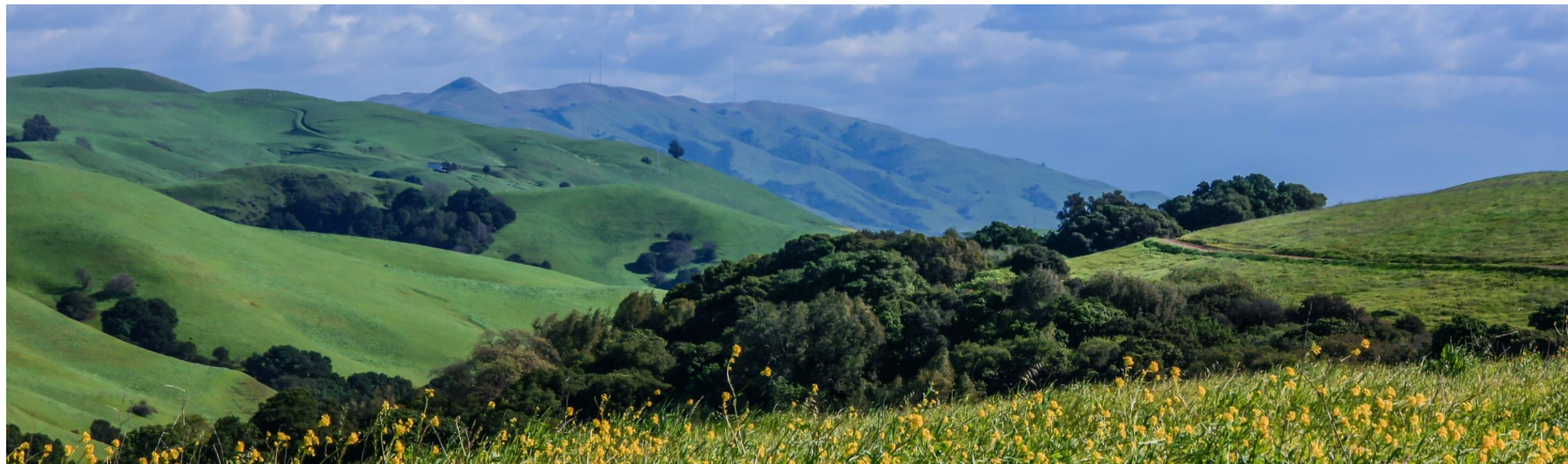


# **AB 1185 Sheriff Oversight**

**Reimagine Adult Justice Element #4**

**June 22, 2023**



**Wendy Still**

**Public Safety Advisor to the Public Protection Committee**

# TODAY'S OBJECTIVE

To present the Public Protection Committee:

- A recap of AB 1185 and activities related to the potential establishment of an Alameda County Sheriff's oversight system pursuant to Assembly Bill 1185, and to
- Two (2) options to consider in determining the type of *hybrid* Sheriff's oversight system Alameda County may wish to establish based upon presentations to the full Board on December 6, 2022 and May 23, 2023:

## OPTION 1: INCLUDES SEPARATE YEAR 1 & YEAR 2 OPTIONS

- Establish an Office of the Inspector General and Ombudsman, with the option to add an Oversight Board and Executive Director in Year 2

## OPTION 2: YEAR 1

- Establish an oversight structure consisting of an Oversight Board, Executive Director and Office of the Inspector General

**NOTE:** Option 1, Year 2 is the same as option 2, Year 1, except each would occur at a different time – depending on the Board's decision. Both include the creation of an Office of the Inspector General, Oversight and Executive Director.

# **AB 1185:** **COUNTY BOARD OF SUPERVISORS –** **SHERIFF'S OVERSIGHT**

- Authorizes each of the 58 California counties,
- Either by board of supervisor action or vote of county residents,
- To create civilian oversight bodies over their elected sheriffs, and
- To vest them with the power of subpoena.



# OVERVIEW OF AB 1185 EFFORTS TO DATE

- Collaboration & Information Gathering Meetings
  - Community Outreach & Engagement (December 2021/January 2022)
  - Focus Group Meetings
  - Stakeholder Meetings
  - Researchers, Academia and Jurisdictions with Existing Oversight Bodies
- Research & Review of Literature, Periodicals, Reports, etc.
- Community Surveys (On the Spot & On-Line)
- AB 1185 Website & Dedicated Email
- National Association for Civilian Oversight of Law Enforcement Educational Webinar for the Community
- Follow up presentations to the Board of Supervisors and the Public Protection Committee and to provide a status update and obtain additional guidance.



# SYNOPSIS OF RECOMMENDATIONS FROM THE COMMUNITY

Public comments received in response to live “on the spot” and on-line community surveys suggest significant support for:

- The establishment of:
  - ✓ a *hybrid oversight system*,
  - ✓ consisting of a *Sheriff’s Oversight Board* and an *Office of the Inspector General*
- The hybrid oversight system should include elements of the 4 oversight models that have been established throughout the years in this country.
- The Oversight Board should be staffed by civilian volunteers and exclude current or retired sworn personnel.





# **December 6<sup>th</sup>, 2022 & May 23<sup>rd</sup>, 2023 Presentations to the Board of Supervisors**

- On December 6, 2022, a presentation on AB 1185 was provided to the full Board. The purpose of the presentation was:
  - ✓ To provide an overview of all activities undertaken, since September of 2021, to assist in the development of a recommendation to the Board of Supervisors on whether a Sheriff's Oversight Board and/or Office of the Inspector General should be established, and
  - ✓ To obtain direction and/or decisions related to specific elements of oversight.
- On May 23, 2023 a follow-up presentation was made to the full Board in which 2 oversight options were provided for the Board's consideration. During this meeting the Board directed that a similar presentation be made to the Public Protection Committee for feedback.
- A written report, with recommendations, will be provided to the Public Protection Committee and the full Board by July 2023. It will include recommendations related to oversight structure, authority and selection criteria, budget and staffing, legal counsel options for the oversight system, etc.

# **Areas for Consideration by the Alameda County Board of Supervisors**

- Should the Board of Supervisors establish a Sheriff's oversight system pursuant to AB 1185?
- If so, what should the focus of the system be, i.e., Investigation, Review, Monitor-Auditor or Hybrid?
- Should the system include an Oversight Board?
- Should the Oversight Board be supported by an Office of the Inspector General and Executive Officer?
- What should the oversight structure/system look like at a more granular level?
- What should the authority of the oversight system be?
- If an Oversight Board is established, how many members should it consist of, what should their qualifications and disqualifying factors be, and how should they be selected? What should their authority encompass?
- If an Office of the Inspector General is established, what should the authority and qualifications of the Inspector General be?
- If an Executive Officer is established, how should they be selected, and what should their qualifications and authority be?
- What legal counsel options should be afforded to the Oversight Board?
- Should the budget of the oversight system consist of a percentage of the Sheriff's annual budget or based upon demonstrated need? What should the budget be for year 1 (startup costs) versus future years (ongoing costs)?

# TWO AB 1185 OPTIONS

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# OPTION 1 YEAR 1

Alameda County Board  
of Supervisors

Office of the  
Inspector General



# OPTION 1 YEAR 2

Alameda County Board  
of Supervisors

Oversight  
Board

Office of the  
Inspector General

Executive  
Director

Includes the addition  
of an Oversight Board  
and Executive Director.

# OPTION 2 YEAR 1

Alameda County Board  
of Supervisors

Oversight  
Board

Office of the  
Inspector General

Executive  
Director

This option mirrors  
Option 1, Year 2.

These options include a dedicated Senior Deputy County Counsel (.5 position) that would report to the Office of the County Counsel.

## OPTION #1, YEAR 1

### OFFICE OF THE INSPECTOR GENERAL

The Office of the Inspector General would report to the Board of Supervisors. It would serve as the investigative arm of the oversight structure and have full subpoena power.



## OPTION #1, YEAR 2 OR OPTION #2, YEAR 1

### OVERSIGHT BOARD

The overarching objective of the Oversight Board would be to review the policies, practices and actions of the Alameda County Sheriff's Office (ACSO) in the interest of providing accountability and improving practices, and to effect positive change intended to not only impact the community, but the ACSO as well.

### EXECUTIVE DIRECTOR

The Executive Director would be responsible for facilitating the functions of the Oversight Board by providing direct and full-time technical administrative support, and by acting as a liaison with the Office of the Inspector General.

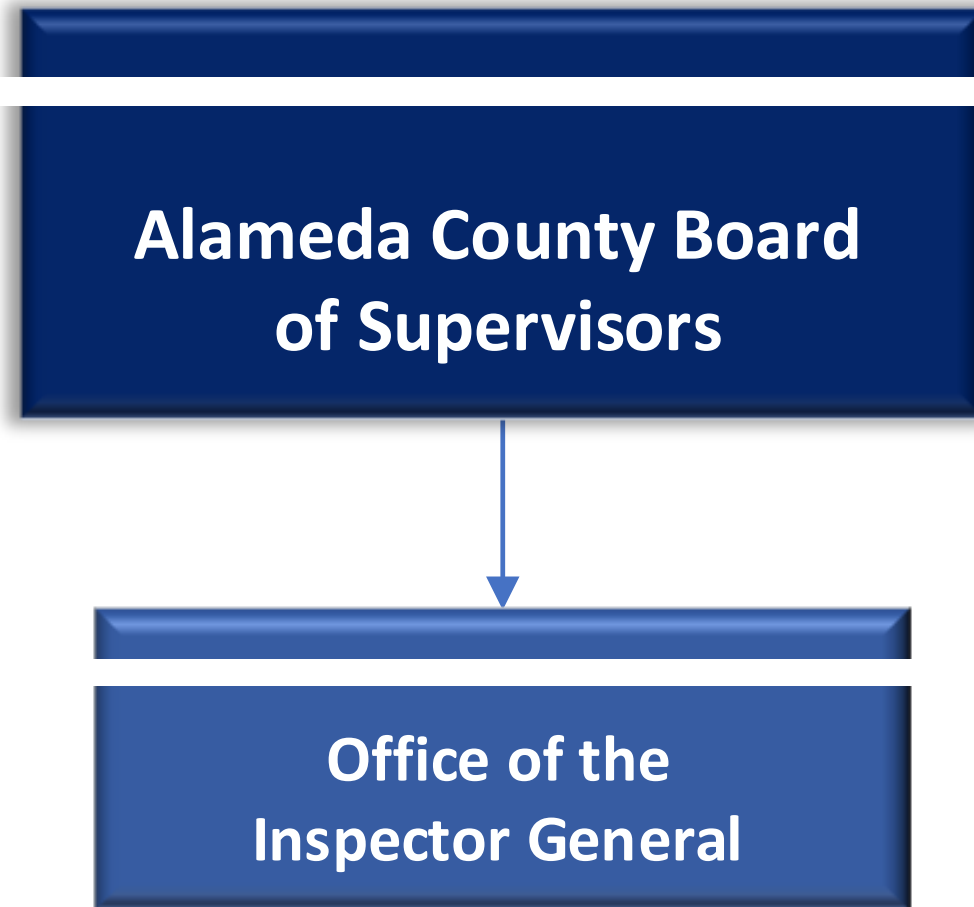
### OFFICE OF THE INSPECTOR GENERAL

The Office of the Inspector General (OIG) would report to the Board of Supervisors, and work collaboratively with the Oversight Board and the Executive Director. The OIG would serve as the investigative arm of the oversight structure and have full subpoena power.

**Proposed  
AB 1185  
Reporting  
Structure**



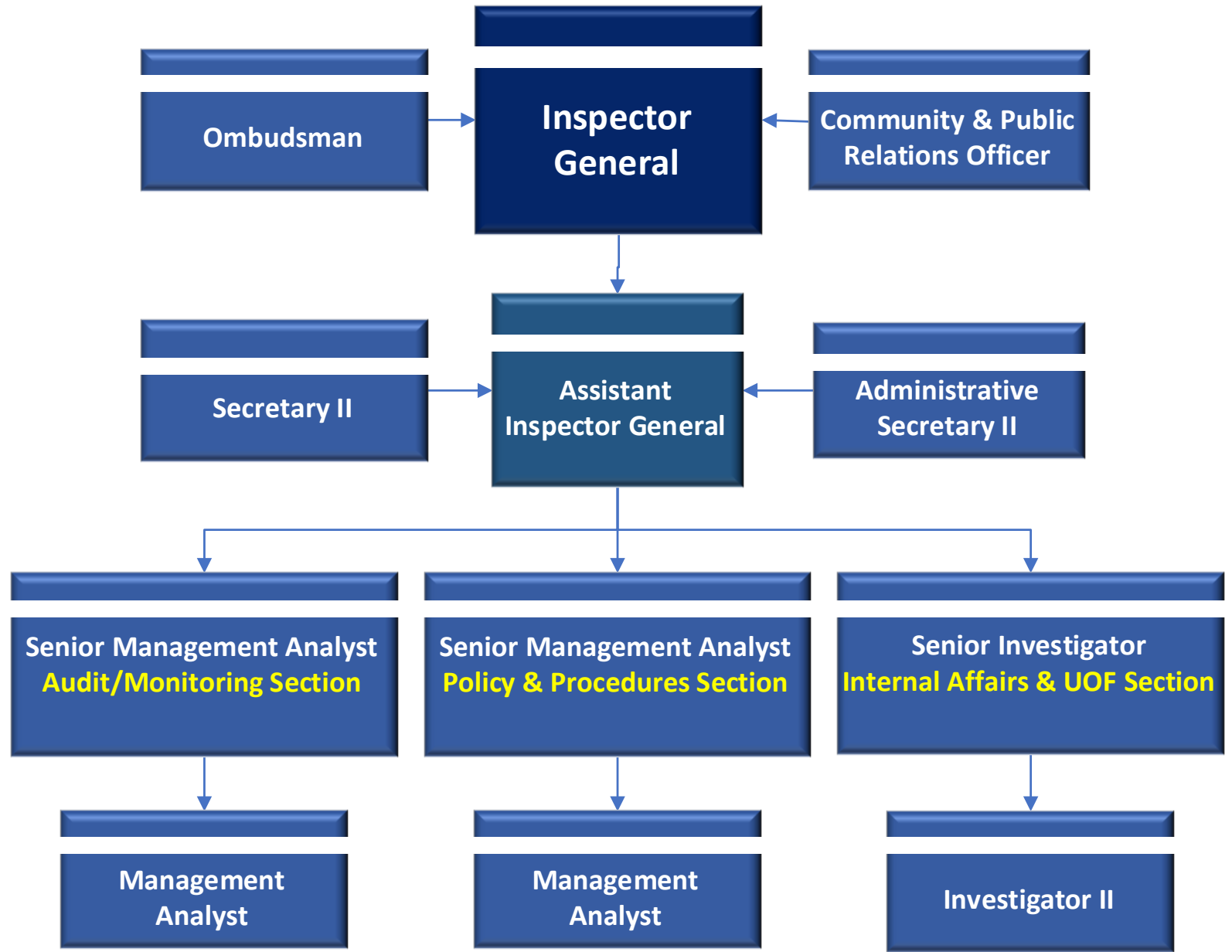
**OPTION #1  
YEAR 1**



# Proposed AB 1185 Reporting Structure



**OPTION #1  
YEAR 1**



This option also includes a dedicated Senior Deputy County Counsel (.5 position) that would report to the Office of the County Counsel.

# PROPOSED AB 1185 SHERIFF OVERSIGHT STRUCTURE

## OPTION #1 – YEAR 1

Position Title	Total Positions	Low Range Annual Salary + Benefits	High Range Annual Salary + Benefits
** Inspector General	1	\$289,830	\$424,474
** Assistant Inspector General	1	\$230,976	\$346,963
** Community & Public Relations Officer	1	\$147,034	\$171,405
*** Ombudsman	1	\$142,886	\$205,363
* Senior Management Analyst (0207)	2	\$285,075	\$382,054
* Senior Investigator II (8581)	1	\$255,656	\$310,170
* Management Analyst (0206)	2	\$271,622	\$363,814
* Investigator II (8577)	1	\$166,931	\$205,437
* Secretary II (1220)	1	\$116,813	\$138,477
* Administrative Secretary II (1227)	1	\$128,128	\$152,555
* Senior Deputy County Counsel (.5 position)	1	\$131,466	\$175,289
<b>INDIRECT COSTS:</b>		<b>\$541,605</b>	<b>\$719,000</b>
<b>TOTALS:</b>		<b>\$2,708,023</b>	<b>\$3,595,002</b>

* Existing Alameda County Classification Equivalent
** Existing Los Angeles County Classification Equivalent
*** Existing CDCR Classification Equivalent
(####) Indicates Position # of Alameda County Classification Equivalent

The Senior Deputy County Counsel reports to the Office of the County Counsel.

<b>Sheriff's 2022-23 Budget</b>	<b>\$597,514,384</b>
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<b>0.5%</b>	<b>\$2,987,571</b>
<b>1%</b>	<b>\$5,975,143</b>



# **PROPOSED HYBRID OVERSIGHT SYSTEM'S AUTHORITY OPTION #1 - YEAR 1**

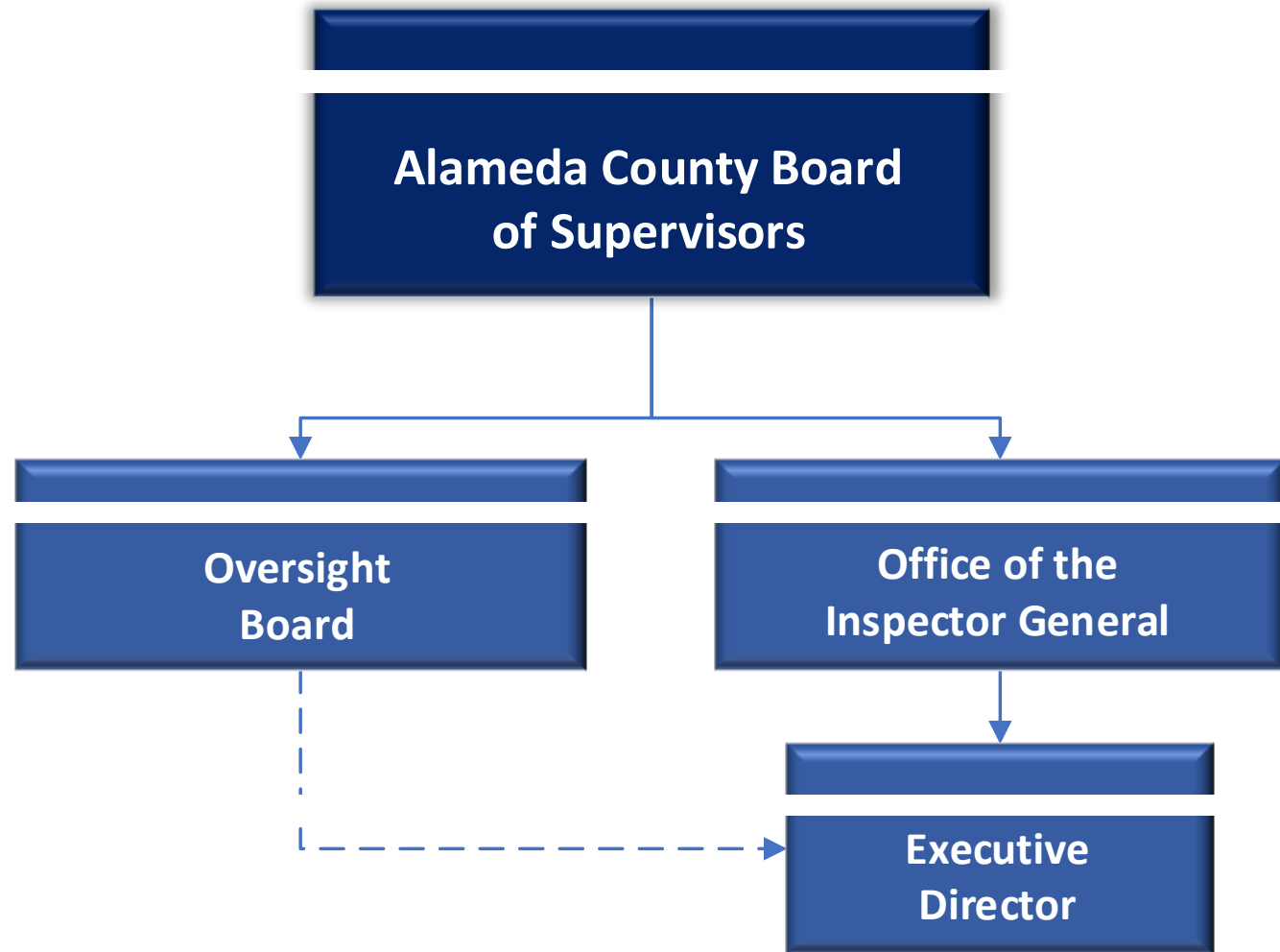
- **Independent Oversight & Monitoring**
- **Authority to Issue Subpoenas**
- **Audit, Investigate & Inspect Operations**
- **Review Policies, Procedures & Trends**
- **Prevent Civil Right Violations & Litigation by Proactively Identifying Patterns & Practices**



# Proposed AB 1185 Reporting Structure



**OPTION #1  
YEAR 2 OR  
OPTION #2,  
YEAR 1**

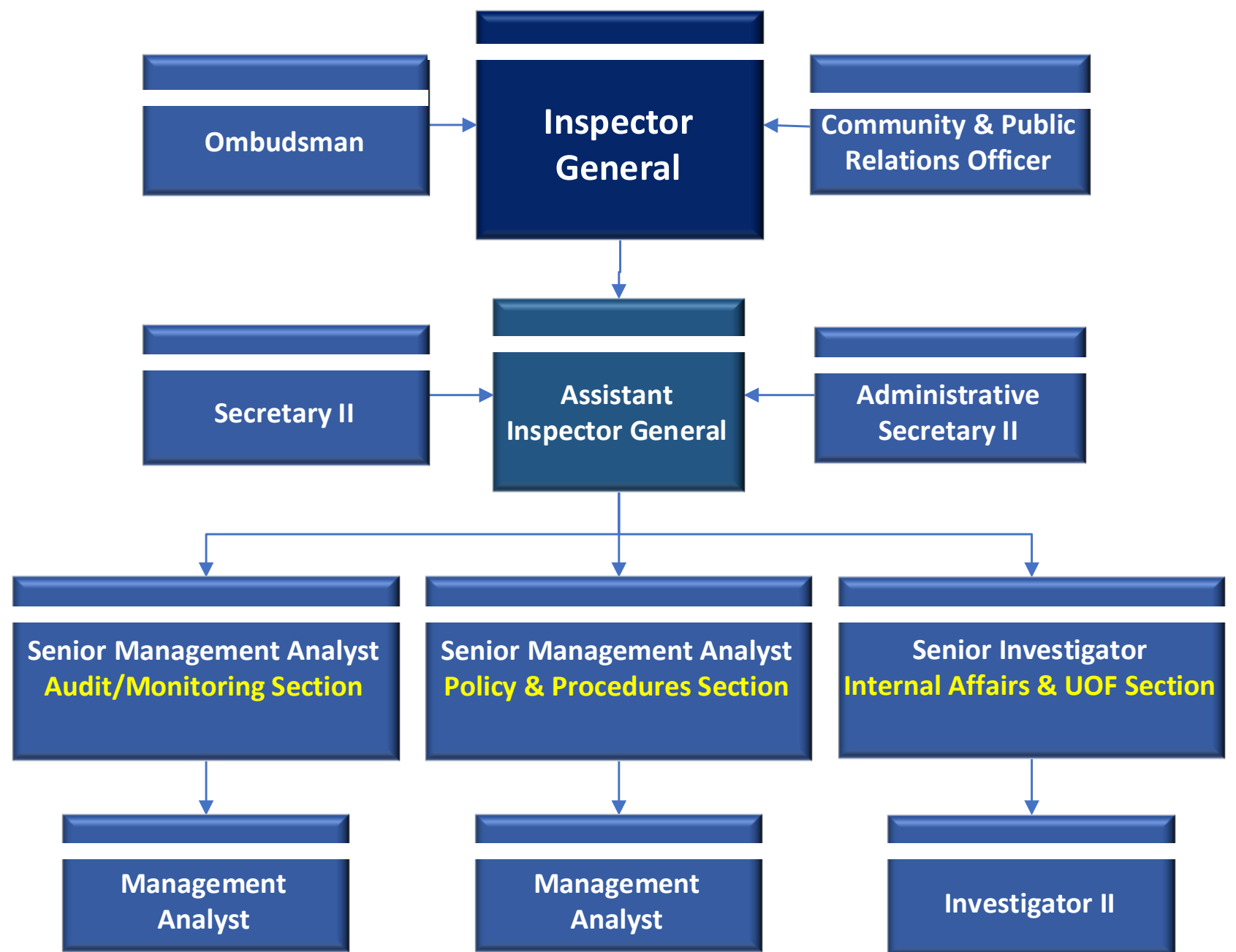


***NOTE: OPTION 1, YEAR 2 IS THE SAME AS OPTION 2, YEAR 1, EXCEPT EACH WOULD OCCUR AT A DIFFERENT TIME – DEPENDING ON THE BOARD’S DECISION.***

# Proposed AB 1185 Reporting Structure



**OPTION #1**  
**YEAR 2 OR**  
**OPTION #2,**  
**YEAR 1**

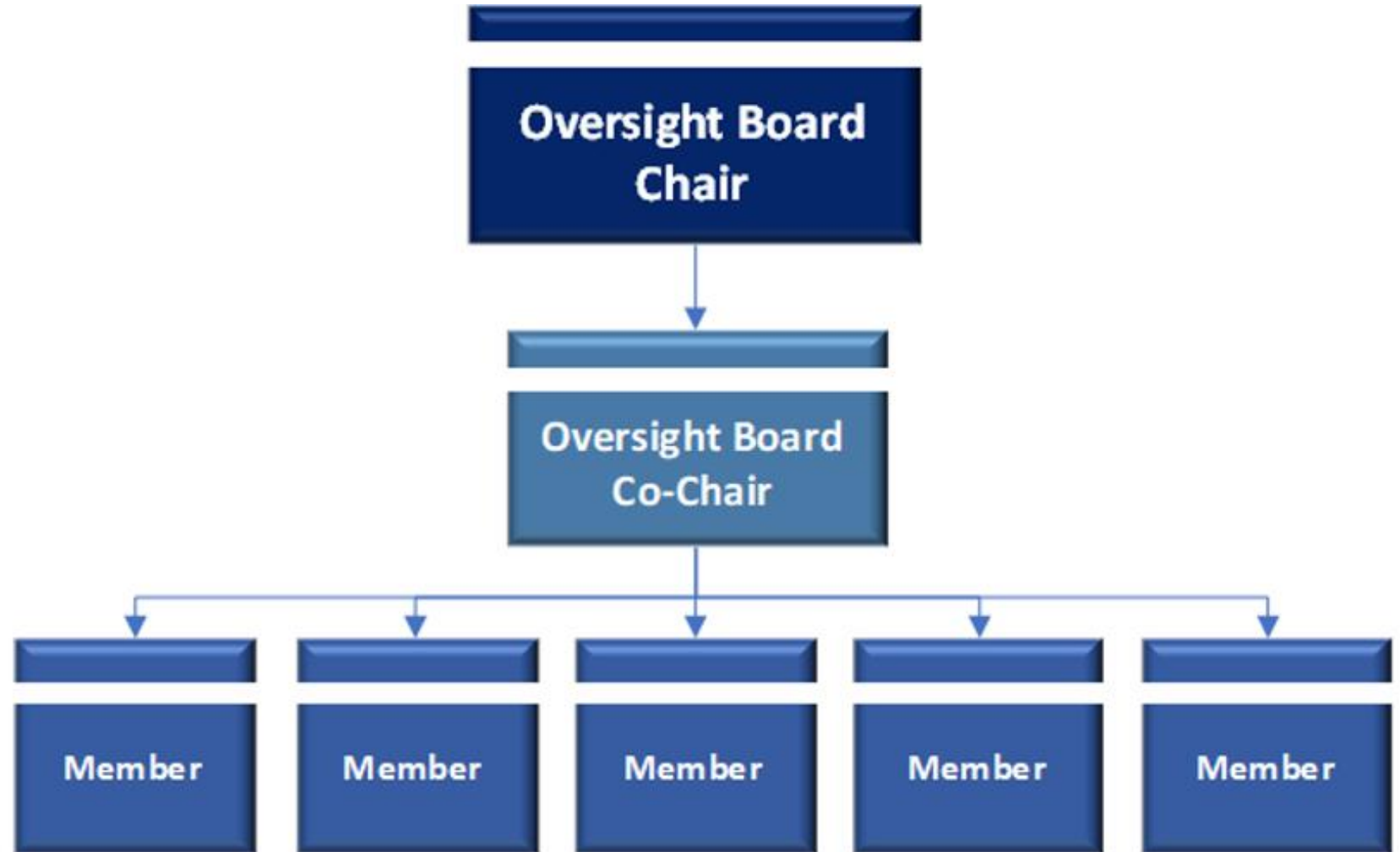


This option also includes a dedicated Senior Deputy County Counsel (.5 position) that would report to the Office of the County Counsel.

# Proposed AB 1185 Reporting Structure



**OPTION #1**  
**YEAR 2 OR**  
**OPTION #2,**  
**YEAR 1**



The Chair & Co-Chair are Oversight Board Members. They are appointed by a majority vote of the Oversight Board and subject to rotation every year.

All members have equal authority.

# PROPOSED AB 1185 SHERIFF OVERSIGHT STRUCTURE

## OPTION #1, YEAR 2 OR OPTION #2, YEAR 1

Oversight Board	
Board Member - District 1	Board Member - District 5
Board Member - District 2	Board Member - At Large
Board Member - District 3	Board Member - At Large
Board Member - District 4	

Annual \$1,200 Stipend Maximum  
X Seven (7) Board Members

**\$8,400**

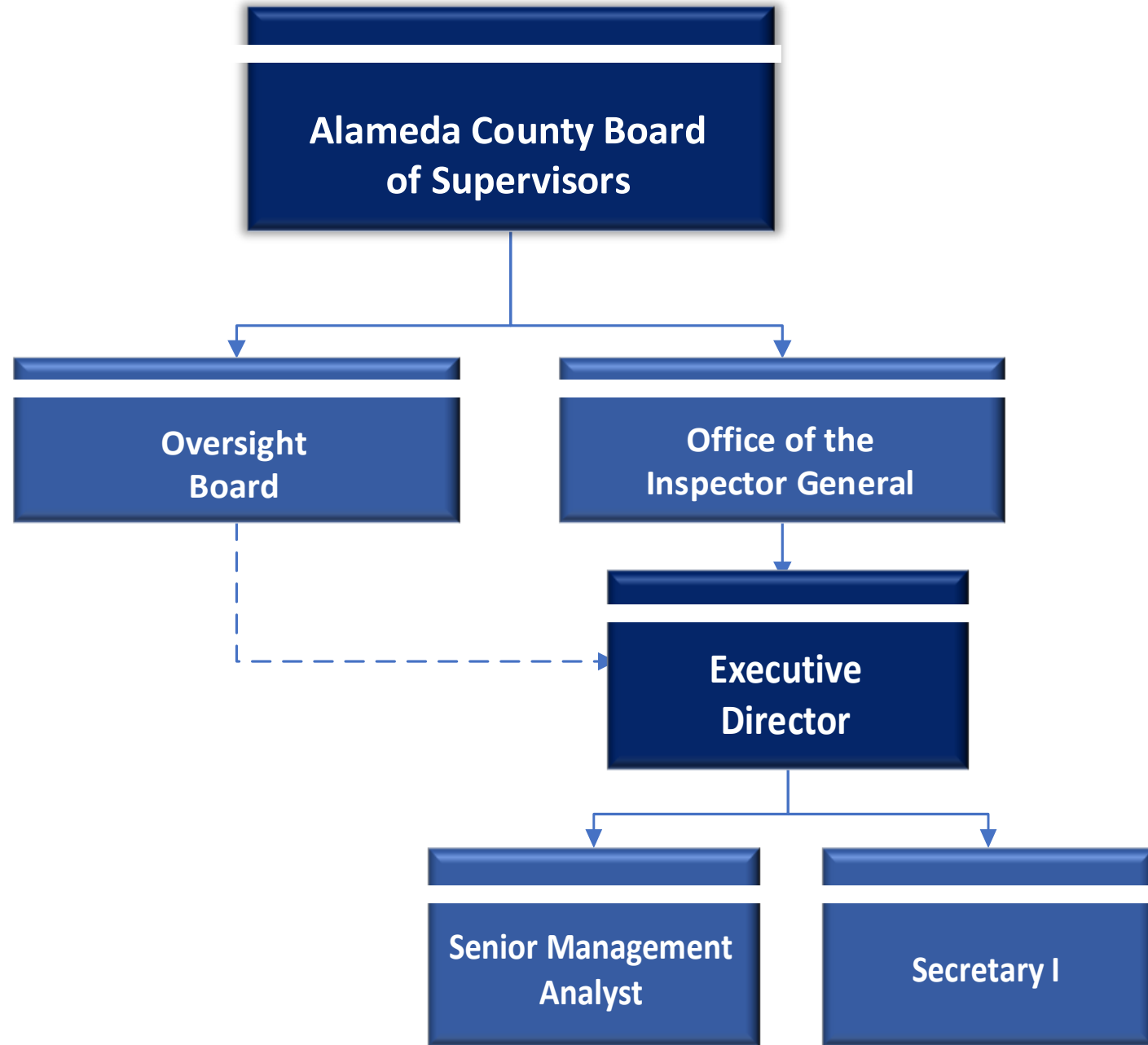




# Proposed AB 1185 Reporting Structure



**OPTION #1**  
**YEAR 2 OR**  
**OPTION #2,**  
**YEAR 1**



# PROPOSED AB 1185 SHERIFF OVERSIGHT STRUCTURE

## OPTION #1, YEAR 2 OR OPTION #2, YEAR 1

Position Title	Total Positions	Low Range Annual Salary + Benefits	High Range Annual Salary + Benefits
Oversight Board Members (Volunteers - Stipend Only)	7	N/A	N/A
<b>SUBTOTALS:</b>	<b>7</b>	<b>N/A</b>	<b>N/A</b>
* Executive Director (0256)	1	\$183,106	\$279,152
* Senior Management Analyst (0207)	1	\$142,538	\$191,027
* Secretary I (1215)	1	\$86,766	\$103,272
<b>INDIRECT COSTS:</b>		<b>\$103,102</b>	<b>\$143,363</b>
<b>SUBTOTALS:</b>	<b>3</b>	<b>\$515,512</b>	<b>\$716,814</b>
** Inspector General	1	\$289,830	\$424,474
** Assistant Inspector General	1	\$230,976	\$346,963
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<b>INDIRECT COSTS:</b>		<b>\$541,605</b>	<b>\$719,000</b>
<b>SUBTOTAL:</b>	<b>13</b>	<b>\$2,708,023</b>	<b>\$3,595,002</b>
<b>CUMULATIVE SUBTOTALS</b>		<b>\$3,223,535</b>	<b>\$4,311,816</b>
<b>OVERSIGHT BOARD ANNUAL STIPEND:</b>		<b>\$8,400</b>	<b>\$8,400</b>
<b>TOTALS:</b>	<b>23</b>	<b>\$3,231,935</b>	<b>\$4,320,216</b>

Sheriff's 2022-23 Budget	<b>\$597,514,384</b>
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<b>0.5%</b>	<b>\$2,987,571</b>
<b>1%</b>	<b>\$5,975,143</b>

LEGEND
Oversight Board
Executive Director's Office
Office of the Inspector General

* Existing Alameda County Classification Equivalent
** Existing Los Angeles County Classification Equivalent
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# **PROPOSED HYBRID OVERSIGHT SYSTEM'S AUTHORITY**

- **Independent Oversight & Monitoring**
- **Authority to Issue Subpoenas**
- **Audit, Investigate & Inspect Operations**
- **Review Policies, Procedures & Trends**
- **Prevent Civil Right Violations & Litigation by Proactively Identifying Patterns & Practices**



# **LEGAL COUNSEL OPTIONS**

- **Dedicated County Counsel**
- **External counsel for specific instances that would be subject to advance approval by the Board of Supervisors**
- **Preapproved pro bono counsel**



# BUDGET OPTIONS

- Year 1 Startup
- Year 2 Budget
- .5 to 1 Percent of the Sheriff's Budget or Based on Demonstrated Need

Sheriff's 2022-23 Budget	\$597,514,384
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0.5%	\$2,987,571
1%	\$5,975,143



# OVERVIEW OF DECISIONS FROM THE BOARD OF SUPERVISORS DURING THE MAY 23, 2023 SPECIAL MEETING

- Option 1 (Office of an Inspector General only), with no assumption that there would be an expansion to an Oversight Board and Executive Director in Year 2.
  - The Sheriff's transition plan has built a level of transparency that will provide the Board of Supervisors the opportunity to determine whether expansion in the future is necessary.
- No decision on the classification of the Inspector General was made.
- Assignment of a dedicated senior special counsel (1/2 position, with a firewall) will be used to provide the Inspector General with privileged legal assistance.
- If an Oversight Board is established in the future, prior/retired law enforcement would not be prohibited from membership.
- Supportive of a voluntary 7-member Oversight Board consisting of members from the community (assuming expansion occurs in the future).
- Supportive of the staffing presented for the Office of the Inspector General. This equates to about 1/2 percent of the Sheriff's current budget.





Questions?



Thank you!