



COUNTY OF LOS ANGELES
OFFICE OF INSPECTOR GENERAL

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March 28, 2024

TO: Supervisor Lindsey P. Horvath, Chair
Supervisor Hilda L. Solis
Supervisor Holly J. Mitchell
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FROM: Max Huntsman
Inspector General

SUBJECT: **REPORT BACK ON INDUSTRY INDIANS; INVESTIGATION AND OUTCOME OF DEPUTY GANGS IN THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT AND STATUS UPDATE ON THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT'S DEPUTY GANG POLICY (ITEM NO. 6, AGENDA OF January 23, 2024).**

On January 23, 2024, the Board of Supervisors, in a motion entitled, [Industry Indians: Investigation and Outcome of Deputy Gangs in the Los Angeles County Sheriff's Department and Status Update on the Los Angeles County Sheriff's Department's Deputy Gang Policy](#), requested that the Sheriff provide records and a report back to the Sheriff's Civilian Oversight Commission Deputy Gang Ad Hoc Committee. Government Code section 25303 permits the Board to require county officers to produce records for inspection, California law specifically authorizes the use of a Civilian Oversight Commission for this purpose, and an ad-hoc committee of a public commission is generally not required to make documents public, permitting maintaining of confidentiality. The Sheriff's Department did not comply and submitted a letter dated March 4, 2024, to the Civilian Oversight Commission (COC). This letter inexplicably cited the California Public Records Act which does not apply to the Board. The Office of Inspector General was not copied and independently obtained the letter on March 18, 2024. Your motion provided me fourteen days from my receipt of the Sheriff's Department response to provide you with an analysis and recommendations and those follow.

The Department's letter begins by acknowledging the need for transparency with oversight entities while then declining to provide transparency in their subsequent responses. The letter states "...many of the questions and the general questioning around this investigation fail to recognize that this case represents a situation in which the Department uncovered this issue, investigated the matter, and used its existing disciplinary process to evaluate the case. While many questions have been raised about this case, it is important to acknowledge that this case represents one in which the Department took action- long before anyone was aware of the existence of this group or the conduct that was revealed" implying that this was a thorough and well conducted investigation and appropriate action was taken. Neither is the case.

The Office of Inspector General's February 26, 2024, report [Los Angeles County Sheriff's Department's Legal Compliance: Deputy Gangs](#) (at page 18) details the numerous shortcomings found by this office while reviewing the Department's investigation into the "Industry Indians". Identifying the members of a suspected law enforcement gang is a **bare minimum requirement** to assessing whether a group violates Penal Code section 13670, both because racial and gender discrimination in membership violate the section and because a complete witness list is necessary to establishing the purpose and conduct of any such group. The Sheriff's Department has not done this with any suspected gang and the "Industry Indians" are no exception. Without establishing the criteria set forth in Penal Code section 13670, the Sheriff's Department purported to fire two deputies for gang conduct¹ but chose not to inquire further about the gang for which they allegedly acted. This action gives the outward appearance of complying with Penal Code section 13670 while minimizing the chances the action will be upheld in court or will actually impact the alleged gang. This is a repeated pattern that has led to the continuance of gang activity within the Sheriff's Department. For instance, in a previous case involving the "Jump Out Boys," the Sheriff's Department took isolated action in a deputy gang case without properly investigating, leading to some of the deputies having their firings overturned ([Jump Out Boys win appeals after Sheriff's Department firing - Los Angeles Times \(latimes.com\)](#)). Given that each successive administration has chosen not to identify and suppress gang activity, such action cannot be seen as a first step or progress. The Sheriff's Department was provided a copy of the Office of Inspector General's deputy gang report, as well as the opportunity to provide input, so it is concerning that while responding to the Board's January 23, 2024, motion, none of the issues raised by this office were addressed in the Department's response.

Instead, the Department cites the California Public Records Act, among other statutes, and declines to provide in depth and fully transparent responses to the COC's Deputy Gang Ad Hoc Committee. This office can see no instance where the statutes cited in the Department's response would prohibit answer to the questions asked in the Board's

¹ The deputies were found to have engaged in significant misconduct which may independently support the firing.

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motion or the production of documents which are not made public and encourages the Department to meet with County Counsel management to determine whether they truly wish not to respond. My hope is that the Sheriff's Department, upon serious consideration and consultation, will begin to reverse their support of deputy gangs and meaningfully address the systemic factors which allow them as required by California law. Should such a consultation prove ineffective, I recommend the Board *direct* the delivery of the records or issue a subpoena, followed by a *writ of mandate* if the Sheriff's Department continues to refuse.

c: Robert G. Luna, Sheriff
Fesia Davenport, Chief Executive Officer
Jeff Levinson, Interim Executive Officer
Dawyn R. Harrison, County Counsel
Sharmaine Moseley, Executive Director, Sheriff Civilian Oversight Commission