

Law Enforcement Review Advisory Committee (LERAC)
3 September 2008, noon
Conference Room B, County Courthouse,

Attendance: Byrd Lochtie (Acting chair), Christina Allbright, Sheila Nitzel, Larry Glass, Garr Nielsen, Larry Miller, Rick Botzler

The next meeting will be at 12 noon on Wednesday, September 10, in Conference Room B of the County Courthouse.

With Neal's required absence, Byrd called the meeting to order.

1. Byrd distributed the draft of a letter from Neal to the County Code Enforcement Task Force, informing the Task Force of the work that LERAC is doing on strengthening citizen-law enforcement relationships, and inviting the Task Force to send a representative to a LERAC meeting, if they desired. The committee agreed that this would be useful and appropriate to send
2. Byrd updated the committee on the McLean Fund. LERAC has been invited to apply to the grant round. Because the McLean Fund generally does not fund government-sponsored programs, the financial contributions of any government agencies need to be made clear. The application must be post-marked by September 30. A one-year pilot project to fund the community advisory committee and auditor on the order of \$50,000 to 60,000 was discussed. An initial suggestion was made of asking four potential contributors (e.g., McLean, Humboldt Area Foundation, MacArthur Foundation, and County Board of Supervisors) for \$15,000 each for this one-year start-up program.

Byrd volunteered to write a narrative of the McLean Fund grant proposal for the next LERAC meeting (10 September). Christina and Larry will pursue information on the MacArthur Foundation as a source of funds. Byrd will inquire of Bonnie over the possibility of the Board of Supervisors providing funds. Christina also will inquire of the Humboldt County Bar Association and Legal Services of Northern California for possible funding support. Rick and Neal will explore other sources for monies.

Potential supporting letters for the McLean Fund grant application were explored. Sheila will request a letter from the National Alliance on Mental Illness (NAMI) and the Redwood Coast Regional Center (RCRC). Neal can provide a letter from the Human Rights Commission (HRC). Garr is willing to write a letter as the Eureka Police Department Chief in support of the concept; he also will ask Tom Dewey to consider writing one too. Larry G. thought the Eureka City Council might support the concept of a law enforcement review program, particularly if written with an emphasis on the importance on a professional auditor. LERAC will encourage Gary to write a supporting letter from the Sheriff's Office.

3. Christina presented some documents from the City of San José's Office of Independent Police Auditor (IPA). These included the types of allegations recorded in formal

complaints against officers, the process used by the IPA in monitoring ongoing investigations, how IPA defined and classified complaints, and a summary of the complaints audited by IPA. LERAC members will review these documents as additional sources of information in reworking the “First Draft Proposal” for Humboldt County.

The committee agreed to consider further the purpose, membership, and process for the Advisory Committee on Law Enforcement, with the intent of rewriting the “First Draft Proposal” into a “Second Draft Proposal.”

Following is a first revision for the role of auditor; proposed changes given in **BOLD**:
Auditor will

Be contracted by the governing body, after consultation with members of the law enforcement community and appropriate public interest groups.

Be a trained, **independent** professional with experience working in similar jurisdictions, **with** a clear understanding of applicable laws, and law enforcement policies and procedures, **and with** the trust of both the public and law enforcement community.

Conduct an annual review of the policies and procedures of contracted agencies, and report his/her to the law enforcement agency and to the appropriate governing body, if the agency requests it.

Recognize that the sheriff/police chief retains all disciplining authority

Have investigative powers to review all pertinent documents regarding citizen complaints and internal affairs investigations and to make (non-binding) recommendations, **subject to approval by the law enforcement agency**

Be restricted by all personnel confidentiality rules during investigations and when reporting to the Advisory Committee.

Be available to work with the Advisory Committee in **educating the public on the results of audits, as needed**

Report findings to the governing body if the audited law enforcement agency requests it, or if it is determined such a report is necessary – subject to all applicable laws and confidentiality restrictions

It was moved, seconded, and passed unanimously to accept the minutes of August 20 and 27. These will be added to the Human Rights Commission website.

Rick