

Inspector General*

Digest by the Ballot Simplification Committee

Status: Final Digest
On: Friday, August 2, 2024
Members: Packard, Anderson, Wong, Wang

The Way It Is Now: The Controller is appointed by the Mayor and confirmed by the Board of Supervisors to oversee the City's financial affairs. The Charter requires the Controller to receive and investigate complaints concerning the quality and delivery of government services, wasteful or inefficient City government practices, misuse of City funds, and improper activities by City officers and employees. The Charter also requires the Controller to monitor the level and effectiveness of services the City provides to its residents.

Other City departments, including the City Attorney, District Attorney and Ethics Commission, have jurisdiction to investigate fraud, abuse and other matters related to public integrity. The Department of Human Resources has jurisdiction to investigate employee misconduct.

The Controller can examine the records of City boards, commissions, officers and departments, but the Controller cannot issue subpoenas to require third parties such as City contractors, permittees or lobbyists to produce records. State law authorizes employees of the Controller's Office to execute search warrants under certain circumstances, but there is no similar provision in the Charter.

The Charter also establishes a separate department called the Sheriff's Department Office of Inspector General to investigate complaints involving employees of the Sheriff's Office. That department is not connected to the Controller's Office.

The Proposal: Proposition ___ would amend the Charter to create a new position of Inspector General in the Controller's Office to review and investigate complaints of fraud, waste and abuse. The Controller would appoint the Inspector General, subject to the approval of the Mayor and Board of Supervisors. The Controller would supervise and could terminate the Inspector General.

The Inspector General would consult with the Ethics Commission, City Attorney, District Attorney and Department of Human Resources regarding those departments' investigations involving fraud, waste or abuse. The Inspector General could either refer specific matters to those departments, could investigate those matters in coordination with the relevant department, or could conduct its own investigation. At least twice a year, the Inspector General would be required to issue public reports on its activities and the outcomes of all investigations by other city agencies into matters concerning public integrity.

Proposition ___ would give the Controller power to issue subpoenas to third parties, including contractors, permittees and lobbyists. It would also allow the Inspector General, the Controller and employees of the Controller's Office to execute search warrants when permitted by State law.

Under Proposition ___, the Sheriff's Department Office of Inspector General would be renamed the "Office of Sheriff's Inspector General."

A "YES" Vote Means: If you vote "yes," you want to create the new position of Inspector General in the Controller's Office to review and investigate complaints of fraud, waste and abuse, and grant the Controller's Office the power to issue subpoenas and execute search warrants when permitted by State law.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*