

COUNTY OF LOS ANGELES OFFICE OF INSPECTOR GENERAL

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MAX HUNTSMAN INSPECTOR GENERAL

July 15, 2025

- TO: Supervisor Kathryn Barger, Chair Supervisor Hilda L. Solis Supervisor Holly J. Mitchell Supervisor Lindsey P. Horvath Supervisor Janice Hahn
- FROM: Max Huntsman Inspector General
- SUBJECT: SIXTH SEMI-ANNUAL REPORT BACK ON MEETING THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT'S OBLIGATIONS UNDER SENATE BILL 1421 (ITEM NO. 13, AGENDA OF MARCH 15, 2022)

INTRODUCTION

On February 15, 2022, the Los Angeles County Board of Supervisors (Board) <u>passed a</u> <u>motion</u> aimed at strengthening the Los Angeles County Sheriff's Department's (Sheriff's Department) compliance with Senate Bill 1421 (SB 1421)¹ by, among other things, staffing and funding a unit within the Office of the County Counsel (County Counsel) tasked with processing SB 1421-related Public Records Act (PRA) requests. The motion directed County Counsel to draft an ordinance addressing disclosure of peace officer records and instructed the Inspector General, in consultation with County Counsel, to report back in writing to the Board every 180 days with an assessment of the implementation of that ordinance as well as the establishment of the unit within County Counsel with the responsibility for responding to PRA requests for

¹ In 2018, California enacted SB 1421, the Right to Know Act, which amended California Penal Code sections 832.7 and 832.8. The law, which went into effect on January 1, 2019, provides for public access to certain law enforcement records through a PRA request. In 2021, California further expanded public access to records with Governor Gavin Newsom's signing of Senate Bill 16 (SB 16), which added categories of peace officer records that must be provided in response to a PRA request. References to SB 1421 in this report include the categories added by SB 16.

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records covered by SB 1421. The motion directs the Office of Inspector General to include in its report an assessment of the public's ability to access records covered by the ordinance. The public's ability to access records to which it should be entitled continues to be poor.

In March 2022, the Board of Supervisors County enacted Los Angeles County Code § 2.170.020, which sets minimum standards for the disclosure of records related to peace officers employed by the Sheriff's Department and Probation Department. The ordinance is only operative once the County Counsel division responsible for responding to SB 1421 requests is fully staffed meaning that the public still does not have access to information that the Board intended be publicly posted as anticipated by the ordinance timelines.

ESTABLISHMENT OF A UNIT WITHIN COUNTY COUNSEL TO RESPOND TO SB 1421 REQUESTS

Staffing

The biggest obstacle to full implementation of the ordinance is the staffing of the unit within County Counsel established to respond to SB 1421 requests. County Counsel reports its Peace Officer Records Division (PORD), the County Counsel division tasked with assuming control of and handling all Sheriff's Department and Probation Department SB 1421 requests, is currently staffed with 3 attorneys, 2 supervising paralegals, 4 senior paralegals, and 17 paralegals. After considering the volume of SB 1421 requests and the effort required to address them, PORD requested funding for 50 paralegals to be fully staffed. However, only 25 paralegal positions were funded. Given that PORD has hired 17 paralegals to date, the division still needs to fill 8 additional paralegal positions to reach the approved total of 25. PORD continues to work towards staffing the approved budgeted positions by actively reviewing candidates, scheduling interviews, and conducting evaluations. County Counsel reiterates that without a full staff it cannot completely take over the responsibility of responding to SB 1421 PRA requests.

County Counsel reports that PORD continues to be committed to filling the positions as quickly as possible. In the meantime, PORD continues to advise and assist the Sheriff's Department in the Department's responses to SB 1421 PRA requests, including providing advice on complex and novel legal issues related to SB 1421.

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<u>Training</u>

PORD staff continues to participate in numerous trainings on the PRA processing website, GovQA, covering topics like navigating processing requests and performing redactions. Additionally, PORD staff engages in various sessions on the CaseGuard video and audio redaction tool, which include, among other things, redacting law enforcement video and audio, and creating exemption logs and reports. PORD staff regularly attends GovQA and CaseGuard trainings to further develop and enhance their skills with both programs. Paralegals hired since the last reporting period have commenced training in these programs. In addition, the Sheriff's Department is arranging PRMS training for the new hires, with plans for this training to take place in July.

Finally, before accessing documents containing confidential CLETS information, PORD personnel must complete CLETS training, as mandated by the California Department of Justice. These training modules are available through the Sheriff's Department's system, and the Department is currently in the process of arranging for PORD access to the relevant training courses.

Memoranda of Understanding

Since the last semi-annual report published in January 2025, progress has been made on the Memoranda of Understanding between the Sheriff's Department and County Counsel. There are two Memoranda of Understanding in question: the first relates to security clearance protocols for PORD personnel, and the second relates to the technical aspects of implementing the public GovQA website, and how County Counsel can fulfill the Sheriff's Department's obligations under Penal Code section 832.7. County Counsel and the Sheriff's Department have signed off on both Memoranda.

Both County Counsel and the Department have also signed off on the Management Control Agreement for CLETS access and it was approved by the California Department of Justice on June 5, 2025.²

² CLETS, or the California Law Enforcement Telecommunication System, is a statewide computer database system managed by the California Department of Justice. The system allows local, state and federal criminal justice agencies to access and share information about individuals, such as criminal histories, DMV histories, restraining orders, etc.

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County Counsel remains hopeful that it can take over handling a portion of the PRA requests by the end of the year (the amount will be in proportion to the staffing levels at that time).

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