



August 2, 2022

To: Los Angeles County Board of Supervisors

Re: L.A. County Charter Amendment for Accountability, Oversight, and Checks and Balances of the Sheriff and the Sheriff’s Department

Yet again, Los Angeles County has reached a crisis point with its sheriff and Sheriff’s Department (LASD). The most recent spate of deputy gang violence has thrown a spotlight on this crisis that has gone unchecked for decades and demands an immediate and proportionate response by the Board of Supervisors (Board). Deputy gangs and other forms of deputy violence have persisted because one sheriff’s administration after the next has failed to enact and enforce policies that provide meaningful and consistent discipline when deputies harass, abuse, and kill. Among them, Sheriff Baca oversaw rampant and extreme violence in the jails—much of it perpetuated by deputy gangs—and now sits in federal prison for obstructing civil rights intervention; current Sheriff Villanueva has gone from denying the existence of deputy gangs to claiming that they are harmless fraternities, all the while defying subpoenas and violating laws on transparency and oversight. Villanueva’s disinterest in stemming deputy violence, including deputy gangs, is the most recent illustration of how existing County structures are insufficient to guard against sheriffs who are hostile to civilian oversight, transparency, and accountability.

The Board must seize this moment and take decisive actions to protect the public from the scourge of deputy gangs, sheriffs’ violations of the law and obstruction of oversight, and the underlying conditions leading to unchecked deputy misconduct and violence particularly towards Black and brown communities policed by LASD. The undersigned stakeholders urge the Board to propose to the voters an amendment to the L.A. County Charter that will create an impeachment and removal process to provide common sense checks and balances over the sheriff, reinforce its policy-making authority over LASD, and strengthen civilian oversight.

1. Create a procedure to allow impeachment and removal of the sheriff by a four-fifths vote of the Board for serious violations of the public trust, including serious crimes, unconstitutional conduct, and abuse of power.¹ While the Board has a duty to supervise the conduct of the sheriff under state and local laws, and it bears the ultimate responsibility for the safety of the public, the Board currently has no meaningful mechanism to enforce this

¹ Consistent with California Government Code section 25303, cause for removal should include: (1) the knowing violation of any law related to the performance of the sheriff’s duties; (2) falsification of an official statement or document; (3) obstruction of any investigation into the conduct of the sheriff or Sheriff’s Department (LASD) employees by the Civilian Oversight Commission, the Office of Inspector General, or other government agencies with jurisdiction to conduct such an investigation; (4) criminal conduct that would be grounds for termination of LASD employees; and (5) failure in supervision, discipline, or hiring of LASD employees that results in a pattern of violations of standards of conduct for LASD employees or the rights of members of the public, or the obstruction by such employees of any investigation into the conduct of the sheriff or LASD employees.

authority, or even to take action against a sheriff who directly violates the law.² A “don’t elect me” system of sheriff accountability every four years has proven wholly inadequate.³ The threat of removal would finally provide the Board with a more direct means to protect the public from serious sheriff misconduct. The U.S. Congress has the duty and authority to impeach and remove an elected president when necessary; even more so should the *civilian* Board have the power to impeach and remove an elected sheriff, a *paramilitary* official akin to an elected general.⁴ Besides the limited circumstances for removal grounds, to further guard against concerns that this removal authority places too much power in the Board, the procedure should direct the Civilian Oversight Commission (COC) to create a list from which the Board may select an interim replacement in the event of a sheriff’s removal.

2. ***Reinforce the Board’s authority to create policies for LASD and delegate initial policy development to the COC.*** The Board has the duty under state law to supervise its sheriffs “in order to ensure that they faithfully perform their duties,”⁵ and local law recognizes that this responsibility includes the authority to direct and approve the development of policy for LASD.⁶ Yet, the Board has rarely exercised this authority and, as a result, sheriffs have adopted and maintained policies that directly contravene the letter and spirit of various local, state, and federal laws.⁷ The proposed L.A. County Charter amendment should further codify the authority of the Board to oversee and set policies for LASD that do not interfere with the statutory authority of the sheriff or otherwise conflict with state law. Moreover, the proposal should include a process for the COC—the civilian body established to “improve transparency and accountability with respect to [LASD]”⁸— to develop and propose policies for the Board’s consideration and action.
3. ***Establish permanent, independent, and more robust civilian oversight of LASD.*** To make sure that future Boards less committed to civilian oversight cannot undermine the existing oversight bodies, the proposed measure should explicitly incorporate the COC and the Office of Inspector General into the L.A. County Charter, including their ability to subpoena records and testimony as needed to fulfill their functions.⁹ The proposal should provide the COC with independent counsel and funding commensurate with its duties, and ensure membership of community members directly impacted by LASD and the criminal legal system.

Sincerely,

² California statutes establish that the board of supervisors “shall supervise the official conduct of all county officers . . . particularly insofar as the functions and duties of such county officers . . . relate to the assessing, collecting, safekeeping, management, or disbursement of public funds.” Cal. Gov. Code § 25303. The board “shall see that [county officers],” including the sheriff, “faithfully perform their duties . . .” *Id.*

³ See Robert Greene, *Opinion: When the Board of Supervisors last threw out the sheriff*, L.A. TIMES (Oct. 15, 2020), available at <https://www.latimes.com/opinion/story/2020-10-15/firing-the-sheriff>.

⁴ See *Editorial: Sheriffs should not be elected*, L.A. TIMES (Oct. 27, 2020), available at <https://www.latimes.com/opinion/story/2020-10-27/sheriffs-should-be-appointed>.

⁵ *Dibb v. Cnty. of San Diego*, 8 Cal.4th 1200, 1208-09 (Cal. 1994); Cal. Gov. Code § 25303.

⁶ See L.A. Cnty. Code § 2.06.130.

⁷ See, e.g., Letter from Inspector Gen. to L.A. Cnty. Sheriff Civilian Oversight Comm’n re Report Back on Unlawful Conduct of the Los Angeles Cnty. Sheriff’s Dep’t (Dec. 14, 2020), <https://oig.lacounty.gov/Portals/OIG/Reports/UnlawfulConductOfLASD.pdf>.

⁸ L.A. Cnty. Ord. 2020-0006 § 1, 2020; L.A. Cnty. Ord. 2016-0048 § 1, 2016.

⁹ See Cal. Gov. Code § 25303.7.

Check the Sheriff Coalition
ACLU of Southern California
Black Lives Matter – Los Angeles
Centro Community Service Organization
National Lawyers Guild – Los Angeles

A New Way of Life
AAPI Equity Alliance
Af3irm Los Angeles
Alexandria House
Alliance for Community Transit – Los Angeles
(ACT-LA)
American Indian Movement Southern
California
Answer Coalition
Anti-Recidivism Coalition
Arts for Healing and Justice Network
Asian Americans Advancing Justice – Los
Angeles
Asian Youth Center
Bend the Arc: Jewish Action
Black Jewish Justice Alliance
Black Lives Matter - Long Beach
Brothers, Sons, Selves Coalition
California Faculty Association LA Chapter
California Immigrant Policy Center
California Latinas for Reproductive Justice
California League of United Latin American
Citizens
California Native Vote Project
California Poor People’s Campaign
Californians for Safety and Justice
Central American Resource Center
(CARECEN) - Los Angeles
Clergy and Laity United for Economic Justice
(CLUE)
Clergy4BlackLives
Coalition for Humane Immigrant Rights
(CHIRLA)
Community Coalition
Courage California
Crime Survivors for Safety and Justice
Creating Justice LA
Crenshaw Subway Coalition
Debt Collective

Democratic Party of the San Fernando Valley
Democratic Socialists of America – Los
Angeles
Dignity and Power Now
Disability Rights California
Disability Rights Legal Center
Disability Voices United
Essie Justice Group
Feel the Bern San Fernando Valley
Feminists of Speech
Gente Organizada
Glendale Democratic Club
Ground Game LA
Heart of LA Democratic Club
Homeboy Industries
IKAR
Immigrant Defenders Law Center
Immigration Resource Center of San Gabriel
Valley
Indivisible Northridge
InnerCity Struggle
Interfaith Communities United for Justice and
Peace
J-Town Action and Solidarity
JusticeLA
Khmer Girls in Action
Koreatown Immigrant Workers Alliance
Ktown For All
LA CAN
La Defensa
LA Forward
LA Pays Attention
LA Progressive
LA Voice
Labor Community Strategy Center
LatinxFaculty4BLM
Little Tokyo Service Center
Long Beach Forward
Long Beach Gray Panthers

Long Beach Immigrant Rights Coalition
 Los Angeles County Public Defenders Union
 Local 148
 Los Angeles Regional Reentry Partnership
 (LAARP)
 Me Too Survivors' March International
 Mental Health Advocacy Services
 Miracle Mile Democratic Club
 MLK Coalition of Greater Los Angeles
 National Association for the Advancement of
 Colored People (NAACP) – Beverly
 Hills/Hollywood; Compton; Los Angeles; San
 Fernando Valley; Santa Monica/Venice
 National Union of Healthcare Workers
 (NUHW)
 Nefesh
 NoHo Home Alliance
 NOlympics LA
 Occupy ICE LA
 Party for Socialism and Liberation
 People Organized for Westside Renewal
 (POWER)
 People's City Council
 Progressive Democrats of the Santa Monica
 Mountains
 Re-Imagine L.A. Coalition
 Reform LA Jails
 Revolve Impact
 San Fernando Valley Young Democrats
 Secure Justice
 Service Employees International Union (SEIU)
 – United Healthcare Workers West

Service Employees International Union
 (SEIU) 2015
 Showing up for Racial Justice – Long Beach
 Shtibl Minyan
 Social Justice Learning Institute
 South Asian Network
 Southern Christian Leadership Conference of
 Southern California
 Stonewall Democratic Club
 Street Watch LA
 Streets for All
 Thai Community Development Center
 The Love We Don't See
 The Sunita Jain Anti-Trafficking Policy
 Initiative, Loyola Law School
 Time Done
 Translatin@ Coalition
 UCLA Labor Center
 UNITE HERE Local 11
 United Brown Coalition
 United Food and Commercial Workers
 International Union (UFCW) Local 770
 United Teachers Los Angeles (UTLA)
 Unrig LA
 UPTE-CWA 9119
 Valley Grassroots for Democracy
 White People 4 Black Lives
 Women's March Action
 Youth Justice Coalition
 YNOT Movement







Together we will be heard



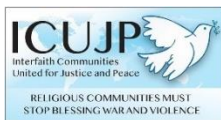
HEART OF LA DEMOCRATIC CLUB
Promoting the full representation of women in the community and the national body politic



IMMIGRANT DEFENDERS
Law Center



INNERCITY STRUGGLE
Building a Movement in the Eastside



JALS
J-TOWN ACTION AND SOLIDARITY

JUSTICELA



Khmer Girls in Action

KIWA
WORKERS FOR JUSTICE

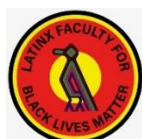


LA DEFENSA

LA FORWARD
ACTION



LA Voice



Little Tokyo Service Center

LONG BEACH FORWARD
Community. Power. Justice.



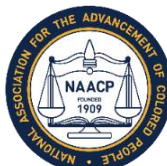
LOCAL 148!
LOS ANGELES COUNTY PUBLIC DEFENDERS UNION

LARRP
THE LOS ANGELES REGIONAL REENTRY PARTNERSHIP



MENTAL HEALTH ADVOCACY SERVICES

MIRACLE MILE
DEMOCRATIC CLUB



NUHW
NATIONAL UNION OF HEALTHCARE WORKERS



NOHO HOME ALLIANCE



