

COUNTY COUNSEL'S BALLOT TITLE AND SUMMARY

THE EVELYN CHEATHAM ORDINANCE TO REPEAL AND REPLACE ARTICLE XXVII OF THE SONOMA COUNTY CODE ESTABLISHING THE INDEPENDENT OFFICE OF LAW ENFORCEMENT REVIEW AND OUTREACH (IOLERO)

This ordinance would repeal and replace Article XXVII of the Sonoma County Code establishing the Independent Office of Law Enforcement Review and Outreach (IOLERO). The proposed ordinance would expand the oversight authority and independence of IOLERO to review and analyze complaints against the Sonoma County Sheriff's Office (Sheriff-Coroner) and would also include and expand the Community Advisory Council (CAC) currently appointed by the IOLERO director.

In 2015, the Sonoma County Board of Supervisors (Board) enacted Article XXVII establishing IOLERO to: (1) provide an objective, independent, and appropriate review and audit of law enforcement administrative investigations, including allegations of misconduct by Sheriff-Coroner personnel; (2) provide an alternative avenue for members of the public to file complaints against law enforcement agencies' personnel, including the Sheriff-Coroner; (3) increase transparency; (4) conduct public outreach and community engagement; and (5) propose policy recommendations to the Sheriff-Coroner. This ordinance would continue the Office but expand its independence and authority.

This Ordinance prescribes new qualifications and protections for the IOLERO Director. If passed, the ordinance would require the Director be qualified as a Certified Practitioner of Oversight by the National Association for Civilian Oversight of Law

Enforcement. Additionally, the revised regulations would prohibit the removal of the Director during his/her appointed term except for cause.

This Ordinance would add more specificity to the complaints that IOLERO review to include review of all complaints: (1) filed with IOLERO regardless of the allegations; (2) involving issues of excessive force; (3) alleging violation of individual constitutional rights; (4) alleging bias in policing or corrections; (5) alleging sexual harassment or sexual assault by law enforcement personnel; (6) involving issues of dishonesty; and (7) that become a matter of media interest. Further, it would vest IOLERO with, among other things, the authority to: (1) directly access and independently review any and all sources of investigative evidence; (2) directly contact complainants and witnesses; (3) contact custodians of evidence; and (4) independently subpoena records.

This Ordinance would set the annual budget for IOLERO at 1% of the total annual budget for the Sheriff-Coroner and require a performance audit of IOLERO every three years to ensure the office is operating in an effective and efficient manner.

This Ordinance would transfer the appointing authority for a CAC from the IOLERO Director to the Board and would expand the requirements for membership on the CAC. The proposed regulations require that the CAC continue to include 11 members. Members of the CAC would serve two-year terms and be required to adhere to the National Association of Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics. The ordinance also mandates that the 11 members represent the diversity and demographics of the County and community stakeholders, including, but not limited to,

racial, ethnic, cultural, gender, socio-economic, and geographic diversity. Mandatory qualifications would, among other requirements, require that CAC members have not been employed by a law enforcement agency for three years prior to appointment. The CAC would continue to participate in the review and establishment of Sheriff-Coroner policies, procedures, practices, trainings, and initiatives.