

[Police/Sheriff Merger]

## CHARTER AMENDMENT

## PROPOSITION \_\_\_\_

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 6.105 to establish a process for a Sheriff and Police Department merger.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2003, a proposal to amend the Charter of the City and County by adding Section 6.105 to read as follows:

Note: Additions are *single-underline italics Times New Roman*.  
Deletions are ~~*strikethrough italics Times New Roman*~~.

## SEC. 6.105. SHERIFF.

The Sheriff shall:

1. Keep the county jail;
2. Receive all prisoners committed to jail by competent authorities;
3. Execute the orders and legal processes issued by courts of the State of California;
4. Upon court order detail necessary bailiffs; and
5. Execute the orders and legal processes issued by the Board of Supervisors or by any

legally authorized department or commission.

6. Effective January 1, 2005, the Sheriff shall assume all of the duties and responsibilities of the Police Department and Police Commission established in Charter Sections 4.109 and 4.127. At that time, the City Attorney shall cause these sections to be removed from the Charter.

On or before January 31, 2004, the Mayor shall appoint four members of the public and the Board of Supervisors shall appoint three members of the public to a committee to study the merger. The Controller, City Attorney, Police Chief and Sheriff or their designees shall also

serve on this committee. The Board of Supervisors shall adopt any amendments to the Police Code and Administrative Code deemed necessary to implement the merger.

In addition to the amendments deemed necessary, the Board of Supervisors must also make the following three findings prior to the merger moving forward:

1. The City and County of San Francisco will realize cost savings as a result of the merger that are verified by the Controller or Board of Supervisors' Budget Analyst.
2. The rights of citizens to file complaints about the use of force shall either be preserved or strengthened.
3. The merger will enhance public safety.

The Sheriff shall appoint, and at his or her pleasure may remove, an attorney, one under-sheriff, one assistant sheriff and one confidential secretary.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By: \_\_\_\_\_  
Deputy City Attorney