

REPORT TO THE
LOS ANGELES COUNTY
BOARD OF SUPERVISORS

FROM THE
WORKING GROUP

CIVILIAN OVERSIGHT
COMMISSION

FOR THE
LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT



June XX, 2015

Dean Hansell, Chair

Vincent Harris

Hernan Vera

Les Robbins

Brent Braun

Neal Tyler

Max Huntsman

June XX, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

On December 9, 2014, the Board of Supervisors, by unanimous vote, created the Working Group for the Oversight Commission for the Los Angeles County Sheriff's Department. You directed that the Working Group should make "recommendations to the Board regarding the oversight commission's mission, authority, size, structure, relationship to the Office of the Sheriff and to the Office of the Inspector General and appointment options...."

On behalf of the Working Group, I am honored to present to you our comprehensive proposal and Report for the creation of the Civilian Oversight Commission. Central to our goal in developing our proposal was your finding when you created the Oversight Commission that:

A moral imperative to ensure constitutional policing in the County's communities and jails exists. When coupled with the need for far reaching structural reforms and accountability mechanisms necessary to restore public trust and confidence in a department beset by allegations of excessive force and significant litigation costs, establishment of a permanent oversight entity without delay is well justified. Such an entity can play a vital role in promoting transparency, resorting public trust and validating reform efforts.

In proceeding with our work, the Working Group held ___ regular public meetings at the Hall of Administration and hosted 9 town hall meetings throughout Los Angeles County (the Working Group met at least once in each Supervisory District.) In preparing our proposal and Report we have considered the testimony of nearly ___ people who addressed us. Those who testified reflect a broad cross section of Los Angeles County's diversity. They include clergy, representatives of civil rights and civil liberties organizations, political leaders, retired and active law enforcement, mental health advocates, civic leaders, community activists, families and victims of alleged police brutality and representatives from other civilian oversight groups. We have also had the benefit of the broad experience of the seven Working Group members. We are grateful for the public's candor, wisdom and insights on how the Civilian

Oversight Commission should be structured. The Working Group's proposal was greatly influenced by their testimony.

The Report that accompanies our proposal ordinance is intended as a commentary on its various provisions, information that we want to provide to you as you consider the proposal. In almost all recommendations the Working Group acted unanimously. There are only a couple of areas where we were not united. Where this has happened, we provide the various options and indicate who supported what option.

We have also created a public website for the new Commission and for the public that contains a detailed chronicle of our work (www.lacounty.gov/sheriff-oversight). The website also contains articles and other materials in connection with civilian oversight. It is intended as a reference for the public and for the new Commission.

It has been our honor to serve the people of the County of Los Angeles. Thank you for entrusting us with this important responsibility.

Respectfully,

Dean Hansell, Chair

Vincent Harris

Hernan Vera

Les Robbins

Brent Braun

Neal Tyler

Max Huntsman

**REPORT FROM THE WORKING GROUP
ON THE
CIVILIAN'S OVERSIGHT COMMISSION
FOR THE
LOS ANGELES COUNTY SHERIFF'S DEPARTMENT**

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SECTION A: MISSION STATEMENT

The Chair of the Working Group initiated the crafting of the mission statement. It is the consensus of the Working Group that community engagement be the focus of the mission statement. We have tried to create a mission statement that is short, aspirational and written in the active tense.

Mission Statement:

The mission of the Civilian Oversight Commission is to improve public transparency and accountability with respect to the Los Angeles County Sheriff's Department. The Commission shall provide robust opportunities for community engagement and ongoing analysis and oversight of Los Angeles County Sheriff's Department policies, practices and procedures, and advice to the Sheriff, Board of Supervisors and the Public.

H. SECTION B: RESPONSIBILITIES OF THE CIVILIAN OVERSIGHT COMMISSION

The Commission's responsibilities include its ability to review, analyze, investigate and report where appropriate to the Board of Supervisors and the Sheriff. It is also imperative that the Commission serves as an effective mediator and facilitator between the Board and community and between the Sheriff's Department and the community on matters deemed appropriate by the Board and Sheriff's Department. The Working Group also recognizes the Commission has the opportunity to serve as a monitor on behalf of the Board and the community to oversee the implementation of settlement provisions in litigation.

Because the Sheriff is independently elected, many of the proposed responsibilities are referral powers, only possible if the Board, the Sheriff, and the Office of Inspector General (OIG) find the Commission's work to be credible. Many roles described by the Commission will only occur only if the Commission is requested to assume those roles by the stakeholders.

The testimonies provided by community members make clear that it is critical that the Commission be the eyes and ears of the community and serve as a bridge between the community and the Sheriff's Department. The Commission should dedicate itself to continue these outreach efforts by conducting regular town hall meetings, in addition to the regular monthly meetings.

Responsibilities of the Commission:

1. Review, analyze, where appropriate solicit public input, and make recommendations to the Board of Supervisors and the Sheriff on LASD operational policies and procedures affecting the community or make recommendations to create additional operational policies and procedures affecting the community and request a response. Normally the

Commission shall seek the input of the Sheriff before completing its recommendations.

2. Investigate, analyze, solicit input, and make recommendations to the Board of Supervisors and the Sheriff on systemic LASD-related issues or complaints affecting the community. Normally the Commission shall seek the input of the Sheriff before completing its recommendations.
3. Review, at its discretion, or upon request from the Board of Supervisors or the Sheriff, policy recommendations to the Sheriff made by official entities sanctioned by the Board of Supervisors or the Sheriff or recommendations made in other reports that in the judgment of the Commission merit its analysis, and report to the Sheriff and the Board of Supervisors whether or not the recommendation should be implemented by the Board of Supervisors or Sheriff or if the recommendation is being implemented, the status of the implementation. The Oversight Commission reports shall contain an analysis supporting its recommendations and normally shall seek the input of the Sheriff before completing its reports.
4. Upon request of the Board of Supervisors and the Sheriff, the Commission or any of its members may serve as the monitor and assess the implementation of settlement provisions in litigation.
5. Function as a liaison, or at the request of the groups or organizations involved, serve as a mediator to help resolve on-going disputes between the LASD and members of the community, or organizations within Los Angeles County.
6. Without interfering with the Sheriff's investigative functions, obtain community input and feedback on specific incidents involving use of force, detention conditions, or other civil rights concerns regarding the LASD and convey to the Sheriff and the Board of Supervisors community complaints, concerns, or positive feedback and where appropriate make recommendations.
7. Work with and assist the OIG in soliciting community input and feedback on issues under investigation by the OIG.
8. Function as a bridge between the Sheriff's Department and the community by providing the community an additional means of giving input to the LASD, obtaining answers from the LASD to community concerns about LASD operations, practices, and activities, bring an additional perspective to LASD decision-making to ensure an on-going balance between the sometimes competing factors of ensuring public safety and constitutional, civil, and human rights, and communicate community concerns to the LASD that otherwise might not be as clear or might go unnoticed.

SECTION C: COMMISSION'S COMPOSITION PROPOSALS

The Working Group discussed their vision about how the Commission should be comprised. To better understand the function of a Sheriff's Department oversight body, the Working Group invited representatives from San Diego County's Citizen's Law Enforcement Review Board to testify about their experiences in establishing their oversight commission. The Working Group also took into account extensive public testimony.

The Working Group's efforts resulted in the creation of a diverse list of six composition options; five created by the Working Group and one proposed by Dignity and Power Now. The option proposed by Dignity and Power Now contemplates five appointments by the Board, and delegates the remaining appointments to a committee created by community organizations.

Each proposed option calls for a nine member commission. Each provides that at least five of the members would be selected by the Board, one per Supervisorial District. The proposals differ on the selection of the remaining four members. Each proposal advocates that weighted consideration be given to the selection of members who are both diverse and may bring to the Commission special expertise in fields such as mental health, custody and juvenile justice.

Common to each proposal are a set of core standards for Commission members that requires robust and on-going orientation and training, adheres to a code of conduct, and a conflicts of interest policy, and the active participation of the Sheriff. Since this is to be a "Civilian Oversight" group, current LASD and other L.A. County employees cannot serve nor can any current members of any police department. The proposal also prohibits former LASD law enforcement personnel from serving.

The prohibition of former LASD law enforcement personnel, which is stated in proposal number nine below, was passionately debated among the Working Group. The Working Group was divided between members that felt former LASD law enforcement should not have the opportunity to serve on the Commission due to the belief that it was important to avoid any possible conflicts of interest with potential candidates for the Commission or because of the appearance of a conflict that the inclusion of former LASD employees might create on a civilian board.

The members on the Working Group that felt former LASD should have an opportunity to serve on the Commission believed strongly that proposal nine was discriminatory and did not contribute to the spirit of having a diversified Commission composition. At the conclusion of the Working Group's debate, the members voted 4 to 3 in favor of not including former LASD personnel from serving on the Commission.

(Four Working Group members supported this option – Huntsman, Hansell, Harris and Vera. Three Working Group members opposed it – Tyler, Braun and Robbins.)

As mentioned, the community members that participated in the town hall meeting were unanimous with the fact that the Commission should have a composition that reflects the diversity of Los Angeles County. The Working Group agrees with this sentiment that the Commission should reflect the diversity of Los Angeles County and favors weighted consideration be given when selecting members' age, geographic, racial, ethnic, religious, national origin, immigration status, gender, gender identity and sexual orientation.

The Working Group also favored having Commission members qualified with subject matter expertise in such areas as mental health, custody and juvenile justice.

The Working Group has thoroughly discussed the merits of each option. At the conclusion of the debate and the public's testimony on this matter, a majority of the Working Group has recommended Option One for your Board's consideration. In the best interest of the Board, the Working Group has included the remaining five options in the attachment for your review (ATTACHMENT I). Three of the Working Group members favored other options.

Key to the successful operation of the Commission is a mandatory comprehensive and robust orientation and training program. Commission members must also adhere to a conflict of interest policy.

COMMISSION COMPOSITION PROPOSALS:

1. The Oversight Commission shall consist of nine members. Each shall be a resident of Los Angeles County. Each member shall be selected from candidates who have been qualified as defined in the application process set forth in section _____. The members shall be selected as follows:

Option 1

A. Each Supervisor shall select one member to serve on the Commission.

B. Four additional members of the Commission shall be jointly selected by the Board of Supervisors by majority vote. These members shall be proposed by any Supervisor.

NOTE: 4 members were in favor of this option.

ADDITIONAL PROVISIONS:

2. The application process can be changed either by the Board of Supervisors or the Commission. Any resident of Los Angeles County may submit an application. The applications shall be submitted to the Chief Executive Officer.
3. In selecting the members chosen by the Supervisors and Commission Members or the Chief Executive Officer] from those who qualified, weighted consideration shall be given to selection of persons with substantial community involvement (such as active participation in a community organization working on custody or juvenile justice issues or nominated by such organization), background either as a mental health professional or experienced mental health advocate, or a representative of a contract city.
4. In selecting members of the Commission each Supervisor [and Commissioner or the Chief Executive Officer] shall give weighted consideration to selecting members who would add to the diversity of the Commission including, but not limited to, racial, ethnic, age, geographic, gender, gender identity, religious, sexual orientation, occupational, immigration status, and national origin composition of the Commission.
5. Each member shall serve for a three year term. No member may serve on the Commission for more than two full consecutive terms unless such limitation is waived by the Board of Supervisors. Tenure is also subject to the provisions of Section 5.12.050 of the County Code.
6. The Commission shall develop a comprehensive training and orientation program which each Commissioner must complete within six months of appointment. In developing this program the Commission shall consult with the Sheriff, community groups and other community stakeholders. The training program shall be on-going and robust and cover such topics as use of force and firearms, custody issues, mental health issues, juvenile justice, and patrol issues. Each Commission member shall actively participate in this training program.
7. The Commission, working with the County Counsel, shall develop a comprehensive conflicts of interest policy and a code of conduct policy that each Commission member will follow.
8. The Sheriff or senior representatives of the LASD selected by the Sheriff shall attend and participate in the meetings of the Commission without vote.
9. No current employee of Los Angeles County, current or former employee of the Los Angeles County Sheriff's Department, or any current employee of any police department, may serve as a voting member of the Commission.

NOTE: Four members of the Working Group supported excluding former LASD employees from serving on the Commission. Three Working Group

members opposed excluding former LASD members. The Working Group unanimously supported the other aspects of this provision.

10. Transition Provision. As part of the formation of the Commission only, the initial Commissioners shall be divided in to three groups, with Group A serving an initial three year term, Group B serving an initial two year term and Group C serving an initial one year term. The County Counsel shall randomly determine which Commissioners shall be placed in which of the three groups.

SECTION D: MISCELLANEOUS PROVISIONS

In the following, the Working Group recommends twelve miscellaneous provisions for your consideration.

In the area of compensation, the Working Group discussed the intent of the compensation and the proposed compensation amount. The Working Group agreed that the compensation amount should not serve as a source of income, but function more as a reimbursement tool when necessary, subject to a cap. It was also agreed that where possible, Commissioners shall be encouraged to waive their compensation. We should try to provide compensation to attract members who might not otherwise be able to afford to serve, but with a cap to limit the possibilities for abuse.

The Working Group believe that to be effective, the Commission itself needs sufficient staff such as an Executive Director, Analysts, Public Information officer and Administrative Support and the OIG staff should be increased to handle the increase in workload of the OIG investigators due to the Commission's work.

The Working Group also recommends a self-evaluation provision that would require tri-annual evaluation by the Commission with a mandatory review by the Chief Executive Office of each evaluation.

Miscellaneous Provisions:

Term of Office. A member shall be appointed for no more than two consecutive full three year terms. Appointment to fill a vacancy shall not constitute an appointment for a full term. The term for all members shall begin on July 1 and end on June 30. The first term of all persons who are the initial appointees to the Oversight Commission shall be deemed to commence on the date their appointment is approved by the Board.

Vacancies. Vacancies on the Commission shall be filled in the same manner as that position was originally filled. Vacancies shall be filled within 30 days and subject to the provisions of the article, shall be filled for the balance of the unexpired term.

Organization. The Oversight Commission shall, with the advice of the County Counsel, prepare and adopt necessary rules and regulations for the conduct of

its business subject to approval of the Board of Supervisors. The Commission shall initially follow Robert's Rules of Order. A current copy of the rules and regulations shall be filed with the Executive Officer of the Board of Supervisors.

Meetings. The Commission shall meet at least once a month or more often as necessary at a time and location to be established by the Commission. It shall hold an annual meeting during the month of June.

Staff. The Commission shall utilize the staff of the OIG to undertake investigations, inquiries, audits and monitoring and the staff of Commission Services to provide assistance at Commission meetings. The actual staff of the Commission shall be those individuals designated in the current salary ordinance of the County of Los Angeles. The Commission will also have the authority to use consultants where the need arises, to be retained by the Executive Office or by the Chief Executive Officer's delegated authority.

Self-governance. The Commission shall elect a chairperson, a vice-chairperson and a secretary and such other officers as it determines appropriate from its membership at its annual meeting. A chair may only serve for two consecutive one year terms.

Compensation. Members of the Oversight Commission will be eligible to receive reasonable compensation to be set from time to time by the Board of Supervisors for each regular and special meeting of the Commission up to a cap per member of \$5,000 per fiscal year and shall be reimbursed for reasonable expenses incurred in performing their duties in accordance with County policies regulating reimbursement to County officers and employees (including parking and transportation in attending meetings of the Commission). Members are encouraged where possible to waive their meeting compensation.

Records. Any personnel records, citizen complaints against County personnel in the Sheriff's Department, and information obtained from these records, which come in to the possession of the Oversight Commission or its staff, shall be confidential and shall not be disclosed to any member of the public, except in accordance with applicable law. Copies of records and complaints of the Oversight Commission shall be made available to the Sheriff upon completion of the investigation of the Oversight Commission unless prohibited by applicable law.

Annual Report. The Commission shall prepare, submit to the Board of Supervisors and make available to the public an annual report. The annual report will be prepared no later than July 1 of each year. The annual report shall contain background information about the Commission, identify Commission members and senior staff members, detail activity of the Commission in the previous year, provide a budget for the Commission and provide contact information.

Self-Evaluation. At the end of the third year of its operation and every three years thereafter, the Commission shall undertake a detailed self-evaluation. The detailed self-evaluation shall include a candid assessment about the strengths and the weaknesses, and successes and failures of the Commission. It shall contain a recommendation whether the Commission should continue in existence and if so should its responsibilities and powers change in any way or whether a management audit should be conducted. The self-evaluation should also contain recommendations directed to the Commission itself about how to improve its operations. The self-evaluation shall be submitted to the Board of Supervisors and to the public. The Chief Executive Officer of Los Angeles County shall, within ninety days of the Commission's audit being transmitted to the Board of Supervisors, review the Commission's self-evaluation and determine whether a management audit should be conducted. Within a year of the issuance of the self-evaluation, the Commission shall provide a written report to the Board of Supervisors and to the general public about its status in implementing the recommendations identified in the self-evaluation.

Compliance With All Laws. The Oversight Commission shall comply with all applicable State and federal laws including but not limited to the Ralph M. Brown Act and the Political Reform Act.

SECTION E: MEMORANDUM OF AGREEMENT FOR OBTAINING DOCUMENTS AND INFORMATION

The Working Group was unanimous in recognizing the need for the Commission, the OIG and the LASD to have a comprehensive agreement on the protocols of obtaining documents and information from the LASD. The members also emphasized the value of having a cooperative and coordinated relationship among the three parties in order for the Commission to succeed.

However, the Working Group was divided in its discussion whether to recommend to the Supervisors that an amendment to the Charter Amendment be submitted for consideration by the voters that would allocate subpoena power to the Commission and OIG. The discussions were divided between members who believed a charter was necessary due to the strength of the public testimonies in favor of amending the County Charter to grant subpoena power. There was also strong consideration by some members that felt the Commission needed to have "teeth" in order to have the power to request information from the Sheriff's Department. Four members voted to support placing the question of subpoena power to the voters – Huntsman, Hansell, Harris and Vera.

The members not in favor of amending the County Charter felt strongly that a deputy's personal information should remain private at the Sheriff's discretion and the Sheriff, as an elected official should have the ultimate authority over the release of any deputies' personal information. Those opposing placing subpoena power on the ballot - Tyler, Braun and Robbins. These members also believe it is important to allow the Commission, the OIG and the LASD to proceed with the

drafting of a memorandum of agreement prior to any efforts to amend the County Charter.

At the conclusion of the Working Group's discussion, the members voted 4 to 3 in favor of recommending to the Board that it propose in an election to add an amendment to the County Charter to provide subpoena power to the Commission and the OIG.

Obtaining Documents and Information:

1. Memorandum of Agreement. The Oversight Commission, the Office of Inspector General and the Los Angeles Sheriff's Department shall enter in to a comprehensive memorandum of agreement (MOA) that will in most circumstances govern how the Commission and the Inspector General will obtain documents and information from the Sheriffs' Department.

The MOA shall cover such things as:

- A. What documents and information the Commission shall have access to;
- B. What documents and information the Inspector General shall have access to;
- C. Confidentiality procedures;
- D. General time limits for responding to document requests and exceptions;
- E. Compliance with the Public Safety Officers Procedural Bill of Rights Act (Government Code Sections 3300-3313), Penal Code Section 832.07 and other confidentiality statutes;
- F. Procedures for making requests for information.

2. Cooperation and Coordination. In the discharge of its duties, the Board of Supervisors directs that all officers and employees of the County to the extent permitted by law provide complete and prompt cooperation to the Commission so that the other public officers and the Commission can fully and properly perform their respective duties.

3. Amendment to the County Charter for Subpoena Power. The Working Group recommends to the Board of Supervisors that it place on a ballot in an election that the voters of Los Angeles County consider an amendment to the Charter of the County of Los Angeles subpoena power for the Commission and to the OIG. The County Counsel should be asked to draft the Charter amendment language to ensure compliance with the Public Safety Officers Procedural Bill of Rights Act and Penal Code Section 832.07.

NOTE: Paragraph 3 (subpoena power) was adopted on a 4 to 3 vote.

SECTION F: RELATIONSHIP TO THE OFFICE OF THE INSPECTOR GENERAL

One of the critical factors that will determine the success of the Civilian Oversight Commission for the Sheriff's Department will be the Commission's relationship with the OIG. The Commission must work closely with the OIG in undertaking investigative duties required for the Commission to perform its responsibilities.

The Working Group believes a tight working relationship between the Commission and the OIG will assist to resolve conflicts, create efficiencies and produce future cost savings from reduced litigation and claims

We propose various amendments to the OIG ordinance to establish a reporting relationship from the OIG duties to the Commission and expand the powers of the OIG to fill in the gaps of the existing ordinance.

The proposed amendments also clarify that the OIG's responsibilities include oversight over vendors who work in the jails.

Proposed Amendment to the Office of the Inspector General Ordinance:

Section 6.44.190 of the Los Angeles County Ordinances is amended as follows:

- A. As part of the Board of Supervisors' duty to supervise the official conduct of the Sheriff under Government Code section 25303, the Office of Inspector General ("OIG") is created in the department of the Board of Supervisors. The OIG is created to promote constitutional policing and to promote the common interest of the Board and the Sheriff in effective and lawful policing and to facilitate the Board of Supervisors' responsibility without interfering with the Sheriff's investigative functions. The OIG shall focus on matters relevant to department-wide policies and procedures and shall not interfere with criminal, personnel, and other investigations by the Sheriff's Department. The Office of the Inspector General shall report to and be supervised by the Civilian Oversight Commission.
- B. The OIG shall provide independent and comprehensive oversight, monitoring of, and reporting about the Sheriff's Department and its jail facilities and the contractors and employees involved with the jails, as set forth in this Section under the leadership of an Inspector General appointed by the Commission and confirmed by the Board of Supervisors.

As used in this Ordinance, the terms "investigation," "audit," "inquiry" and "monitoring" shall have the following definitions:

1. Monitoring: Gathering of information regarding facilities and operations, including by direct observation, discussions with staff and public, and review of records, in order to identify problem areas.

2. Inquiry: Gathering of information as in monitoring, but with the goal of obtaining additional information regarding a potential problem area.
3. Audit: A formal process following professional guidelines to answer specific questions regarding specific operations.
4. Investigation: A formal gathering of information targeted at producing actionable information regarding an individual employee to be done in compliance with the Confidentiality Protection of Section G of this ordinance.

Supervision of the OIG. The Inspector General shall report to the Commission. The Commission shall supervise the work of the OIG and evaluate the Inspector General. When there is a vacancy in the office of the Inspector General, the Commission shall nominate a successor, subject to the confirmation of the Board of Supervisors.

A decision to terminate the Inspector General shall be either made by the Board of Supervisors with the advice of the Commission or shall be recommended by the Commission, subject to the confirmation of the Board of Supervisors.

The OIG shall provide its reports and investigations to the Board and the Sheriff at the same time it provides them to the Commission.

The Board of Supervisors may directly request that the OIG undertake an investigation, audit, inquiry or monitoring.

- C. The OIG shall have four primary functions: (1) monitoring the Sheriff's Department's operations, conditions of confinement in jail and other custody-related facilities including monitoring the conduct of contractors and employees who provide services to inmates in custody, including, but not limited to, medical, pharmaceutical and mental health, and the Sheriff's Department's response to inmate and public complaints related to the Sheriff's Department operations; (2) periodically reviewing the Sheriff's Department's use of force patterns, trends, and statistics, the Sheriff's Department's investigations of force incidents and allegations of misconduct, and the Sheriff's Department's disciplinary decisions; (3) reviewing the quality of audits and inspections conducted by the Sheriff's Department and conducting its own periodic audits and inspections; and (4) regularly communicating with the public, the Board of Supervisors, the Commission, and the Sheriff's Department regarding the Sheriff's Department's operations. Complaints relating to specific conduct shall be referred, with the permission of the complainant, to the Sheriff's Department for action pursuant to Penal Code section 832.5.

The OIG is specifically authorized by this ordinance to monitor civil rights issues for which health information is relevant and qualifies as a Health Oversight

Agency pursuant to the federal Health Insurance Portability and Accountability Act of 1996 and any other relevant California or local laws.

- D. Without interfering with the Sheriff's investigative functions, the OIG shall have the authority to investigate specific incidents involving Sheriff's Department personnel only in the following circumstances:
1. when requested by, or with authorization of, the Sheriff;
 2. when the Inspector General determines that the Sheriff's Department has not adequately investigated an incident; provided, however, that the Inspector General shall first meet and confer with the Sheriff or his staff and afford the Sheriff's Department the opportunity to investigate the incident further before the OIG conducts an investigation pursuant to this subpart; or
 3. when the Board of Supervisors makes a formal request to the Inspector General for privileged legal advice pertaining to a claim or lawsuit arising out of the actions of the Sheriff's Department or its personnel.

Without interfering with the Sheriff's investigative functions, the OIG shall have the authority to undertake an investigation, an inquiry and audit or perform monitoring at the request of the Board of Supervisors, the Sheriff, the Commission or at its own initiative.

- E. The Inspector General shall report directly to, and serve as an agent of the Commission and the Board of Supervisors and shall make regular reports to the Commission and the Board of Supervisors on the Sheriff's Department's operations. Such reports to the Board of Supervisors shall be public reports, except to the extent they relate to confidential personnel or otherwise privileged matters or contain protected inmate health information. The OIG shall work under the direction of the Inspector General, who shall be an attorney licensed by the State Bar of California. The Inspector General shall serve as special counsel to the Board of Supervisors and have an attorney-client relationship with the Board of Supervisors when requested by the Board to provide privileged legal advice pertaining to a claim or lawsuit arising out of the actions of the Sheriff's Department or its personnel. The Inspector General shall serve as special counsel to the Commission and have an attorney-client relationship with the Commission.
- F. The Sheriff's Department and all other County departments shall cooperate with the OIG and promptly supply any information or records requested by the OIG, including confidential peace officer personnel records, medical and mental health records and all other protected health information of inmates, necessary for the OIG to carry out its duties; provided, however, that the OIG shall not have the authority to compel Sheriff's Department personnel involved in a specific incident to respond

to questions concerning the incident without the authorization of the Sheriff.

- G. The confidentiality of peace officer personnel records, medical and mental health records and all other protected health information of inmates, and all other privileged or confidential information received by the OIG in connection with the discharge of the OIG's duties shall be safeguarded and maintained by the OIG as required by law or as necessary to maintain any applicable privileges or the confidentiality of the information. The OIG shall not disclose, without the Sheriff's authorization, any of the Sheriff's Department's confidential personnel, investigative, or disciplinary information unless such information is already a matter of public record or the disclosure is to the Board of Supervisors in response to a formal request by the Board of Supervisors for privileged legal advice pertaining to a claim or lawsuit arising out of the actions of the Sheriff's Department or its personnel.

SECTION G: ADDITIONAL RECOMMENDATIONS

There are two areas we believe merit additional analysis. The Sybil Brand Commission for Institutional Inspections performs certain functions over the jails that could overlap with the work of the Commission. On the other hand, Sybil Brand also has responsibility over probation camps and facilities that the Oversight Commission could assess only if its mandates were broadened. Due to the size of the Inmate Welfare Fund, we favor regular independent oversight on how those funds are used. We are advised that the Sheriff too supports regular independent audits.

1. Sybil Brand Commission for Institutional Inspections. The Working Group believes that there may be considerable overlap between the role of the Sybil Brand Commission and some of the potential responsibilities of the new Commission. We recommend that the role and responsibilities of Sybil Brand be analyzed.
2. Inmate Welfare Fund. Annually millions of dollars are received and expended from the Inmate Welfare Fund. (Attached is a somewhat recent financial worksheet for the Fund.) Those funds are to be expended for limited purposes, such as inmate programs. The Working Group and the new Sheriff want to make sure that these funds are being spent only for their intended purposes. We recommend that expenditures that have been made over the past few years be independently audited and that if it does not already exist, that in cooperation with the Sheriff's Department that an annual independent audit of expenditures from the Inmate Welfare Fund be made.

SECTION H: RECOGNITIONS

On behalf of the Working Group of the Civilian Oversight Commission for the Sheriff Department, I would like to thank the following for their dedication and support through this process. Without your assistance, the voices of the community could not have been heard at our town hall meetings throughout the County and at our regular meetings at the Kenneth Hahn Hall of Administration.

Again, my sincere gratitude to you all for your assistance.

- **EXECUCTIVE OFFICE OF THE BOARD OF SUPERVISORS,
COMMISSION SERVICES**
- **COUNTY CHIEF EXECUTIVE OFFICE**
- **COUNTY OFFICE OF THE COUNTY COUNSEL**
- **COUNTY PARKS AND RECREATION**
- **COUNTY INTERNAL SERVICES DEPARTMENT**
- **ANTELOPE VALLEY COMMUNITY COLLEGE**
- **CITY OF WEST HOLLYWOOD**

COMMISSION COMPOSITION OPTIONS 2 THROUGH 6**Option 2**

- A. Each Supervisor shall select one member to serve on the Commission.
- B. Four additional members of the Commission shall be nominated by the Chief Executive Officer of Los Angeles County and appointed by the Board of Supervisors by majority vote.

Option 3

- A. Each Supervisor shall select one member to serve on the Commission.
- B. The five members of the Commission selected by the Supervisors shall select four additional members to serve on the Commission.

Option 4

- A. Each Supervisor shall select one member to serve on the Commission.
- B. The remaining members shall be selected as follows:

One member selected by the Presiding Judge of the Court

One member selected by the District Attorney

One member selected by the Public Defender

Alternate A

One member selected by the other Commission members from a list of 5 or fewer individuals put together by the Board of Supervisors and intended to reflect diverse community representation.

Alternate B

One member selected by the Sheriff as a non-voting ex officio member.

NOTE: 2 members were in favor of this option.

Option 5

- A. Each Supervisor shall select one member to serve on the Commission.
- B. Two additional members of the Commission shall be selected by a Committee consisting of:

1. A representative from a Los Angeles County city selected by the California Contract Cities Association;
 2. The District Attorney;
 3. The Public Defender;
 4. The Presiding Judge of the Los Angeles County Superior Court; and
 5. A representative of a civil rights organization that has successfully litigated a case against Los Angeles County, to be chosen by the Board of Supervisors.
- C. Two additional members of the Commission shall be selected by a Committee consisting of three representatives of community organizations with a history of working on law enforcement accountability issues, to be chosen by the Board of Supervisors.

NOTE: 1 member was in favor of this option.

Option 6

- A. The Review Board shall consist of nine (9) members.
- B. The Board of Supervisors shall appoint five (5) members to the Civilian Oversight Commission. Each Supervisor shall be responsible for one appointment, all of whom shall be residents of Los Angeles County. In making nominations and establishing appointments, each Supervisor shall attempt to reflect in the Oversight Commission membership comprehensive representation of age, sex, socioeconomic status, racial and ethnic background, sexual orientation, former experience of incarceration in the Los Angeles County jail system and geographical distribution including representation of both the unincorporated areas and the cities that contract with the County for law enforcement by the Sheriff's Department. Each Supervisor shall provide to the Board of Supervisors and the public a statement of the qualifications of each person nominated.
- C. The remaining four (4) Oversight Commission members shall be nominated by a committee of community members, organizations, and advocates. This committee shall include, but not be limited to, the organizations that comprise the Coalition to End Sheriff Violence in L.A. Jails. The list of nominees shall be submitted to the Board of Supervisors who shall appoint the remaining four members of the Commission from this list. The committee shall provide a statement of the qualifications of each person nominated.
- D. Public notice and publicity shall be given of intention to appoint members to the Oversight Commission. An application form shall be provided to members of the public.
- E. County employees and persons employed as peace officers, or formerly employed as peace and/or custodial officers shall not be eligible to be members of the Review Board.

- F. Each member shall serve a term of three years; provided, however, that the terms of the initial members of the Review Board shall be determined as follows:
1. At the first meeting of the Oversight Commission, the nine members shall draw lots to determine which three members will serve a three year term, which three members will serve a two year term, and which three members will serve a one year term.
 2. Each member of the Board may serve up to two consecutive terms as a Commission member.

ORDINANCE NO. _____

An ordinance amending Title 3 - Advisory Commissions and Committees of the Los Angeles County Code, relating to

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

SECTION 1. Chapter 3.79 is hereby added to read as follows:

3.79 – Sheriff Civilian Oversight Commission.

Sections:

3.79.010 Created.

3.79.020 Purpose.

3.79.030 Duties.

3.79.040 Membership.

3.79.050 Nominations.

3.79.060 Term of Service.

3.79.070 Training.

3.79.080 Conflict of Interest.

3.79.090 Sheriff Participation.

3.79.100 Vacancies.

3.79.110 Organization.

3.79.120 Meetings.

3.79.130 Officers.

3.79.140 Records.

3.79.150 Staff.

3.79.160 Compensation.

3.79.170 Annual Report.

3.79.180 Self Evaluation.

3.79.190 Cooperation and Coordination.

3.79.200 Obtaining Documents and Information.

3.79.210 Compliance with all Laws.

3.79.010 Created.

There is created a Los Angeles County Sheriff Civilian Oversight Commission, hereinafter in this chapter referred to as the "commission."

3.79.020 Purpose.

The purpose of the commission is to improve public transparency and accountability with respect to the Los Angeles County Sheriff's Department, by providing robust opportunities for community engagement and ongoing analysis and oversight of the department's policies, practices, procedures and advice to the Board of Supervisors, the Sheriff's department and the public.

3.79.030 Duties.

The commission shall:

- A. Review, analyze, and where appropriate solicit input, and make recommendations to the Board of Supervisors and the Sheriff on the Sheriff's department's operational policies and procedures that affect the community or make recommendations to create additional operational policies and procedures affecting the community and request a response from the Sheriff.
- B. Investigate, analyze, solicit input and make recommendations to the Board of Supervisors and the Sheriff on systemic Sheriff – related issues or complaints affecting the community.
- C. Review, at its discretion, or upon request from the Board of Supervisors or the Sheriff, policy recommendations made by outside entities which were requested by the Board of Supervisors or the Sheriff or recommendations made in other reports that in the judgment of the commission merit its analysis, and report to the Board of Supervisors or the Sheriff whether or not the recommendation(s) should be implemented by the Board of Supervisors or the Sheriff or, if the recommendation(s) is

being implemented, the status of implementation. The commission's reports shall contain an analysis supporting its recommendations.

D. Upon request of the Board of Supervisors and/or the Sheriff, serve, either collectively or through one or more of its members, as the monitor and assess implementation of settlement provisions in litigated matters.

E. Function as a liaison, or at the request of community groups or organizations involved, serve as a mediator to help resolve ongoing disputes between the Sheriff's department and members of the community, or organizations within the County of Los Angeles.

F. Without interfering with the Sheriff's investigative functions, obtain community input and feedback on specific incidents involving the use of force, detention conditions, or other civil rights concerns regarding the Sheriff's department. Convey to the Board of Supervisors and the Sheriff, community complaints, concerns or positive feedback received by the commission, and where appropriate, make recommendations.

G. Work with and assist the Office of Inspector General in soliciting community input and feedback on issues being investigated by the Inspector General.

H. Function as a bridge between the Sheriff's department and the community by providing the community an additional means of giving input to the Sheriff, obtaining answers from the Sheriff to community concerns about the Sheriff's department's operations, practices and activities, bringing an additional perspective to the Sheriff's department's decision-making to ensure an ongoing balance between the sometimes competing factors of ensuring public safety and constitutional, civil and human rights,

and communicating community concerns to the Sheriff that otherwise might not be as clear or might go unnoticed.

I. Seek the input of the Sheriff prior to completing any of its recommendations made pursuant to the duties defined in this section.

J. Be advisory only to the Board of Supervisors and the Sheriff, and without the authority to manage or operate the Sheriff's department or direct the activities of the Sheriff's department employees, including imposition of discipline.

3.79.040 Membership.

The commission shall consist of 9 members. Each shall be a resident of the County of Los Angeles. Each member shall have been determined to be qualified to serve based on an application process as defined in section 3.79.050 of this Chapter. The members shall be selected as follows:

A. Each member of the Board of Supervisors shall select one member to serve on the commission.

B. Four additional members of the commission shall be jointly selected by the Board of Supervisors by majority vote. These members may be proposed by any Supervisor.

3.79.050 Qualifications and Nominations Process.

A. Subject to subsection F, below, the application process for membership shall be open and any resident of the County of Los Angeles can submit an application. Candidates shall be selected based on completion of a statement of qualifications form that will be made available through the Executive Office/Clerk of the Board. Completed

forms shall be submitted to the Chief Executive Officer. This form will require background information of the candidate as well as a statement by the candidate as to their qualifications in order to be considered for the commission.

B. This application process can be modified by the Board of Supervisors or the commission. Any resident of the County of Los Angeles may submit an application subject to subsection F, below.

C. In making their respective selections, the Board of Supervisors shall give weighted consideration to persons with substantial community involvement (such as active participation in a community organization working on custody or juvenile justice issues or nominated by such an organization); persons with a background either as a mental health professional or experienced mental health advocate; or persons who are representatives of a contract city.

D. In making their respective selections, the Board of Supervisors shall also give weighted consideration to selecting members who would add to the diversity of the commission including, but not limited to: racial, ethnic, age, geographic, gender or gender identity, religious, sexual orientation, occupational, immigration status and national origin composition of the commission.

E. As used in subsections C and D above, weighted consideration shall mean that those factors are of high importance in the selection process.

F. No current employee of the County of Los Angeles, no current or former employee of the Sheriff's department, or current employee of any other police department, shall serve as a member of the commission.

3.79.060 Term of Service.

A. Subject to subsection B of this section, each member shall serve for a three year term. No member may serve on the commission for more than two full consecutive terms unless such limitation is waived by the Board of Supervisors. Tenure is also subject to the provisions of section 5.12.050 of the County Code. The term for all members shall begin on July 1 and end on June 30th. However, the first term of all members who are the initial appointees to the commission, shall be deemed to commence on the date their appointment is approved by the Board of Supervisors and will end on June 30th of a succeeding year as set forth in subsection B of this section.

B. As part of the original creation of the commission only, the initial commissioners shall be divided into three groups, with Group A serving an initial three year term, Group B serving an initial two year term and Group C serving an initial one year term. For groups B and C, this initial one and two year term shall not be considered towards the restriction of two full year terms as described in section 3.79.060 (A). The County Counsel shall randomly determine which commissioners shall be placed in which of the three groups.

3.79.070 Training.

The commission shall develop a comprehensive training and orientation program which each commissioner must complete within six months of appointment. In developing this program, the commission shall consult with the Sheriff, community groups and other community stakeholders. The training program shall be robust and cover such topics as use of force, firearms, custody, mental health issues, juvenile

justice and patrol. Each commission member shall actively participate in the training program.

3.79.080 Conflict of Interest.

The commission, working with County Counsel, shall develop a comprehensive conflict of interest policy and a code of conduct policy to be approved by the Board of Supervisors, that each commission member will follow.

3.79.090 Sheriff Participation.

The Sheriff, or a senior ranking member of the Sheriff's department, selected by the Sheriff, shall attend and participate in all the meetings of the commission, but shall not have voting rights.

3.79.100 Vacancies.

Vacancies on the commission created by events other than the normal end of a member's term shall be filled in the same manner as the vacant position was originally filled. Vacancies shall be filled within 30 days. Appointments to fill a vacancy shall not constitute an appointment for a full term but solely to fill the balance of the unexpired term.

3.79.110 Organization.

The commission shall, with the advice of County Counsel, prepare and adopt necessary rules and regulations for the conduct of its business, subject to the approval of the Board of Supervisors. A copy of the rules and regulations shall be filed with the Executive Office/Clerk of the Board of the Board of Supervisors.

3.79.120 Meetings.

The commission shall meet at least once a month and may meet at such other times as may be deemed necessary, at a time and location to be established by the commission. The commission shall hold an annual organizational meeting during the month of July. The commission meetings will follow Robert's Rules of Order and must comply with the Ralph M. Brown Act.

3.79.130 Officers.

At each annual meeting, the commission shall elect a chairperson, a vice chairperson and a secretary and such other officers as it deems appropriate. The commission shall determine the procedures and methods by which the officers are elected. A chairperson may only serve for two consecutive one year terms.

3.79.140 Records.

Any personnel records, citizen complaints against County of Los Angeles personnel in the Sheriff's department, and information obtained from these records, which come into the possession of the commission or its staff, shall be treated as confidential and shall not be disclosed to any member of the public, except in accordance with applicable laws. Copies of citizen complaints not otherwise sooner provided to the Sheriff's department through other means, shall be made available to the Sheriff upon completion of the commission's investigation, unless prohibited by applicable laws.

3.79.150 Staff.

The commission shall utilize the staff of the Office of Inspector General to undertake investigations, inquiries, audits and monitoring. Commission Services staff

from the Executive Office/Clerk of the Board will provide assistance at commission meetings. The actual staff of the commission will be those individuals designated in the current salary ordinance of the County of Los Angeles. The commission will also have authority to use outside consultants when the need arises in accordance with applicable laws and policies, which will be retained by the Executive Office/Clerk of the Board and/or by the Chief Executive Office's delegated contracting authority.

3.79.160 Compensation.

Members of the commission shall be eligible to receive reasonable compensation to be set from time to time by the Board of Supervisors for each regular and special meeting of the commission up to a maximum per member of \$5,000.00 per fiscal year and shall be reimbursed for reasonable expenses incurred in performing duties in accordance with County policies regulating reimbursement to County of Los Angeles officers and employees (including parking and transportation in attending meetings of the commission). Members are encouraged, where possible, to waive their meeting compensation.

3.79.170 Annual Report.

The commission shall prepare and submit to the Board of Supervisors and make available to the public, an annual report. The annual report will be prepared no later than July 1st of each year. The annual report shall contain background information about the commission, identify the commission members and senior staff members, detail the activities of the commission during the previous year and provide contact

information. Budget requests for each fiscal year must be made within the normal budget cycle followed by all County departments.

3.79.180 Self Evaluation.

A. At the end of the third year of the commission's creation and every three years thereafter, the commission shall undertake a detailed self-evaluation. This detailed self-evaluation shall include a candid assessment about the strengths and the weaknesses, successes and failures of the commission. It shall also contain recommendations as to whether the commission should continue in existence and if so, any recommended revisions to its responsibilities and/or authority and whether an independent management audit should be conducted.

B. The self-evaluation should also contain recommendations on improvements regarding the commission's operations.

C. The self-evaluation shall be submitted to the Board of Supervisors and made available to the public.

D. The Chief Executive Office shall, within 90 days following the commission's self-evaluation being transmitted to the Board, review the commission's self-evaluation and determine whether an independent management audit should be conducted.

E. Within one year following the issuance of the self-evaluation, the commission shall provide a written report to the Board of Supervisors regarding status on implementation of the recommendations identified in the self-evaluation. This written report shall be made available to the public.

3.79.190 Cooperation and Coordination.

In the discharge of its duties, the Board of Supervisors directs that all officers and employees of the County of Los Angeles, to the extent permitted by law, provide complete and prompt cooperation to the commission as well as copies of requested documents and records, so that other public officers and the commission can fully and properly perform their respective duties.

3.79.200 Obtaining Documents and Information.

The commission, the Office of Inspector General and the Sheriff's department shall enter into a comprehensive memorandum of agreement ("MOA") that will in most circumstances govern how the commission and the Office of Inspector General will obtain documents and information from the Sheriff's department. The MOA shall include but not be limited to the following:

1. specifying which documents and information the commission shall have access to;
2. specifying which documents and information the Inspector General shall have access to;
3. defining confidentiality procedures, including ensuring compliance with Government Code sections 3300 – 3313 (Public Safety Officers Procedural Bill of Rights) and Penal Code section 832.7 et seq. as well as any other applicable confidentiality statutes;
4. establishing procedures regarding requests for information, including defining time limits for responding to document requests and exceptions to the time limits.

3.79.210 Compliance with all Laws.

The commission shall comply with all applicable California and federal laws, including, but not limited to the Ralph M. Brown Act and the Political Reform Act.

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ORDINANCE NO. _____

An ordinance amending Title 6 - Salaries of the Los Angeles County Code,
relating to

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

SECTION 1. Section 6.44.190 is hereby amended to read as follows:

6.44.190 - Office of Inspector General.

- A. As part of the Board of Supervisors' duty to supervise the official conduct of the Sheriff under Government Code section 25303, the Office of Inspector General ("OIG") is created in the department of the Board of Supervisors. The OIG is created to promote constitutional policing and to promote the common interest of the Board and the Sheriff in effective and lawful policing and to facilitate the Board of Supervisors' responsibility without interfering with the Sheriff's investigative functions. The OIG shall focus on matters relevant to department-wide policies and procedures and shall not interfere with criminal, personnel, and other investigations by the Sheriff's Department.
- B. The OIG shall provide independent and comprehensive oversight, monitoring of, and reporting about the Sheriff's Department and its jail facilities and the contractors and employees involved with the jails, as set forth in this Section under the leadership of an Inspector General appointed by the Board of Supervisors.
- C. As used in this section, the terms "investigation," "audit," "inquiry" and "monitoring" shall have the following definitions:

(1) Investigation: A formal gathering of information targeted at producing actionable information regarding an employee, employees, or other matter to be done in compliance with the Confidentiality Protections contained in subsection K, below.

(2) Audit: A formal process following professional guidelines to answer specific questions regarding specific operations.

(3) Inquiry: Gathering of information as in monitoring, but with the goal of obtaining additional information regarding a potential problem area.

(4) Monitoring: Gathering of information regarding facilities and operations, including by direct observation, discussions with staff and the public, and review of records, in order to identify problem areas or to ensure compliance with existing laws, policies, and other imposed obligations.

D. The Inspector General shall report to the County of Los Angeles Sheriff Civilian Oversight Commission ("commission"). The commission shall supervise the work of the OIG and evaluate the Inspector General. When there is a vacancy in the office of the Inspector General, the commission shall nominate a successor, subject to appointment by of the Board of Supervisors.

A decision to terminate the Inspector General shall be either initiated by the Board of Supervisors with the input of the commission or shall be recommended by the commission, subject to the decision of the Board of Supervisors.

E. The OIG shall provide its public reports and investigations to the Board and the Sheriff at the same time it provides them to the commission.

CF. The OIG shall have four primary functions: (1) monitoring the Sheriff's Department's operations, the conditions of confinement in the jails and other custody-related facilities, including monitoring the provision of services to inmates and the conduct of contractors and employees who provide such services, including, but not limited to, medical, pharmaceutical, and mental health services; ~~in the jail facilities,~~ and the Sheriff's Department's response to inmate and public complaints related to the Sheriff's Department operations; or conditions of confinement, including provisions of services to inmates and the conduct of contractors and employees who provide such services; (2) periodically reviewing the Sheriff's Department's use of force patterns, trends, and statistics, the Sheriff's Department's investigations of force incidents and allegations of misconduct, and the Sheriff's Department's disciplinary decisions; (3) reviewing the quality of audits and inspections conducted by the Sheriff's Department and conducting its own periodic audits and inspections; and (4) regularly communicating with the public, the Board of Supervisors, the commission, and the Sheriff's Department regarding the Sheriff's Department's operations. Complaints relating to specific conduct shall be referred, with the permission of the complainant, to the Sheriff's Department for action pursuant to Penal Code section 832.5.

G. The OIG is specifically authorized to monitor compliance with civil rights laws and to review inmate health information to determine compliance with such laws.

DH. Without interfering with the Sheriff's investigative functions, the OIG shall have the authority to undertake an investigation, an inquiry and audit or perform monitoring at

the request of the Board of Supervisors, the Sheriff, the commission, or at its own

initiative. The OIG shall have the authority to investigate specific incidents involving Sheriff's Department personnel only in the following circumstances:

(1) when requested by, or with authorization of, the Sheriff;

(2) when the Inspector General determines that the Sheriff's Department has not adequately investigated an incident; provided, however, that the Inspector General shall first meet and confer with the Sheriff or his staff and afford the Sheriff's Department the opportunity to investigate the incident further before the OIG conducts an investigation pursuant to this subpart; or

(3) when the Board of Supervisors makes a formal request to the Inspector General for privileged legal advice pertaining to a claim or lawsuit arising out of the actions of the Sheriff's Department or its personnel.

~~E.I.~~ The Inspector General shall ~~report directly to, and serve as an agent of, the~~

commission and the Board of Supervisors and shall make regular reports to the commission and the Board of Supervisors on the Sheriff's Department's operations.

Such reports to the Board of Supervisors shall be public reports, except to the extent they relate to confidential personnel or otherwise privileged matters or contain confidential medical or mental health records or protected inmate health information.

The OIG shall work under the direction of the Inspector General, who shall be an attorney licensed by the State Bar of California. The Inspector General shall serve as special counsel to the Board of Supervisors and have an attorney-client relationship with the Board of Supervisors when requested by the Board to provide privileged legal

advice pertaining to a claim or lawsuit arising out of the actions of the Sheriff's Department or its personnel. The Inspector General shall also serve as special counsel to the commission and have an attorney-client relationship with the commission.

FJ. The Sheriff's Department and all other County departments shall cooperate with the OIG and promptly supply any information or records requested by the OIG, including confidential peace officer personnel records, medical and mental health records or other protected health information of inmates necessary for the OIG to carry out its duties; provided, however, that the OIG shall not have the authority to compel Sheriff's Department personnel involved in a specific incident to respond to questions concerning that incident without the authorization of the Sheriff.

GK. The confidentiality of peace officer personnel records, medical and mental health records, protected health information of inmates, and all other privileged or confidential information received by the OIG in connection with the discharge of the OIG's duties shall be safeguarded and maintained by the OIG as required by law or as necessary to maintain any applicable privileges or the confidentiality of the information. The OIG shall not disclose, without the Sheriff's authorization, any of the Sheriff's Department's confidential personnel, investigative, or disciplinary information unless such information is already a matter of public record or the disclosure is to the Board of Supervisors in response to a formal request by the Board of Supervisors for privileged legal advice pertaining to a claim or lawsuit arising out of the actions of the Sheriff's Department or its personnel. The OIG shall not disclose any confidential inmate medical or mental

health records or protected health information of inmates, unless the disclosure is permitted by law.

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Summary of Town Hall Meetings

In an effort to effectively reach out to communities across Los Angeles County, the Working Group coordinated with each Board office to identify nine key Town Hall meeting locations. The Working Group worked with County Departments and other community partners to find facilities that would accommodate the Working Group's needs. The Working Group sincerely appreciates the assistance of the County Department of Parks and Recreation and the generosity of the City of West Hollywood and the Antelope Valley Community College for hosting the Town Hall meetings in their respective areas.

The County Office of Countywide Communications orchestrated extensive outreach to build awareness and generate attendance for the Town Hall meetings. Information was distributed to 143 media contacts, including bloggers, print publications and broadcast outlets. The office also used Los Angeles County's Twitter account--@CountyofLA--to promote the gatherings among its 10,000-plus followers. Meetings dates and locations were also posted on the Commission's website (www.lacounty.gov/sheriff-oversight).

The Countywide Criminal Justice Coordination Committee (CCJCC) distributed information on the Town Hall meetings to its membership, which is comprised of more than 50 executives from county, municipal, state and federal agencies that comprise and support the local criminal justice system. Members include elected officials, executives of law enforcement and criminal justice agencies, judges, and heads of social service agencies.

In addition, individual Board Offices utilized their extensive social media and community contacts to promote attendance at the Town Halls.

The following are summaries from each of the nine town hall meetings. Overall, approximately 600 people total attended the town halls and 180 of the attendees provided testimony to the Working Group. Informal polls were also conducted by the Working Group at many of the meetings.

The purpose of this document is to provide a high-level summary in order to identify the common concerns displayed from the public testimonies. From the testimonies, it is clear that a majority of the people seek the following:

- That an amendment to the County Charter for subpoena power be placed on the ballot
- A Commission that is diverse and reflective of the community
- A Commission that does not include law enforcement appointees

Although, a majority of those testifying at the town halls were unified in support of the criteria above, the sample size of the testimonies given was small, relative to the actual

population of the County of Los Angeles and some speakers spoke at more than one Town Hall meeting.

1) FLORENCE & FIRESTONE TOWN HALL - Second Supervisorial District

Brief Summary of the Public Discussion

The consensus among the public comments was in support of subpoena power for the Commission and community participation in the Commission. The public testimony also believed that the Commission reflects the diversity of the community. Points were also made that the Sheriff should not have any representation on the Commission because the Commission should only consist of civilian members due to the lack of trust between the community and the LASD. A few of the comments also highlighted the need to have commissioners that have experienced Sheriff brutality in order to understand the injustice felt in community.

A few of the commenters pointed out the recent efforts by the Sheriff Department to provide positive outreach in the Florence/Firestone communities. Another comment questioned the need for the Office of the Inspector General if the Board creates an Oversight Commission.

Approximately 70 participants from the community attended and 24 participants signed up to speak to the Working Group. Sheriff McDonnell was also present and made brief remarks in support of the proposed Commission.

Organizations that signed-in:

- Office of Supervisor Mark Ridley-Thomas
- Sheriff Jim McDonnell
- Florence & Firestone Chamber of Commerce
- Youth Justice Coalition
- Inner City Visions
- City of Compton
- National Day Laborer Organizing Network
- Local Choices for Global Respect
- Asian Coalition
- People for Community Involvement
- Dignity and Power Now
- Asian American Advance Justice
- Community Coalition South Los Angeles
- American Civil Liberties Union (ACLU)
- Compton Parents for Social Justice
- California Contract Cities Association
- Los Angeles Times
- ABC News Channel 7

Informal Poll Responses

- How many people live in Florence/Firestone area? **3 Votes**
- How many live in unincorporated area of Los Angeles? **4 Votes**
- How many have had pleasant experience with LASD? **3 Votes**
- How many have had a bad experience with LASD? **Majority Yes**
- Should the Commission consist of 9 members? **5 Votes**
- Should the Commission consist of more than 9 members? **Majority Yes**
- Should a majority of the Commission be appointed by the Board? **No Votes**
- Should a majority of the Commission be appointed by the community?
Majority Yes
- Should the Commission have subpoena power? **Unanimous Yes**

2) EL CARISO TOWN HALL - Third Supervisorial District

Brief Summary of the Public Discussion

The overall public comments and the informal polls taken at the El Cariso Town Hall meeting provided overwhelming consensus that the Commission needs to have subpoena power in order to have “teeth” as a functioning body. The commenters said that the need for subpoena power stems from the public’s distrust of the Sheriff Department. There was also consensus among the public speakers that the Commission should not have any commissioners with Sheriff Department experience regardless if they are currently serving or retired. Many of the participants voiced the need for a Commission that reflect the diversity of the community and encouraged more community involvement to be part of the Commission.

Approximately 60 participants from the community attended and 18 participants spoke to the working group.

Organizations that signed-in:

- Office of Supervisor Mark Ridley-Thomas
- Office of State Senator Bob Hertzberg
- Office of Assembly Member Patty Lopez
- Churches for Action
- National Association for the Advancement of Colored People (NAACP)
- Sober Living Network
- First 5 LA
- Dignity and Power Now
- San Fernando Valley Gray Panthers

Informal Poll Responses

- How many people today are residents of the Unincorporated Area? **1 Vote**
- How many people today live in a Contract City? **3 Votes**
- How many had a positive experience with the Sheriff’s Department? **8 Votes**

- How many have negative experience? **Majority Yes**
- Should the Oversight Commission have subpoena power? **Unanimous Yes**
- Should the Oversight Commission have 9 members? **Majority Yes**
- Should the Oversight Commission have more than 9 members? **4 Votes**
- Lesser than 9 members? **1 Vote**
- Who will favor not having a Sheriff to serve on the Oversight Commission?
Majority Yes
- Who favors having a Sheriff's personnel to serve on the Oversight Commission?
2 Votes
- Who will not have a retired Sheriff serve on the Oversight Commission?
Majority Yes

3) BASSETT TOWN HALL – First Supervisorial District

Brief Summary of the Public Discussion

The top three issues of concern at the Bassett Town Hall meeting were the public's request for subpoena power for the Commission, no law enforcement participation on the Commission and ensuring a Commission that is diverse and reflective of the community. Residents from Bassett also encouraged more interaction between the community and LASD in order to foster trust which would improve greater accountability with the Sheriff's Department.

Some of the testimony highlighted the fact that the Commission needs to also coordinate with other County departments to avoid duplication and improve effectiveness. One testimony voiced concern on behalf of law enforcement officer's rights.

Approximately 70 participants from the community attended and 19 participants signed up to speak to the working group. Sheriff McDonnell attend the Town Hall meeting and provided brief remarks in support of the proposed Commission.

Organizations that signed-in:

- Office of Supervisor Hilda Solis
- Office of Supervisor Mark Ridley-Thomas
- Sheriff Jim McDonnell
- Mayor of West Covina, Fredrick Sykes
- Anthony Naranjo, Azusa City Council Member
- Avocado Heights Community Association
- California Contract Cities Association
- San Gabriel Valley Conservation Corps
- Homeboy Industries
- National Veterans Foundation
- ACLU
- Rowland Unified School District

- NAACP
- Dignity and Power Now
- Los Angeles Times

Informal Poll Responses

- How many people today are residents of the Unincorporated Area? **3 Vote**
- How many people today live in a Contract City? **2 Votes**
- Should the Oversight Commission have subpoena power? **Unanimous Yes**
- Should the Oversight Commission have 9 members? **Majority Yes**
- How many people believe the Sheriff's Department requires oversight? **Majority Yes**
- How many people believe an Oversight Commission will improve public safety? **Majority Yes**

4) ANTELOPE VALLEY TOWN HALL - Fifth Supervisorial District

Brief Summary of the Public Discussion

The participants of the Antelope Valley Town Hall meeting discussed the need for subpoena power for the Commission, diversity on the Commission and transparency within the Sheriff's Department. The requirement of not having law enforcement serving on the Commission was also central in the testimonies provided.

Residents also stressed the importance of mutual cooperation between the LASD and the community. Some participants also described positive interactions with the LASD and commended the Antelope Valley Sheriffs on improving their community outreach efforts.

Approximately 60 participants from the community attended and 16 participants signed up to speak to the Working Group.

Organizations that signed-in:

- Office of Supervisor Michael D. Antonovich
- Office of Supervisor Mark Ridley-Thomas
- Office of Assembly Member Tom Lackey
- Palmdale School District
- Dignity and Power Now
- Coalition for Humane Immigrant Rights
- Quartz Hill Town Council
- Pueblo Y Salud
- One Way Up
- Antelope Valley Press

Informal Poll Responses

No poll was taken at the meeting.

5) HACIENDA HEIGHTS TOWN HALL – Fourth Supervisorial District

Brief Summary of the Public Discussion

The public participants at the Town Hall meeting discussed the need to have the OIG and the Commission separated so each can have their respective independence and authority. The majority of the testimony provided involved the need to amend the County Charter to include subpoena power for the Commission and diversity within the Commission that is reflective of the community.

There was one speaker who voiced concern about creating another commission, adding another level of bureaucracy.

Approximately 30 participants from the community attended and 12 participants signed up to speak to the Working Group.

Organizations that signed-in:

- Office of Supervisor Mark Ridley-Thomas
- NAACP
- Casa Blanca Council
- Hacienda Heights Improvement Association
- Rowland Heights Community Coordinating Council
- Dignity and Power Now

Informal Poll Responses

- Asked who lives in the 4th district: **3 Votes**
- Asked who works in the 4th district: **No Votes**
- If the members of the Commission should be from community group:
Majority Yes
- Asked if 9 members for the group is an adequate number: **Majority Yes**
- Asked if 9 members is too high? **1 Vote**
- Asked if 9 members is not enough? **1 Vote**
- Should the Board deny membership to any law enforcement individuals?
Majority Yes
- Former law enforcement member? **Majority Yes**

6) ARBORETUM TOWN HALL – Fifth Supervisorial District

Brief Summary of the Public Discussion

A majority of the public's testimonies and discussions highlighted the public's overall distrust of the Los Angeles County Sheriff's Department. The participants all agreed that granting subpoena power to the Oversight Commission and not allowing law enforcement on the commission was paramount and a must. Those who spoke also displayed some concern about the number of commissioners proposed. Many were comfortable with the nine proposed number, but others believed a larger commission would have the opportunity to provide a more diversified set of commissioners.

Approximately 50 participants from the community attended and 12 participants signed up to speak to the Working Group.

Organizations that signed-in:

- Office of Supervisor Mark Ridley-Thomas
- NAACP
- Asian Coalition
- L.A.U.R.A.
- Dignity and Power Now
- San Gabriel Valley Tribune

Informal Poll Responses

- How many people today are residents of the 5th Supervisorial District? **2 Votes**
- How many had a positive experience with the Sheriff's Department? **5 Votes**
- How many have negative experience? **Majority Yes**
- How many want a Civilian Oversight Commission? **Unanimous Yes**
- Do you think a Civilian Oversight Commission will promote greater accountability within the LASD? **Unanimous Yes**
- Will additional oversight of the LASD compromise public safety? **No Votes**
- Should the Oversight Commission have subpoena power? **Majority Yes**
- Should the Oversight Commission be appointed by community group?
Majority Yes
- Should the Oversight Commission have 9 members? **4 Votes**
- Should the Oversight Commission have more than 9 members? **5 Votes**
- Lesser than 9 members? **No Votes**
- Should law enforcement be prohibited to serve on the Oversight Commission?
Majority Yes

7) EXPOSITION PARK TOWN HALL – Second Supervisorial District

Brief Summary of the Public Discussion

The attendees of the Exposition Park Town Hall were very appreciative of the Board's effort to create a Commission to oversee the Sheriff's Department. They believed that the Commission is long overdue, but the Commission must have subpoena power in order for it to have credibility. The Commission must also be representative of the diversity of Los Angeles County in regards to race, religion, gender and gender identity.

The testimonies also highlighted the need for representatives on the Commission that are sensitive to mental health issues and needs. The public was adamant that appointees for the Commission not include current or retired law enforcement officers, so the Commission's work would not be compromised.

Approximately 85 participants from the community attended and 23 participants signed up to speak to the Working Group.

Organizations that signed-in:

- Office of Supervisor Mark Ridley-Thomas
- National Association for Equal Justice in America
- East 120 Blocks Neighborhood Association
- Florence and Firestone Chamber of Commerce
- Pathway to Your Future
- El Nido Family Centers
- Avalon Gardens Community
- Dignity and Power Now
- California Immigrant Youth Justice Alliance
- McGhee Broadcasting
- National Association for Equal Justice
- L.A.U.R.A.
- Amistad
- Amity
- California State University of Los Angeles (CSULA)
- VDO Block Club
- Lincoln Heights Neighborhood Council

Informal Poll Responses

- How many people today are residents of a contract city? **2 Votes**
- How many people here today are from the 2nd District? **5 Votes**
- How many had a positive experience with the Sheriff's Department? **5 Votes**
- How many have negative experience? **Majority Yes**
- Does the LASD need more civilian oversight? **Majority Yes**
- Do you think a Civilian Oversight Commission will promote greater accountability within the LASD? **Unanimous Yes**

- Will additional oversight of the LASD compromise public safety? **No Votes**
- Should the Oversight Commission have subpoena power? **Majority Yes**
- Should the Oversight Commission be appointed by community group?
Majority Yes
- Should the Oversight Commission have 9 members? **Majority Yes**
- Should the Oversight Commission have more than 9 members? **5 Votes**
- Lesser than 9 members? **2 Votes**
- Should law enforcement be prohibited to serve on the Oversight Commission?
Majority Yes

8) EAST LOS ANGELES TOWN HALL – First Supervisorial District

Brief Summary of the Public Discussion

The East Los Angeles Town Hall meeting consisted of more local residents willing to speak out and provide testimony to the Working Group. Collectively, the major concerns of the participants consisted of the need to amend the County Charter to include subpoena power for the Commission and OIG. Other concerns include the need for transparency within the Commission and accountability with the actions of the LASD. The residents of East Los Angeles vocalized a considerable amount of frustration with the local policing between the LASD and the Los Angeles Police Department. However, there were residents that expressed the importance to be law abiding and steering away from trouble.

Approximately 70 participants from the community attended and 29 participants signed up to speak to the working group.

Organizations that signed-in:

- Office of Supervisor Hilda Solis
- Office of Supervisor Mark Ridley-Thomas
- City Terrace Coordinator
- Los Angeles Brown Berets
- Youth Justice Coalition
- Occupy Los Angeles
- Dignity and Power Now
- National Lawyers Guild
- Los Angeles Chamber of Commerce
- Coalition for Humane Immigrant Rights of Los Angeles
- ACLU
- CSULA
- El Gallo Bakery
- CLUE – LA
- ALMA Family Services
- So-Cal Burgers

Informal Poll Response

No polls were taken at the meeting.

9) WEST HOLLYWOOD TOWN HALL – Third Supervisorial District

Brief Summary of the Public Discussion

The residents and city representatives from West Hollywood were well represented at the Town Hall meeting. The testimonies provided at this Town Hall meeting were more diversified in their shared experiences with the LASD. Some of the testimonies provided voiced positive experiences in their relationship with the LASD and commended LASD's efforts in community outreach. City leaders also thanked Sheriff McDonnell for attending the meeting and encouraged further cooperation with the new Sheriff. City officials also encouraged greater community involvement in the City's public safety issues.

Much of the testimony provided highlighted the issues of amending the County Charter to give subpoena power to the Commission and OIG, greater accountability and transparency with the Sheriff's Department and the Commission and a diversified Commission. The issue of diversity included race, gender and gender identity.

On the issue of law enforcement personnel serving on the Commission, the attendees were mixed in their testimony. Approximately, two-thirds of the testimonies provided were against any law enforcement serving on the Commission. One speaker believed it is important to have a retired or current law enforcement person in order to provide perspective on the Commission's work.

Approximately 75 participants from the community attended and 27 participants signed up to speak to the working group. Sheriff McDonnell attend the Town Hall in support of the proposed Commission.

Organizations that signed-in:

- Office of Supervisor Sheila Kuehl
- Office of Supervisor Mark Ridley-Thomas
- Sheriff Jim McDonnell
- Office of Assembly Member Richard Bloom
- Lindsey P. Horvath, Mayor of West Hollywood
- John J. Duran, Council Member of West Hollywood
- West Hollywood Public Safety Commission
- West Hollywood Business Licenses Commission
- West Hollywood Public Facilities Commission
- West Hollywood Human Services Commission
- West Hollywood Neighborhood Watch
- Jeff Steck, President of Association of Los Angeles Deputy Sheriffs

- San Fernando Valley Dream Team
- Dignity and Power Now
- Forgotten Americans Network
- Americans for Democratic Action

Informal Poll Response

No polls were taken at the meeting.

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