



COUNTY OF LOS ANGELES OFFICE OF INSPECTOR GENERAL

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INSPECTOR GENERAL

July 12, 2023

TO: Supervisor Janice Hahn, Chair
Supervisor Hilda L. Solis
Supervisor Holly J. Mitchell
Supervisor Lindsey P. Horvath
Supervisor Kathryn Barger

FROM: Max Huntsman
Inspector General

A handwritten signature in black ink, appearing to read "Max Huntsman".

SUBJECT: **REPORT BACK ON MEETING THE SHERIFF'S DEPARTMENT'S
OBLIGATIONS UNDER SENATE BILL 1421 (ITEM NO. 13, AGENDA
OF FEBRUARY 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) by, among other things, staffing and funding a unit within the Office of County Counsel (County Counsel) tasked with processing SB 1421-related Public Records Act (PRA)¹ requests. The motion 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 an ordinance covering Los Angeles County peace officer records² and the establishment of the unit within County Counsel with the responsibility for responding to Public Records Act requests for 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

¹ As of January 1, 2023, the California Public Records Act is re-codified in section 7920.000 et seq. of the California Government Code. It was formerly codified in California Government Code section 6250 et seq.

² [Section 2.170.020 Records of County Agencies Employing Peace Officers was adopted by a vote of the Board of Supervisors on March 15, 2022.](#)

covered by the ordinance. This is the Office of Inspector General's second semi-annual report.

BACKGROUND

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 Public Records Act (PRA) request. In 2021, California further expanded public access to records with Governor Gavin Newsom's signing of Senate Bill 16, which added categories of peace officer records that must be provided in response to a PRA request.

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

Staffing

As previously reported, on June 27, 2022, the Board approved County Counsel's initial funding request for 18 staff positions to establish the County Counsel unit to be tasked with responding to SB 1421 PRA requests. County Counsel has now established the *Peace Officer Records Division*, within its department. The division is currently staffed by one assistant county counsel, two senior deputy county counsels, two supervising paralegals, five senior paralegals, one secretary, and one legal office support assistant. The division is currently in the process of recruiting additional staff members to fill open positions. Current staff are undergoing training on responding to requests for documentation covered by SB 1421, including training on mandatory disclosure and laws governing confidentiality of peace officer records that are not disclosable.

County Counsel Access to Sheriff's Department Records

When the Office of Inspector General's first report back was published on January 6, 2023, the Sheriff's Department had only recently restored the Office of Inspector General's access³ to the Performance Recording and Monitoring System (PRMS), the database for peace officer records maintained by the Sheriff's Department.⁴ Office of

³ By December 15, 2022, the newly elected Sheriff Robert Luna authorized the immediate restoration of PRMS to the Office of Inspector General. [Letter dated December 6, 2022, from Sheriff Robert G. Luna to the Board of Supervisors and the Sheriff Civilian Oversight Commission.](#)

⁴ The Sheriff's Department Manual of Policy and Procedures states that the "PRMS databases, including the PRMS Profile Report and the Supplementary Profile Report, provide managers and executives with readily accessible

Inspector General access to PRMS was restored on January 31, 2023. The Sheriff's Department has also agreed to grant County Counsel access to PRMS and other Sheriff's Department systems, and both are working to establish the background check procedure for County Counsel staff who will access the records.

County Counsel Access to Probation Department Records

The Peace Officer Records Division will also handle PRA requests pertaining to the Probation Department's SB 1421 records. County Counsel reports the Probation Department has agreed to provide records needed to respond to SB 1421/SB 16 PRA requests. However, the Probation Department does not have a central computer database to house all personnel records. Many of the records are stored as paper files that have not been uploaded to any digital system. Searching paper documentation is inefficient and prevents expeditious production of the requested records. County Counsel and Probation are working on a system to ensure that County Counsel's access is sufficient to facilitate the timely production of documents responsive to SB 1421 requests.

Public Website

County Counsel is developing a website to comply with Los Angeles County Ordinance section 2.170.020 and to facilitate access to law enforcement records for Los Angeles County peace officers. The website will allow members of the public to view documents previously disclosed and also to submit PRA requests.

PRA Responses by the Peace Officer Records Division

County Counsel has not started receiving or responding to SB 1421 PRA requests to the Sheriff's Department or Probation Department. These requests are still being handled by the individual agencies.

The Office of Inspector General will continue to assess and report on the progress of the Peace Officer Records Division's ability to respond to SB 1421 requests to the Sheriff's and Probation Departments and the public's ability to access records covered

documentation in summary form about certain categories of incidents, including but not limited to all uses of force, shootings, citizen's complaints, administrative investigations, criminal investigations or prosecutions, civil claims, civil lawsuits, Pitchess Motions, and disciplinary history."

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by the County ordinance. Until the Peace Officer Records Division is able to access and search records in a manner that allows for the timely production of documents and its website is available, public access will be negatively impacted.

c: Robert G. Luna, Sheriff
Fesia Davenport, Chief Executive Officer
Celia Zavala, Executive Officer
Dawyn R. Harrison, County Counsel
Danielle Vappie, Interim Executive Director, Sheriff Civilian Oversight
Commission