



## County of Los Angeles Sheriff Civilian Oversight Commission Working Group

Dear Member of the Public:

Thank you for participating in this critical process of providing your input about what the new Sheriff Civilian Oversight Commission should look like, what its powers and responsibilities should be and how it should do its work. Your views are important. We want to hear from you.

The Working Group's draft recommendations are contained in five documents that you should read. They will be available at each public meeting, on our website at: [www.lacounty.gov/sheriff-oversight](http://www.lacounty.gov/sheriff-oversight), and by sending an email to [commserv@bos.lacounty.gov](mailto:commserv@bos.lacounty.gov) to ask for copies.

These are the topics covered by each of the five documents:

- Mission Statement
- Oversight Commission Responsibilities
- Commission Composition
- Office of Inspector General
- Miscellaneous Provisions

One additional area that we want to hear from you about is how the Oversight Commission will obtain its information. We will consider the use of subpoenas and the use of an agreement between the Commission, the Office of the Inspector General and the Sheriff's Department.

You can provide your input to us in one of three ways:

1. By coming to one of our nine community meetings. Attached to this letter is a schedule of the town hall meetings. Please double-check before you come in case a location or date has changed.
2. By sending us an email with your comments to the following email address:  
[commserv@bos.lacounty.gov](mailto:commserv@bos.lacounty.gov)
3. Or by sending us a letter to:

Sheriff Civilian Oversight Commission Working Group  
Attn: Commission Services  
500 West Temple Street, Room B-50  
Los Angeles, CA 90012

Thank you again.

Respectfully,

Dean Hansell, Chair

## CIVILIAN OVERSIGHT COMMISSION WORKING GROUP

### TOWN HALL MEETING SCHEDULE AND LOCATIONS (All meetings are set for 6:30 PM to 8:30 PM)

DATE	LOCATION
<b>Thursday April 9</b>	<b>Florence Firestone Service Center</b> Community Room 7807 S. Compton Ave., L.A. 90001 <i>*Spanish Interpreters Provided</i>
<b>Tuesday April 14</b>	<b>El Cariso Community Regional Center</b> 13100 Hubbard Street Sylmar, 91342 <i>*Spanish Interpreters Provided</i>
<b>Wednesday April 15</b>	<b>Bassett Community Center</b> 510 North Vineland Ave. La Puente, 91746 <i>*Spanish Interpreters Provided</i>
<b>Thursday April 16</b>	<b>Antelope Valley College Board Room</b> 3041 West Avenue K Lancaster, 93536 <b><u>PARK IN LOTS 5 OR 8 ONLY</u></b>
<b>Monday April 20</b>	<b>Hacienda Heights Community Center</b> 1234 Valencia Ave. Hacienda Heights, 91745
<b>Wednesday April 22</b>	<b>Arboretum</b> Palm Room 301 North Baldwin Ave. Arcadia, CA 91007
<b>Monday April 27</b>	<b>Exposition Park</b> 700 Exposition Park Drive Los Angeles, CA 90037 <i>*Spanish Interpreters Provided</i> <b><u>PARK IN MAIN COLISEUM</u></b> <b><u>PARKING STRUCTURE</u></b> <b><u>OFF OF FIGUEROA &amp; 39<sup>TH</sup> ST.</u></b>
<b>Tuesday April 28</b>	<b>East Los Angeles Public Library</b> 4837 East 3 <sup>rd</sup> Street Los Angeles, 90022 <i>*Spanish Interpreters Provided</i>
<b>Thursday April 30</b>	<b>West Hollywood Library</b> 625 North San Vicente Blvd. West Hollywood, 90046 <i>*Spanish Interpreters Provided</i>

## **MISSION STATEMENT**

The mission of the Civilian Oversight Commission is to improve public transparency and accountability with respect to the [LASD-Los Angeles Sheriff's Department](#) by providing robust opportunities for community engagement and ongoing analysis and oversight of ~~the~~ Los Angeles Sheriff's Department's policies, practices and procedures and advice to the Sheriff, Board of Supervisors and the Public.

### **Oversight Commission Responsibilities**

- | [4.1.](#) 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.
  
  - | [5.2.](#) 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.
  
  - | [4.3.](#) The Oversight Commission shall 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.
  
  - | [2.4.](#) 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.
  
  - | [3.5.](#) 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.

**COMMISSION COMPOSITION PROPOSAL**

1. The Oversight Commission shall consist of \_\_ members. Each shall be a resident of Los Angeles County. 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, to be drawn from candidates who have been qualified to serve based on an open process with delineated and publicized criteria as defined in the application process set forth in section \_\_\_\_.

**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. The Chief Executive Officer shall nominate from candidates who have been qualified to serve based on an open process with delineated and publicized criteria as defined in the application process set forth in section \_\_\_\_.

**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 from candidates who have been qualified to serve based on an open process with delineated and publicized criteria as defined in the application process set forth in section \_\_\_\_.

**Option 4**

A. Each Supervisor shall select one member to serve on the Commission who shall live in that Supervisor's District.

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 an ex officio member

**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.

**Option 6**

- A. An Outreach, Recruitment and Training Board shall select 4 members to serve on the Commission who represent the concerns of:
  - 1. People who have been detained or incarcerated within LA County jails;
  - 2. People who have been stopped, frisked and/or added to gang databases by LASD, with a particular emphasis in representing the experiences and solutions from youth of color;
  - 3. Families who have loved ones who have been killed or severely injured due to LASD use of force;
  - 4. Communities – especially public housing developments – who receive the most constant and intensive contact with LASD deputies;
  - 5. Consumers of public transportation patrolled by LASD; and
  - 6. Schools that are patrolled by LASD deputies.
  - 7. Vulnerable populations that are most severely impacted by LASD use of force including, but not limited to, people with mental health conditions, people without permanent housing, people who are differently-abled physically and/or mentally, LGBT2Q<sup>2</sup> community, people who speak a language other than English, people who practice a religion other than Christianity, and undocumented people.

B. Special consideration must be given to ensure that

1. The Commission membership includes people who have been directly impacted by LASD actions on the street, on public transportation, in schools and in custody settings.
2. The Commission includes at least one youth member under the age of 25.
3. The Commission reflects the age, geographic, racial, ethnic, religious, national origin, immigration status, gender and sexual orientation diversity of Los Angeles County.

C. In addition to their duties on the Commission, each Commissioner selected by the Outreach, Recruitment and Training Board will work with the Office of the Inspector General and service and social justice groups working in the jails or with the people coming home from jails to coordinate a jail-based hearing of the Commission twice a year to ensure that the Commission hear directly from people, staff and volunteers within the County's jail system.

D. The Outreach, Recruitment and Training Board shall be made up of groups who:

1. Are led by people who have been detained and/or incarcerated in LA County jails;
2. Are led by families and individuals directly impacted by LASD use of force;
3. Work directly (in a service, legal, advocacy or organizing capacity) with people who have been detained and/or incarcerated in LA County jails;
4. Provide services and support to victims of crime and violence; or groups who
5. Have successfully transformed LASD policies or practices through litigation or public policy development.

[Additional provisions common to all six options.] (Application process can be defined here once Working Group decides on the criteria.)

2. The application process can be changed either by the Board of Supervisors or the Commission. Any resident of Los Angeles County may submit the application.

3. In selecting the members chosen by the Supervisors ~~for and~~ Commission Members or the Chief Executive Officer] from those who qualified, serious-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 serious consideration to selecting members who would add to the diversity of the Commission including, but not limited to, racial, ethnic, age, geographic, gender, 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 ~~should~~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. 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 the Los Angeles Sheriff's Department, or any other police department, may serve as a member of the Commission. No current employee of Los Angeles County shall serve as a member of the Commission.

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.

**Office of Inspector General**

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 Citizens 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 \_\_\_\_ 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.

[Alternative A](#)

[A decision to terminate the Inspector General shall be recommended by the Commission, subject to the confirmation of the Board of Supervisors.](#)

[Alternate B](#)

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. The Inspector General may authorize identification for staff to assist them in the performance of their duties, including lapel pins, pocket placards, and badges, provided that no such identification shall be authorized if a reasonable person would believe the bearer to be a peace officer.
- 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.

### **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 \_\_\_\_\_.

**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 shall [receive \\$150 for each regular and special meeting of the Commission up to a cap per member of \\$5,000 per fiscal year and ~~serve without compensation, except they~~](#) shall be reimbursed for [reasonable](#) expenses incurred in performing their duties in accordance with County policies regulating reimbursement to County officers and employees. [In light of the County's financial condition, 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.

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 Oversight Commission ~~shall receive complete and prompt cooperation from all officers and employees of the County to the extent permitted by law~~ so that the other public officers and the Oversight Commission can fully and properly perform their respective duties.

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.

**ADDENDUM TO REPORT**

Additional Recommendations to the Board of Supervisors by the Sheriff Civilian Oversight Working Group

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 Civilian Oversight 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.