RESOLUTION - ACTION REQUESTED 2020-230

MEETING: May 5, 2020

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: SB 1286 Letters of Support

RECOMMENDATION AND JUSTIFICATION:
Approve Letters of Support for Senate Bill 1286; and Authorize the Board of Supervisors Chair to Sign the Letters. Letters will be sent to the California Senate Appropriations Committee and to CA Senator Andreas Borgeas.

Code Enforcement is an inherently dangerous profession. Too often, Code Enforcement / Compliance Officers and staff encounter individuals who defiantly refuse to comply with local and state codes that impact the quality of life in our communities. It is not unusual for Code Enforcement / Compliance Officers to be threatened, harassed or even assaulted. Tragically, Code Enforcement / Compliance Officers have even been killed in the line of duty.

California Vehicle Code (CVC) Section 1808.4 was enacted because of the inherent danger with compliance activities, to help protect law enforcement officers and other public enforcement officers and officials. The code section already protects the home address information of many, but not all, Code Enforcement/Compliance Officers kept by the DMV. For example, the section protects officers who are part of their city's police department, officers who conduct parking enforcement and officers who conduct vehicle abatement duties.

Mariposa County’s Code Compliance staff is part of the Mariposa County Developmental Services function; therefore, county staff currently do not have the same layer of protection afforded to those covered under CVC 1808.4. Code Compliance investigates complaints of substandard housing, public nuisances related to public health and safety, local regulations, and illegal marijuana cultivation to mention only a few examples, and are not currently protected. Inclusion of all Code Enforcement Officers under current California Law will help protect all Code Enforcement/Compliance staff from those with bad motives.

Sending these letters will show Mariposa County's support for SB 1286. This action is aligned with the County’s Legislative Platform.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board routinely approves letters of support for issues that they believe will benefit
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Mariposa County operations.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Alternatives: The Board may modify text in the letter.
Negative Action: If the Board does not approve the letter, it will be not be submitted. Individual Board members may write their own letters of support at that time, which may not carry the same weight as a letter from the entire Board.

ATTACHMENTS:
200505 Senate Appropriations Committee Letter of Support (DOCX)
200505 Senator Andreas Borgeas SB 1286 Support Letter (DOCX)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Miles Menetrey, District V Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
May 5, 2020

Senator Andreas Borgeas
District Office
567 W. Shaw Avenue, Suite A-3
Fresno, CA 93704

RE: Support of SB 1286 (Nielsen)

Dear Senator Borgeas,

The Mariposa County Board of Supervisors would like to express its full support of SB 1286 (Nielsen) because the safety of our Code Compliance staff matters.

Code Compliance is an inherently dangerous profession that deals with many of the same individuals who the Mariposa County Sheriff’s Department, sworn law enforcement personnel deal with daily. However, our Code Compliance staff does so with fewer protections than are afforded to their sworn sheriff counterparts. Compliance staff also encounters other unstable and non-compliant individuals and groups who, for whatever reason, have a pre-disposition of defiance towards any governmental agent or entity. It is not unusual for Code Compliance staff to be threatened, harassed, or even assaulted by these individuals or members of these groups. Tragically, there have even been Code Compliance/ Enforcement Officers killed in the line of duty. Often, these individuals or groups take these retaliatory actions against staff and their families for simply doing their job of enforcing local and state codes that improve and protect the quality of life in their local communities.

California Vehicle Code (CVC) Section 1808.4 was enacted to address this inherent danger. The code section protects the home address information kept by the Department of Motor Vehicles of many law enforcement and public officials and some, but not all, Code Enforcement / Compliance Officers. For example, the section protects officers who are part of their city’s police department, officers who conduct parking enforcement and officers who conduct vehicle abatement duties.

Our Code Compliance staff is not covered under CVC §1808.4. Our Code Compliance staff routinely investigates and enforces federal, state and local codes relating substandard housing, cannabis regulations, and public nuisance, building and zoning regulations. Our Code Compliance staff is not currently protected and their home addresses can be accessed through the DMV by individuals or groups with bad motives.
There is no rational basis for the exclusion of Code Compliance staff that faces the same risk of retaliatory assault encountered by their colleagues who are currently protected; this is a real threat to their safety and that of their family. Recently, the California Association of Code Enforcement Officers (CACEO) President was confronted outside of his home by someone who admitted that he had obtained the President’s home address from the DMV!

Senate Bill 1286 will address this issue by including all Code Enforcement/Compliance Officers under the protections of California Vehicle Code Section 1808.4. It is an important, added layer of safety that will help assure that all Code Enforcement Officers will have their DMV information secured.

It bears repeating that there is no difference between the dangers facing Code Enforcement Officers who are currently covered under the law and those Code Enforcement Officers who currently are not currently covered.

Please help protect our Code Compliance staff and potentially save lives by supporting SB 1286.

Sincerely,

Kevin Cann, Chairman
Mariposa County Board of Supervisors
May 5, 2020

Senate Appropriations Committee
Sent via email

Senator Anthony Portantino
Senate Appropriations Committee, Chair
Senator.portantino@senate.ca.gov

Senator Patricia Bates, Committee Vice-Chair
Senator.bates@senate.ca.gov

Senator Steven Bradford, Committee Member
Senator.bradford@senate.ca.gov

Senator Jerry Hill, Committee Member
Senator.hill@senate.ca.gov

Senator Brian W. Jones, Committee Member
Senator.Jones@senate.ca.gov

Senator Bob Wieckowski, Committee Member
Senator.wieckowski@senate.ca.gov

RE: Support of SB 1286 (Nielsen)

Esteemed Committee Members,

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Mariposa County Board of Supervisors