

Public Advocate*

Digest by the Ballot Simplification Committee

Status: Final Digest

On: Thursday, August 11, 2016

Members: Packard, Anderson, Fasick, Fraps, Jorgensen

Deadline to Request Reconsideration: 12 p.m. on Wednesday, August 10

The Way It Is Now: The City currently does not have a particular official or central office responsible for overseeing how City departments interact with the public. Some City offices provide opportunities for the public to obtain information, report problems or submit service requests. Examples include:

- the City's 311 Customer Service Line;
- the Board of Supervisors;
- the Mayor's Office;
- the City Attorney's Office;
- the Controller; and
- the Office of Citizen Complaints (for complaints about police actions).

The Controller is the City's chief accounting officer and auditor. The Controller monitors the level and effectiveness of City services. The Controller also oversees the City's whistleblower program, which receives and investigates confidential complaints regarding misuse of City funds and improper activities by City officers and employees.

The City's Office of Citizen Complaints (OCC) investigates complaints of misconduct and neglect of duty by police officers and may file disciplinary charges against officers. The Mayor appoints a Director of the OCC from nominees selected by the Police Commission, and the Board of Supervisors confirms the Mayor's appointment.

The Proposal: Proposition ___ is a Charter amendment that would create the position of Public Advocate. The Public Advocate would be elected at a City-wide election and serve a four-year term. The first Public Advocate would be elected at the first election held after January 1, 2017, and would serve a shortened term. Beginning in 2020, the Public Advocate would be elected every four years. No person could serve as Public Advocate for more than two consecutive terms.

Under Proposition ___, the Public Advocate would:

- investigate and attempt to resolve complaints from members of the public concerning City services and programs;
- receive and investigate some confidential whistleblower complaints concerning City services and programs;
- review the administration of City programs, management practices and contracting procedures, and make recommendations to improve them; and
- appoint a Director of the Office of Citizen Complaints (or its successor) from nominees selected by the Police Commission, subject to the Board of Supervisors' approval.

The Controller would continue to handle whistleblower complaints regarding misuse of City funds.

Proposition __ would also make it City policy to provide the Public Advocate with sufficient funding and a support staff of at least 25 people. The Public Advocate may also hire independent experts who could be exempt from some of the City's contracting rules.

**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.*

A "YES" Vote Means: If you vote "yes," you want to amend the Charter to create the position of Public Advocate, responsible for investigating and attempting to resolve public complaints concerning City services and programs. You also want to make it City policy to provide the Public Advocate with sufficient funding and a support staff of at least 25 people.

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