

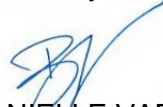
## ANALYSIS

This ordinance calls for a special election to be held on November 8, 2022, for the purpose of voting upon an amendment to the Charter of the County of Los Angeles ("County") granting the Board of Supervisors authority to remove an elected Sheriff for cause, by a four-fifths vote, after notice and an opportunity to be heard. The justification for removal in the proposed County Charter amendment shall not affect the independent and constitutionally and statutorily designated investigative functions of a Sheriff. The ordinance also states that the Board of Supervisors may provide for procedures by which a removal proceeding pursuant to this section shall be conducted.

The ordinance also directs the consolidation of the special election with the Statewide general election to be held on the same day.

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By:



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DV:eg

Requested: 7/12/2022  
Revised: 7/22/2022

**ORDINANCE NO. \_\_\_\_\_**

An ordinance calling a special election to be held on November 8, 2022, throughout the County of Los Angeles for the purpose of voting upon an amendment to the Charter of the County of Los Angeles and directing the consolidation of the election with the Statewide general election to be held on the same day.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1. Call of Election and Purpose.**

A special election is hereby called, proclaimed, and ordered to be held on November 8, 2022, for the purpose of voting upon a proposed amendment to the Charter of the County of Los Angeles.

**SECTION 2. Form of Measure.**

The exact form of the measure as it is to appear on the ballot and the complete text of the proposed Charter amendment is as follows:

<b><u>PROPOSED COUNTY CHARTER AMENDMENT.</u></b>  CHARTER AMENDMENT – PROVIDING AUTHORITY TO REMOVE AN ELECTED SHERIFF FOR CAUSE. Shall the measure amending the County of Los Angeles Charter to grant the Board of Supervisors authority to remove an elected Sheriff from office for cause, including violation of law related to a Sheriff's duties, flagrant or repeated neglect of duties, misappropriation of funds, willful falsification of documents, or obstructing an investigation, by a four-fifths vote of the Board of Supervisors, after written notice and an opportunity to be heard, be adopted?	YES
	NO

MEASURE \_\_\_\_\_

This measure (XXXXX) will become effective only if submitted to the voters at the election held on November 8, 2022, and only after approval by a majority of the qualified voters voting in the election on the issue.

The Charter amendment will take effect as provided for in sections 23713 and 23714 of the Government Code.

Section 13.5 of Article IV of the Charter of Los Angeles County is added to read as follows:

**Section 13.5**

A. The Board of Supervisors may remove a Sheriff from office for cause, by a four-fifths vote, after a Sheriff has been:

- (1) Served with a written statement of alleged grounds for removal; and
- (2) Provided a reasonable opportunity to be heard regarding any

explanation or defense.

B. For the purposes of this Section, "cause" means:

- (1) Violation of any law related to the performance of a Sheriff's duties;
- (2) Flagrant or repeated neglect of a Sheriff's duties as defined by law;
- (3) Misappropriation of public funds or property as defined in California

law;

- (4) Willful falsification of a relevant official statement or document; or

(5) Obstruction, as defined in federal, State, or local law applicable to a Sheriff, of any investigation into the conduct of a Sheriff and/or the Los Angeles Sheriff's Department by any government agency, office, or commission with jurisdiction to conduct such an investigation.

C. The Board of Supervisors may provide for procedures by which a removal proceeding pursuant to this Section shall be conducted.

D. This Section shall not be applied to interfere with the independent and constitutionally and statutorily designated investigative function of a Sheriff.

**SECTION 3 Legal Effect of Inoperative Provisions.**

In the event that the amendment to the County of Los Angeles ("County") Charter contained in this measure is rendered inoperative because of the actions of any court, legislative or other body, or for any other reason, the provisions of the County Charter in effect on November 8, 2022, will remain in full force and effect.

**SECTION 4 Legal Effect of Invalid Provisions.**

If any section, subsection, subdivision, paragraph, sentence, clause, phrase, or word of this proposition is for any reason held to be invalid or unenforceable, such invalidity or unenforceability will not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, phrases, or words of section 13.5 of Article IV of the County Charter. The voters of the County declare that they would have independently adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase, or word of this Proposition irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences,

clauses, phrases, or words of section 13.5 of Article IV is declared invalid or unenforceable.

**SECTION 5 Consolidation.**

The special election will be consolidated with the Statewide general election to be held on Tuesday, November 8, 2022. The measure will be placed on the same ballot as that provided for the general election. The precincts, polling places or vote centers, and precinct board members will be the same as provided for the Statewide general election.

**SECTION 6 Proclamation.**

Pursuant to section 12001 of the Elections Code, the Board of Supervisors of the County hereby PROCLAIMS that a special Countywide election will be held on Tuesday, November 8, 2022, to vote upon the Charter amendment described in Section 2 of this ordinance.

**SECTION 7 Effective Date.**

Pursuant to section 9141 of the Elections Code and section 25123 of the Government Code, this ordinance will take effect upon the adoption thereof.

**SECTION 8 Authority.**

This ordinance is adopted pursuant to sections 23720, 23730, and 23731 of the Government Code, and sections 9141, 10402, 10403, and 12001 of the Elections Code.

**SECTION 9 Publication.**

This ordinance must be published once before the expiration of fifteen (15) days after its passage in a daily newspaper of general circulation, printed, published, and circulated in the County pursuant to section 25124 of the Government Code.

The Executive Officer of the Board of Supervisors is ordered to file a copy of this ordinance with the County Registrar-Recorder at least 88 days prior to the day of the election.

[CHARTERSEC135AZCC]