



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** BOARD OF SUPERVISORS  
DISTRICT 1  
**File #:** 23-979

Board Meeting Date: 12/12/2023

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** Supervisor Dave Pine, District 1  
Supervisor Warren Slocum, District 4  
**Subject:** Independent Civilian Advisory Commission on the Sheriff's Office

### **RECOMMENDATION:**

Adopt a resolution establishing the Independent Civilian Advisory Commission on the Sheriff's Office.

### **BACKGROUND:**

The San Mateo County Sheriff's Office operates the County jails and provides police services in unincorporated areas, as well as, under contract, several cities and towns within the County. Pursuant to Section 25303 of the Government Code, the Board of Supervisors has certain responsibilities related to the supervision of County Officers with respect to County functions related to assessing, collecting, safekeeping, management, or disbursement of public funds.

In 2021, section 25303.7 was added to the Government Code, codifying the Board of Supervisors' authority to utilize a commission or inspector general to assist it with that oversight of the Sheriff's Office. On September 13, 2022, the San Mateo County Board of Supervisors established a subcommittee to consider Sheriff's Office Oversight.

On November 1, 2022, the Board held a study session on Sheriff's Office oversight at which staff and advocates reviewed models utilized by several California counties. At that time, there were seven such counties; now there are nine. Following the study session, the Subcommittee conducted additional work, which included consulting with persons with specific knowledge and expertise on oversight, reviewing State-level law enforcement reform legislation, performing extensive public outreach, and meeting with numerous stakeholders, including advocates for different oversight frameworks, the Sheriff's executive team, and the officers' unions representatives.

On October 24, 2023, the Board held a second study session at which staff, local and national experts, researchers, and advocates provided information regarding the existing Sheriff's Office oversight framework and the benefits and costs of additional oversight systems. The Board also received extensive public comment. After consideration and discussion, the Board directed staff to

bring back an item that establishes an independent civilian advisory commission to assist the Board of Supervisors and authorized the County Executive retain inspectors general as-needed at the Board's discretion. The Board provided direction that it would retain subpoena power.

**DISCUSSION:**

Consistent with the Board's direction regarding the desired form and function of the advisory commission, this item establishes the Civilian Advisory Commission on the Sheriff's Office ("Commission") which, as more fully detailed in the Resolution, will:

- Act in an advisory capacity to the Board of Supervisors to further facilitate transparency, accountability, and engagement with respect to the Sheriff's Office.
- Hold public meetings consistent with the Brown Act, conduct community outreach, and receive community input regarding the Sheriff's Office.
- Consist of seven (7) civilian voting members and two (2) alternates appointed by the Board of Supervisors. One (1) member will be nominated by each Supervisor and reside in that Supervisor's District. Two (2) members and two (2) alternates will be appointed at large. One of the at-large members will be nominated by the Sheriff. Members of the Sheriff's Community Advisors for Responsible Engagement (CARE) and a member of the Youth Commission will serve as non-voting liaisons. Outreach efforts will be made to ensure members bring diverse community representation.
- Have assigned to it by the President of the Board of Supervisors two Board members to serve as liaisons to the Commission. The Commission will also receive support from the County Executive's Office, the County Attorney's Office, and the Sheriff's Office, whose representatives will not be voting members.
- Not interfere with the investigative or prosecutorial functions of the Sheriff's Office, participate or advise on departmental personnel or disciplinary matters, make referrals on matters under active investigation, or issue subpoenas.

The item further calls for the County Executive to organize an annual Board study session regarding current County public safety-related issues.

Concerning the creation of the additional public safety and social justice standing committee, the Subcommittee recommends that two members of the Board Supervisors be appointed to the Civilian Advisory Commission to serve as liaisons. This will allow the Board to stay apprised of public safety and justice matters related to the Sheriff's Office, including community concerns, without creating additional administrative burden or interfering with the responsibilities of the Civilian Advisory Commission.

**FISCAL IMPACT:**

Staffing and support of the advisory committee will require utilization of County resources in an amount that has yet to be determined, but which will not be drawn from or otherwise reduce the Sheriff's budget. The fiscal impact of as-needed inspectors general will depend on the nature of the appointment and the costs of the specific inspector general.