

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, SEPTEMBER 09, 2025**

MINUTE ORDER NO. 20

**SUBJECT: SUPPORT FOR STATE ASSEMBLY BILL 847 - PEACE OFFICERS:
CONFIDENTIALITY OF RECORDS (DISTRICTS: ALL)**

OVERVIEW

The State legislature has granted counties the authority to establish civilian oversight commissions to oversee sheriffs' departments. The State legislature has also given these commissions the ability to issue subpoenas when deemed necessary to investigate matters within their jurisdiction. However, while numerous counties, including the County of San Diego, have created these commissions, many are not able to perform meaningful oversight of law enforcement without access to confidential information.

Currently, state law explicitly allows grand juries, district attorneys, and the Attorney General's Office to access confidential officer personnel files when investigating conduct of officers, or an agency that employs those officers. Much like these entities, civilian oversight commissions are charged with reviewing complaints from residents, determining if misconduct investigations occurred in a timely manner, and evaluating if decisions about officer discipline were appropriate. State Assembly Bill 847 (AB 847), authored by Assembly Member Dr. LaShae Sharp-Collins, expands current state law to grant civilian oversight commissions and Inspectors General the same authority as other oversight entities to access misconduct files that are required to carry out their duties. Due to the privacy concerns of law enforcement officers, AB 847 also requires oversight boards to maintain the confidentiality of those records and authorizes them to conduct closed sessions, as specified, to review confidential records.

In 1990, San Diego County voters established the Citizens Law Enforcement Review Board (CLERB) pursuant to County Charter § 606. CLERB has the power to subpoena and require attendance of witnesses and to administer oaths. However, CLERB has rarely, if ever, recommended imposition of discipline in response to a citizen complaint against San Diego County Sheriff's deputies due to the fact that CLERB has never had access to officer personnel files, which would provide guidance on the processes and discipline imposed by the Sheriff.

Only with the same access to confidential information as other oversight bodies will civilian oversight commissions, including CLERB, be able to provide the increased transparency into the policies and practices of police and sheriff departments that the public was promised with their creation.

Today's action recommends the Board of Supervisors adopt a position of support for AB 847, which would clarify the law to make sure civilian oversight commissions are able to access the files they need to hold officers accountable to those they are sworn to serve.

RECOMMENDATION(S)

VICE-CHAIR MONICA MONTGOMERY STEPPE

Direct the Chief Administrative Officer to express the County's support for State Assembly Bill 847, consistent with Board Policy M-2.

EQUITY IMPACT STATEMENT

Encouraging effective civilian oversight of law enforcement, including access to confidential misconduct files necessary to carry out oversight responsibilities, reflects the County's commitment to advancing equity, justice, and inclusivity. Strengthening oversight promotes fairness, increases transparency, and builds community trust, particularly among communities who have historically experienced disproportionate impacts from law enforcement practices. This action supports the County's vision of creating a safer, more equitable, and inclusive environment for all residents.

SUSTAINABILITY IMPACT STATEMENT

Encouraging effective civilian oversight of law enforcement supports the County of San Diego's ongoing commitment to advancing social sustainability by promoting fairness, accountability, and justice for all residents. Strengthening public trust through oversight helps ensure equitable treatment across communities, which aligns with the County's Live Well San Diego vision, and contributes to a safer, more resilient, and inclusive region.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended.

AYES: Aguirre, Lawson-Remer, Montgomery Steppe

NOES: Anderson, Desmond

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter

