



**STATEMENT OF PROCEEDINGS FOR THE  
REGULAR MEETING OF THE SHERIFF CIVILIAN  
OVERSIGHT COMMISSION MEETING HELD  
ONLINE AT: <https://bit.ly/3BPw9Aa>  
[coc.lacounty.gov](http://coc.lacounty.gov)**



**Thursday, November 18, 2021**

Attachment: [Video](#)

Present: Chair Priscilla Ocen, Vice Chair Casimiro Tolentino, Robert Bonner, Patti Giggans, James P. Harris, Sean Kennedy, Lael Rubin, and Executive Director Brian K. Williams

Absent: Xavier Thompson

## **1. ADMINISTRATIVE MATTERS & CONSENT CALENDAR**

**Call to Order:** Chair Ocen called the meeting to order at 9:01 a.m. and announced Sheriff Alex Villanueva failed to honor the subpoena requiring him to attend today's meeting. Chair Ocen stated Sheriff Villanueva sent a [letter](#) to the Civilian Oversight Commission (COC) the previous evening stating neither he nor his staff would participate in future meetings until he receives an apology for comments Chair Ocen (allegedly) made to the press.

Chair Ocen reviewed issues related to deputy gangs which have plagued the Los Angeles County Sheriff's Department (LASD) and referenced the Sheriff's ongoing attempts to obstruct oversight. She stated the ineffective policy put in place by Sheriff Villanueva has not resulted in any disciplinary action and shows the issue is not taken serious by this administration. Chair Ocen stated she would apologize once the Sheriff provides sworn testimony and noted the COC will continue its plight to end deputy gangs. Then, staff took attendance and Chair Ocen reviewed the code of conduct and moved to the consent calendar.

**Approval of Consent Calendar:** No members of the public commented on this item. Chair Ocen called for approval, there being no objection, the [October 21, 2021 meeting minutes](#) were approved and she moved to item 2a.

## **2. DISCUSSION AND POSSIBLE ACTION**

### **2a. Election for the position of Vice Chair of the Sheriff Civilian Oversight Commission**

Chair Ocen thanked Vice Chair Tolentino for his contributions and leadership support and called on him to make comments. Vice Chair Tolentino thanked everyone for the experience and expressed disappointment at having to leave at this time. He stated it was an honor to be a part the COC and advised he will continue to support the efforts as a private citizen.

Following Vice Chair Tolentino's comments, Chair Ocen opened the floor for nominations of Vice Chair. Commissioner Rubin nominated Commissioner Kennedy, seconded by Commissioner Giggans. Commissioner Kennedy accepted the nomination, with no additional nominations, Chair Ocen called for a vote.

No members of the public signed up to comment on this item.

The vote passed unanimously, with Commissioner Thompson unavailable. Chair Ocen congratulated Commissioner Kennedy as the new Vice Chair and moved to item 2b.

## **2b. Deputy gangs within the Los Angeles County Sheriff's Department**

Chair Ocen discussed the ongoing issue of deputy gangs within LASD and acknowledged family members who are impacted by alleged deputy gang activity and introduced Valerie Vargas, aunt of Anthony Vargas who was fatally shot on August 12, 2018, and Andrew Taylor, father of Donta Taylor who was fatally shot on January 25, 2016. Chair Ocen thanked the families for sharing their comments and moved to the next speaker.

Chair Ocen introduced John Sweeney from the Sweeney Law Firm, and Mr. Sweeney stated he is in full support of law enforcement and familiar with the work of LASD. He stated most LASD administration has good intentions but expressed concern over the issue of deputy gangs. Mr. Sweeney stated L.A. County has paid out "55 million dollars in verdicts and settlements" and that his office has received 30 million dollars in judgements against LASD over the last 7 years. Mr. Sweeney shared the history of deputy gangs, harassment and use of force in Compton, which began when the police department disbanded and LASD contracted with the City of Compton to provide law enforcement. He shared many of the cases he investigated involved unjustified shootings and falsified reports. He stated part of the problem is the County of Los Angeles hires law firms that make it difficult to eradicate deputy gangs by filing courts motions to prevent revealing deputies' names and moving cases from their initial jurisdiction. He stated unions protect the deputies, despite their knowledge of deputy gangs. Mr. Sweeney also noted that in his experience, many of the same homicide detectives investigate shootings surrounding South Los Angeles, Compton and Lynwood and many of the reports signed off by station leadership are shown to be untruthful.

Following Mr. Sweeney's comments, Chair Ocen moved to Commissioner comments. Commissioner Rubin asked Mr. Sweeney if he was surprised to hear a Compton station Captain would deny deputy gangs exist in Compton, and he said he would not be surprised.

Commissioner Kennedy inquired about protective orders, and Mr. Sweeney reported protective orders do not exist in cases that go to trial. Chair Ocen questioned if protective orders can be requested after a settlement and if the County can lift the protective orders. Mr. Sweeney advised "police reports, depositions and personnel files remain under protective order unless there is some compelling public interest" and reported that to his knowledge County Counsel has never lifted a protective order, but it may be possible with union push back.

Commissioner Giggans questioned the whereabouts of those identified as deputy gang members. Mr. Sweeney reported the deputies have been transferred other to other stations.

Commissioner Rubin asked if the Sheriff should adopt a policy stating deputy gangs must be eliminated, and Mr. Sweeney agreed the Sheriff should adopt the proposed policy. Chair Ocen thanked Mr. Sweeney for his work exposing deputy gangs within LASD.

Chair Ocen then welcomed speakers Dionne Barnes-Proby and Samuel Peterson, Ph.D. of the RAND Corporation and called on the Chair of the Deputy Cliques ad hoc committee, Commissioner Rubin for comments. Commissioner Rubin encouraged the public to submit their comments and announced the deputy gangs meeting scheduled for December 9, 2021.

Dr. Peterson shared a [presentation on the study](#) into deputy gangs and described the approach taken. He stated lack of transparency, trust and aggressive policing were concerns identified by the community. Dr. Peterson shared why deputy subgroups form and reported “each patrol station is viewed as a separate law enforcement entity, which contributes to unique unit cultures and unique experiences, potentially different training, discipline, supervision and a variety of differences across different Patrol Stations in the County.” Peterson reported 16% of interviewed deputies reported being invited to join a subgroup and shared some of the reasons deputies are selected to join, which included hard charging deputies or “what some identify as aggressive policing.” He noted that reputation and acceptance was also an influence. Dr. Peterson recommended the policy include clear language prohibiting the formation and joining of subgroups and to specify consequences and noted sergeants hold key positions for monitoring and addressing subgroups and training is crucial. Dr. Peterson recommended holding station commanders accountable for subgroup related issues at their patrol stations and advised that each should have a plan in place to address issues. He also suggested engaging the community to help build trust. In closing, Dr. Peterson noted leadership resistance to change the current practice will be an ongoing challenge, and he expressed the need to develop a clear plan with coordinated efforts to implement a new policy. Following his comments, Chair Ocen moved to Commissioner questions.

Commissioner Giggans inquired about the percentage of deputies who felt nothing should be done about deputy subgroups. Dr. Peterson reiterated that 19% of those surveyed felt nothing should be done and 45% felt the need for change. He said based on the interviews, he thought change would be supported. Commissioner Giggans inquired if the title “subgroups” was switched to gangs or cliques by those interviewed. Dr. Peterson reported the term cliques was preferred, but gangs and subgroups was also used during the interviews.

Commissioner Rubin stated Sheriff Villanueva has denied deputy gangs exist in LASD and inquired what will bring the Sheriff on board with eliminating deputy gangs. Dr. Peterson expressed that convincing the Sheriff to enforce change will be a challenge, and he noted

when the Sheriff or command staff wanted to enforce change that it was clearly stated along with disciplinary action for those in violation.

Vice Chair Tolentino inquired if the RAND report was shared with Sheriff Villanueva and if he had any feedback. Dr. Peterson stated the report was sent to the Sheriff and command staff three months prior to publication requesting clarification or feedback. He reported one response was received with two comments that did not involve changes to the report.

Chair Ocen invited a response from Ms. Barnes-Proby, who shared some insight on implementing change and reported a misalignment with the community's expectation of the services and support being administered by LASD. She suggested LASD align their behavior with community needs that "add to the legitimacy of law enforcement and builds public trust and positive relationships."

Chair Ocen inquired if RAND was able to review internal LASD documents unprotected by State law to confirm the claim that a policy was enacted to deal with the Banditos in East Los Angeles and the Executioners in Compton. Dr. Peterson stated no internal documents were reviewed and he was unable to verify if deputies were transferred from Compton or East L.A.

Chair Ocen inquired about the survey's response rate, and Dr. Peterson reported of the 10,000 surveys sent, approximately 1,600 deputies responded. Chair Ocen questioned if personnel were encouraged to participate in the survey, and Dr. Peterson reported the Sheriff, captains and the Association for Los Angeles Deputy Sheriffs (ALADS) sent emails encouraging deputies to participate. Chair Ocen inquired if upper level staff were interviewed, and Dr. Peterson confirmed top command staff, mid-level lieutenant, sergeant and deputies were interviewed. He stated interviews were scheduled with station captains and they allowed RAND to share information at deputy briefings including how to volunteer for an interview.

Chair Ocen cited the recent amendment to the California Penal Code that defines law enforcement gangs and inquired if they felt there are subgroups in LASD that fall in that category. Dr. Peterson advised that comments made during interviews suggest various groups may match the description and interviewees expressed concerns about certain behaviors.

Commissioner Rubin asked if Dr. Peterson was surprised by LASD's response to their report, and Dr. Peterson stated he was surprised, especially considering RAND had "met with ALADS, who was in agreeance with some of the findings and would support implementing some of the recommendations." Commissioner Harris requested Dr. Peterson share the recommendations supported by ALADS, and Dr. Peterson stated the information was documented internally and was not shared with him.

Chair Ocen questioned if the RAND recommendations are feasible to eradicate misconduct related to racial discrimination, and Dr. Peterson advised the recommendations focus primarily on a group process.

Chair Ocen thanked the RAND representatives and called for a 10-minute recess, which began at 11:29 a.m. and open session reconvened at 11:39 a.m. Present were Chair Priscilla Ocen, Vice Chair Casimiro Tolentino, Robert Bonner, Patti Giggans, James P. Harris, Sean Kennedy, Lael Rubin and Executive Director Brian K. Williams.

Chair Ocen welcomed speakers and opened the floor to L.A. County Inspector General Max Huntsman; Sean Kennedy, Executive Director of the Loyola Law School Center on Juvenile Law and Policy; and Melanie Ochoa, Staff Attorney for the American Civil Liberty Union (ACLU) of Southern California.

Inspector General Max Huntsman advised the Office of Inspector General (OIG) has made several attempts to work with the Sheriff to rid LASD of deputy gangs, with no success, and he recalled the Sheriff's attempt to rehire a "deputy gang member." Mr. Huntsman discussed a new law, Penal Code (PC) 16370, outlawing deputy gangs and issuing investigative privileges into the Sheriff's Department to OIG, and he identified the Executioners and the Banditos as deputy gangs that fall under PC16370. Mr. Huntsman referenced Senate Bill 2 which is a "State process to decertify deputy sheriffs who are members of deputy gangs," and he advised OIG will continue to work with the Attorney General to ensure those involved in deputy gangs are held accountable and to ensure the Brady list is monitored properly. Mr. Huntsman expressed concern about the dangers of extremist within the LASD and that they're being protected by the administration.

Commissioner Kennedy reported he and his students had also spent two years researching deputy gangs and highlighted where his information was collected from. He advised his research on deputy gangs coincides with the RAND report, even though RAND took a different approach. He stated LASD "leadership has consistently turned a blind eye to deputy gangs because gang culture is long standing and socially acceptable." Commissioner Kennedy stated "County Counsel has to stop helping the department by hiding the gang misconduct from the public," and the "DA needs to fulfill his constitutional obligation under Brady to disclose to accused people awaiting trial that deputies who are going to a be witness for the prosecution are affiliated with deputy gangs." Commissioner Kennedy also stated the Board of Supervisors (BOS) should direct its lawyer to stop seeking protective orders and non-disclosure agreements that prohibit victims of deputy misconduct from sharing what happened to them. He advised all County governments join forces to end deputy gangs.

Melanie Ochoa of ACLU expressed concern over the treatment of Black and Latin people by LASD and the lack of accountability for their misconduct. Ms. Ochoa referenced a [letter from the "Check the Sheriff Coalition"](#) and highlighted the recommendations related to LASD and deputy gangs to be considered, which included placing a proposed charter amendment on the ballot that would "give the BOS authority to remove the Sheriff and appoint an interim in consultation with the COC, if the Sheriff seriously violates the public trust or criminal conduct,

obstructing oversight or a pattern of unconstitutional conduct.” Following comments from Ms. Ochoa, Chair Ocen moved to Commissioner questions.

Chair Ocen asked County Counsel if they have the authority to lift or waive the protective orders. Alexandra Zuiderweg, from Los Angeles County Counsel, advised a protective order is entered in litigation by the courts, the document is governed by court order. She stated she can research it further and report back.

Commissioner Rubin suggested having County Counsel explore the protective order issue further and inquired what would be required to remove traffic enforcement away from LASD. Ms. Ochoa explained the Check the Sheriff Coalition letter included a detailed explanation on traffic policy enforcement and reported that unincorporated L.A. County areas patrolled by the Sheriff is approved by the BOS, who has the authority to make changes.

Commissioner Bonner moved, seconded by Chair Ocen, that the COC should seek outside counsel pro bono. Chair Ocen then opened the floor for Commissioner comments.

Commissioner Rubin inquired if County Counsel had been consulted to avoid objections experienced with a similar motion in the past, and she questioned where the funding would come from. Commissioner Bonner advised County Counsel had not been consulted and reiterated the COC has independent subpoena power and investigative authority. He advised if outside counsel is not attained pro bono that COC would request funding from BOS.

Chair Ocen announced her support for the motion and urged the full COC to support it. Following Commissioner questions, she provided instructions to give public comment and noted speakers would be allowed one minute. She advised that written public comment for the official record can be submitted on **coc.lacounty.gov**. She then moved to public comment.

There were 13 members of the public who commented on this item.

Chair Ocen called on Commissioner Bonner to restate his motion, which requested the COC “hereby authorizes its Chair and Vice Chair on behalf of the Commission:

1. To forthwith identify and enter into an agreement with a consultant or special counsel ideally on pro bono basis,
2. Conduct a detailed investigation into the existence, operation and impact of deputy gangs, cliques, or exclusionary subgroups within the Los Angeles County Sheriff’s Department on the LASD and the Community it serves,
3. Advise the COC regarding its use of subpoena power and aid in the Commission’s investigation,
4. Present and examine witnesses at regular and special COC hearings, and
5. Draft a written report summarizing the findings of the investigation along with recommendations on how to eradicate deputy gangs, cliques or exclusionary subgroups within LASD. The report of special counsel or consultant to the COC should be done as

expeditiously as possible with the presentation to the COC with the goal of submitting no more than 180 days.”

Chair Ocen called for a voice roll call vote and the motion passed unanimously, with Commissioner Thompson being unavailable. Chair Ocen then moved to item 2c.

### **2c. Status report concerning subpoenas issued for appearance of LASD officials**

Chair Ocen discussed the subpoenas issued to [Sheriff Alex Villanueva](#) and [Mark Lilienfeld](#) to appear today to discuss deputy gangs as well as harassment and intimidation of oversight officials. Commissioner Bonner moved, seconded by Commissioner Rubin, that the COC “request County Counsel seek judicial intervention, including but not limited to filing a petition to enforce these subpoenas.” Chair Ocen then moved to public comment.

There were five members of the public who commented on this item.

Following public comments, Chair Ocen called for a voice roll call vote on a motion requesting County Counsel seek judicial intervention, including but not limited to filing a petition to enforce subpoenas against Sheriff Villanueva and Mark Lilienfeld. The motion passed unanimously, with Commissioner Thompson being absent. She then moved to item 3.

## **3. REPORTS & POSSIBLE ACTION**

**3a. Chair Report:** The Chair’s report was discussed at the beginning of the meeting.

**3b. Executive Director Report:** Williams thanked Vice Chair Tolentino and wished him well. He announced the next meeting will be held December 9, 2021 and advised that recruitment for a community appointee will take place soon and more information is forthcoming.

**3c. Inspector General’s Report:** Inspector General Huntsman thanked Vice Chair Tolentino and wished him well. Mr. Huntsman stated by ordinance “the Sheriff is required to attend these meetings or send an executive representative” and noted the Sheriff is neglecting his duties by refusing to attend. He advised referring the issue to County Counsel for legal action.

**3d. Commissioner Comments/Ad Hoc Committee Updates:** Due to time constraints, this item was not discussed.

**3e. Los Angeles County Sheriff’s Department Update:** There being no LASD representative in attendance, Chair Ocen moved to item 4.

## **4. PUBLIC COMMENTS**

There were eight members of the public who provided general public comments. View the [written public comments for the November 21, 2021 meeting](#).

## **5. ADJOURNMENT**

Chair Ocen announced next COC meeting and the meeting was adjourned at 1:05 p.m.