MONICA MONTGOMERY STEPPE
VICE CHAIR

SUPERVISOR, FOURTH DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

AGENDA ITEM

DATE: **October 21, 2025** **19**

TO: Board of Supervisors

SUBJECT
ESTABLISHING THE OFFICE OF THE INSPECTOR GENERAL (DISTRICTS: ALL)

OVERVIEW
The San Diego County Sheriff's Office (SDSO) is vested with providing public safety services to the community, including those incarcerated, and SDSO deputies regularly make decisions that affect the community's safety. The way in which SDSO deputies interact with community members is modeled and reinforced through SDSO training, policies, and professional code of conduct.

The longstanding attention on the numerous jail deaths and related lawsuits, sexual harassment allegations within the SDSO, and the Citizens Law Enforcement Review Board (CLERB) investigations have highlighted how training, culture, and adherence to department policies and procedures are critical in shaping how SDSO deputies react to situations in public and within the jails. It is now more important than ever to ensure that the Board of Supervisors (Board) and the Sheriff maintain a long-term commitment to rebuild trust in the justice system and sustain positive relationships between the communities and law enforcement.

Thus, there is a need to utilize different oversight tools to ensure ongoing, continuous oversight of the SDSO. The Sheriff must be accountable to reform and demonstrate to the public that SDSO deputies are committed to the Sheriff's "Organizational Vision" and "Core Values." The creation of an Office of Inspector General (OIG) would be another tool to ensure that public safety is achieved in a transparent, fair, and equitable manner. This requires oversight independent from the Sheriff and a direct reporting relationship to the Board to ensure fiscal, moral, and ethical accountability.

Accordingly, this action proposes the establishment of an OIG to monitor SDSO operations, the conditions of confinement in the County's custodial facilities, the provision of services to incarcerated individuals, the conduct of contractors and employees who provide such services, and the Sheriff's responses to complaints related to any of the above. The OIG should also be empowered to review various aspects of the SDSO, including use-of-force patterns, internal

investigations of force incidents and allegations of misconduct, and the Sheriff's disciplinary decisions, and to conduct its own audit and inspections. The OIG should have the authority to undertake an inquiry and audit, or conduct an investigation, at the request of the Board, CLERB, the Sheriff, or on its own initiative, and make recommendations regarding disciplinary actions and SDSO policy. Finally, the Inspector General should serve as special counsel to the Board and CLERB.

RECOMMENDATION(S)
VICE CHAIR MONICA MONTGOMERY STEPPE

1. Direct the Chief Administrative Officer and County Counsel to evaluate the feasibility of creating an Office of Inspector General (OIG) pursuant to Cal. Gov't Code § 25303.7(c), with the authority and mandate to audit, review, investigate, and provide recommendations regarding San Diego County Sheriff's Office (SDSO) policies, procedures, and operations to assist in safeguarding the integrity of the SDSO, and report back to the Board within 120 days in a confidential, attorney-client privileged memorandum. The feasibility plan must contain an implementation plan for the creation of a fully developed OIG office, including staffing, costs, and funding source(s). The OIG must be able to oversee internal affairs investigations, and discipline and review medical care delivery.
2. Direct the CAO to work with County Counsel to include in the report back a draft ordinance creating an OIG pursuant to Cal. Gov't Code § 25303.7(c) with the following functions to the extent feasible:
    a. Monitoring SDSO operations and the conditions of confinement in the County's custody facilities, including in-progress investigations, the provision of services to incarcerated individuals, and the conduct of contractors and employees who provide such services, including medical, pharmaceutical, and mental health services, and the Sheriff's responses to complaints related to SDSO operations and the conditions of confinement, including the supervision and provision of services to incarcerated individuals, and the conduct of contractors and employees who provide such services;
        i. The OIG may perform monitoring at the request of the Board of Supervisors (Board), the Citizens Law Enforcement Review Board (CLERB), or the Sheriff, or on its own initiative;
        ii. As part of this function, the OIG may attend meetings, reviews, and proceedings regarding SDSO incidents, operations, investigations, disciplinary matters, and corrective actions, unless the OIG's presence would obstruct an ongoing criminal investigation; and
        iii. The OIG is specifically authorized to monitor compliance with civil rights laws and to review health information, as permitted by law, to determine compliance with such laws.
    b. Reviewing SDSO use-of-force patterns, trends, and statistics, the Sheriff's investigations of force incidents and allegations of misconduct, the Sheriff's disciplinary decisions, and the quality of the Sheriff's internal audits and inspections.
    c. Undertaking an inquiry, inspection, and/or audit of matters involving the SDSO, employees or contractors of the SDSO, or any other entity or service provider regarding matters under the SDSO's authority in the following circumstances:

i. When requested by, or with authorization of, the Sheriff, as appropriate;
ii. When the Inspector General makes a factually based determination that such investigation is necessary and appropriate; provided, however, that the Inspector General shall, when appropriate, first meet and confer with the Sheriff or SDSO staff or their respective departments and afford the department the reasonable opportunity to respond (not to exceed 30 calendar days) before the OIG conducts an investigation pursuant to this subpart; or
iii. When the Board or CLERB makes a formal request to the Inspector General.

d. Recommending disciplinary action to the Sheriff where, following an investigation pursuant to the above, the OIG determines that an employee's actions or omissions violated law or SDSO policy; providing notice of a copy of the recommendation, the reasons for the recommendation, and supporting records, to the extent permitted by State or federal law, to the employee, the Board, and CLERB; and making available to the public, the Board, and CLERB any records and information regarding OIG's disciplinary recommendations to the extent permitted by State or federal law.
e. Developing and recommending policies and a comprehensive internal review process to the Sheriff for all use of force and critical incidents.
f. Referring evidence of criminal misconduct to the appropriate department or government agency, including but not limited to the District Attorney and the State Attorney General. Notwithstanding such a referral, the OIG may continue to investigate the criminal misconduct unless the OIG's investigation will interfere with a criminal investigation conducted by a department, government agency, or any law enforcement agency.
g. Regularly communicating with the public, the Board, CLERB, and the Sheriff regarding OIG findings. This includes the following:
    i. Preparing and submitting a quarterly report to the Sheriff, the Board, and CLERB regarding OIG investigations that includes the number and type of complaints filed; trend analysis; the outcome of the complaints; any determination that the acts or omissions of an employee or contractor, in connection with the subject matter of a complaint, or a death in custody, violated law or SDSO policy; the OIG's recommendations, if any, for discipline; the outcome of any discipline recommendations; and the OIG's policy recommendations.
    ii. Such reports to the Board should be public reports, except to the extent they relate to confidential personnel or otherwise privileged matters or contain confidential juvenile, medical or mental health records, or protected health information.
h. The OIG shall be an active member of the State Bar of California. Serving as an agent of the Board and CLERB. The Inspector General should also serve as special counsel to the Board and CLERB upon request, and have an attorney-client relationship with CLERB consistent with the attorney-client relationship the Inspector General has with the Board.

i. Issuing subpoenas for records, documents, information, or testimony when directed to do so upon action by the Board or CLERB, and administering oaths to effectuate any subpoenas.

EQUITY IMPACT STATEMENT
Encouraging effective independent government oversight of law enforcement demonstrates a commitment to promoting equity, justice, and inclusivity.

SUSTAINABILITY IMPACT STATEMENT
Encouraging effective independent government oversight of law enforcement will further the County of San Diego's commitment to promoting justice for all San Diegans.

FISCAL IMPACT
Funds for the actions requested to evaluate the feasibility and draft an ordinance for an Office of Inspector General are included in the Fiscal Year 2025–26 Operational Plan based on existing staff time in the Chief Administrative Office and the Office of County Counsel funded by existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years. If established there will be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval.

BUSINESS IMPACT STATEMENT
N/A

ADVISORY BOARD STATEMENT
N/A

BACKGROUND
The San Diego County Sheriff's Office (SDSO) interacts with the public daily, and SDSO deputies regularly make decisions that affect the safety and security of our communities. The way in which SDSO deputies interact with community members are modeled and reinforced through the SDSO training, policies, and professional code of conduct.

The longstanding attention on the numerous jail deaths and related lawsuits, sexual harassment allegations within the SDSO, and the Citizen's Law Enforcement Review Board (CLERB) investigations have highlighted how training, culture, and adherence to department policies and procedures are critical in shaping how Sheriff's deputies react to situations in public and within the jails. It is now more important than ever to ensure that the Board of Supervisors (Board) and the Sheriff maintain a long-term commitment to rebuild trust in the justice system and sustain positive relationships between the communities and law enforcement.

In 1990, voters in San Diego County enacted a ballot measure to amend the County Charter requiring the Board to establish CLERB to independently investigate complaints against officers employed by the SDSO and Probation Department. CLERB's purpose is "to receive and investigate specified citizen complaints and investigate deaths arising out of or in connection with activities of peace officers and custodial officers employed by the County in the Sheriff's Department or the Probation Department."[i] In addition, CLERB is responsible for making "appropriate recommendations relating to matters within its jurisdiction," "report[ing] its

activities," and "provid[ing] data in respect to the disposition of citizen complaints received by the Citizens Law Enforcement Review Board."[ii] CLERB lacks authority to set policy or impose discipline against officers or County employees in the SDSO.

CLERB has made valuable contributions to maintaining the integrity of the SDSO by conducting investigations into citizen complaints and in-custody deaths and making recommendations for reform. However, there is a need to utilize different oversight tools to ensure ongoing and continuous oversight of the SDSO. The Sheriff must be accountable to reform and demonstrate to the public that SDSO deputies are committed to the SDSO's "Organizational Vision" and "Core Values."[iii] The creation of an Office of Inspector General (OIG) would be another tool to ensure that public safety is achieved in a transparent, fair, and equitable manner. The OIG would provide oversight independent from the Sheriff and a direct reporting relationship to the Board to ensure fiscal, moral, and ethical accountability.

Accordingly, this action proposes that the Chief Administrative Officer and County Counsel evaluate the feasibility of establishing an OIG pursuant to Cal. Gov't Code § 25303.7(c), under which the Inspector General would be appointed by the Board to assist the Board with its duties that relate to the Sheriff. The OIG should have functions that include the following:

- **Monitoring** SDSO operations, the conditions of confinement in the County's custody facilities, including monitoring in-progress investigations, the provision of services to incarcerated individuals, and the conduct of contractors and employees who provide such services, including medical, pharmaceutical, and mental health services, and the Sheriff's responses to complaints related to SDSO operations, the conditions of confinement, including the supervision and provision of services to incarcerated individuals, and the conduct of contractors and employees who provide such services;
    - The OIG may perform monitoring at the request of the Board, CLERB, or the Sheriff, or on its own initiative;
    - As part of this function, the OIG may attend meetings, reviews, and proceedings regarding SDSO incidents, operations, investigations, disciplinary matters, and corrective actions, unless the OIG's presence would obstruct an ongoing criminal investigation; and
    - The OIG is specifically authorized to monitor compliance with civil rights laws and to review health information, as permitted by law, to determine compliance with such laws.
- **Reviewing** SDSO use-of-force patterns, trends, and statistics, the Sheriff's investigations of force incidents and allegations of misconduct, the Sheriff's disciplinary decisions, and the quality of the Sheriff's internal audits and inspections.
- **Undertaking an inquiry, inspection, and/or audit** at the request of the Board, CLERB, the Sheriff, or on its own initiative. The OIG should have the authority to investigate matters involving the SDSO, employees or contractors of the SDSO, or any other entity or service provider regarding matters under the Sheriff's authority in the following circumstances:
    - When requested by, or with authorization of, the Sheriff, as appropriate;
    - When the Inspector General makes a factually based determination that such investigation is necessary and appropriate; provided, however, that the Inspector

General shall, when appropriate, first meet and confer with the Sheriff or SDSO staff or their respective departments and afford the department the reasonable opportunity to respond (not to exceed 30 calendar days) before the OIG conducts an investigation pursuant to this subpart; or

- When the Board or CLERB makes a formal request to the Inspector General.

The feasibility report should consider whether the OIG may also have the authority to recommend disciplinary action to the Sheriff where, following an investigation as described above, the OIG determines that an employee's actions or omissions violated law or SDSO policy. The OIG would provide notice of a copy of the recommendation, the reasons for the recommendation, and supporting records, to the extent permitted by State or federal law, to the employee, the Board, and CLERB, and make available to the public, the Board, and CLERB any records and information regarding OIG's disciplinary recommendations to the extent permitted by State or federal law. Similarly, the OIG should be empowered to develop and recommend policies and a comprehensive internal review process to the Sheriff for all use of force and critical incidents. Finally, the OIG should have the ability to refer evidence of criminal misconduct to the appropriate department or government agency, including but not limited to the District Attorney and the State Attorney General. Notwithstanding such a referral, the OIG may continue to investigate the criminal misconduct unless the OIG's investigation will interfere with a criminal investigation conducted by a department, government agency, or any law enforcement agency.

Further, the OIG should regularly communicate with the public, the Board, CLERB, and the Sheriff regarding OIG findings. This includes by preparing and submitting a quarterly report to the Sheriff, the Board, and CLERB regarding OIG investigations that includes the number and type of complaints filed; trend analysis; the outcome of the complaints; any determination that the acts or omissions of an employee or contractor, in connection with the subject matter of a complaint, or a death in custody, violated law or SDSO policy; the OIG's recommendations, if any, for discipline; the outcome of any discipline recommendations; and the OIG's policy recommendations. Such reports to the Board should be public reports, except to the extent they relate to confidential personnel or otherwise privileged matters or contain confidential juvenile, medical or mental health records, or protected health information.

The Inspector General should serve as an agent of the Board and CLERB. Thus, the feasibility study should also consider whether and how the Inspector General could also serve as special counsel to the Board and CLERB and have an attorney-client relationship with CLERB consistent with the attorney-client relationship the Inspector General would have with the Board.

Finally, the OIG should have the authority to issue and the power to enforce subpoenas for records, documents, information, or testimony when directed to do so upon action by the Board or CLERB, and to administer oaths to effectuate any subpoenas.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action aligns with the Empower and Justice Strategic Initiatives in the County of San Diego's 2025–2030 Strategic Plan by ensuring accountability and transparency in the justice system.

Respectfully submitted,

SUBJECT: ESTABLISHING THE OFFICE OF THE INSPECTOR GENERAL (DISTRICTS: ALL)

MONICA MONTGOMERY STEPPE
Supervisor, Fourth District

ATTACHMENT(S)
N/A

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[i] San Diego Cnty. Admin. Code § 340.
[ii] *Id.*
[iii] *See* Mission, Vision and Values, SAN DIEGO COUNTY SHERIFF'S OFFICE, https://www.sdsheriff.gov/bureaus/about-us/mission-values (last visited 9/18/2025).