January 27, 2021

Brian K. Williams, Executive Director
Civilian Oversight Commission
World Trade Center
350 South Figueroa Street, Suite 288
Los Angeles, California 90071

Dear Mr. Williams:

RESPONSE TO JANUARY 4, 2021, LETTER REQUESTING AN EXPLANATION ON WHY SPECIFIC INFORMATION IS NOT ON THE SHERIFF’S WEBSITE

The following are responses to the Civilian Oversight Commission’s (COC) six questions enumerated in its January 4, 2021, letter:

1. Why are the names of deputies involved in fatal uses of force not posted on the website?

- In the matter of Long Beach Police Officer's Association v. City of Long Beach, the California Supreme Court held that the shooter’s name(s) are not confidential.

- Also, LAPD discloses the names of officers involved in shootings on their website.

The Los Angeles County Sheriff’s Department (LASD) in compliance with current law, provides the names of members involved in fatal uses of force in response to Public Records Act (PRA) requests unless it is determined that there is a specific, articulable, and particularized reason to believe that the release of such information would pose a significant danger to the physical safety of that member or another person (PC 832.7(b)(5)(D)).

As you are aware, all use of force incidents resulting in fatalities are thoroughly investigated by the LASD and submitted to the District Attorney's (DA) Office for review and determination. The DA’s published review always provides the names of involved LASD members. When the LASD is notified of the DA’s results, the LASD’s webpage is updated to provide a link to the report, which includes the names of the LASD members involved in the fatal use of force.
In reviewing your reference to the city of Long Beach case, that particular case stemmed from a response to a PRA request. That ruling does not require a law enforcement agency to proactively provide names of officers absent a PRA request. Furthermore, in reviewing the Los Angeles Police Department’s webpage for 2020 Officer Involved Shooting (OIS) and Critical Incidents, we found approximately half of their OIS written summary incidents were at some time updated with the addition of an officer’s name. The remainder does not contain officer names.

In accordance with current law, the LASD will continue to evaluate each PRA request for officer name(s) on a case-by-case basis. This is due to the real and credible dangers to involved members and their families following some of these high profile and emotionally charged events.

2. Why does the website not publish a summary of complaints filed by the community against LASD?
   - It would be very helpful to know the number of complaints filed, the nature of the complaint, and the outcome.

LASD is currently developing data visualization software. We are continuing to proactively work toward a solution so we can continue to provide more information to stakeholders and the public. Notwithstanding, there is information that is confidential and protected by statute.

3. Why does the website not publish a summary of complaints filed by incarcerated people against LASD?
   - It would be very helpful to know the number of complaints filed, the nature of the complaint, and the outcome.

LASD is currently developing data visualization software. We are continuing to proactively work toward a solution so we can continue to provide more information to stakeholders and the public. Notwithstanding, there is information that is confidential and protected by statute.

4. Why are the documents related to deputy gang investigations and discipline not on the “Employee Discipline” tab?

Employee Discipline findings are published on LASD’s website under employee discipline reports. As of the date of this correspondence, we have not had any founded cases, which violated our “Employee Groups which Violate Rights of Other Employees or Members of the Public” policy. As you know, this policy just came into effect last year and investigation remains ongoing. Any founded investigations that they may be referring to were general behavior, conduct towards others, off duty incidents, fighting, workplace violence, hazing, Policy of Equality and/or misconduct administrative investigations.
5. Why is there not a real-time tracker of the jail population?

- The public is interested in knowing the daily total of incarcerated people, what charges they are held under, how many are held for pre-trial, etc.

The LASD is currently developing data visualization software. We are continuing to proactively work toward a solution so we can continue to provide more information to stakeholders and the public. Notwithstanding, there is information that is confidential and protected by statute.

6. In areas where documents cannot be published or information shared publicly on the website, is the LASD willing to allow the OIG to independently verify those claims?

- For example, the COC needs independent verification of the discipline received by deputies found to be part of or involved in deputy gangs.

We are currently working on a new Memorandum of Agreement with the OIG. We will then collectively have agreed upon what is confidential/public information and what OIG/COC shall and shall not be allowed to view and/or release prior to and at the conclusion of an investigation. The rules and expectations will be clearly laid out. Additionally, the OIG has always had the ability to access the Performance Recording and Monitoring System to verify the name of the involved employee and discipline which was imposed.

Should you have any further questions, please contact Captain Rodney K. Moore at [redacted]

Sincerely,

[Signature]

ALEX VILLANUEVA
SHERIFF