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LOS ANGELES COUNTY SHERIFF
CIVILIAN OVERSIGHT COMMISSION

JULY 25, 2022

SPECIAL HEARING ON DEPUTY GANGS IN THE SHERIFF'S DEPARTMENT

MEMBERS

COMMISSION CHAIR SEAN KENNEDY

COMMISSIONER ROBERT BONNER

COMMISSIONER PATTI GIGGANS

COMMISSIONER LAEL RUBIN

COMMISSIONER JP HARRIS

COMMISSIONER LUIS GARCIA

COMMISSIONER JAMON HICKS

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ATTENDEES

Commission Chair, Sean Kennedy

COMMISSIONERS:

Robert Bonner

Patti Giggans

Lael Rubin

JP Harris

Luis Garcia

Jamon Hicks

Special Counsel: Bert Deixler, Kendall, Brill & Kelly,

LLP

Special Counsel: Sarah Moses, Manatt, Phelps & Phillips,

LLP

Commission Staff Member Ingrid Williams

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Oversight Commission

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1 P-R-O-C-E-E-D-I-N-G-S

2 MS. LIM: Good morning, everyone.

3 As Chair Kennedy said, my name is Ester. I serve as
4 a justice deputy for Supervisor Solis who served the First
5 District. And I'm really pleased, also very fast, that I'm
6 doing this commendation for Cathleen Beltz who served as the
7 assistant inspector general for the Office of Inspector General
8 for LA County.

9 So this is a commendation scroll on behalf of the
10 Los Angeles County Board of Supervisors for -- and I'm going to
11 read what the scroll says.

12 "In recognition of dedicated service (inaudible) the
13 community and for the civic pride demonstrated by numerous
14 contributions (inaudible)."

15 CHAIR KENNEDY: Catie Beltz, we're all going to really
16 miss you.

17 MS. BELTZ: Thank you.

18 CHAIR KENNEDY: Mr. Deixler, I think it's time to begin
19 this hearing. It's been quite a weekend.

20 I -- I guess before we do that, technically, my
21 staff -- our staff will tell us that we should do the roll
22 call.

23 MS. WILLIAMS: Commissioner Bonner?

24 COMMISSIONER BONNER: Here.

25 MS. WILLIAMS: Commissioner Cooper?

1 UNIDENTIFIED SPEAKER: (Inaudible.)

2 MS. WILLIAMS: Commissioner Garcia?

3 COMMISSIONER GARCIA: Here.

4 MS. WILLIAMS: Commissioner Giggans?

5 COMMISSIONER GIGGANS: Here.

6 MS. WILLIAMS: Commissioner Harris?

7 COMMISSIONER HARRIS: Here.

8 MS. WILLIAMS: Commissioner Hicks?

9 COMMISSIONER HICKS: Here.

10 MS. WILLIAMS: Excuse me. Vice Chair Hicks.

11 Chair Kennedy?

12 CHAIR KENNEDY: Present.

13 UNIDENTIFIED FEMALE: And Commissioner Rubin?

14 CHAIR KENNEDY: Commissioner Rubin notified me that she is
15 running late but will be here in 20 minutes.

16 With that, Mr. Deixler, I'm going to turn it over to
17 you to let us know what we're going to -- what's going to
18 happen today because the -- the events over the weekend have
19 confused me.

20 MR. DEIXLER: In keeping with our regular ordering of
21 business, I'd like to update the commission more generally on
22 some procedural matters and then get to that which everybody's
23 interested in particular.

24 I report we served upon a Custodian of Records for
25 the Sheriff's Department a subpoena duces tecum seeking, among

1 other things, calendar entries for Sheriff Villanueva, Captain
2 Del Mese, and documents related to the Kennedy Hall
3 investigation. The subpoena was served last week and required
4 production today. So far as I know, we have not received a
5 response nor any production.

6 Second, on Friday, July 22nd -- this last Friday --
7 county counsel filed a petition for an Order to Show Cause re
8 Contempt for the failure of Sheriff Villanueva and Undersheriff
9 Murakami to appear on July 1st, as was required by subpoenas
10 that were served on the 15th of June.

11 Also on Friday, July 22nd, at 9:29 p.m., Lieutenant
12 Sean O'Donnell, who you will recall has purported to serve as a
13 liaison between me and the Sheriff's Office, sent me an email.
14 The email stated:

15 "As you may be aware, Sheriff Villanueva is set to
16 appear at the COC hearing on Monday, July 25th, 2022. Sheriff
17 Villanueva is able to testify from 9:00 a.m. to 11:00 a.m.

18 "Can you please send me the list of questions and
19 exhibits you attend [sic] to use at the hearing. Furthermore,
20 Sheriff Villanueva will be represented by counsel.

21 "Can you please provide the requested documents to me
22 by Sunday, July 24th, 2022, 9:00 a.m.

23 "Thank you for your attention to this matter."

24 Contrary to my goal to keep my devices closed on
25 weekend evenings, I checked my email, found this 9:29 email,

1 and responded at 10:56, Friday night, to Lieutenant O'Donnell.

2 "I understand that the Sheriff is belatedly
3 attempting to comply with the subpoena that required his
4 attendance on July 1st and for which you -- you accepted
5 service; correct?

6 "As you know, his failure to appear is now the
7 subject of an application for an Order to Show Cause re
8 Contempt. If the Sheriff does appear, the Sheriff will be
9 sworn as all other witnesses.

10 "I believe the commission will attempt to accommodate
11 the Sheriff's schedule, if possible. Another witness is
12 scheduled to testify at 9:00 a.m. Perhaps that testimony can
13 be deferred until after the Sheriff's testimony is completed.

14 "Like all other witnesses, the Sheriff will have the
15 opportunity to hear and answer the questions in real time,
16 under oath. There is no need for a preview, nor will a preview
17 be provided.

18 "If I have misunderstood any of your representation
19 or if you, any part of mine, please let me know by
20 Sunday, July 24th, at 9:00 a.m.

21 "Thank you for your attention to this matter."

22 I can report that I've had no response from
23 Lieutenant O'Donnell by Sunday at 9:00 a.m., or at any other
24 time yesterday.

25 As would be expected of any lawyer, I spent time

1 preparing so that the commission, the public, and the Sheriff
2 would have the benefit of a complete record of the Sheriff's
3 testimony on matters being examined by the commission.

4 On Sunday, at approximately 1:19 p.m., I received a
5 text from Chair Kennedy that notwithstanding the representation
6 given to me, Twitter carried a story saying that the Sheriff
7 wouldn't testify today.

8 I learned from the Twitter post, no copy of the
9 Sheriff's letter having been sent to me, that this time the
10 Sheriff refused to testify in a letter demanding, among other
11 things, a, quote, "neutral hearing officer, the right of
12 cross-examination," and criticized me for the use of a Brady
13 List document, which he asserted was falsely claimed to be an
14 official government record.

15 On that point, in fact, when my colleague Mr. Forman
16 presented it, he made no reference to it as an official
17 government record. The hearing transcript and the video
18 recording will so demonstrate.

19 It is in fact the case that the website that was
20 referenced and displayed for all to see consisted of
21 information derived from official government records.

22 Mr. Del Mese affirmed that he was, as represented, a
23 member of the Grim Reapers deputy clique, the point of that
24 reference.

25 As you know, this is not the first time the Sheriff

1 has presented a just-in-the-nick-of-time excuse for not
2 testifying. We recall that in connection with his required
3 appearance on the 1st of July that the fact that he would be
4 subpoenaed to testify was announced on June 10th at the
5 commission hearing.

6 You will recall that I had invited the Sheriff on
7 May 31st to testify at the June 10 hearing. I had no response
8 to that invitation.

9 On July [sic] 13th, Lieutenant O'Donnell agreed to
10 accept electronic service of the subpoenas for Chief Tardy,
11 Undersheriff Murakami, and Sheriff Villanueva.

12 The subpoenas were served electronically by Chair
13 Kennedy on July [sic] 15th.

14 Lieutenant O'Donnell sent me an email on July [sic]
15 15 stating that the Sheriff's schedule was filling up, and he
16 was no longer available on July 1st.

17 On June 29th, I received a copy of a letter from an
18 attorney for the Sheriff and Undersheriff Murakami announcing
19 that I had a conflict of interest because a partner of my firm
20 was representing the Sheriff in a matter pending in federal
21 court.

22 As I discussed at the July 1 hearing, the claim was
23 and remains false. The county counsel, which engaged my
24 firm, promptly confirmed that the firm did not represent the
25 Sheriff. Full stop.

1 The letter also asserted that the subpoena was
2 harassing because the Sheriff had appeared before the COC in
3 January of 2021 and the OIG in April 2022.

4 Third, it claimed the subpoena sought irrelevant
5 information, that is, the testimony of the two highest ranking
6 officials in the LASD.

7 And this is my personal favorite. The Sheriff
8 objected on security grounds because the past hearings had been
9 attended by persons who are, quote, "openly and aggressively
10 hostile to the LASD as evidenced by their chanting and wearing
11 jackets stating 'F the Sheriff.'"

12 The letter also announced that Undersheriff Murakami
13 had long-standing medical issues which precluded him from
14 testifying before the COC.

15 Well, while there were other boilerplate objections,
16 there was no mention that the Sheriff's schedule had filled up
17 and he was unavailable for that reason.

18 So with that background, today we'll have at least
19 two and, we hope, three witnesses.

20 Chief Tardy will continue her examination.

21 We will play a videotaped deposition of retired
22 Chief Joseph Gooden who was headed out of state and was,
23 therefore, unavailable to testify in person.

24 And third, we're hopeful that Undersheriff Murakami
25 would appear. The letter from the Sheriff spoke only of his

1 reasons for not appearing but didn't mention Undersheriff's
2 reasons, if any.

3 We had two additional witnesses who were scheduled
4 for today: One, a retired deputy, and the other, a current
5 deputy. Because of the assurance the Sheriff was going to
6 testify and needed to do so between 9:00 and 11:00, I told each
7 of the witnesses Saturday morning that we would have them
8 testify at a later date. And so I apologize if we run out of
9 witnesses and waste or lose time.

10 With that, we are ready to proceed with the
11 completion of Chief Tardy's examination. That is going to
12 continue to be led by Sarah Moses of the Manatt firm.

13 Undersheriff Murakami will be examined by Anthony
14 Pacheco of the Vedder Price firm.

15 Thank you.

16 COMMISSIONER BONNER: Just a couple of questions,
17 Mr. Deixler.

18 CHAIR KENNEDY: Mr. -- Mr. Deixler --

19 MR. DEIXLER: Yes.

20 CHAIR KENNEDY: -- yes.

21 Go ahead, Rob.

22 COMMISSIONER BONNER: This -- this is on the subpoena
23 duces tecum that's been served and -- and was called for
24 responsive documents from the Sheriff's Department today, and
25 apparently, that subpoena is going to be defied.

1 My recollection is that that subpoena was authorized
2 by the commission, and if it wasn't, I want to make sure it's
3 been ratified by the commission.

4 Can you clarify for me whether it's been authorized?

5 MR. DEIXLER: Yes. I believe it was authorized at the
6 hearing itself. In fact, we were directed to prepare the
7 subpoena by the commission. A vote was taken, and you were
8 told to...

9 COMMISSIONER BONNER: That's my recollection as well,
10 and -- and it called for a custodian of records to appear at
11 9:00 a.m. Just for the record, it's about 9:20 a.m. now, and
12 no one's appeared.

13 I am going to make a motion that we -- the commission
14 request and direct county counsel to promptly file a -- an
15 action in the Superior Court for the County of Los Angeles to
16 essentially enforce that subpoena with all deliberate speed.

17 The second thing is I -- I have the -- the letter
18 that was received, I believe, actually yesterday -- at least
19 that's when I think the commission received it from the -- from
20 the Sheriff -- signed by the Sheriff dated July 24th that I
21 believe, received by us yesterday, although announced by
22 Twitter, maybe the day before, by the Sheriff. There are four
23 things that he sets forth in his letter.

24 First of all, let me just say for the record, let's
25 make -- make the letter a part of the record in this

1 proceeding.

2 But he starts off the letter by saying, "I strongly
3 believe that every public servant must be open to public
4 scrutiny and legitimate oversight."

5 Let me just say, personally, given the Sheriff's
6 behavior, that's laughable, that statement. I might use the
7 word risible, but I want to make sure body -- every --
8 everybody understands me here.

9 But the second, and probably the more substantive
10 point is that the Sheriff, basically, is saying this letter, if
11 I'm interpreting it correctly, that he's never going to appear
12 before us unless we agree before, as he calls them,
13 "protocols," which, to my knowledge, he's never negotiated or
14 attempted to negotiate or discussed with either special counsel
15 for the Oversight Commission or Executive Director or the
16 Chair. But he sets them forth, nonetheless, and he -- he
17 essentially says that he's not going to testify, and I'm kind
18 of reading into the letter here, unless there's a neutral
19 hearing officer, and the ability to cross-examine the --
20 cross-examine witnesses.

21 I suppose if he ever testified before us he would
22 want to be able to cross-examine himself, but -- but he wants
23 to have somebody here to cross-examine witnesses and have a
24 neutral hearing officer.

25 Well, this body is a -- this is a neutral body.

1 We're an independent body, we're investigating the matter.
2 It's not a court hearing. It's not a criminal proceeding.
3 There is no earthly right to having a hearing officer apart
4 from the -- this commission and the Sheriff, and there is no
5 right to cross-examine witnesses.

6 So those requests should be -- they should be part of
7 the record here this morning that the commission and I have to
8 make a motion on this, simply say, "We're not hearing those
9 requests. You're -- you're expected to testify and appear
10 before this commission, under oath, and answer questions. And
11 it's not going to be conditions upon some independent hearing
12 officer being appointed or the ability of the Sheriff, through
13 has counseled, to cross-examine the witnesses in our -- in our
14 investigative proceeding or our hearings."

15 The -- the third and fourth requests are that he
16 wants to -- he wants to make an opening statement, and he wants
17 to preview all exhibits before he actually appears and
18 testifies before the commission.

19 These requests are out of line. They're not
20 appropriate, and we -- we should make clear that we're not
21 going to accede to these requests.

22 So I just want to make a record of it. I -- I -- I
23 think these requests, you know, to say they border on the
24 frivolous is -- is an overstatement. They should not be
25 granted. I make a motion that, essentially, if the request is

1 made -- that were made in the Sheriff's letter that are --
2 appear to be prerequisites for his testimony before this
3 Oversight Commission, which is already -- in which he's already
4 failed to appear pursuant to our subpoena -- are -- are out of
5 line, and they should be -- should not be acceded to.

6 That's my motion.

7 CHAIR KENNEDY: Okay.

8 I just want to say, Rob, like, regarding the subpoena
9 duces tecum, I think that's returnable on August 5th. It was
10 revised because of some scheduling issues in the service so
11 they do have additional time to respond to that.

12 COMMISSIONER BONNER: How -- how much time do they have?
13 What -- what did we give them?

14 CHAIR KENNEDY: I believe it's returnable on August 5th.

15 And I ask our inspector general who served -- who had
16 it served for us.

17 MR. HUNTSMAN: I -- I apologize. I don't -- I don't have
18 the document. I will check in my email when we returned the
19 service. And I believe you're correct about the date, but it's
20 definitely not today's date. I'll -- and so I would ask if you
21 do the motion that it be in anticipation of should they not
22 provide by that time.

23 COMMISSIONER BONNER: Well, we don't -- well, I --

24 CHAIR KENNEDY: We'll just wait.

25 COMMISSIONER BONNER: -- I'll just withdraw the motion,

1 and then at the -- I'll count on Mr. Deixler when this -- or
2 one of the other special counsel to advise us if the subpoena
3 has not been properly complied with. So I will withdraw that
4 motion.

5 But I -- I do think we ought to -- unless Mr. Deixler
6 advises otherwise, I think we ought to have some sort of a
7 formal response by the Oversight Commission on the -- on these
8 frivolous requests that the Sheriff is making as preconditions
9 to his testifying before the Oversight Commission.

10 MR. DEIXLER: If I might ask, the commission's has been
11 criticized for permitting hearsay.

12 I never received a copy of the letter from which you
13 read. The only thing I've seen is the Twitter summary of it.
14 So if I could have that for my personal files to cure the
15 hearsay problem that I'm sure, otherwise, would be identified,
16 that would be my request --

17 COMMISSIONER BONNER: We'll -- we'll make sure you have a
18 copy --

19 MR. DEIXLER: Thank you.

20 COMMISSIONER BONNER: -- Mr. Deixler.

21 CHAIR KENNEDY: Yes. Lael, you'd like to say something?

22 COMMISSIONER RUBIN: Yes.

23 I'm still reeling from all of this, but I do believe
24 that the Sheriff has made these absurd requests at other times
25 that he was served with subpoenas and/or was sought to appear.

1 So this is a repeat of his outrageous behavior and his clear
2 intention that he never intends to appear before this
3 commission.

4 CHAIR KENNEDY: Well, any other commissioners before we
5 get started?

6 Rob, I just want to say I -- I agree with you, and
7 it's just not appropriate for this oversight body to allow the
8 Sheriff to dictate the terms of our oversight hearing. I mean,
9 that's -- that's not appropriate. And so would it suffice if I
10 work with Mr. Deixler and submit a written rejection of the
11 so-called protocols?

12 I -- I frankly don't believe any of them were
13 proposed to us before he sent this letter, but had they been
14 proposed, I -- I think the answer has to be no.

15 COMMISSIONER BONNER: I'm satisfied to leave it to the
16 Chair in consultation with Mr. Deixler to, let's say,
17 appropriately respond to the Sheriff's letter that --

18 CHAIR KENNEDY: Okay.

19 COMMISSIONER BONNER: -- bears the date July 24th, 2022.

20 MR. DEIXLER: I'll -- I'll check my Twitter feed to see if
21 there's anything new.

22 CHAIR KENNEDY: With that, Mr. -- well, just one -- one
23 last thing you said.

24 Undersheriff Murakami, is he here?

25 MR. DEIXLER: I'm not sure. I don't see him, but I'm an

1 eternal optimist.

2 CHAIR KENNEDY: And have we heard from his lawyer because
3 I know there was a letter from someone who is often referred to
4 as the Sheriff's personal lawyer invoking some kind of
5 privilege on behalf of Undersheriff Murakami?

6 MR. DEIXLER: No. I think we haven't heard from any
7 lawyer on behalf of sheriff -- Undersheriff Murakami since the
8 letter of June 29th saying that his health conditions made it
9 impossible for him to testify.

10 Subsequently, I had heard -- again, we rely on
11 hearsay here -- from a non-Sheriff's Department source that he
12 was contemplating changing his point of view and appearing.

13 It appears he's sticking with his original conclusion
14 that he didn't want to answer questions under oath.

15 CHAIR KENNEDY: Okay.

16 COMMISSIONER BONNER: I take it, by the way, that -- just
17 to underscore it, I don't think we need a motion. But the
18 county counsel at -- at the request of the Sheriff's Civilian
19 Oversight Commission has filed this, as Mr. Deixler noted, an
20 appropriate enforcement action in LA County Superior Court to
21 compel the Sheriff to testify. I hope they've also filed one
22 to compel the undersheriff to testify.

23 MR. DEIXLER: Yes, they have. It was in one document.

24 COMMISSIONER BONNER: And -- and I just want to underscore
25 to county counsel and -- that this -- this commission requested

1 that those actions, those petitions to the LA County Superior
2 Court be moved as expeditiously as possible so that we have an
3 order. Either the Sheriff appears at our next hearing or he's
4 held in contempt of court, and I want -- I want county counsel
5 to understand that.

6 So the next hearing day -- I'm not sure we have
7 one -- but we'll -- I think we'll have one in August -- we --
8 we expect either him to be held in contempt or for the Sheriff
9 to appear before this body and that's -- that's all equally
10 true of Undersheriff Murakami.

11 MR. DEIXLER: (Inaudible.)

12 CHAIR KENNEDY: Shall we begin?

13 COMMISSIONER RUBIN: Yes.

14 MR. DEIXLER: I think Sarah Moses will resume her
15 examination of Chief Tardy whom I hold in the back.

16 CHAIR KENNEDY: Can we bring out Chief Tardy?

17 CHIEF TARDY: Good morning.

18 CHAIR KENNEDY: Good morning, Chief Tardy. Thank you for
19 being here today, again. We appreciate it.

20 MS. TARDY: Good morning.

21 CHAIR KENNEDY: And I will remind you that you are already
22 under oath.

23 MS. TARDY: Yes. I understand.

24 MS. MOSES: Good morning, Chief Tardy.

25 MS. TARDY: Good morning.

1 MS. MOSES: Good to see you again. Welcome back.

2 MS. TARDY: You as well.

3 MS. MOSES: We last spoke at the July 1st commission
4 hearing. We'll be continuing that discussion today.

5 Last time we were here, we studied together Penal
6 Code Section 13670, which defines a law enforcement gang as a
7 group with three parts: identified by a name, associated with
8 an identifying symbol like a tattoo, and violates the law or
9 fundamental principles of professional policing.

10 We established together that the Banditos out of the
11 East LA Station qualify as a law enforcement gang.

12 And as to the Executioners out of the Compton
13 Station, we established that they identified by a name and are
14 associated with a tattoo. But you had testified that you were
15 unaware of any member of the Executioners having violated the
16 law or fundamental principles of professional policing.

17 Please tell me, what have you done since we last
18 spoke to determine if any member of the Executioners has
19 violated the law or fundamental principles of professional
20 policing?

21 MS. TARDY: I've been on vacation for two weeks. I'm
22 coming back today.

23 MS. MOSES: So nothing.

24 MS. TARDY: That's correct.

25 MS. MOSES: Now, we'll get into the specifics of the

1 Executioners in a bit, but if you don't mind me asking, I
2 understand that you're not willing to admit at this point that
3 the Executioners qualify as a law enforcement gang, but do you
4 admit that they qualify as a deputy subgroup or a clique?

5 MS. TARDY: Yes, I do.

6 MS. MOSES: And deputy subgroups or cliques are prohibited
7 under department policy; correct?

8 MS. TARDY: Yes.

9 MS. MOSES: Is there a reason that you prefer to use the
10 terminology "deputy subgroup or clique" as opposed to law
11 enforcement gang?

12 MS. TARDY: Yes. Just based on my -- my experience, as I
13 tried to explain before. Having worked criminal street gangs,
14 I know that there has to be some type of behavior along with
15 the tattoo or some type of sign or symbol. In addition to
16 that, just the actions of the individual in furtherance of a
17 subgroup.

18 MS. MOSES: Has anyone at the Department instructed you to
19 refer to these groups as subgroups or cliques as opposed to law
20 enforcement gangs?

21 MS. TARDY: No.

22 MS. MOSES: Last time we left off we were talking about
23 the Kennedy Hall violence in 2018. This was a violent episode
24 in which a group of Banditos started fighting non-Banditos,
25 sending two of those deputies to the hospital with injuries.

1 As we discussed last time, you became the commander
2 of the Central Patrol Division in January 2019, which includes
3 the East LA Station, the station involved in the Kennedy Hall
4 violence; is that right?

5 MS. TARDY: That's correct. But I wasn't responsible
6 for -- I was responsible for three other stations within the
7 division.

8 MS. MOSES: In addition to East LA?

9 MS. TARDY: No. I was not responsible for East LA
10 Station. I had a partner who had three stations and I had
11 three additional stations.

12 MS. MOSES: As a commander?

13 MS. TARDY: As a commander; correct.

14 MS. MOSES: And what role did you play in the Kennedy Hall
15 investigation and the discipline imposed as a result?

16 MS. TARDY: I was the decision-maker when the case came to
17 its conclusion, and I rendered the -- the discipline.

18 MS. MOSES: And did you review the investigatory materials
19 before imposing that discipline?

20 MS. TARDY: I did.

21 MS. MOSES: Can you please tell me how many Banditos the
22 Kennedy Hall investigation identified.

23 MS. TARDY: As far as I know, there were four.

24 MS. MOSES: And who were those individuals?

25 MS. TARDY: Four that had been terminated.

1 MS. MOSES: Do you recall their names?

2 MS. TARDY: Munoz, Silverio, Hernandez, and I'm missing
3 one.

4 MS. MOSES: Can you tell me of those four that were
5 identified as Banditos, were any of them asked by investigators
6 if they were indeed members of the Banditos?

7 MS. TARDY: I believe they were asked about the tattoo,
8 yes.

9 MS. MOSES: Are you aware of testimony from former
10 Chief Burson that he was instructed by then Chief of Staff
11 Larry Del Mese at the request of the Sheriff, to have the
12 investigators refrain from asking questions about deputy
13 subgroup status during the course of the Kennedy Hall
14 investigation?

15 MS. TARDY: Yes. I heard his testimony.

16 MS. MOSES: Are you -- were you aware firsthand of that
17 instruction?

18 MS. TARDY: No, I wasn't.

19 MS. MOSES: When was the first time that you became aware
20 of it?

21 MS. TARDY: During this hearing when Matt Burson
22 testified.

23 MS. MOSES: Based on your 25-plus years' experience with
24 the Department, is it generally important to determine the
25 motive of a crime or violence as it's being investigated?

1 MS. TARDY: Yes, it is.

2 MS. MOSES: Can you think of any valid investigatory
3 reason for the Sheriff to instruct the investigators not to ask
4 about the motive for the Kennedy Hall violence?

5 MS. TARDY: No. I -- I can't; however, the subgroups
6 policy wasn't in effect at the time. So at the -- during this
7 investigation, it was handled as conduct towards others,
8 professional standards, and general behavior.

9 MS. MOSES: Irrespective of whether or not it was against
10 department policy to be a member of a subgroup at the time, it
11 was alleged that the violence was perpetrated by members of the
12 Banditos in order to enforce their will on non-members within
13 the station. And so the question is whether or not that motive
14 for the violence would be important to investigate regardless
15 of whether there's a department policy against it.

16 MS. TARDY: Yes. Motive is always important.

17 MS. MOSES: Now, about 73 witnesses were identified in
18 connection with the Kennedy Hall investigation. Forty to 50
19 agreed to participate, and another 20 to 30 refused to
20 participate.

21 Can you tell me, first, refusal to participate
22 in an investigation is a violation of the Department policy;
23 correct?

24 MS. TARDY: They -- yes, it can be.

25 MS. MOSES: In what instances is that?

1 MS. TARDY: Okay. Thank you.

2 The -- I believe that they refused to participate in
3 the criminal investigation, which they have their right to do
4 so, but the -- but they participated in the administrative
5 investigation.

6 MS. MOSES: And in the criminal investigation of those
7 20 to 30, how many invoked their Fifth Amendment right against
8 self-incrimination?

9 MS. TARDY: I'm unaware.

10 MS. MOSES: Does zero sound about right?

11 MS. TARDY: I'm not sure. I don't recall.

12 MS. MOSES: So of the 40 to 50 who agreed to participate
13 in the investigation, how many of them were asked by
14 investigators if they were members of the Banditos or if the
15 Banditos caused or contributed to the violence?

16 MS. TARDY: I don't believe any of them were.

17 MS. MOSES: So each individual got to decide for him- or
18 herself if he wanted -- he or she, I suppose -- wanted to
19 participate in the investigation and then got to decide if he
20 or she would testify as to the importance of the Banditos or
21 the influence of the Banditos on the violence; is that right?

22 MS. TARDY: There are two separate investigations. One is
23 the criminal aspect of it, and then one is the administrative
24 aspect of it.

25 So, yes. In the administrative, everyone was asked

1 the same questions. And as far as whether or not they were
2 involved in the subgroup, I don't believe that it was asked.

3 MS. MOSES: And of the 20 to 30 witnesses who were
4 identified who refused to participate in the criminal
5 investigation, how many of them were ultimately compelled to
6 give testimony?

7 MS. TARDY: No one was compelled.

8 MS. MOSES: Could more have been done by the department to
9 probe the connection between the Kennedy Hall violence and the
10 Banditos?

11 MS. TARDY: I believe if the policy had been in place, we
12 probably would have had a little bit more direction as to how
13 the investigation would go. But because the Kennedy Hall
14 matter is what prompted the Sheriff to order the subgroups'
15 policy written, I believe that's where we are moving forward.

16 MS. MOSES: I'd like to press that a bit.

17 So the Department policy prohibits subgroups, but as
18 we discussed at the last hearing, the deputy subgroups or
19 cliques, as you call them, they operate as kind of a shadow
20 government or shadow authority in the stations in which they
21 exist, operating as shot callers, which we discussed was a
22 subversion of the natural hierarchy or the chain of command
23 within a particular station.

24 We also just discussed how the motive for a crime or
25 an act of violence would be an important thing to determine in

1 the course of an investigation. So I don't see how a
2 department policy prohibiting subgroups would have impeded the
3 investigation here as to how Banditos played a role in the
4 violence.

5 Could you please explain that a bit more.

6 MS. TARDY: I cannot explain that any further than I have.

7 The case was presented as it was to the district
8 attorney's office for filing consideration, and, as you know,
9 there -- it was not filed.

10 MS. MOSES: Now, you said that you played a role in
11 imposing the discipline as a result of the Kennedy Hall
12 investigation; correct?

13 MS. TARDY: Correct.

14 MS. MOSES: What discipline was imposed?

15 MS. TARDY: Anything from a written reprimand to
16 discharge.

17 MS. MOSES: And how many individuals were disciplined as a
18 result of the Kennedy Hall violence?

19 MS. TARDY: There were 26.

20 MS. MOSES: How many of those 26 were Banditos?

21 MS. TARDY: I only know of four.

22 MS. MOSES: Now, you spoke at a June 15, 2020, press
23 conference during which you explained that the Banditos who
24 chose to self-identify during the course of the investigation
25 were dealt with.

1 Patricia, if you could pull up Exhibit 9, we'll take
2 a look at that clip now.

3 "There were people who were identified --
4 self-identified during" --

5 "There were people who were identified --
6 self-identified" --

7 "There were people who were identified --
8 self-identified" --

9 "There were people who were identified" --

10 CHAIR KENNEDY: Appears to be one of those days with tech
11 problems, Ms. Moses.

12 MS. MOSES: We'll give it another moment; otherwise, we
13 can proceed.

14 "There were people who were identified --
15 self-identified during the course of the investigation, and
16 those employees were dealt with."

17 MS. MOSES: (Inaudible) or suspended as a result of the
18 Kennedy Hall violence who were members of the Banditos?

19 MS. TARDY: Yes. Three of them were self-identified --
20 self-admitted during the investigation, and one actually
21 retired during the course of the investigation.

22 MS. MOSES: And so when you say they self-identified or
23 self-admitted, this is them affirmatively raising their hands
24 and saying, "I'm a member of the Banditos"; is that right?

25 MS. TARDY: I believe a question was asked about a tattoo,

1 and they answered that they did have a tattoo.

2 MS. MOSES: Do you know if everyone -- all of the
3 witnesses who were -- who agreed to testify were asked if they
4 had a Banditos tattoo?

5 MS. TARDY: I believe I answered that, and I don't believe
6 they were asked.

7 MS. MOSES: The individuals who received the discipline,
8 there were four of them that you mentioned. The -- there
9 were 26 total terminations or suspensions.

10 Who were the rest of the terminations or suspensions,
11 if not Banditos?

12 MS. TARDY: What we would -- all the deputies that were --
13 people who were involved in the incident, part of the fight.
14 There were witnesses who never reported who were also
15 disciplined.

16 MS. MOSES: How many of the victims were disciplined?

17 MS. TARDY: I don't recall. But there were some victim
18 deputies who were involved and failed to report the incident.

19 MS. MOSES: There were four victims of the violence who
20 were disciplined, at least that I know of.

21 How does disciplining the victims of the violence
22 help the Department combat deputy subgroups?

23 MS. TARDY: We're looking at all of the policies, and
24 there were other policy violations that the victim deputies
25 violated as far as not reporting the incident. So I dealt with

1 everything across the board.

2 MS. MOSES: Now, the Department has also cited 36
3 transfers from the East LA Station as part of its efforts to
4 address the Kennedy Hall violence.

5 Patricia, can we take a look at that clip as well?
6 This is Exhibit 10.

7 "Throughout 2019, 36 personnel were transferred out
8 of East LA Station. This does not include the four employees
9 that were discharged and 22 employees that received suspensions
10 for the Kennedy Hall investigation."

11 MS. MOSES: (Loss of audio.)

12 MS. TARDY: I'm unsure. I don't know that answer.

13 MS. MOSES: Do you know how many grievances were filed as
14 a result of those transfers?

15 MS. TARDY: I don't believe any grievances were filed as a
16 result of that.

17 MS. MOSES: Is that common, in your experience, for no
18 grievances to be filed if the transfers were involuntary?

19 MS. TARDY: I've actually transferred people, and there's
20 been no grievances filed.

21 MS. MOSES: How many of the victims were transferred?

22 MS. TARDY: There were several victims who decided to go
23 to other stations, and I believe there was an email trail
24 between their captain at the time stating that they wanted to
25 go to other places, and they were found additional stations, I

1 believe, to go to.

2 MS. MOSES: And so as we're talking about deputies
3 self-identifying as Banditos, I suppose the obvious inverse
4 question is for any individual who decided it was not in his or
5 her best interest to participate in the investigation -- the
6 criminal investigation -- and then to self-admit as being a
7 member of the Banditos, how were those individuals dealt with
8 or identified? How do we know that Banditos who chose not to
9 self-identify during the course of the Kennedy Hall
10 investigation are still working in East LA Station?

11 MS. TARDY: We don't know. No.

12 MS. MOSES: At the May 24th hearing before this body, an
13 anonymous witness called in to testify.

14 Have you watched that testimony?

15 MS. TARDY: Yes.

16 MS. MOSES: Now, that witness is a deputy in the East LA
17 Station currently, and he or she made a number -- testified to
18 a number of facts that I'd like to ask whether or not you have
19 sought to confirm.

20 The anonymous witness testified that there are
21 currently 12 to 15 known Banditos at the East LA Station; is
22 that true?

23 MS. TARDY: That's what he testified to.

24 MS. MOSES: Is it true that there are 12 to 15 Banditos in
25 East LA?

1 MS. TARDY: Not that I've confirmed, no.

2 MS. MOSES: What have you done to confirm?

3 MS. TARDY: I actually conducted an inquiry into some of
4 the allegations that were made on that May 24th hearing. There
5 were some people who we suspected and were transferred prior to
6 the May 24th hearing. However, because of -- we have a
7 policy -- or at the direction of county counsel, we're not
8 allowed to ask if someone is a part of a subgroup. From
9 2014 --

10 MS. MOSES: Let me --

11 MS. TARDY: Yes.

12 MS. MOSES: Let me make sure I understand that correctly.

13 County counsel has instructed the Department they are
14 not allowed to ask any individual if they are a member of a
15 subgroup.

16 MS. TARDY: Unless it comes out during the course of an
17 investigation.

18 MS. MOSES: Okay.

19 Let's take a look, if we can, at Exhibit 2.

20 Patricia, could you pull that up for us?

21 And it's in the binder in front, if you'd like
22 (inaudible).

23 (Loss of audio) policy prohibiting employee or
24 personnel involvement in deputy cliques or subgroups. This was
25 published in February of 2020; is that right?

1 MS. TARDY: That's correct.

2 MS. MOSES: And it states -- I will read a short portion.

3 "Department personnel shall not participate or join
4 in any group of Department employees which promotes conduct
5 that violates the rights of other employees or members of the
6 public."

7 "Participation in these illicit groups herein
8 referred to as 'deputy cliques' or 'subgroups' which often
9 include an associated symbol and/or a tattoo, harms morale and
10 erodes public trust."

11 So this is current Department policy; correct?

12 MS. TARDY: Yes, it is.

13 MS. MOSES: And the supervisors within the Department are
14 charged with enforcing this policy.

15 MS. TARDY: That's correct.

16 MS. MOSES: And in enforcing this policy, the county
17 counsel has instructed members of the Department they may not
18 ask any other member of the Department if they are a member of
19 a deputy subgroup or clique.

20 MS. TARDY: Again, yes.

21 This was part of a review that was done by county
22 counsel in 2014.

23 Yes, I see the policy, and now with the policy as
24 part of an investigation, we can ask if they're part of a
25 subgroup.

1 MS. MOSES: But an investigation has to be commenced
2 first?

3 MS. TARDY: Correct.

4 MS. MOSES: So something has to go wrong before anyone's
5 getting asked if they're a member of a subgroup or a clique?

6 MS. TARDY: Yes.

7 MS. MOSES: Do you believe that this is an enforceable
8 policy given that restraint that you just described?

9 MS. TARDY: I can tell you that personally I know that we
10 can't ask because I have asked certain people if -- prior to
11 them coming to the station -- whether or not they were part of
12 the subgroup of that station, and I was later told I cannot do
13 that. So I think moving forward, I believe it would be in
14 everyone's best interest if we can ask the questions whether or
15 not they belong to the subgroup of the station that they're
16 currently working or trying to get to.

17 MS. MOSES: Have you told county counsel your view on this
18 issue?

19 MS. TARDY: I've spoken with counsel about it, yes.

20 MS. MOSES: And have you told the Sheriff your view on
21 this?

22 MS. TARDY: I have not.

23 MS. MOSES: Do you intend to?

24 MS. TARDY: I've spoken with -- we're a paramilitary
25 organization, so I speak to the assistant sheriff, who's my

1 direct supervisor, and I've had the conversation.

2 MS. MOSES: Does he or she agree with you that in order to
3 enforce this policy it would be helpful, maybe even necessary,
4 to ask if individuals are members of deputy subgroups or
5 cliques?

6 MS. TARDY: Yes.

7 MS. MOSES: And who -- do you recall who -- the county
8 counsel told you that you're not allowed to ask?

9 MS. TARDY: No, I don't. I don't remember, but I've had a
10 couple of different conversations.

11 MS. MOSES: And what explanation were you given?

12 MS. TARDY: Because of the 2014 -- there was a -- a study
13 done by county counsel, and it was their professional opinion
14 that we should not ask about tattoos, and that was from 2014.

15 MS. MOSES: Because it would expose the Department to
16 liability, or do you know anything further?

17 MS. TARDY: No. Because it violates the -- it violates
18 their rights.

19 MS. MOSES: I see.

20 So as a result of this instruction from county
21 counsel that you are not able to ask if anyone is a member of a
22 deputy subgroup or clique until an investigation starts, you've
23 not been able to determine if the anonymous witness's testimony
24 is true that there are currently 12 to 15 known Banditos in the
25 East LA Station?

1 MS. TARDY: That's correct.

2 MS. MOSES: The anonymous caller also testified that
3 members of the Banditos hold positions of influence at the
4 East LA Station as detectives and field training officers. Am
5 I correct to assume that you are also unable to determine if
6 that is true because of this instruction not to ask?

7 MS. TARDY: I don't believe that is true.

8 I'm trying to think of all the moves that have been
9 made of people that I suspected were Banditos prior to the
10 testimony, and I don't know if the person is currently working
11 there or is that old information or not. So I'm not sure if I
12 can answer that question.

13 MS. MOSES: In the instances where you suspected that
14 someone was a member of the Banditos, why did you suspect that?

15 MS. TARDY: Rumors. I -- I've heard of, you know, certain
16 people being at certain events. Just talk around the station
17 and from some of the supervisors that I rely on heavily. You
18 know, we have -- supervisors or sergeants are right there with
19 the deputies on shift, and they kind of own the shift. And so
20 I -- I kind of rely on -- on them for what they see going on
21 around the station and what they hear.

22 MS. MOSES: And those supervisors are telling you in some
23 instances that they are seeing what appears to be subgroup
24 activity?

25 MS. TARDY: Some. However, I kind of take a look at all

1 of the activity that is going on at the station which caused
2 some concern for me, and I know that I expressed it before but,
3 you know, just internal strife sometimes.

4 You know, the Kennedy Hall matter, there were people
5 who were terminated, and some people at the station weren't
6 happy about it so there was some internal strife.

7 And so those are some of the things that I kind of
8 pay attention to and realized that I needed to make some
9 changes.

10 MS. MOSES: The anonymous caller also testified that
11 deputies Miguel Ortiz and Luis Valle are currently shot callers
12 in East LA and members of the Banditos. Have you -- what have
13 you done to determine if either of those deputies are, indeed,
14 acting as shot callers within the East LA Station?

15 MS. TARDY: I haven't -- based on the information that
16 I've seen at the station with our supervisors, I haven't
17 noticed any type of activity. I haven't had any reports on any
18 of the activity of them being shot callers.

19 MS. MOSES: And you haven't asked either of those deputies
20 if they are, indeed, members of the Banditos?

21 MS. TARDY: No, I have not.

22 MS. MOSES: Now, at the June 15 press conference that we
23 have seen clips from, you did address some of the anonymous
24 witness's testimony. You refuted that the Banditos initiated a
25 work slowdown in 2021 because they felt they were being

1 unfairly disciplined by the station's captain, who is their
2 superior, of course.

3 A work slowdown is when the deputies do not take
4 proactive policing measures and, instead, wait for dispatch
5 calls; is that right?

6 MS. TARDY: That's correct. Handle calls for service.

7 COMMISSIONER BONNER: Counsel, just I'm wondering, perhaps
8 you meant East LA Station, but perhaps we've also heard about a
9 slowdown at the Compton Station. I just want to make sure
10 which -- what -- which station we're talking about.

11 MS. MOSES: This is the East LA Station, and we'll --

12 COMMISSIONER BONNER: Okay.

13 MS. MOSES: -- talk about Compton in a moment.

14 Patricia, can we listen to Exhibit 11, please.

15 "At the Civilian Oversight Commission hearing on
16 May 24th, an anonymous caller made allegations of a work
17 slowdown which may have impacted service times.

18 "I conducted an inquiry of not only the months of the
19 alleged slowdown, but the entire year of 2021, and the data did
20 not substantiate that claim. However, last fall, it came to my
21 attention that deputies were hanging around the station and not
22 driving around the communities. This issue was immediately
23 dressed -- addressed, and one individual was transferred from
24 the station."

25 What is the data that you reviewed from 2021 to

1 determine that no slowdown took place?

2 MS. TARDY: I reviewed the response times and service --
3 calls for service and observations.

4 MS. MOSES: And did you compare that data to, say, the
5 previous three months or the same period of time from the year
6 before?

7 MS. TARDY: I did the entire year. I know the anonymous
8 caller spoke of one month. I did the entire year.

9 MS. MOSES: And what is that data that you relied upon?

10 MS. TARDY: The calls for service and response times.

11 MS. MOSES: Is that publicly available information?

12 MS. TARDY: It should be, yes.

13 MS. MOSES: Okay.

14 And can you tell us where we can find that
15 information?

16 MS. TARDY: I'm not sure. Probably part of our database,
17 but I actually have the report too.

18 MS. MOSES: Here with you today?

19 MS. TARDY: I do.

20 MS. MOSES: Excellent. Thank you so much.

21 MS. TARDY: Uh-huh.

22 MS. MOSES: You also said on that clip that you found that
23 deputies were hanging around the station and not driving around
24 the community. How is that different than a work slowdown?

25 MS. TARDY: They're still handling calls for service;

1 they're not being proactive. That's the difference.

2 A work slowdown is when you're only handling calls
3 for service. So if they're at the station, they're dispatched
4 a call, they respond directly to the call.

5 MS. MOSES: And the individual who was transferred as a
6 result, was he a member of the Banditos?

7 MS. TARDY: I don't know.

8 MS. MOSES: Let's talk about the Compton Station.

9 Again, to remind everyone, you became the commander
10 of Central Patrol in 2019. Compton Station is a part of that
11 assignment; correct?

12 MS. TARDY: Yes, but not my station.

13 MS. MOSES: Right. Okay.

14 And when you became the commander, were you aware
15 that a deputy named Jaime Juarez was acting as a shot caller
16 within the Compton Station and a member of the Executioners?

17 MS. TARDY: I learned it from my partner, the other
18 commander there. He was previously the captain of the station.

19 MS. MOSES: And who was that?

20 MS. TARDY: Mike Thatcher.

21 MS. MOSES: Deputy Juarez has since been transferred from
22 the Compton Station; is that right?

23 MS. TARDY: Yes. I transferred him.

24 MS. MOSES: And why did you transfer him?

25 MS. TARDY: Because of his actions; because of the

1 information that I had received about the work slowdown. There
2 were several other incidents that happened at the station in
3 which I believe he was acting as a shot caller.

4 MS. MOSES: And so Deputy Juarez initiated a work slowdown
5 in the Compton Station in 2019 when the then-captain did not
6 select Deputy Juarez's preferred deputy as the scheduling
7 deputy. Is that what you're referring to?

8 MS. TARDY: That's the information I received, yes.

9 MS. MOSES: And you confirmed that that was true before
10 transferring him?

11 MS. TARDY: Yes.

12 MS. MOSES: And he still works with the Department; right?

13 MS. TARDY: Yes.

14 MS. MOSES: Now, Deputy Juarez was deposed earlier this
15 year in a lawsuit brought by Lieutenant Waldie whom we heard
16 from at the May 24th hearing before this body. There were a
17 number of individuals that he identified as having
18 Executioners' tattoos in that deposition.

19 If we could take a look at Exhibit 12. It's also in
20 your binder.

21 There's a number of names here, and I'd like to find
22 out what the Department did to determine if these individuals
23 were members of the Executioners and whether or not they still
24 work at the Compton Station.

25 We have Jose Sandoval. What has the Department

1 done -- done to determine if Deputy Sandoval is a member of the
2 Executioners?

3 MS. TARDY: I have done nothing. Jose Sandoval is -- he
4 doesn't work at Compton Station any longer.

5 MS. MOSES: Do you know where he works now?

6 MS. TARDY: No, I don't.

7 MS. MOSES: Does he still work for the Department?

8 MS. TARDY: Yes.

9 MS. MOSES: How about Jesse Sandoval?

10 MS. TARDY: I don't believe -- he's no longer at the
11 station, and he's still employed.

12 MS. MOSES: Omar Covarrubias?

13 MS. TARDY: Same. He has been transferred as well, and
14 he's still working for the Department.

15 MS. MOSES: And were any of those individuals transferred
16 as a result of their membership in the Executioners?

17 MS. TARDY: No. It was prior to our policy -- the
18 subgroups policy.

19 Actually, no. I stand corrected. I believe I
20 transferred them all in July of 2020 or somewhere around there.
21 The policy was enacted in February of 2020.

22 MS. MOSES: And did you transfer them as a result of them
23 having violated subgroups policy?

24 MS. TARDY: No. They weren't part of the investigation.
25 I transferred them prior to opening up the investigation, I

1 believe.

2 MS. MOSES: Okay.

3 How about James Cross?

4 MS. TARDY: I don't know who James Cross is.

5 MS. MOSES: Ruben Jimenez?

6 MS. TARDY: I don't believe -- he's no longer assigned to
7 Compton Station.

8 MS. MOSES: Edwin Barajas?

9 MS. TARDY: No longer assigned.

10 MS. MOSES: Taylor Ingersoll?

11 MS. TARDY: I don't believe he's assigned to Compton any
12 longer.

13 MS. MOSES: But still with the Department?

14 MS. TARDY: Yes.

15 MS. MOSES: Daniel Reese?

16 He's on the next page.

17 MS. TARDY: Oh, okay.

18 It's Ruiz -- Ruiz, not Reese. It's just transcribed
19 incorrectly.

20 I don't believe he is at the station any longer.

21 MS. MOSES: And so how many of those individuals that we
22 just spoke about were identified as members of the
23 Executioners?

24 MS. TARDY: I believe there were 11. I transferred 11.

25 MS. MOSES: And all of those still work at the Department?

1 MS. TARDY: Yes.

2 MS. MOSES: Okay.

3 Now let's talk about Deputy Samuel Aldama and
4 Mizrain Orrego. Do those names ring a bell?

5 MS. TARDY: Yes.

6 MS. MOSES: Donta Taylor was shot by them in 2016.

7 Aldama, as we saw from our -- as we saw at the last
8 hearing, has a prominent Executioners tattoo on his leg.

9 Deputy Aldama testified in a deposition in a lawsuit
10 based on that shooting that there are as many as 19 other
11 individuals who have, at that time at least, the same
12 Executioners tattoo at the Compton Station.

13 Did the Department do anything to identify those as
14 many as 19 individuals?

15 MS. TARDY: I don't know.

16 MS. MOSES: Deputies Aldama and Orrego were both
17 disciplined after Deputy Orrego was arrested for driving under
18 the influence with Deputy Aldama in the car; correct?

19 MS. TARDY: I believe so, yes.

20 MS. MOSES: And did -- did the investigation uncover that
21 Deputy Aldama lied to the police during the arrest in the
22 subsequent investigation?

23 MS. TARDY: I don't know. I wasn't part of the
24 investigation.

25 MS. MOSES: Is obstructing an investigation against the

1 law?

2 MS. TARDY: Yes, it is.

3 MS. MOSES: And does it violate fundamental principles of
4 professional policing?

5 MS. TARDY: It does.

6 MS. MOSES: I'd like to ask a bit about what the
7 Department has done to combat deputy subgroups or cliques under
8 the subgroup policy.

9 How many conversations have you had with Sheriff
10 Villanueva about the existence of deputy subgroups?

11 MS. TARDY: The Sheriff often discusses it during our
12 executive staff meetings. So there's been numerous
13 conversations, not with just me as a chief, but all chiefs and
14 his staff, his executive staff.

15 MS. MOSES: And so -- I'm sorry.

16 The Sheriff admits that deputy subgroups exist;
17 correct?

18 MS. TARDY: Yes.

19 MS. MOSES: Does he admit that law enforcement gangs exist
20 under the Penal Code section?

21 MS. TARDY: I don't know. You would have to ask him that.
22 I know he -- he --

23 MS. MOSES: I would love to.

24 MS. TARDY: -- I'm sorry.

25 He -- he believes that subgroups exist because he

1 wrote a policy about subgroups.

2 MS. MOSES: And so about how many conversations have you
3 had with the Sheriff or been a part of conversations, meetings,
4 at which he's discussing deputy subgroups?

5 MS. TARDY: I -- I don't know a number, but I know it's
6 been a couple of conversations, not just me and the Sheriff
7 one-on-one, but he has put out the policy, and he's actually
8 briefed the policy. I believe he did a video briefing to all
9 of our deputy personnel on the subgroups policy, and I have
10 actually put it out several times to my staff.

11 MS. MOSES: Does the Sheriff believe -- based on your
12 understanding of listening to him at these meetings, does he
13 believe that subgroups are a problem in the Department?

14 MS. TARDY: He believes that they can be a problem, yes.

15 MS. MOSES: Does he believe they currently are a problem?

16 MS. TARDY: At some stations, there are.

17 MS. MOSES: And stations are those?

18 MS. TARDY: Well, the stations we've been referring to,
19 Compton and East LA Stations.

20 MS. MOSES: Any other stations?

21 MS. TARDY: I don't know. Not -- not in my division.
22 Everything has been okay.

23 MS. MOSES: And I know that Special Counsel Mr. Deixler
24 had asked you to bring documents with you that reflect your
25 concerns about problems with the culture of the Department or

1 how deputy subgroups are detrimental to the Department's
2 organization -- operations, I'm sorry.

3 Did you bring those documents with you today?

4 MS. TARDY: I don't know what documents you're referring
5 to. I was asked about emails that I've sent out.

6 MS. MOSES: And do you have those with you today?

7 MS. TARDY: I do have some.

8 MS. MOSES: Okay. Thank you.

9 MS. TARDY: Okay.

10 MS. MOSES: At that June 15 press conference, you had said
11 that the Department is holding supervisors accountable to
12 monitor the workplace for deputy subgroup conduct; is that
13 right?

14 MS. TARDY: Yes. That's correct.

15 MS. MOSES: And how is the Department holding supervisors
16 accountable?

17 MS. TARDY: Well, I can tell you that me, personally,
18 along with one of the other chiefs, we -- we actually go to
19 supervisory school. They have it every other month. And we
20 have the uncomfortable conversations with our staff about --
21 about the newly promoted sergeants, about, you know, what the
22 culture is, how we need to change the culture of the
23 Department, and we need to do things better. So the -- I've
24 personally responded at least 11 times to supervisory school.

25 And -- and I have the sergeants having conversations

1 during briefings. We send out briefing topics, one being
2 subgroups, and just kind of monitoring the workplace for not
3 only subgroup behavior but hazing as well.

4 MS. MOSES: Who qualifies as a supervisor? What rank and
5 above?

6 MS. TARDY: A sergeant and above.

7 MS. MOSES: And what has the Department done to confirm
8 that anyone who qualifies as a supervisor is not himself a
9 member of a deputy subgroup?

10 MS. TARDY: We haven't done anything.

11 MS. MOSES: That same press conference, you stated that
12 shortly after the Department's subgroup policy was enacted, you
13 opened a subgroup investigation at the Compton Station; is that
14 right?

15 MS. TARDY: Yes, I did.

16 MS. MOSES: And what led you to open that investigation?

17 MS. TARDY: There was a -- a fight between two deputies
18 near the Heritage House, which is City-owned property of
19 Compton which butts up against the station parking lot. There
20 was a deputy-involved fight there in the rear lot. One of the
21 members, during the investigation, admitted to being inked, and
22 that led me to open up the subgroups.

23 MS. MOSES: And what did that investigation find?

24 MS. TARDY: The investigation actually identified the 11
25 self-admitted Executioner tattoo members who I transferred.

1 MS. MOSES: And you said that you met with the Sheriff
2 before commencing that investigation; is that right?

3 MS. TARDY: No.

4 MS. MOSES: Did you speak with the Sheriff or anyone from
5 command staff before commencing that investigation?

6 MS. TARDY: Again, I would've had that conversation with
7 the assistant sheriff, who is my direct supervisor.

8 MS. MOSES: And you said that almost 200 interviews were
9 conducted in the course of that investigation; is that right?

10 MS. TARDY: That's correct.

11 MS. MOSES: And how many of those individuals who were
12 questioned were asked if they were members of the Executioners
13 versus self-admitting?

14 MS. TARDY: I believe -- I believe all of them were asked
15 because it was part of the subgroups investigation.

16 MS. MOSES: How many of those individuals admitted to
17 having Executioners' tattoos or being a member of the
18 Executioners?

19 MS. TARDY: At least the 11 that I transferred, and then
20 one was terminated.

21 MS. MOSES: And those 11 that were transferred, were those
22 voluntary transfers or involuntary?

23 MS. TARDY: They were involuntary in that I transferred
24 them to non-patrol assignments pending the outcome of the
25 investigation. And then most of them actually put in transfer

1 requests to go other places outside of Compton after the
2 investigation.

3 MS. MOSES: That same press conference, you said that last
4 fall, there were several issues of concern at the East LA
5 Station that you raised with the Sheriff and command staff but
6 did not open an investigation under the deputy subgroups
7 policy. What were those issues of concern?

8 MS. TARDY: I did open up an investigation under the
9 subgroups policy, and I did transfer 15 people.

10 So the issues and concerns that I did have, there
11 were -- like I said before, there were some people who were
12 upset about people being terminated from the Kennedy Hall
13 incident. So there were people there who were unhappy at the
14 station. There were lawsuits for -- both internally and
15 externally. There were use-of-force incidents that were
16 concerning to me.

17 And those are some reasons why that -- those are some
18 of the concerns that I had that I addressed with my command
19 staff and then eventually briefed the Sheriff and the other
20 assistant sheriffs.

21 MS. MOSES: And is that investigation concluded?

22 MS. TARDY: It has not. It's still ongoing.

23 MS. MOSES: Has any discipline been imposed as a result of
24 it?

25 MS. TARDY: It's still ongoing.

1 MS. MOSES: You said that you made five recommendations to
2 the Sheriff and command staff in order to conduct the
3 investigation or address the deputy subgroups problem at the
4 East LA Station.

5 The 15 individuals who were transferred, how many of
6 those were known or self-identified Banditos?

7 COMMISSIONER RUBIN: Executioners.

8 MS. MOSES: Executioners, I'm sorry.

9 MS. TARDY: No.

10 MS. MOSES: No, it is Banditos. East LA --

11 MS. TARDY: Banditos. East LA.

12 I -- I'm unsure of the number, but there were some.

13 MS. MOSES: You also recommended that the field training
14 program be discontinued.

15 Why did you think discontinuing the field training
16 program would help send the message that change was necessary?

17 MS. TARDY: I thought that it was thinking outside of the
18 box. We needed a fresh start at the station. I think it -- I
19 think that it was really important for me to pick these field
20 training officers who were going to be responsible for the next
21 group of deputies coming into the station and changing the
22 mindset and the culture change.

23 MS. MOSES: And what did you do to ensure that the
24 individuals who were running the field training program --
25 newly running the field training program were not themselves

1 members of deputy subgroups or cliques?

2 MS. TARDY: I could never ask them, but I did have
3 one-on-ones with each of the field training officers who had
4 been identified as moving us forward into the direction we
5 wanted to go in.

6 MS. MOSES: Would it have been helpful to you if you were
7 able to ask them?

8 MS. TARDY: Yes. Probably.

9 MS. MOSES: You also recommended increasing diversity at
10 the station. Why did you think that that would help to address
11 the deputy subgroups problem?

12 MS. TARDY: I think that the county is diverse. I know
13 that East LA Station is predominantly Hispanic, and I know that
14 the communities that we serve are Hispanic. However, just
15 because there are -- we're in a -- working in a black community
16 doesn't mean we have all black deputies. So I wanted the
17 station to look like the rest of the Department.

18 MS. MOSES: And historically, deputy subgroups, are they
19 comprised of a particular ethnicity or race?

20 MS. TARDY: That's -- I don't know the ethnicity or race,
21 but I know males, typically, is what I'm being told.

22 MS. MOSES: Women are not allowed to be members of deputy
23 subgroups; correct?

24 MS. TARDY: That's correct. That's the information I've
25 received.

1 MS. MOSES: And does discriminating based on gender
2 violate fundamental principles of professional policing?

3 MS. TARDY: It does.

4 MS. MOSES: You also recommended that the super -- a
5 number of vacant supervisory positions be filled.

6 How many of those positions have been filled since
7 you opened this investigation?

8 MS. TARDY: I believe we're at full staffing. It varies
9 now, you know. We have people who go out injured so we don't
10 fill behind those -- we don't fill behind those positions if
11 someone is sitting on the item. But I believe all of our
12 vacancies may be filled, minus one or two.

13 MS. MOSES: And, again, I'm sorry to ask the question and
14 repeat myself, but what did the Department do to ensure that
15 those supervisory positions were not filled with members of
16 deputy subgroups or cliques?

17 MS. TARDY: Again, I cannot ask. When we're -- during the
18 supervisory promotional process, we do not ask that question.

19 However, during what we call "break-up," that's when
20 we try to get our -- our sergeants and lieutenants promoted
21 into our stations. I've had instances where I've picked
22 someone for a station, and then I've later found out that they
23 cannot, you know, go to the station because they may or may not
24 have a tattoo, so they've been cut from the list, not because I
25 asked, but because someone knew.

1 MS. MOSES: I see.

2 I'd like to ask about a number of individual
3 civilians who have been killed or beaten by sheriff deputies in
4 East LA and Compton and find out what the Department has done
5 to determine whether or not the deputies involved have any ties
6 to deputy subgroups.

7 I realize this is a bit before your time, but
8 starting in 2014, we have Antoine Hunter who was shot dead by
9 deputies Timothy Lee and Gregory Rodriguez, the latter
10 reportedly being a tattooed Bandito members -- member.

11 Do you know what, if anything, was done to determine
12 whether or not the Banditos caused or contributed to that
13 violence?

14 MS. TARDY: I do not know.

15 MS. MOSES: Darren Burley, shot dead in 2014. That same
16 deputy, Timothy Lee, was involved in this shooting.

17 Do you know what the Department did to determine if
18 the Banditos caused or contributed to the violence?

19 MS. TARDY: I do not know.

20 MS. MOSES: Anthony Vargas, shot dead in 2018 by deputies
21 Nicholas Perez and Jonathan Rojas, both reportedly prospects
22 for the Banditos. There were reports that Deputy Perez got
23 inked after the shooting.

24 What was done by the Department to determine if the
25 Banditos caused or contributed to that violence?

1 MS. TARDY: I know that there was the allegation about
2 that inking party. Again, I wasn't responsible for East LA
3 Station at the time, but I -- I do believe that an inquiry was
4 done.

5 MS. MOSES: And do you know what the results of that --

6 MS. TARDY: I do not know.

7 MS. MOSES: How about Jorge Serrano, shot dead in 2019 by
8 the same deputy, Perez, reported to be a Banditos prospect at
9 the time? Do you know what the Department did to determine
10 whether or not the Banditos played any role in that violence?

11 MS. TARDY: I do not know.

12 MS. MOSES: And that was during the time you were the
13 commander of the Central Patrol Division; correct?

14 MS. TARDY: But I was not in charge of East LA Station.

15 MS. MOSES: And so far as you know, the Department did
16 nothing to determine whether or not that shooting was caused or
17 contributed to by -- by the Banditos?

18 MS. TARDY: No. It typically comes out during litigation.
19 So I have no ideas.

20 MS. MOSES: How about Paul Rea, shot dead in 2019 by
21 Hector "Little Listo" Saavedra, who was alleged to be a
22 Banditos prospect?

23 Same question. Can I assume the same answer --

24 MS. TARDY: Same response. Yes.

25 MS. MOSES: All right. Let's talk about Compton. You can

1 tell me if anything is different over there.

2 Sheldon Lockett, beaten by deputies Samuel Aldama and
3 Mizrain Orrego in 2016, both members of the Executioners.

4 What did -- what did the Department do to determine
5 if the Executioners played any role in that violence?

6 MS. TARDY: And -- sorry. Can you tell me what year that
7 was?

8 MS. MOSES: That was in 2016.

9 MS. TARDY: Okay.

10 No. I don't -- I don't know 2016.

11 MS. MOSES: Donta Taylor, who we spoke about before, shot
12 dead in 2016 by the same deputies, Aldama and Orrego.

13 Same question, same answer?

14 MS. TARDY: Correct.

15 MS. MOSES: Ricardo Zendejas, Junior, shot dead in 2017 in
16 an episode involving Edgar Cuevas, and yet again, Samuel
17 Aldama.

18 What was done to determine if the Executioners played
19 any role in that violence?

20 MS. TARDY: Same response.

21 MS. MOSES: Ricky Starks, shot dead in 2019 during a
22 vehicle chase. Same question, same answer?

23 MS. TARDY: Correct.

24 What year was that? I'm sorry.

25 MS. MOSES: That was 2019.

1 MS. TARDY: Yes.

2 MS. MOSES: Jesus Alegria, whose head was smashed in a
3 patrol car driven by deputies Miguel Vega and Christopher
4 Hernandez in April 2020, reported that Vega was trained by a
5 known Executioner.

6 Same question, same answer?

7 MS. TARDY: Actually, a different answer.

8 MS. MOSES: Okay.

9 MS. TARDY: Yeah.

10 That incident occurred April, and in June, they were
11 involved in a deputy-involved shooting.

12 The way that the paperwork works, we weren't aware of
13 the traffic collision until after the shooting incident
14 happened so there was an investigation that was launched.

15 MS. MOSES: And what was -- what were the results of that
16 investigation?

17 MS. TARDY: Well, it's pending JSID.

18 COMMISSIONER BONNER: I couldn't hear the answer.

19 MS. TARDY: JSID.

20 COMMISSIONER BONNER: Jay?

21 MS. TARDY: JSID.

22 I'm sorry. It's at the DA's office.

23 COMMISSIONER BONNER: Oh, DA's office.

24 MS. TARDY: Yes.

25 MS. MOSES: Andres Guardado, shot dead in the summer of

1 2020 by, again, deputies Vega and Hernandez.

2 Is that the officer-involved shooting you were
3 referring to?

4 MS. TARDY: That's correct.

5 MS. MOSES: And how about Dalvin Price? His beating was
6 captured by TMZ in May of 2020.

7 It was reported that three Executioners were involved
8 in that beating: David Navarrete, Edwin Barajas, who Deputy
9 Juarez identified as having an Executioner's tattoo, and Edgar
10 Cuevas, who you just heard about.

11 What was done to determine if the Executioners played
12 any role in that beating?

13 MS. TARDY: They were all part of the investigation under
14 subgroups, and -- no, I'm sorry. They were not subjects, but
15 the incident -- they were moved prior to the investigation
16 being launched.

17 MS. MOSES: Now, the Sheriff has stated that the
18 Department would be preparing an internal report on deputy
19 subgroups.

20 Can you please tell us the status of that internal
21 report.

22 MS. TARDY: I have no idea about the internal report. I
23 learned about it the day of the press conference that I had
24 with -- when Matt Burson -- Chief Matt Burson spoke.

25 MS. MOSES: I see.

1 In February of 2022, the Department opened an online
2 portal to report -- so the public could report deputy gangs for
3 misconduct.

4 How many complaints have been investigated as a
5 result of that portal?

6 MS. TARDY: I don't know.

7 So the portal, it goes to Risk Management Bureau, and
8 then it's siphoned out to the appropriate divisions.

9 MS. MOSES: Now a number of deputies and other department
10 personnel have expressed to the special counsel that they are
11 afraid to speak out about deputy subgroups, afraid to testify
12 here other than anonymously because they fear professional
13 retaliation, even bodily harm.

14 Is that fear legitimate, in your eyes?

15 MS. TARDY: I would think not, no.

16 MS. MOSES: Why not?

17 MS. TARDY: You're speaking your truth.

18 MS. MOSES: Is it that you don't believe that deputy
19 subgroups are capable or willing to enforce their power through
20 violence or other means?

21 MS. TARDY: At this point, I don't believe anybody would.

22 MS. MOSES: Can you explain that further?

23 MS. TARDY: At this point, with everything -- with all of
24 the oversight, which is needed, I think that a deputy in a
25 subgroup would be a fool to attempt to harm someone because

1 they've testified.

2 MS. MOSES: But you testified earlier today that we don't
3 know how many Banditos are still in East LA, how many
4 Executioners are still in Compton. And as we saw from the
5 tragically long list that I just read, members of the public
6 are being killed and beaten by members of these subgroups
7 almost to this day.

8 So with all of that, do you think that members of the
9 Department should feel free to testify here without fear?

10 MS. TARDY: Yes.

11 MS. MOSES: At that June 15 press conference, you said
12 that the culture is changing but not as quickly as some would
13 hope. Is it changing as quickly as you would hope?

14 MS. TARDY: I wish that we were further along. I think
15 we're trying to play catch-up right now, but I think we're off
16 to a -- a good start.

17 MS. MOSES: What aspects of the culture are changing?

18 MS. TARDY: I think people are more aware of the
19 subgroups. And -- and I say that because I've been on the
20 Department for 28 years. I don't know what goes on at other
21 stations.

22 A Bandito is only a Bandito at East LA Station. If
23 they were at -- working Cerritos or any other station, they're
24 just a deputy sheriff.

25 So because of the culture change and the -- what

1 we're seeing, it's -- everything is more publicized. So people
2 are more aware of -- of what's going on in the Department.

3 And I'm not going to say that, you know, there --
4 there's a lot of nefarious behavior going on, but there is a
5 percentage of people who don't need to be here on the
6 Department.

7 MS. MOSES: And what is the Department doing to rid itself
8 of those individuals?

9 MS. TARDY: Well, now we have the policy so now we
10 actually have something that we can kind of sink our teeth into
11 as far as a violation.

12 Prior to that, I mean, I can only work within, you
13 know, the boundaries of what I have, you know, the policies
14 and within the law. I'm not writing law, I'm not writing
15 policies, but I'm definitely attempting to enforce it.

16 MS. MOSES: And as we discussed previously that policy
17 really only comes into place once something has gone wrong,
18 someone has been hurt?

19 MS. TARDY: There is -- not someone's been hurt but if
20 there's some type of investigation.

21 MS. MOSES: Okay.

22 What can the Department, in your mind, do to speed up
23 this change?

24 MS. TARDY: I believe having the ability to ask if someone
25 has a tattoo, if -- if they're part of a subgroup.

1 And I'm not saying -- there are a lot of people who
2 have tattoos, I'm sure, and we don't know about it because they
3 are great deputies, they're working hard, they're -- they're
4 out there doing what they're supposed to do. But then there's
5 a group, a -- a small group that are probably not doing what we
6 expect for them and -- and taking into consideration our core
7 values. So I think being able to ask, I think it would be
8 helpful.

9 MS. MOSES: At the last hearing, former Chief Burson had
10 testified that he thinks the East LA Station should be
11 demolished. Do you agree with him on that?

12 MS. TARDY: I think that with the changes being made,
13 moving forward, I think we're not demolishing the station, but
14 I think that we're on the right track by changing the mindsets.

15 MS. MOSES: And at the current rate of change, when can
16 the public expect that the Department will be free of deputy
17 subgroups?

18 MS. TARDY: I can't answer that question.

19 MS. MOSES: If the Department is not free of deputy
20 subgroups during your tenure, will you resign your position?

21 MS. TARDY: That's a difficult question considering I am
22 at 28 years.

23 MS. MOSES: Understood. I wish you a long career.

24 That's all I have. I pass the witness.

25 MS. TARDY: Thank you.

1 CHAIR KENNEDY: Thank you.

2 Do any commissioners have questions for Chief Tardy?

3 COMMISSIONER RUBIN: Yes, I do.

4 CHAIR KENNEDY: Lael.

5 COMMISSIONER RUBIN: Thank you for coming back, Chief
6 Tardy --

7 MS. TARDY: You're welcome.

8 COMMISSIONER RUBIN: -- and thank you for being with us
9 timewise.

10 I have many questions, but I'm going to focus on two
11 to give my fellow commissioners opportunities to ask questions.

12 You have repeatedly said that you are not permitted
13 to ask a deputy whether he is a member of a deputy clique or
14 subgroup; correct?

15 MS. TARDY: Yes, ma'am.

16 COMMISSIONER RUBIN: And, in fact, what you told us is
17 that you rely on an opinion from county counsel; correct?

18 MS. TARDY: Correct, yes.

19 COMMISSIONER RUBIN: And you've made reference to an
20 opinion of county counsel's from 2014; correct?

21 MS. TARDY: That's correct. Yes, ma'am.

22 COMMISSIONER RUBIN: I'm sure you are aware that much more
23 recently county counsel has disavowed the 2014 opinion and
24 issued a new opinion, which states unequivocally that the --
25 the -- the deputy clique, subgroup, gang policy does not

1 violate the First Amendment.

2 Are you aware of that more current opinion from
3 county counsel?

4 MS. TARDY: I have not seen it; however, I have asked as
5 recently as January about a deputy who was transferring to the
6 station, and I asked them if they had a tattoo.

7 And I was told, "You cannot ask them that question."

8 COMMISSIONER RUBIN: And who was it who told you that?

9 MS. TARDY: It was counsel.

10 COMMISSIONER RUBIN: It was the same county counsel who
11 has given me that information all the way along?

12 MS. TARDY: There were several. There are several that
13 we -- we use.

14 COMMISSIONER RUBIN: It obviously makes no sense if you
15 are a good manager and a good commander and a good supervisor
16 not to have an understanding who works for you.

17 You agree with that?

18 MS. TARDY: I do agree. Yes, ma'am.

19 COMMISSIONER RUBIN: And have you raised the issue of
20 county counsel issuing a new opinion?

21 MS. TARDY: I've had conversations about my concerns of
22 having a -- having a couple of stations that subgroups are
23 prominent, and there's been a lot of media attention about. So
24 I've raised those concerns.

25 And how can I properly staff a station and ensure

1 that we're changing the direction of the Department, if I don't
2 know who's coming to the station or who has tattoos without
3 it -- by me asking -- simply asking the question?

4 COMMISSIONER RUBIN: And so as your result you believe
5 that you're not permitted to ask the question?

6 MS. TARDY: That's correct. As recently as January is
7 when I last asked.

8 COMMISSIONER RUBIN: Considering -- considering the -- the
9 current state of the -- of county counsel's revised opinion,
10 it's hard to believe, and although I recognize what you are
11 telling us, but it's hard to believe that you and others cannot
12 ask a question. So we will, I'm sure, pursue that further
13 with -- with county counsel.

14 Switching now to the -- some statements that you made
15 earlier this morning in which you said that no one was
16 compelled in the investigation -- or the attempted
17 investigation of Kennedy Hall to -- to answer questions;
18 correct?

19 MS. TARDY: That's correct. In the criminal
20 investigation.

21 COMMISSIONER RUBIN: And you are aware, are you not, that
22 deputies may be compelled in a criminal investigation to answer
23 questions? The issue becomes from a standpoint later on
24 whether that information or statements can be used in -- in a
25 court of law. But that's not what I'm asking you.

1 What I'm asking you is you were aware in criminal
2 investigations deputies can be and are compelled to answer
3 questions.

4 MS. TARDY: Yes, ma'am. I'm aware of that.

5 COMMISSIONER RUBIN: So then the question arises, why is
6 it -- were deputies in the East LA Bandito situation not
7 compelled to answer questions?

8 MS. TARDY: The investigation started prior to my arrival.
9 I received the case, and read what was available at the time.

10 COMMISSIONER RUBIN: Do you believe that it arose because
11 Chief Burson was directed not to pursue this?

12 MS. TARDY: I had no opinion one way or the other. And I
13 did not know that, but I did hear his testimony.

14 COMMISSIONER RUBIN: Are you aware of other investigations
15 under your command tenure where deputies have been compelled to
16 answer questions in a criminal investigation?

17 MS. TARDY: There have been a couple that I've reviewed,
18 but none regarding subgroups.

19 COMMISSIONER RUBIN: But, in general, criminal
20 investigations involving -- involving deputies, they, in
21 essence, are required -- they are -- they can be compelled to
22 answer questions; correct?

23 MS. TARDY: They can, and they're usually represented by
24 an attorney at the time of the investigation.

25 COMMISSIONER RUBIN: And -- and they are -- they are

1 compelled to answer questions?

2 MS. TARDY: That's correct.

3 COMMISSIONER RUBIN: Shouldn't -- if deputies in the
4 Kennedy Hall investigation were not compelled, do you believe
5 they should've been?

6 MS. TARDY: Yes. Looking back at the investigation, I --
7 I believe that they should have been.

8 COMMISSIONER RUBIN: All right. Thank you.

9 I -- I may come back, but I think it's fair, at this
10 point, to allow other commissioners to ask questions.

11 CHAIR KENNEDY: Jamon?

12 COMMISSIONER HICKS: Thank you -- thank you again, Chief,
13 for testifying.

14 At the end of the presentation, Counsel listed a
15 group of names that had been victims of excessive force at the
16 hands of the Banditos or Executioners.

17 Do you agree that the -- the individuals that have
18 been identified as Banditos and Executioners were a part of
19 that excessive force for the ones who she named?

20 MS. TARDY: I -- I don't recall all the names, but I know
21 there were a couple that were involved in the use of force.

22 COMMISSIONER HICKS: And you were talking about, like,
23 tattoos or -- or slogans, that's not enough. There has to be
24 behavior in furtherance of the gang; right?

25 MS. TARDY: Yes. And then individual behavior.

1 COMMISSIONER HICKS: So we have situations of excessive
2 force with Banditos or Executioners involved.

3 Does that give you concern that that is behavior in
4 furtherance of the gang?

5 MS. TARDY: I would have to take it case by case depending
6 on the incident, but I understand what you're saying. I just
7 can't answer that question.

8 COMMISSIONER HICKS: Does the Department -- when they know
9 they have a person that's accused of being a Bandito or an
10 Executioner, and the person has been -- that deputy has been
11 accused of excessive force, does the Department look to see if
12 that behavior could be considered in furtherance of the gang?

13 MS. TARDY: I can probably answer that question a little
14 bit later.

15 I do have a current case in which I have a
16 deputy -- it's my subgroups case that's out of East LA
17 Station -- was involved in the Kennedy Hall matter and a couple
18 of other use of force and a hazing incident that may be
19 considered in furtherance of the Banditos. But I don't know
20 yet. It's -- it's still a pending investigation.

21 COMMISSIONER HICKS: I believe also there were situations
22 where there may be, like, two, for example, deputies involved
23 in an excessive-force situation -- right? -- at the -- in the
24 same use of force situation?

25 MS. TARDY: Yes, there were.

1 COMMISSIONER HICKS: In that situation, let's say just one
2 Bandito uses the force.

3 MS. TARDY: Uh-huh.

4 COMMISSIONER HICKS: And another Bandito was present that
5 doesn't use the force but doesn't haul off that fellow Bandito
6 for use of excessive force.

7 Is that behavior considered to be in furtherance of
8 the gang?

9 MS. TARDY: Quite possibly.

10 We do have the new policy, failing to -- to
11 intervene, and yes, that may be considered -- it -- it may be
12 considered in furtherance of the subgroup.

13 COMMISSIONER HICKS: And does the Department look to see
14 in those situations where you have multiple Banditos or
15 multiple Executioners in one situation -- do they look to see
16 if they're covering each other's trust?

17 MS. TARDY: Well, I haven't been in that situation yet
18 to -- to determine that so I'm not sure. I don't know.

19 COMMISSIONER HICKS: I believe you also said you -- you
20 worked on gang detail?

21 MS. TARDY: I -- I was. I was a gang investigator.

22 COMMISSIONER HICKS: You were talking about the -- the
23 deputies that would be self-admitted to being in the gangs;
24 right? Certain deputies would self-admit; right --

25 MS. TARDY: Self -- yes.

1 COMMISSIONER HICKS: -- "I'm -- I'm a part of Banditos."

2 MS. TARDY: Yes.

3 COMMISSIONER HICKS: I -- I'm sure there's others that
4 don't self-admit; right?

5 MS. TARDY: Yes. There -- there have been some.

6 COMMISSIONER HARRIS: When you were on gang detail, and
7 let's say that you were investigating a member of a street gang
8 and you would question them --

9 MS. TARDY: Yes.

10 COMMISSIONER HICKS: -- sometimes they would deny that
11 they were in a street gang; true?

12 MS. TARDY: Yes. Sometimes they would.

13 COMMISSIONER HICKS: What -- what would you do to follow
14 up to see if they were, in fact, involved in a street gang even
15 though they denied it?

16 MS. TARDY: Their associations. You know, who they
17 associated with, what type of behavior, what type of
18 activities, and then if whether or not they've been actually --
19 the gang itself has been established and recognized by the
20 Court.

21 COMMISSIONER HICKS: And couldn't that be similar to what
22 the Department could do to look at people that may be
23 affiliated with these groups, but they're denying the fact that
24 they are, in fact, Banditos or Executioners?

25 MS. TARDY: It's possible.

1 COMMISSIONER HICKS: Do you think the Department can do a
2 little bit more then?

3 MS. TARDY: It's possible.

4 COMMISSIONER HICKS: All right.

5 No further questions. Thank you.

6 CHAIR KENNEDY: What about tattoos? When you were in
7 OSS --

8 MS. TARDY: Yes.

9 CHAIR KENNEDY: -- don't you ask if people are denying
10 that they're gang -- don't you ask to see their tattoos?

11 MS. TARDY: Yes, I did.

12 CHAIR KENNEDY: And you do that because the tattoos are
13 powerful, circumstantial evidence of gang membership when
14 you're investigating a street gang; right?

15 MS. TARDY: Yes, it is.

16 CHAIR KENNEDY: Is there some reason that the same isn't
17 true of law enforcement gangs in the Department?

18 MS. TARDY: I think just the fact that if we're trying to
19 change the culture we should know what personnel we're dealing
20 with.

21 I think it's important to know -- for instance, I
22 have a deputy who -- just, for instance, I have a deputy who
23 trained at Compton Station. The chances of them having a
24 tattoo is probably 50/50. So do I want to chance sending them
25 back into an environment where now they're a supervisor and now

1 they may have control over certain groups?

2 So I think it's important in that respect. So I
3 don't know if I answered your question, but...

4 CHAIR KENNEDY: No. You're -- you were doing great.

5 But my question is what is the reluctance to ask
6 someone if they have a law enforcement gang tattoo when they
7 work for you?

8 MS. TARDY: I'm not reluctant.

9 CHAIR KENNEDY: It's -- but -- but as of January 2022, you
10 were told by county counsel that you can't ask questions like
11 that.

12 MS. TARDY: So the incident happened -- I -- I'm in what I
13 call "break-up," and I'm looking for sergeants, and I -- I -- I
14 get a sergeant who shows up on my list to work the station --
15 work one of my stations.

16 And I said, "Hey, well, this person trained at the
17 station."

18 I called the person, and said, "Hey, you're new
19 coming to my station. Do you have a tattoo?"

20 I received the response, and I talked to counsel and
21 they said, "You can't ask that question."

22 And I said, "Okay. Well, how else am I going to
23 know?"

24 CHAIR KENNEDY: And what did counsel say?

25 MS. TARDY: "Well, it has to come out during the course of

1 an investigation."

2 CHAIR KENNEDY: Do you recall which deputy county counsel
3 told you that in January of 2022?

4 MS. TARDY: I don't -- I don't remember. I don't
5 remember.

6 And like I said, I've had several conversations, and
7 I'm -- I've always referenced the 2014 memo.

8 CHAIR KENNEDY: Rob, I didn't mean to --

9 COMMISSIONER BONNER: No, no.

10 CHAIR KENNEDY: Okay.

11 COMMISSIONER BONNER: Those are all perfect.

12 Thank you, Chief Tardy, for being here again today.

13 I think you agree that there are currently deputy
14 cliques or exclusionary subgroups at the East LA Station and
15 Compton Station, that being the Banditos and Executioners,
16 respectively.

17 You agree with that? They're current -- they -- they
18 currently exist.

19 MS. TARDY: That's correct, sir.

20 COMMISSIONER BONNER: And are there any other -- are there
21 any deputy cliques that currently exist?

22 When I say "deputy clique," I'm also including within
23 that exclusionary subgroups at the Lancaster or North County
24 Station.

25 MS. TARDY: I -- I don't know, sir. I'm -- I only -- I --

1 I'm responsible for Central Patrol so I'm not sure what's going
2 on at the other stations.

3 COMMISSIONER BONNER: So your answer is "I don't know."
4 I accept that.

5 MS. TARDY: I don't. Okay.

6 COMMISSIONER BONNER: How many -- how many patrol stations
7 are there within the Sheriff's Department?

8 MS. TARDY: There are 23.

9 COMMISSIONER BONNER: Do deputy cliques exist at any
10 stations other than at the Compton Station and East LA Station,
11 to your knowledge?

12 MS. TARDY: Yes, sir.

13 COMMISSIONER BONNER: All right.

14 And which -- which stations currently have deputy
15 cliques?

16 MS. TARDY: Are you talking deputy tattoos?

17 COMMISSIONER BONNER: I'm talking -- yeah. Well, I mean,
18 they're usually identified by tattoos, but I'm talking about
19 deputy cliques or exclusionary subgroups.

20 MS. TARDY: Okay.

21 COMMISSIONER BONNER: What other stations within the
22 Sheriff's Department, to your knowledge, have deputy cliques or
23 exclusionary subgroups?

24 MS. TARDY: There -- of course, South Los Angeles, the
25 former Lennox Station.

1 COMMISSIONER BONNER: The South Los Angeles -- you said
2 the former -- what was it?

3 MS. TARDY: It was formerly Lennox Station.

4 COMMISSIONER BONNER: Lennox Station, that's -- that's
5 right.

6 And what -- what deputy clique exists at the --
7 currently at this South LA Station, formerly Lennox?

8 MS. TARDY: Those are the Reapers.

9 COMMISSIONER BONNER: Okay.

10 And what other patrol stations have a deputy clique?

11 MS. TARDY: Century Station.

12 COMMISSIONER BONNER: And what -- what -- what is the name
13 of the deputy clique or cliques at Century Station?

14 MS. TARDY: There are the Regulators and the Spartans.

15 COMMISSIONER BONNER: All right.

16 Any other stations that you're aware of that have
17 deputy cliques?

18 MS. TARDY: I'm not sure about the other divisions, no.
19 Those are my stations --

20 COMMISSIONER BONNER: It's possible -- it's possible that
21 other patrol stations have deputy cliques. You're just not
22 aware of it; correct?

23 MS. TARDY: I'm just not aware of them.

24 COMMISSIONER BONNER: And would -- would Sheriff
25 Villanueva be aware of the other stations that have -- where

1 deputy cliques exist?

2 MS. TARDY: Yes. He should be.

3 COMMISSIONER BONNER: All right.

4 Perhaps another reason that would be -- we'd benefit
5 by having him here and answering some questions.

6 I think we -- you and I met when you were part of the
7 Commander Task Force back at -- during -- this goes back
8 probably to 2012, almost ten years ago --

9 MS. TARDY: Yes, sir.

10 COMMISSIONER BONNER: -- and you were part of the
11 Commander's Task Force, or you were staffing it.

12 The Commander's Task Force was put together, if I
13 remember at the time, to address recommendations of the
14 Citizens' Commission on Jail Violence to address problems of
15 excessive force in the LA County Jail.

16 Is that --

17 MS. TARDY: Yes.

18 COMMISSIONER BONNER: -- your understanding?

19 MS. TARDY: Yes, sir.

20 COMMISSIONER BONNER: And -- and one of the findings of
21 the CCJV was that, first of all, not only did deputy cliques
22 exist at a number of the patrol stations, but they also existed
23 in Men's Central Jail; correct? Do you recall that?

24 MS. TARDY: Yes. That's what I recall.

25 COMMISSIONER BONNER: And those -- that included the 2000

1 and 3000 Boys; is that right?

2 MS. TARDY: Yes.

3 COMMISSIONER BONNER: All right.

4 Do the 2000 and/or 3000 Boys, those cliques, do they
5 currently exist?

6 MS. TARDY: I don't believe they do, sir.

7 COMMISSIONER BONNER: And why is that?

8 MS. TARDY: Because of some of the recommendations made by
9 the CCJV.

10 I know that there were 93 recommendations that were
11 accepted during that time, and I know that the behavior had
12 been monitored closely. They increased supervisors, and
13 supervisors were responsible for ensuring that the deputies
14 weren't cliquing up. There were groups of deputies who would
15 work together, leave together, workout together, eat together.
16 They kind of broke all of that up. And there was also a
17 recommendation that they rotate -- the deputies rotate. So if
18 you're working 2000, you didn't stay there for a long time.

19 COMMISSIONER BONNER: So the -- the 2000 Boys were no
20 longer able to dictate that they would be assigned to the
21 second floor of Men's Central Jail; correct?

22 MS. TARDY: That's correct.

23 COMMISSIONER BONNER: Yeah. So when they were rotated out
24 of the -- the second floor, and some of them were -- or,
25 obviously, all of them, they got rotated out of the -- the

1 Custody assignment and back into Patrol; correct?

2 MS. TARDY: Yes. Into Patrol, yes.

3 COMMISSIONER BONNER: Okay.

4 That's -- I'm just saying it's -- it's worthy of just
5 looking at to the extent that 2000 and 3000 Boys, those really
6 pernicious deputy cliques that operated inside Men's Central
7 Jail and as documented by the CCJV report, to the extent that
8 they have been eradicated, we should look, perhaps, for some
9 lessons as to how that was done in terms of how you might get
10 rid of deputy cliques within the patrol stations; correct?

11 MS. TARDY: Yes, sir.

12 COMMISSIONER BONNER: All right.

13 The -- one -- one other area I just want to talk
14 about a little bit, and that's you -- you -- you referred to
15 the -- the February '20 policy that was adopted by Sheriff
16 Villanueva, and you indicated that -- if I -- I -- I want to
17 make sure I understand you -- that it prohibits deputy cliques.

18 But the question is, does it prohibit, as a matter of
19 policy, a deputy participating and joining or soliciting others
20 to join a deputy clique? This is -- does it -- does it
21 prohibit that behavior?

22 MS. TARDY: Yes. Groups that exclude others, yes.

23 COMMISSIONER BONNER: All right.

24 So you interpret it to violate policy if you are
25 simply -- you join or participate in a deputy clique.

1 I just want to know: How many deputies have been
2 terminated for joining or participating in deputy cliques since
3 this policy went into effect in February 2020?

4 MS. TARDY: None, sir.

5 COMMISSIONER BONNER: I don't know.

6 The -- I don't know. I -- I -- I don't have any
7 further questions of Chief Tardy. I think I have to ask the
8 Sheriff some questions on that subject.

9 Thank you.

10 MS. TARDY: Can I clarify?

11 COMMISSIONER BONNER: Yes.

12 CHAIR KENNEDY: Yes.

13 MS. TARDY: There -- there were deputies who were
14 terminated in the Kennedy Hall matter and one out of the
15 Compton Station, but it wasn't as a result of the subgroup but
16 they were admitted -- self-admitted members.

17 COMMISSIONER BONNER: Yeah. I understand that. That
18 wasn't my question.

19 MS. TARDY: Okay.

20 COMMISSIONER BONNER: I asked you "Who -- who's been
21 disciplined or terminated" --

22 MS. TARDY: And I've answered.

23 COMMISSIONER BONNER: -- "for violation of the 2020
24 policy?"

25 And the answer is, "Nobody."

1 All right. This commission -- are you aware,
2 Chief Tardy, this commission proposed a rather simple,
3 straightforward policy?

4 And that policy was that we -- we urged the
5 Sheriff -- Sheriff Villanueva to adopt a policy that very
6 simply stated that it violated the policy of the Sheriff's
7 Department to join, participate in, or solicit others to join a
8 deputy clique or exclusionary subgroup. That simple. That
9 policy has not been adopted by the Sheriff's Department, but
10 that policy would be very easy to enforce if somebody is a
11 member, has joined, or is participating in a deputy clique,
12 they could be disciplined up to termination.

13 Can you tell me why that simple, straightforward
14 policy to eradicate deputy cliques within the Sheriff's
15 Department has not been adopted by the Sheriff and the
16 Department?

17 MS. TARDY: I believe that -- I -- I don't know if I can
18 answer the question, but the -- I believe that the subgroups
19 policy was the first step in trying to change the subgroups
20 issue with the Department.

21 I can't answer the question. I'm -- like I said, I'm
22 not responsible for writing policy or writing laws, but I work
23 within the guidelines that I'm given.

24 COMMISSIONER BONNER: You know, I believe the -- that
25 you're sincere that you, based upon your experience in the

1 Department, would like to see deputy cliques and exclusionary
2 subgroups eradicated, eliminated from the Department; am I
3 correct?

4 MS. TARDY: That's correct.

5 That's what -- that's the message that I have been
6 giving to our supervisors in -- in the conversations that I
7 have at our briefings and to our field training officers that
8 we can't do this anymore.

9 COMMISSIONER BONNER: Yeah. But how -- you know, I --
10 I -- I've been in a number of law enforcement organizations,
11 and if I want a "We can't do this anymore," in other words, we
12 don't want to have deputies join or participate in deputy
13 cliques, you need to have a clear policy that says, "You can't
14 do that, and if you do that, you may be subject to discipline,
15 including termination."

16 Why not have such a policy?

17 MS. TARDY: I can't answer the questions.

18 COMMISSIONER BONNER: All right.

19 Okay. Thank you.

20 CHAIR KENNEDY: The -- anyone else?

21 COMMISSIONER HARRIS: I -- I just have a couple of
22 questions.

23 CHAIR KENNEDY: JP.

24 COMMISSIONER HARRIS: Yeah. Thank you.

25 Thank you, Chief, for being here. Really appreciate

1 it.

2 You referred a couple times that you were not the
3 commander in charge of East LA or Compton. Who was?

4 MS. TARDY: There were -- I had a couple of different
5 partners. So when I first promoted in 2019, it was
6 Mike Thatcher, and he was formerly the captain of Compton. And
7 Mike was responsible for Compton, East Los Angeles, and Avalon,
8 and I was responsible for South LA, Century, and Marina del Rey
9 Station.

10 COMMISSIONER HARRIS: Okay.

11 And you -- he would've been the commander in charge
12 of East LA Station at the time of the Kennedy Hall incident;
13 correct?

14 MS. TARDY: No. He -- not at the time of the Kennedy Hall
15 matter. He -- we were both captains.

16 COMMISSIONER HARRIS: Okay.

17 MS. TARDY: Yes. He was a captain at Compton, I believe.

18 COMMISSIONER HARRIS: Okay.

19 But at the conclusion of the Kennedy Hall
20 investigation -- criminal -- you were in charge of East LA?

21 MS. TARDY: Yes. I was the only person left standing in
22 the division.

23 COMMISSIONER HARRIS: Yeah.

24 MS. TARDY: I had no chief and no commander. I was the
25 only one there.

1 COMMISSIONER HARRIS: Okay.

2 And that was -- okay --

3 MS. TARDY: Yes.

4 COMMISSIONER HARRIS: And who -- I know there's been a lot
5 of changes in the Sheriff's Department so it's kind of hard for
6 us to keep up to date on who's assistant sheriff on any given
7 day.

8 MS. TARDY: Yes.

9 COMMISSIONER HARRIS: Who do you call the assistant
10 sheriff that you made notification to -- you referred a couple
11 of times (inaudible) assistant sheriff.

12 Who was the assistant sheriff at the time you were
13 making these notifications?

14 MS. TARDY: The assistant sheriff for the Kennedy Hall
15 matter was Steve Gross, Assistant Sheriff Gross.

16 COMMISSIONER HARRIS: He is retired?

17 MS. TARDY: He's retired, yes.

18 COMMISSIONER HARRIS: Okay.

19 And who was the captain in charge of the Internal
20 Affairs Bureau when this investigation -- criminal
21 investigation was concluded and it was handed over to the
22 Internal Affairs Bureau for investigation?

23 Who was the captain in charge of IAB at that time?

24 MS. TARDY: I believe the captain was Bill Jaeger. That's
25 J-a-e-g-e-r.

1 COMMISSIONER HARRIS: Okay.

2 Thank you. Thank you very much.

3 CHAIR KENNEDY: Okay. Anyone else?

4 I get that you're not formulating policy, but you're
5 a longtime member of the Department and a leader of the
6 Department.

7 MS. TARDY: I am.

8 CHAIR KENNEDY: Can you tell us why the Department is so
9 invested in not asking whether a deputy is a member of one of
10 these tattooed law enforcement gangs?

11 MS. TARDY: I can speak for myself. And -- and I would
12 say that just because I think it's the stigma that's related to
13 it, and just admitting, you know.

14 I had a difficult time when, I believe, Ms. Moss
15 [sic], you know, questioned me last time about, you know, law
16 enforcement gang and calling it a clique.

17 I understand the policy, and I think it's just the
18 stigma that's related to law enforcement and the term "gang."

19 So it's just difficult. That's all I can say.

20 CHAIR KENNEDY: But you understand "law enforcement gang,"
21 that's the language that the legislature picked in the statute?

22 MS. TARDY: I understand that, yes.

23 CHAIR KENNEDY: Looks like there's no other questions.

24 Chief Tardy, thank you so much for being here
25 twice --

1 MR. DEIXLER: Before the Chief leaves, she mentioned she
2 had some documents, and perhaps if you would give us the
3 opportunity to review them.

4 MS. TARDY: Sure. You want to do it here, or in the room?

5 MR. DEIXLER: Why don't we do it on --

6 CHAIR KENNEDY: Should -- should we take a -- I mean,
7 we've been going two hours. Should I -- Mr. Deixler, shall we
8 take a break?

9 MR. DEIXLER: Why don't we take a break, and we have a
10 video that I'm sure we'll be able to hurry.

11 CHAIR KENNEDY: So let's take a 15-minute break so people
12 can go outside, take off their masks.

13 Thank you, Chief.

14 (A recess was taken from 11:00 a.m. to 11:21 a.m.)

15 CHAIR KENNEDY: We're going to resume our fourth special
16 hearing on deputy gangs.

17 Chief Tardy -- I believe her testimony has concluded,
18 and I'll ask our special counsel who's next.

19 MR. DEIXLER: Thank you, Chair Kennedy.

20 Our next witness should be Undersheriff Murakami, but
21 I don't see him.

22 So that being the case, we have a video deposition of
23 retired Chief Joseph Gooden, which I would like to play with
24 the commission's permission.

25 CHAIR KENNEDY: Can -- can I just ask do we know -- do we

1 have -- I mean, do we have any status update on the
2 undersheriff, or is it --

3 MR. DEIXLER: No. And I did check Twitter at the break,
4 and I didn't see anything.

5 CHAIR KENNEDY: Okay.

6 Okay. So we're going to hear a deposition?

7 MR. DEIXLER: Yes.

8 (Video recorded deposition transcribed
9 below in colloquy format.)

10 MR. DORSEY: This is media number one, the video recorded
11 examination under oath of Joseph Gooden in the matter of
12 In re of the LA County Civilian Oversight Commission for the
13 Sheriff's Department.

14 This deposition is being conducted remotely using
15 Veritext Virtual technology. The witness is located in
16 Glendora, California.

17 I'm Drew Dorsey from the firm Veritext Legal
18 Solutions, and I'm the videographer. The court reporter is
19 Mark McClure from the firm Veritext Legal Solutions.

20 I'm not related to any party in this action, nor am I
21 financially interested in the outcome.

22 Counsel, and everyone attending remotely, know that I
23 will seek their appearances and affiliations for the record.
24 If there are any objections to proceeding, please state them at
25 the time of their appearance beginning with the noticing

1 attorney.

2 MR. DEIXLER: Bert Deixler, Kendall, Brill & Kelley,
3 special counsel to the Sheriff's Civilian Oversight Commission.

4 MR. DORSEY: No other attorney, I take it?

5 MR. DEIXLER: Right. No other attorney appearing in that
6 capacity.

7 Chair Kennedy, I believe is a -- an attorney, and
8 Judge Bonner, who will be joining us, I think, is an attorney
9 as well, but they won't be -- they won't be appearing in that
10 capacity. They'll be appearing as commissioners and will have
11 the opportunity to ask questions of Chief Gooden at the right
12 time, if they wish.

13 MR. DORSEY: Okay.

14 In that case, Chief Gooden, would you raise your
15 right hand, please.

16 Do you solemnly swear the testimony you're about to
17 give will be the truth, the whole truth, and nothing but the
18 truth?

19 MR. GOODEN: I do.

20 MR. DORSEY: Thank you.

21 You may proceed, Counsel.

22 MR. DEIXLER: Good afternoon. Would you, sir, please
23 state your name and spell your last name.

24 MR. GOODEN: Yes. My name is Joseph M. Gooden,
25 G-o-o-d-e-n.

1 MR. DEIXLER: And, Mr. Gooden, were you an employee of the
2 LA Sheriff's Department?

3 MR. GOODEN: Yes, I was.

4 MR. DEIXLER: And from what period to what period were you
5 an employee of the LASD?

6 MR. GOODEN: My employment period ran from May of 1988 to
7 December 31st, 2019.

8 MR. DEIXLER: And prior to joining the LASD, did you have
9 any experience in law enforcement?

10 MR. GOODEN: I did.

11 MR. DEIXLER: And what experience did you have in law
12 enforcement prior to joining the LASD?

13 MR. GOODEN: I was a deputy for the County of Orange from
14 approximately 1985 until my lateral transfer to the Los Angeles
15 County Sheriff's Department in 1988.

16 MR. DEIXLER: Starting with your lateral transfer in -- in
17 or about May of 1988, would you briefly walk us through your
18 career in the LASD?

19 MR. GOODEN: Absolutely. Yeah.

20 I joined the Orange County Sheriff's Department,
21 1988. I successfully completed their academy. I was assigned
22 to the Custodial Division. I was assigned to Men's Central
23 Jail in Santa Ana, then subsequently transferred to the
24 Theo Lacy branch jail where I remained until I lateraled to the
25 LA County Sheriff's Department.

1 When I lateraled to the LA County Sheriff's
2 Department in May of '88, I was assigned to Hall of Justice
3 Jail where I -- as -- as a lateral, I was only there for -- for
4 a year. So I spent a year in Custody doing the basic functions
5 that Custody deputies do, transferring inmates, supervising
6 inmates, you know, things that a typical Custody deputy does.

7 Subsequent to my year -- almost a year to the date --
8 to -- to the date of my transfer to Custody, I transferred to
9 East LA Station where I was a patrol trainee. I successfully
10 completed training at East LA Station.

11 And after I completed training, I was assigned to a
12 one-man unit in Cudahy.

13 Worked Cudahy until I -- I transferred to -- it was
14 the North Long Beach Project housed out of Lakewood Station.
15 At that time, the City of Long Beach was having difficulties
16 with staffing issues so the Sheriff's Department -- a, you
17 know, a joint contract with the County of Los Angeles and City
18 of Long Beach, we actually provided police services to the
19 north end of -- of Long Beach. So I was assigned to -- to the
20 North Long Beach Project where I was also a training officer.

21 And I left that spot, I want to say, late '91, I
22 believe, and I was picked to be one of two deputies to launch
23 civilian investigations through the Internal Affairs Bureau.
24 So I was one of two deputies assigned to the Internal Affairs
25 Bureau with the purpose of investigating allegations of

1 misconduct on non-sworn personnel. I remained there for, I
2 want to say, six years, seven years. That was during a time
3 where the Bowman issue was running rampant and there was no
4 promotional opportunity so I stayed there.

5 And then I was able to take the sergeant exam. Took
6 the sergeant's exam, and I was promoted to sergeant on the
7 first list outside of Bowman, I want to say. early 2000. My
8 assignment as a patrol sergeant was Altadena Station. I -- I
9 worked Altadena Station, did the basic things that a uniformed
10 patrol sergeant does, assisting deputies to answering calls for
11 service, acting as a watch commander, reviewing reports,
12 writing force reports, reviewing force reports, things of
13 that -- that nature.

14 At some point in time I was -- I was pulled down into
15 the office of the undersheriff. At that time, we were working
16 on what we -- what was coined, at that time, "Bias-Based
17 Policing Project." And that was looking at the Department's
18 response to racial profiling, bias-based policing. So I was
19 asked to be part of that team to help create the Department's
20 response to it, work within the parameters of the legal system,
21 coming up with -- with a good policy for us, and -- and also
22 lobbying and working with lobbyists to move in the direction of
23 creating law for bias-based policing and -- and racial
24 profiling. I did that for a short period of time.

25 Then I was asked to come back to the Internal Affairs

1 Bureau as a sergeant. This go-around, I was tasked with
2 investigating allegations of misconduct on sworn and non-sworn
3 personnel. And then also -- I was also assigned to the
4 Shooting and Force Team, which gave me an -- an opportunity to
5 respond to deputy-involved shootings, to respond to serious
6 allegations of force. I did that for, I want to say, a year,
7 maybe.

8 And then I was asked by then-chief Bill McSweeney to
9 become his aide. He was the Chief of Professional Standards
10 and Training. I went down and became the chief's aide, and I
11 did that for -- for maybe a year and some change. I'm -- I'm
12 not too sure about the dates.

13 During that time period, I also took the lieutenant's
14 exam. I was very fortunate to place on (indiscernible) one. I
15 was promoted the -- the first go-around, and I believe this
16 was, I want to say, 2003, 2004. Promoted to lieutenant and I
17 was assigned to Men's Central Jail and worked Men's Central
18 Jail as a watch commander on the early morning shift for -- for
19 approximately a year.

20 And then I transferred back to patrol environment. I
21 transferred to Compton Station. At Compton Station my first
22 assignment there was watch commander on the -- the early
23 morning shift. I did that for about a year.

24 Then I was appointed to the service area lieutenant's
25 position where, basically, I was the liaison between the

1 station and the Department and the City. I did that for about
2 two years, maybe two-and-a-half years.

3 Then I was appointed as the operations' lieutenant,
4 and my captains, when I was the operations' lieutenant, was
5 Bill Ryan and Diane Walker.

6 I was at the Compton Station about six years, and
7 then I -- I was asked to go down to the assistant sheriff's
8 office, and I became an aide for the Office of the Assistant
9 Sheriffs. I did that for a little over a year.

10 And I was -- I -- I was -- made the -- the captain's
11 list. I was promoted to captain. My first assignment as a
12 captain was the Internal Affairs Bureau, where now I was
13 responsible for monitoring all the investigations for the
14 entire department and also managing the -- working with the
15 Office of Independent Review and also monitoring and improving
16 all of the settlement agreements at that time. I was at IAB
17 for a little less than a year. Probably 11 months, maybe 10
18 months.

19 And then I got my first patrol assignment, and that
20 was Century Station. I was assigned to Century Station. I
21 worked Century Station as the commanding officer, and what --
22 what that entails is, basically, you have oversight management
23 of -- of the entire station from top to bottom, from operations
24 to -- to traffic to investigations, you know. Unlike other
25 departments where there -- there are multiple captains, on our

1 department, there's just one -- one captain. So you're
2 responsible for the -- the management and the operation of the
3 entire station. I was at Century Station about two,
4 two-and-a-half years -- just under three years.

5 I was promoted to commander. I was promoted and
6 transferred to Central Patrol Division Headquarters where I
7 had -- it was split in half. There were two commanders
8 actually assigned to the division. We had six stations. One
9 commander had three stations, and the other commander had three
10 stations along with management and oversight of budget and
11 personnel. I was the junior commander so I had -- my stations
12 were Century Station, South LA Station, and Avalon Station, and
13 my counterpart had Compton Station, Marina del Rey, and East
14 LA.

15 I was a commander for about two years, and then I
16 promoted to division chief. As the division chief, now I was
17 responsible for the entire division: Management oversight,
18 responsible for the budget of all -- all six stations,
19 responsible for all the personnel of all six stations, and,
20 basically, day-to-day management and operation of -- of all six
21 stations.

22 In 2000 -- in late 2018, came to -- to our attention
23 rather quickly that -- that my -- my employment with the
24 Department would be ending soon. So I -- I opted to take
25 some -- some time that I had saved, and I retired, officially,

1 January 31st, 2019.

2 MR. DEIXLER: Well, first, thank you for your service.
3 That's an extraordinary career, and all of us who live in the
4 county are grateful for what you've done for us.

5 Let me just ask you, bringing up -- bringing the
6 commission up to date: Subsequent to your retirement, what
7 have you been doing with your time?

8 MR. GOODEN: I love teaching, and I've been an assistant
9 adjunct professor at a local community college part-time for
10 the past 23 years. And so now I'm able to pick and choose
11 classes, add a -- add a couple more classes.

12 But more importantly than that, I have three
13 beautiful granddaughters that they -- they don't know me as
14 Chief Gooden, they just know me as "Poppy." And that's the
15 bulk of my time, and -- and I wouldn't have it any other way.

16 MR. DEIXLER: Well, that -- that sounds like a wonderful
17 exclamation point to an extraordinary career.

18 Let me take you back to when you were first assigned
19 to East LA Station in or about 1989, and if you would briefly
20 describe for the commission what that experience was like for
21 you starting at that time in your career with the LASD.

22 MR. GOODEN: Sure.

23 Let me just explain why I chose East LA Station
24 because I think that's important.

25 I chose East LA Station, not that I was naive to --

1 to the County of Los Angeles or Los Angeles. Coming from
2 Orange County, I wanted to work in Los Angeles.

3 And so as I was going through the list of stations to
4 choose, I see East LA Station, and so I thought, wow, this is a
5 dream come true. I'm going to be assigned to a station in Los
6 Angeles where I want to work, where I can, you know, do some --
7 some -- some good policing and also work in an environment
8 where, hopefully, I can make a positive impact.

9 When I got to the station, it was -- when I got to
10 the station up to the time that I ended, it was a situation of
11 just when can I leave this place?

12 And I say that not in a -- a sense that -- that I was
13 overtly mistreated or that I was, you know, treated in a manner
14 that -- that was intimidating or harassing; it was just an
15 unwelcoming place. I didn't feel for -- for me, whether it was
16 because of my race, whether it was because here you have an
17 individual who's 25, 26 years old who's -- who is a police
18 officer coming into an environment where I know this stuff. I
19 just felt from the very onset that it was a very -- for me, it
20 felt like a very cold and very isolated place.

21 MR. DEIXLER: How was the station -- East LA Station
22 administered during your tenure there, if -- if you can
23 describe that?

24 MR. GOODEN: Well, unlike what I put in play later on when
25 I became an executive, meeting with personnel and talking with

1 personnel, my only meetings that -- that I had were with deputy
2 sheriffs. And, you know, in fact, I was told by no -- no
3 uncertain terms that -- that I should not be going to anybody,
4 not even a supervisor. I need to run things by my training
5 officer first, which, you know, I -- I -- at that time I -- I
6 thought, okay, this is the way that -- that they do business
7 here.

8 But I didn't have any contact with, you know, a
9 captain or lieutenant or off staff, and, you know, those
10 people, if they were there, they -- they never made -- well,
11 they were there, but they never made themselves present to me.

12 MR. DEIXLER: When you were a patrol deputy, where were
13 you placed?

14 MR. GOODEN: I was placed in Cudahy.

15 We --

16 MR. DEIXLER: (Inaudible.)

17 MR. GOODEN: I'm -- I'm sorry.

18 We had just taken over that --

19 MR. DEIXLER: I'm sorry.

20 MR. GOODEN: -- we had just taken over that contract in --
21 in Cudahy. So the -- the only place that I would have been
22 assigned, if -- if we didn't have the contract for Cudahy,
23 would've been Commerce because that was the only other contract
24 city at that time.

25 MR. DEIXLER: Was that a desirable assignment?

1 MR. GOODEN: No. Not at all.

2 MR. DEIXLER: And why is that?

3 MR. GOODEN: Well, I mean, as -- as an East LA deputy,
4 the -- the -- what is -- what is key is working the North End,
5 working in the county area -- working in the unincorporated
6 county area, because you have to have a partner, you -- you
7 work as a team, and you're able to have a bit more autonomy.

8 Commerce and Cudahy, because they're contract cities,
9 because the city managers of those particular cities had wants
10 and desires and needs, you'd put people down there that were
11 more keen to addressing those -- those type of things. And for
12 me, I absolutely had -- had no problem with that. I enjoyed
13 it.

14 MR. DEIXLER: Did you, during the time you were at East LA
15 Station, come upon a group -- a subculture that was known as
16 the Cavemen?

17 MR. GOODEN: I did.

18 MR. DEIXLER: And would you describe what -- what that
19 group or subculture consisted of?

20 MR. GOODEN: Yeah.

21 The -- the Cavemen essentially were -- were the more
22 tenured deputies at the station. And by "more tenured,"
23 I'm -- I'm talking guys that have been there, you know, 7, 8,
24 10, 12, 15 years.

25 These -- these were the guys that were the, you know,

1 quote/unquote, "icons" of -- of the station.

2 And these were the guys that, as I learned, they had
3 a lot of say into really the ongoings and the operation on --
4 on -- on a very basic level. When I say "basic level," you
5 know, shifts, patrol assignments, training, who got to train,
6 who -- who didn't get to train, you know, things that
7 ordinarily would be left to the operations staff. But because
8 these guys were -- were there, they really were the ones that
9 were handling the bulk of that type of business.

10 MR. DEIXLER: Did you ever express a desire to become a
11 training officer while you were at East LA Station?

12 MR. GOODEN: I did.

13 MR. DEIXLER: And what reaction, if any, did you receive
14 on that request?

15 MR. GOODEN: It -- it -- it was met with laughter; it was
16 met with, you know, smirks. And, basically, I was told, in no
17 uncertain terms, that that's not going to happen.

18 MR. DEIXLER: And -- and who told you that? Was that a
19 captain, a lieutenant, or somebody else?

20 MR. GOODEN: No. This was one of those peer leaders,
21 or -- or a group. I -- I can't remember, specifically.

22 But I had gone into the scheduling training office,
23 and, you know, I'd -- I'd been there, you -- you know, not that
24 long, but I was just feeling things out. And -- and I kind of
25 already knew the answer, but -- but I just wanted a

1 confirmation. So I go in the office, and I ask and that was
2 the response that I got. So from that moment on, I knew that
3 there was not going to be a -- a -- a history for me at East LA
4 Station.

5 MR. DEIXLER: As of that time in the late 1980s or early
6 '90s, how many deputies, approximately, were there at East LA
7 Station?

8 MR. GOODEN: If I remember the staffing PIMS items from my
9 time as a commander, and not much has changed that -- the
10 contract hasn't changed much, roughly between 110, 120
11 deputies, give or take.

12 MR. DEIXLER: And of the 110 or 120 deputies assigned at
13 that time at East LA, how many of them were African-Americans?

14 MR. GOODEN: I can only think of two -- well, three,
15 including myself, during that time period.

16 MR. DEIXLER: And at the time of '89 and '90 at East LA,
17 how many of -- of the deputies had four-year college degrees?

18 MR. GOODEN: Oh, wow. If I were to guess, based on --
19 based on at that time and there was no requirement for a
20 four-year degree, I would guess that'd probably be between
21 maybe 5 and maybe 10 percent of the personnel there had a
22 four-year degree or even the two-year degree, and that's
23 probably stretching it.

24 And -- and, again, that's -- that's no indictment on
25 the personnel there. That's -- that's just at that time that

1 just wasn't -- getting a degree just wasn't -- it wasn't
2 pressed, it wasn't pushed, it wasn't something that was
3 encouraged.

4 MR. DEIXLER: Did you have a four-year college degree at
5 the time you worked at East LA Station?

6 MR. GOODEN: I did.

7 MR. DEIXLER: And -- and from what institution?

8 MR. GOODEN: I -- I got my four-year degree from the
9 University of Southern California, and I also got a degree from
10 National University and my Master's degree from Tiffin.

11 MR. DEIXLER: So if we say, "Fight on," you'd know what I
12 mean.

13 In 2004, after you became a lieutenant at Men's
14 Central Jail, did you learn of problems involving the conduct
15 of deputies?

16 MR. GOODEN: I did.

17 MR. DEIXLER: And would you describe for the commission
18 what that problem was as you became a lieutenant in Men's
19 Central Jail in or about 2004?

20 MR. GOODEN: Certainly.

21 I was the early morning watch commander, and it came
22 to my attention during one of my shifts that we received --
23 inmates had been supplying certain deputies that they trusted
24 with information about incidents that -- that were occurring
25 there in the jails. These -- these deputies came to me; they

1 relayed the information to me.

2 And, basically, the -- the -- the allegations were
3 that the deputies on -- on two particular floors were staging
4 what -- what we coined as "gladiator fights." And, basically,
5 what -- what they were doing is they were allowing inmates from
6 one cell to come out of his cell, another inmate to come out of
7 his cell, and they were pitting these inmates together, staging
8 these fights, and wagering on -- on these fights.

9 This came to our attention. We were able to do a
10 deeper dive into that, and it turned out that the allegations
11 had merit, and, subsequently, there were the appropriate
12 investigations that were initiated.

13 MR. DEIXLER: You mentioned a floor or floors where the
14 deputies were staging these flight -- fights. What -- what
15 floors were they?

16 MR. GOODEN: If memory serves me right, 2000 and 3000 were
17 the identified floors, and I believe 4000 also may have been
18 involved in that as well, but two and three were the
19 predominant floors that were identified.

20 MR. DEIXLER: And did those -- are those two groups become
21 known as the 2000 Boys and the 3000 Boys?

22 MR. GOODEN: As we know them today, yes, sir.

23 MR. DEIXLER: And they were a deputy clique or a gang
24 associated with the -- the Men's Central Jail at the time these
25 fights were being staged?

1 MR. GOODEN: That's correct.

2 MR. DEIXLER: Were there shot callers at the MCJ -- Men's
3 Central Jail -- identified in connection with the
4 investigation?

5 MR. GOODEN: Yeah. As -- as best we could.

6 When we did the deeper dive and when we launched
7 the -- the -- the criminal -- there were criminal
8 investigations that were launched and there were also
9 administrative investigations that were launched.

10 The individuals that were subject of the criminal
11 investigation, you know, of course, that goes the criminal
12 route into the full adjudication of that.

13 On the administrative side, what we were able to do
14 is exactly what -- what you said. Those individuals that
15 were -- that were principals or that were -- that -- well, shot
16 callers -- but we were able to administratively remove them by
17 way of the -- the investigative process.

18 And we were able to either -- and I'm not sure
19 because it's been -- it's been a while, what the outcome was,
20 but -- but I know at that time it was -- it was -- we did a
21 tremendous amount of movement. And if memory serves me right,
22 we moved between 10 and 15 deputies, which I -- I remember
23 because we were actually running short, and we had to pull
24 deputies from other facilities to fill in because it created
25 such a void for us.

1 But to answer your -- your question, yes, we did
2 identify those individuals who were shot callers and removed
3 them and/or transferred them accordingly.

4 MR. DEIXLER: In the course of the investigation, did it
5 come to your attention that there was a fear of retaliation or
6 a reluctance to participate in assisting in the investigation?

7 MR. GOODEN: Sadly, yes.

8 MR. DEIXLER: Would you describe just a little bit for the
9 commission what was determined in connection with that
10 investigation on that point?

11 MR. GOODEN: Absolutely.

12 We have -- and I believe this is still in place, you
13 know, unless it's been changed, but we have what we call
14 "custody assistants."

15 And custody assistants are civilian non-sworn
16 personnel who are assigned to assist deputies with their
17 day-to-day duty. At that time, custody assistants didn't have
18 any inmate contact. They were basically relegated to working
19 the modules, working -- you know, working in environments where
20 they didn't have any inmate contact.

21 It came to our attention that we had several female
22 custody assistants who were, for lack of a better word, they
23 were terrified. They were terrified that -- that this
24 investigation had launched and that there were going to be
25 questions asked, there was going to be questions asked of them

1 and they were concerned for their safety and they were
2 concerned about retaliation.

3 In fact, I had one that was so concerned that -- that
4 she had almost a breakdown, and we had to call Employee Support
5 Services for her. We had to, you know, make -- make sure that
6 not only physically she felt safe but mentally she felt safe.

7 And there was -- during that time, not knowing what
8 the -- the blowout was going to be, this certainly was part of
9 that, having individuals that were scared to death.

10 MR. DEIXLER: Does -- does the -- does the staging of
11 gladiator fights by sheriff's deputies violate fundamental
12 principles of professional policing?

13 MR. GOODEN: Hundred percent.

14 MR. DEIXLER: You -- at the academy, you're not taught as
15 a deputy how to stage gladiator fights, are you?

16 MR. GOODEN: Even in this environment, I don't -- I don't
17 believe that they're teaching that, no, sir.

18 MR. DEIXLER: In 2009, you became a captain in Internal
19 Affairs, if I recall correctly your -- your resumé.

20 Would you describe your duties as a captain in
21 Internal Affairs, please.

22 MR. GOODEN: Sure. Yeah.

23 I was responsible for all of the administrative
24 investigations that were -- that were open and being worked on
25 for the Sheriff's Department; that included sworn and

1 non-sworn. I was responsible for monitoring those cases; I was
2 also responsible for working with the captain of the Internal
3 Criminal Investigations Bureau in making sure that once
4 cases -- once criminal cases were finally adjudicated that
5 those cases were transferring over to the Internal Affairs
6 Bureau so that we didn't miss any -- any critical statute
7 dates.

8 I was also responsible for the managing of my
9 personnel at that time. I had a staff of, I want to say,
10 30 sergeants and maybe half-dozen civilian personnel.

11 I was also responsible for, as I mentioned,
12 monitoring and keeping a list of all the settlement agreements
13 to ensure that the settlement agreements -- there was no
14 deviation, that we were following the guidelines and that the
15 settlements that the units were presenting to us were
16 consistent with policy and consistent with the guidelines.

17 And then I was also responsible for maintaining a
18 relationship with the Office of Independent Review. At that
19 time, we had Michael Gennaco and -- and his group that were --
20 that were working with us that were helping us with oversight
21 of our cases. So it -- it was a busy bureau.

22 MR. DEIXLER: Did an incident at the Quiet Cannon come to
23 your attention during the time that you were the captain at
24 Internal Affairs?

25 MR. GOODEN: It did.

1 MR. DEIXLER: And, very briefly, could you describe what
2 that involved.

3 MR. GOODEN: Sure.

4 The Quiet Cannon -- in fact, I was met with the
5 Quiet Cannon case. It was actually the -- the first weekend
6 that -- that I took command of IAB.

7 I remember receiving a call from then-captain and --
8 and late captain Dwayne Harris telling me of this -- this fight
9 that had broken out at a Christmas party between his deputies
10 at -- at the Quiet Cannon. And he said -- and I remember him
11 telling me, "Joe, there's -- there's some serious injuries. I
12 think I have at least one or two that went to the hospital, and
13 Montebello Police is here."

14 I said, okay, before we do anything else, let's get
15 the captain of ICIB on board because I want to make sure that
16 it's a coordinated effort. I want to make sure because before
17 it comes to me, it's a criminal case. I want to make sure that
18 ICIB is monitoring that case and ensuring that -- that it is,
19 you know, processed and adjudicated, you know, the -- the way
20 that it should be.

21 The case goes through the criminal adjudication
22 route, not sure what the outcome was. But subsequent to that,
23 it comes to my shop for administrative investigation.

24 MR. DEIXLER: In connection with the investigation that
25 you lead as the captain in IAB, did you discuss whether there

1 should be questioning on the subject matter of whether the
2 involved deputies belonged to deputy cliques or gangs?

3 MR. GOODEN: I did.

4 MR. DEIXLER: And would you describe that, please.

5 MR. GOODEN: Yeah. There was -- because of my knowledge
6 of what had transpired at -- at MCJ when I was a watch
7 commander there, I immediately knew that this was bigger than
8 just boys being boys. You know, I knew that there -- there was
9 this undercurrent of subculture there.

10 And it was important for -- for -- for us -- and when
11 I say "us," I remember the OI attorney at that time was
12 Walter Katz, and -- and Walter Katz was assigned to Custody
13 Division. And Walter Katz, you know, to -- to his credit, read
14 every single administrative investigation, every single force
15 package, every single service comment report, every single
16 claim that was connected with MCJ.

17 So I remember having a meeting with Walter Katz,
18 myself, Dennis Burns, who was the chief of Custody Division at
19 the time, my predecessor, Karen Maness, who was promoted to
20 captain -- to commander, she was formerly the captain of IAB.
21 And we had a meeting, and that was the topic of discussion
22 to -- when we launched this investigation -- to absolutely ask
23 questions about the subculture.

24 MR. DEIXLER: And so let me understand. The Quiet Cannon
25 deputies were from MCJ?

1 MR. GOODEN: That's correct.

2 MR. DEIXLER: And that was the same place the 2000 Boys
3 and 3000 Boys had staged gladiator fights. Do I understand
4 that correctly?

5 MR. GOODEN: You are correct.

6 MR. DEIXLER: And it was your view as the captain that
7 there needed to be an investigation pertaining to whether there
8 were gangs, deputy cliques, or subcultures involved; is that
9 true?

10 MR. GOODEN: That is true. I felt that it would be naive
11 for us not to, based on what I knew and based on the
12 seriousness of this incident, not to ask those question.

13 MR. DEIXLER: Why was it important, in your view, to -- to
14 find out whether there was gang involvement in the Quiet Cannon
15 incident in light of what you knew about the 2000 Boys and the
16 3000 Boys from your prior work?

17 MR. GOODEN: Three reasons: Risk management, liability,
18 and my concern was if we don't deal with this efficiently and
19 effectively now, and these individuals come through a custodial
20 environment and they're able to weave their way into a -- into
21 a patrol environment, then potentially we have individuals that
22 think that they can operate above policy and above the law.

23 Now they're working in a patrol environment where
24 they have full autonomy, not the -- the direct supervision that
25 they have in custody, but when you're in a patrol environment,

1 you have to make decisions based on training, based on
2 practice, and based on past performance.

3 And if their past performance was any indicator of
4 what their future performance was going to be, I believed that
5 it was critically important for us to deal with that early on.

6 MR. DEIXLER: So after this stint at IAB, if I remember
7 correctly, you became a captain at Century Station; is that
8 right?

9 MR. GOODEN: That is correct.

10 MR. DEIXLER: When you were assigned to Century Station,
11 were you concerned about the prospects or problems at Century
12 Station?

13 MR. GOODEN: I would be naive if I said no.

14 Century Station has a long history. You know,
15 whether it's -- it's dealing with the old, former Firestone
16 Station, Lynnwood Station, the merging of both of those
17 stations turning into Century Station, the -- the lawsuits
18 that -- that had -- had grown out of Century Station. Also,
19 coming from IAB, I had read many cases, you know, involving the
20 Century Station personnel.

21 So there -- there was -- there was not concern; there
22 was just -- you know, just the anxiety of I'm going to have to
23 go in, and I'm going to have to be the best me possible to
24 ensure that -- that I do what's right for this station and for
25 this community.

1 MR. DEIXLER: When you got to Century Station, did it come
2 to your attention that deputies were involved in personnel
3 decisions?

4 MR. GOODEN: Yeah. And that came to my attention when I
5 was greeted, probably the first month that I was there, with a
6 lawsuit from five former trainees that were suing the -- the
7 County and had named Century Station and also South LA Station.
8 And, basically, what they were alleging, they were alleging
9 harassment, intimidation, and hazing, you know, all the things
10 that centered around a scheduling and training office.

11 So I remember after I was deposed by a very
12 high-powered attorney who basically ripped me a new one for
13 running a shop that was out of control, I took it upon my --
14 myself to come back to my station and do a top-to-bottom audit
15 of -- of my training office, my scheduling office and,
16 basically, the entire operation because I didn't want what I
17 had gone through to continue, and I certainly didn't want it to
18 happen to anybody that -- that was coming in behind me.

19 MR. DEIXLER: Did you discover in that top-to-bottom audit
20 that there had been attempts to prevent trainees coming to
21 Century Station that were undertaken by deputies?

22 MR. GOODEN: Yeah. And -- and not only did I discover
23 that, but it was presented to me squarely in my face where a
24 group of deputies actually came into -- to my office -- or came
25 to my office, and for lack of a better way to describe this,

1 demanding that an individual that was on a -- on a current
2 transfer list, that that individual will not come to the
3 station -- that individual cannot come to the station.

4 And I looked at these deputies, and -- and as I was
5 escorting out of -- them out of my office, I told them not only
6 will this person come to this station, because this person has
7 a right to train here, they're on a transfer list. I cannot
8 arbitrarily say you're not on this list anymore. You're --
9 you're now going to go to a different station, because now I'm
10 going to become -- become subject of an investigation.

11 And as I was escorting them out, and I said, "Not
12 only are they coming here, but they will be trained according
13 to the principles and the practices set forth by the Department
14 and its training standards. Anything short of that, I'm coming
15 to you guys first."

16 MR. DEIXLER: Well, is it a problem having deputies in a
17 position to veto transfers in a paramilitary organization?

18 MR. GOODEN: Well, it goes against the whole philosophy of
19 a paramilitary organization. There's a chain of command,
20 and -- and as I learned at East LA Station, you know, I
21 couldn't even talk to a sergeant; I had to talk to my training
22 officer first. So for -- for deputies to be making autonomous
23 decisions about the operation of a station is just crazy.

24 MR. DEIXLER: Was there a deputy clique with a name at
25 Century Station during the time you were there?

1 MR. GOODEN: Yes, sir.

2 MR. DEIXLER: And what was the name?

3 MR. GOODEN: The Regulators.

4 MR. DEIXLER: And did the Regulators have a logo?

5 MR. GOODEN: Yes, sir, they did.

6 MR. DEIXLER: And let me see if we have -- do we have a
7 copy of the Regulators' logo?

8 Okay. It may be -- we'll have to -- we'll -- we'll
9 come back to that.

10 And at Century Station, in addition to the
11 Regulators, was there another deputy clique?

12 MR. GOODEN: There was also the Spartans.

13 MR. DEIXLER: Let me put up a photograph recently taken of
14 a locker room at East LA Station. And tell me whether you
15 recognize that as the logo of the Spartans.

16 MS. PERELLO: If I could have permission to share the
17 screen, please.

18 UNIDENTIFIED MALE: Yes.

19 Let's see. Drew, can you do that?

20 MR. DORSEY: Yeah. It's up.

21 UNIDENTIFIED MALE: Okay.

22 MR. DEIXLER: And on the locker room, there is a -- a
23 logo.

24 Is that a logo you recognize?

25 MR. GOODEN: That -- that one I don't -- that must be a

1 new one. I'm not familiar with -- with that one.

2 MR. DEIXLER: Okay. Thank you.

3 At the time you were at Century Station, there was a
4 Spartan logo?

5 MR. GOODEN: Correct.

6 MR. DEIXLER: And --

7 MR. GOODEN: And -- and tattoo.

8 MR. DEIXLER: And -- and would you describe the logo and
9 the tattoo that you observed during the time you were there?

10 MR. GOODEN: Yeah. If memory serves me right, it was --
11 it really covered a lot of the calf and the lower leg. And if
12 memory serves me right, it -- it was a shield and -- with
13 swords and, you know, just making reference to the Spartan era.

14 But -- but it's a fairly large tattoo. That -- that
15 one -- that one must be new.

16 MR. DEIXLER: So -- so let me see if I understand.

17 There were -- while you were at Century Station,
18 there were the Regulators and there were the Spartans; is that
19 true?

20 MR. GOODEN: That's correct, yes.

21 MR. DEIXLER: And did they function well together, in your
22 observation, as the captain there?

23 MR. GOODEN: No. They did not live, and they didn't
24 co-exist well.

25 MR. DEIXLER: Did Century Station have a canopy with the

1 station name?

2 MR. GOODEN: Yes, sir.

3 MR. DEIXLER: And what was the canopy with the station
4 name used for?

5 MR. GOODEN: The canopy was basically a station canopy
6 that we used for station events, during open house, picnics,
7 sporting events, whether it's football, flag football, whether
8 it is Baker to Vegas. It was used for a lot of the social
9 events that the deputies had, both on and off duty.

10 MR. DEIXLER: Was there an incident involving the canopy
11 during the time you were a captain at Century Station?

12 MR. GOODEN: Yes, there was.

13 MR. DEIXLER: Would you -- would you describe to the
14 commission, please, that incident.

15 MR. GOODEN: So it came to my attention, and I believe my
16 operation staff brought it to -- to my attention that -- that
17 the groups were having a disagreement.

18 And I said, "Well, what's the genesis? What's going
19 on?"

20 And they told me "Well"...

21 And I can't remember which group. One group wanted
22 to use the canopy for something, and the other group was
23 basically holding it hostage. So both groups were kind of
24 chipping at each other, going back and forth.

25 And so I convened a meeting with training staff,

1 training officers, you know, because I didn't know who the --
2 who the players were or -- or as they've been referred to as
3 "shot callers." I didn't know who the shot callers were, but I
4 wanted my message to -- to be clear. So I convened a meeting
5 with -- with my op staff and also with the training and
6 scheduling staff to talk about this.

7 And I said, "Hey, look. This is the bottom line.
8 This is Century Station, and I don't care what tattoo they have
9 on their bodies. I don't care what symbols they -- they have,
10 who -- who they howl to the moon to. I don't care. When you
11 come here, it's about the LA County Sheriff's Department and
12 Century Station. And if they can't do that, I've got a list of
13 transfers that I will be more than happy to sign for -- for
14 them."

15 So that was really my first opportunity to address
16 the issue as a whole and really to talk to what I believed were
17 key personnel that would disseminate my message to the rank and
18 file about this is ridiculous, stop, we're -- we're fighting
19 over a canopy.

20 MR. DEIXLER: Did the existence of deputy cliques or gangs
21 influence the operation of the stations on both big and small
22 issues during your tenure at the LASD?

23 MR. GOODEN: I would say absolutely. Yes.

24 MR. DEIXLER: After Sheriff Baca became unavailable to
25 serve as the sheriff, was John Scott appointed as the interim

1 sheriff?

2 MR. GOODEN: He was.

3 MR. DEIXLER: And did -- did Sheriff Scott change the
4 policy regarding logos of gangs?

5 MR. GOODEN: Almost immediately.

6 MR. DEIXLER: Was it a policy with which you agreed?

7 MR. GOODEN: A hundred percent.

8 MR. DEIXLER: And -- and just if you would, briefly
9 describe what the policy became under Sheriff Scott after
10 Sheriff Baca was unavailable.

11 MR. GOODEN: Sure.

12 What Sheriff Scott did -- and it really was a breath
13 of fresh air for us because what Sheriff Scott brought to the
14 Department was institutional knowledge. He was -- he was an
15 outsider, but he was also an insider. So what Sheriff Scott
16 was able to -- to do is he went right at the heart and -- and
17 the meat of the problem.

18 He -- he immediately said, "These logos are gone,
19 start identifying replacement logos. I don't care if it's a
20 contest, if it is a random drawing, but we're going to move
21 away -- start transitioning from -- from those 20 --
22 20th-century era logos and move more towards progressive
23 21st-century logos."

24 He also instituted a -- a policy where stations had
25 to gain approval -- seek approval of -- of logos, mottos,

1 anything that they wanted to put on T-shirts, challenge coins,
2 anything that they wanted to put up for sale to raise money
3 for -- for their stations, they had to absolutely run that by
4 their division, and they had to get an approval.

5 And one of the other things that he did, he was --
6 not to -- and -- and, again, don't know what the predecessors
7 did, but what -- what John Scott also put in play -- or,
8 really, we started moving towards with aggression was dealing
9 with the tattoos and -- and trying to come up with a balance.

10 You know, of course, there's -- there's a First
11 Amendment privileges, and we get that, and right to privacy.
12 But we -- we also -- those -- those -- those tattoos were
13 something that -- that were -- that were associated with things
14 of -- of a 20th-century era that didn't represent the
15 Department well.

16 So Sheriff Scott did -- in his year or so as the
17 sheriff, worked very tirelessly to bring us -- and -- and to
18 really get the ball rolling with -- with the reforms that --
19 that we needed.

20 MR. DEIXLER: So let me ask you, notwithstanding
21 Sheriff Scott's policy change with which you agreed, were there
22 sort of backdoor or offsite uses of these unapproved logos that
23 came to your attention?

24 MR. GOODEN: Absolutely. Yes.

25 MR. DEIXLER: Would you share -- would you share an

1 example with the -- with the commissioners about --

2 MR. GOODEN: Yeah.

3 One example was South Los Angeles Station. They had
4 sent up a design for our approval. And it came to my -- my
5 office, and I said absolutely not because that design had the
6 Grim Reaper on it, and the Grim Reaper was and still is their
7 mascot -- their logo.

8 And I said, "Absolutely not."

9 They agreed, and said, "Okay."

10 Didn't receive an updated design for -- for approval
11 so I just thought, okay, they're going to move away from that,
12 and -- and maybe not do T-shirts.

13 It came to my attention about maybe a couple weeks
14 later that this same T-shirt, they had not only produced --
15 mass-produced the T-shirt, but now they had moved it off-site,
16 and it was now being sold at one of the custodial facilities.

17 One of my employees happened to be at Twin Towers for
18 a barbecue, purchases one of these T-shirts, brings it back to
19 the office, and -- and the chief at that time was Kevin
20 Guaranani (phonetic) -- and we nearly -- nearly hit the ceiling
21 because this was the exact same T-shirt that we had voided,
22 that we said no, it's not appropriate.

23 So we called that particular captain, and basically
24 he tells us, "Well, you know, I guess I'll just have to fall on
25 my sword."

1 And that's what we were dealing with. Slowly but
2 surely, we were -- we were beginning to, you know -- the
3 resistance wasn't as overt as it was years ago, but we were
4 still getting those individuals that were slow to get the
5 message and slow to get on this -- this -- this path of -- of
6 change.

7 MR. DEIXLER: Let me ask you what may be a very obvious
8 question. Would it be a fair statement to say that during your
9 tenure in the LASD that you concluded that there were deputy
10 cliques and gangs in the LASD?

11 MR. GOODEN: Yes, sir.

12 MR. DEIXLER: And -- and do you believe that a senior
13 person with experience in the LASD can reasonably deny that
14 there were and are gangs in the Sheriff's Department?

15 MR. GOODEN: I would say any senior executive, past,
16 present, and current that does not acknowledge that there are
17 subcultures, deputy gangs, cliques within the Sheriff's
18 Department, it's not only naïve thinking but it's also
19 misplaced thinking.

20 MR. DEIXLER: In -- in 2016, when Jim McDonnell became the
21 sheriff, did he follow the policy of Sheriff Scott regarding
22 gang logos and paraphernalia?

23 MR. GOODEN: He did.

24 MR. DEIXLER: And was there a particular station that was
25 of concern to the senior leadership of the Department as

1 Sheriff McDonnell took over?

2 MR. GOODEN: Yes, sir. That was East LA Station.

3 MR. DEIXLER: And how was that concern addressed?

4 MR. GOODEN: Sheriff McDonnell met with myself and
5 then-assistant sheriff Bobby Denham, and he made it clear to us
6 that it was time to move away from their mascot and their logo
7 and their motto. The community was crying for change; the
8 community was begging for change. He made it clear to us
9 that -- that we needed to work on that in a very aggressive
10 manner.

11 It actually started with Captain Steve Biagini, and
12 it continued with Captain Chris Perez, who was -- both these
13 captains were -- were on board. So if anyone says that there
14 was nothing being done at East LA Station to deal with this
15 issue, they're absolutely incorrect, a hundred percent
16 incorrect.

17 MR. DEIXLER: Let me -- let me -- let me show you a photo
18 of a -- of a logo and tell me whether this was the logo that --
19 that was banned.

20 MR. GOODEN: That's the one. Yes.

21 MR. DEIXLER: And would you just -- just for the record,
22 if you could describe it and explain why you think it might be
23 inappropriate for professional police to have such a logo.

24 MR. GOODEN: Yeah. Here's -- here's the issue with this
25 logo.

1 I get the history, you know. I get when -- when this
2 logo was first fashioned, you know. When we talk about the
3 Fort Apache, we talk about the -- the -- the last standing
4 outpost and we're -- we're doing crimefighting and we're --
5 we're -- we're the last station between, you -- you know,
6 tyranny and decency. I get that.

7 But when you move forward and you look at this and
8 the hat and the boot, you know -- you know -- I get the "2"
9 because that's -- that's the station identifier for East LA
10 Station, Station 2. But when the -- the translation of that,
11 when we talk about low profile, it's -- it's different meanings
12 to different people: Fort -- Fort -- Fort Apache, different
13 meanings to different people.

14 And especially, you know, it's -- I'm -- I'm not
15 saying that you have to succumb to the progressive way of
16 thinking. But when you look at this logo and you look at the
17 history and if you're serving an immigrant population where
18 they find this offensive, then the least that you could do as a
19 station is acknowledge that and -- and work with the community
20 that you serve.

21 This -- when -- when you talk about a kick in the
22 pants, and -- and that's what that -- the -- the Spanish is --
23 is roughly translated, a kick in the pants, when you -- taking
24 that in its simple terms, a kick in the pants, yeah, a deputy
25 30, 40 years ago said, "Yeah. East LA Station, it's a kick in

1 the pants. It's -- it's great to work here. It's -- it's --
2 it's -- it's exhilarating."

3 But when you look at the immigrant population in, you
4 know, 2018, 2019, 2020, 2021, today, you know, those are
5 offensive terms. What do you mean, a kick in the pants? What?
6 Are you guys out here kicking us in the pants? So it becomes
7 very -- it -- it was offensive.

8 Sheriff McDonnell was hearing that, and we put things
9 in motion to work with the station. "We want you guys to come
10 up with a more progressive motto and logo."

11 MR. DEIXLER: And -- and -- and what efforts were made to
12 cease the use of that logo?

13 MR. GOODEN: What -- what we did, we ordered the removal,
14 which was -- which was a process because when you're dealing
15 with something that has been around for 40-plus years, you
16 know. You just can't overnight go in and just rip that down.

17 So starting with Steve Biagini and then Chris Perez,
18 slowly but surely, replacing that logo, introducing or
19 encouraging the deputies to come up with a prototype,
20 encouraging the deputies to submit submissions about -- about a
21 new logo. And part of that was also removing the logo that
22 was -- there was a tile logo in the center of the main hallway
23 at the station. And that -- that logo was -- they paid homage
24 to that logo. We told them that logo's got to come up. It was
25 tile, and -- and we ordered them to, you know, to dig it up.

1 Unbeknownst to us, they didn't dig it up. They just
2 carpeted over it so that at some point in time it could be
3 resurrected.

4 MR. DEIXLER: And do you know whether that logo has been
5 resurrected?

6 MR. GOODEN: I believe it was resurrected December 3rd of
7 2018.

8 MR. DEIXLER: And -- and -- and what happened on
9 December 3rd, 2018, that causes you to remember it so
10 particularly?

11 MR. GOODEN: I believe that was the swearing-in of the new
12 sheriff.

13 MR. DEIXLER: Let me turn your attention in that period to
14 the Kennedy Hall incident, if I can, and -- and would you --
15 the commission's heard quite a bit of testimony on that.

16 Could you just briefly describe what the Kennedy Hall
17 incident involved.

18 MR. GOODEN: Yes. Basically, it was an off-duty fight
19 between two groups of deputies assigned to East LA Station.
20 The fight was so egregious that it -- it resulted in serious
21 injuries to multiple deputies who were hospitalized, and it --
22 and it resulted in the initiation of -- of a criminal
23 investigation.

24 MR. DEIXLER: And were you in charge of ensuring if that
25 investigation was conducted?

1 MR. GOODEN: I was.

2 MR. DEIXLER: And in connection with that investigation
3 that you were supervising, did you meet with Captain Matt
4 Burson?

5 MR. GOODEN: I did.

6 MR. DEIXLER: And at the time that you met with Captain
7 Burson, what was his position?

8 MR. GOODEN: Captain Burson was the captain of the
9 Internal Criminal Investigations Unit.

10 MR. DEIXLER: And when you met with Captain Burson to
11 discuss the Kennedy Hall incident, were others present?

12 MR. GOODEN: Yes. It was myself, Diana Teran, who was
13 the CPA, Assistant Sheriff Bobby Denham, and my commander over
14 East LA Station, Curtis Jensen.

15 MR. DEIXLER: And -- and CPA doesn't mean Certified Public
16 Accountant. It means Constitutional Policing Advisor; is that
17 true?

18 MR. GOODEN: That's -- that's correct, yes.

19 MR. DEIXLER: And, in substance, what was discussed in
20 that meeting among that group?

21 MR. GOODEN: Well, made it quite clear because of -- of
22 what we were focusing on at East LA Station with -- with
23 regards to personnel, with regards to the logo, with regard to
24 the subculture there that we made it clear to Captain Burson
25 that in conjunction with the criminal probe we have to, and

1 we're directing you, to ask questions about the subculture
2 there.

3 This was our opportunity. We truly believed that
4 this was our, you know -- lack of a better term, this was our
5 smoking gun. This was an opportunity for us to do what had
6 never been done at East LA Station, to -- to actually have a --
7 a clear investigation that clearly pointed to some aberrant
8 subculture behavior where we could go in and specifically ask
9 those questions.

10 MR. DEIXLER: And so long as you were in charge, did
11 Captain Burson communicate with you on the substance of those
12 investigations?

13 MR. GOODEN: Yeah. Each -- each Monday we -- we had what
14 we call the assistant sheriff's meeting. And part of those
15 meetings were to discuss events from the previous week, case
16 updates, and if there were any significant updates on open
17 admin and criminal cases. So almost every Monday we met, and
18 we discussed the Kennedy Hall case.

19 MR. DEIXLER: And did -- did Captain Burson tell you at
20 any time that he had instructed the investigators to not ask
21 questions about deputy gangs or subcultures?

22 MR. GOODEN: Never.

23 MR. DEIXLER: When Sheriff Villanueva took office, did
24 your status in the LASD change?

25 MR. GOODEN: It did.

1 MR. DEIXLER: Would you share with the commission how you
2 learned of the change of your status?

3 MR. GOODEN: Sure.

4 I was -- the Monday before his swearing-in, I was
5 sitting in my office working, and I get a calendar meeting
6 appointment from the undersheriff, which was odd because our
7 meetings were usually scheduled in advance, and that meeting
8 was for now. So I knew that it was something critical because,
9 you know, to -- to get that calendar meeting and wanting to
10 meet me right now, I knew it was something critical.

11 So I leave my office, walk over to the -- to the
12 assistant sheriff's meeting room, and before I opened the door,
13 I could hear chatter. It -- it -- it sounded like there was a
14 group of people inside this -- this meeting. So I opened the
15 door, and I see my peer chiefs -- well, the majority of my peer
16 chiefs sitting there.

17 And -- and as I breached the -- the threshold of the
18 doorway, I could hear them all say in unison "Oh, well, I guess
19 Joe's on the list too."

20 I'm, like, "List. What list?"

21 Well, come to find out that there was an email that
22 was sent to the undersheriff from Captain -- he became the
23 chief of staff -- Larry Del Mese. So Captain Del Mese sends
24 the undersheriff this email basically telling us effective
25 Monday, December 3rd, the swearing-in, either we can -- we

1 retire, or we can demote back down to our last -- our last
2 Civil Service rank, which would have been commander for me.

3 So met with that, it was an easy decision for me.

4 And it's -- it's, like, "Okay. Well, I -- I earned
5 this. No one gave this to me. I'm going to retire honorably
6 as a chief."

7 So I had two days to finalize my affairs because I --
8 I had meetings that were scheduled up north that was part of a
9 Shooting and Force Review Committee that I had -- I had to
10 attend on Thursday. So I literally had two days to get my
11 affairs in order, clean my office, and -- effective Monday,
12 December 3rd-- I was still employed, but the transition had
13 taken place, so I -- I'd taken some personal time that -- that
14 I had on the books, and -- and I officially retired
15 December 31st -- December 31st, 2019.

16 MR. DEIXLER: Let me ask you: Matt Burson has testified
17 that he was instructed to tell the investigator Jefferson Chow,
18 who was investigating Kennedy Hall, not to ask about deputy
19 subcultures, meaning gangs, during the transition period when
20 the new sheriff took over.

21 Was that instruction that Matt Burson has testified
22 to under oath consistent with the meetings that you held with
23 him and instruction you had given him?

24 MR. GOODEN: Absolutely not.

25 MR. DEIXLER: Did you know of that change instruction

1 during the time that you were still with the LASD?

2 MR. GOODEN: I did not.

3 MR. DEIXLER: In the ordinary course of business, would
4 you have expected to be told about such a dramatic shift in the
5 scope of an investigation?

6 MR. GOODEN: Technically, I was still the chief of the
7 division until December 31st, 2019. So in an ordinary
8 progression of leadership that information should've been
9 shared with me.

10 MR. DEIXLER: What is the reason -- what is the reason in
11 the context of the Kennedy Hall beating that you believe
12 questions about gang membership were proper?

13 MR. GOODEN: Well, it -- it was important, and -- and I
14 think I spoke about this in -- in -- in terms of three reasons:
15 Liability, risk management, and really helping those employees.

16 And -- and -- and there may be some that may not
17 believe this, but, you know, part of opening an administrative
18 investigation, and, in this case, say, a criminal investigation
19 also is -- is to change behavior. And so for -- for those
20 orders to have changed, it's shocking to me, it's
21 disappointing, and -- and it is just bad form. I mean, you --
22 you just don't do those things.

23 MR. DEIXLER: Would knowledge of the gang involvement shed
24 light on what the motive was for the beating?

25 MR. GOODEN: Absolutely.

1 MR. DEIXLER: Is determining a motive for a potential
2 criminal case important in law enforcement?

3 MR. GOODEN: Absolutely. Absolutely.

4 MR. DEIXLER: And why is that? Why is determining the
5 motive important?

6 MR. GOODEN: Motive gives you the road map. Motive gives
7 you the road map to not only continue the investigation on a
8 path that's going to bring some -- some result, but motive also
9 gives you history. It gives you a -- a deeper and a better
10 perspective as to why this particular crime happened. With --
11 without motive, you really can't investigate anything
12 appropriately or thoroughly. It's impossible.

13 MR. DEIXLER: Is -- is preventing the investigation of a
14 motive of a crime consistent with fundamental principles of
15 professional policing?

16 MR. GOODEN: Absolutely not.

17 MR. DEIXLER: You've been generous with your time, and
18 needn't have testified.

19 Would you tell the commission why you decided to come
20 here today and testify as you have?

21 MR. GOODEN: Well, it's -- it really is important for me
22 as not Chief Joe Gooden, but as a resident of this county to --
23 to have all the facts on public display. I think it's
24 important that -- that the facts, you know, are allowed to play
25 out and allow the individuals to absorb the -- the facts and

1 make it -- it -- the decisions about whether or not they agree
2 or disagree on something.

3 And then just as importantly as that, for all those
4 hardworking men and women that are working with the Department.
5 I've been with the Department 31 years, you know, 34 years
6 total in law enforcement and loved every single minute of it.
7 Yeah, it had been slow, but you -- you know what, we worked
8 hard. The vast majority of the men and women working on the
9 Department work hard.

10 I always said this. There is that very vocal
11 minority that gets the grease. You know, the old adage, "The
12 squeaky -- the squeaky wheel gets the grease"?

13 And that's no different here. It's -- this is for
14 the silent majority. Those folks who are coming to work every
15 single day, who are working hard, who are doing the -- the job
16 within the law, within policy, within -- with morals, within
17 good practices. This is for them to know that, you know, your
18 work isn't going unnoticed, and it shouldn't be overshadowed by
19 all this noise because that's all this -- this is is noise.
20 But within this noise, the truth has to come out, and the truth
21 will prevail.

22 MR. DEIXLER: Thank you for your testimony.

23 I have no further questions. I'll pass the witness.

24 May we take a one-minute break? I don't know whether
25 Chair Kennedy has a question or not, but I'd like to take a

1 break.

2 CHAIR KENNEDY: Sure.

3 MR. DORSEY: This marks the end -- this marks the end of
4 media number one. The time is 1:08 p.m. We are off the
5 record.

6 (A recess was taken from 1:08 p.m. to 1:12 p.m.)

7 MR. DORSEY: This marks the beginning of media number two.
8 The time is 1:12 p.m. We are on the record.

9 MR. DEIXLER: So if Chair Kennedy has a question, should I
10 mute and ask it?

11 CHAIR KENNEDY: I -- I just wanted to ask you,
12 Chief Gooden, you spoke about Sheriff Scott trying to ban
13 inappropriate tattoos. Do -- do --

14 MR. GOODEN: Correct.

15 CHAIR KENNEDY: -- are you familiar with Sheriff Scott
16 starting a committee on inappropriate logos and tattoos to
17 study the issue?

18 MR. GOODEN: Yeah. Yeah. And, in fact, that was part
19 of -- that was part of what he was putting in place. I -- I
20 know that at that time, I believe it was still the Office of
21 the Independent Review that later became just Diana Teran as
22 the CPA; she was part of that committee.

23 CHAIR KENNEDY: Do you know who else was on the committee?

24 MR. GOODEN: I know that at that time, county counsel, and
25 I can't recall -- I believe it was Liz -- I can't remember

1 Liz's last name. But we had county counsel that was also part
2 of that because that -- that was important for us, and we also
3 had different executives that I can't recall. But the
4 formation of that committee, I absolutely do recall.

5 CHAIR KENNEDY: And was the deputy county counsel that
6 you're referring to, is it Elizabeth Smith?

7 MR. GOODEN: I want to say Elizabeth Miller.

8 CHAIR KENNEDY: Miller. Elizabeth Miller, okay.

9 MR. GOODEN: Yes. Yes.

10 CHAIR KENNEDY: And were you on that committee?

11 MR. GOODEN: I was not.

12 CHAIR KENNEDY: And do you happen to know whether or not
13 the inappropriate tattoos and logos committee that Sheriff
14 Scott started produced a written report?

15 MR. GOODEN: I believe that report was produced, but I
16 don't remember the -- the substance of that report.

17 I -- what -- what I do remember is that we were
18 having difficulties with the -- because, of course, we wanted
19 to be -- when I say "we," the Department wanted to be
20 absolutely in tune with a deputy's right to privacy, with First
21 Amendment privilege, and there were variations of that policy
22 that went up and down. I remember us talking about the policy
23 mirroring what they were doing in the military.

24 But I believe at the end of the day the policy came
25 down to this. What the current policy is, or -- or what the

1 current policy was, I don't know if it's still the same -- and
2 that policy was as long as your tattoos are covered then that
3 is the policy, and that will remain the policy.

4 You know, we -- we went back and forth, you know,
5 about types of tattoos, what -- what someone can and -- can and
6 cannot, should or should not. And, again, that was crossing
7 into a very fine line of not only privacy but also violating
8 their -- their First Amendment privilege.

9 CHAIR KENNEDY: Were you concerned about deputies wearing
10 tattoos that convey an inappropriate message about the
11 Sheriff's Department's mission to members of the public?

12 MR. GOODEN: Yes. And here's why.

13 And I had many conversations with my personnel about
14 their choice because it is a choice to get that tattoo. And I
15 would tell them, I said: It is your -- it is your body, it's
16 your choice, but here's what you have to be cognizant of. When
17 that tattoo becomes bigger than you and bigger than what you're
18 involved in, then that's a problem. And when that tattoo
19 starts to convey a message that's not consistent with the
20 Department or consistent with -- with -- with you and maybe
21 your -- your moral thought processes, then that's a problem.

22 For example, if you're involved in a deputy-involved
23 shooting, and -- and -- and -- and it's a controversial
24 shooting and you happen to have that ink, you happen to have
25 that tattoo, and that comes out through discovery, it goes from

1 being all about the shooting, and -- which may be a legal,
2 justified shooting, but now it's all about that tattoo. It's
3 all about the history of that tattoo and what that tattoo
4 represents.

5 So -- so yes, I had -- I had concerns with -- with
6 that tattoo because of how it was evolving and what it had
7 evolved into, you know. I'm sure it's no secret the amount of
8 money that the County has paid out with regards to deputies
9 that are associated with these tattoos.

10 And so it's -- it is bigger than -- than just "I want
11 to be a tattooed deputy." And, you know, again -- and it's a
12 personal choice, but that personal choice comes with a lot of
13 variables.

14 CHAIR KENNEDY: And did part of your concerns about
15 tattoos, Chief Gooden, have to deal with what had to be
16 disclosed to the defense in criminal cases when a tattooed
17 deputy was testifying?

18 MR. GOODEN: And -- and -- and not so much disclosed, but,
19 you know, when it was disclosed, I saw, and I -- and I begin to
20 see as my tenure as the -- as -- as a chief that it really
21 became less about the incident, about the -- the force or the
22 shooting itself; it was about the tattoo.

23 And wasn't so much concerned about the disclosure per
24 se because that's the defense's right. It's just -- if we back
25 up, and if we think about what that tattoo means and what it's

1 going to mean in -- in one of those tribunals, it's probably
2 not going to bode well for the Department and/or the employee.

3 CHAIR KENNEDY: Well, did the part -- the Department,
4 Chief Gooden, have a policy regarding the disclosure of deputy
5 clique or deputy gang tattoos to the defense in criminal trials
6 that you know of?

7 MR. GOODEN: No. No.

8 CHAIR KENNEDY: Well, can I ask how you would meet your
9 Brady obligations if you're not disclosing the gang tattoos to
10 the prosecutor who is calling those tattooed deputies as
11 witnesses and gang experts in criminal trials?

12 MR. GOODEN: And -- and that's a great question.

13 And -- and through Brady and, you know -- and I know
14 it's been discussed in this tribunal about Brady and about
15 how -- how -- how effective, and in some respects, how
16 ineffective Brady was. But, yeah. When -- when you go through
17 the Brady process and when you go through the proper Pitchess
18 motions and -- and you go through the proper discovery, you
19 know, legal challenges, that -- that information absolutely
20 was. But as far as -- as far as when I was on the Department,
21 we were moving in that direction, but I don't believe that we
22 had -- had instituted anything outside of the normal realm of
23 discovery that -- that required that.

24 CHAIR KENNEDY: Well, doesn't Brady require you to
25 disclose material impeaching information about a testifying

1 officer whether the defense --

2 MR. GOODEN: Hundred percent.

3 CHAIR KENNEDY: -- whether the defense makes a Pitchess
4 motion or not?

5 MR. GOODEN: A hundred percent. A hundred percent.

6 And -- and -- and those cases where -- where Brady
7 was an -- was an issue, I -- I am certain that that information
8 was disclosed, you know. But if that -- if that individual was
9 not on the Brady List, then that individual remained under the
10 radar until the normal course of discovery through Pitchess
11 motions, and, you know, through PRAs.

12 CHAIR KENNEDY: But I'm just trying to understand. I'm
13 not trying to be quarrelsome, Chief.

14 MR. GOODEN: Oh, no. No.

15 CHAIR KENNEDY: If the Department is not asking its
16 deputies if they have a clique or gang tattoo, how does the
17 Department know if they are in a clique or a gang? And -- and
18 how does it then meet its Brady obligation to the DA by telling
19 them your gang expert or your testifying witness has a gang
20 tattoo?

21 MR. GOODEN: And therein lies the problem.

22 There -- there is no requirement that a deputy
23 discloses that -- that he or she has a tattoo. There is no,
24 you know -- and that was also part of the committee to...

25 "Is there a way that we can create a list so that we

1 can create -- that we can" -- you know, and -- and we -- we
2 were joking.

3 So we're going to have station captains standing
4 at -- at the station doors, watching every employee come in,
5 and, hopefully, they're wearing shorts, or they're wearing a
6 tank top, and we can see the tattoo.

7 "Oh, yeah. Employee A is a Regulator, Employee B is
8 a Spartan, Employee C is a Regulator."

9 You know, short of that, there -- there wasn't, and
10 I -- I would hasten to believe that there still isn't a -- a
11 process where a deputy has to identify personal inkings and
12 tattoos on his or her body.

13 CHAIR KENNEDY: Why not?

14 MR. GOODEN: That's a great question.

15 Because then it -- then it gets back into that legal
16 realm of right to privacy, First Amendment.

17 And it's -- I mean, it is -- it isn't an easy topic,
18 and it shouldn't be, but it's a topic that has to be discussed.
19 And -- and I agree, there has to be a definitive resolution to
20 this because you're absolutely right.

21 At this -- this -- this point in time, you have
22 individuals out there that have these tattoos, and that's their
23 choice, but if something happens, does the Department have the
24 responsibility to know that you have a tattoo that may be
25 associated with this particular group that may be problematic

1 for us in terms of liability and risk management?

2 That is what the Department was grappling with when I
3 was there. I don't know if they're still grappling with it
4 to -- today. But hopefully, this dialog will resurrect this
5 conversation because it is something that -- that has to have a
6 definitive resolution.

7 CHAIR KENNEDY: Well, not just the Department's liability;
8 right? Also, the accused person's --

9 MR. GOODEN: Right.

10 CHAIR KENNEDY: -- right to due process in a criminal
11 trial.

12 MR. GOODEN: Absolutely. Yeah. It -- it runs the -- the
13 complete gamut. Absolutely.

14 CHAIR KENNEDY: Doesn't the Department require candidates
15 from the academy to disclose and photograph all their tattoos
16 and explain them as they --

17 MR. GOODEN: And those are -- and -- and those are new
18 hirees, yes. So there is a system in place, unless
19 that's -- that's changed, that yeah, we can capture that
20 information on the front end. So any new hiree that is coming
21 onto the Department, those disclosures are -- are made.
22 However, if that employee is now hired, and they choose to go
23 get one of these tattoos, there's no followup. There is --
24 there is just nothing in -- in -- in -- in place.

25 "Yeah. I -- I -- I have this tattoo with my mom and

1 my sister, and, you know, a ship that's sailing out in the
2 sunset. But I also have this tattoo that I didn't have to
3 disclose because now I've been a member of the Department for
4 X-amount of years, and there's -- and there's no requirement
5 that I disclose that I have this tattoo," which is -- could be
6 a multitude of different tattoos.

7 CHAIR KENNEDY: Does that distinction make any sense to
8 you, Chief Gooden?

9 MR. GOODEN: No. Never has.

10 CHAIR KENNEDY: I mean, if you can ask applicants without
11 violating their First Amendment rights to disclose their
12 tattoos, why on earth couldn't the leadership of LASD ask
13 public servant employees with a law enforcement mission to do
14 the same thing every year?

15 MR. GOODEN: Yeah. And -- and -- and that was the -- the
16 issue that -- that we grappled with, not just us, but with
17 the -- with the legal minds coming in.

18 And, hopefully, with this renewed interest in -- in
19 this, it will renew some conversations about this because you
20 make a very valid point. If we require new applicants and new
21 hirees to disclose their -- their -- their tattoos and their
22 body art, if you get a new tattoo or if you upgrade that tattoo
23 or you remove that tattoo, you know, why isn't there a system
24 in place, you know?

25 And, again, it goes back to privacy and First

1 Amendment and working around the First Amendment privilege.

2 So...

3 CHAIR KENNEDY: Can I ask why the leadership is so
4 reluctant to, I guess, crack down on deputy cliques and gangs
5 within the Department?

6 MR. GOODEN: I think the reluctance over the years has
7 always been "We can control this."

8 And by "control this," meaning that, okay, well,
9 there's -- there's nothing that has -- has come out of this
10 that is too problematic, nothing newsworthy, nothing
11 that's -- that's -- that's -- that's too shocking to the
12 conscience. But in recent events, that has changed. We've
13 seen events that -- that have, you know, that's shaken --
14 shaken our collective consciousness.

15 And -- and it's just we're -- we're at that point now
16 where the leadership -- I know what we tried to do. We tried
17 to aggressively address these -- these things, we tried to come
18 up with the best remedies that would be best for the employee,
19 the community that -- that we serve and the Department and the
20 county.

21 And I don't know what's going on now. I can't speak
22 for the -- the current -- the current -- current
23 administration, but you're absolutely right. And with these
24 types of conversations, hopefully there will be a renewal of
25 these conversations because you guys are -- are spot on.

1 You're onto something that, you know -- if these things are
2 left unattended, it's -- it's like that cancer, you know. If
3 you don't slice out the entire cancerous cell, it's going to
4 grow back and it's going to spread and that's what we've seen.

5 CHAIR KENNEDY: Yeah. I really -- I really appreciate it.

6 I've tried to find the report of the inappropriate
7 deputy tattoos and logos, and -- and Sheriff Villanueva says he
8 doesn't have it.

9 Do you know where we could find that? Do you know
10 who we could ask?

11 MR. GOODEN: I would ask Diana Teran. Absolutely.

12 CHAIR KENNEDY: Okay.

13 MR. GOODEN: Absolutely.

14 Diana Teran was -- was the keeper of -- of all things
15 internal. I would be surprised if she did not have that
16 document or those documents.

17 CHAIR KENNEDY: I really appreciate your frank answers,
18 Chief Gooden.

19 Bert, I -- I don't have anything. I did send you an
20 email on a logistical thing. I don't know if you've received
21 it.

22 MR. DEIXLER: We did.

23 In fact, could you show the photograph as a closer
24 here just...

25 CHAIR KENNEDY: Bert, are you asking me to do something?

1 MR. DEIXLER: No. Patricia is.

2 CHAIR KENNEDY: Okay.

3 MR. GOODEN: That's the Spartan. Yes. Yep. That's the
4 Spartan tattoo from Century Station.

5 MR. DEIXLER: And that's Exhibit 3 to your testimony.

6 Thank you.

7 MR. GOODEN: Yes.

8 MR. DEIXLER: I appreciate that. Thank you for your
9 testimony, thank you for your time, and, again, thank you for
10 your commitment to our county.

11 MR. GOODEN: And, again, if -- if I may just say this,
12 my -- my apologies for not being able to testify live, in
13 person. That would have been my preference, but I have just a
14 lot of things on my -- my plate. So I just wanted to -- to
15 extend my apologies to the commission.

16 MR. DEIXLER: Thank you so much.

17 CHAIR KENNEDY: Thank you so much, Chief.

18 MR. DEIXLER: Okay.

19 CHAIR KENNEDY: Mr. Deixler.

20 MR. DEIXLER: Well, unless the undersheriff has appeared,
21 there is nothing else for -- for today.

22 CHAIR KENNEDY: Well, does anyone see Timothy Murakami --
23 Murakami here? I don't -- I don't see him.

24 We -- unless we have any commissioner comments, we
25 conclude with public comments.

1 Does any commissioner -- is there anything --

2 COMMISSIONER BONNER: I just have one comment --

3 CHAIR KENNEDY: Yes, Rob.

4 COMMISSIONER BONNER: In light of the testimony, both of
5 Chief Gooden and Chief Tardy, and the reference of the
6 notifications to (inaudible) by the Los Angeles County
7 Counsel's office, number one, I would request that county
8 counsel immediately seek a waiver by the Board of Supervisors
9 of its legal opinion last fall that I understand, and
10 Commissioner Rubin referred to it, I understand that that
11 opinion has set an outright policy ban of joining and
12 participating in deputy cliques, gangs, and exclusionary
13 subgroups is not unconstitutional; that that opinion be
14 forthwith released and that they forthwith seek a waiver from
15 Board of Supervisors so that at our next hearing we're able to
16 actually refer to an opinion of county counsel that would
17 eliminate essentially all the excuses we've heard so far about
18 not just prohibiting joining and participating in deputy
19 cliques.

20 And the other thing that concerns me, and I -- I
21 don't know what the request is here exactly, but I think
22 we're -- I think we've all expressed some concern with Chief
23 Tardy's testimony that the LA County Counsel, according to her,
24 has advised the Sheriff's Department that it cannot ask a
25 person whether or not -- a deputy whether they are -- belong to

1 or participate in a deputy clique.

2 That, to me, is just mind-boggling, and I would like
3 to -- I would like to know who at county counsel's office gave
4 that advice if, in fact, they gave it. And if there's any
5 written documentation of that advice, I believe the Oversight
6 Commission is entitled to see it, and I think we should request
7 that that be presented to us at the -- at our next meeting.

8 Anyway, those were just my two observations I wanted
9 to make before we conclude this hearing.

10 CHAIR KENNEDY: Well, Rob, my understanding from county
11 counsel is that at this commission's prior request, they have
12 asked the Board of Supervisors if they would waive attorney-
13 client privilege as to the 2021 county counsel memo advising
14 that they can ban deputy cliques. And county counsel has
15 represented that the Board does not waive the privilege.

16 I can't imagine why but that's -- that's the claim.
17 But we can ask again.

18 COMMISSIONER BONNER: Well, sometimes -- you know, they
19 are counsel to the board, and if you're the lawyers to the
20 board -- I don't know whether they're lawyers to the Oversight
21 Commission, I -- I'm not even sure that they recognize us as
22 a -- as a client so -- but they are -- we know that they are
23 the legal counsel to the Board of Supervisors, and one of the
24 obligations of legal counsel is to advise your client on what
25 it should do.

1 And I can't imagine that they wouldn't advise their
2 client to waive the privilege, and I think if they advised
3 their client to waive the privilege that's to say the Board of
4 Supervisors, I can't imagine the Board of Supervisors would go
5 against the legal advice of county counsel in that respect. I
6 mean, they're playing games with us as far as I can see. I
7 mean, it's a -- it's a catch-22.

8 I'm asking them not whether the Board approved. I'm
9 asking them to go to the Board of Supervisors and firmly advise
10 the Board of Supervisors that we think it's in the best
11 interest of the county of Los Angeles and the residents of this
12 county that the privilege be waived so this opinion can be made
13 public. That's what I'm asking them to do.

14 I'm not interested in what the board said; I want
15 them to do that. And if they don't -- if they're not willing
16 to do that, I want to know why. I would like somebody to
17 appear at our next hearing, sit in that witness chair, and tell
18 us why they would not give that advice to the board.

19 Yep. Patti.

20 CHAIR KENNEDY: Patti?

21 COMMISSIONER GIGGANS: I -- I agree, Rob, wholeheartedly.

22 CHAIR KENNEDY: I do too.

23 COMMISSIONER GIGGANS: But, you know, we also advise the
24 Board of Supervisors. Can we advise the supervisors to act on
25 this?

1 I mean, we're in the midst of this amazing
2 investigation. It's been going on now -- the whole issue's
3 been going on for almost four years and before.

4 And there's this other report that would be very
5 interesting for us to be able to locate that, apparently, has
6 been suggested that maybe Diane Teran has, who I believe now
7 works at county counsel.

8 So, I mean, I think there's information that we
9 could -- this -- from this prior committee that would be
10 helpful. But clearly, I think we should exert our advisory job
11 to the board and ask them to get moving on this.

12 CHAIR KENNEDY: I -- I believe this commission, in
13 writing, on its own, separate and apart from county counsel,
14 has advised the Board of Supervisors that we think they should
15 waive the privilege, and to date, no privilege has been waived.
16 But maybe we should advise them again because I agree with Rob
17 and -- and -- and yourself 100 percent.

18 I can't imagine why anyone would not want the most
19 recent legal analysis by the County's top lawyer about whether
20 the Sheriff can prohibit deputy gangs, particularly when out in
21 public venues all over the county he keeps using this dated
22 2014 opinion as an excuse for doing nothing when we all know --
23 I mean, let's face it, with it reported in the LA Times that
24 the county counsel has advised him just the opposite in this
25 2021 opinion.

1 So is there a motion, Rob? Was that a motion? I
2 couldn't tell.

3 COMMISSIONER BONNER: Do we need -- I don't know. Do we
4 need to motion?

5 I mean, I guess I would just ask the Chair to make
6 clear to county counsel and to the Board of Supervisors -- I
7 think that's Patti's suggestion -- let's -- if you could
8 communicate in writing, and --

9 CHAIR KENNEDY: Yes.

10 COMMISSIONER BONNER: -- and verbally is appropriate, but
11 that we -- we strongly believe the board should waive.

12 But I would also like -- and perhaps this should
13 be -- become, initially, just from a letter from the Chair to
14 county counsel, but with the strong sense and consensus of the
15 Oversight Commission that they affirmatively advise the --
16 advise the Board of Supervisors to waive the privilege, that
17 that's in the best interest of the county.

18 And if they're unwilling to do that, I would like to
19 invite them -- hopefully, we won't -- we don't need to subpoena
20 county counsel, but I would like to invite them at our next
21 hearing because I would like to hear the reasoning why they --
22 they -- they would not so advise the Board of Supervisors.

23 COMMISSIONER RUBIN: And -- and I agree with that as well.

24 CHAIR KENNEDY: All right.

25 I don't see anyone who doesn't think we should have

1 the county counsel attend the next special hearing on deputy
2 gangs to testify about the matters that we've been hearing
3 about in this and prior hearings.

4 COMMISSIONER BONNER: And perhaps it should be -- I -- I
5 think there's an acting county counsel now. I think Rod Silva
6 is -- is gone, but I don't even know who the county counsel is.
7 But I think maybe we should start with the acting county
8 counsel, if -- if, in fact, they feel that for whatever reason
9 they cannot give that advice to the -- to the board. We --
10 that we -- I think we need to hear at least what their
11 reasoning is for that.

12 CHAIR KENNEDY: Okay.

13 Public comment. Do we have any public comment,
14 Jennifer?

15 MS. JENNIFER: We do. We have six people signed up to
16 speak.

17 CHAIR KENNEDY: Okay. We'll just make it, so let's --
18 let's get going.

19 MS. JENNIFER: Okay.

20 Our first speaker, Isaac Asbury, followed by
21 Jacqueline Ventures, followed by Richie Serjanko.

22 CHAIR KENNEDY: Maybe we could line people up, Jennifer?

23 MS. JENNIFER: Chair, two minutes is...

24 Chair Kennedy? Chair Kennedy?

25 CHAIR KENNEDY: Yes.

1 MS. JENNIFER: Two minutes okay?

2 CHAIR KENNEDY: Yes.

3 We'll just make it with two.

4 MR. ASBURY: I have no comment.

5 MS. VENTURES: Good afternoon. I'm Jacqueline Ventures.

6 I'm listening to -- I've been coming to the meetings
7 and speaking, but I'm listening today and a few weeks ago to
8 the deputies coming up here. We guys are all aware of gangs
9 that's in the Sheriff's Department. It's accountability.

10 You know, I've been coming here and fighting for my
11 son that was shot five times in the back, you know, by the
12 Sheriff's Department. We have plenty of evidence knowing that
13 this deputy was tied to a gang along with other deputies that
14 has been tied to a gang. Not holding them accountable is
15 hurtful, not just to me, but to everybody that has been
16 affected by their unlawful actions.

17 Now this time they're disrespecting not just me but
18 people that we look to help us, and that's you guys. They're
19 not showing up. It's no accountability. So when do we start
20 holding them accountable?

21 Chief Gooden was the captain at the Century Station
22 when my son got shot. He told me it was going to be an
23 investigation when I did speak with him in 2018. Two weeks
24 later, his office sent me a letter. Two weeks. So we know
25 that it wasn't an investigation.

1 Internal Affairs, we need to probably stop them from
2 investigating their own. That's where some of this stuff is
3 happening at. They're their friends, and how can you expect
4 your friends to hold their people that they work with, go to
5 their house, have lunch with, accountable?

6 I found out that our -- the people that does the
7 test -- the fingerprinting -- they're civilians, and this is
8 how some of this stuff is getting past. My son was excluded
9 from this weapon that was planted on him, and this is why,
10 because we had another agency that did what their -- did their
11 job and that was according to the law.

12 The Internal Affairs are not doing their job.
13 They're working with these -- with their friends.

14 We have this -- we're talking. We've been talking
15 for years. Last year, I heard one of the guys say, "We, the
16 Oversight Committee, we haven't prosecuted nobody."

17 When are we going to prosecute, hold some of these
18 deputies that have murder, attempted murder? My son was
19 attempted murder --

20 CHAIR KENNEDY: Thank you.

21 MS. VENTURES: Thank you.

22 MS. JENNIFER: Richie Serjanko, followed by Helen Jones,
23 followed by Donald Harlan.

24 MR. SERJANKO: How's it going?

25 Yeah. I just -- while watching Deputy Tardy up

1 there, you know, she said something about the 2000 Boys and
2 3000 Boys being eliminated from Men's Central. Well, compare
3 that with the statistics that, you know, deaths in the jails
4 have gone up on 175 percent in the last four years. I'm not --
5 not convinced that the 2000 Boys and 3000 Boys are no longer in
6 Men's Central Jail. It seems like there's actually been, like,
7 more initiations into those deputy gangs. And so I don't know
8 how Deputy Tardy was allowed to say that.

9 And when she said county counsel had given her some
10 directive, it was never asked, you know, "Who -- who was it?
11 Were you with a group? Was it in person? Were you on a call?
12 Was it on Zoom?" And so there's -- there are a bunch of flaws
13 in Deputy Tardy's testimony, I believe.

14 And I'll just finish, like, what -- what's going to
15 be done with Sheriff Villanueva and Murakami not complying with
16 subpoenas? What's the next step? Are they -- are they going
17 to be, you know, forced to -- to join, or are they going to be
18 held in contempt? And I would like to see this commission
19 enforce the subpoenas as strong as they can.

20 Thanks.

21 MS. JENNIFER: Helen Jones, followed by Donald Harlan,
22 followed by our last speaker, Ron Dell.

23 MS. JONES: Hello. My name is Helen Jones. I'm the
24 mother of John Horton who was beaten to death by 3000 Boys,
25 March 30th, 2009.

1 You know, sometime I come up here, I just get lost
2 for words for what I just heard today. I mean, we been knowing
3 for years that, especially in our community, what the Sheriff's
4 Department been allowed to do. And how they can just, you
5 know, pull over people in what they call street gangs and ask
6 them for their tattoos and search their bodies and -- and
7 search killers and see what they don't have put on their
8 bodies, and they can't ask the deputies that they -- that they
9 patrol and that they are in charge of, that they can't ask them
10 for what tattoos they have after these deputies are known to be
11 murderers, killers, rapists, all the stuff that they are doing
12 in these jails, and not only in the jail, what they're doing on
13 the streets.

14 I just really want to say thank you to this
15 commission for all the stuff that y'all are doing to bring
16 light to what's going on in the Sheriff's Department. I mean,
17 it's really, really, really sad that -- I mean, over the last
18 13 years that I've just seen mother after mother, family after
19 family, that's just -- I mean, just it's -- it's just abused by
20 this department, and how they can just -- don't -- I mean,
21 don't listen to this. When y'all subpoena them, they don't
22 come. That is -- it's just sad that this is just going on, and
23 it should be just something else that should be able to be
24 done.

25 I don't understand why the federal government haven't

1 really just stepped in and cracked down because if this was a
2 street gang that was doing this, it would've been tore down a
3 long time ago.

4 I just really want to know why haven't y'all involved
5 the county coroner into this that is covering up the deaths,
6 especially, in the jail and in the jailhouses and in the county
7 jails where they covering up all deaths. It's plenty of
8 reports, and I truly appreciate it and say thank you to
9 everybody that's been writing and doing reports on these deputy
10 gangs. But please do what y'all can.

11 CHAIR KENNEDY: Thank you.

12 MS. JONES: Thank you.

13 COMMISSIONER BONNER: Thank you.

14 MS. JENNIFER: Donald Harlan, followed by our last
15 speaker, Ron Dell.

16 MR. HARLAN: Hi. You're the Sheriff's Civilian Oversight
17 Commission.

18 I just wanted to make some comments that the LA
19 County Sheriff should have the power to enforce the law against
20 the LA County Board of Supervisors. I know that the
21 supervisors are somewhat immune, that if a county board
22 supervisor or city council or somebody who commits a crime
23 using their power of office, then the Sheriff should be able to
24 go get them and arrest them and do all that.

25 Also, you should know that the LA County Supervisors

1 and Hilda Solis, they are the sheriffs. There's some news
2 about there being conflict between the Board of Supervisors or
3 the sheriffs, but you should -- everybody should know that.
4 They're the same entity. They're working together, that
5 there -- their creation that there's some conflict or
6 something. There really isn't. They're working together.
7 They're trying to deflect blame for something or distract from
8 something. So you know that the LA County Board of Supervisors
9 and the sheriffs are the same. There's no conflict between
10 each -- between them, and maybe you should keep track of those
11 people that are saying there's a conflict because there isn't.
12 They're working together.

13 You know, be careful what you see on TV, you know,
14 that there's lookalikes in the government, you know, somebody's
15 kid is taking the place of them that day. May issue a subpoena
16 for Sheriff and find out maybe that's not him and he's
17 factually innocent and that there's somebody who played like
18 that, people that have minis and (inaudible) and children and
19 stuff that look like them.

20 CHAIR KENNEDY: Thank you.

21 MR. HARLAN: And just one more -- one more thing.

22 Maybe they need to reclassify what it means to be a
23 sheriff's gang because them being in a gang isn't all it's
24 about. There's national groups, there's ethnic groups, there's
25 foreign agents --

1 CHAIR KENNEDY: Jen, there isn't any time. Let's
2 conclude.

3 MR. HARLAN: -- foreign governments and just
4 (inaudible) --

5 CHAIR KENNEDY: Thank you.

6 MS. JENNIFER: Our last speaker, Ron Dell.

7 MR. DELL: Good morning.

8 I am a homeowner in Compton since 1978, and also full
9 disclosure, I retired from the Sheriff's Department as an
10 administrative services manager in 2008.

11 But there's a silent partner here that's -- that's
12 going about this, and that's the city of Compton. They're
13 responsible for allowing this situation to get out of hand,
14 (inaudible) citizens, and this threat to public safety of the
15 citizens by letting this situation exist for so long, and
16 letting it fester.

17 We -- the City gave \$22 million to the Sheriff with
18 no oversight. There's no clear reporting of a relationship to
19 any department within the city of Compton, and there's no
20 public discussion about LASD service within the -- in the city.

21 Yet we have response times and call for service as
22 the measure of success, I guess, what you might call it. But
23 then when you talk to the citizens, we always are complaining
24 about street shutdowns, illegal counterfeit -- counterfeit
25 dispensaries, the level of unsolved murders. So if response

1 time and call for service will not address those issues here,
2 there's a silent partner here in the city of Compton.

3 As a member of the Concerned Citizens of Compton,
4 we've recommended several things to the City. One is that all
5 incoming sheriff employees into the City appear before the --
6 the council and introduce themselves and explain why they want
7 to come to Compton.

8 We're also asking that the Sheriff adopt the
9 National Incident-Based Reporting System in Compton so we can
10 get information quicker and more accurately than what -- what
11 we get right now.

12 We're asking that the City regularly monitor this
13 contract. How can you give 40 percent of your general fund
14 budget to the Sheriff's Department at the expense of recreation
15 and other departments and not even monitor it?

16 So there's a lot of issues that we've already
17 addressed with the city of Compton, we will continue to
18 address. But I hold them responsible as the silent partner.

19 CHAIR KENNEDY: Thank you.

20 That concludes our fourth special session on deputy
21 gangs.

22 Special counsel continues to interview witnesses and
23 seek for evidence.

24 When we have a new date, Brian, we can announce that.
25 We don't have one now, but we will have a fifth special hearing

1 on deputy gangs, and we'll let everyone know.

2 Thank you for attending.

3 (The hearing was concluded.)

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1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF LOS ANGELES)
4

5 I, ANN BONNETTE, California CSR No. 6108, Louisiana Court
6 Reporter No. 85135, Registered Professional Reporter,
7 Certified Manager of Reporting Services, AAERT CERT D-368, do
8 hereby certify:

9 That said digitally recorded audio of the Civilian
10 Oversight Commission Hearing, July 25th, 2022, was transcribed
11 into computer-generated text under my direction and
12 supervision, and I hereby certify the foregoing transcript to
13 the best of my ability.

14 I further certify that I am neither counsel for nor
15 related to any party to said action nor in any way interested
16 in the outcome thereof.

17 IN WITNESS WHEREOF, I have hereunto subscribed my name
18 this 22nd day August 2022.

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ANN BONNETTE, CSR 6108

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