

BOARD of SUPERVISORS



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MEMORANDUM

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Hillary Ronen, Chair
Rules Committee

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: July 13, 2020

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, July 14, 2020

The following file should be presented as a **COMMITTEE REPORT** at the Board Meeting on Tuesday, July 14, 2020. This item was acted upon at the Rules Committee Meeting on Monday, July 13, 2020, at 10:00 a.m., by the votes indicated.

Item No. 30 File No. 200514

[Charter Amendment - Sheriff Department Oversight Board and Inspector General]

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco to create the Sheriff's Department Oversight Board to advise and report findings and recommendations to the Sheriff and the Board of Supervisors regarding Sheriff's Department operations; to create the Sheriff's Department Office of Inspector General, under the direction of an Inspector General appointed by the Oversight Board, to investigate complaints of non-criminal misconduct by employees and contractors of the Sheriff's Department and in-custody deaths, develop policy recommendations for the Sheriff's Department, and report quarterly its findings, results, and recommendations to the Sheriff and the Oversight Board; at an election to be held on November 3, 2020.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Hillary Ronen - Aye
Supervisor Catherine Stefani - Aye
Supervisor Gordon Mar - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy Director
Anne Pearson, Deputy City Attorney

File No. 200514

Committee Item No. 5

Board Item No. 11

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date July 13, 2020

Board of Supervisors Meeting

Date July 21, 2020

Cmte Board

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- Resolution
- Ordinance
- Legislative Digest
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- Introduction Form
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OTHER (Use back side if additional space is needed)

- Charter Amendment _____
- _____
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- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Victor Young Date July 9, 2020

Completed by: _____ Date _____

1 [Charter Amendment - Sheriff’s Department Oversight Board and Inspector General]

2

3 **Describing and setting forth a proposal to the voters at an election to be held on November**

4 **3, 2020, to amend the Charter of the City and County of San Francisco to create the**

5 **Sheriff’s Department Oversight Board to advise and report findings and recommendations**

6 **to the Sheriff and the Board of Supervisors regarding Sheriff’s Department operations; to**

7 **create the Sheriff’s Department Office of Inspector General, under the direction of an**

8 **Inspector General appointed by the Oversight Board, to investigate complaints of non-**

9 **criminal misconduct by employees and contractors of the Sheriff’s Department and in-**

10 **custody deaths, develop policy recommendations for the Sheriff’s Department, and report**

11 **quarterly its findings, results, and recommendations to the Sheriff and the Oversight**

12 **Board.**

13

14 Section 1. The Board of Supervisors hereby submits to the qualified voters of the City

15 and County, at an election to be held on November 3, 2020, a proposal to amend the Charter of

16 the City and County by adding Section 4.137 and revising Section 15.105, to read as follows:

17 NOTE: **Unchanged Charter text and uncodified text** are in plain font.

18 **Additions** are *single-underline italics Times New Roman font*.

19 **Deletions** are ~~*strike-through italics Times New Roman font*~~.

20 **Asterisks (* * * *)** indicate the omission of unchanged Charter subsections.

21 **SEC. 4.137. SHERIFF’S DEPARTMENT OVERSIGHT.**

22 *(a) Establishment of Oversight Board.*

23 *(1) The Sheriff’s Department Oversight Board (“SDOB”) is hereby established.*

24 *The SDOB shall consist of seven members. The Board of Supervisors shall appoint four*

25

1 members (to Seats 1, 2, 3, and 4), and the Mayor shall appoint three members (to Seats 5, 6, and
2 7). Seat 4 shall be held by a person with experience in labor representation.

3 (2) Members shall serve four-year terms, beginning at noon on March 1, 2021;
4 provided, however, the term of the initial appointees to Seats 1, 3, and 5 shall expire at noon on
5 March 1, 2023, whereas the term of the initial appointees to Seats 2, 4, 6, and 7 shall expire at
6 noon on March 1, 2025.

7 (3) No person may serve more than three successive terms as a member. No
8 person having served three successive terms may serve as a member until at least four years
9 after the expiration of the third successive term. Service for a part of a term that is more than
10 half the period of the term shall count as a full term; further, this subsection (a)(3) makes no
11 distinction between the two-year terms referenced in subsection (a)(2) and four-year terms.

12 (4) Members may be removed from office only for official misconduct under
13 Article XV.

14 (5) All members shall complete a training and orientation on custodial law
15 enforcement, constitutional policing, and Sheriff's Department ("SFSD") policies and
16 procedures, within 90 days of assuming office for their first term. The Sheriff or the Sheriff's
17 designee shall prescribe the content of and shall administer the training and orientation
18 regarding SFSD patrol and custodial law enforcement, policies and procedures. SFSD shall
19 develop the training content based on guidelines recommended by the National Association of
20 Civilian Oversight for Law Enforcement ("NACOLE") or successor association, the Bar
21 Association of San Francisco or successor association, and/or the American Civil Liberties
22 Union, and SFSD shall consult with the Department of Police Accountability, Public Defender,
23 and the District Attorney in developing the training content.

24 (b) SDOB Powers and Duties. The SDOB shall:
25

1 (1) Appoint, and may remove, the Inspector General in the Sheriff's Department
2 Office of Inspector General ("OIG"), established in subsection (d).

3 (2) Evaluate the work of the OIG, and may review the Inspector General's
4 individual work performance.

5 (3) Compile, evaluate, and recommend law enforcement custodial and patrol best
6 practices.

7 (4) Conduct community outreach and receive community input regarding SFSD
8 operations and jail conditions, by holding public meetings and soliciting input from persons
9 incarcerated in the City and County.

10 (5) Prepare and submit a quarterly report to the Sheriff and Board of Supervisors
11 regarding the SDOB evaluations and outreach, and OIG reports submitted to SDOB.

12 (6) By March 1 of each year, prepare and present to the Board of Supervisors or
13 a committee designated by the President of the Board, an annual report that includes a summary
14 of SDOB evaluations and outreach, and OIG reports submitted to SDOB, for the prior calendar
15 year.

16 (c) In performing its duties, the SDOB may hold hearings, issue subpoenas to witnesses
17 to appear and for the production of evidence, administer oaths, and take testimony.

18 (d) Establishment of Office of Inspector General. There is hereby established the
19 Sheriff's Department Office of Inspector General ("OIG"), which shall be a department under
20 the SDOB, and separate from the Sheriff's Department. The OIG shall be headed by the
21 Inspector General, appointed by the SDOB as set forth in subsection (b)(1). The Inspector
22 General shall be exempt from civil service selection, appointment, and removal procedures.

23 (e) OIG Powers and Duties. The OIG shall:

24 (1) Receive, review, and investigate complaints against SFSD employees and
25 SFSD contractors; provided, however, that the OIG shall refer complaints alleging criminal

1 misconduct to the District Attorney, and refer complaints alleging violations of ethics laws to the
2 Ethics Commission.

3 (2) Investigate the death of any individual in the custody of the SFSD. The OIG
4 shall refer evidence of criminal misconduct regarding any death in custody to the District
5 Attorney. Notwithstanding such a referral, the OIG may continue to investigate a death in
6 custody unless OIG's investigation will interfere with a criminal investigation conducted by the
7 District Attorney, or any law enforcement agency to which the District Attorney may refer the
8 evidence of criminal misconduct.

9 (3) Recommend disciplinary action to the Sheriff where, following an
10 investigation pursuant to subsection (e)(1) or (e)(2), the OIG determines that an employee's
11 actions or omissions violated law or SFSD policy; provide notice of and a copy of the
12 recommendation, the reasons for the recommendation, and supporting records, to the extent
13 permitted by State or federal law, to the employee; and make available to the public any records
14 and information regarding OIG's disciplinary recommendations to the extent permitted by State
15 or federal law.

16 (4) Develop and recommend to the Sheriff an SFSD use of force policy and a
17 comprehensive internal review process for all use of force and critical incidents.

18 (5) Prepare and submit a quarterly report to the Sheriff and the SDOB regarding
19 OIG investigations that includes the number and type of complaints under subsection (e)(1)
20 filed; trend analysis; the outcome of the complaints; any determination that the acts or omissions
21 of an employee or contractor, in connection with the subject matter of a complaint under
22 subsection (e)(1), or a death in custody under subsection (e)(2), violated law or SFSD policy; the
23 OIG's recommendations, if any, for discipline; the outcome of any discipline recommendations;
24 and the OIG's policy recommendations under subsection (e)(4).

1 (6) Monitor SFSD operations, including the provision of services to incarcerated
2 individuals, through audits and investigations, to ensure compliance with applicable laws and
3 policies.

4 (f) In performing its duties, the OIG may hold hearings, issue subpoenas to witnesses to
5 appear and for the production of evidence, administer oaths, and take testimony. The OIG also
6 may request and the Sheriff shall require the testimony or attendance of any employee of the
7 SFSD.

8 (g) Cooperation and Assistance from City Departments. In carrying out their duties, the
9 SDOB and OIG shall receive prompt and full cooperation and assistance from all City
10 departments, officers, and employees, including the Sheriff and SFSD and its employees, which
11 shall, unless prohibited by State or federal law, promptly produce all records and information
12 requested by the SDOB or OIG, including but not limited to (1) personnel and disciplinary
13 records of SFSD employees, (2) SFSD criminal investigative files, (3) health information
14 pertaining to incarcerated individuals; and (4) all records and databases to which the SFSD has
15 access, regardless of whether those records pertain to a particular complaint or incident. The
16 Sheriff also shall, unless prohibited by State or federal law, allow the OIG unrestricted and
17 unescorted access to all facilities, including the jails. The SDOB and OIG shall maintain the
18 confidentiality of any records and information it receives or accesses to the extent required by
19 local, State, or federal law governing such records or information.

20 In carrying out their duties, the SDOB and OIG shall cooperate and collaborate with
21 organizations that contract with SFSD to provide legal services to incarcerated individuals.

22 (h) Budget and Staffing. Subject to the fiscal, budgetary, and civil service provisions of
23 the Charter, the OIG staff shall include no fewer than one investigator for every 100 sworn
24 SFSD employees. No SDOB or OIG staff, including the Inspector General, shall have been
25

1 employed previously by a law enforcement agency or a labor organization representing law
2 enforcement employees.

3 (i) Nothing in this Section 4.137 shall prohibit, limit, or otherwise restrict the Sheriff or
4 the Sheriff's designee from investigating the conduct of an employee or contractor of the SFSD,
5 or taking disciplinary or corrective action permitted by City or State law.

6 (j) Nothing in this Section 4.137, including but not limited to subsections (f) and (g), is
7 intended to or shall be interpreted to abrogate, interfere with, or obstruct the independent and
8 constitutionally and statutorily designated duties of the Sheriff, including the Sheriff's duty to
9 investigate citizens' complaints against SFSD personnel and the duty to operate and manage the
10 jails, the California Attorney General's constitutional and statutory responsibility to oversee the
11 Sheriff, or other applicable State law. In carrying out their duties, the SDOB and OIG shall
12 cooperate and coordinate with the Sheriff so that the Sheriff, the SDOB, and the OIG may
13 properly discharge their respective responsibilities.

14
15 **SEC. 15.105. SUSPENSION AND REMOVAL.**

16 (a) ELECTIVE AND CERTAIN APPOINTED OFFICERS. Any elective officer, and
17 any member of the Airport Commission, Asian Art Commission, Civil Service Commission,
18 Commission on the Status of Women, Golden Gate Concourse Authority Board of Directors,
19 Health Commission, Human Services Commission, Juvenile Probation Commission, Municipal
20 Transportation Agency Board of Directors, Port Commission, Public Utilities Commission,
21 Recreation and Park Commission, Fine Arts Museums Board of Trustees, ~~Taxi Commission~~, War
22 Memorial and Performing Art Center Board of Trustees, Board of Education or Community
23 College Board is subject to suspension and removal for official misconduct as provided in this
24 section. Such officer may be suspended by the Mayor and the Mayor shall appoint a qualified
25 person to discharge the duties of the office during the period of suspension. Upon such

1 suspension, the Mayor shall immediately notify the Ethics Commission and Board of
2 Supervisors thereof in writing and the cause thereof, and shall present written charges against
3 such suspended officer to the Ethics Commission and Board of Supervisors at or prior to their
4 next regular meetings following such suspension, and shall immediately furnish a copy of the
5 same to such officer, who shall have the right to appear with counsel before the Ethics
6 Commission in his or her defense. The Ethics Commission shall hold a hearing not less than five
7 days after the filing of written charges. After the hearing, the Ethics Commission shall transmit
8 the full record of the hearing to the Board of Supervisors with a recommendation as to whether
9 the charges should be sustained. If, after reviewing the complete record, the charges are
10 sustained by not less than a three-fourths vote of all members of the Board of Supervisors, the
11 suspended officer shall be removed from office; if not so sustained, or if not acted on by the
12 Board of Supervisors within 30 days after the receipt of the record from the Ethics Commission,
13 the suspended officer shall thereby be reinstated.

14 (b) BUILDING INSPECTION COMMISSION, PLANNING COMMISSION, BOARD
15 OF APPEALS, ELECTIONS COMMISSION, ETHICS COMMISSION, SHERIFF'S
16 DEPARTMENT OVERSIGHT BOARD, AND ENTERTAINMENT COMMISSION. Members of
17 the Building Inspection Commission, the Planning Commission, the Board of Appeals, the
18 Elections Commission, the Ethics Commission, the Sheriff's Department Oversight Board, and
19 the Entertainment Commission may be suspended and removed pursuant to the provisions of
20 subsection (a) of this section except that the Mayor may initiate removal only of the Mayor's
21 appointees and the appointing authority shall act in place of the Mayor for all other appointees.

22 * * * *
23 APPROVED AS TO FORM:
24 DENNIS J. HERRERA, City Attorney

25 By: /S/ Jon Givner
JON GIVNER, Deputy City Attorney

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LEGISLATIVE DIGEST

Revised 07/09/20

[Charter Amendment - Sheriff's Department Oversight Board and Inspector General]

Describing and setting forth a proposal to the voters at an election to be held on November 3, 2020, to amend the Charter of the City and County of San Francisco to create the Sheriff's Department Oversight Board to advise and report findings and recommendations to the Sheriff and the Board of Supervisors regarding Sheriff's Department operations; to create the Sheriff's Department Office of Inspector General, under the direction of an Inspector General appointed by the Oversight Board, to investigate complaints of non-criminal misconduct by employees and contractors of the Sheriff's Department and in-custody deaths, develop policy recommendations for the Sheriff's Department, and report quarterly its findings, results, and recommendations to the Sheriff and the Oversight Board.

Existing Law

The Sheriff is a state constitutional officer with duties and powers under state law. State law defines the Sheriff's powers in broad terms. Under state law, the Sheriff shall preserve the peace, and arrest and take before a local magistrate all persons who commit crime. The Sheriff is a peace officer and has all powers and responsibilities of a peace officer, including the power to arrest. In addition, state law requires that the Sheriff take charge of and be the sole and exclusive authority to keep the county jail and the prisoners in it.

State law grants to the Board of Supervisors the power and duty to supervise the official conduct of all county officers, including the Sheriff. However, state law places limits on the Board's power and duty to supervise the Sheriff. State law expressly prohibits the Board's obstruction or interference with the Sheriff's independent constitutional and statutorily designated investigative and prosecutorial functions. And the Board of Supervisors has no power to control the Sheriff in the performance of their duties under state law.

Amendments to Current Law

This proposal is a Charter amendment that would create the Sheriff's Department Oversight Board ("SDOB") and the Sheriff's Department Office of Inspector General ("OIG"). The OIG would be a department under the SDOB and separate from the Sheriff's Department ("SFSD"). The Board of Supervisors would appoint four members (seats 1-4), and the Mayor would appoint three members (seats 5-7). Seat 4 would be held by a person with experience in labor representation.

The SDOB would advise and make recommendations to the Sheriff and Board of Supervisors concerning SFSD operations and report its findings and recommendations, based in part on

OIG investigations, quarterly to the Sheriff and the Board of Supervisors. Annually, the SDOB would prepare and present to a committee designated by the President of the Board of Supervisors a summary of SDOB evaluations and outreach, and OIG reports submitted to SDOB, for the prior calendar year.

The OIG would receive, review and investigate complaints against SFSD, its employees and contractors, investigate in-custody deaths, and recommend a SFSD use of force policy and a SFSD internal review process for use of force and critical incidents. The OIG would refer evidence of criminal misconduct regarding any death in custody to the District Attorney, but, notwithstanding that referral, could continue to investigate a death in custody unless OIG's investigation would interfere with an investigation conducted by the District Attorney or a law enforcement agency to which the District Attorney referred the matter. The OIG also would monitor SFSD operations, including the provision of services to incarcerated individuals, through audits and investigations, to ensure compliance with applicable laws and policies.

In carrying out their duties, both the SDOB and OIG could hold hearings, and subpoena witnesses and documents. The OIG also could request that the Sheriff require the testimony or attendance of any employee of the SFSD.

All City Departments, including SFSD, would be required to cooperate with the SDOB and OIG and, unless prohibited by State or federal law, would be required to promptly produce all records and information requested by the SDOB or OIG, including but not limited to (1) personnel and disciplinary records of SFSD employees, (2) SFSD criminal investigative files, (3) health information pertaining to incarcerated individuals; and (4) all records and databases to which the SFSD has access, regardless of whether those records pertain to a particular complaint or incident. Also, unless prohibited by State or federal law, the Sheriff would be required to allow the OIG unrestricted and unescorted access to all facilities, including the jails. But the proposal would not require the Sheriff to cooperate with any SDOB or OIG request or investigation if that request or investigation obstructed or interfered with the Sheriff's constitutional or statutorily designated duties.

The proposal also would require the SDOB and OIG to cooperate and collaborate with organizations that contract with SFSD to provide legal services to incarcerated individuals.

The proposal would specify that OIG staff include no fewer than one investigator for every 100 sworn SFSD employees, and that no SDOB or OIG staff, including the Inspector General, have been employed previously by a law enforcement agency or a labor organization representing law enforcement employees.

Nothing in the proposal would prohibit, limit, or otherwise restrict the Sheriff from investigating the conduct of an employee or contractor of the SFSD, or taking disciplinary or corrective action permitted by City or State law.

The proposal also would not grant the SDOB or the OIG the authority to hire, fire, or discipline personnel in the SFSD, manage or operate the SFSD, issue directives to the Sheriff or any SFSD employee or contractor, or set policy for the SFSD. The proposal would authorize the SDOB and OIG only to advise and make recommendations to the Sheriff and Board of Supervisors concerning SFSD operations, complaints against employees and contractors of the Sheriff, and in-custody deaths.

Background

This proposal reflects amendments made in the Rules Committee on June 29, 2020.

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BOARD of SUPERVISORS



City Hall
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May 26, 2020

File No. 200514

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson:

On May 19, 2020, the following proposed Charter Amendment for the November 3, 2020, Election was received by the Board of Supervisors' Rules Committee:

File No. 200514

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco to create the Sheriff's Department Oversight Board to advise and report findings and recommendations to the Sheriff and the Board of Supervisors regarding Sheriff's Department operations; to create the Sheriff's Department Office of Inspector General, under the direction of an Inspector General appointed by the Oversight Board, to investigate complaints of non-criminal misconduct by employees and contractors of the Sheriff's Department and in-custody deaths, develop policy recommendations for the Sheriff's Department, and report quarterly its findings, results, and recommendations to the Sheriff and the Oversight Board; at an election to be held on November 3, 2020.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Assistant Clerk
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning
Laura Lynch, Environmental Planning


Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

06/02/2020 Joy Navarrete

**CITY AND COUNTY OF SAN FRANCISCO
BOARD OF SUPERVISORS
BUDGET AND LEGISLATIVE ANALYST**

1390 Market Street, Suite 1150, San Francisco, CA 94102
(415) 552-9292 FAX (415) 252-0461

Policy Analysis Report

To: Supervisor Walton
From: Budget and Legislative Analyst's Office 
Re: Estimated Cost of Proposed Charter Amendment to Create the Sheriff
Department Oversight Board and Office of Inspector General
Date: June 29, 2020

SUMMARY OF REQUESTED ACTION

Your office requested that the Budget and Legislative Analyst estimate the cost of a proposed charter amendment to create a new Sheriff Department Oversight Board and Office of the Inspector General.

For further information about this report, contact Severin Campbell at the Budget and Legislative Analyst's Office.

Executive Summary

- The proposed legislation would place an initiative on the November 3, 2020 ballot to amend the City's Charter to create a civilian Sheriff's Department Oversight Board (SDOB) and an Office of the Inspector General (OIG) to support the SDOB.
- The SDOB and OIG would be responsible for investigating complaints against the Sheriff's Department and other City employees or contractors who interact with individuals in the Sheriff's custody, as well as making recommendations for disciplinary action and policy changes related to use of force. The SDOB and OIG would have the power to issue subpoenas for documents and testimony but the Sheriff (an elected official) would retain sole discretion to impose discipline on any Sheriff's Department employees and implement policy recommendations.
- The total estimated annual cost for the proposed Sheriff's Department Oversight Board and Office of Inspector General is approximately \$3 million. This is primarily due to the cost of staffing the proposed OIG, estimated at \$2.8 million per year for 14 full-time staff and associated overhead. The SDOB is estimated to cost approximately \$240,000 per year for commission secretary staffing, commissioner compensation and other meeting costs. Based on our understanding of proposed changes to the Charter Amendment that would delete the mandated Attorney position, the estimated OIG and SDOB costs would be reduced from \$3.0 million to approximately \$2.7 million.
- These are initial estimates based on the best available information and do not include one-time costs for setting up these new bodies (i.e. new case management

system, training, etc.) or other unknown costs related to workload. These costs are based on average FY 2019-20 salary and benefit levels. Actual staffing levels and costs may be higher or lower depending on the appropriation authorized by the Board of Supervisors and other relevant Charter provisions.

- Establishing civilian oversight over elected sheriffs is uncommon in California due to the constitutional independence granted to sheriffs to carry out investigations. However, pending state legislation would codify counties' power to establish civilian oversight with subpoena powers based on existing case law.
- The Department of Police Accountability has previously investigated allegations against Sheriff's Department staff under a Memorandum of Understanding between the two departments. In considering the proposed Charter Amendment, the Board of Supervisors could consider how to incorporate the goals to the proposed Office of Inspector General with the existing work of the Department of Police Accountability.

Project staff: Cody Xuereb, Nicolas Menard, Severin Campbell

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1. Overview of Proposed Legislation
2. Estimated Cost of Sheriff Department Oversight Board & Office of Inspector General
3. Existing Sheriff Oversight

Overview of Proposed Legislation

The proposed legislation would put forth an initiative on the November 3, 2020 ballot to amend the City's Charter to create a civilian Sheriff's Department Oversight Board (SDOB) and an Office of the Inspector General (OIG) to support the new Board. The SDOB and OIG would be responsible for investigating complaints against the Sheriff's Department and other City employees or contractors who interact with individuals in the Sheriff's custody, as well as making recommendations for disciplinary action and policy changes related to use of force. However, the Sheriff (an elected official) would remain responsible for deciding whether to accept these recommendations and for implementing them. Discussion of the authority of the Sheriff and local governing boards to oversee Sheriff operations is included in the section below.

Sheriff Department's Oversight Board

The proposed Oversight Board would include 7 members, 4 appointed by the Board of Supervisors and 3 appointed by the Mayor, serving four-year terms starting March 1, 2021. Members must complete a training on custodial law enforcement, constitutional policing and Sheriff's Department policies and procedures. No other experience requirements are specified for SDOB members.

The SDOB would primarily be responsible for overseeing the Office of the Inspector General and making recommendations to the Sheriff regarding policy. The SDOB would have the following duties:

- 1) Appoint and remove the Sheriff's Department Inspector General;
- 2) Evaluate the work of the Office of the Inspector General;
- 3) Compile, evaluate and recommend law enforcement custodial and patrol best practices to the Sheriff;
- 4) Conduct community outreach and receive community input;

- 5) Prepare and submit a quarterly report to the Sheriff and Board of Supervisors regarding its recommendations, outreach work and reports from the OIG;
- 6) Prepare and present an annual report to the Board of Supervisors Public Safety and Neighborhood Services Committee similar to the report in 5).

The SDOB would have the power to hold hearings, issue subpoenas and take testimony in order to carry out its duties.

Sheriff's Department Office of Inspector General

A new department, the Sheriff's Department of Office of Inspector General, would be created to support the SDOB by investigating complaints against the Sheriff's Department's, making policy recommendations on use of force and other custodial policies and procedures, and reporting to the SDOB.

Specifically, the OIG would have the following duties¹:

- 1) Receive, review & investigate complaints against SFSD employees and contractors, as well as employees and contractors of other City Departments delivering services or interacting with persons in the Sheriff's custody;²
- 2) Investigate the death of any individual in the Sheriff's custody;
- 3) Recommend disciplinary action to the Sheriff if it finds a violation of law or Sheriff's Department policy;
- 4) Develop and recommend a use of force policy and internal review process for use of force and critical incidents;
- 5) Submit a quarterly report to Sheriff and SDOB regarding OIG investigations (i.e. number, type, outcome, determination of violation, recommended discipline & outcome of discipline, and policy recommendations).

The OIG would have the power to hold hearings, issue subpoenas and take testimony in order to carry out its duties. All City Departments, including the Sheriff's Department, are required to cooperate with requests from the OIG.

¹ This does not include additional duties for the OIG that were included in a subsequent draft of the legislation provided by the Supervisor's office. These additional duties include monitoring Sheriff's Department operations through audits and other investigations as well as providing a mediation function to resolve complaints.

² Complaints alleging criminal misconduct shall be referred to the District Attorney and complaints alleging violations of ethics laws shall be referred to the Ethics Commission.

The proposed legislation specifies that the OIG would be staffed by investigators based on a ratio of one investigator per 100 sworn Sheriff's Department employees and one attorney, in addition to the Inspector General. Estimated staffing and associated costs are discussed in the next section.

Estimated Cost of Sheriff Department Oversight Board & Officer of Inspector General

In order to produce an initial estimate of the costs of creating the new Sheriff Department's Oversight Board (SDOB) and Office of Inspector General (OIG), we used information from the legislation, data from City departments on commission costs, and Department of Police Accountability information to estimate potential staffing needs. Based on this information and associated assumptions, we estimate the total ongoing annual cost for the proposed Sheriff's Department Oversight Board and Office of Inspector General to be approximately \$3 million, based on FY 2019-20 salary and benefit costs. This is primarily driven by the cost of staffing the proposed OIG, estimated at approximately \$2.8 million per year for 14 staff and overhead. The SDOB is estimated to cost approximately \$240,000 per year for commission secretary staffing, commissioner compensation and other meeting costs. Exhibit 1 details the estimated costs and key assumptions.

Exhibit 1: Sheriff's Department Oversight Board & Office of Inspector General Cost Estimates

Office of Inspector General Staffing & Costs

Position (Class)	FTE	Cost per FTE ^a	Total Cost
Inspector General (Dept. Head III/963)	1.00	\$ 306,603	\$ 306,603
Sr Investigator (8126)	2.00	171,158	342,315
Investigator (8124) ^b	8.00	156,031	1,248,249
Attorney (8177)	1.00	289,718	289,718
Executive Secretary (1450)	1.00	126,692	126,692
Legal Assistant (8173)	1.00	141,641	141,641
Total Staffing	14.00	-	\$ 2,455,220
Overhead Costs (HR, IT, Office Space)^c		\$24,129	\$ 337,813
<i>% Overhead Costs (of total)</i>			<i>14%</i>
Total OIG Cost	14.00		\$ 2,793,032

Sheriff's Department Oversight Board Staffing & Costs

Item/ Position (Class)	FTE/ #	Cost per FTE	Total Cost
Commission Secretary (1454)	1.00	\$ 148,283	\$ 148,283
Commissioner Compensation (114)	7.00	1,200	8,400
Other Commissioner Costs ^d	-	-	33,680
Meeting Costs	-	-	50,235
Other Costs	-	-	-
Total SDOB Cost	8.00	-	\$ 240,598
	FTE		Cost
Total SDOB & OIG Cost	22.00		\$ 3,033,631

Source: BLA estimate based on Department and budget data.

Notes: See full description of assumptions in the Appendix.

^a Salary and fringe benefit costs per FTE are from the City's financial system labor cost reports for FY 2019-20. Salaries are budgeted at the top step; the actual salaries may be less if new staff are hired at less than top step.

^b Investigator staffing based on ratio specified in proposed legislation of one investigator per 100 sworn Sheriff's Department staff. 8 investigators were estimated based on 834.21 sworn staff (FTE) from the FY 2019-20 funded positions budget (there were 942.95 authorized positions for FY 2019-20).

^c Overhead costs per FTE calculated based on DPA overhead costs (excludes one-off costs associated with the development a new IT case management system).

^d Other Commissioner Costs include commissioner health benefits (assumes 50% uptake).

Cost Assumptions

The OIG staffing cost estimates are based on ratios set out in the proposed legislation or Department of Police Accountability ratios and are not based on expected workload. Actual staffing is subject to appropriation by the Board of Supervisors and other relevant Charter provisions.

Based on our understanding of proposed changes to the Charter Amendment that would delete the mandated Attorney position, the estimated OIG staff costs would be reduced from approximately \$2.8 million to approximately \$2.5 million, and total combined OIG and SDOB costs would be reduced from \$3.0 million to approximately \$2.7 million.

The estimates above do not include additional one-time costs that may be required to set up these bodies. For example, the Department of Police Accountability estimated that they spent around \$260,000 to develop and implement a Salesforce-based case management and reporting system to track Police Department investigations and produce required reports. The costs also do not include additional dedicated staff to produce required

quarterly and annual reports or review and develop policy recommendations. It is assumed these functions could be performed by existing staff.

Further discussion of our assumptions of staffing and operating costs for the proposed SDOB and OIG are included in the Appendix.

Existing Sheriff Department Oversight

Establishing civilian oversight over elected Sheriff's Departments has generally been rare in California due to the constitutional independence granted to Sheriffs to carry out investigations. However, Los Angeles county established a Sheriff civilian oversight commission in 2016 and other counties have created Inspector General offices to oversee or investigate specific incidents involving Sheriff's Department misconduct. Pending State legislation would also codify counties' ability to establish civilian Sheriff oversight with subpoena powers. In San Francisco, the Sheriff's Department has been solely responsible for investigating complaints of misconduct by its officers. In 2019, the Sheriff's Department entered into an agreement with the Department of Police Accountability to investigate several existing high-profile allegations of misconduct as well as new cases referred at the Sheriff's discretion. The DPA reviewed and closed 33 of 36 cases under this MOU before its suspension due to a grievance by the Deputy Sheriff's Association. Around a third of the closed cases had findings for misconduct that were sustained, including one for inappropriate use of force.

Legal Authority for Civilian Oversight of Sheriff's Departments

Unlike the Police Chief, who is appointed by the Mayor, local sheriffs are an independent elected position established in the California Constitution.³ Direct supervision of local sheriffs is assigned to the State Attorney General⁴ and local governing bodies, such as the board of supervisors, are generally restricted from interfering with the investigative functions of the sheriff. However, state statute specifies that the board of supervisors has the authority to supervise the conduct of all county officers and retains budgetary authority over the sheriff.⁵ This has meant local sheriff's departments have generally not been subject to civilian oversight and have

³ See California Constitution, Article XI, Sec. 1(b) & Sec. 4(c)

⁴ See California Constitution, Article V, Sec. 13

⁵ California Government Code Sec. 25303

been responsible for investigating citizen complaints according to internal policies and procedures, and applicable state laws.

Legal precedent indicates that an oversight body, such as the proposed SDOB and OIG, may be permissible, and several counties, including Los Angeles County, have set up civilian oversight over their sheriff's departments. Additionally, Assembly Bill (AB) 1185 was introduced in 2019 which would have codified in statute the ability for counties to set up civilian oversight bodies over the counties' sheriff's departments, including with the ability to subpoena the Sheriff and deputies.⁶ AB 1185 was pulled from inactive and ordered to a second reading on June 11, 2020.

Sheriff Department Oversight and Complaint Investigation in San Francisco

In San Francisco, until 2019, the Sheriff's Department was responsible for investigating complaints against its employees and sworn officers and determining any disciplinary action. According to the Sheriff's internal policies and procedures, investigations can only be authorized by the Sheriff, Undersheriff or Assistant Sheriff and are carried out by investigators in the Department's Internal Affairs Bureau.⁷ The policy specifies that findings and recommendations from any investigations be submitted to the Sheriff who is also responsible for determining any disciplinary action.

In May 2019, the Sheriff's Department signed a Memorandum of Understanding (MOU) with the Department of Police Accountability for the investigation of around 19 existing cases of alleged sheriff deputy misconduct as well as new cases referred by the Sheriff. Under the MOU, the DPA would investigate the cases and complaints referred to it, make a determination of whether the allegations were sustained, and provide a non-binding disciplinary recommendation to the Sheriff.⁸ The DPA assigned around five staff to investigate Sheriff cases, two to three investigators, one senior investigator, and one attorney.

However, no further cases have been referred to DPA pending a meet and confer between the City and the Deputy Sheriff's Association on the MOU.

⁶ Assembly Bill 1185 (2019)

⁷ Sheriff's Policy & Procedure Manual – Part 2, SFSD 04-06: Internal Affairs Policy and Procedure, revised 10/10/1997 (<https://www.sfsheriff.com/forms-policies-reports/policies-and-rules>)

⁸ The DPA indicated that it was not providing a finding (sustained or not) or disciplinary recommendations following a request from the previous Sheriff to retain this authority.

Policy Alternative

Setting up a new department takes time to set up systems and hire staff, and results in new General Fund overhead costs. In considering the proposed Charter Amendment, the Board of Supervisors could consider how to incorporate the goals to the proposed Sheriff's Department Office of Inspector General with the existing work of the Department of Police Accountability. This consideration would need to include the role of the Sheriff's Department Oversight Board and appointment of the Inspector General.

APPENDIX

Detailed Cost Assumptions

The costs estimated above are an initial estimate based on the initial legislation submitted and the best available information at the time of writing.⁹ Several important assumptions, caveats and uncertainties underlie these estimates which could impact the actual cost of setting up the SDOB and OIG. In particular, we used staffing information and costs from the DPA given the similarities in functions. The key assumptions include:

- **Management & supervision oversight:** we used the same ratio used in DPA for investigators to senior investigators (3:1). However, given uncertainties about workload we did not include additional supervisory or management staff which are included in the DPA (i.e. Chief of Staff, Deputy Chief Attorney, Deputy Directors, etc.). Increasing managerial and supervisory oversight would increase the staffing cost of the OIG.
- **Support staff:** we used similar classifications as used by DPA for support staff. Discussion with the DPA indicated complaint investigations require both paralegal and administrative support. Given uncertainties about workload, we only included one paralegal (legal assistant) and assumed the Inspector General's support staff could be used to support investigators.
- **Legal and analytical staff:** given uncertainties around workload, we did not include any additional legal staff besides the one attorney position specified in the proposed legislation. However, DPA currently employs

⁹ The costs do not include additional functions identified in a subsequent draft of the legislation provided to the BLA. These additional functions include overall monitoring of Sheriff's Department operations, including audits and other investigations, as well as a mediation function for resolving complaints. Estimates for these functions could be estimated based on the DPA costs for providing these functions.

around 1 attorney for every 2.35 investigators. It may be difficult for one attorney to review OIG cases and help develop policy recommendations. We also assumed existing management staff would be responsible for producing the required quarterly and annual reports.

- **Overhead costs:** given uncertainties about workload and staffing, we used the average overhead cost per employee (FTE) for the DPA to estimate OIG overhead costs. These costs are based on work orders with various City departments to provide basic IT, Human Resources, and office space services. The actual costs for these services will depend on the needs of the OIG.
- **SDOB costs:** SDOB costs were estimated based on information from four other commissions with similar scope and level of responsibility: Police, Fire, Public Utilities and Airport
- **SB1421/ Public Records Requests:** SB1421 increased access to law enforcement investigation records under the California Public Records Act. The OIG would likely be covered under this statute and may require additional support staff to review, redact and release records requested.
- **FY 2019-20 Costs used:** given the economic uncertainty and interaction with labor union contracts, proposed Cost of Living Adjustments may be delayed. We used the average budgeted cost for salary and benefits at the top step for positions for FY 2019-20.

Comparison of Department of Police Accountability to Proposed Sheriff’s Department Office of Inspector General

The table below provides a comparison of the mandate, staffing and duties of the Department of Police Accountability to the proposed Office of Inspector General. The comparison is based on the description of the Department of Police Accountability in the City’s Charter.

Exhibit A1: Comparison Table

Provision	DPA (SF Charter Sec. 4.136)	SFSD OIG (Proposed Charter Amendment)
Department Head	Member of Police Commission, appointed by Mayor, subject to BOS confirmation. Exempt from Civil Service requirements	Appointed by SDOB, Exempt from Civil Service selection, appointment & removal procedures
Staffing	1 investigator : 150 sworn staff	1 investigator: 100 sworn staff; 1 attorney

Provision	DPA (SF Charter Sec. 4.136)	SFSD OIG (Proposed Charter Amendment)
Duties – Disciplinary action recommendations	Recommend disciplinary action to Chief of Police, meet & confer with Chief to discuss and file charges with Police Commission after review. The Police Commission can impose disciplinary action in cases filed by the DPA or where the discipline recommended exceed a 10-day suspension.	Recommend disciplinary action to the Sheriff and report quarterly to SDOB on outcome of disciplinary recommendation (no provision for filing charges with SDOB). The SDOB does not have the power to impose disciplinary action on Sheriff’s Department employees.
Duties	<ol style="list-style-type: none"> 1) Investigate all complaints regarding police use of force, misconduct or neglect of duty (except Police lodged complaints or prima facie valid complaints). Conclude investigations within 9 months (with exception) 2) Recommend disciplinary action to Chief of Police and file charges with Police Commission (certain exceptions) 3) Hold hearings if requested by complainant or Police Department 4) Monthly summaries of complaints received 5) Quarterly recommendations regarding Department policy changes to avoid unnecessary tension with the public 6) Quarterly report to BOS regarding complaints & outcomes 7) Conduct performance audit of police officer use of force and claims of misconduct every two years 	<ol style="list-style-type: none"> 1) Receive, review & investigate complaints against SFSD employees & contractors, employees and contractors of other City Departments delivering services or interacting with persons in SFSD custody 2) Investigate the death of any individual in SFSD custody 3) Recommend disciplinary action to the Sheriff (if violation of law or SFSD policy) 4) Develop & recommend SFSD use of force policy and internal review process for use of force and critical incidents 5) Submit quarterly report to Sheriff and SDOB regarding OIG investigations (number, type, outcome, determination of violation, recommended discipline & outcome, policy recommendations)
Powers	Hold hearings, request testimony or documents from any City and County employees, departments or officers (including Police officers).	Hold hearings, issue subpoenas & take testimony

Source: BLA analysis of Charter Amendment legislation and City and County Charter.



OFFICE OF THE CONTROLLER
CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield
Controller
Todd Rydstrom
Deputy Controller

Ms. Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place Room 244
San Francisco, CA 94102-4689

June 27, 2020

RE: File 200514 – Charter amendment to create the Sheriff’s Department Oversight Board and the Sheriff’s Department Office of Inspector

Dear Ms. Calvillo,

Should the proposed Charter amendment be approved by the voters, in my opinion, it would have a significant impact on the cost of government.

The proposed Charter amendment would create a new seven-member Sheriff’s Department Oversight Board (SDOB) and a new Sheriff’s Department Office of Inspector General (OIG), separate from the Sheriff’s Department. The SDOB would appoint an Inspector General and would evaluate the work of OIG. The OIG would receive, review and investigate complaints against the Sheriff’s Department, its employees and contractors, and other City employees serving persons in custody, and investigate in-custody deaths. The OIG would also recommend a use of force policy and internal review process for use of force and critical incidents for the Sheriff’s Department.

The estimated annual cost for the SDOB, including staff and material costs for commissioners, board secretary and analytical staff is \$400,000. The estimated annual cost for the OIG, including 13 staff, office space and materials and supplies is \$2 million to \$2.5 million.

Sincerely,

Natasha Mihal

FOR Ben Rosenfield
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller’s statement appears in the Voter Information Pamphlet.

From: [Mihal, Natasha \(CON\)](#)
To: [Young, Victor \(BOS\)](#)
Subject: RE: Request for CEQA Determination and Controller's Report for Rules Committee 7/6 and 7/9 meetings
Date: Wednesday, July 1, 2020 2:04:42 PM
Attachments: [image001.png](#)

We will not be refile for 200509 and 200514.

I will be submitting or resubmitting for all others.

Thanks!

Natasha Mihal

COVID Response: EOC Deputy for Future Operations
(415) 359-3813 (mobile) | natasha.mihal@sfgov.org
City and County of San Francisco
Controller's Office | City Performance Deputy Director
Pronouns: she/her/hers

From: Young, Victor (BOS) <victor.young@sfgov.org>
Sent: Wednesday, July 1, 2020 1:05 PM
To: Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Mihal, Natasha (CON) <natasha.mihal@sfgov.org>
Subject: Request for CEQA Determination and Controller's Report for Rules Committee 7/6 and 7/9 meetings

Good Afternoon Joy and Natasha:

Below are items schedules for next weeks Rules Committee Meetings where I will need the CEQA Determination and Controller's analysis.

7/6 meeting

- File No. 200509 – was re-referred due to amendments. Let me know if you intend to re-issue reports
- File No. 200510 – was re-referred due to amendments. Let me know if you intend to re-issue reports.
- File No. 200514 – was re-referred due to amendments. Let me know if you intent to re-issue reports.
- File No. 200515 – CEQA Determination on file. Controller Report Pending.

7/9 meting

- File No. 200507 – was re-referred due to amendments. Let me know if you intent to re-issue reports.
- File No. 200654 – **CEQA DETERMINATION Pending**. Controller Report Pending

It would be appreciate if I could get any pending report for the packet by tomorrow morning.

Thanks.

Victor Young

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall., Room 244

San Francisco CA 94102

phone 415-554-7723 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org



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City and County of San Francisco

Micki Callahan

Human Resources Director



Department of Human Resources

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www.sfdhr.org

DATE: June 9, 2020

TO: Ken Lomba, President SF DSA
Lisette Adams, President SF MSA
Jason Klumb, SEIU 1021
Debra Grabelle, IFPTE Local 21
Raquel Silva, MEA
David Tuttle, IPOA
Sean Connolly, MAA
Osha Ashworth, Local 6
Theresa Foglio-Ramirez, Local 261
Larry Mazzola Jr., Local 38
Stan Eichenberger, Local 39
Mark Leach, Local 856

CC: Supervisor Shamann Walton
Supervisor Matt Haney
Supervisor Hillary Ronen
Angela Calvillo, Clerk of the Board of Supervisors

FROM: Carol Isen, Director Employee Relations

RE: **Proposed Charter Amendment – Sheriff Department Oversight Board and Inspector General
(BOS File No: 200514)**

Dear Labor Colleagues,

On May 19, 2020 Supervisors Walton, Haney and Ronen introduced a proposed Charter Amendment to be placed before the voters at the election held on November 3, 2020, which would create a Sheriff's Department Oversight Board and a Sheriff's Department Office of Inspector General. Copies of the proposed Charter Amendment and its accompanying digest are enclosed, and more information can be found at the link below:

<https://sfgov.legistar.com/View.ashx?M=F&ID=8450388&GUID=BF305CF9-F6E1-426E-BA91-A04688C927CD>

The proposed Charter Amendment would create the Sheriff's Department Oversight Board to advise and report findings and recommendations to the Sheriff and the Board of Supervisors regarding Sheriff's Department operations. It would also create the Sheriff's Department Office of Inspector General, under the direction of an Inspector General appointed by the Oversight Board, to investigate complaints of non-criminal misconduct by employees and contractors of the Sheriff's Department and in-custody deaths, develop policy recommendations for the Sheriff's Department, and report quarterly its findings, results, and recommendations to the Sheriff and the Oversight Board.

The City is providing this notice and an opportunity to meet and confer on the proposed Charter Amendment. Due to the COVID-19 pandemic and public health orders, including the shelter-in-place orders, the City offers to meet remotely, by videoconference. The City is available on **June 12, 2020 from 10am – 12pm** to initiate this process. The Employee Relations Division will send an invitation for the meeting.

Attachments: Charter Amendment – Sheriff Oversight and Office of Inspector General (BOS File No: 200514)

From: [BOS Legislation, \(BOS\)](#)
To: [Kilgore, Preston \(BOS\)](#); [Young, Victor \(BOS\)](#)
Cc: [Gallardo, Tracy \(BOS\)](#); [Evans, Abe \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: RE: Sup. Preston Charter Amendment Co-sponsor - Sheriff Department Oversight Board and Inspector General
Date: Tuesday, June 9, 2020 10:48:56 AM
Attachments: [image001.png](#)

Thanks for your request Preston. Looping in Victor, clerk of Rules Committee for processing.

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

From: Kilgore, Preston (BOS) <preston.kilgore@sfgov.org>
Sent: Tuesday, June 9, 2020 10:43 AM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Gallardo, Tracy (BOS) <tracy.gallardo@sfgov.org>; Evans, Abe (BOS) <abe.evans@sfgov.org>
Subject: Sup. Preston Charter Amendment Co-sponsor - Sheriff Department Oversight Board and Inspector General

Good Morning,

Please add Supervisor Preston as co-sponsor to “Charter Amendment - Sheriff Department Oversight Board and Inspector General”
File. No: 200514 [Version: 1](#)

Please confirm receipt of this email.

Thanks,
Preston kilgore

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

June 30, 2020

File No. 200514

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson:

On June 29, 2020, the following proposed Charter Amendment for the November 3, 2020, Election was amended by the Board of Supervisors' Rules Committee:

File No. 200514

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to create the Sheriff's Department Oversight Board to advise and report findings and recommendations to the Sheriff and the Board of Supervisors regarding Sheriff's Department operations; to create the Sheriff's Department Office of Inspector General, under the direction of an Inspector General appointed by the Oversight Board, to investigate complaints of non-criminal misconduct by employees and contractors of the Sheriff's Department and in-custody deaths, develop policy recommendations for the Sheriff's Department, and report quarterly its findings, results, and recommendations to the Sheriff and the Oversight Board; at an election to be held on November 3, 2020.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Victor Young".

By: Victor Young, Assistant Clerk
Rules Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller

FROM: Victor Young, Assistant Clerk, Rules Committee
Board of Supervisors

A handwritten signature in black ink that reads "Victor Young".

DATE: June 30, 2020

SUBJECT: CHARTER AMENDMENT INTRODUCED
November 3, 2020 Election

On June 29, 2020, the Board of Supervisors' Rules Committee amended the following Charter Amendment for the November 3, 2020, Election. This matter is being referred to you in accordance with Rules of Order 2.22.3.

File No. 200514

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to create the Sheriff's Department Oversight Board to advise and report findings and recommendations to the Sheriff and the Board of Supervisors regarding Sheriff's Department operations; to create the Sheriff's Department Office of Inspector General, under the direction of an Inspector General appointed by the Oversight Board, to investigate complaints of non-criminal misconduct by employees and contractors of the Sheriff's Department and in-custody deaths, develop policy recommendations for the Sheriff's Department, and report quarterly its findings, results, and recommendations to the Sheriff and the Oversight Board; at an election to be held on November 3, 2020.

Please review and prepare a financial analysis of the proposed measure prior to the first Rules Committee hearing.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please email or forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Todd Rydstrom, Deputy City Controller
Peg Stevenson, City Performance Director
Natasha Mihal, City Services Auditor

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Sophia Kittler, Liaison to the Board of Supervisors, Mayor's Office
Anne Pearson, Deputy City Attorney, Office of the City Attorney
John Arntz, Director, Department of Elections
LeeAnn Pelham, Executive Director, Ethics Commission
Paul Miyamoto, Sheriff, Sheriff's Department

FROM: Victor Young, Assistant Clerk, Rules Committee *Victor Young*
Board of Supervisors

DATE: June 30, 2020

SUBJECT: CHARTER AMENDMENT INTRODUCED
November 3, 2020 Election

On June 29, 2020, the Board of Supervisors' Rules Committee amended the following Charter Amendment for the November 3, 2020, Election. This matter is being referred to you in accordance with Rules of Order 2.22.4.

File No. 200514

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco to create the Sheriff's Department Oversight Board to advise and report findings and recommendations to the Sheriff and the Board of Supervisors regarding Sheriff's Department operations; to create the Sheriff's Department Office of Inspector General, under the direction of an Inspector General appointed by the Oversight Board, to investigate complaints of non-criminal misconduct by employees and contractors of the Sheriff's Department and in-custody deaths, develop policy recommendations for the Sheriff's Department, and report quarterly its findings, results, and recommendations to the Sheriff and the Oversight Board; at an election to be held on November 3, 2020.

Please review and submit any reports or comments you wish to be included with the legislative file.

If you have any questions or concerns, please call me at (415) 554-7723 or email: victor.young@sfgov.org. To submit documentation, please forward to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Andres Power, Mayor's Office
Rebecca Peacock, Mayor's Office
Kanishka Cheng, Mayor's Office
Patrick Ford, Ethics Commission
Johanna Saenz, Sheriff's Department
Katherine Johnson, Sheriff's Department
Nancy Crowley, Sheriff's Department

From: [Mchugh, Eileen \(BOS\)](#)
To: [Young, Victor \(BOS\)](#)
Subject: FW: SUPPORTING Rules Committee Agenda Item #1 Charter Amendment - Sheriff Department Oversight Board and Inspector General File #200514
Date: Monday, June 29, 2020 5:42:28 PM

From: aeboken <aeboken@gmail.com>
Sent: Sunday, June 28, 2020 7:19 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: SUPPORTING Rules Committee Agenda Item #1 Charter Amendment - Sheriff Department Oversight Board and Inspector General File #200514

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

TO: Board of Supervisors members

I am strongly supporting the formation of a Sheriff Oversight Board which would perform functions similar to the Police Commission.

Eileen Boken
Chair, Land Use and Transportation Committee
Coalition for San Francisco Neighborhoods*

* For identification purposes only.

Sent from my Verizon, Samsung Galaxy smartphone

From: [Sandoval, Suhagey \(BOS\)](#)
To: [Gee, Natalie \(BOS\)](#)
Cc: [Young, Victor \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Subject: Re: Please add Sup. Safai to File No. 200514
Date: Friday, July 10, 2020 11:58:21 AM

Confirming. Thanks.

-Suha

Sent from my iPhone

On Jul 9, 2020, at 1:52 PM, Gee, Natalie (BOS) <natalie.gee@sfgov.org> wrote:

Hi Victor and Alisa,

Supervisor Safai would like to be added as a co-sponsor for File No. 200514 [Charter Amendment - Sheriff Oversight Board and Inspector General. I've copied Supervisor Safai's legislative aide Suha Sandoval to confirm.

Thank you,
Natalie

Natalie Gee 朱凱勤, Chief of Staff
District 10, Supervisor Shamann Walton
Sent on my mobile phone, please pardon any typos!

From: [Wright, Edward \(BOS\)](#)
To: [Gee, Natalie \(BOS\)](#); [Young, Victor \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: Re: Please add Sup. Mar to File No. 200514 [Charter Amendment - Sheriff Oversight Board and Inspector General]
Date: Friday, July 10, 2020 12:17:50 PM

Thank you Natalie! Confirmed for Supervisor Mar.

Get [Outlook for iOS](#)

From: Gee, Natalie (BOS) <natalie.gee@sfgov.org>
Sent: Friday, July 10, 2020 12:17:10 PM
To: Young, Victor (BOS) <victor.young@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>
Cc: Wright, Edward (BOS) <edward.w.wright@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Please add Sup. Mar to File No. 200514 [Charter Amendment - Sheriff Oversight Board and Inspector General]

Hi Victor and Alisa,

Supervisor Mar would like to be added as a co-sponsor for File No. 200514 [Charter Amendment - Sheriff Oversight Board and Inspector General]. I've copied Supervisor Mar's legislative aide Edward Wright to confirm.

Thank you,
Natalie

Natalie Gee 朱凱勤, Chief of Staff
Office of District 10 **Supervisor Shamann Walton**
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 282
Direct: 415.554.7672 | **Office:** 415.554.7670

I am currently working from home due to COVID-19 Shelter-In-Place orders and will be most responsive by email.

District 10 COVID-19 Resources: <http://bit.ly/covid19d10>