

7-24-20 David Pilpel BSC Sheriff Oversight Reconsideration Request

I hereby request reconsideration of the Approved Digest for the ballot measure with the working title "Sheriff Oversight". I have included the text adopted by the Committee with my alternate language as tracked changes. I recommend these changes to increase accuracy and clarity.

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

The Civil Grand Jury reviews jail conditions annually, but there is no City board, or commission or department dedicated to oversight of the 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 new 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:

- Investigate certain complaints regarding Sheriff's Department employees and contractors;
- Investigate in-custody deaths, unless that investigation would interfere with a criminal investigation;
- Recommend that the Sheriff take disciplinary action when the OIG determines that a Sheriff's Department employee violated the law or a 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 Ethics Commission where appropriate.

The Sheriff's Bureau of Internal Affairs would continue to investigate in-custody deaths, employee misconduct and alleged violations of Sheriff's Department policy. Criminal misconduct would still be referred to the District Attorney.

The Oversight Board would consist of seven members. The Board of Supervisors would appoint four members and the Mayor would appoint three.

Subject to certain limitations, the Oversight Board would:

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

Based on information from the OIG and its own processes, the Oversight Board would report at least quarterly to the Sheriff and the Board of Supervisors. The Oversight Board would report annually 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 prevent 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 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.

That's what I have on this one. Thanks. DP