



# COUNTY OF LOS ANGELES OFFICE OF INSPECTOR GENERAL

312 SOUTH HILL STREET, THIRD FLOOR  
LOS ANGELES, CALIFORNIA 90013  
(213) 974-6100  
<http://oig.lacounty.gov>

## MEMBERS OF THE BOARD

HILDA L. SOLIS  
HOLLY J. MITCHELL  
LINDSEY P. HORVATH  
JANICE HAHN  
KATHRYN BARGER

MAX HUNTSMAN  
INSPECTOR GENERAL

January 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: **FIFTH SEMI-ANNUAL REPORT BACK ON MEETING THE  
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) [passed a motion](#) aimed at strengthening the Los Angeles County Sheriff's Department's (Sheriff's Department) compliance with Senate Bill 1421 (SB 1421)<sup>1</sup> 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 records

---

<sup>1</sup> 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.

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 limited. This is the Office of Inspector General's fifth semi-annual report.

As described in more detail below, since the last semi-annual report published in July 2024, the Sheriff's Department has made progress in the following areas:

- **Access.** The Sheriff's Department and County Counsel previously signed a Memorandum of Understanding (MOU) on security clearance protocols. The Department and County Counsel continue to work out the details regarding necessary access to the Sheriff's Department confidential documents and records systems, including conferring with the California Department of Justice (CAL-DOJ) on fulfilling the necessary requirements to permit staff in County Counsel's Peace Officer Records Division (PORD) full access to all confidential records. Working together, County Counsel and the Department are preparing documentation to submit to CAL-DOJ to obtain the required approvals for PORD staff and to amend the security clearance MOU to reflect that approval. While the process for full access continues, the Department and County Counsel developed an alternative protocol that includes using a signed confidentiality agreement to provide PORD access to documents not subject to CAL-DOJ restrictions for the training of PORD staff and the planned secondary review process described below. County Counsel is still working on the remaining technical issues of how to handle the transfer and storage of such sensitive information, which will be reflected in a second MOU that County Counsel is negotiating with the Sheriff's Department.
- **Staffing.** Since the last report, County Counsel hired five more paralegals for the PORD, the division tasked with handling all Sheriff's Department and Probation Department SB 1421 requests. With these hires, PORD has staffed 13 out of the 25 paralegal positions the Board has funded. County Counsel reiterates that without fully staffing the requested positions within PORD, it cannot assume the full responsibility of responding to PRAs.
- **Training.** Throughout 2024, the Sheriff's Department and County Counsel have sent the PORD staff to Sheriff's Department trainings on responding to PRA requests for SB 1421 records and navigating Sheriff's Department systems. Beginning in 2025, PORD staff will conduct secondary reviews of some of the

Sheriff's Department's less complex SB 1421 requests for use-of-force cases. This will help PORD staff master responses to simpler requests as a way to prepare staff to handle more complicated requests, reduce delays in transitioning responsibilities to PORD once it is fully staffed, and assist the Sheriff's Department in processing SB 1421 requests.

In March 2022, the Board 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 "funds are appropriated to fully staff County Counsel to fulfill the Departments' obligations under [§ 2.170.020]." (*Id.* [§ 2.170.020\(I\)](#).) As PORD is not yet fully staffed, the ordinance is not yet operative, and the public still does not have access to information that the Board intended be publicly posted pursuant to the ordinance timelines. Because of delays in fully staffing PORD, the public's access to these records remains poor.

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

### **Staffing**

County Counsel reports PORD is currently staffed with three attorneys, two supervising paralegals, four senior paralegals, and 13 paralegals. Since the last report in July 2024, the division has hired five more paralegals, but remains 12 paralegals short of the 25 paralegal positions currently budgeted. County Counsel states that without full staffing of the 50 requested paralegal positions, it will not be able to assume complete responsibility for responding to PRA requests for Sheriff's and Probation Department records. County Counsel reports that it continues to refine its hiring process to locate additional qualified candidates and expand the pool of applicants and is actively assessing paralegal candidates for the remaining twelve funded positions.

### **Training**

In August 2024, the Sheriff's Department prepared and facilitated a three-day Public Records Act presentation and training course for PORD personnel, which included an introduction to accessing Department systems, locating materials, handling sensitive information, knowledge of relevant policies, and redaction protocols.

In the fall of 2024, the Sheriff's Department also facilitated four one-week, in-house training sessions for PORD personnel based on their rank and their duties related to SB 1421 protocols.

Every incoming paralegal will be expected to attend the three-day training, as well as the previously reported on trainings, which include training on topics such as how to redact body-worn camera footage, how to redact identifying information in reports, and how to post items on the public-facing portal, GovQA, that PORD will use to publish all PRA documents.

To supplement these trainings with real-life work experience, the Sheriff's Department and County Counsel agreed to have PORD staff perform a secondary review of some of the Sheriff's Department's SB 1421 requests, beginning in 2025. The intake and initial response will still be done by Sheriff's Department staff. After its review, the Sheriff's Department will begin sending some less complex use-of-force case requests to County Counsel for review. As PORD staff master the process of handling these requests, the goal is to start having the staff perform secondary reviews of more complex cases. However, even if the current PORD staff becomes well acquainted with this task, County Counsel and the Sheriff's Department do not plan to have PORD take over the responsibility of receiving and responding to these requests until PORD is fully staffed.

### **PORD Access to Sheriff's Department Records**

As mentioned in the [third semi-annual report](#) published in January 2024, the Sheriff's Department and County Counsel previously signed an MOU on security clearance protocols. The Department and County Counsel continue to work on the details of allowing PORD staff access to all necessary Sheriff's Department records and have identified additional security measures necessary to prevent unauthorized access to confidential data and to ensure the proper handling of sensitive records. The Department and County Counsel have conferred with CAL-DOJ regarding PORD's access to certain law enforcement information and were advised of the process required to get CAL-DOJ approval. Clearance of PORD staff will ensure the integrity of the information they access. This approval process is underway, and provisions related to this access are anticipated to be included in an amendment to the MOU on security clearance protocols. The Sheriff's Department reports that the amended MOU will also cover the full transition of the SB 1421 records production to PORD. While the negotiation process continues, the Sheriff's Department and County Counsel report that, as a work-around, they executed a confidentiality agreement to provide PORD

personnel with access to documents that are not subject to CAL-DOJ restrictions for training purposes and to allow for the planned secondary review process described above.

PORD is still working on the technical issues of how to house the information within its domain to maintain the utmost confidentiality. The Sheriff's Department and County Counsel are in the process of negotiating an additional MOU necessary to cover the technical issues related to where and how such data will be digitally stored when PORD staff accesses it.

### **PORD Access to Probation Department Records**

As reported previously, PORD will be handling PRA requests pertaining to the Probation Department's SB 1421 records. As with the Sheriff's Department requests, PORD is not responding to any requests to the Probation Department because it is not fully staffed. The division continues to provide assistance and advice when the Probation Department asks for help in responding to any requests.

County Counsel reiterated that it has not and cannot assume responsibility for the intake, processing, and releasing of public requests until it is fully staffed.

The requests which are made to the Sheriff's Department and Probation Department remain unchanged. Both Departments will continue to receive and respond to all such requests with County Counsel advising them, when asked, to weigh in on the adequacy of the responses and/or the appropriateness of the redactions therein.

### **CURRENT STATE OF THE PUBLIC'S ACCESS TO SB 1421 RECORDS**

As PORD is not yet fully staffed, the ordinance is not yet considered operative, meaning that public access to information promised by the ordinance is poor.<sup>2</sup>

County Counsel requested at least 50 paralegals to handle these requests. The fiscal budget approved by the Board provided for only 25 paralegals. Once the MOUs regarding the access to Sheriff's Department records are fully negotiated and executed, the final hurdle in triggering operation of the ordinance is having "the funds ... appropriated to fully staff" PORD.

---

<sup>2</sup> Los Angeles County Code § 2.170.020(l).

In the interim, while the Sheriff's Department maintains the handling of these requests, the Sheriff's Department posts records released in response to SB 1421 public records requests on [a public website](#).<sup>3</sup> Users can search these records by the category of incident under which it is disclosable pursuant to SB 1421 (such as use of force, dishonesty, sexual assault) and by the name of a person shot by deputies, and can sort the records by date of incident. The Sheriff's Department also maintains a separate page on its website where it lists [deputy-involved shootings](#) by date and name of the person shot, and provides links to the incident summary and a "Critical Incident Briefing," a video the Sheriff's Department produces about each shooting that generally includes selected clips of available body-worn camera video.

A particular instance of the Sheriff's Department's delay in providing records was raised recently with the Office of Inspector General by Loyola Law School professor Sean Kennedy, a commissioner on the Sheriff Civilian Oversight Commission (COC). Commissioner Kennedy requested records covered by SB 1421 for two Sheriff's Department employees who were scheduled to testify before the COC on October 11, 2024. The letter requesting the records was dated September 11, 2024, and the Sheriff's Department acknowledged that its Public Records Act Unit received the request on September 13, 2024. The records were not received by the COC in time for the hearing. The letter to COC requesting an extension to respond to its request notes that the Sheriff's Department "is receiving an exceptionally large volume of PRA requests and is currently experiencing an extended delay in processing them." Such statements by the Sheriff's Department indicate that the Sheriff's Department is unable to meet its obligation to provide responsive records timely.<sup>4</sup> The fact that the records were not timely received by the COC confirms that there are at least some delays that may violate the legal requirements of SB 1421.<sup>5</sup>

---

<sup>3</sup> [SB-1421 SB-16-Incidents LA County Sheriff \(powerappsportals.us\)](#).

<sup>4</sup> While the Sheriff's Department has a number of staffing vacancies, it is incumbent upon the Department to assign staff to ensure that they are in compliance with the law. To understaff a unit responsible for legal compliance with PRA requests subjects the Department and the County to unnecessary legal costs and settlements.

<sup>5</sup> The Sheriff's Department reports that between 2023 and 2024 it received 400 additional PRA requests and conducted five weeks of PORD training without the unit being provided additional staffing. Allocation of staff by the Sheriff's Department must take into account the Department's core missions, including compliance with its legal obligations. For instance, the Sheriff's Information Bureau, which does not assist with SB 1421 requests, is currently staffed by 27 people, 14 of whom are sworn. The Sheriff's Department could allocate some of this staff, or staff from another unit, to assist with SB 1421 requests.

The Probation Department does not have any similar pages on its website for the public to access SB 1421 disclosures.

PORD is developing its own public website, GovQA, which will house all Sheriff's Department and Probation Department's PRA requests and any information released. The biggest challenge to the implementation of PORD's public website remains PORD staffing. To function as envisioned, PORD will need to be the primary receivers and processors of all SB 1421 requests. Once PORD assumes responsibility for these tasks and launches its website, it will then post the information and fulfill the goals of the ordinance for greater public access. County Counsel reports that without a full staff it cannot assume responsibility for receiving and processing all SB 1421 requests. However, as PORD works toward hiring additional paralegals, current PORD staff continues to customize and develop GovQA to ensure the review process works as efficiently as possible when PORD assumes responsibility for SB 1421 responses.

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