

**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND  
SHEILA KUHL**

**December 15, 2015**

**Execution of a Memorandum of Agreement between the Office of Inspector  
General and the Sheriff**

In light of the sweeping findings by the Los Angeles County (County) Citizens' Commission on Jail Violence regarding the widespread use of excessive force in the County jails, and the numerous federal Grand Jury indictments of Los Angeles County Sheriff's Department (LASD) personnel for serious criminal violations, on December 9, 2014, the Board of Supervisors (Board) approved the creation of a Civilian Oversight Commission (Commission) to oversee the operations of LASD. In addition, the Board ordered the formation of a workgroup to prepare a report to include recommendations for the Board with respect to the Commission's mission, authority, size, structure, relationship to LASD and to the Office of Inspector General (OIG), and appointment options.

The workgroup members were Dean Hansell (Chair, Third District), Hernan Vera (First District), Vincent Harris (Second District), Les Robbins (Fourth District), Brent Braun (Fifth District), Neal Tyler (LASD), and Max Huntsman (Inspector General). In developing its report and recommendations to the Board regarding the Commission, the workgroup held 13 public meetings at the Hall of Administration, hosted nine Town Hall meetings throughout the County, and considered over 300 public comments from

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RIDLEY-THOMAS \_\_\_\_\_

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members of the community. The workgroup completed its report on June 22, 2015, and made a presentation to the Board on July 28, 2015, outlining the recommendations in the report.

The workgroup achieved consensus on nearly all of its recommendations. One of the most critical issues the workgroup dealt with was ensuring necessary access for the OIG and the Commission to confidential LASD information. While the workgroup was not unanimous in its recommendation that the Commission be given subpoena power, it was unanimous in its recommendation that LASD, the OIG, and the Commission enter into a Memorandum of Agreement ("MoA") that would provide a transparent system to govern the sharing of confidential information in a protected manner so as to ensure retention of confidentiality over privileged information. Members of LASD, the OIG, the District Attorney's Office and County Counsel, have worked collaboratively over the last several months to develop an MoA that satisfies the goals of all concerned parties. That MoA, now called the **Memorandum of Agreement to Share and Protect Confidential LASD Information** is attached ("MoA"). Under the terms of the MoA, all requests by the Commission for information and material from LASD shall be handled through and made by the OIG. Additionally, all concerned parties understand and agree that the OIG, the Board of Supervisors, and the yet-to-be established Civilian Oversight Commission shall be provided, upon request, non-confidential and/or non-privileged information and documentation.

The MoA has been reviewed by the workgroup and discussed with both LASD unions, the Association for Los Angeles Deputy Sheriffs (ALADS) and the Professional Peace Officers Association (PPOA). The final version of the MoA which gives the OIG, as the Board's agent, unprecedented access to confidential LASD records, information, and meetings will enable the OIG to aggressively monitor LASD operations and to assist the Board and, ultimately, the Commission in the oversight of LASD. At this time

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the Sheriff and the Inspector General are poised to sign the MoA. Once the Commission is fully established, the Commission Chair will also be a signatory to the existing MoA.

This MoA is a requisite component of an effective monitoring and oversight program and should take effect immediately upon this Board action.

**WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

Authorize the OIG, as the Board's agent, to sign immediately the Memorandum of Agreement to Share and Protect Confidential LASD Information. Once the MoA is in effect, the OIG shall include in regular reports to the Board a status update on the effectiveness of the MoA. These updates, produced every 60 days, shall include any incidents of non-cooperation by LASD and any proposed modifications to the MoA, deemed necessary to improve the MoA's effectiveness.

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SK:sg