

Sheriff's Department Office of Inspector General and Sheriff's Department Oversight Board*
Digest by the Ballot Simplification Committee

Status: Final digest
On: Thursday, July 23, 2020
Members: Packard, Anderson, Girardin, Patterson

Deadline to Request Reconsideration: 4 p.m. on Friday, July 24

The Way It Is Now: The Sheriff is elected by San Francisco voters. In San Francisco, the Sheriff's primary duties are managing and operating City jails, being responsible for people in custody, and preserving the peace.

The San Francisco Sheriff directs about 800 sworn employees. The Sheriff's Bureau of Internal Affairs investigates employee misconduct in the Sheriff's Department. The District Attorney investigates and prosecutes criminal misconduct by the Sheriff and Sheriff's Department employees. The City Ethics Commission investigates violations of ethics laws. The Sheriff's Department also has a policy that governs the use of force by its sworn employees.

There is no City department, board or commission dedicated to the oversight of the Sheriff or Sheriff's Department.

The Proposal: Proposition __ is a Charter amendment that would create the Sheriff's Department Office of Inspector General (OIG) and the Sheriff's Department Oversight Board (Oversight Board).

The OIG would be a City department independent of the Sheriff's Department. An Inspector General would head the OIG. The OIG would have at least one investigator for every 100 sworn employees of the Sheriff's Department. The OIG would report to the Oversight Board and provide information and recommendations to the Sheriff.

Subject to certain limitations, the OIG would have the power to:

- Investigate certain complaints regarding Sheriff's Department employees and contractors;
- Investigate in-custody deaths, unless that investigation would interfere with a criminal investigation;
- Recommend the Sheriff take disciplinary action when the OIG determines an employee violated law or Sheriff's Department policy;
- Make recommendations regarding the Sheriff's Department use of force policy;
- Monitor Sheriff's Department operations; and
- Refer cases to the District Attorney or the City Ethics Commission.

The Sheriff's Bureau of Internal Affairs would maintain its ability to investigate in-custody deaths, employee misconduct and violations of department policies. Criminal misconduct could still be referred to the District Attorney.

The Oversight Board would consist of seven members, four appointed by the Board of Supervisors and three appointed by the Mayor. One of the Board of Supervisors' appointees must be a person with experience representing labor unions.

Subject to certain limitations, the Oversight Board would have the power to:

- Appoint, evaluate, renew and remove the Inspector General;
- Evaluate the performance of the Office of Inspector General; and
- Seek input from the public and people in custody regarding the Sheriff's Department operations and jail conditions.

**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.*

Based on information from the OIG and its own processes, the Oversight Board would make at least four reports a year to the Sheriff and the Board of Supervisors. The Oversight Board would be responsible for an annual report to the Sheriff and the Board of Supervisors about the activities of the OIG and the Oversight Board.

Subject to certain limitations, both the OIG and the Oversight Board would have the power to hold hearings and subpoena witnesses.

Proposition ____ would not prohibit or limit the Sheriff from investigating the conduct of an employee or contractor or taking disciplinary or corrective action.

A "YES" Vote Means: If you vote "yes," you want to amend the City Charter to create a Sheriff's Department Office of Inspector General and a Sheriff's Department Oversight Board that would make recommendations to the Sheriff and the Board of Supervisors about the operations of the Sheriff's Department.

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