

Sonoma County Community and Local Law Enforcement Task Force

Final Recommendations Report Volume 1

**Presented to the Sonoma County Board of Supervisors
May 12, 2015**

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Letter from the Chair

From Chair Caroline Bañuelos

First and foremost, I'd like to thank the Board of Supervisors for having the foresight to convene this Task Force during a time of tremendous strife and overwhelming sorrow in the community. Following the tragic shooting death of Andy Lopez by a Sonoma County deputy sheriff, 21 members representing the community were called upon to formulate recommendations addressing four key areas, with the ultimate goal of building trust between law enforcement and the community. As a result of fifteen months of in-depth research, thorough study, extensive public input and comprehensive analysis, the Task Force has submitted 20 recommendations to the Board of Supervisors. It has been a long, laborious process but it has also been an honor to have an opportunity to play a critical role in shaping community/police relations and public policy.

There are numerous stakeholders to thank who assisted the Task Force throughout this process. There were many presenters (who will be personally acknowledged in this report) that came before the Task Force and to various Subcommittee meetings; law enforcement agencies from different municipalities who were so generous with their time and expertise helping to inform us of what they were doing in their communities; input we received from the appropriate advisory groups and commissions which were named in our charter; and last but not least the input we received from the community. The community played an enormous part in our Task Force meetings, Subcommittee meetings, community forums and written feedback. It is vital that they be thanked for their time, commitment, and passion for this issue and their persistence in seeking change.

Staff has been instrumental in keeping the Task Force on schedule; supporting our work in a committed manner and guiding us toward the finish line. Beginning our process with Jennifer Murray, who advised and assisted us in organizing our Subcommittees and our work. As a new Task Force, we definitely did not have a sense of where to start when trying to address such a wide range of charges. Jennifer, with her calm but firm direction, helped us arrive at a place where the Subcommittees could actually begin to develop their recommendations. Following Jennifer's retirement, Caluha Barnes, made a seamless transition. With her steady and focused demeanor, Caluha ensured that we continued to advance our work: placing our recommendations on paper, taking the recommendations out to stakeholders and partners across the County, organizing and assembling the entire report and shepherding us to fruition. I'd like to thank the entire staff: Jennifer Murray, Caluha Barnes, Melissa Musso James, Liz Parra, Oscar Chavez and Brian Vaughn. The patience, thoughtful counsel and immense assistance they each provided throughout the work of the Task Force has been exceptional.

To the twenty members of the Task Force, I cannot express my thanks enough for agreeing to undertake this momentous assignment and then seeing it through to completion. It is fortunate, in my view, that we were able to agree to move all of the recommendations forward. Being a large diverse group of people who brought divergent perspectives to the table, this was a mountainous feat to say the least. The entire Task Force did not necessarily agree and support all of the recommendations, but there was respect and appreciation for the work involved and for this and a great deal more I thank the entire Task Force. There were many difficult meetings that at times were emotionally charged. Most Members understood that this had more to do with the issue and not to take it personally, but I am very aware of how difficult it was for many of them. I have come to admire and respect each and every Member for their courage, perseverance and commitment to this purpose and to the residents of Sonoma County.

Finally, it is evident that these recommendations are an enormous first step toward building an understanding of the meaningful changes that need to occur between law enforcement and the community. There is a great deal of work to be done and we know significant transitions do not come easily. There must be willingness and cooperation from all sides in order to work together to lay the foundation for success. It is my hope that these recommendations will serve as a catalyst for the concrete transformation that is absolutely essential to bringing about the trust and mutual respect we seek for both law enforcement and the community.

Caroline Bañuelos,
Community and Local Law Enforcement Chair

Task Force Members

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Executive Summary

This report contains the observations, advice and recommendations of the 21 members of the Community Local Law Enforcement (CALLE) Task Force. There are 20 recommendations which were developed independently by three Subcommittees. The full CALLE Task Force decided it was best to present the work of each Subcommittee in its entirety without voting on each separate recommendation. Therefore, this report should be read with the understanding that there was no “up or down” vote on the individual recommendations.

Based upon expressions of Task Force Members during several public meetings some of the recommendations enjoy near unanimous support while others may not have garnered majority support of the full Task Force. However, a substantial majority of the full Task Force did vote to forward the complete work of the Subcommittees to the Board of Supervisors in deference to the tremendous amount of work done by each Task Force Member through the Subcommittee process. Please also take note that there was one interim recommendation made to the Board of Supervisors and that item appears separately since it was voted on directly.

In order to accommodate individual Task Force Members with the desire to convey to the Board of Supervisors personal comments or explanation of support or rejection of a specific recommendation, Task Force Members’ letters are included herein and can be found at the end of this report.

Some of the recommendations can be implemented by the Board of Supervisors directly, while others, such as establishing what is referred to herein as the Office of Independent Auditor, will require collaboration and agreement of others (in this instance the elected Sheriff). Implementation of other recommendations may require involvement of cities, school districts and/or community based organizations. The Task Force hopes for robust discussion of the recommendations throughout the community and would welcome city councils and school boards to mine the report for ideas and guidance on actions they may take to help improve our community.

The over-riding theme of the recommendations is to achieve change in the relationship between the Sheriff’s Office and the community. This report identifies steps which can be taken to:

- Increase transparency of law enforcement policies and procedures;
- Increase community understanding of the challenges faced by law enforcement;
- Promote greater diversity and cultural awareness within law enforcement;
- Increase capacity to track statistical trends to anticipate and avoid problems in law enforcement;
- Promote use of force policies and training which de-escalates conflict and minimizes use of lethal force;
- Expand use of community oriented policing;
- Establish on-going lines of communication between law enforcement and minority and low income neighborhoods;

...and more.

All recommendations are seen as “tools in the tool box” offered by the Task Force to the political leadership of our community. The Task Force understands these recommendations come with a price tag. We entrust to our elected leaders the task of implementation.

In order for the reader to obtain a clear understanding of the work of each Subcommittee, the actual reports of each are included in their entirety. While this approach may not be the most tidy editorially, it is thought to be the best way to convey to you the reader the hundreds of hours of thoughtful work done by each Subcommittee.

Overview - A Guide to Reading and Understanding the Recommendations

If the Task Force were to look back over the process and identify the one most important element of creating effective law enforcement oversight and accountability, it would be the need to create a community-wide shared culture that embraces respect, dignity and true partnership. Creating this culture is not the sole duty of law enforcement; creating this culture will be made possible only through community understanding, education and the participation of all sectors within Sonoma County

The following list of recommendations was developed in response to the four primary charges put forth in the Task Force Charter. Three separate Subcommittees met independently of one other to develop these recommendations. In reading these recommendations, you will notice significant overlap of theory, vision and need for engagement. Each of the Subcommittees met with experts from across the country and all three Subcommittees received some form of the same message: effective community policing and community engagement is achieved through meaningful and authentic relationships.

There was discussion among the Task Force Members to combine the recommendations into one comprehensive model that encompassed all of the different elements. It was decided, however, that it is important for the Board of Supervisors to see the entire lists as set forth by the independent Subcommittees. Viewing the list of recommendations in its entirety creates the opportunity for the Board to consider and understand the value of each individual recommendation. While the Board works to develop a path of implementing the recommendations, we urge you to note the importance of each recommendation. It is important to note that while the entire Task Force agreed on the overarching culture and themes that emerged from its work, there are widely divergent views represented on the Task Force. Some Task Force Members did not agree with every recommendation put forward. Since the Task Force voted to send the list of recommendations over in its entirety, complete consensus was not reached, as Members could not endorse every aspect of the total recommendation package. The majority vote to send the entire listing to the Board of Supervisors indicates a respect for the work of the Subcommittees and an understanding that the Board of Supervisors will implement the recommendations, or parts of recommendations, using your best judgment and discretion.

As you consider the recommendations put forward by this Task Force you will note that predominant themes emerge out of all three lists. Examples of central themes include: the importance of engaging the community in education and providing opportunities for community members to express their opinion; the opportunity to enhance existing training provided to law enforcement to include elements of community policing and cultural competency; the significant role of community-based organizations in providing services that support a shared culture and the need for transparency and true partnership in engaging and communicating with local law enforcement jurisdictions outside of the County Sheriff's Office. All of these concepts are imperative to creating a community-wide shared culture.

There are a variety of strategies that can be utilized in reading the recommendations and selecting which to implement in what order. The five strategies suggested by the Task Force include:

- 1. Read each recommendation separately as presented:*

The Subcommittees took great care in developing each of the recommendations. Each holds value and is significant in creating community accountability and trust between the community and law enforcement. While reviewing the listing in its entirety, the Board of Supervisors may identify certain recommendations that Members feel strongly in favor of implementing.

2. Read each recommendation separately while considering the Board's authority to implement:

In addition to categorizing the recommendations by Subcommittee, the list of can also be organized into groups based on the authority to implement; authority of the Board of Supervisors, authority of the Sheriff's Office, the recommendations that require partnerships between various jurisdictions and the recommendations that require the assistance of community partners to implement.

A template for utilizing this method of organizing the recommendations follows:

Board of Supervisors	Sheriff's Department	Jurisdictional Partnerships	Community Partners

In working to develop a path for implementation utilizing this organizational method, the Board can select which of the recommendations they have both the authority to, and are interested in implementing, and develop strategies for working in partnership with the Sheriff's Office and other partners with the aim of implementing any recommendations outside of the direct authority of the Board of Supervisors.

3. Classify the recommendations into a listing beginning with those able to be immediately implemented:

The Board of Supervisors may choose to review the recommendations and create a listing based on the Board's ability and understanding of which recommendations can be implemented immediately and which recommendations will take additional time to implement. In reviewing the recommendations it will become apparent that there are a small number of recommendations that can be immediately implemented through direction from the Board to various departments within the County structure. On the other hand, many of the recommendations will take considerable time to either build the infrastructure necessary to implement the recommendation or develop the strategy and partnership necessary to implement the recommendation.

4. Integrate the recommendations into existing structures/systems that already exist:

It is possible that appropriate divisions and/or committees already exist and can be given the responsibility of implementing certain recommendations. The Board of Supervisors could identify these appropriate bodies and give them specific instruction and guidance on what implementation should look like.

5. Read the entire list of recommendations while identifying overlap of intent:

In several of the communities that were visited and interviewed, many had a central organizing office for the majority of the community outreach activities that played a central role in enhancing and supporting community policing. There is an opportunity to examine each recommendation and group them into categories with a focus on how to create one umbrella approach to implementing the recommendations going forward. This may be opting to create the Office of Independent Auditor and delegating responsibility of implementation to this body; with an investment of resources, the Board may also opt to work in partnership with the Sheriff's Office and/or a community based organization to implement many of these recommendations.

The Task Force recommends that, regardless of which strategy the Board of Supervisors opts to utilize, you create a position that will be responsible for ensuring that the process of implementation continuously

moves forward. We believe that the process of realizing the fruition of these recommendations is too large to add to an existing position and that if an additional support is not provided movement on implementation will become stagnant.

The Task Force strongly recommends that the Board of Supervisors prioritize implementation of these recommendations. It is essential to community trust that the momentum created continues and that the time spent developing these recommendations is put towards recognizing true impact. We appreciate your support and leadership and look forward to working in partnership to support your plans for implementation.

Subcommittee Members

Law Enforcement Accountability

Eric Koenigshofer, Chair

Jose Castañeda

Evelyn Cheatham

Robert Edmonds

Mark Essick

Lynn H. King

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Irene Rosario

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Community Policing

Sylvia Lemus, Chair

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Community Engagement and Healing

Omar Paz, Jr., Chair

Caroline Bañuelos

Cora Guy

Maité Iturri

Gustavo Mendoza

Judy Rice

Francisco H. Vázquez

Summary of Task Force Recommendations

Law Enforcement Accountability Subcommittee Recommendations:

Independent Review of Law Enforcement

Establish an Office of Independent Auditor (OIA), OIA Citizens Advisory Committee and OIA Youth Council.

Feasibility of Grand Jury as Oversight Body

The Civil Grand Jury is not suited to provide the type of independent review of law enforcement determined to be needed by the LEA Subcommittee.

Separating the Office of Coroner from Office of Sheriff

The Office of the Coroner should be separated from the Office of the Sheriff. This change would result in the continuation of an elected Sheriff as specified in the Constitution of the State of California and the establishment of a new Office of the Coroner or Medical Examiner, a non-elected position.

Community Policing Subcommittee Recommendations:

Improve Critical Incident Response:

Critical incidents can have profound effects on the families of those involved and the communities they represent. Addressing the needs of these stakeholders in a personal and professional manner and understanding the impact these events have on their lives is critical to fostering trust and good will between law enforcement and the communities they serve.

Enhance Law Enforcement Programs and Activities

The Community Policing philosophy is based on the understanding that a strong and supportive relationship between law enforcement agencies and the communities they serve is critical to effective policing and community development. For some communities in Sonoma County, this relationship has been strained and trust has been eroded. In order to begin to bridge this gap and rebuild trust, new law enforcement programs and activities to engage and support communities are warranted.

Improve Community Outreach and Engagement

These recommendations focus on an active plan for developing and enhancing community stakeholder relationships between local law enforcement agencies and the communities they serve, with an emphasis on facilitating and improving community dialogue and interactions.

Develop a Moorland Neighborhood Pilot Project

These recommendations focus on creating a community policing, outreach and engagement plan, developed and agreed upon by residents and law enforcement, in the Moorland area in Southwest Santa Rosa. This project will serve to build trust, reduce crime and improve the quality of life of Moorland neighborhood residents. It will also act as a pilot project that may be replicated in other priority areas in the County.

Review Use of Force Policies and Practices

The use of deadly force by law enforcement agencies in Sonoma County is of deep concern to many of the communities they serve. Updating and clearly defining use of force policies, emphasizing de-escalation tactics and alternatives to use of force, along with better equipping officers to handle high-stress situations in a safe and non-lethal manner where deadly force may be an option, is one way to begin to rebuild trust in communities and to prevent further tragedies.

Improve Hiring and Training Processes and Practices

The Subcommittee strongly recommends that local law enforcement agencies commit to a broad and effective Community Policing philosophy with significant and meaningful involvement from the communities they serve. In keeping with the Community Policing philosophy, the Subcommittee also strongly encourages that all local law enforcement agencies make additional efforts to hire and maintain staff that are reflective demographically, culturally, and linguistically of the communities they serve

Revise Body Worn Camera Policy

The Subcommittee found it necessary to include a recommendation on a policy for Body-Worn Cameras. The Sheriff's Office has recently purchased Body Worn Cameras. It is recommended that the Sheriff's Office and law enforcement agencies have a policies on the use of Body Worn Cameras that ensure transparency and have safeguards in place to provide a check and balance.

Community Engagement and Healing Subcommittee Recommendations

Counseling and Mental Health Services

Expand current behavioral health counseling and mental health programs available to help students with social and emotional needs and effects of traumatic incidents. Their families' needs also should be assessed and addressed. School counselors are trained to work with students, families, staff and agencies ensuring a holistic approach.

County-Wide Community Engagement Forums

Continue funding facilitated community engagement forums after the termination of the Task Force. It is recommended the forums be modeled on our current efforts to reinforce a respectful and non-threatening dialogue between law enforcement and all segments of the community.

Pilot Mural Program in Roseland

Implement a much-needed pilot public art program in Roseland, a neighborhood that is in need of the healing that public art can bring to a community. Then expand the program to other underserved areas identified in the 2014 Portrait of Sonoma County. Such a program will support the healing of the community by tapping into the great and diverse cultural resources available from these underserved areas.

Sonoma County Social Action Music Center

Convene a series of at least three meetings to establish an ongoing Exploratory/Advisory Group, charged with exploring the feasibility of the creation of a Sonoma County Social Action Music Center that would support the expansion of community-based music programs throughout Sonoma County.

Student Congress

Support expansion of a Student Congress, which is a youth-centered network and leadership program that allows for the reporting, distribution, and collection of critical information regarding social, health, financial, and academic capital. As a source of prestige and power, Student Congress is not only a viable alternative to joining a gang but also a pipeline to civic engagement in student and in local government.

School Resource Officers

Explore the need for School Resource Officers (SRO's) in Sonoma County Schools and potentially expand upon existing resources. The intent is to identify areas within Sonoma County with the highest need for this service, how many officers would be needed, alternative resources available for collaboration, and the impact of associated costs on school districts, and applicable law enforcement jurisdictions.

Community Service Officers

To support the addition of a Community Service Officer (CSO) in the Roseland & Mooreland area.

Restorative Justice

Support an expanded version of the Restorative Justice program currently utilized in Santa Rosa for high risk secondary students who have committed serious violations of school discipline codes, potentially resulting in expulsion or suspension. This program helps turn students' poor decisions into opportunities for learning and growth versus life-long consequences in the criminal justice system.

Investments in Infrastructure, Public Services and Cultural Awareness

The need to be accepted and belong to one's community is within all of us - it is human nature. There are three areas of emphasis that can begin to address this problem with further investment by the County and other public and private agencies: investment in the cultural awareness of our communities, infrastructure and public services, and programs involving youth. Youth, families and community partners must work together to address this issue.

Education on Law Enforcement Practices and Policies

There is a widespread lack of knowledge with regard to law enforcement policies and procedures. The average community member does not necessarily have access to this information or cannot interpret what exists due to language barriers or agency jargon. Making this data readily available will help to close the gap between misinformation (often fueled by inaccurate media portrayals) and provide a realistic basis for appropriate interactions

Interim Recommendation

This Subcommittee recommends to the Sonoma County Board of Supervisors that the Sheriff rethink and reconsider his decision to return Deputy Gelhaus back on patrol, and that in the interest of healing the community that Deputy Gelhaus be placed in another capacity

LAW ENFORCEMENT ACCOUNTABILITY

Subcommittee Report and Recommendations

Background

The Sonoma County Board of Supervisors, in public session on December 10, 2013, adopted Action No. 52 titled Community and Local Law Enforcement Task Force Charter (Task Force) (Volume 2 - Appendix A). The Board of Supervisors acted in response to community concern over the tragic death of Andy Lopez who was shot by a Sonoma County deputy sheriff when he was seen carrying a BB gun designed as a replica assault rifle.

The Task Force is composed of 21 members appointed by the Board of Supervisors, the Sheriff, the District Attorney and the Mayor of Santa Rosa. The Task Force was assigned specific duties and was directed to report back to the Board of Supervisors. A stated purpose of the Task Force is to facilitate community healing. In addition to this general purpose several other duties were assigned and set forth in the Action including:

- Review options for, and recommend a model for an independent citizen review body;
- Review and recommend options for community policing to be considered during the next county budget cycle;
- Review and recommend whether the Office of the Coroner should be separately elected from the Office of Sheriff; and
- Bring to the Board of Supervisors any additional feedback from the community on these issues that merits County attention.

To divide the work the Task Force established three Subcommittees:

- Community Engagement and Healing (CEH)
- Community Policing (CP)
- Law Enforcement Accountability (LEA)

Context and Parameters of Inquiry

As the Task Force began its work, Members were mindful of input received via public comments to the Board of Supervisors as well as to the Task Force directly. Some of the most salient comments included establishment of a review function which would be fully independent from law enforcement. This independence included physical independence of the offices as well as structural and budgetary independence. Other commentators sought a review office which would have the authority and staffing to conduct its own investigations of law enforcement use of force/critical incidents resulting in death or serious injury. Still others called for the power to subpoena witnesses and to issue criminal indictments. In the final analysis, many of these expectations cannot be realized due to legal realities assigning that authority to existing officials. For example, the California Constitution sets forth the scope and jurisdiction of the offices of an elected District Attorney and an elected Sheriff. It is not possible to supplant the authority of these offices, or the fact that both are elected, without amending the State Constitution.

The LEA Subcommittee began its work by exploring the expectations of each Member of the Subcommittee. All agreed it was necessary to develop a course of inquiry which met the information needs of each member. It was recognized by all that the best way to assure a high quality product would be for the LEA Subcommittee to develop a work program and research discipline which would provide all Members with the same information. To this end, the LEA Subcommittee relied on county staff to assist in gathering information about the legal context in which law enforcement oversight takes place.

Over the years several law enforcement agencies around the county have had use of force incidents resulting in death. In light of this fact, it was agreed that the LEA Subcommittee would conduct its study

with the goal of recommending an oversight structure which could be applied to multiple agencies including the Sheriff's Office and city police departments. As our research unfolded, it became clear that this worthy goal was not feasible due to legal and operational differences between jurisdictions. As a central example, the Sheriff is an elected official as set forth in the California Constitution whose authority derives from the electorate. Chiefs of police are hired by either a city council or city manager. While a city council can establish an oversight office and direct the chief of police to participate, a Board of Supervisors has no authority to order an elected Sheriff to participate. Other complicating considerations are explored later in this report.

It is important to note that the Town of Windsor and the City of Sonoma contract with the Sheriff's Office for law enforcement services and the staff assigned to those jurisdictions would be subject to an oversight office along with the rest of the Sheriff's Office.

Even though there are complexities in designing a system which would fit both cities and the County, it is possible. It is also very feasible that such an office could provide some services to cities by subscription. For example, cities may want to enter into an agreement authorizing the County's law enforcement oversight office to provide receipt of complaints filed by the public in addition to whatever other locations are offered for that purpose (such as city hall or the police station). Cities may also choose to avail themselves of the education and outreach work expected to be a part of the County's program.

Sonoma County is a General Law County so the relationship between the Board of Supervisors and the Sheriff, all independently elected officials, is key to the success of independent law enforcement oversight. The Sheriff has the discretion to decide to what extent the Office of Sheriff will participate. In light of this fact, it is key to establish the most constructive and cooperative relationship between the Sheriff and the oversight function.

General Law County Considerations

As the Task Force considered the model of oversight to be recommended to the Board of Supervisors, it heard loud and clear the call for:

- Full independence from law enforcement;
- The power to subpoena witnesses;
- The power to conduct independent investigations; and
- The power to indict.

The County of Sonoma exists as a General Law County, with powers provided pursuant to the State's constitution. California Constitution, Article XI, § 1 (b), provides that in each County there be an elected County Sheriff, elected District Attorney, and an elected governing body. California Government Code § 25303 provides that the Board of Supervisors shall supervise the official conduct of all County officers. However, it also prohibits the Board of Supervisors from obstructing the investigative and prosecutorial functions of both the Sheriff and District Attorney.

The Board of Supervisors has the authority, under Cal. Govt. Code § 31000.1, to appoint citizen committees to study problems of general or special interest, including the authority to create a law enforcement review committee (*Dibb v. County of San Diego* (1994) 8 Cal.4th 1200, 1201). Since the Sheriff is a constitutionally elected official, separate from the Board of Supervisors, the Sheriff retains his independent investigative function (duties which are specified in Govt. Code §§ 26600, et seq.) and the Board of Supervisors has no authority over that function. Likewise, while there has been some public call for an ability to override the District Attorney's decisions not to bring criminal charges against law enforcement personnel, the Board of Supervisors would not have the ability to interfere with the District Attorney's prosecutorial function. A law enforcement oversight office formed under the Board of Supervisors' authority would have the same limitations; while it could issue recommendations, it would have no authority to impose discipline or policy changes beyond the Board of Supervisors' jurisdiction. Its success ultimately depends on the cooperation of the law enforcement agencies involved.

Subpoenas

The Board of Supervisors has specifically asked for information about the ability of a law enforcement oversight office to subpoena citizens and witnesses to testify before it. As Sonoma County is a General Law jurisdiction, the Board of Supervisors has no statutory authority to confer the power to issue subpoenas to a citizen review board. That ability would have to be created by charter amendment (see *Dibb*, supra), or through the Board's own power to issue subpoenas for testimony, as afforded to it by Govt. Code § 25170. In that instance, the reasons for subpoena could be presented to the Board of Supervisors, or a subcommittee consisting of members of the Board of Supervisors, and the subpoena could be issued within the parameters of Govt. Code §§ 25170-25176.

The Board of Supervisors could add the power to subpoena directly to the law enforcement oversight office only through a charter amendment. Our research has found that charter amendments in California are varied - from the much targeted specific amendment of Orange County awarding only the ability to subpoena to the citizens review committee, to a much broader grant of powers to citizens review boards such as those in San Diego and San Francisco Counties. The process itself would be time-consuming and require either a proposal by the Board of Supervisors of a charter to be voted upon at special election, or the election of a charter commission which will then propose a charter for the County to be voted upon by the electorate (see generally Cal. Govt. Code §§.23701-23732). Our research has disclosed that while many of the law enforcement oversight bodies in California have the ability to subpoena, the power is not used often. And some do not have the ability to subpoena at all.

Privacy Issues

The Board of Supervisors has also generally asked for review of the power of a law enforcement oversight office to conduct investigation and review of critical incidents. The largest limitation facing citizen oversight would be the privacy and confidentiality afforded peace officers under the Penal Code §832.7, the Peace Officers Bill of Rights (Cal. Govt. Code §3300 et seq.) and case law, most importantly *Copley Press v. Superior Court*, (2006) 39 Cal. 4th 1272. This body of law prevents the public disclosure of identified confidential information, including disciplinary history, investigative materials, reports, and the officer's identity. It would require that discussion by the review body of a particular investigation or officer be held in closed session. While this would prevent public disclosure of individual officers' actions and names, it should not prevent a law enforcement oversight office's ability to review citizen complaints, track trends within the law enforcement departments, and make recommendations regarding practice and procedure, nor would it interfere with overall community education efforts.

Risk Management

The formation of an organization that provides a round of factual review beyond that performed internally by law enforcement may pose a risk of increasing the County's liability and raising financial exposure from litigation. From a risk management perspective, that additional layer of review poses the potential for a different interpretation of the same facts by an independent body.

In the process of reviewing a complaint, the law enforcement oversight office will also create documentation that may be discoverable during the litigation process and its members could be pursued as witnesses during any litigation that arises out of the incidents they investigate. In some counties, the review board is structured in a manner that reduces the risk of discovery. The Los Angeles County Office of Independent Review (OIR) is composed entirely of contract attorneys hired by the Board of Supervisors. Mike Gennaco, Chief Attorney for the OIR, states the attorney client relationship of this model has been successful in protecting its members and documents from subpoena and discovery. Likewise, the Auditor model used by the City of San Jose employs a director and investigative staff who are each attorneys, and so create an attorney-client relationship with the city, not subject to subpoena or disclosure of confidential information.

On balance to these potential risks, the establishment of a law enforcement oversight office may also contribute to a reduction in litigation filed against law enforcement agencies, as complainants feel satisfied when an independent oversight board reviews or investigates their allegations. Additionally,

police and sheriff's departments report that citizen oversight improves their relationship with the community, provides valuable recommendations for policies and procedure improvements, and in some cases, reduces the number of civil lawsuits against their cities or counties (*Citizen Review of Police Approaches & Implementation p. XI*).

In reviewing the information available, it is unclear if independent review boards actually increase or decrease liability with respect to civil litigation. The examples provided are anecdotal and overlapping factors regarding cause and effect do not clearly define a link between the establishment of a review board and its impact on civil litigation.

State and National Trends

In the months which have passed since the Task Force was convened, the issue of law enforcement use of force and law enforcement oversight have gained traction in the national public debate. This is the result of events taking place around the country. The scope of the discussion and the heightened level of public awareness may result in changes to some of the assumptions underlying our recommendations. This can best be illustrated by recent remarks of California Attorney General Kamala Harris on the subject of creating a more expansive and direct role of the Attorney General's Office in the investigation and charging decisions when officers are involved in use of force fatalities. This point is also illustrated by the fact that at least one bill has been introduced in the state legislature calling for state intervention in this challenging arena.

It is possible that the assumptions underlying this set of recommendations could change with a change in state law or expanded involvement of the Attorney General's Office. The Board of Supervisors should be mindful of this possibility. Even if the investigations and charging decisions move from local government to the state, there will still be a need for the other tasks recommended to be performed by the law enforcement oversight office. However, such a change could result in significantly different staffing requirements, including a likely reduction in costs to the County.

In addition to the several points cited above, there are numerous other legal complexities which impact the jurisdictional and procedural options available in an oversight office. These issues are discussed in greater detail later in this report.

Even in the face of the complexity of the task it is believed that an independent review function is important to achieve some key public goals. On the top of this list is transparency. Improved public confidence in law enforcement will come with greater transparency.

Specific Work of the LEA Subcommittee

The LEA Subcommittee investigated several of the assigned topics: 1) Investigating the basic issue of establishing a review body, 2) considering what role if any the Grand Jury might play, and 3) the advisability of separating the Office of the Coroner from the Office of Sheriff.

In the course of pursuing these assignments the LEA Subcommittee committed to a regimen of study which included research and analysis of information from a variety of sources as well as interviews of practitioners and experts in law enforcement oversight, grand jury system and the Coroners function (a list of presentations received by the LEA Subcommittee can be found in Volume 2 - Appendix C).

Recommendations

1. On the Question of Independent Review of Law Enforcement:

The LEA Subcommittee recommends that the Board of Supervisors establish an Office of Independent Auditor (OIA). The concept behind this recommendation is taken in large measure from the Office of the Independent Police Auditor which exists in San Jose, California. The full recommendation is comprehensive and requires a more detailed discussion and explanation which follows in a separate section.

2. On the Question of the Current Grand Jury System:

The LEA Subcommittee advises the Board of Supervisors that the current system wherein a civil Grand Jury is periodically empaneled by the Superior Court to act as a government accountability body is not suited to provide the type of independent review of law enforcement determined to be needed by the LEA Subcommittee. While the Grand Jury is composed of devoted volunteers who engage in many hours of work on behalf of the citizens of Sonoma County, the Grand Jury does not have the statutory authority, time, staffing or expertise to provide a system of independent law enforcement review as well as the community engagement work thought to be a central element of an accountability body. This conclusion is discussed in greater detail in a separate section below.

3. On the Question of Separating the Office of the Coroner from the Office of the Sheriff:

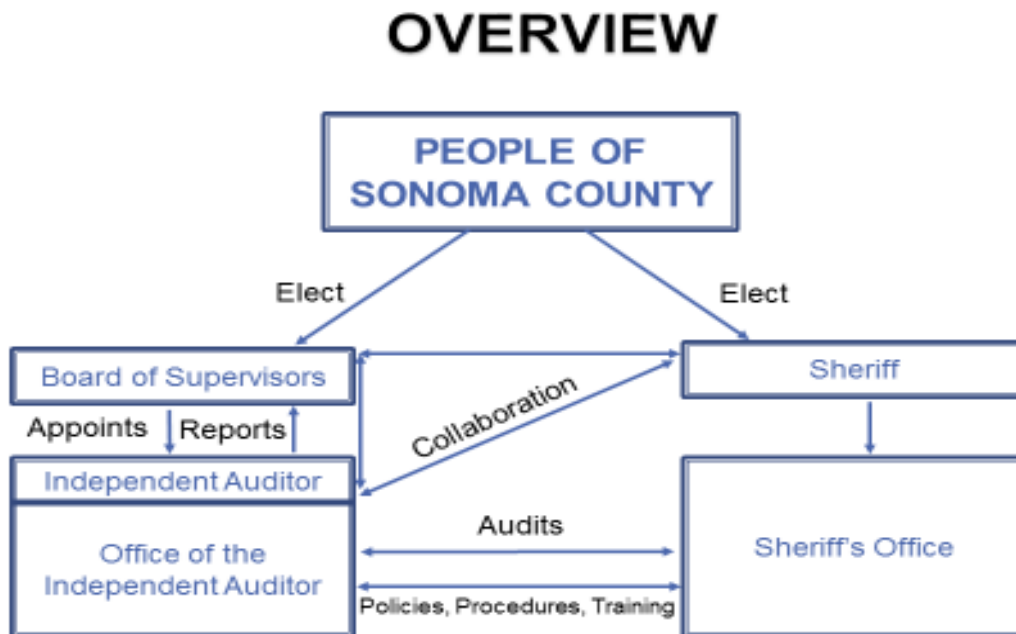
The LEA Subcommittee recommends that the two offices be separated. This change would result in the continuation of an elected Sheriff as specified in the Constitution of the State of California and the establishment of a new Office of the Coroner or Medical Examiner, a non-elected position. The process and reasons for this recommendation are set out in detail in a separate section below.

Discussion of Recommendations

1. Establish an Office of Independent Auditor, OIA Citizens Advisory Board and OIA Youth Council

1a. Office of Independent Auditor

Establishing an Office of Independent Auditor (OIA) will introduce significant changes to the relationship between the Sheriff's Office and the community. This recommendation is based in a desire to enhance community confidence in the delivery of law enforcement services and ultimately to bring law enforcement and the community closer together. Achieving this goal will enhance the ability of the men and women of the Sheriff's Office to perform their duties more effectively. This recommendation is made with respect and appreciation of those public employees who willingly take on the task of policing our community and who bear the risks associated with law enforcement work.

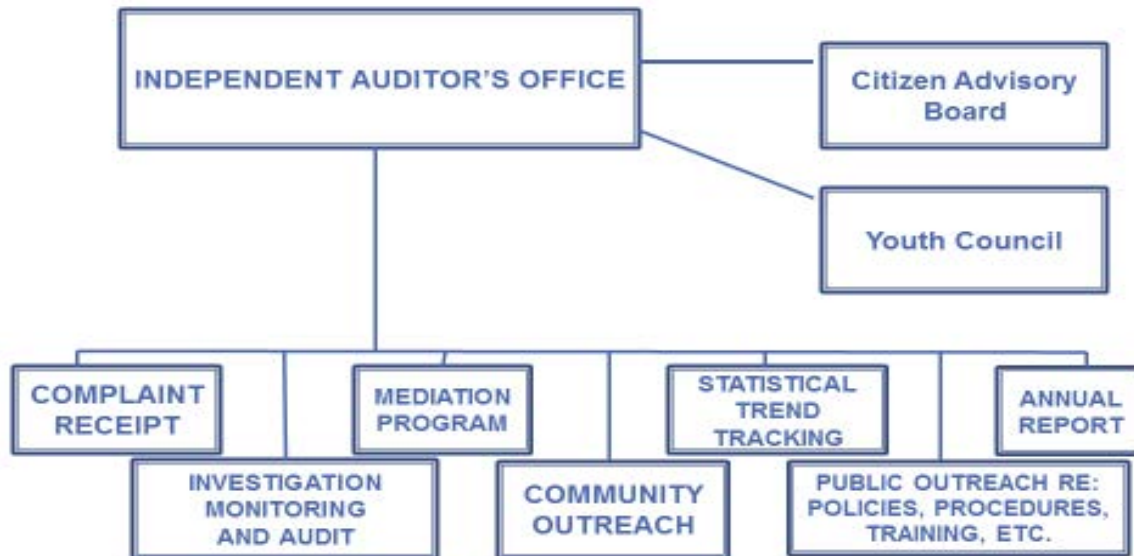


The proposed OIA would have authority to audit investigations of employees of the Sheriff's Office, including those employed in the Detention Division. As the Task Force considered the type of incidents and conduct which will give rise to audit review, it became clear that other County employees should be considered to be included in the scope of the OIA function. Specifically, it is noted that the Sheriff's Office frequently works in close coordination with the Probation Department and employees of both agencies often work together in the field conducting searches and/or arrests. Additionally, the Probation Department operates juvenile detention facilities. In both areas of operation, employees of the Probation Department could be the subject of citizen complaints and even critical incidents. The Task Force respectfully suggests the Board of Supervisors consider making employees of the Probation Department subject to the audit authority of the OIA if created.

It is also expected that the work of an OIA may reduce risk management costs associated with litigation resulting from use of force. This outcome has reportedly been seen in some communities with oversight offices.

The LEA Subcommittee emphasizes the proposed OIA will have a variety of duties and programs. These include community education and outreach; conveying feedback from the community on law enforcement issues; provision of a neutral location for complaint filing; public discourse regarding policies and procedures; advice and recommendations regarding policies and procedures; complaint tracking and trend analysis; annual reporting to the Board of Supervisors, the Sheriff and the community on the work of the OIA on the status of law enforcement oversight; and finally, independent and confidential audit review of internal departmental investigations of officer use of force incidents, incidents of misconduct, and corrective action taken.

O.I.A. – BASIC STRUCTURE



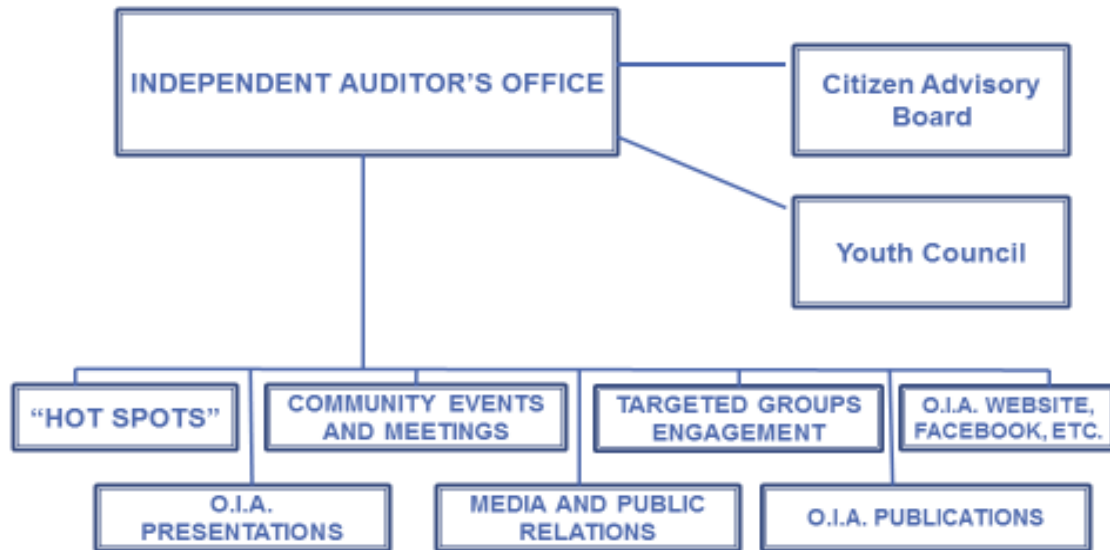
The LEA Subcommittee arrived at these recommendations by first developing an inventory of tasks which we believe an oversight office should perform. The task list was developed after study of many different oversight models around the country and a focused investigation of several oversight offices in our region. Focusing first on function, we built the oversight office “from the ground up” and then let form follow function arriving at the independent auditor model. The Office of the Independent Police Auditor in San Jose is the closest program providing an example of the type of operation the LEA Subcommittee determined to be both most effective and also most applicable to our County.

The first 7 (seven) bullets listed below are, in one manner or another, in the broad category of “community outreach and engagement.” In fact, the daily workings of the OIA will be focused on an ambitious and energetic effort to change the culture of community/law enforcement relations. As you read the task list set forth below, consider each item to be a key element of an ambitious strategy to achieve beneficial change in our community.

The OIA will be active throughout the County presenting public education seminars on law enforcement issues, listening to neighborhood concerns, holding public hearings on policies and procedures, explaining how and where to file a complaint regarding law enforcement conduct or policies, gathering information on community needs and attitudes, providing advice and feedback to law enforcement on community concerns, annually presenting a public report to the Board of Supervisors, to mention the most obvious tasks.

The LEA Subcommittee expects the OIA to be deeply involved in community outreach and engagement. While the audit aspect of the OIA is of critical importance, the community outreach and engagement aspect will provide the greatest benefit over time.

COMMUNITY OUTREACH



"Hot Spots" = Geographical Areas with Problems

Targeted Groups = Outreach to Particular Populations (e.g. Elderly, People of Color, Immigrants, Youth, etc.)

The following list provides brief descriptions of the elements/programs recommended to be performed by the OIA.

- Community Education and Outreach: Following the San Jose model, the OIA shall implement a comprehensive outreach program with schools, community based organizations, business and civic groups and individuals interested in promoting maximum communication between law enforcement and the community. There are many models of successful strategies to engage the public and to provide law enforcement with enhanced opportunities to build relationships in the community as demonstrated by the draft recommendations of the Community Policing and Community Engagement and Healing Subcommittees.
- Provide Feedback from Community on Law Enforcement Issues: A significant measure of transparency is whether a community has the opportunity to comment on policies, practices and other law enforcement strategies. An OIA will be tasked with conducting public presentations and programs explaining law enforcement operations and reducing misunderstanding and divisiveness in a variety of neighborhoods.
- Facilitate Public Discourse regarding Policies and Procedures of Law Enforcement: As mentioned above, a new OIA and the advisory body to the OIA will be positioned to conduct occasional public hearings to present information regarding policies and procedures; deployment of resources; incident trends; etc. This function is a very important aspect of long term success in communities with an oversight office.
- Provide Advice and Recommendations to Law Enforcement regarding Policies and Procedures: The OIA will be headed up by the Chief Auditor who will receive advice from an OIA Citizens Advisory Board. Under direction of the Auditor, the OIA Citizens Advisory Board will convene from time to time to conduct public meetings and hearings to facilitate communication and

understanding between the community and law enforcement. As the result of direct public testimony at these public hearings the Auditor's Office and OIA Citizens Advisory Board would provide advice to law enforcement on policies and procedures, training methods and subject areas, trends and needs within the community, as well as trends in complaints and performance of law enforcement.

- Provide Neutral Location for Complaint Filing (including in-person, mail, email, fax, on-line, etc.): This rather obvious element is noted as highly important by jurisdictions with oversight. Traditionally, in order to file a complaint it was necessary to go to the law enforcement agency which employs the subject of the complaint. Many people report feeling uncomfortable with this requirement. The goal is to provide a well-advertised set of locations where a complaint can be filed and to forward complaints on to the appropriate agency. All the while the system will be tracking complaints and identifying trends.
- Complaint Tracking and Trend Analysis using Technology: Centralized tracking of trends in type and frequency of complaints filed as well as outcomes will provide additional information valuable to both law enforcement and the community. The Sheriff's Office has already begun to implement new software which will improve capacity for tracking to early identify any trends which might be troubling to law enforcement management and the community at large.
- Annual Public Report to the Board of Supervisors, Sheriff and Community on the Work of the OIA and the Status of Law Enforcement Oversight: A key element of this entire effort is to instill into the day-to-day routine of local government, especially law enforcement, greater transparency. It is generally agreed that transparency is the starting point to alleviate distrust and suspicion. Having an annual report to the Board of Supervisors during which the Chief Auditor presents the yearly report of the OIA to the Board of Supervisors - in open session, time certain, with public comment period - will be a welcome new approach. It is assumed and hoped that the Sheriff's Office and Sheriff will participate in this annual review. This annual presentation will launch a new opportunity for two-way communication between County government and the community.
- Independent and Confidential Audit Review of Internal Departmental Investigations of Officer Use of Force Incidents, Incidents of Officer Misconduct and Complaints: The introduction of an OIA will result in the need to develop a new coordinated process of complaint receipt and review involving both the Sheriff's Office and the OIA. The OIA will audit the investigations as well as the conclusions reached to ensure they are complete, thorough, objective and fair, and will provide feedback to the Sheriff's Office on each audited investigation. Collaboration is required in order to successfully navigate the complex legal landscape which sets the parameters and authority of an independent auditor function. Given the fact the Office of Sheriff is an elected officer as set forth in the California Constitution, implementation of an audit system can only be successful with the cooperation of the Sheriff. A more detailed discussion of the current complaint/investigation system and the changes recommended is presented below.

OIA Role in Citizen Complaint Review

The current process for the handling of citizens' complaints by the Sonoma County Sheriff's Office is as follows:

The Sheriff's Office Administrative Captain receives and classifies all complaints, internal and external, alleging peace officer misconduct, dereliction, excessive force, abuse of authority and, policy violations. The Administrative Captain sends a letter to the complainant acknowledging receipt of the complaint. Depending upon the severity of the alleged misconduct or violation, the Administrative Captain assigns the complaint to the Internal Affairs Unit or to the responsible manager for investigation. All complaints once investigated are routed through the executive chain of command for review and sign off. The complainant is sent a letter with findings of the investigation: Unfounded, Exonerated, Not Sustained / Inconclusive, Sustained.

The introduction of the (OIA) will result in the need to develop a new coordinated process of complaint receipt and review involving both the Sheriff's Office and the OIA. As previously noted, the OIA will not

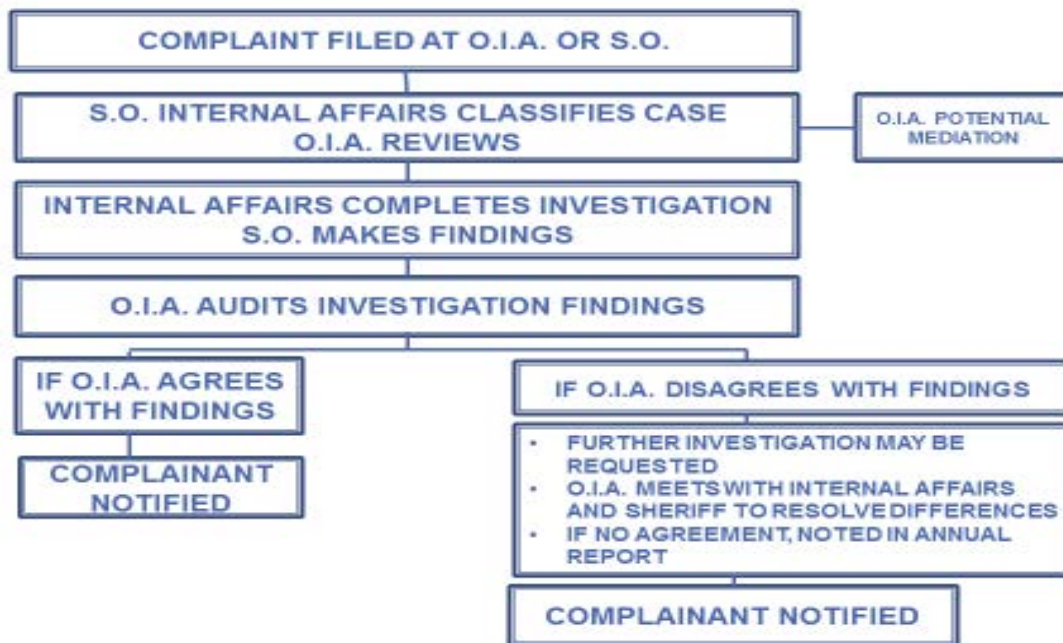
become a part of the Sheriff's Office investigation process nor will the OIA be subordinate to the Sheriff's Office. The OIA will be housed in a separate facility with its own budget. The two offices will need to cooperate and coordinate in order for the OIA to successfully perform its duties.

How will that look? The first notable difference will be an expansion of the ways in which a complaint can be filed. The Sheriff's Office does a good job of utilizing a variety of options already and provides for in-person complaints to be made at an office of the department, by letter or email, by telephone, etc. The use of all contemporary communication tools is advisable and should continue. The main difference is an important one: the Task Force has been told that some people are reluctant to file a complaint directly with a law enforcement agency in an office of the same agency. In nearly every existing example of oversight offices complaints can be filed at the independent oversight office in person or by the array of regular tools noted above.

When a complaint is filed in the proposed OIA, staff can assist the complainant with the paperwork which also makes the experience friendlier and suggests by its very nature independence from the law enforcement agency. After receipt of a complaint, the complaint will be forwarded to the Sheriff's Office for standard investigation by Internal Affairs.

The type of complaints received varies as one would expect. In the event of "low level" complaints, the matter may be handled early on through mutual agreement to have a "face to face" meeting between the complaining party and the officer under the guidance of a mediator. Other oversight offices report this approach often ends the matter as the complaining party feels that they have been heard. The mediation process would be one wherein Internal Affairs refers the matter to mediation, is agreed upon by both the involved officer and the complainant, and would be administered by the OIA's office. In jurisdictions where this is available, the incentive to the officer is that there would be no further internal affairs investigation.

COMPLAINT PROCESS



OIA Role in Critical Incident Review

In matters involving more serious allegations, an internal affairs investigation will be conducted by the Sheriff's Office. At the conclusion of the internal affairs investigation, the investigative file is handed over to the OIA where it is reviewed for completeness and accuracy.

Presently, in Sonoma County when there is a defined Critical Incident, investigation thereof is governed by the Protocol established by the Sonoma County Law Enforcement Chiefs Association (Volume 2 - Appendix B), as amended from time to time. An incident is defined as one in which a fatal injury occurs,

in which a law enforcement employee is involved as an actor or injured person. Examples may include the following:

1. Intentional and unintentional shootings;
2. Use of any dangerous or deadly weapons (e.g. firearms, knives, clubs, etc.);
3. Assaults upon sworn police officers; assaults upon other law enforcement employees who are on duty or acting within the scope of employment;
4. Attempts by law enforcement employees, within the scope of employment, to make arrests or to otherwise gain physical control of a person;
5. Acts of physical violence in which a law enforcement employee is acting as a private citizen;
6. A law enforcement employee suicide;
7. Fatal injury while a person is in law enforcement custody which includes suicide;
8. Fatal injury to a person who is a passenger of an on-duty law enforcement employee (e.g. ride-along, emergency transport, etc.); and
9. Vehicular collisions with fatal injury.

(Sonoma County Law Enforcement Chiefs Association Protocol 93-1, pp.2-3, revised 9/2010)

Once invoked, the involved Sonoma County law enforcement agency immediately turns the criminal investigation over to a member agency for investigation in consultation with the Sonoma County District Attorney's office. The purpose of the Protocol (as amended from time to time) is to create separation from the agency which employed the involved law enforcement employee, so that it does not "investigate its own". This type of independent investigation is specifically recommended in the Interim Report of the President's Task Force on 21st Century Policing, p.21 (Volume 2 – Appendix B).

In a fatal incident investigation, it would be the role of the OIA to audit the internal Administrative Investigation to ensure that the investigation was in fact "complete, thorough, objective and fair." The OIA would make its own recommendations to the Board of Supervisors, and to the Sheriff's Office, and report on all non-confidential findings to the public in its annual report.

We acknowledge that there are details of this system that need to be worked out by the OIA: for example, unlike other oversight agencies we have researched, the OIA would not be afforded jurisdiction to separately run a criminal investigation of the incident, as that is the constitutionally proscribed duty of our elected Sheriff and District Attorney. And the OIA would not have jurisdiction over a non-county agency that did not consent to be part of the OIA's investigation. But that would not preclude the OIA from conducting an investigation and publicly reporting on its findings.

1b. Office of Independent Auditor Citizens Advisory Committee

In addition to the creation of an OIA, the Law Enforcement Accountability Subcommittee also recommends the creation of an OIA Citizens Advisory Committee to complement and work in collaboration with the Auditor. There are several documented benefits of seating a Citizens Advisory Committee including: improving law enforcement relationship and image within the community, assisting the community to understand law enforcement intent, policies and procedures, assisting in reducing community concerns regarding specific high-profile incidents of alleged misconduct, promoting the goals of community policing and enhance and improve law enforcement practices to best serve the community.

The OIA Citizens Advisory Committee will conduct regular, public meetings in which the Auditor will provide information to the Committee related to trends in law enforcement including complaint tracking,

results of situational audits, discussions and conversation with law enforcement related to policies and protocols and efforts to engage and outreach to the public with the aim of supporting the positive relationship between the community and law enforcement. The Committee will also reserve time on each agenda to hear from the public related to their questions and concerns related to law enforcement activity.

The OIA Citizens Advisory Committee is intended to assist and complement the Independent Auditor as liaison between the community and law enforcement with the ultimate aim of creating a sense of security, mutual respect and trust between all parties.

In pursuit of transparency and an aim towards building public confidence in law enforcement practices, it is important that the current policies and procedures which dictate law enforcement activity are understood by the public and that the public have the opportunity to discuss concerns and questions with the Independent Auditor and the Citizens Advisory Committee.

There are two specific opportunities for the OIA Citizens Advisory Committee to lend support to both law enforcement and local community members in understanding and providing input to current policies and procedures, trainings and hiring practices. The first is to ensure that current policies, procedures and training curriculum is available to the public for review on the OIA's website and on the website of local law enforcement. The Sheriff's Office has indicated that they are in the process of providing this information on their website; it is estimated that these documents will be available on the Sheriff's website in the spring of 2015.

The second opportunity for the OIA Citizens Advisory Committee to support the community in understanding current policies and procedures and to support law enforcement gaining an understanding of community concerns is for the OIA Citizens Advisory Committee to provide reserved space on its agenda to hear from the public regarding law enforcement policies and procedures. If the Committee is interested in learning more following a community member's concern, the Committee may pursue the issue with law enforcement and may place the topic on the agenda at a subsequent meeting to report back to the public the results of the conversation and to announce any further action if necessary.

Based on community input and discussions with law enforcement, the OIA Citizens Advisory Committee can issue written recommendations related to policies, procedures, training and hiring practices. These recommendations will be created with both input from law enforcement and input from the public. These recommendations will be made public so that the community is made aware of the recommendations. Law Enforcement will then be asked to respond to these recommendations by either enacting the recommendations or providing feedback as to why the recommendations will not be enacted. The response of law enforcement will also be made public in an effort to ensure the community clearly understands the intent and limitations of law enforcement in making changes to protocol.

1c. Office of Independent Auditor Youth Council

In addition to the OIA Citizens Advisory Committee, it is also recommended that the Independent Auditor convene a Youth Council to provide both a forum for youth involvement as well as a permanent venue for input from young people around the County on matters of law enforcement and community relations. The more detailed scope of this body shall be taken up by the Independent Auditor (once hired) with advice from the OIA Citizens Advisory Committee.

2. Recommendation Regarding Current Grand Jury System – Feasibility of Law Enforcement Oversight by Grand Jury

The Task Force has been directed by the Board of Supervisors to inquire into using the mechanism of the Sonoma County Grand Jury for law enforcement oversight. The authority of the Grand Jury is created pursuant to California Constitution Article I, § 23. Grand juries are empaneled annually by the presiding Judge of the Superior Court and they perform two primary roles: One is to evaluate the validity of charges being brought by a prosecutor, if the charges are not reviewed by a judge, to ensure that they are not frivolous or unsubstantiated. The other is to inquire into, and investigate if necessary, the operations of local government agencies and officials to ensure that activities are valid and services are

efficiently and legally provided. On the last day of its term, the Grand Jury is required to issue a public report of its findings (see generally Cal. Penal Code §§ 888-939).

In both instances, the secrecy of the Grand Jury's deliberations is a common thread that ensures independent and objective consideration of facts brought before it. But because these are secret proceedings, there is no public hearing and no transparency of inquiry. Jurors serve a term of one year and are free to investigate any items within their charge. While they may reapply to serve a second term, there is no guarantee that they will again be selected to serve. They are not required to complete investigations begun by the panel that preceded them, nor do they even have to take up the same issues that the previous panel was working on.

The Grand Jurors that were interviewed by the LEA Subcommittee reported that they operate with minimal resources (currently they are provided only two computers) and no support staff. They additionally reported that since this is a volunteer position, applicants tend to be retired and higher income, with a homogeneous white, rather than demographically diverse, membership. While jurors are statutorily able to access all public documents, investigate and report on operations and methods of performing duties of any city, county or joint powers agency and make recommendations, they are not trained in investigatory technique and their investigation is procedural only (they can only determine if procedure was followed). They are only able to hire experts to assist them with the permission of the Superior Court. The Grand Jury has no enforcement power; while reports containing recommendations must be responded to by the applicable department or official, they can choose to disagree with the jury's findings and not implement the recommendations.

In July of 2014, the seated Grand Jury issued its findings with regard to the Andy Lopez incident, stating that it had not reviewed the Critical Incident report submitted to it by the District Attorney. In light of a discussion of many of the issues raised above, the Grand Jury reported that "while [it] may investigate officer-involved fatalities, it does not have the resources to perform in-depth reviews or lengthy investigations of every officer-involved fatality", and that "by accepting Critical Incident Reports, [it] may mislead the public to believe that it initiates in-depth investigations of every officer-involved fatality." (Superior Court of California, County of Sonoma, Grand Jury Final Report 2013-2014, pp. 34-36)

In light of our own investigation, and the findings of the 2013-2014 Sonoma County Grand Jury, we do not recommend that the Grand Jury be used as the sole mechanism for Law Enforcement Accountability.

3. Recommendation Regarding Separating the Office of Coroner from the Office of Sheriff

Background

The third directive to the Task Force states "the task force is charged with reviewing and recommending by June 1, 2014 whether the Office of Coroner should be separately elected from the Office of Sheriff." The Task Force assigned this subject to its Law Enforcement Accountability Subcommittee.

The Task Force Charter does not provide any commentary on this assignment. However, several Subcommittee Members have observed that the issue of a separate Office of Coroner was raised during public hearings held by the Board of Supervisors in the weeks following the death of Andy Lopez. The Subcommittee has discussed this assignment and has focused on the core issue driving the question. That issue is the inherent potential for a conflict of interest between the duties of the Sheriff and those of the Coroner.

The potential conflict can be most easily understood by citing one clear example. Among the Coroner's general duties, the Coroner is charged with the specific responsibility of determining cause of death in incidents where an individual dies while in the custody of the Sheriff or by actions taken involving employees of the Sheriff.

It is important to consider how other counties around the state approach this matter. Of the 58 counties in California 48 have the combined Sheriff-Coroner model. Prior to 1974 Sonoma County had a separately elected Coroner. It seems the driving factor in consolidating the two jobs was budgetary.

Conclusion and Recommendation

Since the Office of Sheriff and the Office of Coroner are held by the same person, a conflict exists. The conflict is a fact which is the result of the organizational structure and is not a criticism of the performance of the current office holder or his staff. While there are numerous fine points which may be made within a discussion about the degree of conflict or whether a conflict has ever actually occurred, the fact remains that there is a conflict. The only way to eliminate the conflict is to separate the Office of Coroner from the Office of Sheriff.

It is recommended that the two offices be separated by obtaining voter approval in 2016 to take effect in 2019 (see "Process and Timeline" below). As part of the measure presented to voters in 2016, include a provision which converts the coroner function to a position filled by Board of Supervisors appointment.

Process and Timeline

The incumbent Sheriff - Coroner was re-elected to a second 4 year term in June of 2014. The new term commences in January of 2015 and runs until early January, 2019. The offices cannot be separated during the current term of the elected Sheriff - Coroner.

In order to separate the two offices, the matter must be put to the voters of Sonoma County for approval. Approval requires a simple majority. Such a measure could be presented to the voters in either June or November, 2016, to take effect in 2019 when the current combined term ends. The matter can be placed on the ballot by the Board of Supervisors or by initiative. Board action is recommended by this Task Force.

Since the offices cannot be separated until January, 2019, the Board of Supervisors should, during the interim period, seek an arrangement with a Coroner's Office or Medical Examiner's Office of a nearby county, to investigate cause of death whenever any local law enforcement agency within Sonoma County is involved or in the case of the death of any person in custody of the Sheriff's Office.

During the interim period the Board of Supervisors should explore the various options available to the County to separate the Coroner and Sheriff Offices. These options include retaining the Coroner's Office as an elected position which can stand alone or be consolidated with certain other offices such as the District Attorney or the Public Administrator. It should be noted that consolidating the Coroner function with the District Attorney may be viewed by some as not sufficient to completely eliminate a conflict of interest.

Another alternative is the creation of an Office of Medical Examiner which could be placed within an existing county department such as Department of Health Services.

COMMUNITY POLICING

Subcommittee Report and Recommendations

Introduction and Charge

The second charge of the Community and Local Law Enforcement Task Force was to review and recommend options for community policing. The Community Policing (CP) Subcommittee was formed with instructions to define and determine best practices for community policing and measures of effectiveness used by other communities, taking into account where such practices and programs would be most helpful in Sonoma County to rebuild trust and address disparities in law enforcement service delivery between communities.

Community policing is comprised of community partnerships, organizational transformation, and problem solving. Building collaborative community partnerships between law enforcement agencies, individuals, and community organizations to develop solutions to problems and increase trust in law enforcement.

The President's Task Force on 21st Century Policing Interim Report (Volume 2 - Appendix B) referred to the importance of developing local policies and training with an understanding of procedural justice, because without it there is further erosion of the trust between law enforcement and the community. Procedural justice is a strategy to improve the quality and outcome of interactions between police and citizens while improving officer safety. Over time and across multiple interactions it strengthens community trust, confidence in the police, increases future cooperation and lawful behavior by citizens.

The Community Policing Subcommittee Process

The Community Policing Subcommittee went through a series of activities to identify the issues that were important around community policing and came up with over 40 individual recommendations, which we then categorized into sections of recommendations. The Subcommittee reviewed the 2000 Federal Equal Employment Opportunity Commission recommendations and compared them to our preliminary recommendations to ensure that we addressed the needs and issues that arose in the report. The Subcommittee also received presentations from local law enforcement agencies, specifically Petaluma Police Department, Santa Rosa Police Department, and the Sonoma County's Sheriff's Office where they presented to us their current community policing practices and activities. We also received and reviewed information from multiple jurisdictions including on a national level, participated in a teleconference with the Chief of Police from Salt Lake City, UT, Chief Chris Burbank, and reviewed information from Las Vegas Metropolitan Police Department, Richmond (CA) Police Department, and Seattle (WA) Police Department.

The Interim Report of the President's Task Force on 21st Century Policing, March 2015, provided very relevant and specific recommendations that validated the recommendations created by the community policing Subcommittee, in that there were many similar recommendations made at the national level. That report outlined the original intent of law enforcement when the report referred to law enforcement officers as "guardians" of the community, and that they should embrace the "guardian" mindset to build public trust and legitimacy.

Developing Recommendations

After the CP Subcommittee categorized the recommendations into sections, the Members reviewed and analyzed the data and were able to then further define specific recommendations.

Reports such as the County of Sonoma's Workforce Diversity report, the Moorland Healthy Neighborhood Plan, the Portrait of Sonoma (Volume 2 – Appendix B) and various reports received from the National Association for Civilian Oversight of Law Enforcement conference, provided additional evidence that further supported the Subcommittee recommendations. The CP Subcommittee received input and feedback from the community, interviewed community members, received public comment, researched and reviewed multiple reports, programs, and policies from numerous law enforcement jurisdictions to gather data and information relevant to the formation of the community policing recommendations.

Additionally, Members of the Subcommittee attended presentations of other Subcommittees where we received presentations including the Sheriff's Office presentation on body worn cameras.

Eventually, the Subcommittee made seven (7) community policing recommendations covering areas that the Subcommittee felt were vital to establishing effective community policing practices in Sonoma County. Our goal is that the implementation of these recommendations, with the support of the community, law enforcement, and our government officials, will lead to improved engagement, organizational cultural transformation, a better trained and more diverse police force, and policies and practices that will lead to increased trust between law enforcement and the communities they protect and serve.

In conclusion, the Subcommittee hopes these recommendations are a start to positive changes that will build trust and collaboration between law enforcement and the communities of Sonoma County. The Subcommittee believes that these recommendations are only a beginning and hope that the Board of Supervisors will empower the potential oversight body to implement these recommendations. Furthermore, we hope the oversight body will continue to research, study, and recommend other community policing strategies that are necessary and can be developed and implemented locally.

Recommendations

Improve Critical Incident Response

Enhance Law Enforcement Programs and Activities

Improve Community Outreach and Engagement

Develop a Moorland Neighborhood Pilot Project

Revise Use of Force Policies and Practices

Improve Hiring and Training Processes and Practices

Revise Body Worn Camera Policy

Improve Critical Incident Response

Summary

Responding effectively to critical incidents is about more than dealing with perpetrators, victims and crime scenes. Critical incidents can have profound effects on the families of those involved and the communities they represent. Addressing the needs of these stakeholders in a personal and professional manner and understanding the impact these events have on their lives is critical to fostering trust and good will between law enforcement and the communities they serve. Failure to recognize and address the diverse needs of families and communities following critical incidents may inadvertently cause alienation, misunderstandings and lack of trust.

Brief Overview of Process

In preparing the recommendations regarding critical incident response, the Community Policing Subcommittee reviewed several policies from jurisdictions both inside and outside the State of California. Some of the recommendations put forth below reflect policies used in the past by local law enforcement agencies, while others were developed specifically in response to an identified need in the County. In addition, the Subcommittee conducted several interviews with local law enforcement personnel and many community leaders regarding this topic. We also considered the recommendations put forth in the presentation to the Task Force by family members involved in critical incidents in the County.

Critical Incident

The definition of a critical incident is taken from the Sonoma County Law Enforcement Chiefs' Association Protocol (Volume 2 – Appendix B) and includes:

- 1) Intentional and unintentional shootings;
- 2) Use of any dangerous or deadly weapons;
- 3) Assaults upon sworn peace officers and assaults upon other law enforcement employees on duty or acting within the scope of employment;
- 4) Attempts by law enforcement employees to make arrests or gain physical control of a person;
- 5) Acts of physical violence in which a law enforcement employee is acting as a private citizen;
- 6) Law enforcement employee suicide;
- 7) Fatal injury while a person is in law enforcement custody;
- 8) Fatal injury to a person who is a passenger of an on-duty law enforcement employee; and
- 9) Vehicular collisions with fatal injury (with exceptions).

Recommendations

- A. A non-uniformed representative of the investigating law enforcement agency be immediately dispatched to the scene of any critical incident to act as a liaison between the officers at the scene and the family and community members present at the scene. The representative to immediately notify the Office of the Independent Auditor/community based organization contact mentioned below in item J.

Rationale

The work of law enforcement agencies immediately following critical incidents can often be chaotic and disorderly. The importance of dedicated staff to help establish lines of communications and

support for the families and communities involved in these events has been highlighted in the Task Forces' research of community policing. Involving the Office of the Independent Auditor/community based organization family advocate early in the process prevents immediate suspicions from developing between the family and the law enforcement agency.

- B. A civilian liaison remain on scene as long as the community is present.

Rationale

It is important that the law enforcement agency at the scene gauge the mood of the community before leaving the scene with community members still present.

- C. Civilian liaison inform the community that a community forum will be held within 5-7 days of the incident and that they will be notified as to when and where the forum will take place.

Rationale

Rapid communication with the community is essential to avoid the development of rumors and conjecture. Open and honest dialogue goes a long way toward building confidence and trust between the community and law enforcement. The understanding that a forum will be held to discuss the incident allows for a "cooling off" and lessens the development of resentment of law enforcement and the specific officers involved.

- D. Within 48 hours of a critical incident, law enforcement meet with key groups in the affected neighborhood and/or community based organizations that handle the type of incident (e.g. domestic violence, mental health,) to develop the plan for the community forum and the list of appropriate attendees which may include representatives from agencies that focus on officer conduct and constitutional protections (NAACP, ACLU, Los Cien, NAMI etc.)

Rationale

Law enforcement should proactively nurture and develop relationships with those who can, internally and externally, contribute to effective policing and responses to critical incidents. These relationships should begin to be nurtured immediately so that a point person is readily identified who will assist in the structure of the forum in response to a critical incident.

- E. Any press release about the incident or investigation shall be immediately posted on the law enforcement webpage at the same time that it is released to the media.
- F. All available information (including any video and dispatch tape of the incident) be shared with the community within 7 days of the incident or the specific reasons shall be publicly given as to why such information cannot be shared.

Rationale

The vast majority of information is known within the first four days of an incident. Where more information is released immediately, more confidence in law enforcement is generated. This may require a change in philosophy particularly as it relates to advice from legal counsel.

- G. The top official of the law enforcement agency involved issue a statement of apology, condolence or regret (this is not an admission of liability) as appropriate to the community and affected family within 48 hours.

Rationale

Law enforcement can be absolutely sorry the incident took place without admitting fault. Expressions of sympathy can go a long way toward strengthening the community/law enforcement relationship.

- H. The family be provided a list of service providers (counselors, etc.) and funds, if necessary, to engage such providers.

Rationale

Family members of those involved in critical incidents are often in need of services and support in coping with the death or injury of their loved one. Funding can be a hindrance in obtaining such support. Facilitating and promoting connections with local service providers builds support and trust between the family and law enforcement agencies.

- I. Within 12 hours of the incident, the family be provided with a phone number for direct access to the law enforcement representative who will act as a liaison between the family and the law enforcement agency. In addition to being a liaison, the representative shall have the following duties:
- a. To assure that law enforcement treats the family with dignity and respect;
 - b. To arrange for a rental car or replacement phone if these have been retained for investigative reasons;
 - c. To provide investigative updates to the family ahead of any press releases or other disclosures to the media and public;
 - d. To personally deliver a copy of the incident report to the family as soon as it is deemed complete and offer to arrange a meeting with the family (and their lawyer if they have retained one) and the law enforcement person knowledgeable about the investigation to answer questions about the incident; and
 - e. To otherwise assist the family as needed.

Rationale

One of the major concerns from families of victims of critical incidents is the lack of information they receive and the feeling that they are being treated as suspects. This heightens mistrust and resentment at a time when cooperation is essential to the effective investigation of the incident.

- J. A family advocate be provided by the Office of the Independent Auditor through a contract with a local community based organization to assist the family with any concerns they may have regarding law enforcement agency's response to the incident.

Rationale

To assure that the law enforcement agency is responsive to the family and guide the family through interfaces with law enforcement, a family advocate, other than an attorney, can mediate the interactions and help to improve the relationship between law enforcement and the family.

- K. A meeting between the officer involved and the family (where the family desires such a meeting and the officer is amenable to one) mediated by an appropriate neutral party take place.

Rationale

It is harder to demonize people when you meet them face to face. Personal contact in a controlled mediation allows for exchanges that cannot take place in an adversarial forum, potentially increasing feelings of empathy between the officer and the family.

Resources Needed

- It is assumed that critical incidents will be few and that current employee levels should be adequate to supply the site representative and family liaison when needed. However, some overtime pay may be required.
- Minimum funds may be required for notice and site preparation for the community forum.
- The fund for assistance with counseling, burial etc. shall not exceed \$20,000.

Enhance Law Enforcement Programs and Activities

Summary

The essence of Community Policing is the development of collaborative partnerships between law enforcement agencies and the communities and organizations they serve to identify problems and offer solutions that will increase trust and cooperation

Brief Overview of Process

In preparing the recommendations for Law Enforcement Programs and Activities, the Subcommittee reviewed the Department of Justice Community Oriented Policing Services publication, the San Francisco Community Policing report as well as community policing programs from around the country. In addition, we interviewed local law enforcement personnel and many community leaders.

Recommendations

- A. Begin meetings with law enforcement and community based organizations in their “beat” areas to identify concerns and develop problem solving strategies.

Rationale

Engaging in proactive examination of identified problems is one of the hallmarks of community policing. If the community is to be a full partner, law enforcement agencies need to include organizations that work with the community and advocate on its behalf. These organizations can also be crucial to the effectiveness of town hall meetings.

- B. Develop a resource list for the community and training officers to be service navigators.
- C. Provide law enforcement with “community resource cards” specific to their beat that can be carried on their person or in their vehicle and given out to community members.

Rationale

Where community problems can best be addressed by referrals to service providers, law enforcement can act as a conduit to those services. Beat boundaries that correspond to neighborhood boundaries strengthen the connection between the community and the law enforcement agency.

- D. Develop an outreach plan to reach youth in underserved areas with existing programs such as: Explorer Scouts, Cadet and V.I.P. programs. These programs should include a component that begins in elementary school.
- E. Establish a Police Athletic League (P.A.L.) in underserved areas
- F. Strengthen career public safety pathways for local high schools and including careers in subsidiary fields such as dispatcher and field tech and engage career technical programs and other community based organizations in carrying out this goal;

Rationale

In order to have a law enforcement agency that is representative of the community it serves, it is necessary to have an adequate pipeline of potential recruits from underserved areas and unrepresented populations. Strengthening the “pipeline” for recruitment of individuals from these areas and populations requires programs that engage young people of diverse backgrounds and genders with law enforcement and in law enforcement activities

- G. Increase the availability for “ride-a longs”, job shadowing and tours (jail, SRJC Training Center) in underserved areas.

H. Develop a communication and outreach plan to engage residents in language appropriate Citizen's Academies.

Rationale

Understanding the vital role law enforcement plays in protecting the community and experiencing the officer work environment helps to bridge gaps and promotes empathy between law enforcement and the community.

I. Design activities to be place based or provide transportation to site so students and adults in underserved communities can participate.

Rationale

Transportation is an impediment to full participation for many in underserved areas. Providing transportation where needed assures that all who wish to participate in the programs are able to do so.

Resources Needed

- Scholarships
- Transportation

Improve Community Outreach and Engagement

Summary

The President's Task Force on 21st Century Policing identified the need to make recommendations that support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable, and specifically called for programs that create opportunities for law enforcement organizations to regularly interact with neighborhood residents, faith leaders, and business leaders. Additionally, a recommendation was made that law enforcement agencies collaborate with community members through a variety of programs that focus on public health, education, mental health, and other programs not traditionally part of the criminal justice center.

The Community Policing Subcommittee made recommendations that focus on an active plan for developing and enhancing community stakeholder relationships between local law enforcement agencies and the communities they serve, with an emphasis on facilitating and improving community dialogue and interactions.

Establishing and supporting strategic relationships and programs with community based organizations and stakeholders is central to the community policing philosophy. These relationships help to build trust between local law enforcement agencies and the communities they serve and make for better and more effective policing.

Brief Overview of Process

During its investigative process, the Community Policing Subcommittee received several reports from law enforcement agencies regarding their current partnerships with community based organizations. In addition, we reviewed the County's 2014 *A Portrait of Sonoma County* disparities report (with a particular emphasis on the five priority areas outlined in the document); the Moorland Healthy Neighborhood Plan; the EI Protector Program procedures and material; the President's Task Force on 21st Century Policing report; existing programs on a local and national level that carry out best practices in community policing activities and philosophy; and internal and external law enforcement agency processes regarding broader community outreach and engagement.

Recommendations

- A. Recommend that the Sheriff's Office identify and partner with established community based organizations (e.g. Community Action Partnership of Sonoma County, Restorative Resources, Social Advocates for Youth, North Bay Organizing Project, Latino Service Providers, Verity, National Alliance of Mental Illness, Los Cien, etc.) to develop community dialogues/town halls that serve to share information of interest to the community, to develop action items, and to report back to the participants and the community. The community partners can serve as a liaison between law enforcement agencies and the community and facilitate the process, help with outreach, meeting facilitation, follow-through of action items, and aiding with the reporting back of information.

Rationale

Community based organizations work regularly with diverse populations and are aware of their outreach, needs and work with these populations, and as such are aware of the needs in the community. They also have outreach and facilitation mechanisms available to them. Regular contact with communities, especially disenfranchised communities, will help to build and repair trust, educate residents about activity in their community and inform residents how they can become active partners in improving their neighborhoods.

Resources Needed

Law enforcement agencies staff to coordinate community dialogue sessions which can be a collaboration with community-based organization (noted above) and/or County (Health or Human Services) department staff. Requires .5 FTE at law enforcement agencies and contract with outside agency/department. Community-based organizations contract for facilitation of meetings; space fees, either shared or at school sites; law enforcement agencies staffing, data gathering and reporting back information

- B. Recommend that the Sheriff's Office implement an intentional bilingual outreach campaign modeled after the nationally acclaimed EI Protector Program (Metro Nashville Police, CHP, Riverside, Washington State Patrol and other law enforcement agencies) (See Volume 2 – Appendix B). The mission of the program is to create an outreach program that strengthens the relationship between the Latino community and the law enforcement agency, building collaboration with community stakeholders. The program places special emphasis on people with limited English speaking abilities. In addition, this bilingual/bicultural program provides public education through dialogue with the Latino community, instead of focusing specifically on enforcement measures.

Rationale

This nationally recognized program has been adopted by law enforcement agencies to serve Latino communities. Many of the agencies have found this to be a successful program that meets their community oriented policing goals. The model includes law enforcement organizations, partners, and an advisory board. Our local Sheriff's Office can use the Latino Advisory Committee in the development and overseeing of this program. The President's Task Force on 21st Century Policing made a specific recommendation for law enforcement agencies to proactively promote public trust by initiating positive non-enforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.

Resources Needed

Two sworn deputies and one community services officer under a community relations commander; the support of an advisory committee and budget for outreach and programs.

- C. Recommend law enforcement agencies develop a process for collecting, interpreting, and analyzing public contact data to identify potential disparities in practices that might indicate whether there is a difference in impact policing based on a variety of factors (gender, race, age, location, etc.).

Rationale

Sharing statistics, trends, and real-time information with the public helps to bring a joint problem solving effort and transparency to local problems. Reporting out to community in these areas would help to build transparency and rebuild trust factors throughout the community. Federal Task Force recommended that law enforcement agencies track the level of public trust by their communities just as they measure changes in crime. The Federal government will be developing survey tools and instructions for use of such tools to prevent local law enforcement agencies from incurring the expense and to allow for consistency across jurisdictions. Note: CHP has a model that collects and distributes similar data to the public.

Resources Needed

The Sheriff's Office has indicated they have acquired a data collection tool. After determining the information required from the public, Sheriff's Office staff will need to extract data of importance to the community and report back. The Sheriff's Office can also inquire with Federal government for national survey tools that will standardize and allow for consistency in data collection and interpretation.

- D. Recommend that law enforcement agencies partner with community based organizations to conduct bi-annual community surveys on the level of police services satisfaction, information on interest to the community, and follow up with the community to report back on the results on top identified items and plans to address them. Law enforcement agencies should work with community based organizations to develop the survey, analyze results, and provide feedback to the public. Plans should be developed to address identified areas of need. (See President's Task Force on 21st Century Policing Interim Report for support for this recommendation.)

Rationale

It's important to conduct periodic surveys of the community on satisfaction of law enforcement agency services to assess progress and identify areas of need.

Resources Needed

Law enforcement agencies staff works with community-based organizations to develop and distribute survey and works to analyze results and work on a plan for identified needs. Law enforcement agencies staff and community-based organizations contract/partnership. Note: SSU has data analysis students that can take on this project.

- E. Recommend that specific successful community policing programs and activities performed by law enforcement agencies or in partnership with community based organizations be recognized as an Upstream Investment and listed on the website, so that the public, law enforcement agencies, community based organizations and other interested parties can learn about successful law enforcement agency programs, partnerships, and activities that produce positive outcomes.

Rationale

Highlighting successful community policing activities and programs will help to recognize and bring attention to the positive efforts of law enforcement agencies and partners. This recommendation would meet the goals of (1) engaging the whole community in the healthy development of children and (2) ensuring all community members are well sheltered, safe, and socially supported.

Resources Needed

Training Sheriff's Office staff on Upstream Investments and how to identify and submit applications to the program.

- F. Recommend that law enforcement agencies review their zone assignment policy/practice to determine an increase in duration of assignments to allow for a better connection between the law enforcement organizations and the assigned community.

Rationale

Law enforcement organizations who spend a significant amount of time within an assigned community are able to connect and engage with residents.

Resources needed

No resources needed.

Develop a Moorland Neighborhood Pilot Project

Summary

These recommendations focus on creating a community policing, outreach and engagement plan - developed and agreed upon by residents and law enforcement - in the Moorland area in Southwest Santa Rosa. This project will serve to build trust, reduce crime and improve the quality of life of Moorland neighborhood residents. It will also act as a pilot project that may be replicated in other priority areas in the County.

Brief Overview of Process

The Community Policing Subcommittee received reports from the Sheriff's Office and Santa Rosa Police Department (SRPD) about current and past community policing initiatives in the Roseland area. Subcommittee Members also attended meetings of the Moorland Health Neighborhood initiative (where local residents developed an assessment of the recreation and well-being needs in the Moorland neighborhood) reviewed the County's 2014 *A Portrait of Sonoma County* disparities report, researched existing programs on a local and national level that carry out best practices in community policing and discussed the request of Moorland residents for more law enforcement patrol services and an improved relationship between the Moorland neighborhood and law enforcement with representatives of the Sheriff's Office.

Recommendation

Develop a Moorland Community Policing Plan and Project, as a 5-year pilot, which would include the following elements:

1. High levels of collaboration with local school resource officers, faith-based organizations, businesses, community-based organizations, County/City departments and local residents, with the purpose of developing, implementing and supporting the pilot.

Rationale

Stronger partnerships with local stakeholders will lead to greater well-being for residents and a more effective law enforcement presence in the community.

2. Through a facilitated series of conversations and meetings, development of a public safety plan for the Moorland neighborhood that is agreed upon by residents and law enforcement. At a minimum, the public safety plan should include: [1] A community safety survey and dialogue that addresses neighborhood issues regarding trust, current neighborhood policing practices, community and law enforcement concerns and enforcement priorities, and other issues and topics, as agreed upon by participants; [2] regular data collection and reporting regarding the number of traffic and pedestrian stops, interrogations, and arrests categorized by race/ethnicity, age, gender and County trends; [3] regular data collection and reporting regarding other law enforcement topics of interest to the community; [4] a detailed community engagement calendar developed by the law enforcement agency and community stakeholders; and [5] establishment of a neighborhood council that will assist in implementation of the public safety plan and will assist in providing notice of meetings and distributing information about law enforcement activities in the neighborhood.

Rationale

The creation of the plan and implementation of its goals will result in methods for readily sharing information about crime, police operations and social issues in the neighborhood. Long-term assignment of deputies will lead to expertise and trust that promotes trust and problem solving.

3. Assignment of two deputies to the Moorland area for a minimum of five years each. The deputies will be tasked with identifying and solving neighborhood law enforcement issues and concerns, getting to know and establishing relationships with neighborhood residents, leaders and local organizations, and leading local engagement efforts on behalf of their agencies. There should be dedicated offices in or near the neighborhood with phone and web access where law enforcement officers can conduct work and schedule meetings with local stakeholders.

Rationale

Moorland neighborhood residents have very recently requested increased Sheriff's Department patrol services in their neighborhood and that the CALLE participate in an effort to improve the relationship between residents and law enforcement (see Volume 2- Appendix B: Moorland Healthy Neighborhood Project summary). Increasing Neighborhood policing practices will result in decentralization in the command structure and decision-making

Resources Needed

Two full-time deputies with full access to resources (patrol cars, bikes etc.) and with specialized training in community policing practices. Office space in neighborhood; preferably at a local school or community-based organization. The deputies must have at least 5 years of experience in the Sheriff's Office, be bilingual (Spanish/English), have attended cultural diversity trainings, and be active with a local community based organization as a Board Member or dedicated volunteer. The public safety plan will specify the percentage of daylight shifts that each deputy will patrol on foot or bicycle in the Moorland neighborhood.

4. In collaboration with local stakeholders, creation of neighborhood youth oriented events not related to policing. Such activities could include annual recreational and sporting events, volunteer service projects, and local school and educational engagement projects such as the United Way's Schools of Hope.
5. Monthly neighborhood meetings between law enforcement and the community to review data and neighborhood issues and concerns. The neighborhood deputies shall arrange monthly meetings with residents and appropriate community based organization and County and City department representatives.
6. Development of a youth police academy or other youth-oriented policing project and increased outreach and facilitation of adult ride-alongs. The purpose of these activities will be for local residents to gain a better understanding of the work of local law enforcement agencies and to facilitate increased communications between the community and law enforcement officers.
7. Creation of a local advisory board similar to the "El Protector" Program in Nashville Tennessee (see Volume 2 – Appendix B).

Rationale

Law enforcement agencies are given the responsibility and power to use force against citizens and to detain and arrest. The community and neighborhoods should be full partners in the exercise of this vast power. To do this, a pilot project in the Moorland neighborhood will enable the neighborhood and law enforcement (Sheriff's Office and SRPD) to gain expertise in building trust and developing a neighborhood specific public safety plan. The safety of the neighborhood's residents will be improved.

Many residents in the Moorland neighborhood do not have experience seeking enhanced or improved government and police services. Hence, the concentration of resources is necessary in order to build the trust and expertise necessary to improve the quality of life in the neighborhood.

Timeline/Implementation of Recommendation

- Ninety days to select and assign two deputies
- Six months to develop neighborhood/Sheriff's Office public safety plan.

Performance Indicator(s)

- Reduction in calls for service and crime, including violent crime, in the Moorland area.
- Increase in trust and satisfaction with law enforcement.

Additional Considerations/Alternatives Explored

It was assumed that the Moorland area would not want any increase in the presence of the Sheriff's Office in the Moorland area due to Andy Lopez's death. But the neighborhood ranked increased patrols, combined with improvement in the relationship between the area and the Sheriff's Office as the highest priorities in addressing the recreation and well-being needs of the area. (Volume 2 – Appendix B).

Revise Use of Force Policies and Practices

Summary

One of the first and very important recommendations made by the President's Task Force on 21st Century Policing states that law enforcement culture should embrace a 'guardian' mindset to build public trust and legitimacy. The Supreme Court has established an objective reasonable test for determining whether a police officer, in using force, has violated the Fourth Amendment's prohibition of unreasonable arrests. This test has been embedded in most law enforcement use of force policies, including that of the Sonoma County Sheriff's Office. If law enforcement is to carry out their responsibilities according to established policies, these policies must be reflective of community values and not lead to practices that result in disparate impacts on various segments of the community.

The use of deadly force by law enforcement agencies in Sonoma County is of deep concern to many of the communities they serve. In several instances over the past decade, events where deadly force has been used have had a deep eroding effect on the trust between communities and law enforcement.

Updating and clearly defining use of force policies, along with better equipping officers to handle high-stress situations in a safe and non-lethal manner where deadly force may be an option, is one way to begin to rebuild trust in communities and to prevent further tragedies from occurring.

Elements of the Sonoma County Sheriff's Office Use of Force Policy include: Factors to determine reasonableness of force; non-deadly force applications; carotid restraint; deadly force applications; reporting use of physical force; notification to supervisors; medical attention for injuries sustained using force and supervisor responsibility.

Brief Overview of Process

The Community Policing Subcommittee received reports and presentations from the Sheriff's Office on their current use of force policies and procedures and a presentation from a San Francisco State professor on "unconscious bias". The President's Task Force on 21st Century Policing also provided recent and relevant information. The Subcommittee also received information from the Salt Lake City, UT, Albuquerque, NM, Las Vegas, NV, Richmond CA, and Seattle, WA Police Departments regarding their use of force policies and considered the findings and recommendations of the US Department of Justice's (DOJ) recent report on the Albuquerque, NM Police Departments. Additionally, the Subcommittee members reviewed recent publications regarding de-escalation practices, bias-free training, and material received from the NACOLE 2014 conference. Subcommittee members also took into account the testimonies of families of victims involved in recent deadly use of force incidents in the County.

Recommendations

- A. Recommend that local law enforcement agencies review and consider the policies and language from other jurisdictions for clearer and finer articulation of policies and adopt comprehensive use of force policies that are clear, concise, and openly available for public inspection. Additionally, these policies should be available in the language(s) of the communities served. The Subcommittee recommends the following elements to be included in the revised use of force policy as well as other best practices from other jurisdictions, as determined by the potential OIA:
 - a. "Sanctity of Human Life" statement referenced in many policies, including Las Vegas Metro PD (LVMPD);
 - b. Expanded guidance on what constitutes "objectively reasonable" use of force including additional factors utilized by LVMPD, who continually reinforces the factors;
 - c. Clearly articulated guidelines and considerations intended to de-escalate as many situations as possible (without unreasonably endangering officers or the community), as well as restrictions in certain circumstances on the use of force;

- d. Definitions on tactical and verbal de-escalation methods as alternatives to increased use of force;
- e. Include a requirement for other officers to intervene when observing excessive use of force; with ability to reprimand if no intervention or reporting; and
- f. Additional use of force best practices from jurisdictions including: Seattle, WA; Salt Lake City, UT; Albuquerque, NM; Richmond, CA; Las Vegas, NV, and the President's Task Force on 21st Century Policing.

Rationale

Some of the use of force policies reviewed have been developed in partnership with the Department of Justice and represent national best practices. The President's Task Force on 21st Century Policing calls for law enforcement agencies to have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing; and the policies must be clear, concise, and openly available for public inspection. Recently, a number of jurisdictions have refined and improved their use of force policies without abandoning the Supreme Court's emphasis on objective reasonableness.

- B. Recommend that the Sheriff's Office adopt the President's Task Force on 21st Century Policing recommendation of 'procedural justice' as the guiding principle for internal and external policies and practices which can be the underpinning of the change in culture that can contribute to building trust and confidence in the community.
- C. Recommend that all local law enforcement agencies require that officers document all occasions where they un-holster their weapons and point them in the direction of an individual in order to control a situation and that a supervisor review and evaluate each such incident. Currently, the Sheriff's Office policy requires documentation only if the weapon is discharged.
- D. Recommend research and implementation of increased training efforts that emphasize de-escalation practices, advanced mediation/communication techniques and other state-of-the-art communications training that work to resolve and reduce conflict when dealing with the public.

Rationale

Recent events on a local and national level, have highlighted the need to look at methods of de-escalation and alternatives to use of force.

- E. Recommend that law enforcement agencies explore and administer training and policies that focus on unintentional bias, which goes hand-in-hand with de-escalation. Encourage local law enforcement agency relationship with the Department of Justice to determine and implement best practices for local departments on bias-free policing and de-escalation.

Rationale

The Department of Justice and other police agencies around the country have found that focusing on training that looks at how unintentional bias affects police work and de-escalation techniques and practices help to build trust in communities.

- F. Recommend the implementation of a program similar to San Francisco Police Department's (SFPD) model that offers restorative practices and strategies that includes conflict resolution and has been demonstrated to reduce the number of complaints from the public.

Rationale

If the public has restorative resources available to them, they are more apt to understand the process and options they have in law enforcement encounters. They would be able to have a face-to-face meeting, similar to SFPD model, once a policy is in place to exercise this option.

- G. Recommend that the Sheriff's Office establish a Critical Incident Review Board comprising of sworn staff and community members to review cases involving officer-involved shootings and other serious incidents that have the potential to damage community trust or confidence in the agency. The purpose of the board should be to identify any administrative, supervisory, training, tactical, or policy issues that need to be addressed. This was a recommendation of the President's Task Force on 21st Century Policing and is also a practice in LVMPD. This may be accomplished by the Sheriff's Office working with the proposed OIA and its community advisory committee.
- H. Recommend that law enforcement agencies take a proactive versus reactive response to solving community problems such as initiating community meetings, surveys, and outreach, in partnership with appropriate community based organizations, up to and including a review for possible revisions of law enforcement agency policies and practices.

Rationale

The Department of Justice has found some law enforcement agencies to have a "pattern and practice of taking immediate offensive action" rather than acting within the bounds of the Constitution, with many officers not displaying the "thick skin and patience" required for the job. It would be constructive for local law enforcement agencies to look at their policies and practices for revisions that would encourage another way of approaching law enforcement within communities. It is vital after a controversial incident that the law enforcement agency respond proactively by initiating community meetings with the appropriate County departments and community based organizations.

- I. Recommend that County staff research, review, and implement cost-effective methods for improving the quality of deadly force training and alternate use of force; factors that may lead to proper or improper use of force are leadership, policy, training, and/or fear. An example is the Reality Based Training (RBT) similar to that offered through LVMPD, which has been found to be most helpful according to their officers.

Rationale

We want officers and citizens alike to be safe in the community. An in depth public review of factors affecting the use of force will help educate and promote public trust. LVMPD offers the RBT program semi-annually for each officer, comprised of 1-day classroom training and 1-day of scenario based training to focus on actual or likely incidents and employing tactical and verbal de-escalation techniques

- J. Recommend that the Sheriff's Office and other law enforcement agencies work closely with the County Administrator's Office and community-based organizations to ensure effective partnering to establish community policing policies and practices. Additionally, the Community Policing model shall be structured to withstand budgetary fluctuations.

Rationale

It is important to have law enforcement agencies develop and maintain strategic community partnerships with community based organizations who serve the community at large, especially residents in underrepresented communities, such as the *A Portrait of Sonoma County* priority areas.

- K. Recommend an independent community-wide assessment of the attitudes, policy, preparedness, and response to law enforcement encounters, followed by an analysis to further recommend changes or added policies, training, or best practices.

Rationale

The community, including specific neighborhoods, and the Sheriff's Office need objective data regarding current practices, to determine if there are areas for improvement.

- L. Recommend that law enforcement agencies implement supervisor training on managing deadly force encounters and investigations.

Rationale

A review of how current critical incident investigations are conducted internally should be reviewed to determine if updates to the process are needed.

- M. Recommend that law enforcement agencies and community based organization(s) partner to research and implement training that focuses on law enforcement organization and community fears, distrust, feelings of harassment, etc. to improve understanding between law enforcement organizations and the community, specifically, underrepresented communities.

Rationale

Managing fears and educating the community about law enforcement roles will minimize fear within the community and is a powerful approach to reducing deadly force encounters. This training works both ways, where law enforcement organizations and community members need to learn about the fears that affect community policing and keep partners from finding solutions.

- N. Recommend that local law enforcement agencies have crisis intervention teams (CIT) available to assist in all mental health-related calls.

Rationale

Providing mental health assistance at enforcement activities helps to deescalate situations, since mental health providers have expertise needed to effectively deal with individuals in mental health crisis. The President's Task Force on 21st Century Policing has identified the need for planning, implementing, and responding to crisis situations with complex factors such as mental health-related issues and has made recommendations and action items on this subject.

- O. Recommend that the Sheriff's Office create a permanent Community Affairs Division with sworn and civilian staff to effectively develop, implement, and manage outreach, partnerships, neighborhood, and other community engagement programs.

Rationale

The Sheriff's Office needs an effective and dedicated community relations division to develop and maintain the strongest community partnerships and relationships to build trust and to reduce hostility when controversial incidents occur.

Resources Needed

- Start-up training cost to train every sworn officer on new policy.

- Partnership with the Department of Justice and training funds for enhanced de-escalation, mediation, and communication training. Possibly an internal position, such as an ASO that focuses on the specific training recommended by the task force, including partnering with community based organizations, Department of Justice, and others to determine the best training recommended by the task force. Budget may include funds for community based organization's work on mediation/training.
- Partnership with the Department of Justice and training funds for identification and administration of training focusing on unintentional bias and de-escalation practices.

Timeline/Implementation of Recommendations

- Within 60 days of Board approval, the law enforcement agencies and related partners will engage in a plan to research, develop timelines, implement plan, manage program, and report feedback to the Board of Supervisors on progress at periodic timeframes.
- Use of Force Policy changes should be implemented within 90 days.
- OIA will provide additional research and review of Use of Force policy to make further recommendations that will build trust and transparency within the community, while keeping law enforcement organizations safe.

Performance Indicator(s)

- Increased, effective, and safe use of de-escalation methods and techniques.
- Increased public trust in law enforcement.

Additional Considerations/Alternatives Explored

- Double tap and reassess policy – reasonableness to institute such policy; requires further investigation by OIA or related body.
- Shooting person at center mass versus legs or extremities - current training and reasons for or against aiming at a person, such as the upper legs, in controlling the threat posed by an apparent weapon, given certain time, distance and other factors. Requires review into feasibility of such policy.

Improve Hiring and Training Processes and Practices

Summary

The County of Sonoma's Workforce Diversity Report on law enforcement employees demonstrates that the current sworn law enforcement (patrol deputy) workforce does not reflect the communities they serve. The report indicated a significant underutilization of Latinos and women. For example, the percentage of Latinos in other law enforcement job classifications in the County is between 16.7% and 23.1%, but the Deputy Sheriff (patrol) has a Latino percentage of 9.5%. Latinos in the County are estimated at 30%, and in some communities the percentage is higher. It is recommended that all levels of law enforcement staff should be more representative of the current demographics in Sonoma County.

The hiring and promotional process should also take into consideration, aside from general POST requirements, the candidates experience with community relations, community policing, and other aspects that would help identify best candidates for patrol (and other positions) that have demonstrated and continue to enhance their professional commitment to the community.

The President's Task Force on 21st Century Policing, released in March 2015, provided specific details and guidance to local jurisdictions that align with many of the CALLE Task Force recommendations around hiring and training practices. Of special note is the recommendation that law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experiences, and cultural background to improve the understanding and effectiveness in dealing with all communities. The Subcommittee agrees that a diverse workforce would contribute to an organizational cultural change in our local law enforcement agencies that would benefit the relationship with our community.

In regards to training of sworn law enforcement personnel, the personnel receive POST certified training through the academy and at intervals as recommended by POST. It important to note that all skills learned become perishable and, therefore, training should be a continuing process. The President's Task Force on 21st Century Policing specifically recommends the development of partnerships with training facilities to promote consistent standards for high quality training and establish training innovation hubs. Further recommendations of the President's Task Force on 21st Century Policing call for engaging community members in the training process.

Brief Overview of Process

The Community Policing Subcommittee received reports and presentations from the Human Resources Department and law enforcement agencies on their hiring and promotional process, the Workforce Diversity Report, and the Equal Employment Opportunity Plan (EEO). The Workforce Diversity Report revealed that out of the four law enforcement/legal departments (District Attorney's Office, Probation, Public Defender's Office, and Sheriff's Office) in the County, the District Attorney's Office and the Sheriff's office are the two departments that hire Latinos at a lower rate than the other departments. This is another indicator based on local statistical data and fully supports the recommendations in this section.

While the Subcommittee did not feel it had the expertise to evaluate the effectiveness of the current POST diversity training requirements, we do believe that law enforcement agencies should be proactive in enhancing their training around cultural diversity and sensitivity, particularly in light of recent concerns and issues that have occurred in underserved communities with high minority populations, such as Southwest Santa Rosa.

Recommendations

It is imperative that law enforcement agencies hire from the communities served and that the workforce mirror the populations/demographics served. Law enforcement agencies should recruit, hire, train and promote in order to build the strongest commitment to community policing. Additionally, law enforcement agencies should increase efforts for bilingual and bicultural recruitments. In order to establish a law

enforcement work force that is culturally diverse and representative of the community in which they serve, the Community Policing Subcommittee makes the following recommendations:

- A. Recommend the Sheriff's Office hire a Human Resource Consultant to focus on Latino outreach efforts to recruit an increased pool of candidates for the Sheriff's Office Deputy Sheriff (patrol) recruitments and promotions.

Rationale

There needs to be an intentional plan to recruit a more diverse patrol workforce. The community expects a better representation. In support of this recommendation, please note that the President's Task Force on 21st Century Policing identified the need for local communities to diversify law enforcement departments to reflect the demographics of the community.

- B. Recommend support for the County's EEOP with the goal of hiring more Latinos and women through the implementation of the objectives and goals. Specifically, support that:

- Human Resources work collaboratively with the Sheriff's Office to develop a plan to increase the diversity and utilization of Latinos and any other ethnic/gender category as identified in the EEOP or in demographic reports, with a focus on the Deputy Sheriff Class series.
- Human Resources develop diversity awareness training specific for law enforcement division staff and require completion every two years where not already done.

Rationale

There is a need for the law enforcement agencies to reflect the population served, therefore requiring an increase in the number of Latino and women patrol officers, including bilingual/bicultural skills. The US Department of Justice issued an EEOP dated March 7, 2012, which highlighted the underutilization of Latinos and women in sworn patrol positions, therefore supporting the recommendation that the Sheriff's Office increase the number of Latino and women officers in their patrol ranks. These recommendations are specific to recruitments of patrol deputies. The Corrections Division is mandated to keep levels of women correctional officers to meet the needs of their female inmate population.

- C. Recommend the Sheriff's Office implement an "in-house" training and education program that will foster and encourage existing underrepresented population staff to apply for opportunities as Deputy Sheriff (patrol) positions.

Rationale

The Sheriff's Office has a high number of Latinos and women serving in different positions in their office, and even other County employees in typical legal/law enforcement backgrounds in Probation, District Attorney, and other legal environment offices. An internal program targeting Latinos and women could yield an interest among existing staff that could then increase the pool of candidates.

- D. Recommend the Sheriff's Office take steps to develop a strong partnership with the SRJC Public Safety Training Center to increase hiring of officers from areas being served. In addition, recommend that the Sheriff's Office outreach to and encourage local youth to apply for and complete intensive basic academy, and supply information on financing through Career Technical Education (CTE) and other program funds.

Rationale

The SRJC Public Safety Training Center is a valuable asset in the community and many local youth seek out the intensive basic academy with the hope to start a law enforcement career. It is beneficial for the Sheriff's Office and other law enforcement agencies to partner with the Center with the goal of

hiring locally, or those from within the community. Similarly, the Sheriff's Office and law enforcement agencies can collaborate with the Center to encourage youth in the community to enter law enforcement careers and share funding information such as CTE, and other programs. Note: Costs are estimated at \$3,000 for tuition, books, and fees associated with the academy.

- E. Recommend that the Sheriff's Office outreach to other law enforcement agencies with high percentage of diverse patrol officers to recruit deputies, and attend job fairs/conventions focusing on Latinos, women, and other diverse groups.

Rationale

There are other agencies with a high number of diverse law enforcement members that the Sheriff's Office and local law enforcement agencies can recruit from. These officers also have the same basic POST requirements and training, so it would benefit the community to bring experienced officers that demonstrate excellence in community relations and community policing.

- F. Recruit, hire, train and promote individuals with stronger backgrounds in community engagement and volunteering, and involve the community in these decision-making processes.
- G. Recommend improvements to the Sheriff's Office hiring and promotional practices to allow for community input into the process by including a variety of community partners in the rating, interviewing and other steps of hiring, especially in promotional examinations.

Rationale

Allowing the community to participate in the interview/hiring process would allow for transparency in the process as well as ensuring that the hiring and selection process and panel members be reflective of the community it serves. Some law enforcement agencies, such as Salt Lake City, UT, allow the public to be involved with and provide feedback to the Police Chief on promotional examinations. The President's Task Force on 21st Century Policing indicated that law enforcement agencies should evaluate officers on their efforts to engage the community and the partnerships they build, making it a part of the performance evaluation process which in turn could be used for the promotional process.

- H. Recommend that a Human Resource Consultant work with the Sheriff's Office and Human Resources Department to investigate, review, and revise Sheriff's Office outreach and recruitment efforts, including the background and final selection process to allow for process improvements.

Rationale

A thorough review of the Sheriff's Office outreach and recruitment efforts to include the background and final selection process will help to identify if there are any deficiencies or if processes need to be revised or streamlined. Additionally, there needs to be a review to identify if there are any steps in the process causing disparate disadvantage to any groups. This can be done through an experienced Human Resource Consultant, police auditor, or other related firm approved through the County Administrator's Office and law enforcement agency. Additionally, the President's Task Force on 21st Century Policing has called for a Law Enforcement Diversity Initiative that could help local communities to learn best practices for recruitment, training and outreach to improve diversity.

- I. Recommend the Sheriff's Office improve the process to outreach, recruit and hire lateral transfers at the sworn officer management and administrative level who may have successful experience in community relations, community policing, and collaboration with community based organizations.

Rationale

To help channel more community relations and a community policing atmosphere, it is important to hire management level staff that have had success in community relations. Many times there may be

administrative or sworn level management in other agencies that have successfully demonstrated this experience.

- J. Recommend a review or audit (by a reputable police auditor or private firm) of the internal background process to determine pass rates of diverse groups to determine standards to passing and assess if the background process contributes to disparate impact in hiring, to include a recommendation on which type of background process would be within POST requirements and conducive to hiring a diverse patrol deputy workforce.

Rationale

The background process may cause a disparate impact in the hiring of minorities and this may be causing candidates of diverse backgrounds to not be hired in the process. Nationally, the “Ban the Box” initiative has caused employers to review their internal processes to ensure that their background does not cause disparate impact to affected groups. Understandably, law enforcement candidates are excluded from this process due to criminal activity being a disqualifier in most cases. The current background process may still be an obstacle that may inadvertently keep many diverse candidates from being selected for sworn patrol deputy positions. A thorough and independent review of the background process is necessary to ensure that the background is not causing disparate impact to certain groups.

- K. Recommend the Sheriff’s Office work with a Human Resource Consultant to develop specific interview questions that address the candidates’ experience with community relations, community policing, and collaboration with community based organizations and use them for entry and promotional recruitments.

Rationale

Focusing interview questions on community relations/policing with behavioral type questions will help identify candidates that have experience working with diverse communities and how they impact the community at large.

- L. Recommend that the Sheriff’s Office work with the County Human Resources Department to identify and develop training on unconscious bias and cultural intelligence for Sheriff’s Office staff. As an additional consideration, recommend new hires go through this training. An example of training that can be POST approved and administered locally is:

Diversity and Inclusion Training, provided by Jaime Penaherrera which includes the training “Developing Culturally Intelligent Leaders for the 21st Century.”

Rationale

While law enforcement personnel may receive training through POST, these are perishable skills and consistent high-quality training should be a continual process.

- M. Recommend the development of supplemental questions for promotional exams that focus on the candidates’ ability to relate and engage the community in a positive way and demonstrates their ability to use community based organizations in problem solving, giving their responses considerable weight in the process.

Rationale

Adding supplemental questions to promotional exams with emphasis and heavier weight on community relations/policing responses will help identify candidates that go above and beyond in troubleshooting and working with the community on issues.

- N. Recommend developing a process to have members of the community give input into promotional panels. Determine what level would be conducive to have community input and participation and change the process to allow for this.

Rationale

Allowing community members at different steps of the promotional/hiring level, either as raters or panel members will help with transparency and help with providing input from community.

- O. Recommend that law enforcement agencies review their Field Training Officer (FTO) program to ensure appropriate training (such as the value of relationships with all communities, best community policing practices, etc.) to new hires, FTO trainer selection (with a focus on officers with experience with Community Policing practices, community engagement and relations, etc.), as well as modern evaluation standards for new officers that are based on Community Policing principles.

Rationale

The importance of infusing community policing principles at all levels of law enforcement is especially important, with new hires or those new to our community. Selecting FTO's that demonstrate a successful level of community policing practice is important in starting new hires in the right direction. The President's Task Force on 21st Century Policing has made a recommendation supporting the development and implementation of improved Field Training Officer programs to address changing police culture and procedural justice issues.

Timeline/Implementation of Recommendations

- Items should be addressed within 60 days of Board approval.

Performance Indicator(s)

- The number of Latinos will increase to meet or exceed the percentage of Latinos in other law enforcement job classifications and potentially meet the demographics of the communities it serves. The number hired will increase incrementally in an amount of at least, 5% each year, until the levels of Latino patrol officers meet or exceed the average of other law enforcement job classifications, which is approximately 19.5% overall.
- Implementation of changes to background process will yield the number of diverse candidates, without compromising the background requirements.
- Enhanced training on cultural diversity and unconscious bias will provide for a law enforcement (patrol) workforce that is more understanding and knowledgeable on the communities they serve.

Additional Considerations/Alternatives Explored

- Enhance cultural diversity and responsiveness training beyond current POST requirements. Training should be developed with emphasis on local issues and multiculturalism.

Body Worn Camera Policy

Introduction

Community Policing Subcommittee found it necessary to include a recommendation on a policy for Body-Worn Cameras. The use of deadly force by the Sheriff's Office and other law enforcement agencies is of deep concern to many of the communities they serve. In several instances over the past decade, events where deadly force has been used have had a deep eroding effect on the trust between communities and law enforcement. The County of Sonoma has recently purchased Body Worn Cameras for the Sheriff's Office.

Brief Overview of Process

The Community Policing Subcommittee reviewed several law enforcement agencies that have implemented the use of body worn cameras. Emphasis was given to the ACLU's Body Worn Camera recommendations for policy, the President's Task Force on 21st Century Policing, and the Richmond Police Department's Policy Manual. The use of this technology has the potential of a win-win, helping protect the public against police misconduct, and promoting law enforcement accountability.

Recommendations

It is recommended that the Sheriff's Office and law enforcement agencies have a policy on the use of Body Worn Cameras. The policy should ensure transparency and have safeguards in place that provides a check and balance. The policy should be clear, concise, and openly available for public inspection. Therefore we recommend the policy for Body Worn Cameras include the following;

1. Activation of the Audio/Video Recorder

- 1) Sworn personnel are required to activate the AVR at the scene of all calls for service and during all law enforcement-related encounters/activities that occur while on duty. The AVR must also be activated during the course of any interaction with the public that becomes adversarial after the initial contact.
- 2) If the video recorder is not activated, the officer shall put reason in writing within 24 hours.

2. Notice to Citizens

- 1) Recording should be limited to uniformed officers and marked vehicles, so people know what to expect. An exception should be made for SWAT raids and similar planned uses of force when they involve non-uniformed officers.
- 2) Officers should be required, wherever practicable, to notify people that they are being recorded by officers wearing an easily visible pin or sticker saying "lapel camera in operation" or words to that effect.
- 3) Body Worn cameras will not be used to surreptitiously gather intelligence information based on First Amendment protected speech, associations, or religion.

3. Recording in the Home

Because of the uniquely intrusive nature of police recordings made inside private homes, officers should be required to provide clear notice of a camera when entering a home, except in circumstances such as an emergency or a raid.

The policy shall include officers asking residents whether they wish for a camera to be turned off before they enter a home in non-exigent circumstances. (*Citizen requests for cameras to be*

turned off should themselves be recorded to document such requests.) Cameras should never be turned off in SWAT raids and similar police actions.

4. Retention

Data should be retained no longer than necessary for the purpose for which it was collected. For the vast majority of police encounters with the public, there is no reason to preserve video evidence, and those recordings therefore should be deleted relatively quickly.

- Retention periods should be measured in weeks not years, and video should be deleted after that period unless a recording has been flagged. Once a recording has been flagged, it would then switch to a longer retention schedule (such as the three-year period).
- The policy should be posted online on the department's website, so that people who have encounters with police know how long they have to file a complaint or request access to footage.
- Flagging should occur automatically for any incident:
 - o involving a use of force;
 - o that leads to detention or arrest; or
 - o where either a formal or informal complaint has been registered.
- Any subject of a recording should be able to flag a recording, even if not filing a complaint or opening an investigation.
- The department (including internal investigations and supervisors) and third parties should also be able to flag an incident if they have some basis to believe police misconduct has occurred or have reasonable suspicion that the video contains evidence of a crime.
- If any useful evidence is obtained during an authorized use of a recording (see below), the recording would then be retained in the same manner as any other evidence gathered during an investigation.
- Back-end systems to manage video data must be configured to retain the data, delete it after the retention period expires, prevent deletion by individual officers, and provide an unimpeachable audit trail to protect chain of custody, just as with any evidence.

5. Use of Recordings

The purpose of the Body Worn Camera is for police accountability and oversight. The policy shall not allow for any kind of systematic surveillance or tracking of the public. The use of recordings should be allowed only in internal and external investigations of misconduct, and where the police have reasonable suspicion that a recording contains evidence of a crime. Otherwise, there is no reason that stored footage should even be reviewed by a human being before its retention period ends and it is permanently deleted.

6. Subject Access

People recorded by Body Worn Camera should have access to, and the right to make copies of, those recordings, for however long the government maintains copies of them. This should also apply to disclosure to a third party if the subject consents, or to criminal defense lawyers seeking relevant evidence.

7. Public Disclosure

Public Disclosure needs to be balanced with the need for government oversight and openness and privacy.

- Public disclosure of any recording should be allowed with the consent of the subjects, as discussed above.

- Redaction of video records should be used when feasible — blurring or blacking out of portions of video and/or distortion of audio to obscure the identity of subjects. If recordings are redacted, they should be discloseable.
- Un-redacted and un-flagged recordings should not be publicly disclosed without consent of the subject and consistent with state open record laws.
- Flagged recordings are those for which there is the highest likelihood of misconduct, and thus the ones where public oversight is most needed. Redaction of disclosed recordings is preferred, but when that is not feasible, un-redacted flagged recordings should be publicly discloseable, because in such cases the need for oversight outweighs the privacy interests at stake.

8. Good Technological Controls

- Systems should be architected to ensure that segments of video cannot be destroyed or tampered with.
 - In addition, all access to video records should be automatically recorded with immutable audit logs.
- Systems should ensure that data retention and destruction schedules are properly maintained.
- It is also important for systems be architected to ensure that video is only accessed when permitted according to the policy and that rogue copies cannot be made.

It is vital that public confidence in the integrity of Body Worn Camera privacy protections be maintained. Confidence can only be created if good policies are put in place and backed up by good technology.

Although Body Worn Camera will generate an enormous amount of video footage and raise many tricky issues, if the policy that includes recording, retention, access, use, and technology as outlined above are followed, very little of that footage will ever be viewed or retained, and at the same time those cameras will provide an important protection against police abuse, and will promote trust with the in public.

Resources Needed

Body Worn Cameras have already been purchased for the County of Sonoma Sheriff Department

COMMUNITY ENGAGEMENT AND HEALING

Subcommittee Report and Recommendations

Introduction and Charter

The Community Engagement and Healing Subcommittee (CEH) was charged with ...”bringing to the Board of Supervisors any additional feedback from the community on these issues that merit County attention.” Per our Charter: “Specifically this feedback should look at whether a sense of accountability to the community has been enhanced and whether there are any additional programs to address community trust and well-being that should be recommended.” With this broad charge, the CEH set out to fulfill this task through dialogue and interaction with the community.

The Process of Community Engagement and Healing

Though there have been other officer-involved shootings of civilians in Sonoma County, none of them had torn the community apart the way that the death of Andy Lopez did. Trust was broken in the community, particularly between communities of color and law enforcement. Upon the Subcommittee’s first convening, three months after the death of Andy Lopez, the community was raw with grief. Subcommittee Members knew that it would take time to help the community through this sorrow. It was, and in many ways still is, quite profound.

In attempting to address mistrust and begin the healing process, the Subcommittee asked the following question: “*What is community engagement?*” CEH utilized the following definition:

“Community engagement describes the process of working collaboratively and through groups of people affiliated by geographic proximity, special interest, or similar situation to address issues affecting the well-being of those people.”
(*Sonoma County Community Engagement Plan*).

The Subcommittee held a number of community forums throughout the County to begin its engagement efforts. These forums included participation from both community members and law enforcement giving each an opportunity to establish meaningful dialogue in an effort to better understand one another.

According to the *Interim Report of The President’s Task Force on 21st Century Policing, March 2015* (Volume 2 – Appendix B):

“Building trust and legitimacy, therefore, is not just a policing issue. It involves all components of the criminal justice system and is inextricably bound to bedrock issues affecting the community such as poverty, education, and public health.”

It’s important to note that the healing process requires a long term approach and, as has been stated at many engagement forums, “only moves forward at the speed of trust.” This statement rang true throughout community meetings that exposed many unmet needs within the Roseland community as well as other areas of Sonoma County identified in Measure of America’s 2014 Study titled “*A Portrait of Sonoma County*.”(Volume 2 – Appendix B) Thus, throughout these recommendations, the need for an “upstream investment” approach is evident. As defined by the County’s policy, “The three primary strategies [of Upstream Investments] are: invest early, invest wisely and invest together” (UpstreamInvestments.org). Prevention and intervention strategies created by the community and resource providers are necessary for establishing a community resilience that is vibrant, strong and ensures a promising future for its residents.

In supporting community development, CEH expresses its approval of efforts supporting the Roseland annexation process as well as cost negotiations with the City of Santa Rosa. CEH also supports past

efforts to include Moorland Avenue in this plan, the location where Andy Lopez was killed. We strongly believe that Moorland should be included and thus will continue to support this position.

Developing Subcommittee Recommendations

As a result of feedback given at community forums, CEH meetings, and in reviewing numerous reports related to its Charter, the Subcommittee formulated 1 interim recommendation and 9 final recommendations. These recommendations serve as a foundation for those made by the Law Enforcement Accountability and Community Policing Subcommittees, noting that all three components of the Task Force charter must be implemented in tandem moving forward.

Throughout the public review of draft recommendations, Subcommittee Members and county staff presented to many public groups and agencies. The following are statements that helped support and guide Subcommittee efforts:

The *President's Task Force on 21st Century Policing Interim Report* states:

“The President should promote programs that take a comprehensive and inclusive look at community based initiatives that address the core issues of poverty, education, health and safety.” (Recommendation 0.2, pg.5)

Feedback received from the Santa Rosa City Schools Superintendent and President of the Board of Education:

“Please hear our strong support for the recommendations from the Community Engagement and Healing Subcommittee. This group’s recommendations reflect our organizational mission to serve our community’s greatest assets: its youth. In particular, the recommendations about comprehensive mental health support, restorative community work (including SROs and community service officers), arts and civic engagement community work (murals, music and the Student Congress) are completely and directly aligned to our strategic plan for serving our community.”

Feedback received from the Sonoma County First 5 Commission:

“The nine initiatives outlined in the report take into consideration the individual child and youth who may have Adverse Childhood Experiences (exposure to violence, substance abuse, mental illness), addresses how those experiences may impact their relationship with the school, the larger community and, in particular, their relationship with the law enforcement community.”

In conclusion, while the importance of this work does not end here, the higher imperative is to view these recommendations as the enduring foundation for all the others. Our true goal is that community engagement and healing will, by urgent necessity, become a reality.

Recommendations

Counseling and Mental Health Services

County-Wide Community Engagement Forums

Pilot Mural Program in Roseland

Sonoma County Social Action Music Center

Student Congress

School Resource Officers

Community Service Officers

Restorative Justice

Investments in Infrastructure, Public Services and Cultural Awareness

Education on Law Enforcement Practices and Policies

Interim Recommendation

Counseling and Mental Health Services

Recommendation

Expand current behavioral health counseling and mental health programs available to help students with social and emotional needs and effects of traumatic incidents. Their families' needs also should be assessed and addressed. School counselors are trained to work with students, families, staff and agencies ensuring a holistic approach.

Detailed Description of Recommendation

This recommendation is a result of the CEH Subcommittee's interaction with Sonoma County community members through forums and information provided to the CEH by local mental health care providers.

This proposal recommends that behavioral health counseling and mental health services be readily available to families in the event of a trauma. In addition, this proposal encourages the county to examine resources to provide on-going counseling for youth within county schools and communities. This would require full time behavioral health counselors at each county K-12 schools. (Timing may be perfect on this as the County is indicating support for universal preschool, so the protocol for working with schools vis-à-vis staffing for certificated counselors looks promising.)

The need for access to mental health resources is echoed around the county, state and nation. The *Portrait of Sonoma County* identifies that disparities in health and life expectancy among our populations are avoidable given that we place a priority on health access for all.

Health resources are plentiful among certain parts of Sonoma County and their value is clearly evident in the people's health outcomes. For others, the social determinants of health that shape daily routines result in shorter, less healthy lives. The good news, however, is where we started: extreme health disparities are largely preventable. Mental health services for County youth, particularly for those who live in poverty, are limited. Schools where counseling is offered are often limited to urgent care, Child Protective Services reporting, and master scheduling. Schools currently do not have the human or financial resources to offer ongoing counseling for students and families. In recent forums conducted by the county in collaboration with CEH, "mental health services for students" was identified as a dominant need in our county. (*Portrait of Sonoma County, 2014*)

Collaborative efforts by government, schools, businesses, nonprofit organizations, and individuals aimed at prevention offer a path to healthier, longer lives and fewer public health-care dollars spent on treating preventable illness. There is an explicit need to align approaches to leverage existing resources and initiatives to support an Upstream Investment model addressing early childhood services and interventions in addition to downstream problems. Existing resources and programs include Cradle to Career, programs funded by First 5 Commission (Nurse Family Partnership, AVANCE Parent-Child Education Program, Pasitos), Maternal Child Care, home visiting programs, and community schools models such as the Via Esperanza Family Resource Center to name a few. By expanding these programs and increasing collaboration, model partnerships and service hubs for students and parents can be replicated throughout Sonoma County.

There are also national and local models that can serve as examples to Sonoma County for increased mental health services for youth and families. Humanidad Therapy and Education Services at Cook Middle School in Santa Rosa offers pro bono counseling and additional services a on a sliding scale for families. These services are offered through Cook Middle School's Family Resource Center.

The New York Department of Education offers a model of services worthy of further investigation. (<http://schools.nyc.gov/Offices/Health/SBHC/MentalHealth.htm>) has several models of service for school based mental health. These include:

- On-Site Mental Health Programs – offers individual treatment, groups, family counseling, and crisis interventions on school campus.
- Mobile Response Team (MRT) Program – offers assessments, consultations, classroom observations, crisis interventions, professional development for teachers, parent trainings, and referrals for treatment in the community.
- STARS (Screening the At-Risk Student) – implemented by nurses in middle schools. Offer suicide and depression screenings and referrals for further psychological assessments as needed. Not only are school nurses in scarce supply, but school counselors are better trained to provide this service in a holistic manner.
- At Risk for High & Middle School Teacher Training – Free web-based online training program aims to teach educators and others who work in both middle and high schools how to identify, approach, and refer students who show signs of psychological distress. <http://nyc.kognito.com>
- Early Recognition and Screening Program - Community mental health providers offer screenings school-wide for underlying emotional and behavioral issues. With parental consent, student can be referred for further assessment and offered treatment if indicated.
- Presentations – Presentations and trainings on a wide variety of emotional topics relevant to youth and resource presentations for staff and families.
- NYC TEEN Website – this teen friendly website engages teens dealing with depression, drugs and violence, and encourages them to seek help. www.nyc.gov/Teen

The *National Association of School Psychologists* has identified the following components, which should be included in school-based counseling:

- Consultation with school staff and/or parents regarding the social/emotional/behavioral needs of children and youth.
- Consultation with school staff regarding classroom and/or school-wide approaches to behavior and to develop positive behavior supports and interventions.
- Screening, evaluation, identification and referral for children exhibiting emotional disturbances.
- Planning and implementing appropriate academic and other educational supports.
- Conducting functional behavioral assessments and/or social skills instruction.
- Measuring progress and improvement both for individuals and also for programs.
- Interventions for students with chronic behavior and emotional needs. Small group and/or individual counseling for such issues as social skills, anger control, etc.
- Staff development on topics such as positive behavior supports and intervention, prevention of violence, crisis planning and intervention, etc.
- Resources and information to school staff and/or parents regarding characteristics, intervention, and treatment of disorders.

Coordination and referral of children and families to community service agencies, related to mental health needs. For more information on school-based mental health services and the role of school psychologists in providing these services, visit www.nasponline.org. © 2006, National Association of School Psychologists, 4340 East West Highway, Suite 402, Bethesda, MD 20814, (301) 657-0270, www.nasponline.org.

Rationale

The need for mental health services in our county schools is evident. The community need has been identified in two documents *Portrait of Sonoma County* and the *Sonoma County Health Needs Assessment*.

According to the *Sonoma County Community Health Needs Assessment for 2013–2016*, the following recommendations were made regarding mental health:

- Access to services for substance use disorders. Treatment works. Early screening, intervention and appropriate treatment for harmful substance use and addiction behaviors is critical to intervening with teens, pregnant women and others who can benefit from treatment. Unfortunately, despite increasing levels of addiction, access to substance abuse treatment in Sonoma County is severely limited for low-income individuals without healthcare coverage. Insuring timely access to culturally competent substance abuse treatment, tailored to the specific needs of those seeking help, can break the cycle of addiction and benefit individuals, families and the community.
- Access to mental health services. Many mental health problems can be effectively treated and managed with access to early detection, assessment, and links with ongoing treatment and supports. In Sonoma County, however, many individuals with mental health concerns do not have access to the treatment they need based on income. Insufficient private insurance coverage for mental health services and insufficient availability of publicly-funded treatment services are significant barriers for many who seek mental health services and support. Lack of an integrated approach to mental health within the health care system can lead to missed opportunities for early problem identification and prevention.
- Adverse childhood exposure to stress (ACES). “Adverse childhood experiences (ACES),” a variety of ongoing conditions or events that can be categorized as recurrent childhood trauma, have been documented to lead to health and social problems, risk-taking behaviors and a shortened lifespan for the adults who survive them. ACES have been linked to a range of adverse health outcomes in adulthood, including substance abuse, depression, cardiovascular disease, diabetes, cancer, and premature mortality. The prevalence of ACES underscores the need for additional efforts to reduce and prevent child maltreatment and associated family dysfunction and the need for further development and dissemination of trauma-focused services to treat stress-related health outcomes associated with ACES.
- Access to health care coverage. Insuring access to affordable, quality health care services is important to protecting both individual and population health, eliminating health disparities and promoting overall quality of life in the community. The cost of both routine and emergency care for uninsured patients can be financially devastating. Individuals without health care insurance coverage may defer needed care, diagnostics and medicines for themselves and their families and may, as a result, experience higher rates of preventable illness, suffering, disability and mortality than those who have insurance. While a significant portion of Sonoma County’s uninsured population will be eligible for more affordable health care coverage under health care reform, financial barriers may still exist for low-wage earners who are unable to meet premium requirements. And, undocumented individuals will continue to be ineligible for publicly- funded coverage, leaving many individuals and families vulnerable.

The New York Department of Education (<http://schools.nyc.gov/Offices/Health/SBHC/MentalHealth.htm>) has identified the following rationale as to why school based counseling is needed:

Why Have Mental Health Programs in Schools?

- Keeps issues from affecting emotional, academic, or physical development
- Provides relief from symptoms earlier rather than later
- Can prevent long-term problems
- Improves academic performance and personal relationships with family and friends

In addition, studies have identified that 30% of Santa Rosa's jail population suffers from some sort of mental illness. Supporting early prevention and intervention could help to mitigate jail time for those who are in need of mental health support. By funding in children health and well-being we are making an investment for the future.

Resources Needed

All schools in Sonoma County should have a full time staff to support students, families and staff with ongoing counseling support and crisis counseling. Schools have the capacity to best assess and meet the needs of student's mental health. Students often "act out" when they are in crisis. Teachers, school counselors, psychologists and administrators are fully aware of the needs within the schools and could provide great insight into the urgent need for services.

Timeline/Implementation of Recommendation

All indicators point to the need that these services are long overdue. We recommend that Sonoma County Supervisors work with school districts, mental health service providers, community based organizations, affected families, and other stakeholders to establish a 2-3 year plan identifying schools and youth demographics with the highest need for mental health resources and potential solutions address these needs. This would include identifying ongoing efforts and investments needed to address mental support service needs throughout the County. We also urge the Sonoma County Board of Supervisors to request mental health resources for youth and schools at a legislative level.

Performance Indicator(s)

The metrics to determine success of a program that offers counseling to students in an ongoing manner or in a crisis situation can include increased school attendance, lower drop-out rate, greater postsecondary matriculation, fewer suspensions and expulsions and greater parent participation in schools. These as well as other indicators should be determined in conjunction with school districts, community members, and service providers.

County-Wide Community Engagement Forums

Recommendation

Continue funding community engagement forums after the termination of the Task Force.

Detailed Description of Recommendation

While there are multiple models which may be appropriate depending on location, resources and intent, we recommend that ongoing forums be modeled on Subcommittee efforts and community engagement best practices to reinforce a respectful, nonthreatening dialog between law enforcement and all segments of the community. It is vital that all those involved feel welcome and free to speak in an open and honest manner. Community needs and attitudes must be considered and incorporated by ensuring that opportunities for feedback and input, both before and after forums, are provided. The Subcommittee's model proved to be both inclusive and effective by allowing for open and honest communication between all participants. These efforts relied largely on a partnership between local community organizations and resources, law enforcement and County support.

Specifically, we recommend the following format for engagement forums:

- Both a Town Hall and Small Group Format
- Small-group circles of 10-12 chairs with each group containing one representative of law enforcement, one trained facilitator/recorder (such as the support provided by Restorative Resources, or similar organizations).
- Guidelines for respectful participation
- Continued encouragement for all participants to speak.
- A combination of open dialog and topic based conversation with solution exploration encouraged.
- The possibility of participants changing circles throughout the forum.
- Emphasis on evening hours to allow participation by working community members.
- The option of Spanish language circles available for those who might require it.
- Available childcare for working class parents
- Summary of key discussion points (by facilitators) at forum conclusion
- Readily accessible feedback to those present and the community at large of actions taken or issues to be explored as a result of forum discussions.
- Option for forums to focus on other governmental entities beyond law enforcement – but utilizing above guidelines.
- Encouragement of publicly elected officials to participate

Rationale

As we began our work on this Subcommittee, we listened to input from members of the public, community groups, county staff and law enforcement. We drew on the experience of Subcommittee Members and examined both conventional and innovative potential approaches to solicit input from the broadest possible spectrum of the community.

The model of a large group of people coming together, hearing speakers (usually on a stage or at the front of the room) and then inviting feedback from those present presented multiple challenges. Specifically, individuals who were uncomfortable speaking before a large group, experienced language difficulties or fear of being identified were often left without an opportunity to have their opinions be heard.

We also faced the daunting task of opening a dialog between law enforcement and segments of the community who were often fearful, angry and frequently unwilling to challenge or question law enforcement in the environment of a formal hearing/forum.

As we discussed our various options, we soon discovered that our major goal was (to the greatest extent possible) to break down existing stereotypes about law enforcement and to encourage one-on-one dialog from one member of the community to another. This led us to the above-described circle format which

has proven to be successful across a wide spectrum of participants ranging from young people to senior citizens, patrol officers to Chiefs, activists to parents.

It is our firm belief that a continuation of this type of low-key forum will help to establish and sustain a healthier relationship between community members and law enforcement – in good times and particularly when crises arise.

Resources Needed

A full-time County Analyst to organize, coordinate and implement future forums. Forums in incorporated cities will benefit from the experience of prior efforts, but will depend largely on the resources and needs of the individual communities.

Timeline/Implementation Recommendation

The existing guidelines (and the active participation of County staff in those forums held to date) make it possible for ongoing forums to begin at any time. The one key element to be determined is the selection of the County agency/department to be charged with implementation. The Subcommittee believes that the most viable resource is a Neighborhood Services Unit, which could be embedded in the County Administrator's Office as a function of Community and Government Affairs Section, and designed to further increase access to information, resources and civic processes for the diverse groups and individuals in each of our neighborhoods. In the short term, it is recommended that the County Analyst position be implemented by exploring existing staff reassignments or the hiring of a new position with part-time duties assigned by the Community and Government Affairs Section addressing law enforcement engagement within the community. In the long term, it is recommended that this position work in the proposed Neighborhood Services Unit in conjunction with an Office of the Independent Police Auditor, the Sheriff's Office, and other law enforcement jurisdictions to ensure continuity and collaboration of engagement efforts.

Outcomes/Performance Indicator(s)

The basic nature of these forums makes the provision of specific metrics challenging. In the short term, the overriding goal is to continually "take the pulse of the community" and to incorporate community input into County practices. In the long term, we believe there will be measurable metrics in the areas of satisfaction with law enforcement/county departments, a lowering of complaints, and the movement towards an inclusive community who are (more) satisfied that their voices are being heard.

Additional Considerations/Alternatives Explored

Seeking input from the community is a vital and critical element of successful government. While there is no one model which fits every situation, it is our collective opinion that the key objective is to explore every possible alternative to ensure that all voices are heard. Some ways we might additionally foster that environment include:

- Encouraging various community based organizations and other local groups to join in sponsorship of future forums.
- Consider holding regular "interactive forums" on local radio outlets
- Organizing avenues to solicit input through social media
- Working with local school boards/youth organizations to create classroom based discussions on community issues
- Reaching out to local faith-based organizations to solicit congregation input

Pilot Mural Program in Roseland

Recommendation

First to implement a much-needed pilot public art program in Roseland, a neighborhood that is in need of the healing that public art can bring to a community. Secondly, to expand the program to other underserved areas identified in the 2014 Portrait of Sonoma County. Such a program will support the healing of the community by tapping into the great and diverse cultural resources available from these underserved areas.

Detailed Description of Recommendation

1. Implement a two-year pilot mural program to create 12 murals, one every two months, that would be installed at sites throughout the Roseland neighborhood to promote community healing through social interaction and artistic expression.
2. Each mural would be designed by a selected artist in consultation with children, youth and adult members who live closest to the location of the mural to reflect a source of cultural pride in Roseland. Once thus designed it will be executed in a prescribed way so that other artists and children, youth, and adult members of the community can help execute the mural as part of a festive community event that would happen in one or two days.
3. Each mural would be 8' high and 16' wide and would be painted on four 4'x8' panels offsite and installed after completion at a designated site.
4. Twelve artists would be invited to participate and would be required to attend a training workshop that would cover the mural design and execution process.
5. Each artist would receive an honorarium of \$4,000.00 to design, prepare all materials and supervise the execution of the mural with the help of children, youth and adult community volunteers and other participating artists.
6. A calendar would be set up at the beginning with the target dates for the completion of each mural. Artists can choose the dates when they would want to design and lead the mural painting. Once the calendar is set, each artist would receive 50% of his honorarium two months before the "paint date" and the balance after installation of the mural.
7. In order to facilitate the painting using volunteers, the lead artist for that particular mural, with volunteer help from other artists, will prepare the panels by mounting them on the easels, sealing them, and transferring the design onto them in a way that would facilitate painting using pre-mixed acrylic paint in containers. Each lead artist would be responsible for blowing up the design and transferring it onto the panels as well as pre-mixing all paints to be used and how the mural should be executed in the prescribed period: either one day or two.
8. After all the murals are completed, print maps of the location of the twelve murals to be available to the general public and train young people from the area docents to give tours of the murals.
9. After completion (two years) expand the pilot program to other underserved areas identified in the *Portrait of Sonoma* and repeat steps 1-8.

Rationale

There is nothing worse than to look at a mirror and see no reflection of yourself. This is what happens to most Latino youth in Sonoma County. As noted in the Creative Sonoma Arts Action Plan (adopted by the Sonoma County Board of Supervisors June 24, 2014):

There is a strong but less publically visible collection of ethnically specific cultural communities and artists, including a large and diverse Hispanic population. There is limited multicultural representation in the larger arts community, although the demographic trends predict a majority

Hispanic population in the county by 2040 (p.4).

As exemplified by the individual efforts of the young artist Maria de Los Angeles who bypassing the bureaucracy took the initiative to lead the healing through art at Cook Middle School, and by Mario Uribe who produced a mural of Andy Lopez, there is a critical need for artistic self-expression in the Roseland community. This critical need arises from two main sources. The driving factor is the growth of the Latino population, which is currently at almost 25% of the countywide total (an increase of almost 44% from 2000). By the year 2038, forecasts predict that Hispanics will become the largest ethnic group in the County; they are expected to become the ethnic majority with 385,807 individuals making up 51 percent of the population by 2050.

Secondly, any scholarly book that covers a complete history of the United States has ample documentation of the targeting of people of color for discrimination in education, housing, employment, and unfair treatment by law enforcement. And the consequence of this history are the lack of access to social, political, and financial capital which is reflected in the disparities found by the *2014 Portrait of Sonoma*. This project will fortify these communities not only by bringing residents together in a common project but also by creating a magnet that will attract and educate people throughout the County as well as tourists about the rich art culture in these communities.

Finally, the proposed pilot Mural Program addresses one of the top priorities established in Creative Sonoma: "An early priority for Creative Sonoma should be to expand the planning process to embrace the larger community, assessing their cultural needs and aspirations" (p. 11). It is also in alignment with the most current understanding of art as civic engagement or what Alan Brown, the well-known arts consultant, calls "creative capital." See Dr. Dennie Palmer Wolf and Dr. Steven Holochwost's article at <http://wolfbrown.com/insights/articles-and-essays/building-creative-capital>

Resources Needed

\$48,000 per year

\$96,000 for 24-month pilot project in Roseland as follows:

- \$48,000 for artist honoraria: (\$4,000 x 12 artists)
- \$48,000 for sponsoring art agency to provide all supplies & materials, administration, space, training, supervision, installation, etc.

Timeline/Implementation of Recommendation

This recommendation could be fully implemented within 3 months of approval.

Performance Indicator(s)

After this two-year program is completed, maps of the twelve murals will be made available and docents can be trained to give tours of the murals. This is currently done at the Mission District in San Francisco by *Precita Eyes Muralists* <<http://www.precitaeyes.org>>. This pilot program should then be replicated in all underserved areas as identified in the Portrait of Sonoma County.

Additional Considerations/Alternatives Explored

This project would provide youth and other residents of Roseland and other underserved areas the opportunity to be docents of what would be a sort of outdoor art gallery in their own community and at the same time, it would address a real concern regarding art by Latinos (which is not necessarily "ethnic" art).

A mural project is not just about art. It is in tune with the goals of the Sonoma County Community Engagement Framework (Presented to the Board of Supervisors on December 2, 2014). As noted in an earlier draft of the document:

Community engagement describes the process of working collaboratively and through groups of people affiliated by geographic proximity, special interest, or similar situation to address issues

affecting the well-being of those people. It is a powerful vehicle for bringing about environmental and behavioral changes that will improve the community and its members. It often involves partnerships and coalitions that help mobilize resources and influence systems, enhance relationships among partners, and serve as catalysts for changing policies, programs, and practices.

Community engagement embodies a two-way relationship between the County and the community. At its core, community engagement rests on the belief that government is better when it is informed by the community members it serves. (p. 2)

Effective community engagement provides the foundation for building healthy, strong, and inclusive communities. It requires strong foundations that an organization establishes, and succeeds when it is applied strategically in a way that is designed to help achieve specific goals. In this way, community engagement becomes integral to, rather than a simple extension of, an organization's core mission, with results that can improve community relationships, service delivery, and, ultimately, quality of life in a community.

More specifically, this recommendation overlaps with Objective 6 of said Framework: "Establish countywide infrastructure to enhance departmental capacity for and sustainability of community engagement efforts" (Attachment 3, p.3). This mural program for example would be a good source of possible community ambassadors as defined in Action 18: "Develop a cadre of community ambassadors, established throughout Sonoma Count." (Attachment 3, p.3). Community ambassadors are familiar with government operations as well as familiar with the communities in which they serve.

Last but not least, this recommendation also overlaps with the current *Creative Sonoma Arts Action Plan* Adopted by the Sonoma County Board of Supervisors for the creation of a Latino Cultural Center. Clearly, there is a need for joint public/private support of this venture. And undoubtedly this is true also for other recommendations from the task force, but looking beyond county budget restrictions and in the spirit that led to the creation of this Task Force, it is crucial that the County Board of Supervisors exercise their political will to convene the necessary partners to make these recommendations possible and thus make the healing of the community a reality.

Sonoma County Social Action Music Center

Recommendation

This recommendation calls for the County Supervisors to convene a series of at least three meetings to establish an ongoing Exploratory/Advisory Group, charged with exploring the feasibility of the creation of a Sonoma County Social Action Music Center that would support the expansion of Community-Based Music Programs throughout Sonoma County.

A decade long study of 30,000 students in the United States El Sistema programs showed that arts-based, after-school group activities were effective in instilling pro-civic and pro-social values, a strong locus of self-control, independence and a strong sense of self-efficacy for future goals. These after-school programs were successful in these measures because they provided roles, rules and risks.¹ Community-Based Music Programs provide the opportunity to break the vicious cycle of poverty through a powerful mission of artistic excellence and access for all. They also provide a powerful alternative to gang involvement, as it appeals to students that seek an outlet for emotional expression, a place that feels like home, a sense of family, and a feeling of *power and purpose*. *Such programs also have an impact in juvenile detention facilities.*²

Detailed Description of Recommendation

1. There are two successful Community-Based music programs in existence in Sonoma County. One is the Santa Rosa Symphony's *Simply Strings Program Plan 2013-2018* at Sheppard Accelerated Elementary School, in Roseland. The other one is the Sonoma Valley Educational Foundation's, *Valley Vibes Orchestra* at El Verano Elementary School. Both of these communities have been identified by the 2014 *Portrait of Sonoma* as underserved communities, with scores of 2.98 and 5.68, respectively (compared to the highest score in the East Bennett Valley 8.47).
2. These two Community-Based Music Programs are to be commended for their truly magnificent efforts to provide an opportunity for social and academic success for a significant number of students and their families. They are an integral part of what Alan Brown, the leading researcher and management consultant in the nonprofit arts industry calls "building creative capital" and art as civic engagement." See Dr. Dennie Palmer Wolf and Dr. Steven Holochwost's article at <http://wolfbrown.com/insights/articles-and-essays/building-creative-capital>. Furthermore, from the perspective of the charge to the Community Engagement and Healing Subcommittee, it is clear that these two music programs provide a community healing practice that needs to be replicated in the census tracts identified in the 2014 *Portrait of Sonoma* that fall among the bottom scores. A Sonoma County Social Action Music Center with a five-year plan would conceivably manage instrument inventories, hire and schedule faculty, train volunteers and work with faculty, provide facilities, book concerts, hold concerts and events, etc. Such a Center would be either an existing 501(c)(3) or a new one that emerges for that specific purpose.
3. A Sonoma County Social Action Music Center would support a resident Community-Based artist position to connect and support the various local programs.
4. A Sonoma County Social Action Music Center would host performances and workshops of Community-Based groups in the Bay Area.

¹ Uy, Michael. "Venezuela's National Music Education Program *El Sistema*: Its Interactions with Society and its Participants' Engagement in Praxis." *Music & Arts in Action*, Volume 4, Issue 1.

² See Dr. Dennie Palmer Wolf and Dr. Steven Holochwost's article "The Potential Impact of Strength-Based Music Programs in Juvenile Justice Settings" at <http://wolfbrown.com/insights/42-books-and-reports/518-our-voices-count-the-potential-impact-of-strength-based-music-programs-in-juvenile-justice-settings>

5. A Sonoma County Social Action Music Center would showcase local Community-Based orchestras at major venues such as the Green Music Center during regular concerts, as an “opener” for symphonies and guests artists, and in side-by-side concerts with professional ensembles.
6. A Sonoma County Social Action Music Center would bring visiting artists to local Community-Based programs to inspire and work with local youth.
7. A Sonoma County Social Action Music Center would play the roles of connector, host, and artistic supporter of Community-Based programs in Sonoma County and also in Northern California.
8. Sonoma County certainly has the potential infrastructure on which to build such a Sonoma County Social Action Music Center: there is Sonoma State University and its Green Music Center, the Santa Rosa Symphony, the Sonoma Valley Educational Foundation, the Sonoma County Philharmonic, the Sonoma County Community Foundation and many individuals, groups and agencies in Sonoma County that support Community-Based programs. To turn this potential into a reality, this recommendation calls for the Board of Supervisors to convene these institutions, individuals and agencies for at least three meetings to establish an Exploratory/Advisory Group, which will explore the feasibility for the creation of a Sonoma County Social Action Music Center to support the expansion of Community-Based Music Programs throughout Sonoma County.

Rationale

While relatively new to the Bay Area, community-based music social programs patterned after the Venezuelan program *El Sistema* have a thriving local presence. Programs exist in Sonoma, Santa Rosa, San Rafael, Napa, San Francisco, Sacramento, San Pablo/Richmond area, Alameda, Daly City, San Jose, Sacramento, and Stockton.

Two programs are already well established in Sonoma County. Santa Rosa Symphony sponsors *Simply Strings* at Sheppard Elementary School in Roseland. Its 2013-2018-program plan includes 20 students per year on one of the most underserved areas of the County to reach a maximum of 100 students at the end of the five-year cycle. The average yearly cost for the entire cycle is \$75,000 beginning with 55,000 and ending with \$85,000 for a grand total of \$370,000. The Sonoma Valley Educational Foundation funds *Valley Vibes Orchestra* at El Verano Elementary School in Sonoma Valley has a similar approach and it currently includes approximately forty students and it also adds new students each year as they move up to the next grade level. *The Portrait of Sonoma* also identifies this area as one of the most underserved areas in the County.

According to the *Portrait of Sonoma*, there are 39 areas in Sonoma County that fall under the average human development index of 5.43 in terms of education, financial status and health (as opposed to the two top ones of 8.47 and 8.35) with ten being a perfect score. Therefore, rather than recommending the funding of an additional Community-Based program at an elementary school, and in line with the *Creative Sonoma Arts Action Plan* overall recommendation to create a Local Arts Agency, it seems more logical to recommend the establishment of a Social Action Music Center to provide major support for all potential programs in the county areas identified by the *Portrait of Sonoma* as underserved communities.

By taking an active role in the development of Community-Based music programs in Sonoma County, the Board of Supervisors can serve as a catalyst to realize at least in part the overall recommendation of the *2014 Creative Sonoma Arts Action Plan*, adopted by the Sonoma County Board of Supervisors, and strengthen its adherence to a mission of creating transformative experiences in the arts and education, promoting active learning, and enacting cultural and economic betterment. This mission is extraordinarily well aligned with the mission of Community-Based Programs, which seeks to change the trajectory of a child’s life and the trajectory of the community through intensive and accessible orchestral experiences.

Resources Needed

This is a five-year program with varying costs per year as follows:

Year I	133,000
Year II	123,000
Year III	130,000
Year IV	145,000
Year V	160,000
Five-year Total	691,000*

Specific budget

County Music Education Center	YEAR ONE	YEAR TWO	YEAR THREE	YEAR FOUR	YEAR FIVE
REVENUE					
Government	133000	90000	75000	60000	50000
Foundation	-	10000	20000	30000	40000
Individual Gifts	-	5000	10000	15000	20000
Corporate/Business sponsorships	-	10000	15000	20000	25000
Events	-	3000	3500	4000	4500
Ticket Sales	-	500	500	500	500
In Kind/ Partnerships	-	10000	15000	20000	20000
		128500	139000	149500	160000
EXPENSE					
Administration	55000	55000	60000	63000	75000
Faculty	40000	40000	45000	52000	55000
Benefits	8000	8000	8000	8000	8000
Insurance/etc.	2000	2000	2000	2000	2000
Facilities rental	10000	10000	10000	15000	15000
Office supplies	1500	1500	1500	1500	1500
Classroom Supplies	1000	1000	1000	1000	1000
Instrument repair/maintenance	500	500	500	500	500
ASSETS					
Instruments	15000	5000	2000	2000	2000
	133000	123000	130000	145000	160000

* Actual figures may vary depending on the level of in-kind donations to the program.

Timeline/Implementation of Recommendation

This recommendation requires first the convening of a group of stakeholders that include Sonoma State University and its Green Music Center, the Santa Rosa Symphony, the Sonoma Valley Educational Foundation, the Sonoma County Philharmonic and the many individuals, groups and agencies in Sonoma County that support Community-Based Programs. This should be done at the earliest convenience for the Sonoma County Board of Supervisors and the County staff but no later than June 2015.

Performance Indicator(s)

A Sonoma County Social Action Music Center would lead to the proliferation of Community-Based Music Programs in the underserved areas of the county. As stated in the proposal from the Santa Rosa Symphony Association, "Integrating Carnegie Hall's Link Up with Simply Strings," there are many beneficial outcomes from such Community-Based Music Programs:

Through the intensive study of music, qualifying students are likely to overcome significant barriers, including: low self-esteem; high school dropout rates; lack of a sense of purpose, proper role modeling and ability to focus; among others. All these debilitating issues are addressed and often greatly diminished through daily quality music education.

More specifically this document notes that programs such as *Simply Strings* are effective in:

- Raising school retention, literacy and academic performance.
- Preventing gang and juvenile delinquency.
- Programs like *Simply Strings* provide valuable on-the-job training to teachers and work experience to student mentors.

Additional Considerations/Alternatives Explored

Though many individual contacts have been made during the past few months, we may not have the time to meet with all of the key people in order to hold such a meeting before the final deadline for the recommendations to be sent to the Board of Supervisors.

This recommendation also overlaps with some aspects of the *Creative Sonoma Arts Action Plan*, which was adopted by the Sonoma County Board of Supervisors. Clearly, there is a need for joint public/private support of this venture. And undoubtedly this is true also for other recommendations from the task force, but looking beyond county budget restrictions and in the spirit that led to the creation of this Task Force, it is crucial that the County Supervisors exercise their political will to convene the necessary partners to make these recommendations possible and thus make the healing of the community a reality.

Partial List of Potential Stakeholders to be convened as an Exploratory/Advisory Group for the creation of a Social Action Music Center in Sonoma County. They may have been recommended or have expressed an interest in community-based music programs.

Sonoma County Supervisors

Susan Gorin, First District
David Rabbitt, Second District
Shirlee Zane, Third District
James Gore, Fourth District
Efren Carrillo, Fifth District

Individuals

Timothy Rodrigues, Supporter of *El Sistema*
Lisa Hauge, Interested in *El Sistema*
Anne Fitzgerald, Listening Community Chair

Sonoma County Community Foundation

Miguel Ruelas, Director of Philanthropic Advising
Karin Demarest, Vice President for Programs

Sonoma Valley

Anne Case, Music teacher at El Verano and advocate for *El Sistema*
Laura Zimmerman, Executive director of the Sonoma Valley Education Foundation
Maité Iturri, Principal of El Verano
Leta Davis, Teacher and early proponent of bringing *El Sistema* to Sonoma
Louann Carlomagno, Superintendent of the Sonoma Valley Unified School District

Santa Rosa Symphony

Alan Silow, Executive Director of the Symphony
Alan Mason, Board of Directors of the SR Symphony
Christina Penrose, Santa Rosa Symphony, Community Liaison
Sara Woodfield, incoming President of the SR Symphony, was present at the *Los Cien* luncheon.
Susan Dzieza, Board of Directors of the SR Symphony
Pam Chanter, Past President and Former Board of Directors of the SR Symphony

Sonoma County Philharmonic

Norman Gamboa, Conductor
Brian Lloyd

Roseland School District

Gail Ahlas, Former Superintendent/Consultant
Amy Jones, Kerr-Superintendent

Santa Rosa School District

Socorro Shiels, Superintendent
Mark Wardlaw, Music Teacher Santa Rosa High School

Sonoma State University

Thaine Stearns, Arts and Humanities Dean
Larry Furukawa-Schlereth and Zarin Mehta, GMC Co-executive Directors
Brian Wilson, Chair Music Department
Andy Collingwood, Music Professor
Francisco H. Vázquez, Hutchins Institute for Public Policy Studies and Community Action, Sonoma State University

Wells Fargo Center for the Arts

Richard Nowlin, Executive Director
Anita Wigglesworth, Director of Programming
Tracy Sawyer, Education and Outreach Manager

Student Congress

Recommendation

The Student Congress is a youth-centered network and leadership program that allows for the reporting, distribution, and collection of critical information regarding social, health, financial, and academic capital. This is because the everyday life experiences of middle and high school students are unique: they take place in a matrix that reaches into their homes and family members, schools, employment, sports, businesses, law enforcement, street gangs, and the criminal justice system. As a source of prestige and power, SC is not only a viable alternative to joining a gang but also a pipeline to civic engagement in student and in local government.

Detailed Description of Recommendation

1. The Student Congress is open to all students. Because of the critical need of specific demographic and cultural groups that lack significant representation in existing youth programs, the Congress may consist of representatives of particular ethnic or cultural groups. The Student Congress consists of four parts: The Student Congress, the Congressional Staff, the Congressional Club at each participating Junior or High School campus, and a Student Congress Coordinator.
2. **The Student Congress** consists of one female and one male student with both representing their high school or junior high school. An ideal group would be 30 to 36 students representing 15 to 18 schools. Including their female and male alternates the total would be 60 to 72 students.
 - 2.1. Congress students meet at Sonoma State University one Saturday per month for ten months where they share their experiential knowledge and a civic engagement curriculum regarding the challenges and the assets they encounter as they strive for an education. At these meetings they also learn how to address issues through policy, and how to utilize human and financial resources that are available to them at their school, city, county or private sources.
 - 2.2. In addition to the curriculum, the information they will get ranges from college and vocational opportunities, to physical, emotional, environmental, and financial health through the building of social and financial capital. They will be exposed to discussions regarding environmental, social and political economy, local and global issues. Or any other issue they themselves identify.
 - 2.3. Congress students are encouraged to run for student body offices in their respective campuses, to come up with their own projects, to define the issues they want to address, the activities they want to be involved in, to document information that can be useful in the making of policies at the school, district, city or county level. In this respect, the objective is to build a leadership pipeline for young people to fill in positions in public, non-profit and private agencies that are in need of representatives from underserved population.
 - 2.4. At the end of the school year there is a Graduation Ceremony for SC students during the Annual Leadership Conference that is open to all students, parents, teachers, professional and business people to hold Socratic dialogues on the challenges and possible solutions. Students get a diploma, an SC pin and 2 units of college credit.
3. **The Congressional Staff** is made up of college students, members of the community, professionals, political and business leaders, parents, and teachers dedicated to support the school of their choice. This support may be in the form of guest speakers, mentors, fundraising, job shadowing, depending on the particular needs of the students. At the end of the year the Congressional Staff participates in the organization or Socratic seminars held at the annual Leadership Conference at Sonoma State University.

Duties for members of Congressional Staff:

- a. Commit to work with a particular middle or high school in any capacity that your time allows.
- b. Liaison with community agencies that may collaborate with the SC.
- c. Assist with the coordination of the speaker series for congressional meetings.
- d. Tutoring or mentoring individual congress students.

- e. Arranging for job shadowing for congress students.
 - f. Helping to establish liaisons with elected officials.
 - g. Assisting with the monthly congressional Saturday meetings.
 - h. Addressing the student congress as one of the speakers.
 - i. Participating at a particular high school: seminar discussion, supporting students' projects, etc.
 - j. Networking with other organizations to determine where we can maximize each other's activities.
 - k. Keeping everyone informed of possible activities that may benefit the SC.
 - l. Assisting with the Annual Leadership Conference.
 - m. Assisting with the graduation ceremony.
 - n. Develop a plan to create an Educational Foundation like the one that supports Elsie Allen.
4. The SC Coordinator and the Congressional Staff support the Congress students in the establishment and maintenance of **Congressional Clubs** at their respective schools. These SC clubs would extend the outreach and the flow of information to a considerable number of student body members at each school.

4.1 The Congress students would take the knowledge and information they acquire at the monthly Congressional Meetings at Sonoma State and disseminate it to other students via their club meetings, guest speakers, and other school-wide events and activities.

4.2 In the opposite direction they would also bring knowledge to the Congress about the status and challenges of their classmates thus providing a sort of ongoing research and evaluation of community needs that may be useful to a variety of policy makers in the County.

5. **A full time SC Coordinator** carries out the following duties:
- a. Establish contact with middle and high schools to recruit students.
 - b. Organize schedule for seminar discussions at the various schools.
 - c. Coordinate the logistics of scheduling meetings, speakers, and meeting rooms at SSU, field trips, attendance of Congress Students to conferences, etc.
 - d. Support the Congress Students in their organizing and running of the SC clubs at each of the participating schools.
 - e. Collect materials from college faculty and other members of the Congressional Staff for discussion at Congressional meetings and at SC Club meetings.
 - f. Organize leadership and community organizing trainings and field trips.
 - g. Mentor and coach student leaders.
 - h. Maintain records of contacts with schools and pertinent information that will facilitate future follow up of potential SC candidates.
 - i. Develop and maintain contact with professional and other community people that support the Student Congress activities, especially potential donors and presenters.
 - j. Organize Congress Meetings at Sonoma State and maintain records of these meetings for the members of the Congress.
 - k. Organize a Leadership Conference at the end of the school (April or May)
 - l. Develop and implement a fundraising plan that will sustain the work.

Rationale

As noted in 2013 report by the California Department of Finance, California's (and by implication Sonoma County's) future will depend largely on the status of today's youth. Within the youth population it is worth noting that in a few years, underserved youth (mostly Latino) will be the largest ethnic group enrolled in the Sonoma County Schools, with students of color already representing more than 50%. They will become our administrators, service workers, teachers, counselors, activists, entrepreneurs and public officials. To ensure a brighter future for all us we need to invest in all youth and because of their prominent future role, on underserved students today.

In 2030, there will be 9.6 million Hispanics in the prime working ages of 25 to 64; Whites will have 7.2 million and Asians 3.1 million. By 2060, Hispanics will be the largest group in the working ages by a considerable margin: 12.1 million Hispanics to 7.4 million Whites and 3.2 million Asians. As this happens, a lower percentage of the working-age population will be White and a larger percentage will be Hispanic and Asian. These younger and more diverse cohorts will help maintain the potential for the growth of the labor force and the economy in California. This projection series shows that by 2030, more of the White population will be 65 and older (4.1 million) than will be less than 25 years of age (3.8 million). In comparison, the Asian population will have somewhat fewer 65 years or older (1.4 million) than there will be under 25 years of age (1.6 million). The major contrast is with the Hispanic population: there will be 7.2 million Hispanics under 25 years of age compared to 2.2 million who will be 65 and older.

Underserved youth are facing an uphill battle, at many levels: completing their middle and high school education, moving on to and completing their higher education, finding well paid jobs in order to raise families, at the same time that they struggle to have a voice in the governance of their local, state and national communities. A disproportionate number of them are overrepresented in the school-to-prison pipeline.

To look at the specific group that is predominant in Sonoma County by the year 2038, forecasts predict that Hispanics will become the largest ethnic group in the County; they are expected to become the ethnic majority with 385,807 individuals making up 51 percent of the population by 2050. By all accounts this is clearly an underserved population. According to the California Department of Education, in 2013, **13.1%** of Hispanic students dropped out of high school. Sorted by gender, Hispanic males dropout at a higher rate (**16.7%**) than Hispanic females (**9%**), but overall there is a 13.1% dropout rate. Over 55% of youth in juvenile custody are Latino, 70% youth of color in total (Sonoma County Juvenile Justice report 2009)

A Chinese Proverb says, "Go in search of people. Begin with what they know. Build on what they have." In this vein, once established, the Student Congress would be a productive partner in the implementation of the *Sonoma County Community Engagement Framework* presented to the Board of Supervisors December 2, 2014.

Specifically, a well-organized group of students throughout the County would be a substantial part of "...an institutional foundation for successful engagement (Goal 1, Attachment 3, p.1), it would help "[d]evelop knowledge of the community" (Objective 3 Attachment 3, p.1), help "[c]arry out ongoing community asset mapping," help "utilize reports....[that] are currently underutilized, and need to be leveraged to enhance connectivity and impact," help "[i]mplement formal community surveys and focus groups (Actions 1, 2, and 3, Attachment 3, p.1).

Resources Needed

\$75,000 per year

Personnel	Salary Benefits	40,000 10,000
Training for Student Leaders	Local National x 10 Travel to Training	3,600 6,500 2,000
Program Costs	Phone Mileage Office Printing Supplies (computer, office) Supplies (computer) Refreshment for Saturday meetings	600 1,000 1,200 500 1,500 800
Administration		5,000
Total Budget		75,000

Timeline/Implementation of Recommendation

There is a current ongoing effort under the aegis of the North Bay Organizing Project to implement this program. The need is so great and the stakes are so high, however, that it will take the support of the entire County as well as the private and non-profit sectors to make this program a success. It will indeed take the entire village to raise our children.

Performance Indicator(s)

The Student Congress will:

1. Support development of 150 youth leaders over 5 years. Indirectly, these Congress members will reach many more at their respective campus.
2. Work to maintain school attendance through innovative policies and leadership development.
3. Work to minimize contact between students and the juvenile justice system, especially when related to School Resource officers.

Additional Considerations/Alternatives Explored

Last but not least, this recommendation also overlaps with the current *Sonoma County Community Engagement Framework (Presented to the Board of Supervisors on December 2, 2014)*. Clearly, there is a need for joint public/private support of this venture. And undoubtedly this is true also for other recommendations from the task force, but looking beyond county budget restrictions and in the spirit that led to the creation of this Task Force, it is crucial that the County Supervisors exercise their political will to convene the necessary partners to make these recommendations possible and thus make the healing of the community a reality.

School Resource Officers

Recommendation

To explore the need for School Resource Officers (SRO's) in Sonoma County Schools and potentially expand upon existing resources. The intent is to identify areas within Sonoma County with the highest need for this service, how many officers would be needed, alternative resources available for collaboration, and the impact of associated costs on school districts, and applicable law enforcement jurisdictions.

During the CEH Subcommittee's first community outreach forum at Cook Middle School, community members suggested that an investment in preventative outreach and reassigning salaries to focus on SRO's would lessen the stigma of law enforcement in the eyes of youth while increasing law enforcement collaboration with community members and parents to help at-risk youth. By exposing youth to law enforcement earlier on, there is potential for early intervention for behavior that could lead to criminal activity later on in life. SRO's can work with existing service providers to help youth develop, conduct educational programs for youth and parents, develop safety protocols for schools, and provide a restorative, youth oriented, approach to youth delinquency. This work could help facilitate a change in perceptions of law enforcement and reduce implementation of a zero-tolerance approach.

Detailed description of recommendation

School Resource Officers are assigned to local schools to promote student safety and serve as a resource for students and faculty. "Officers in schools provide a wide array of services. Although their duties can vary considerably from community to community, the three most typical roles of SROs are safety expert and law enforcer, problem solver and liaison to community resources, and educator" (Raymond 2010). Approximately half of an SRO's time is spent engaging in law enforcement activities, with one quarter spent advising staff, students, families, and the other quarter of time is spent teaching, presenting, and participating in school related activities. The following list elaborates further:

Problem solver & Liaison to Community Resources

- Developing and expanding crime prevention efforts for students
- Assisting in identifying environmental changes that can reduce crime in or around schools
- Giving students referrals to services provided both in the school and community (guidance counselors, social workers, youth/family services)

Safety Expert & Law Enforcer

- Assuming primary responsibility for handling calls for service from the school and in coordinating the response of other police resources
- Addressing crime and disorder problems, gangs, and drug activities occurring in or around the school
- Making arrests and issuing citations on campus
- Developing protocols for handling specific types of emergencies

Through collaboration with school administrations, community organizations, and parents, SRO's can effectively work to develop and implement community goals that support student success and preventative approaches for youth and their families. Investments should be made that support schools in determining what services are most effective in implementing these goals.

Currently, there is a lack of research on success rates of SRO's with meeting the expectations of educational administrators; however most research available describes a qualitative analysis of perceptions within the school community and outlines best practices for SRO's. When considering implementation, independent audits and self-evaluation mechanisms that include law enforcement, school district, and parent input will need to be developed.

Rationale

Currently there are SRO's stationed at Windsor High and Sonoma Valley High with the latter providing services to many of the elementary and middle schools in addition to the local high school. Expanding these services to schools within the underserved communities that scored poorly in the Portrait of Sonoma County would help provide the following:

- Increased safety in and around schools;
- Reduction in truancy;
- Mediation between students, administration, and parents;
- Collaboration with community service providers and direct referrals to youth; and
- Early exposure to law enforcement and reduction in negative stigma

By exploring the current safety needs of schools, working with community members, and developing an implementation program with law enforcement, the county can work to expand SRO services to assist schools in at-risk youth management. An SRO can also work to develop community relations and facilitate increased involvement of both youth and parents through remediation and awareness programs. Currently, the City of Sonoma Police Department Youth & Family Services Coordinator helps facilitate a youth oriented approach where youth committing minor infractions are able to carry out a community service/rehabilitation program in lieu of being put directly into the criminal justice system.

To expand on the relations between Schools and SRO's as well as youth oriented policing, the following recommendations from the *President's Task Force on 21st Century Policing* should be taken into account:

4.6 RECOMMENDATION: Communities should adopt policies and programs that address the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatize youth and marginalize their participation in schools and communities.

4.6.1 ACTION ITEM: Education and criminal justice agencies at all levels of government should work together to reform policies and procedures that push children into the juvenile justice system.⁸⁵

4.6.2 ACTION ITEM: In order to keep youth in school and to keep them from criminal and violent behavior, law enforcement agencies should work with schools to encourage the creation of alternatives to student suspensions and expulsion through restorative justice, diversion, counseling, and family interventions.

4.6.3 ACTION ITEM: Law enforcement agencies should work with schools to encourage the use of alternative strategies that involve youth in decision making, such as restorative justice, youth courts, and peer interventions.

4.6.4 ACTION ITEM: Law enforcement agencies should work with schools to adopt an instructional approach to discipline that uses interventions or disciplinary consequences to help students develop new behavior skills and positive strategies to avoid conflict, redirect energy, and refocus on learning.

4.6.5 ACTION ITEM: Law enforcement agencies should work with schools to develop and monitor school discipline policies with input and collaboration from school personnel, students, families, and community members. These policies should prohibit the use of corporal punishment and electronic control devices.

4.6.6 ACTION ITEM: Law enforcement agencies should work with schools to create a continuum of developmentally appropriate and proportional consequences for addressing ongoing and escalating student misbehavior after all appropriate interventions have been attempted.

4.6.7 ACTION ITEM: Law enforcement agencies should work with communities to play a role in programs and procedures to reintegrate juveniles back into their communities as they leave the juvenile justice system.

4.6.8 ACTION ITEM: Law enforcement agencies and schools should establish memoranda of agreement for the placement of School Resource Officers that limit police involvement in student discipline.

Such agreements could include provisions for special training for School Resource Officers to help them better understand and deal with issues involving youth.

4.6.9 ACTION ITEM: The Federal Government should assess and evaluate zero tolerance strategies and examine the role of reasonable discretion when dealing with adolescents in consideration of their stages of maturation or development.

4.7 RECOMMENDATION: Communities need to affirm and recognize the voices of youth in community decision making, facilitate youth-led research and problem solving, and develop and fund youth leadership training and life skills through positive youth/police collaboration and interactions.

4.7.1 ACTION ITEM: Communities and law enforcement agencies should restore and build trust between youth and police by creating programs and projects for positive, consistent, and persistent interaction between youth and police.

4.7.2 ACTION ITEM: Communities should develop community- and school-based evidence-based programs that mitigate punitive and authoritarian solutions to teen problems.

Law enforcement needs for training in community policing and effective school and community relations should also be considered. In addressing law enforcement training needs, the National Association of School Resource Officers is an excellent provider of resources that could help recruit, train, and retain SRO's. Its mission statement further elaborates:

NASRO was founded on the "triad" concept of school-based policing which is the true and tested strength of the School Resource Officer (SRO) program. The triad concept divides the SRO's responsibilities into three areas: Teacher, Counselor, and Law Enforcement Officer. (<https://nasro.org/>)

Although different school districts have varying resource constraints, needs, and agreements with the corresponding law enforcement jurisdictions, there should be an emphasis on collaboration amongst SRO's to encourage dissemination of best practices, updates on current issues and needs, as well as ensuring a common standard of expected conduct. While this may be implemented as an informal part of an SRO's assignment, an oversight/advisory body should be explored that includes SRO's, key school district staff/administrators, and community members to further a county-wide effort for school campus safety and restorative youth intervention.

Resources Needed

Commitment from the Sheriff's Office and all applicable law enforcement jurisdictions, appropriate school districts, county service providers, and community members to establish a method of collaboration to explore and implement the recommendations brought forward.

Timeline/Implementation of Recommendation

Over the next 6-10 months, we recommend that the Board of Supervisors work with school districts,

applicable law enforcement jurisdictions, and the community to explore a timeline for implementation of this recommendation.

Performance Indicator(s)

Performance evaluations conducted both by the Sheriff's Office and an independent authority in conjunction with faculty, staff, and students that demonstrate achievement of the school's goals and the SRO job description. Ideally this position will be bi-lingual, as appropriate, and have a public review process. School truancy rates, graduation rates, as well as youth who are successfully referred to services will also be strong indicators. There should also be flexibility in the assignment of this position to allow SRO's with a proven track record to remain in this role beyond the standard 3 year contracts, if they so choose. Public reports on implementation progress of this recommendation should be assigned to an appropriate body to be conducted bi-monthly, at the minimum.

Sources:

- President's Task Force on 21st Century Policing. 2015. *Interim Report of the President's Task Force on 21st Century Policing*. Washington, DC: Office of Community Oriented Policing Services. http://www.cops.usdoj.gov/pdf/taskforce/interim_tf_report.pdf
- Raymond, Barbara "Assigning Police Officers to Schools" National Criminal Justice Reference Service, 2010: <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=254200>

Community Services Officers

Recommendation

To support the addition of a Community Service Officer (CSO) in the Roseland and Mooreland area.

Background

This recommendation is a result of the CEH Subcommittee's interaction with Sonoma County community members through community outreach forums.

During our Community forum in Sonoma Valley, the Subcommittee met and spoke with the CSO assigned to this area and she explained her role in the community. At first the community did not trust her (as a visible member of law enforcement) but soon as she spoke to them in Spanish and demonstrated that she was in the community to assist them and gained their trust. In talking with her it became clear that one of the ways for the Sheriff's department to gain more trust and build a relationship in Santa Rosa and specifically the Roseland area would be to have an assigned CSO. Having someone who represents the Sheriff's department but whose role is to assist residents and be visible in the community will create bonds and connections to local people that will help to build integrity, respect and good-faith. It should be noted that this position is non-sworn and is not considered at deputy.

Detailed Description of Recommendation

Community Service Officers (CSOs) perform a number of tasks to assist the public; including but not limited to:

- Community relations including crime prevention and responding to requests for information;
- Assisting those who may be upset and/or verbally abusive, either in person, on the telephone or in the field, by taking complaints, reports, and providing appropriate information;
- Researches problems and refers them to the appropriate person, agency, department or unit;
- Keeps appropriate records;
- Registers offenders;
- Trains public on safe installation of infant/child car seats and other traffic related items; and
- Performs community policing activities and other duties as requested.

The Community Service Officer can also perform a number clerical duties, collection of evidence, serving summons, subpoenas, etc., can assist detectives with the course of death investigations with clerical support, can enforce animal municipal codes, citing offenders, enforce parking violations, etc.

Rationale

The need to rebuild relations between the community and Law Enforcement is palpable. The concept of Community Service Officer is really a cross between community policing and community engagement. A CSO will undoubtedly gain the trust of residents simply by working in the community on a full-time basis. By adding this position the Sheriff's office would be changing the trajectory of the very fragile relationship they currently have with the residents of Roseland, specifically demonstrating that they care enough to assign someone to this underserved area.

Resources needed

We recommend that at least one CSO be stationed in Roseland (including the Mooreland area).

CSO Cost/Budget:

CSO – approximately \$100,000

Annual Salary & Benefits - \$97,147

Services & Supplies - \$2,250

Including uniform, communications, training, etc.

This position will need transportation since the CSO will be visible and active in the community at events, community meetings, etc.; thus a car will probably be needed. Some kind of van to transport large signage, displays, evidence, etc. (probably \$25,000 more for a vehicle).

Timeline/Implementation of Recommendation

As soon as possible. This CSO should be stationed in Roseland and have a presence in the community.

Performance Indicator(s)

The method of measurement for success will be an ongoing process. Indicators will include residents talking and sharing information with the CSO; civilians seeking out the CSO for assistance. The current CSO's presence in Sonoma Valley and the relationships she has built there especially at La Luz is an excellent indicator of how the CSO should conduct themselves in the community. Another important element will be hiring and/or assigning a CSO that is both bi-lingual and bi-cultural.

Restorative Justice

Recommendation

Restorative justice works in partnership with the traditional justice system and school discipline procedure, which focuses on blame and punishment. As seen through the lens of restorative justice, an offender harms other people and impacts the community. By committing a crime or school violation, he creates an obligation to the victim and the community to restore the broken relationships and heal the harms. The cornerstone of restorative justice is accountability. The focus is on healing, giving voice to the victim and preventing re-offending.

Drawing on best practices, the program currently being utilized in Santa Rosa provides 12-week Restorative Justice programs for high risk, secondary students who have committed serious violations of school discipline codes, potentially resulting in expulsion transfer to other schools, or multi-day suspensions. We recommended an expanded version of this program to serve students from all geographical areas of the County (outside Santa Rosa City Schools).

The program is based on a concept of 12-week Accountability Circles, with 8 to 10 students who join at staggered times during the course of the program. The program includes:

- Preparation for Restorative Conferences which include taking responsibility for harms;
- Authentic and non-judgmental conversations to explore harms, impacts and ways to make things as right as possible;
- Restorative Conference with school administrators, teachers, potentially other students who have been harmed, parents and community members;
- Support for completing the Restorative Plans developed as part of Restorative Conference;
- Recognition for achievement of program milestones voted by Accountability Circle participants who have successfully completed that milestone;
- Graduation ceremony with families, volunteers and school representatives; and
- Restorative Conferences are conducted by community volunteers.

Rationale

Recent “School to Prison Pipeline” studies reveal the following:

- Suspended youth are 3 times more likely to enter the criminal justice system
- Nearly 10% of students with at least 1 suspension dropped out of school, compared to just 2% of students with no disciplinary action
- The school drop-out rate in California is 18%
- 68% of all males in state and federal prison do not have a high school diploma

This concept/program helps turn students’ “poor decisions” into opportunities for learning and growth versus life-long consequences in the criminal justice system.

Resources Needed

The current program is exclusively for Juvenile Probation referrals and Santa Rosa City School students (funded by Measure O, Grand Task Force funds). The Subcommittee believes strongly that all of the County’s youth deserve equal access to a proven effective alternative to suspensions and drop-outs.

Drawing on projections from the program currently in place, \$100,000 will fund up to 150 youth annually and will allow youth outside of Santa Rosa city limits to benefit from the proven success of this kind of program.

This budget includes a program manager, part-time volunteer manager and intake management

- Restorative Conferences conducted by approximately 50 community volunteers.

Timeline/Implementation of Recommendation

The program (as conducted by Restorative Resources) is in place and operational within the Santa Rosa City Schools. Expansion of the program to other areas of the County could be fully implemented within months of approval.

Performance Indicator(s)

For over a decade, Restorative Resources has worked with the Sonoma County Probation Department, schools, law enforcement and families. After more than 1,000 cases, the percentage of repeat offenders is less than 6%. In addition 94% of the victims involved are very satisfied and 98% of police officers are satisfied.

In early 2013, the current Restorative Resources Accountability Circle Program began serving students in the Santa Rosa City School system, eventually including 188 young people. The following statistics provide a snapshot of the resulting improvements:

2013-2014 – 3 students expelled at cost of \$40,920
2012-2013 – 53 students expelled at cost of \$254,760
2011-2012 - 106 students expelled at cost of \$347,160

It is our belief that an expanded program to include students throughout the County would produce similar success metrics.

Additional Considerations/Alternatives Explored

Students served by existing programs of this nature are at very high risk of dropping out of school and becoming involved in the criminal justice system. The current programs provide an opportunity for students to learn from poor decisions, make amends to those they have harmed, find healing for all, and together move forward in a positive direction. At the time of his death, Andy Lopez was involved in a Restorative Justice Accountability Circle Program.

Investments in Infrastructure, Public Services and Cultural Awareness

Summary

Too often children of underserved communities and families, to survive, lead two lives: one at home and one in the community. Sometimes this can result in great difficulty for youth and their families in attempting to exist and be accepted in both worlds. Often, there is a feeling of being forced to assimilate and reject their own culture instead of finding ways to integrate both cultures and celebrate them. The need to be accepted and belong to one's community is within all of us; it is human nature. Youth, families and community partners must work together in addressing this issue. There are three areas of emphasis that can begin to address this problem with further investment by the County and other public and private agencies: investment in the cultural awareness of our communities, infrastructure and public services, and programs involving youth. This is a first step in addressing the broader goal for community-wide efforts that increase cultural awareness and competency.

Recommendation 1:

- Provide increased county funding for programs that initiate and encourage cultural and ethnic inclusiveness.
- Encourage law enforcement jurisdictions to incorporate the same principles in their community policing outreach programs.

Rationale:

Simma Lieberman stated in an article entitled "5 Ways to Build Cultural Intelligence and Raise Your Cultural IQ," the following:

Cultural Intelligence is the capacity to work effectively with groups of people from any culture. In other words, someone with a high Cultural IQ can be dropped into a culture they know nothing about and will be able to observe, empathize, and be flexible enough to form relationships with people, even if they are unable to speak a word of the language.

She continues by identifying five components of cultural intelligence:

- Decide to be curious and interested in learning about other cultures.
- Develop an awareness of self in relation to others.
- Make your mind a clean slate. No judgment.
- Develop an awareness of your biases towards other cultures and traditions.
- Strive to put yourself in situations with people from other cultures while practicing the four tools listed above to raise your Cultural IQ.

Laurie Olsen and California Tomorrow describe cultural competency in their work *Cultural Competency: What it is and Why it Matters*. They identify cultural competency as a way of being not a check off list.

Cultural competency is not a destination. The work of bridging cultures and creating responsive services is never "done." Communities continue to change. Service providers continue to interact with new cultural groups. And as individuals, we continue to discover new layers of our own cultural assumptions. Because of this, the development of cultural competency may be best thought of not as arriving at a set of skills and knowledge, but rather as a journey and a way of being. (p. 2)

The National Center for Cultural Competency (NCCC)

(<http://nccc.georgetown.edu/foundations/frameworks.html>) offers guiding principles and values for organizations to incorporate into their work. These principles include:

- Establishing a defined set of values and principles, and demonstrate behaviors, attitudes, policies

and structures that enable them to work effectively cross-culturally.

- Increasing the capacity to (1) value diversity, (2) conduct self-assessment, (3) manage the dynamics of difference, (4) acquire and institutionalize cultural knowledge and (5) adapt to diversity and the cultural contexts of the communities they serve.
- Incorporating the above in all aspects of policy making, administration, practice, service delivery and involve systematically consumers, key stakeholders and communities.

Organizations in Sonoma County must incorporate cultural competencies into their daily work in order to be inclusive and effective in their outreach and services to underserved communities. According to the NCCC organizations must conduct an assessment of current practice and create policies that support cultural competency in organizations that work with diverse populations. Communities play an important role in determining their own need and in the decision making process.

Recommendation 2:

We recommend that the Board of Supervisors strongly support additional social and educational services and resources in Roseland by investing in parks, libraries, and programs for youth.

Rationale:

The Board of Supervisors should invest in and support services for South West Santa Rosa (otherwise known as the Roseland community). Supervisors should work with the City of Santa Rosa to address the lack of resources in the Roseland Community. Investments need to be made to address the economic, educational, physiological and physical health disparities identified by the 2014 Portrait of Sonoma.

These inequities can be addressed by investing in parks, libraries, and programs for youth and their families in this community. Roseland has one of the lowest human development levels in the county. If resources are allocated properly Roseland can be used as a pilot program to address other areas in the county with the same imbalances. The funding and implementation of youth programming in Roseland would be a key component to addressing these disparities.

As pointed out in the *2014 Portrait of Sonoma* four in ten adults lack high school diplomas and that school enrollment rates are well below the county average. This stems from a lack of engagement and sense of belonging that the youth exhibit from growing up in economic, educational, and health disenfranchised neighborhoods like the Roseland Community. Having targeted interventions that engage youth ages 12-18 year olds in the Roseland community will increase school enrollment rates and decrease the number of adults living in the Roseland community without high school diplomas.

Recommendation 3:

That an organization such as California Youth Outreach (CYO) a community-based organization that has been providing services for the residents of Roseland, would be a good example of a community based organization that assists with this ongoing problem. With additional funding such entities would be able to create year round programs that address the lack of engagement and/or sense of belonging that many youth exhibit from growing up in the economic, education, and health deprived Roseland area.

Rationale:

A model that contains components similar to those offered by CYO that is consistently working in partnership at a community level to provide services to as many young people as possible would be fitting. One reason would be the outreach that comes in various forms and is ongoing throughout the year based on many different factors. Traditionally, at the start of each school year CYO makes presentations to Santa Rosa City schools and community schools in which they have established relationships such as, Amarosa Academy, Cook Middle School, and Lewis Opportunity. These presentations are to provide information about or vocational services and summer programs offered through a community based organization like CYO as well as give the youth an opportunity to get a sense of who the staff are and ask any questions they may have. These presentations are crucial as they are the first step of building a relationship with them as individuals which should be at the core of a mission for this type of organization, which is the case for CYO.

Rather than having teachers pass out pamphlets to their parents at “back to school night”, the youth are already getting a sense of who the organization is, what the program consists of, as well as being able to ask any questions. Parents of youth interested in such services are contacted and a home visit is scheduled. This is the way outreach to Latino parents, especially, should be done.

Resources Needed

With respect to funding, in the case of CYO they are a funded program of the City of Santa Rosa’s Measure O tax initiative, which provides them an opportunity to participate with the Santa Rosa Violence Prevention Partnership. This allows CYO to participate in monthly meetings with other funded agencies. CYO is regularly working in partnership at a multi-faceted level to let the community know about the services they provide. If the County joined in a partnership, such as this one and invested in a program that is already established, it would enable more youth to be reached and could serve as a larger model that may eventually be able to reach youth in some other area of the County with similar problems.

CYO is a shining illustration of an organization that can assist young people in their development in the Roseland area which will ultimately improve their lives now and the outlook for their futures. Ergo, we recommend that the Board of Supervisors consider an organization akin to CYO.

Recommendation 4:

Recommend that the Board of Supervisors invest in parks and open space in Roseland and the southwest.

Rationale:

It is well documented that Roseland is what Paul Sherer (The Benefits of Parks: Why America needs more City Parks and Open Space) calls: “park-poor”. Sherer states:

Low-income neighborhoods populated by minorities and recent immigrants are especially short of park space. Minorities and the poor have historically been shunted off to live on the wrong side of the tracks, in paved-over, industrialized areas with few public amenities. From an equity standpoint, there is a strong need to redress this imbalance.

This is the case in Roseland where there is an imbalance when compared to the rest of Santa Rosa. We know that parts of Roseland exist in the unincorporated areas of the County. Thus, until annexation of these parts becomes a reality, we want to encourage more partnerships between the city and county in providing parks and green spaces in Roseland and the Southwest. According to the *Portrait of Sonoma* County the ecosystem of health includes: green spaces, work/life balance (which should include recreation) and that parks and green space are currently limited. As part of the agenda for action, place-based strategies include improving neighborhood conditions to facilitate healthy behaviors. Promoting the creation of more parks and open space will help to accomplish this goal.

As Paul Sherer notes:

Parks promote physical activity which will help people become healthier; giving residents access to parks may increase their frequency of exercise; exposure to nature is educational as well as healthy; and greenery (and the oxygen it produces) makes people healthier.

Lastly, we want to endorse and support the work that has already been accomplished by the County with respect to the attempt to purchase the property referred to as “Andy’s Park” or “Moorland Park”. This area for obvious reasons has needed a park for the health and vitality of the residents as well as the healing the community. With respect to the process of this park (from design to the naming of the park) we’d like to strongly suggest that the approach be one of openness and inclusion. There needs to be an understanding that due to the history of this property, it is not just another neighborhood park. It should be a park for the people of Moorland and the community at large.

Recommendation 5:

Recommend that the Board of Supervisors invest in partnerships that will provide access to free literacy materials in the Roseland/Southwest area as well as other areas identified in the Portrait of Sonoma

County. Efforts should be made to address public access to literacy in both the short term, potentially through mobile distributions or temporary hosting of a library, and the long term, through infrastructural planning and development of a community library and media center.

Rationale:

"I always tell people that I became a writer not because I went to school but because my mother took me to the library. I wanted to become a writer so I could see my name in the card catalog."-- Sandra Cisneros

The need for public literacy and media resources in the Roseland/Southwest area is vast. With only 8.6% of residents completing a bachelor's degree (Portrait of Sonoma), the specific need for the community to have a gateway with which they can expand their learning is glaring. Libraries promote a sense of community. It is a place to learn, to study, to research and to develop a love for reading. A library in Roseland, coupled with the other recommendations outlined, has the potential to positively impact graduation and drop-out rates leading to an increase in educational attainment by preparing for students higher education, which will not only benefit them personally, but also the community at large.

According to Public Library Association public libraries serve the community in the following ways:

- Libraries are Community Builders.
- Libraries are Community Centers for Diverse Populations.
- Libraries are Centers for the Arts.
- Libraries are Champions of Youth

Given the many benefits to the community, the local economy and County at large, we encourage the Board of Supervisors to examine ways to bring this asset to Roseland and the Southwest area. We suggest public and private partnerships within the existing library systems through the Public Library Foundation and other agencies and community organizations that strive to address access to these much needed resources. Examples of successful community investments include the Free Bookmobile and summer reading programs. National examples include intra-library exchanges, such as the model in Nashville called "Limitless Libraries;" where students are allowed to get items delivered to their school from the Nashville Public Library. It also orders new books, audiobooks, and DVDs for their school libraries. These exchanges are innovative but for the Roseland and Southwest, they are only a start to developing a more resilient community.

Plans are currently underway for the Roseland Village Neighborhood Center on Sebastopol Road and the County is asking for community input. These efforts are drivers of community development and pride addressing many unmet needs. Residents need a place to go and to study; for tutoring; and to access a computer (if one is not available at home). All of these things would be possible in a space in Roseland Village (perhaps next to or as part of a community center). Other opportunities could include partnerships with programs such as Via Esperanza Family Resource Center located at Lawrence Cook middle School. Investments in community access to literacy will improve the environment for the people of Roseland and the Southwest while increasing educational attainment and the standard of living in this underserved area.

Timeline/Implementation of Recommendation

Over the next 6-8 months we recommend that the Board of Supervisors direct staff to explore ways to implement these recommendations.

Performance Indicator(s):

Ongoing community outreach forums and advisory bodies to monitor progress, public implementation reports, etc.

Education on Law Enforcement Practices and Policies

Recommendation

Detailed information on law enforcement practices is offered on a limited basis to members of the public who attend the “Citizens’ Academy” program offered by the Sheriff’s Office, Santa Rosa Police Department, and other law enforcement agencies. The Sheriff’s Office currently holds three (3) Citizen’s academies with an enrollment of approximately 35 people at each session. These programs are currently of nine weeks’ duration, but are being revised to 10 weeks for future academies. Future planned programs will encompass 1 Adult Academy, 1 Youth, and 1 Spanish only session.

- A. The number of these classes currently offered by the Sheriff’s office is limited by insufficient funding which hinders the ability of the agency to inform the community on law enforcement practices. We recommend that the Sheriff’s Department be given additional funding for Citizen’s Academy sessions and for the creation of a clear, bilingual, document that informs the public about the types of law enforcement practices taught in Citizens’ Academy classes (to be available online and in print format).
- B. Additionally, the Sheriff’s Office is currently examining a variety of different pamphlets that can be distributed at community events, on-line, and at schools (especially the ones with School Resource Officers). Additionally, information will be distributed via social media sites. They are also restoring the COPPS unit (Community Oriented Policing Program) to help provide interaction with schools in the community. Their website has information on programs currently offered at the Sheriff’s Office that can assist the public in understanding policies and practices such as the Ride-along Program, Volunteers in Policing Program, volunteer Search and Rescue Team, Chaplain’s Program, and the Sheriff’ Latino Advisory Committee). Additionally, they are involved in other community outreach programs: R-Hoops (a Roseland based youth basketball program), Alive at 25, Special Olympics, Courage to live, etc. Most of the information can be found on the Sheriff’s Office website: <http://www.sonomasheriff.org/>
- C. We recommend that law enforcement provide readily available information for the public on the most positive and productive manner to interact with law enforcement officers when stopped as an informational tool. The intention would be to incorporate the rights of the individual as well as defining behavior that would and would not help the situation. (See ACLU publications on this subject.) The information would be made available at schools, youth programs, and various locations in both a youth oriented format as well as one for adults.

Rationale

Public feedback at our forums, Task Force and Subcommittee meetings indicates that there is a widespread lack of knowledge with regard to law enforcement policies and procedures. The average community member does not necessarily have access to this information or cannot interpret what exists due to language barriers or agency jargon. Making this data readily available will help to close the gap between misinformation (often fueled by inaccurate media portrayals) and provide a realistic basis for appropriate interactions.

Resources Needed

- A. Current projections call for the following:

Yearly costs for supplies, materials, food for students, etc.	\$ 8,000
Overtime requirements for instructional staff (\$10,000 per academy)	\$30,000

Total projected costs for 3 yearly academies	\$38,000
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Production of a written document encompassing the material covered in Citizen’s Academy classes would be a time-consuming task; the cost would vary greatly depending on the depth and detail to be included in such a document (ranging from a simple listing of session outlines to an in-depth discussion similar to

what is currently covered in live sessions). This following range is based on the assumption that the Sheriff's Office would create a comprehensive, bilingual, document that describes each session of the Citizen's Academy for public reading. Depending on the specifics of the recommendation, this range could obviously change.

80-160 hours to draft, organize, and submit for approvals	
@ \$120.00 per hr. (Lieutenant pay and benefits) =	\$9,600 - \$19,200
Plus, 20-40 hours a year for annual update =	\$2,400-\$4,800
Total projected costs	\$12,000 - \$24,000

To convert to a Spanish version and to make ADA compliant for Internet access, the about figures would double.

- B. A large number of pamphlets are already available through the Sherri's office and no further funding is needed to continue their distribution.
- C. Several individual jurisdictions have hand-out material advising community members of the most appropriate behavior to exhibit when stopped by law enforcement. There is not a strong argument for standardizing these handouts.

Timeline/Implementation of Recommendation

Many of the programs discussed above are currently in place. Increased funding would allow their expansion within a short period of time. The exception is the print version of the Citizen's Academy material.

Performance Indicator(s)

Accurate and timely information is a proven factor in improving relations between the public and law enforcement. It is our belief that all efforts to improve understanding and open an ongoing dialog between the community and the law enforcement jurisdictions who work within their borders are a win for all involved. We believe that in conjunction with forums, community policing efforts and continued dialogue, law enforcement institutions will be seen as being composed of individuals working to support their communities. In the long term, improved relations, and increased cooperative efforts within all County areas will also result from increased and accurate knowledge.

Additional Considerations/Alternatives Explored

Many of the suggestions we discuss above overlap with issues addressed by both Community Policing and Law Enforcement Accountability recommendations. They jointly compose an effort to improve the dialogue between law enforcement and the communities they serve. It is our hope that as the Task Force looks to the future, we recognize that all of us have the same goal: to eliminate an "us" vs. "them" way of thinking and to gradually come to a partnership geared towards the best interests of all of Sonoma County.

Interim Recommendation

After hearing from the public at the Community Engagement and Healing (CEH) Subcommittee meetings, and after discussion among the CEH Subcommittee Members, the CEH Subcommittee decided to present to the full Task Force on October 20, 2014, the following Interim Recommendation to be voted on and if passed, to be sent to the Board of Supervisors:

Based on community feedback, concern, outrage and expressions of fear from members of the public attending the Community Engagement and Healing Subcommittee meetings, a majority of the Community and Local Law Enforcement Task Force recommends to the Sonoma County Board of Supervisors that the Sheriff rethink and reconsider his decision to place Deputy Gelhaus back on patrol, and that in the interest of healing the community that Deputy Gelhaus be placed in another capacity.

Upon a motion by Member Vázquez, seconded by Member Paz, Jr. (as amended by Member Paz, Jr. and seconded by Member King), the Task Force voted to approve the interim recommendation with 11 Ayes and 6 No's (4 Members absent).

(Former) Chair Judy Rice sent an email to Sheriff Freitas advising him of the Interim Recommendation. That email and the Sheriff's response are included on the following pages.

The Interim Recommendation was presented to the Board of Supervisors on October 21, 2014.

September 9, 2014

Re: Letter of Concern

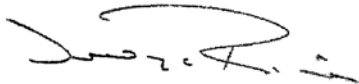
Dear Sheriff Freitas,

At the August 25th meeting of the Community Engagement and Healing Subcommittee, between 25-30 members of the public were present and participated in a series of discussions. The primary topic of the evening was the return to active duty of Deputy Erick Gelhaus. The purpose of this letter is to make you aware of the serious concerns expressed by those who attended the meeting.

The comments ranged from concern and outrage to expressions of fear. The consensus of the members of the public present and a majority of the Community Engagement and Healing Subcommittee, was that you rethink and reconsider your decision to place Deputy Gelhaus back on patrol and, in the interest of healing the community, that he be reassigned in another capacity.

As members of the Subcommittee, we feel it is important that you be aware of the opinions expressed.

Respectfully,

A handwritten signature in black ink, appearing to read "Judy Rice". The signature is fluid and cursive, with a large loop at the top.

Judy Rice, Chairperson
Community Engagement and Healing Subcommittee of the
Community and Local Law Enforcement Task Force



Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

October 3, 2014

Judy Rice, Chairperson
Community Engagement and Healing Subcommittee of the
Community and Local Law Enforcement Task Force
575 Administration Drive, Suite 100A
Santa Rosa, CA 95403

Dear Judy,

I am in receipt of your letter, dated September 9, 2014. I appreciate the Subcommittee sharing its concerns with me. While I understand there is frustration regarding this topic with some in our community, it is my constitutional responsibility to follow policies and laws. Deputy Sheriff Gelhaus was cleared of any criminal wrongdoing by our District Attorney. Additionally, an internal investigation evaluated Sheriff's Office policies and determined that Deputy Sheriff Gelhaus did not violate any policy.

Also, it is important to note that the Sheriff's Office, and I, have received literally hundreds of calls, letters of support, and personal interactions with the public that expressed support for Deputy Gelhaus' return to patrol duty. This includes neighborhoods throughout the entire County. As Sheriff, I am elected by the County as a whole and must balance needs for all citizens.

Given the exhaustive and intense outside investigation, as well as our internal one, there are no legislative reasons to not return Deputy Sheriff Gelhaus to his assignment on patrol.

I respect and listen to all opinions from members of the public, including your Subcommittee. I will continue to welcome collaborative and constructive ideas that will benefit all of Sonoma County.

Sincerely,

A handwritten signature in black ink that reads "Steve Freitas".

STEVE FREITAS
Sheriff-Coroner

SF:wh

Administration Division
2796 Ventura Avenue
Santa Rosa, CA 95403
707.565.2781

Law Enforcement Division
2796 Ventura Avenue
Santa Rosa, CA 95403
707.565.2511

Detention Division
2777 Ventura Avenue
Santa Rosa, CA 95403
707.565.1422

Coroner
3336 Clamate Road
Santa Rosa, CA 95404
707.565.3070

Letters from Task Force Members

Dear Sonoma County Board of Supervisors,

As Chair and Vice Chair of the Sonoma County Community and Local Law Enforcement Task Force (CALLE), we are very proud of the recommendations crafted by CALLE over the last sixteen months and presented in this report. The Task Force worked diligently to educate ourselves about the culture of community and law enforcement relations, and about the existing framework of laws, policies, procedures, training and attitudes that pertain to the practices, administration, and oversight of law enforcement personnel. What quickly became clear in our work, especially in regards to an accountability model, is that current California law pertaining to law enforcement personnel inhibits the formation of many important aspects of civilian law enforcement oversight that would begin to provide the greatest possible transparency and accountability for sworn law enforcement personnel.

The California Supreme Court *Copley Press v. Superior Court* decision in 2006 effectively changed *California Penal Code section 832.7*, so that all independent oversight agencies, such as civilian review boards, oversight panels, and civil service commissions, must now cloak all officer records and findings of misconduct in strict confidentiality, as had previously been the practice only for employing agencies. Now, any independent investigation that would yield specific information about officer misconduct and patterns is stifled, and must come through an internal law enforcement investigation, or through complicated legal motions approved by a judge. Even then, information about specific officers is still exempt from public scrutiny, except when there is a conviction. Legislative attempts in 2007 to address such an unprecedented level of police secrecy (still the strictest in the U.S.) with SB 1019 were met with tremendous outcry, and quashed by well-funded, organized law enforcement labor and lobbying organizations. California Peace Officers now have greater privacy/transparency protections than the public at-large and of any other professional group, including medical, financial and legal professionals.

This year, the *President's Task Force on 21st Century Policing* made sweeping recommendations and calls for action that are much aligned with the work product of our CALLE Task Force. Some of the national recommendations follow here, and we believe, due to the restrictions now enshrined in the *Peace Officer Bill of Rights (Government Code Section 3300-3313)* and

California Penal Code section 832.7., logically support an even stronger oversight body and greater transparency than recommended locally by CALLE.

1.3 RECOMMENDATION: Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.

2.2 RECOMMENDATION: Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise, and openly available for public inspection.

2.2.2 ACTION ITEM: These policies should also mandate external and independent criminal investigations in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.

2.14 RECOMMENDATION: The U.S. Department of Justice, through the Office of Community Oriented Policing Services, should partner with the International Association of Directors of Law Enforcement Standards and Training (IADLEST) to expand its National Decertification Index to serve as the National Register of Decertified Officers with the goal of covering all agencies within the United States and its territories.

“A national register would effectively treat “police professionals the way states’ licensing laws treat other professionals. If anything, the need for such a system is even more important for law enforcement, as officers have the power to make arrests, perform searches, and use deadly force.”

As community organizers, we have worked in communities adversely impacted by the current legal framework, and have discussed with a wide range of stakeholders, their experiences and perceptions. We have witnessed the deleterious effects of a framework that is inadequate and inequitable to providing stakeholders full information about law enforcement best practices, and including them in decision making processes about the work of enforcement, policy-making, and oversight. We expect that many of our recommendations will begin to address these problems and should be implemented without delay. In addition, while we respect that law enforcement leaders have already begun to improve transparency and relationships with the community, we understand now that even those agencies wanting greater transparency cannot achieve broad and meaningful transparency within the current legal restriction of California’s Codes. This fact is further complicated by the Sheriff and District Attorney’s Offices

being constitutionally elected, and thus without obligation to cooperate with external organizations that are bereft of authority to compel specific information and testimony regarding officer conduct, patterns, and internal investigations.

For these reasons, we believe that the Sonoma County Board of Supervisors can help bring meaningful reform to statewide law enforcement transparency, by including this as an issue on the Board's Legislative Agenda to help influence state legislation. There is currently tremendous public interest at the local, Statewide and national levels to increase accountability of law enforcement agencies and personnel. One of the solutions often mentioned at each level is to increase the oversight and transparency afforded the public, thus helping to reduce implicit structural bias and the perception of bias when the public feels that its rights have been violated, or that there is more to the story than is being told. Communities across the state are organizing and speaking out to state legislators about the need for such reform. We believe that Sonoma County can and should contribute an informed perspective, by bringing your respected voices to the statewide conversation.

Respectfully,

Caroline Banuelos

Chair

Robert W. Edmonds

Vice Chair

Sonoma County Community and Local Law Enforcement Task Force

05/05/15

County of Sonoma

Board of Supervisors:

Susan Gorin, Shirlee Zane,

Efren Carrillo, David Rabbitt

& James Gore

Dear Board Members,

Thank you for creating and supporting the work of the CALLE Task Force. I believe that we have worked earnestly and exhaustively to create a model with components that will be relevant and meaningful to our county.

Thank you, too, for offering us the opportunity to attend the NACOLE conference in Kansas City. One of the best experiences that I took from that conference was the 60 minutes spent with Ron Davis from the Department of Justice Office of Community Policing. Of the many points that he made two stood out for me:

- The \$100,000.00 grant for paying law enforcement officers overtime to participate in a weekly class in a neighborhood that has high criminal activity, i.e. a Zumba class, a soccer team, basketball team, anything that puts the officer into the neighborhood and interacting with the residents on a weekly basis. At the end of one year Mr. Davis said that crime in a target neighborhood was reduced by 50%. Additionally, many of the officers that participated in the program for that year re-upped for another year and paid for it out of their own pocket.

From the COPS website:

“Rather than simply responding to crimes once they have been committed, community policing concentrates on preventing crime and eliminating the atmosphere of fear it creates. Earning the trust of the community and making those individuals stakeholders in their own safety enables law enforcement to better understand and address both the needs of the community and the factors that contribute to crime. The COPS Office awards grants to state, local, territory, and tribal law enforcement agencies to hire and train community policing professionals, acquire and deploy cutting-edge crime fighting technologies, and develop and test innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders and all levels of law enforcement. The COPS Office has produced and compiled a broad range of information resources that can help law enforcement better address specific crime and operational issues, and help community leaders better understand how to work cooperatively with their law enforcement agency to reduce crime.

▶ Since 1994, the COPS Office has invested more than \$14 billion to add community policing officers to the nation’s streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing.

▶ To date, the COPS Office has funded approximately 125,000 additional officers to more than 13,000 of the nation’s 18,000 law enforcement agencies across the country in small and large jurisdictions alike.

▶ Nearly 700,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office-funded training organizations.

► To date, the COPS Office has distributed more than 8.57 million topic-specific publications, training curricula, white papers, and resource CDs. COPS Office resources, covering a wide breadth of community policing topics—from school and campus safety to gang violence—are available, at no cost, through its online Resource Center at www.cops.usdoj.gov. This easy-to-navigate website is also the grant application, providing access to online application forms.”

COPS Community Policing Development solicitation will open in mid-May 2015.

<http://www.cops.usdoj.gov/Default.asp?Item=2450>

- Another point that Ron Davis made was that the DOJ was beginning to look at health statistics in problem neighborhoods. Those neighborhoods that had poor health were also the neighborhoods that had high crime. They are partnering public health and public safety and by doing so, it's been shown that the crime rate drops significantly.

From the COPS website

“According to Ronald Davis, director of the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS) and former police chief of the East Palo Alto Police Department, “The greatest deterrent to crime and violence is not a community saturated with cops — it is a neighborhood alive with residents. The concept is that a healthy community would be, in fact, a safe community.”

“Whoever controls a neighborhood's public spaces controls the quality of life in that neighborhood,” he added. “That control must rest with the residents.”

The FIT Zones are just one of a handful of new approaches that use public health strategies to solve community problems. These approaches tend to treat crime and violence like contagious diseases and look for innovative ways to prevent these “diseases” from spreading. Many involve partnerships between public health and public safety agencies and show promise in reducing and preventing crime and violence.”

This is brilliant, and I believe would be effective. It would mean spending this kind of energy to solve the problems at, for instance, the Prince Memorial Greenway.

Meeting and hearing Ron Davis speak was one of the most valuable and memorable presentations that I heard in my year and a half on the task force, and we have had many presentations that were significant.

I whole-heartedly support the adoption of an Office of Independent Auditor. After meeting with Judge LaDoris Cordell, Independent Police Auditor for San Jose, on two separate occasions, I came to the conclusion that this model is what is best for our county. For it to be effective, it is of great importance that the office be an **independent** office in all ways. That is, it should not fall under the jurisdiction of the County Administrator's office. It should report directly to the Board of Supervisors.

The beauty of working with a 21-member task force

What happened between the participants of the task force is a positive example of what can happen between local law enforcement and the public. We are all from varying backgrounds and were at first wary, and some, a bit hostile towards those representing law enforcement on the task force. For me it was very difficult in the early days to all be referred to as volunteers while Lt Mark Essick arrived in uniform and wearing a weapon. He was clearly on duty and not a volunteer. It was after some time that Lt. Essick received a different assignment and began to attend the meetings in civilian attire sans the weapon. That was an important shift. Visually, it humanized the law enforcement officer. He was verbally attacked by the public so often that I began to sit next to him and say funny things sotto voce. At the end of our final meeting I looked at Mark and said a bit tearfully, “I'm really going to miss you.”

For effective change to happen, it is imperative that we begin to, and continually, bring ALL people together.

One anecdote

As you may know I founded and am Program Director of Worth Our Weight LTD, a culinary apprentice program for at risk youth here in Santa Rosa. Currently we have a young apprentice who has been having a hard time. He's a good kid; he works hard and is intelligent. A few weeks ago he was in my office crying big snotty tears. He said that he has been seeing a doctor because he's so sad all the time and can't stop crying. He said it's because his friend had died. The doctor told him that he might be clinically depressed. He says that he can't stop crying because he can't stop thinking about his friend. After his friend died he began to get into trouble often. The most heartbreaking thing he said to me was that since he's been getting in trouble his father is not proud of him. His father is proud of his sister, he said, but not of him. His friend was Andy Lopez. The death of Andy Lopez has impacted and will continue to affect members of our community in so many different ways. Let us not lose this opportunity to make significant, progressive change.

Sincerely,

and with great respect,

Evelyn Cheatham

Founder, Program Director
Worth Our Weight LTD.
CALLE Task Force Member

Lynn Haggerty King
835 6th St.
Petaluma CA 94952
Lynn.king722@gmail.com

May 4, 2015

To: All Honorable Supervisors of Sonoma County

Ladies and Gentlemen

Thank you for giving me the opportunity to serve on the CALLE task force - it has been a long and challenging journey, but one which I am proud to have made and to have been joined by such other wonderful colleagues. While we did not agree on many things, I think we all agreed on the importance of restoring confidence in our Law Enforcement agencies and mitigating the adversarial relationship that has developed over the past many years here in Sonoma County. That being said, we now hand our recommendations over to you for your review and hopefully for implementation.

I cannot stress how important I believe it to be that the Board move forward with our recommendations. While I do not expect you to adopt all of them, I believe you will get to the crux of the matter and adopt many of them. And while these recommendations are specific to the Sheriff's Department, I believe the effect of them will impact all Law Enforcement in the county to some degree or other, and lead to increased transparency in police-civilian relations.

Since we started this, Law Enforcement reform has become a national conversation. President Obama has appointed his Task Force on 21st Century Policing, and California Attorney General Kamala Harris has begun dialog to review police use of force policies and critical incident response within the state. Sonoma County is ahead of the curve on all of this, and can demonstrate its leadership by rising to the challenges that are presented.

The recommendations that we have made are not exhaustive in their detail. The report that we submit is a living document, and we expect that there will be growing pains and situations that need revisiting as they are tested. But the time is ripe for you, as our governing body, to do something, to answer the undercurrent of unrest and distrust that I have quite clearly seen in testimony offered by the public. This situation is not confined to the outpouring that occurred after Andy Lopez was shot; it has simmered in the county for a long time, at least as long as 1999, when the California Advisory Committee to the US Commission on Civil Rights first explored the issues presented by police shootings of civilians in Sonoma County. These recommendations will go a long way in healing our community.

Again, Thank you for appointing me and allowing me to be part of this.

Lynn Haggerty King

To: Sonoma County Board of Supervisors
From: Eric Koenigshofer
Date: May 5, 2015
Re: Task Force Member Comments

It has been an honor to participate as a member of the CALLE – Task Force. My thanks to Supervisor Efren Carrillo for allowing me to be a part of this important community work. The group of community members your Board convened was a fine group of people to work with. The work product of our efforts should provide your Board with a solid foundation from which to move forward.

There are three points I would like to make in order to clarify my views, 1) regarding the Office of Coroner, and 2) to emphasize organizational independence as a critically important aspect of the Office of Independent Auditor, and finally, 3) process for selection of the Independent Auditor.

Coroner: In considering the question you posed asking if the Office of Coroner and the Office of Sheriff should be split I voted with the majority of the Law Enforcement Accountability subcommittee which concluded there is an inherent potential for conflict of interest in any incident where an employee of the Sheriff was involved in any incident resulting in the death of a person. This is so since the Coroner (the Sheriff) is charged with determining the cause of death.

As you will note when you consider the process to split the two functions, the timeline for achieving this outcome is several years long. The recommendation to split the offices includes an interim recommendation calling for an out of county coroner or medical examiner to be called in to conduct cause of death inquiries during this lengthy interim period where an employee of the Sheriff is involved. On further reflection I have reached the conclusion that use of an out of county coroner or medical examiner under the specific circumstance cited may satisfy the issue long term as well. This outcome would be satisfactory in my view. The counterpoint has been made that while the current Sheriff has already implemented the practice of using an out of county coroner as done in the most recent incident), a future Sheriff may reverse course. This possibility exists.

Organizational placement of Independent Auditor: The Office of Independent Auditor should report directly to Board of Supervisors. This point is made in the organizational chart contained in the report which shows the triangular relationship between the Board of Supervisors, the Sheriff and the OIA. This somewhat unusual organizational placement is critical to maintain clear independence within the larger county government structure. The point of this arrangement is to maintain community confidence in the independence of the OIA as well as actual independence from the normal organizational pressures which would diminish the OIA functionally. To separate the OIA from the Board of Supervisors by placing the OIA under the County Administrator would undermine the independence sought by the LEA subcommittee. The OIA should report directly to the Board of Supervisors.

Selection of the Independent Auditor: Hiring the head of the OIA should be done early so that the person hired can participate in and facilitate discussions between the Sheriff and the Board of Supervisors regarding the role and procedures which will apply to the operation of the OIA. The success of this entire undertaking will be impaired if the person hired to lead the OIA is not a participant in the establishment of the ground rules for the operation of the OIA.

Members of the Law Enforcement Accountability subcommittee can be called upon to assist in the development of a job description and also in the applicant review process. The knowledge gained by

the subcommittee during this effort should not be overlooked and should be accessed to the benefit of the community as the OIA is established.

Thank you.

Eric Koenigshofer

Community and Local Law Enforcement Task Force



Pictured: (L to R) Omar Paz, Jr., Cora Guy, Evelyn Cheatham, Sylvia Lemus, Caroline Bañuelos, Amber Twitchell, Jeanne Buckley, Lynn King, Mark Essick, Eric Koenigshofer, Carolyn Lopez, Joe Palla, Maité Iturri, Irene Rosario, Francisco Vázquez, Todd Mendoza and Brien Farrell

Not Pictured: Jose Castañeda, Robert Edmonds, Gustavo Mendoza, Judy Rice (resigned)

For Further Information Please Contact the Sonoma County Administrator's Office

(707) 565-2431

Or Visit the CALLE Task Force Website at

<http://sonomacounty.ca.gov/Community-and-Local-Law-Enforcement-Task-Force/>