

Public Advocate*

Digest by the Ballot Simplification Committee

Status: Draft for Consideration

On: Tuesday, August 9, 2016

Members: Packard, Anderson, Fasick, Fraps, Jorgensen

Deadline to Request Reconsideration: TBD

The Way It Is Now: The City's 311 Customer Service Center (311) is a primary way for members of the public to contact the City regarding its services. The public may obtain information, report problems, or submit service requests through 311.

The Controller is the City's chief accounting officer and auditor. The Mayor appoints the Controller for a ten-year term, subject to confirmation by the Board of Supervisors. As the City's auditor, the Controller is responsible for monitoring the level and effectiveness of services provided by the City to its residents. The Controller assists City departments with developing customer service plans for City services. The Controller also oversees the City's whistleblower program. The whistleblower program receives and investigates complaints that are generally confidential regarding:

- the quality and delivery of City services;
- wasteful and inefficient City practices;
- misuse of City funds; and
- improper activities by City officers and employees.

The City's Office of Citizen Complaints (OCC) investigates complaints of misconduct and neglect of duty by police officers, and may, in certain circumstances, file disciplinary charges against officers. The Mayor appoints a Director of the OCC from nominees selected by the Police Commission, and the Board of Supervisors confirms the Mayor's appointment.

The Proposal: Proposition ____ is a Charter amendment that would create a new elected position called the Public Advocate. The Public Advocate would be elected at a City-wide election, using ranked-choice voting, and serve a four-year term. The initial Public Advocate would be elected at the first election held after January 1, 2017, and would serve a shortened term. Then, beginning in 2020, the Public Advocate would be elected every four years. No person could serve as Public Advocate for more than two terms in a row.

Under Proposition ____, the Public Advocate would:

- investigate and attempt to resolve complaints from members of the public concerning City services and programs;
- receive and investigate confidential whistleblower complaints concerning incorrect, unreasonable, or unfair decisions or rulings of City officers or agencies, inconsistent enforcement, or failure to enforce, laws, rules or regulations, poor or inadequate service delivery or treatment, poor communication, including unreasonably long response or wait times and unreasonable response delays, or inequitable or inefficient provision of City services;
- review the administration of City programs, including the distribution of programs and services throughout the City, the effectiveness of the public information and service complaint programs of City agencies, and the responsiveness of City agencies to individual and group requests for data or information regarding the agencies' structure, activities, and operations;
- review the management and employment practices of City officers and departments;

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*

- review the City's contracting procedures and practices; and
- appoint a Director of the Office of Citizen Complaints (or any agency that assumes the Office's duties), which investigates complaints of police misconduct, from nominees selected by the Police Commission, subject to the Board of Supervisors' approval.

A "YES" Vote Means: If you vote "yes," you want to amend the Charter to create a new office called the Public Advocate, to be filled by an elected official subject to term limits, that would:

- investigate and attempt to resolve complaints from members of the public concerning City services and programs;
- receive and investigate certain confidential whistleblower complaints;
- review the administration of City programs, the management and employment practices of City officers and departments, and the City's contracting procedures and practices; and
- appoint the Director of the Office of Citizen Complaints (or any agency that assumes the Office's duties) from nominees selected by the Police Commission, subject to the Board of Supervisors' approval.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.