

## **Inspector General\***

**Digest** by the Ballot Simplification Committee

**Status:** Draft for Consideration  
**On:** Tuesday, July 30, 2024  
**Members:** Packard, Anderson, Wong, Troy, Wang

**Deadline to Request Reconsideration:** TBD

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**The Way It Is Now:** The Controller is appointed by the Mayor and confirmed by the Board of Supervisors to oversee the City's financial affairs. The Charter requires the Controller to receive and investigate complaints concerning the quality and delivery of government services, wasteful or inefficient City government practices, misuse of City funds, and improper activities by City officers and employees. The Charter also requires the Controller to monitor the level and effectiveness of services the City provides to its residents. Other City departments, including the City Attorney, District Attorney and Ethics Commission have jurisdiction to investigate fraud, abuse, and other matters related to public integrity. The Department of Human Resources has jurisdiction to investigate employee misconduct.

The Controller can examine the records of City boards, commissions, officers and departments, but the Controller cannot issue subpoenas to require third parties such as City contractors, permittees or lobbyists to produce records. State law authorizes employees of the Controller's Office to execute search warrants under certain circumstances, but there is no similar provision in the Charter.

The Charter also establishes a separate department called the Office of Inspector General to investigate complaints involving employees of the Sheriff's Office. That department is not connected to the Controller's Office.

**The Proposal:** Proposition \_\_ would amend the Charter to create a new position of Inspector General in the Controller's Office to review and investigate complaints to prevent and detect fraud, waste and abuse. The Inspector General would be appointed by the Controller, subject to approval by the Mayor and Board of Supervisors, and would be supervised and subject to removal by the Controller.

The Inspector General would consult with the Ethics Commission, City Attorney, District Attorney, and Department of Human Resources regarding those departments' investigative strategies into matters involving fraud, waste or abuse. The Inspector General would generally refer specific matters to those departments, but could also investigate those matters in coordination with the relevant department. The Inspector General would be required to issue public reports at least twice a year on the Inspector General's activities and the outcomes of other city agencies' investigations into matters concerning public integrity.

Proposition \_\_ would give the Controller the power to issue subpoenas to third-parties, including contractors, permittees and lobbyists. It would also allow the Controller and employees of the Controller's Office, including the Inspector General, to execute search warrants when allowed by State law.

Proposition \_\_ would also rename the Office of Inspector General that investigates matters involving Sheriff's Office employees as the Office of Sheriff's Inspector General.

**A "YES" Vote Means:** If you vote "yes," you want to create the position of Inspector General in the Controller's Office to review and investigate complaints to prevent and detect fraud, waste and abuse, and grant the Controller's Office, including the Inspector General, the power to issue subpoenas and, where state law allows, execute search warrants.

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

*\*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.*