



# Sheriff's Department Oversight Board

CITY AND COUNTY OF SAN FRANCISCO

## SHERIFF'S DEPARTMENT OVERSIGHT BOARD RULES OF ORDER

Adopted February 3, 2023

### Chapter 1 – Organization and Meetings

Rule 1.1 Adoption of the Rules of Order. The Board shall adopt Rules of Order (Rules) by motion carried by an affirmative recorded vote of a majority of the members of the Board.

When adopted, the Rules shall remain in effect unless suspended or amended as provided herein. The Board President may adopt temporary rules to address a specific situation or point of order in a board meeting where such situation or point of order is not covered in these Rules.

Rule 1.2 – Amendment to Rules. The Board may amend the Rules by motion.

Rule 1.3 – Election of Officers. At the last regular meeting of the Board held before the 30<sup>th</sup> day of September of each year, or at a prior meeting, the date of which shall be fixed annually by the Board, the members of the Board shall elect from among their numbers a President and Vice-President of the Board, each to serve for a term beginning on the date of the first regular meeting held after the 30<sup>th</sup> day of September, and ending one year thereafter or until the election of a new President or Vice President.

Rule 1.4 - Board Officers. The President in consultation with the Vice-President, shall set the agenda for Board meetings, serve as the presiding officer at Board meetings, and perform all other duties necessary or incidental to the office. The President may create committees to perform such advisory functions as the President shall determine, and in consultation with the Vice-President, may appoint and remove members from such committees at his or her pleasure. If the President removes a member from a committee over that member's objection, the President shall state the reason for removing the member.

In the absence or inability of the President to act, the Vice-President shall take the place and perform the duties of the President.

In the absence of the President and Vice-President, the Board shall begin its meeting by voting to determine which member will serve as acting President for the meeting. (Good Government Guide, Pg. 16.)

The Secretary, shall prepare and post an agenda for all regular and special board meetings, attend all meetings, call the roll and agenda items at each meeting, and call and record all Board votes. The Secretary shall keep a record of all board proceedings and shall prepare draft minutes of the meetings. The Secretary shall assist the President as necessary to assure the meetings are orderly. The Secretary shall maintain a file of all written communications received by the Board, and perform other duties as assigned.

Rule 1.5 – Meetings and Rules of Procedures. All official proceedings shall be conducted in open and public meetings in compliance with the San Francisco Charter, the Brown Act, and the Sunshine ordinance. Acts by the Board shall be expressed by motion or resolution.

Rule 1.6 – Parliamentary Procedure. The rules of parliamentary procedure as set forth in *Robert's Rules of Order* shall govern all meetings of the Board unless otherwise provided herein and unless a provision in Robert's Rules is inconsistent with state or local law.

Rule 1.7 – Alternative Meeting Place. In the event the regular meeting place is unavailable, the President shall designate some other appropriate place as its temporary meeting place. By a majority vote, the Board may choose to hold meetings at community locations outside City Hall. Such venue shall include remote recording capabilities in accordance with the Brown Act and Sunshine Ordinance and be ADA compliant.

Rule 1.8 – Special Meetings of the Board. The President, subject to the requirements of the Brown Act and Sunshine Ordinance, may call a special meeting of the Board. Special meetings may be held at San Francisco City Hall, Room 400 or elsewhere at San Francisco City Hall within 72 hours' notice or at alternate location other than at San Francisco City Hall with 15 days' notice.

Rule 1.9 – Closed Session. The Board may meet in closed session during a regular or special meeting, as authorized under the Brown Act and the Sunshine Ordinance. The Board must meet in open session to publicly announce its intent to hold a closed session and state the grounds for the closed session and take public comment on the closed session agenda and on the decision to go into closed session. The Secretary shall post any action required to be reported after a closed session pursuant to the requirements of Administrative Code Section 67.12.

Rule 1.10 – Quorum. A simple majority (four) of the members of the Board constitute a quorum for the transaction of business.

Rule 1.11 – Voting. Every official act of the Board shall be adopted by majority vote. A majority vote shall mean a majority (4) of all members of the Board designated by law (7). However, a board or commission may adopt a rule or bylaw that authorizes the body to decide procedural matters based on majority vote of the members present, provided a quorum is present. Charter § 4.104(b). All members present shall vote for or against each question brought to a vote unless a member is excluded from voting through a motion adopted by a majority of the members present or unless the members has been advised by the City Attorney that they may have a conflict of interest regarding the item.

Rule 1.12 – Lack of Quorum. In the absence of a quorum, no information may be presented, and no official action shall be taken by the members present except to take measures to secure a quorum, to reschedule the same meeting, to recess or to adjourn, or fix the time to adjourn.

Rule 1.13 – Committees. The Board may establish committees as needed, and each committee or subcommittee shall select one of its members to be its chair.

Rule 1.14 – Meeting Agenda. The President shall prepare the agenda in consultation with the Vice-President. The agenda may consist of items requested by a Board Member, the Inspector General, the Sheriff or the Sheriff's designee. The Secretary shall promptly inform the President and Vice-President of all such requested agenda items. All items must be submitted before the close of business on the Friday preceding a regular Board meeting. Each agenda shall specify the time and place of the meeting and contain a meaningful description of each item of business to be discussed and transacted. If the agenda does not describe a proposed action on a given agenda item, the Board may only discuss, and may not take action on that item. The Secretary shall post the agenda in compliance with the requirements and timelines of the Brown Act and the Sunshine Ordinance.

If the President, in consultation with the Vice-President, determines that in the interest of maintaining a meeting of reasonable length, an item should not be included on the agenda for the meetings for which the item was submitted, such item may be omitted but shall be included on the agenda of the next regular meeting or of a special meeting. Except as provided by the Brown Act or Sunshine Ordinance, the Board shall not act upon or discuss any item at the meeting unless a description of the item appears on the posted agenda for that meeting. If an item arises after the agenda has been distributed, the Board may add it to the agenda, with 72-hour notice, and consider the item in accordance with the procedures set forth under the Brown Act. Board meetings shall proceed as set forth in the agenda, except that the Presiding Officer may call items out of order for any reasonable purpose. The Presiding Officer shall announce any change in the order of business as soon as possible. The Board shall not discuss or take action on any item not appearing on the posted agenda, except as permitted under the Brown Act and Sunshine Ordinance.

Rule 1.15 – Consent Calendar. The Consent Calendar shall include those matters that have been the subject of a public hearing conducted by the Sheriff's Office, a committee of the Board, or considered in closed session of the Board. There will be no separate discussion of those items unless a member of the Board or the public so requests, in which event the Board shall remove and consider those items separately.

Rule 1.16 – Minutes of the Proceedings. The Secretary shall record the proceedings of each meeting in the minutes of the Board in accordance with the requirements and timelines in the Brown Act and Sunshine Ordinance. The Secretary shall present the draft minutes for approval at the next regular meeting to the extent practicable. Once approved by the Board, the Secretary shall post the minutes on the Board website.

## **Chapter 2 – Rules of Conduct**

Rule 2.1 – Public Comment. Members of the public are entitled to comment on any matter on the agenda prior to action being taken by the Board on that item. Public comment on a discussion item may take place at any time during consideration of the item, at the discretion of the Presiding Officer. Persons addressing the Board during public comment on an agenda item shall confine their remarks to the particular agenda item. For each agenda item, each member of the public may address the Board only once.

In addition, the agenda shall provide an opportunity for general public comment, during which members of the public can address the Board on items of interest to the public which are under the jurisdiction of the Board and have not been the subject of public comment on other items on the agenda. The Board shall not discuss or act on a matter raised during general public comment, but may ask questions for clarification, ask staff for factual information on the matter, or request staff report back to the Board at a later meeting. The Board shall calendar a matter raised during general public comment for a future meeting before engaging in substantive discussion or acting on that matter.

The President may set a reasonable time limit for each speaker, depending on the complexity of the item, the length of the agenda and the number of persons present to speak on the item. The President must apply time limits uniformly to members of the public.

Rule 2.2 – Addressing the Board. When attending in person, speakers must speak from the podium when addressing the Board and shall speak clearly into the microphone. Speakers are to refrain from using profanity and/or yelling or screaming. Neither Sheriff personnel, Office of Inspector General (OIG) personnel, nor Board members are required to respond to questions raised in public comment. Individual Board members and Sheriff's

personnel should refrain from entering into any debates or discussion with speakers during public comment. Board members may question speakers to obtain clarification. The Presiding Officer or Board members may ask staff to investigate an issue raised during public comment and later report to a committee or to the Board. The lack of a response by the Board to public comment does not necessarily constitute agreement with or support of comments made during public comment.

Individuals making public comment may be requested, but not required, to identify themselves.

Speakers should form a line against the wall to the right of the podium. No one may interfere with another person who is addressing the Board or in line to address the Board. Individuals in line to address the Board must remain in line until it is their turn to make public comment, and only then shall they approach the microphone to speak.

Members of the public attending remotely, shall follow the Remote Access Procedures contained in each meeting's agenda, to call in and be placed in the queue to speak. The moderator shall allow the speaker to speak in turn.

Rule 2.3 – Speaker Conduct During Public Comment. The Board will not tolerate disruptive or inappropriate conduct during public comment. Speakers who use profanity or who engage in yelling, name-calling, or other disruptive or inappropriate behavior shall be directed to cease any such conduct and may be asked to leave the meeting room.

Rule 2.4 – Audience Conduct. Persons in the audience may not express support or opposition to statements made by members of the public, Sheriff's Office or OIG staff addressing the Board through words or actions. Applause or booing are prohibited. Members of the public may not display signs that impede the ability of the public or Board to see or participate in the meeting or that endanger any meeting participants. Cameras and tape-recording devices may be brought into the Board hearing room; however, persons are prohibited from using flash, camera lights or other devices that may disrupt the meeting. When recording board proceedings, members of the public should position their equipment so that any noise or light from the equipment does not disrupt the Board proceedings, and so the equipment does not obstruct any member of the public's view of or ability to participate in the proceedings. Generally, members of the public should keep recording equipment and cameras on the Board table. Audio recorders may be placed on the Board table before the meeting starts. The Presiding Officer may request that members of the public reposition their equipment to minimize disruption or obstruction of the meeting. No person may intentionally block or impede a member of the public's recording of Board proceedings. The Presiding Officer may request that audience members refrain from any conduct that causes unreasonable distractions or disruptions during the meeting.

Members of the public may not approach the Board members or the Sheriff or Sheriff's designee during board proceedings, unless invited to approach by the Presiding Officer or Sheriff. If a member of the public wishes to make an inquiry or provide correspondence or other materials to the Board or the Sheriff, he or she shall present the inquiry or materials to the Secretary before or after the meeting, during a break in the meeting, or after requesting and receiving permission to do so during public comment.

Rule 2.5 – Permission to Remove Disruptive Persons. The Presiding Officer shall possess the power and duty to order removed from the meeting room any person who commits the following acts after being warned that such conduct could lead to their removal:

- (A) Disorderly conduct that disrupts the due and orderly course of the meeting such as making noise, speaking out of turn, or otherwise refusing to comply with the Board Rules governing meetings;

- (B) A breach of peace, boisterous conduct, or violent disturbance, tending to interrupt the due and orderly course of the meeting;
- (C) Disobedience of any lawful order of the Presiding Officer, which shall include an order to be seated; or,
- (D) Any other unlawful interference with the due and orderly course of the meeting.

In addition to effecting the removal of any person or persons from the meeting who, in the opinion of the Presiding Officer, has violated the order and decorum of any meeting, the Presiding Officer may request law enforcement personnel to place such person(s) under arrest for violation of Section 403 of the California Penal Code, or any other applicable law, and may cause such person or persons to be prosecuted therefor, the complaint to be signed by the Presiding Officer or the Board Secretary.

Rule 2.6 – Policy Prohibiting Discriminatory or Harassing Remarks Made at Public Meetings. The Board follows the City and County of San Francisco Policy on Discriminatory or Harassing Remarks Made at Public Meetings of City Boards and Commissions. If any person makes discriminatory or harassing remarks at a Board meeting that violates City policy prohibiting discrimination and harassment on the basis of specified protected characteristics, the Presiding Officer shall read the City's policy against discrimination and harassment into the record and state that comments in violation of City policy will not be condoned and will play no role in the Board's decisions. The Presiding Officer shall further state that any City employee in the room who is offended by the discriminatory or harassing remarks is excused from attendance at the meeting, and that no City employee is compelled to remain in attendance where it appears likely that speakers will make further discriminatory or harassing comments. If speakers continue to make discriminatory or harassing remarks that violate City policy, the Presiding Officer shall remind the speaker of City policy, and then may recess the meeting temporarily. After this temporary interruption, speakers engaged in public comment shall be permitted to finish their allotted time.

Rule 2.7 – Written Communication. Members of the public may write the Board concerning issues within the Board's jurisdiction. The Secretary shall list the following written communications in the next agenda: (1) written communications from members of the public addressed directly to the Board; and (2) commendations and letters of recognition received by the Sheriff if the Board becomes aware of such communications. Communication shall also be kept and made available pursuant to the requirements of the Sunshine Ordinance. If a member of the Board wishes to provide written materials to a majority of the Board, such materials may be submitted to the Secretary to be included in the agenda for the next meeting and in the public review file.