



August 7, 2022

Supervisor Karen Mitchoff, Chair Supervisor Candace Andersen Supervisor Diane Burgis Supervisor John Gioia Supervisor Federal Glover

cc: Racial Justice Oversight Body

Dear Supervisors,

On behalf of the Multi-faith ACTION Coalition, I write in strong support of the appointment of an

independent citizen's board overseeing the Contra Costa County Sheriff.

The Multi-faith ACTION Coalition is made up of people of diverse faiths who seek to do justice and end poverty. Our Contra Costa County based Coalition includes advocates from some 50 faith communities.

The Bill

AB 1185 was introduced in 2019, signed into law in 2020, and became effective in January 2021. This law states the following:

This law authorizes a county to establish a sheriff oversight board to assist the board of supervisors with those duties as they relate to the sheriff, either by action of the board of supervisors or through a vote of county residents.

This law authorizes a county, either by action of the board of supervisors or through a vote of county residents, to establish an office of the inspector general to assist the board of supervisors with these duties as they relate to the sheriff.

The law authorizes the chair of the oversight board and the inspector general to issue a subpoena or subpoena duces tecum when deemed necessary to investigate a matter within their jurisdiction.

Current Status

A number of local counties have established sheriff oversight boards and/or an office of Inspector General for these purposes. The Contra Costa Racial Justice Oversight Body recommended to the Board of Supervisors in August 2021 that a Sheriff Oversight Board be created, reviving a 2018 recommendation from the County's Racial Justice Task Force. In April 2022, the Public Protection Committee decided that rather than move forward with establishing such a board, it would instead merely request quarterly reports from the Sheriff's Office.

Independent Community Oversight Rationale

Community oversight provides positive options for connecting sheriff departments and the communities they serve. Independent, community-based oversight brings legitimacy and provides invaluable insight and guidance to law enforcement agencies in a number of ways:

- through independent investigations (or review of internal investigations) of police misconduct complaints,
- through policy review and recommendations,

- through providing a vehicle for communities to weigh in on policing through community meetings of commissions or boards,
- through proactively exploring problems (e.g., investigation, collection, and analysis of data),
- through focusing on organizational change, and
- through creating bridges between law enforcement and the greater community.

These are just a few of the many reasons for and benefits of having civilian oversight of law enforcement. The organization National Association for Civilian Oversight of Law Enforcement (NACOLE) is a non-profit organization that works to enhance accountability and transparency in policing and build community trust through civilian oversight. NACOLE has a website with a wealth of resources for communities such as ours that are looking to establish oversight boards, including key principles for effective oversight; their website is: www.nacole.org.

Support for Timely Implementation of Sheriff Oversight Board

It should be very clear that self-reporting by the sheriff can in no way be considered an adequate substitute for oversight by an independent group. It is quite evident that independent oversight is badly needed in Contra Costa County.

Contra Costa County Sheriff Livingston has a history of questionable conduct. Given that he has just been elected for another term, we are concerned that these actions will continue without independent oversight.

Sheriff Livingston's actions include:

- Failure to hold Deputy Andrew Hall accountable for the killings of Laudemer Arboleda and Tyrell Wilson, even after Hall was found guilty of the Arboleda killing and sentenced to serve six years in a state prison.
- Refusal to release deputy misconduct records in accordance with the California Public Records Act, effective January 2019, claiming the release was burdensome even though the larger CA Highway Patrol and LA Police Department had done so.
- Continued cooperation with Immigration and Customs Enforcement (ICE) to detain immigrants at the West County Detention Facility until the contract ended in 2018 and, subsequently, informing ICE of immigrant release dates.

No sheriff has a right to unfettered power. As a community we have a right to know that we will all be protected by law enforcement without discrimination or abuse of power.

For all these reasons, the Multi-faith ACTION Coalition strongly recommends the establishment of a Sheriff Oversight Board and urges the Board of Supervisors to implement this in a timely manner.

Sincerely,

Douglas A. Leich
Chair, Steering Committee

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