



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



March 4, 2024

Sharmaine Moseley, Executive Director  
Sheriff Civilian Oversight Commission  
World Trade Center  
350 South Figueroa, Suite 288  
Los Angeles, California 90071

Via Electronic submittal

Dear Ms. Moseley:

**RESPONSE TO THE BOARD OF SUPERVISORS' MOTION  
RELATING TO THE INDUSTRY INDIANS:  
INVESTIGATION AND OUTCOME;  
STATUS UPDATE ON THE POLICY**

The purpose of this correspondence is to respond to the Board of Supervisors Motion to report to the Civilian Oversight Commission ("COC") regarding the below-listed information related to the "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 Deputy Gang Policy." The Board motion requests that a report back be provided to the COC's Deputy Gang Ad Hoc Committee. The following attempts to address the issues provided in the Board motion.

Preliminarily, the Department recognizes the interest in this investigation and seeks to be transparent in its dealings with its oversight bodies. However, the Department also must comply with California law in protecting the rights of all involved individuals. Therefore, the information that can be made available is limited. In fact, the Department consulted with County Counsel in preparation of this response to ensure compliance with California law.

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Furthermore, it should be noted that the Board motion incorrectly states that the Sheriff has been in office for two years, that he created a “new Constitutional Policy unit,” and that it is “high time that the Board and the public get an update on the statute of his stance, steps, and leadership on this issue.” First, the Sheriff took office on December 5, 2022, and is now approaching his 15<sup>th</sup> month in office. Second, the Sheriff and his leadership team have presented written and verbal reports to the COC on the status of the recommendations presented by the COC. Some of those updates are posted on the Department website. Some of these updates have taken place during the open sessions of the COC, and some of these updates have taken place during private conversations. When requested to provide an update, the Sheriff or his leadership team have done so. To suggest anything to the contrary is simply incorrect. Finally, the Sheriff did form the Office of Constitutional Policing, which he charged with focusing on a number of issues, beyond just policy. While it is not fully staffed yet, as most of the positions required new civil service positions to be created, it has started its work on working with the Monitoring teams associated with the pre-existing Settlement Agreements requiring Department compliance, updating out-of-date policies, updating training, and developing compliance tools.

While the tone of the motion reflects a sense of frustration, there should also be a recognition that true reform of any Department takes time because it is necessary to build the infrastructure for success to ensure that reforms implemented are long-lasting and sustainable. The Sheriff and his entire leadership team are deeply committed to this reform, as reflected in the work done to date and described in this letter and its accompanying attachments.

While there are many questions surrounding the investigation, which is colloquially referred to in the motion as “Industry Indians,” 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.

With respect to the specific questions posed in the Board motion, the Department has divided the questions posed into three categories for a response: (1) questions for which a response is permissible, at least on a

limited basis, under state law; (2) questions for which a response was previously provided to the COC and which are contained in the attached correspondence; and (3) questions for which a response, after consultation with counsel, were determined to be prohibited under California law.

1. **Category 1 Questions**

The following are responses to item 1, sections a, c, d, and g of the Board motion.

a. **Origins of the Industry Indians**

The Department first became aware of a tattoo associated with a group known as “Industry Indians” in 2023 when the Department initiated an administrative investigation into an off-duty incident involving deputies at a bowling alley, which resulted in the discharge of four employees.

c. **Community Impact - within the service area of the Industry Station**

While the Department has not conducted a community survey, it has requested funding to conduct such surveys in its annual budget request for this purpose. Surveys can better identify community issues and concerns so that the Department can be more responsive to community issues.

Nevertheless, the Department obtained information from its data systems<sup>1</sup> indicating the total number of complaints, uses of force, lawsuits, and claims filed against the Department last year and in the preceding ten years. These are the total numbers for each category listed, and are not specific to the investigation which is the subject of the motion. The total numbers suggest the areas served by Industry Station were all on a downward trend in 2023.

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<sup>1</sup> The numbers included in the chart were derived from information contained in the Department’s PRMS system.

<b>INDUSTRY STATION</b>				
<b>YEAR</b>	<b>WCSCR</b>	<b>FORCE</b>	<b>LAWSUITS</b>	<b>CLAIMS</b>
2013	47	44	0	7
2014	42	57	7	13
2015	57	68	3	24
2016	48	64	3	13
2017	49	81	3	19
2018	54	95	1	13
2019	44	71	2	16
2020	41	107	3	16
2021	37	109	6	22
2022	33	84	13	20
2023	25	73	8	15
2024	2	16	2	3
<b>TOTAL</b>	<b>479</b>	<b>869</b>	<b>51</b>	<b>181</b>

- d. **Number of Investigations (involving any misconduct, criminal behavior, and activities)**

The chart below reflects the total number of investigations from Industry Station for each of the years indicated.<sup>2</sup> These are the total number of investigations and are not specific to the investigation which is the subject of the motion.

<b>INDUSTRY STATION</b>	
<b>YEAR</b>	<b>INVESTIGATIONS</b>
2019	7
2020	7
2021	8
2022	13
2023	16
2024	5

<sup>2</sup> The numbers included in the chart were derived from information contained in the Department's PRMS system.



- g. **What, if any, early warning signs were ignored of deputy gang behavior at the LASD Industry Station**

The Department continues to evaluate all cases, investigations, and allegations involving the issues associated with law enforcement gangs, cliques, and subgroups to identify warning signs of behavior. The Department's goal is to ensure supervisors are notified of warning signs so that early intervention to prevent such behavior can be taken.

**2. Category 2 Questions**

The Board motion also included questions 3, 4, and 5, which were largely responded to in the Department's response to the COC's request for an update on its progress on the 2023 COC recommendations. Specifically, the Board questions listed in the motion were:

- 3) **Ongoing steps and actions taken to address deputy gangs in the Sheriff's Department**
- 4) **Status of the Sheriff's Department's gang policy**
- 5) **Community engagement plan, in conjunction with the Civilian Oversight Commission (COC), to restore faith, trust, and confidence in the impacted communities due to the Industry Indians and Industry Station misconduct**

The Department provided a detailed response to the COC related to questions 3 through 5, in the correspondence to the COC dated February 28, 2024, and attached hereto. This correspondence was in response to a prior COC request for an update on its 2023 recommendations.

The attached correspondence includes a comprehensive description of the Department's efforts, the status of the policies aimed at addressing the issues, and the community engagement efforts, among many other efforts.

Since the time of the correspondence, the Department has solidified the dates on which the United States Department of Justice, Community Relations Service, will be facilitating a community dialogue series in which many topics

are discussed, including the issue of law enforcement gangs, cliques, and subgroups. The 2024 dates scheduled thus far are: March 13, April 25, May 22, June 19, July 24, and August 14.

Furthermore, the Department is also currently working with the Center for Policing Equity, which had agreed to assist the Department in developing more robust community engagement efforts, including surveys, guidebooks, and other best practices utilized throughout the country.

### 3. Category 3 Questions

With respect to the Department's investigation, the following questions were also posed:

- 1.b. Other incidents of misconduct that were linked to the Industry Indians deputy gang or to the Industry Station
  - 1.e. Any ongoing investigations
  - 1.f. Quality of the investigations conducted
- 2) Outcome of that investigation

The Department is legally limited in the types of personnel records that it can produce and make publicly available.<sup>3</sup>

First, these records are exempt from disclosure under the California Public Records Act, Government Code sections 7922.000, 7927.700, and 7927.705. These records are confidential and exempt from disclosure based on, but not limited to, the following authorities: Penal Code Sections 832.5, 832.7, and 832.8, the Public Safety Officers Procedural Bill of Rights Act as set forth in Government Code sections 3300 et seq., and the right to privacy under the California Constitution, article I, section 1.

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<sup>3</sup> Consistent with these legal obligations, the Association for Los Angeles Deputy Sheriffs (ALADS) notified the Department, following the approval of the Board motion, that should the Department's report back concern investigations into ALADS members, that the Department would be breaking its bargaining obligations.

California Penal Code section 832.7 (a) states, in relevant part: “the personnel records of peace officers and custodial officers and records maintained by a state or local agency pursuant to 832.5, or information obtained from these records are confidential...”

Penal Code section 832.8 defines the term “personnel records” as that which includes: “Complaints, or investigations of complaints, concerning an event or transaction in which he or she participated, or which he or she perceived, and pertaining to the manner in which he or she performed his or her duties.”

Penal Code section 832.5 further provides that the “general personnel file” is “the file maintained by the agency containing the primary records specific to each peace or custodial officer's employment, including evaluations, assignments, status changes, and imposed discipline.”

Further, under Los Angeles County Municipal Code 3.79.35, the Commission is specifically not authorized to receive this information:

Because the Commission is a Brown Act body that is not authorized to conduct closed session, the Commission may not receive records protected by any law protecting the Confidentiality of Records, including Penal Code sections 832.7, 11077, and 13300, et al. As permitted by law, and consistent with subsection J of County Code Section 6.44.190, material received by the Office of Inspector General (OIG) in response to a subpoena issued at the direction of the Commission may be shared with the Commission by the OIG.

(Ord. 2020-0006 § 4, 2020.)

If the COC believes we are incorrect in this assessment, please advise, and we can convene a meeting with County Counsel to discuss this matter in greater detail. Furthermore, the Department is willing to enter into a Confidentiality Agreement with the COC, provided that any such agreement meets the above-referenced legal obligations and notification to all impacted bargaining units is completed.

Ms. Moseley

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March 4, 2024

Please do not hesitate to contact me should you have any questions.

Sincerely,

ROBERT G. LUNA, SHERIFF



APRIL L. TARDY  
UNDERSHERIFF



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



February 28, 2024

Sharmaine Moseley, Executive Director  
Sheriff Civilian Oversight Commission  
World Trade Center  
350 South Figueroa, Suite 288  
Los Angeles, California 90071

Via Electronic submittal

Dear Ms. Moseley:

**RESPONSE TO THE CIVILIAN OVERSIGHT COMMISSION'S REQUEST  
FOR A STATUS UPDATE ON 2023 RECOMMENDATIONS  
TO THE REPORT ENTITLED  
"REPORT AND RECOMMENDATIONS OF THE SPECIAL COUNSEL TO THE  
SHERIFF CIVILIAN OVERSIGHT COMMISSION REGARDING DEPUTY GANGS  
AND CLIQUES IN THE LOS ANGELES SHERIFF'S DEPARTMENT"**

The purpose of this correspondence is to provide the COC with an update on the status of the Los Angeles County Sheriff's Department's efforts in implementing the recommendations made by the Civilian Oversight Commission ("COC") in its report entitled "Report and Recommendations of the Special Counsel to Sheriff Civilian Oversight Commission Regarding Deputy Gangs and Cliques in the Los Angeles Sheriff's Department." This is in response to a request made by the COC for an update on all 2023 COC recommendations (request dated December 21, 2023) and is simultaneously responding to a motion by the Board of Supervisors regarding ongoing efforts by the Department to address law enforcement gang issues.

The following is a summary of the efforts undertaken by the Department, as all efforts cannot be fully described in any written product and some of the efforts that are underway are subject to confidentiality concerns.

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Fundamentally, Sheriff Luna and the Department leadership are deeply committed to addressing all issues related to law enforcement gangs, cliques, and subgroups. Any actions of a law enforcement officer that violates the law or fundamental principles of professional policing, or undermine the integrity of this profession should be addressed promptly and swiftly. It is with this perspective that we approach the COC recommendations.

### Internal Messaging/Leadership Recommendations

#### COC Recommendations:

##### Leadership: Recommendation 1:

The Sheriff must clearly, promptly, and unequivocally articulate his vision, policies, and objectives in addressing the problem of Deputy Gangs and Deputy Cliques.

##### Policy and Training Recommendation 3:

The Department's leadership team should consistently and recurrently emphasize the adverse career consequences of creating or joining a Deputy Gang or Deputy Clique.

#### LASD Efforts:

Following the publication of the COC report, the Sheriff issued an all-deputy letter clearly stating that the behavior associated with deputy gangs and cliques was unacceptable. Since that time, and even before the issuance of the report, the Sheriff and his leadership team have continuously and consistently stated the Sheriff's vision, and his objectives of eradicating all deputy gangs and cliques from the Department.

In furtherance of these objectives, the Sheriff held a meeting with the Department's leadership team (Captains and above) in 2023, where he expressed his vision for following the 21<sup>st</sup> Century policing model, and that the COC recommendations will be implemented. In January 2024, the Sheriff held an Executive Management session, again with all Captains and above. During this day-long training, the Sheriff directly spoke to Department leadership about 21<sup>st</sup> Century Policing Principles, and the goals for the Department. In addition, the issue of deputy gangs and cliques was specifically addressed, along with the plan to proactively address the issue which includes implementation of the COC recommendations.



Furthermore, the Sheriff visits and speaks with each Academy class so that he has the opportunity to speak directly to the newest members of the Department about the Sheriff's goals and expectations, the importance of honoring the oath they are taking, and his vision, goals, and zero tolerance for any law enforcement gang/cliq activity.

In addition to visiting each Academy class, the Sheriff also attends the training sessions for newly promoted members of the Department, including the basic supervisor's course, Sergeants School, the Lieutenant's course, and the "Captains College" training program. During these sessions, he discusses leadership, organizational culture, and a no-tolerance approach to deputy gangs.

The Sheriff also regularly visits our deputies in the field, whether they are assigned to stations, jails, custody operations, or specialized units. He has also held discussions with deputies in smaller groups, whether in shift briefings or at informal lunches.

Other leaders in the Department also discuss these issues. For example, the Commander of the Training Bureau discusses the negative impacts on employees and the Department of participation in illicit sub-groups during presentations in the recruit training academy and patrol school. Further, in my role as Undersheriff, I frequently attend meetings and trainings where I discuss the negative consequences of creating or joining a deputy gang or cliq and in getting tattoos, when speaking to deputies and/or supervisors in the Department.

In summary, the Sheriff has stated his vision repeatedly. This effort includes the written message to all personnel, addressing Department management (Captains and above) directly and on multiple occasions, speaking to Supervisor Training classes, speaking to all academy classes, speaking to rank-and-file members, and empowering the Department's working group on this issue to take a top-to-down approach to addressing these issues in the Department.

#### Departmentwide Initiative Recommendation

##### COC Recommendation:

###### Leadership: Recommendation 4:

The Sheriff should develop a departmentwide initiative to end Deputy Gangs and Deputy Cliques.

LASD Efforts:

As reported to the COC previously, the Sheriff tasked me, as Undersheriff, to establish a working group, to include deputies and Department members from various ranks, to develop a plan to address these issues internally. The work of this group formally began in the Spring of 2023, shortly after the COC report was issued. This group is focused on addressing the law enforcement gang and clique issues, and its members are committed to addressing this issue in a meaningful and sustainable manner. Details of this group's activities are provided below.

The group is comprised of five teams and has grown steadily since its inception. The group meets nearly every month, and has five separate teams that work independently to obtain their objectives. Each team consists of Department personnel from all divisions, bureaus, stations, facilities, and units. Each team is expected to provide status updates at each meeting. The five teams are:

- Training
- Media
- Cultural Consultants
- Central Patrol
- Messaging

Training:

Two videos related to deputy tattoos have been produced by the Video Production Unit and have been finalized. The Sheriff has also produced a message which will be incorporated into the videos. Unit commanders or a ranking designee are required to be present when the video is shown to answer questions related to the video message and to express the Department's expectations on this issue.

As explained throughout this response, Training Bureau has provided messaging for Academy Classes, Patrol Schools, Field Training Officer School, and a Sergeant School. The messaging was adjusted to the specific ranks involved, but all related to the issue of law enforcement gangs and cliques. Efforts have been placed on engaging employees early in their careers, and specifically ensuring that they recognize the issue and that the behaviors associated with such groups are unacceptable. Also, emphasis has been placed on educating employees regarding the short-term and long-term problems associated with these groups: peer pressure, fair treatment of the public,

public perception, the Department's expectations, recent laws passed (SB2), and the adverse effects on an individual's career.

Media:

The media team is working with the Department's online learning platform, Learning Management System (LMS) through Los Angeles County's Department of Human Resources, in preparation for releasing videos, bulletins, training materials, quizzes, and other learning materials that could be helpful relating to the anticipated policy updates.

Cultural Change Consultants:

The cultural change team has evaluated several outside vendors specializing in organizational cultural change. This proved not to be feasible due to the costs associated and the anticipated lengthy procurement process. Alternative solutions are being sought, including potential opportunities with the DOJ COPS Office.

Central Patrol:

Central Patrol Division continues to reinforce the Department's standards regarding deputy cliques by: holding regular briefings on the topic; Chief and Commanders visits to the stations; requiring captains to have continuous discussions on this topic with their lieutenants and sergeants; and ongoing monitoring of the station and patrol environment. Central Patrol also plans to meet with all FTOs and Trainees, explain the purpose and configuration of the Deputy Clique Focus Group, and explain expectations of personnel as it relates to deputy cliques.

Messaging:

The messaging group was tasked with developing a list of deputies who will assist in delivering the Department's message, since peer-to-peer communication can be the most effective way to ensure message delivery.

Policy Changes Recommendations

COC Recommendations:

Leadership: Recommendation 2:

Adopt a policy that clearly prohibits deputies from participating in Deputy Gangs, as defined in Penal Code Section 13670.

Leadership: Recommendation 3:

Adopt a policy that prohibits deputies from joining, participating in and soliciting others to join Deputy Cliques.

Policy and Training Recommendation 1:

As set forth in recommendations A (2) and A (3) above, the Sheriff should adopt and promptly implement a clear policy to address the need to eliminate Deputy Gangs and Deputy Cliques and prohibit tattoos that depict violence which must be supported, and explained by the Sheriff's leadership team.

LASD Efforts:

As the COC is aware, three policies have been drafted to address these issues. Early in the process, members of the COC provided input into drafts. Furthermore, early in the process the OIG also provided input and provided feedback. County Counsel reviewed draft policies and provided feedback. The formal process with labor representatives began in 2023, and the parties are working earnestly through the meet and confer process. The Department seeks to have thoughtful and meaningful discussions with labor on the policies, and to ensure that meaningful and earnest good-faith negotiations take place.

All parties are spending a considerable amount of time and effort into this process, and I believe that everyone involved in this process understands the importance of this issue and is approaching it in good faith.

Labor Relations Recommendation

COC Recommendation:

Leadership: Recommendation 5:

The Sheriff should seek the support of ALADS and PPOA, for his vision, policies and objectives regarding Deputy Gangs and Deputy Cliques.

LASD Efforts:

The Sheriff and his leadership team have met with the leaders of the Association for Los Angeles Deputy Sheriffs ("ALADS") and the Los Angeles

County Professional Peace Officers Association ("PPOA") on the COC report and its recommendations.

The Department is committed to working collaboratively with all of the impacted labor unions on a thoughtful engagement process that will address the recommendations while simultaneously protecting the rights of Department members to enhance public trust and community safety.

As noted above, we believe that everyone involved in this process, including our labor partners, understands the importance of this issue and is approaching all issues in good faith. We expect that the extensive efforts that are underway will result in stronger and more sustainable outcomes.

Further, the Department intends to be as transparent as possible with deputies to ensure that they know what changes will be made and to alleviate their concerns about change, while simultaneously being clear that the conduct described in the report is unacceptable.

#### Command Leadership Recommendations

##### COC Recommendations:

###### Leadership: Recommendation 6:

Any captain who is unable or unwilling to support the Sheriff's policy without reservations should be subject to appropriate discipline ranging from transfer to a less critical position with little or no presence of Deputy Gangs and Deputy Cliques to termination for insubordination in the Sheriff's considered judgment and pursuant to required due process.

###### Accountability Recommendation 1:

The Sheriff should ensure that senior executives and unit leaders, notably captains and commanders are implementing the Sheriff's policy, vision and objectives regarding Deputy Gangs and Deputy Cliques.

###### Accountability Recommendation 8:

The Department must ensure that sergeants actively and recurrently mentor deputy personnel and enforcement of the policy prohibiting Deputy Gangs and Deputy Cliques.

##### LASD Efforts:

While the Department's efforts to address these recommendations overlap



somewhat with its response to the internal messaging and leadership recommendations, this broader list of recommendations also focus on ensuring the individuals who are members of the leadership team have the skills, knowledge, and ability to execute the Sheriff's vision for the Department.

As part of this effort, Dr. Barney Melekian joined the Department's Office of Constitutional Policing in 2023. Dr. Melekian is a former Pasadena Police Chief, Former Director of the Department of Justice's Community Oriented Policing Office, and former Undersheriff of the Santa Barbara Police Department. Dr. Melekian's focus is to develop executive leadership capabilities within the Department and ensure: that all members of the LASD leadership team are given the tools and training to lead; that they are leading with a consistent message; and that they are fully focused on implementing the priorities set by the Sheriff.

During his time with the Department, Dr. Melekian has successfully sent many members of the Department's leadership team to executive-level training. These trainings include leadership training throughout the country. In addition, Dr. Melekian has engaged in efforts to restructure the Executive Planning Council ("EPC") meetings to focus on the priorities the Sheriff has set, including progress on law enforcement gangs and cliques. These EPC meetings include reports from Division Chiefs on their Division's efforts toward implementing the Sheriff's priorities—one of which is the eradication of deputy gangs and other subversive groups.

In addition, Dr. Melekian has worked to redesign the Department's Captain's College, a program designed to provide resources and leadership training to newly promoted Captains. The program has been inconsistent in the past, but now includes new course material and presenters from the Department's leadership team and external subject matter experts. A theme woven throughout the course is designed to institutionalize organizational change and reinforce the Sheriff's vision to eliminate illicit sub-groups in the organization. The first session of the new program took place in January 2024 and included presentations by representatives of the COC and Office of Inspector General.

#### Promotional Recommendation

COC Recommendation:

Accountability Recommendation 3:



Promotional considerations should include an evaluation of evidence that a member under consideration for a promotion is currently involved in a Deputy Gang or Deputy Clique, including the nature and extent of the member's involvement and whether it was before or after the date of the policy issued by the Sheriff.

LASD Efforts:

Promotional considerations of positions Captains and above which are not based on a testing protocol (i.e., civil service testing), include whether applicants are committed to eradicating this problem. All interviews for promotions to the position of Captain and above include questions relating to deputy gangs and tattoos.

The Sheriff has been clear that Department leaders are expected to take all steps necessary to develop an organizational culture that recognizes the harmful effects of subgroups, cliques, and gangs of any nature and their destructive effect on community trust. Those leaders who do not demonstrate a proactive and vigilant approach to ensuring any illicit subgroups or other subversive activities are dealt with swiftly.

Risk Management Recommendation

COC Recommendation:

Accountability Recommendation 6:

The Department should ensure that the CompStat process for risk management indicators regarding the existence of Deputy Gangs or Deputy Cliques within a patrol station or other Department unit is implemented and is effective in assessing the risk mitigation efforts of unit commanders.

LASD Efforts:

The Department agrees with this recommendation and is in the process of incorporating this recommendation into its Risk Management Forum (RMF). In order to accomplish this recommendation and the requirements of existing Settlement Agreements, the Department is currently reorganizing the RMF to accomplish multiple objectives and incorporate modern practices. Currently, the RMF is held twice a year for each Division. I chair the meeting which also includes the Division Chief, Division Commanders, and Unit

Commanders. In addition to the Division personnel, the meeting consists of personnel from the Risk Management Bureau, Internal Affairs Bureau, Audits and Accountability Bureau, and other Bureaus that support risk management functions. The RMF currently covers various risk management and personnel topics.

Separately, the Department also holds a Crime Management Forum (CMF) which is held monthly and is chaired by the Division Chief, and includes Division Commanders, Unit Commanders, and their respective staffs. As noted by its name, the CMF meeting is focused on crime and quality of life issues in the communities being served.

To modernize the process, the Department is currently integrating the CMF and RMF into one consolidated meeting. The change is prompted by the complexity of modern policing, which requires a holistic approach to aligning organizational goals, systems, and personnel to be effective. The topics discussed in the separate meetings are all important to organizational effectiveness but also directly impact the ability of leaders to interpret the data evaluated to make regular improvements to the policies and practices of their command. The current practice of having separate meetings does not fully consider the intersection of accountability, organizational health, community engagement, and management oversight on the Department's ability to perform its primary function of enhancing public safety. Moreover, neither of the two meetings fully engages the potential of how the community and external stakeholders can assist the Department in improving its effectiveness and promoting public trust.

Fundamentally, these regular management meetings afford Department leadership an opportunity to directly address the issue of the existence of deputy gangs or cliques within a particular patrol station or other Department unit and will provide an opportunity to engage in a discussion of the issues and the risk mitigation efforts of unit commanders.

### Training Recommendations

#### COC Recommendations:

##### Accountability Recommendation 1:

The Sheriff should ensure that senior executives and unit leaders, notably captains and commanders are implementing the Sheriff's policy, vision and objectives regarding Deputy Gangs and Deputy Cliques.

Policy and Training Recommendation 6:

The Department should train supervisors in how to mentor deputies about the adverse consequences of involvement in Deputy Gangs and Deputy Cliques.

Accountability Recommendation 8:

The Department must ensure that sergeants actively and recurrently mentor deputy personnel and enforcement of the policy prohibiting Deputy Gangs and Deputy Cliques.

LASD Efforts:

The Department, through the Office of Constitutional Policing and the Training Bureau, has developed a multi-year training plan that includes developing a consistent training program throughout the career path of deputies.

One of the plan's components is to improve the basic supervisor training course. The course will be expanded to engage new supervisors more directly on their leadership responsibilities in preventing the formation of illicit subgroups that negatively impact the organization and public trust. In addition, the Department is working with the COPS Office CRI-TAC program to bring Take Action: Make the RIGHT Choice and intervene to LASD. The course provides training that empowers personnel to actively intervene to prevent colleagues from committing policy violations and unprofessional, unethical, or criminal conduct.

Beginning in every deputy's Academy Class and continuing through the executive level training, all training programs will contain messaging about the need to prevent employees from joining or maintaining membership in deputy gangs or other subversive affiliations. The Department has also established a cross-disciplinary Training Committee to ensure training and messaging are delivered consistently across the organization.

Specifically, the Department is currently updating our training program to include training on law enforcement gangs and cliques in the following courses:

- Basic Academy
- Patrol Operations School
- Custody Operations School
- Perishable Skills Program (PSP)
- Field Training Officer School

- Supervisor School
- Lieutenant/Management School
- Internal Executive Development/Leadership Courses

Department efforts in this area, to ensure sergeants mentor deputy personnel on the state law, and related policies, include:

- The Captain of the Training Bureau addresses the topic in Patrol School. The Captain has a block of instruction where he speaks to deputies about the negative impact on community trust in their individual careers by joining illicit subgroups and having tattoos/indicia that support those subgroups.
- The Captain of the Training Bureau also addresses the topic in FTO School. The Captain has a block of instruction where he speaks to FTOs about the negative impact on community trust in their individual careers by joining illicit subgroups and having tattoos/indicia that support those subgroups.
- A Commander or Chief is invited to every supervisory school for a block of instruction on leadership and the organization's expectations of supervisors. The Chief/Commander speaks to new supervisors about their role in preventing personnel under their command from joining illicit subgroups and informing their leaders of any subgroup activity in their units.
- The Department is working on an update to the Perishable Skills Program that will include a duty to intervene. This training encourages personnel to actively intervene when needed to prevent deputies from committing policy and procedure violations or unethical, unprofessional, or criminal conduct.

The Field Training Officer ("FTO"), Supervisor, and Lieutenant training programs and their associated curricula are being updated with tools and resources to help front-line supervision and first-level management positions prevent the formation of law enforcement gangs and model behavior that discourages participation in those groups.

In addition, we are reviewing and auditing the FTO program, implementing ongoing audits and inspections at the command level, and developing a formal change of command program that will ensure continuity and sustainability that has been previously lacking.

The Department is also updating its Performance Mentoring Program (PMP). Internal weekly meetings to restructure the program to include more effective mentoring practices, greater capability to monitor inappropriate behavior, and ensuring deputies are being mentored about the adverse consequences of involvement in deputy gangs and cliques are a part of this effort.

### Organizational Restructure Recommendations

#### COC Recommendations:

##### Leadership: Recommendation 7:

The Department should consider assigning a senior captain and a newly promoted captain to larger, high activity stations to ensure maximum supervision and mentoring of lieutenants and sergeants while retaining full accountability within the paramilitary structure of the Department.

##### Accountability Recommendation 9:

The Sheriff should flatten the chain of command by eliminating at least one layer of supervision between him and the captains running patrol stations.

#### LASD Efforts:

With respect to organizational restructuring, the Department requested funding in the 2023-2024 budget for six additional captain positions in order to place an additional captain in the six stations highlighted in the report. The CEO's office recommended, and the Board of Supervisors ultimately approved, three captain positions to be created and filled.

The three stations selected for the two-captain model were: Lancaster, Palmdale, and East Los Angeles. The first two stations were selected not simply because they are named in the COC report, but because they have been subject to the Antelope Valley Settlement Agreement in which there was little progress made prior to the last year. East Los Angeles was selected due to the volume of calls and the number of issues identified in the COC report.

Following the Board of Supervisors' budgetary approval of three stations for the two-captain model, the Sheriff selected the three stations and began a selection process for the captains. Significantly, the Sheriff retained control over the process of selecting the second captain instead of the selection process being run by the local contract city involved. In this regard, the Department



will have greater control over the outcomes and expectations of each area station. The two-captain model was implemented in all three stations by November 2023. The captains at these stations are as follows:

Lancaster:

Joseph F. Fender  
Paul R. Bartlett

Palmdale:

Joshua A. Bardon  
Richard J. Cartmill

East LA:

Brandon R. Dean  
Chris M. Kusayanagi

While the model has only been in place for several months, it has already been proven to be successful. Each station reports significant progress in adding the backlog of administrative paperwork, including use-of-force reviews and complaints. Furthermore, each station reports the ability to engage more directly in community engagement, in the training and mentoring of deputies, and in having greater oversight of administrative issues such as scheduling. Fundamentally, this model is designed to assist with the oversight issues that are critical for the future success of each of these stations and the Department.

Due to the success of this model, the Department has requested that the Board of Supervisors expand this model to three additional stations in the next fiscal year, as initially recommended by the COC.

With respect to flattening the chain of command recommendation, the Department does not intend to implement this recommendation or to remove any command position from the structure of the organization as every layer of management serves a specific purpose. However, to achieve the objective of this recommendation, the Department has worked to ensure that there is more direct communication with the area captains. This effort has included re-vamping the training for all new Captains ("Captains College"), which included a review of the Civilian Oversight bodies and their role and function, and direct communications between the Sheriff, myself as Undersheriff, and the Captains, with a focus on the Sheriff's 21<sup>st</sup> Century Policing goals for the Department.

Investigations and Accountability Recommendations



COC Recommendations:

Policy and Training Recommendation 2:

The Department should investigate violations of the policy banning joining or participating in Deputy Gang and Deputy Cliques and refer violations for discipline.

Policy and Training Recommendation 5:

The Department should actively investigate violations of the policy prohibiting joining, participating in or soliciting deputies to join Deputy Gangs and Deputy Cliques.

Accountability Recommendation 4:

The Department should include a standard set of questions regarding a deputy's current affiliations with Deputy Gangs or Deputy Cliques in the use of force review process and in administrative and internal criminal investigations.

Accountability Recommendation 5:

The Department should ensure that captains are notified of deputies involved in force incidents or personnel misconduct investigations who have affiliations with Deputy Gangs or Deputy Cliques, including tattoos associated with such groups.

Accountability Recommendation 7:

The Department must ensure that captains hold sergeants and lieutenants accountable for deputies under their supervision involved in Deputy Gangs and Deputy Cliques.

Policy and Training Recommendation 4:

The Department must implement a procedure for notifying the District Attorney's Office if a deputy testifying as a witness participates in a prohibited Deputy Gang or Deputy Clique.

LASD Efforts:

The Department is investigating allegations involving law enforcement gangs and will continue to do so. While there are a number of investigations in

progress, under California law, the Department may not comment in any detail on any of these investigations.<sup>1</sup>

The Department is currently in the process of updating investigative manuals and procedures to ensure that it is clear that such investigations are to take place, and that relevant questions are asked. The internal procedure for notifying the District Attorney's Office pursuant to *Brady v. Maryland* has been updated to include the MPP section for law enforcement gangs as one of the policy sections used when issuing a Brady alert to the district attorney. Such notification is made for sustained allegations that may be Brady material. Work is continuing in this area to ensure the Department is being thorough and complete with respect to its Brady obligations.

It is also important to emphasize that considerable work is underway to ensure that investigations are thorough and complete, including establishing a list of standard questions to be asked. This also includes training that is underway to ensure that investigators have the skills and training necessary to be effective.

#### Community Engagement Recommendation

##### COC Recommendations:

###### Policy and Training Recommendation 7:

The Department should implement a series of community meetings involving patrol station captains, commanders, and chiefs to ascertain the impact of Deputy Gangs and Deputy Cliques on community relations.

##### LASD Efforts:

Starting in August 2023 and continuing through the end of the year, the Department organized community meetings in the six station areas listed in the COC report. A second series is scheduled to begin in March.

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<sup>1</sup> Please see: California Penal Code (PC) Section 832.7(a) states, in relevant part: "the personnel records of peace officers and custodial officers and records maintained by a state or local agency pursuant to 832.5, or information obtained from these records are confidential..." Penal Code 832.5 defines "General personnel file" as "the file maintained by the agency containing the primary records specific to each peace or custodial officer's employment, including evaluations, assignments, status changes, and *imposed discipline*." (Emphasis added.) 832.8 defines the term "personnel records", which includes: "Complaints, or investigations of complaints, concerning an event or transaction in which he or she participated, or which he or she perceived, and pertaining to the manner in which he or she performed his or her duties."

In order to ensure that these meetings were productive and allowed for conversations about law enforcement gangs and other issues of concern to the community, the United States Department of Justice, Community Relations Service (CRS) assisted in facilitating these meetings. DOJ-CRS facilitated all six community meetings. The meetings were also organized in partnership with community groups that served as meeting co-hosts in the different communities involved.

The first series of dialogue meetings created an atmosphere for effective engagement with the community, where the Department heard positive feedback and learned about areas for improvement. Overall, the community enjoyed the dialogue format as a means for discussing the topics impacting their community. Community members enjoyed speaking with the deputies and expressed a desire to see more diversity in patrol operations, and most especially more African American deputies. As a result, the Department has used this information as a tool for more recruiting efforts at local colleges and on social media.

Community surveys were conducted at each dialogue session. Further, DOJ-CRS created notes following each session. Captains for each area are responsible for reviewing and implementing suggested changes and for reporting back to the community at the next dialogue session. The second series begins this March, and DOJ-CRS has agreed to continue facilitating these meetings. The area captains will report back to the community on actions taken as a result of the community feedback.

### Deployment Recommendations

#### COC Recommendations:

##### Re-deployment and Rotations Recommendation 1:

The Sheriff should use his authority to re-deploy and rotate deputies based upon the needs of the Department for the Department to eliminate the formation and re-emergence of Deputy Gangs and Deputy Cliques.

##### Re-deployment and Rotations Recommendation 2:

The Department should re-assess the dual career track for Custody/Court Services and provide a written report to the COC explaining what factors impede implementation.

##### Re-deployment and Rotations Recommendation 3:

The Department should assess the feasibility of first assignments to patrol rather than jail facilities and provide a written report to the COC explaining what factors exist, if any, impede implementation.

LASD Efforts:

Overall:

Deployment issues in any law enforcement agency are complex, requiring constant review and evaluation. This is particularly true in an organization such as LASD which is responsible for both patrol and custody operations, as well as countywide operations.

With respect to the rotation of deputies, as you are aware, contract cities are greatly opposed to the rotation of deputies. Most cities know their deputies and do not wish to see them rotated because they prefer the stability offered by a consistent group of law enforcement officers patrolling their area. Furthermore, there is a significant benefit to deputies knowing their communities, knowing the community members, and engaging in community policing practices. While there are circumstances in which a rotation of individual deputies is appropriate, and the Department can redeploy deputies when circumstances warrant such transfers, a formalized system of rotation can undermine efforts to ensure community policing objectives are obtained. Furthermore, any effort to restructure deployment will necessarily have to incorporate labor concerns, as well as concerns expressed by the contract cities for whom we work. At this time, the Department does not plan to incorporate a rotation system into its deployment plan.

Dual Track Model:

The Department has assessed and reassessed the Dual Track model. The Dual Track Career Path was developed in 2013 by the Department to enhance continuity, stability, and accountability in LASD Custody Operations while simultaneously ensuring a greater level of service to the County's inmate population. The Dual Track model also allowed for promotional opportunities for sworn personnel within the Custody Divisions. The promotional process did not require the completion of patrol training or meeting a minimum time requirement in patrol.

The Dual Track model offered some benefits, including enhanced employee morale, a greater cadre of subject matter experts in correctional operations, an increased supervisory experience within Custody Services, and enhanced

employee morale by reducing the length of time spent in Custody for those seeking a patrol assignment. At the same time, patrol-certified personnel who accepted a supervisory promotional assignment in Custody had a five-year commitment.

In 2018, the Department created the Dual Track Review Committee to review the Dual Track model and make policy and procedure recommendations where necessary. The Committee ultimately recommended a policy change to reduce the five-year commitment for patrol-certified supervisors in Custody to three years. These policy changes allowed the Department to continue its goal of achieving a greater level of stability in the Custody Services Division and achieve its secondary goal of creating more flexibility in the assignment of personnel to areas of need.

While the Dual Track model established a level of continuity and supervisory expertise, it also created challenges to ensuring the development of a well-versed staffing model, and created several employee development and operational challenges that outweighed its benefit to the Department. As a result, in August 2019, the Dual Track program ended, and the Department reverted to offering a single supervisory promotional exam.

The Department's overall assessment of the Dual Track model includes:

- Lieutenants and Sergeants with patrol experience are valuable additions to the Custody Services Division in their overall Department knowledge of available resources, in that they often possess enhanced investigative skills, possess a higher level of maturity and tactical options to de-escalate situations, and are often valuable mentors with more diverse experiences that help motivate younger deputies.
- Greater numbers of patrol-trained personnel enhance flexibility in field deployment during emergent situations.
- The current two-year commitment for all supervisors strikes the correct balance as it creates the necessary continuity in supervision, while mitigating the delay in opportunities for them to pursue other coveted assignments.
- The reduction in the time commitment assists in maintaining positive levels of morale among supervisory ranks.
- Custody Services Division recognizes the interest at all ranks seeking to remain within the Division providing the necessary levels of continuity.

Several newly promoted supervisors initially assigned to custody have fulfilled their commitment and transferred out of the division to



- various assignments. However, a number of individuals have returned voluntarily and accepted coveted positions within the division without commitments.
- The re-institution of a Dual Track model will require negotiations with labor organizations and the creation of a separate costly promotional test procedure.
- There is an overall concern about increased time commitments for supervisors and associated complications in limiting promotional advancements.

At this time, the Department believes it has achieved the correct balance with respect to the Dual Track model. This is particularly true given the sworn staffing challenges that currently exist in the Department.

#### First Assignments:

The Department frequently assesses its staffing and deployment model. It is our current assessment that there are sufficient Custody deputies listed on patrol transfer lists.<sup>2</sup> Based on a review of the most recent patrol school transfer list, every patrol station and countywide unit has sufficient deputies on the transfer list, negating the need for deputies to go directly to a patrol assignment from the Academy.

Furthermore, while being concerned about Patrol Operations, the Department must also ensure the stability of Custody Operations and Countywide services. Custody has experienced an estimated 42% increase in resignations since FY 19-20. Limiting backfills could result in increased vacancies within Custody, where the Department also has important obligations to protect the health and safety of inmates. Furthermore, at this time, Custody deputies are faced with overtime mandates that have reached eight mandated shifts per month in some facilities.

While the Department is not opposed to sending deputies to patrol assignments from the Academy, multiple factors have to be evaluated to ensure that such deployment meets the many competing needs of the Department, its personnel, and the core services we must provide.

#### Hiring

#### COC Recommendations:

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<sup>2</sup> While there are some minor exceptions where patrol stations do not have deputies on their transfer list, the Department is able to address these minor issues.



Accountability Recommendation 10:

The prohibition against joining or participating in Deputy Gangs or Cliques should be a condition of employment.

LASD Efforts:

All new deputy hires are made aware of the policy and are signing acknowledgments of it. They further agree that they will not associate with, participate in, or join any deputy gang or clique and that such associations can be grounds for termination. This acknowledgment is for both probationary deputies as well as deputies who completed probation. Materials related to this recommendation were previously sent to the COC earlier this month.

Thank you for the opportunity to provide a summary of the Department's many efforts in this area and to address the COC recommendations.

Please do not hesitate to contact me should you have any questions.

Sincerely,

ROBERT G. LUNA, SHERIFF

  
APRIL L. TARDY  
UNDERSHERIFF