

**AB 1185 Sheriff's Oversight
Community Outreach Working Group
Meeting #7**

January 31, 2023 ~ 5:30 p.m. – 7:30 p.m.

Zoom Link:

<https://us06web.zoom.us/j/7744304192?pwd=bXR6NWJmNzhMVmpDeHhudnhuVIFvQT09>

A G E N D A

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|-----------|---|
| 5:30 p.m. | I. Welcome <ul style="list-style-type: none">• Agenda Review |
| 5:40 p.m. | II. Survey Update |
| 6:00 p.m. | III. Focus Group and Canvassing Update <ul style="list-style-type: none">• Canvassing: Participation• Focus Group: Participation and Insights |
| 6:20 p.m. | IV. Overview of Draft Recommendation <ul style="list-style-type: none">• Commission<ul style="list-style-type: none">• Composition• Authority• Inspector General<ul style="list-style-type: none">• Authority• Relationship with Commission• Staffing and Budget |
| 7:20 p.m. | V. Updated Timeline |
| 7:30 p.m. | VI. Close |

AGENDA

- Survey Update
- Focus Group and Canvassing Update
- Overview of Draft Recommendations
- Updated Timeline
- Future Agenda Items

AB1185 Working Group Meeting No. 7

January 31, 2023



SURVEY UPDATE

The survey officially closed on January 20th

- 437 English (though two may be repeats, so maybe 435)
- 15 Spanish (though one may be a repeat, so maybe 14)
- 5 Chinese
- 0 Vietnamese
- 0 Paper Copies

Additional paper copies were received that are not included in the above but are being added to the database and included in the analysis: 50 English, 22 Spanish

FOCUS GROUP AND CANVASSING

Nine Focus Groups Planned January 24 – January 25, 2023

Focus Group Partner	Date and Time	Location (In-Person or Virtual)
Probation Services (youth in custody)	1/24, 3:15-4:30	San Rafael
General/ Countywide	1/24, 6-7:30	Virtual
Probation Services (youth on probation)	1/25, 3:15-4:30	San Rafael
General/ Countywide	1/25, 6-7:30	Virtual

Nine Focus Groups Planned January 26 – February 6, 2023

Focus Group Partner	Date and Time	Location (In-Person or Virtual)
Marin City	1/26, 4:30-6	Marin City
Youth Transforming Justice	1/26, 4:30-6	Virtual
General/ Countywide	1/27, 12-1:30	San Rafael
Multicultural Center of Marin	2/1, 6:30-8	San Rafael
Canal Alliance	2/6, 6:30-8	San Rafael

FOCUS GROUP SUBCOMMITTEE

Focus groups planned for January 23-28, 2023

Focus Group Partner	Date and Time	Location (In-Person or Virtual)
Probation Services	1/24, 3:15-4:30	San Rafael
Multicultural Center of Marin	1/24, 5:30-7:30	San Rafael
Probation Services	1/25, 3:15-4:30	San Rafael
Marin City	1/26, 5:30-7:00 pm	Marin City
Canal Alliance	1/26, 6-7:30pm	San Rafael

Focus groups planned for January 23-28, 2023

Focus Group Partner	Date and Time	Location (In-Person or Virtual)
Dominican University	1/24, 3:15-4:30	Virtual
College of Marin	1/24, 5:30-7:30	Virtual
College of Marin - UMOJA	1/25, 3:15-4:30	Virtual

DRAFTING SUBCOMMITTEE

- Commission Component
- Inspector General Component
- Initial Meeting with the Chief Administrator's Office and County Counsel

DRAFT RECOMMENDATION

In an effort to ensure there is transparency in the internal investigation process of the MCSO, the Community Outreach Working Group (COWG) recommends a hybrid oversight mechanism that would incorporate the review-focused and auditor/monitor-focused models of civilian oversight. In addition, it recommends that the oversight mechanism have the ability to hire an independent investigator, if necessary.

As a result, the COWG further recommends that the County of Marin create a Civilian Oversight Commission and Inspector General. The following recommendations focus on the aspects of each element.

CIVILIAN OVERSIGHT COMMISSION (DRAFT)

The central role of the Commission is to initiate, build and maintain a trusting relationship between members of the public and the Marin County Sheriff's Office (MCSO) through transparent, respectful, just, and accountable oversight that is rooted in public safety, equitable justice and accountability in Marin County.

COMPOSITION & QUALIFICATIONS (DRAFT)

- Nine (9) member commission with two (2) alternates
- Appointed members SHALL reflect and represent the diversity of the Marin community and include members of various ethnicity, race, sexual orientation, economic status, age, religion, citizenship status, and housing/residence status, and lived experience. In addition, special consideration is to be given to those living in geographic areas disproportionately affected by law enforcement activities, specifically West Marin, unincorporated Novato and San Rafael, and Marin City.

COMPOSITION & QUALIFICATIONS (DRAFT)

- Appointed by the Board of Supervisors
- Five (5) chosen to represent the County's supervisorial districts
- Four (4) plus the two (2) alternates selected from a slate of eight (8) nominees, two (2) from each MCSO Patrol Division, selected by the Marin County Human Rights Commission (HRC).
- No more than one (1) Commissioner may be someone who has previous law enforcement experience who meets the following criteria:
 - The member has not worked as a sworn law enforcement officer within the last five years; and
 - The member has never been employed as sworn law enforcement in Marin County or any Bay Area city or county.
 - The member has no present, personal relationship with a current member of MCSO.

TRAINING (DRAFT)

- Training curriculum established annually in collaboration with the IG and MCSO
- Fifteen training topics recommended

DUTIES & AUTHORITIES (DRAFT)

- Hiring and evaluating the Inspector General
- Establishing the complaint process
- Receive and review completed misconduct investigations
- Make policy recommendations
- Request data related to MCSO patterns or practice
- Conduct public meetings
- Conduct ongoing community outreach and engagement efforts

DUTIES & AUTHORITIES (DRAFT)

- Produce annual, public reports
- Contract independent legal counsel
- Foster a collaborative relationship with the MCSO and other County departments
- Budget proposal approval
- Officer-involved shooting and use of force investigations
- Issue subpoenas

INSPECTOR GENERAL (DRAFT)

Inspector General positions are created to promote broad organizational change by addressing systemic issues, analyzing patterns and trends, and addressing deficiencies in policies and procedures. Their work can encompass many aspects of the including complaints, discipline, training, staffing and recruitment, use of force, conditions of confinement, and crime prevention strategies.

DUTIES & AUTHORITIES (IG)

- Day-to-day responsibilities of the civilian oversight mechanism
- Establish complaint process to include third-party , internal and external complaints
- Produce annual, public reports
- Actively monitor MCSO compliance with its on policies, procedures, and training practices
- Conduct community outreach and engagement on the complaint process
- Unfettered access to documents and facilities
- Maintain confidentiality and adhere to all public record and meeting laws.

STAFFING & FUNDING (DRAFT)

- Full time vs. contractor
- Staff members
- Terms of employment
- Annual review

OTHER CONSIDERATIONS (DRAFT)

- Relationship between the COC and the IG
- Community engagement
- Independent investigations
- Annual evaluations (staff and oversight mechanism)

TIMELINE

Community Focus Groups
January 23-February 2, 2023

Working Group Mtg #7
January 31, 2023

Working Group Mtg #8:
Review of Draft Options with
Sheriff
February 15, 2023

Working Group Mtg #9:
Review of Draft Options
with MCSO Union
February 28, 2023

Working Group Mtg #10
Review of Draft Options
with CAO/County Counsel
March 14, 2023

Working Group Mtg #11
Final Review of Draft
Options
March 21, 2023

- **Additional Working Group Meetings, as needed**
- **Options Submitted to BOS Subcommittee: March 23, 2023**
- **Options Presented to Board of Supervisors: Q1 2023 TBD**



CAMERON MCELLHINEY
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AB 1185: Community Outreach Working Group Meeting #7 - Marin County, CA

Tuesday, January 31, 2023 – 5:30 p.m. PST

Present: Gary Besser (Marin County); Jamillah Jordan (Marin County); Cameron McElhiney (NACOLE); Curtis Aikens; Stephen Bingham; Jacqueline Dagg; Tara Evans; Steve Knudsen; Cesar Lagleva; Rondall Leggett; Heidi Merchen; Jeremy Portje; Stephen Raab (County Counsel's Office); Nancy Weber.

Absent: Devera Boyd, Charles Dresow, Ashley Raveche, Christine Soto DeBerry

The meeting began with time devoted to a discussion of the recent police killings in Memphis and elsewhere.

Cameron ran through the agenda for the evening: an update on the survey, updates from each of the subcommittees, the updated timeline, and future agenda items.

Survey Update:

CCI is presently tabulating the survey data and will give a presentation on February 15. The survey closed on January 20. There were 437 surveys in English, 15 in Spanish, 5 in Chinese, and 72 paper copies of surveys that will add to these numbers.

Focus Group Committee Update:

Nine focus groups were planned, and 7 of those have taken place. The average size of the focus groups was 12 to 15 people. Cesar noted there was canvassing in three areas: Marin City, San Rafael, and Novato. He stated the general theme was lack of trust, anger, apathy, resentment and much work will need to be done in order to establish that trust once the oversight mechanism is in place.

Drafting Committee Update:

The main recommendation is for a commission and an Inspector General. The drafting committee feels there is only one option to provide.

McElhiney ran through the draft recommendations as they presently stand, with the notation that these are still recommendations and have not yet been voted on by the full working group. The composition and qualifications include a 9-member commission with two alternates, who shall reflect and represent the diversity of the Marin community. Stephen recommended that "lived experience" be defined. The commissioners will be appointed by the BoS. Five will be selected to represent the BoS districts, and four plus the two alternates will be selected from a slate of 8, two from each MCSO district that are selected by the Human Rights Commission. No more than 1 commissioner may have previous law enforcement experience, based on a set of criteria. Curtis asked if NACOLE would be willing to help develop the questionnaire that will be used to identify those who are good candidates. Jeremy asked how to get those people from the impacted areas of the county to apply. Cesar asked if the composition was limited to the unincorporated areas, as there are people who live in incorporated areas yet interact with the sheriff's office in unincorporated areas of the county. Jeremy suggested having community-based nonprofits

recommend people for the commission. Nancy recommended that the counties in the bay area be defined and also that some stipulation be made regarding people who leave the county or move from their area.

Training will be established annually in collaboration with the IG and the MCSO, with a catalog of fifteen different topics that should be included.

A list of 13 duties and authorities given to the commissioners was reviewed.

Timeline Updates:

Upcoming meetings:

February 15 (Review of Draft Options with Sheriff)

February 28 (Review of Draft Options with the MCSO Union)

March 14 (Review of Draft Options with CAO/County Counsel)

March 21 (Final Review of Draft Options)

Options submitted to the BoS Subcommittee – March 23, 2023

Presented to the full BoS, TBD

Next Meeting: Wednesday, February 15, 2023 at 5:30 p.m.