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LOS ANGELES COUNTY SHERIFF
CIVILIAN OVERSIGHT COMMISSION

JULY 1, 2022

SPECIAL HEARING ON DEPUTY GANGS IN THE SHERIFF'S DEPARTMENT

MEMBERS

COMMISSION CHAIR SEAN KENNEDY

COMMISSIONER ROBERT BONNER

COMMISSIONER PATTI GIGGANS

COMMISSIONER LAEL RUBIN

COMMISSIONER IRMA COOPER

COMMISSIONER JP HARRIS

COMMISSIONER LUIS GARCIA

COMMISSIONER JAMON HICKS

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I N D E X

ATTENDEES

Commission Chair, Sean Kennedy

COMMISSIONERS:

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Patti Giggans

Lael Rubin

Irma Cooper

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Luis Garcia

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Del Mese's Counsel: Tim O'Connor

Special Counsel: William Forman, Winston & Strawn, LLP

Special Counsel: Sarah Moses, Manatt, Phelps & Phillips,

LLP

Special Counsel: Anthony Pacheco, Vedder Price

Commission Staff Member Ingrid Willliams

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1 P-R-O-C-E-E-D-I-N-G-S

2 CHAIR KENNEDY: Good morning, everybody. Welcome to
3 session three of the LA County Sheriff Civilian Oversight
4 Commission's special hearings on deputy gangs.

5 We're going to begin in a minute. I just want to
6 remind everyone that Loyola has asked that if we could all wear
7 masks inside unless we're speaking. So for advocates, of
8 course, you can take off the mask when you're questioning, and
9 witnesses can proceed however they want. They can testify in a
10 mask, or they can take off their mask.

11 And there are restrooms in the lobby immediately to
12 your left. So if you go out the double doors there are
13 restrooms available as well as in the Burns Building. If you
14 go outside the yellow building double doors, you can go
15 through, and there are large bathrooms as well.

16 With that said, I think we just should call the roll.

17 MS. WILLIAMS: Commissioner Bonner?

18 COMMISSIONER BONNER: [Indiscernible.]

19 MS. WILLIAMS: Commissioner Giggans?

20 COMMISSIONER GIGGANS: Here.

21 MS. WILLIAMS: Commissioner Cooper?

22 COMMISSIONER COOPER: Here.

23 MS. WILLIAMS: Commissioner Garcia?

24 COMMISSIONER GARCIA: Here.

25 MS. WILLIAMS: Commissioner Harris?

1 COMMISSIONER HARRIS: Here.

2 MS. WILLIAMS: Vice Chair Hicks?

3 COMMISSIONER HARRIS: [Indiscernible.]

4 MS. WILLIAMS: Commissioner Rubin?

5 COMMISSIONER RUBIN: Yes. Here.

6 MS. WILLIAMS: Chair Kennedy?

7 CHAIR KENNEDY: Here.

8 All right. I think we're going to begin. I assume
9 Rob Bonner will be joining us shortly, and the first item on
10 the agenda are reports and updates from myself and our Special
11 Counselor -- Counsel, Bert Deixler. I don't have any report
12 because the hearing itself is -- is our report.

13 But, Bert, you want to start us off?

14 MR. DEIXLER: Thank you. Good morning, Commissioners.

15 I want to start, as we've started the last two
16 sessions, with what I'll describe as a procedural report. I'll
17 tell you who -- who we expect will testify and the
18 circumstances of their testimony, who we have subpoenaed to
19 testify who've told us they will not attend, and perhaps some
20 of the reasons why.

21 Our witnesses today will be former Chief Burson, who
22 will testify in person. Our second witness will be former
23 Captain Del Mese. We are told by his lawyer that he is
24 recovering from COVID, and so as an accommodation, we have
25 agreed that he can testify by Webex. And our third witness of

1 the day will be Chief Tardy, whom I told could come at 10:00 so
2 that she wouldn't have to spend time that she could otherwise
3 work on the people's business.

4 Two witnesses who have been subpoenaed are not
5 coming, we've learned, as of yesterday. The first witness is
6 the Sheriff. The Sheriff's lawyer, yesterday, sent a brief
7 note explaining three reasons why the Sheriff would not be
8 attending, notwithstanding the fact that he's received a
9 subpoena.

10 The first is a contention that I have a conflict and
11 that I am adverse to the Sheriff. The basis of that is that a
12 partner at my law firm is the -- has been appointed by the
13 County Counsel to oversee compliance with the Rosas stipulation
14 that has been going on for more than a decade. The Sheriff is
15 named nominally in that case.

16 As each sheriff over the last decade has come and
17 gone that person's name is substituted. I am walled from that
18 case, notwithstanding the fact that it's not -- has nothing to
19 do with any of this. But I am told that Mr. Doug Dale, who is
20 the lawyer involved who had been the chief of the Criminal
21 Division in the United States Attorney's Office for something
22 like 19 years, has never spoken with the Sheriff. Period, full
23 stop, end of story.

24 And secondly, that this, of course, not is a -- this
25 is not an adversary proceeding. Indeed, it is my understanding

1 that the Sheriff is eager to have us get to the bottom of all
2 of these issues because of his professed commitment to
3 transparency. So, for that reason, those are unsubstantial and
4 no basis to not attend.

5 The second reason offered was that the work of this
6 commission is not in furtherance of the commission's purpose,
7 which I believe is inconsistent with what we've been trying to
8 accomplish in our investigation and in our public
9 presentations.

10 And finally, the Sheriff fears for his security
11 because he has been informed that members of the public have
12 attended and wear shirts or jackets that say "F the Sheriff."

13 CHAIR KENNEDY: The Sheriff fears for his security on the
14 Loyola Law School campus?

15 MR. DEIXLER: That's what we've been told by his
16 attorney -- personal lawyer.

17 The second witness who is not going to be appearing
18 today is the undersheriff, Murakami. And he has provided to --
19 his photograph that I thought would be helpful on. I'm told
20 that's a Spartan shirt.

21 We are told by a purported physician that while the
22 undersheriff is able to perform his regular sheriff's duties
23 that the stress of responding to a subpoena and testifying
24 before the commission would be too stressful and create an
25 adverse health risk for him. And so he, on that basis, is not

1 going to come at the appropriate time.

2 We're going to ask the commission for the power to
3 ask the County Counsel to bring motions to compel the testimony
4 and the appearance of both the sheriff and the undersheriff.

5 And there's a third issue, which I feel compelled to
6 bring to the attention of the commission now which has arisen
7 in the last 36 hours. We have learned that a potential
8 witness, who is a member of the Sheriff's Department, has
9 received an order to appear with his computer at the Sheriff's
10 Department and to sign a non-disclosure agreement with regard
11 to an investigation that he has undertaken that relates
12 directly to the work that we are doing here.

13 At least out of an abundance of caution, we're going
14 to ask the commission to empower us through the Ad Hoc
15 Committee to issue a subpoena to require that all documents
16 that refer, reflect, or relate in any way to the investigation
17 pertaining to Kennedy Hall be preserved inviolate so that we
18 don't have a problem of, for example, investigator notes
19 disappearing or otherwise being unavailable. And so I'll do
20 that, I guess, at the -- at the conclusion of all this.

21 So that's my procedural report. If there are
22 questions, I'm happy to address them now, or hold them in
23 obedience. Otherwise, I'm prepared to call our first witness.

24 COMMISSIONER BONNER: I think in light of the fact that we
25 do not have the presence of the sheriff, Sheriff Villanueva, or

1 the presence of Undersheriff Murakami pursuant to the bound and
2 lawful subpoena of this body, the Civilian Oversight
3 Commission, I would move that the -- that we ask -- request
4 County Counsel to forthwith file appropriate motions with the
5 LA County Superior Court to compel the testimony -- the
6 appearance and testimony under oath of both of those
7 individuals who are essential to the investigation of the
8 Civilian Oversight Commission's inquiry into deputy cliques,
9 gangs, and exclusionary subgroups.

10 I must also say that I'm astonished that Undersheriff
11 Murakami is able to perform the duties of undersheriff but he's
12 unable to appear and testify for an hour or so before our
13 commission and answer questions with respect to a matter
14 that -- a very serious matter impacting the Sheriff's
15 Department, which are the existence of deputy cliques, gangs,
16 and/or exclusionary subgroups.

17 And one of the fundamental job duties of every deputy
18 sheriff, including the undersheriff, is the ability to appear
19 and testify in court and at hearings. And if he's not able to
20 appear and testify, I suggest that he forthwith resign, take
21 medical leave without pay, or some other appropriate actions
22 because he has no -- he has no business being the undersheriff
23 for the LA County Sheriff's Department if he can't appear and
24 testify before an oversight commission that is set up to
25 provide oversight of the Sheriff's Department.

1 But, anyway, in any event, I would make those --
2 those motions and also move, as I think we did last time, that
3 the County Counsel use every available procedure of the LA
4 County Superior Court to expedite those motions to compel the
5 testimony of Sheriff Villanueva and Undersheriff Murakami.

6 COMMISSIONER RUBIN: I second those motions, or that
7 motion, for the subpoenas. And I also note regarding the
8 Sheriff, in particular, that this will be the third or the
9 fourth time that he's been served with subpoenas that he has
10 refused to appear. And my question is how many more times do
11 we have to deal with a sheriff who refuses to abide by a lawful
12 subpoena?

13 I'm not looking for an answer, but I urge County
14 Counsel to end this gamesmanship on the part of the Sheriff.

15 COMMISSIONER BONNER: Point of fact, it is the fifth time
16 Sheriff Villanueva has refused to comply with a subpoena of
17 this committee.

18 The first time he refused, he ultimately volunteered
19 to appear, not pursuant to the subpoena, but he did voluntarily
20 appear when the LA County Superior Court judge, Judge Fujie,
21 was on the cusp of holding him in contempt for his failure to
22 appear. He then voluntarily appeared. Unfortunately, we did
23 not get a ruling in that case. That's another issue.

24 But it's the fifth time he has refused to appear
25 pursuant to a lawful subpoena of the Oversight Committee,

1 and -- and it's -- it's -- it's intolerable.

2 MR. DEIXLER: Before you call a vote, I do have one
3 additional fact that I should have mentioned before with regard
4 to this specific subpoena to the -- to the Sheriff.

5 The commission, of course, will recall that on
6 June the 10th, at our last public hearing, it was announced
7 that we were going to have that subpoena issued on June 13th.

8 Lieutenant O'Connell [sic], who was acting as the
9 intermediary between the commission and the Sheriff, agreed to
10 accept electronic service of the subpoena for the Sheriff,
11 which was promptly delivered on the 15th of June.

12 Lieutenant O'Donnell [sic] said that the Sheriff's
13 schedule was filling up and he wouldn't be available on the 1st
14 of July. There was no mention made of the conflict, the fact
15 that it was not in furtherance of a commission purpose, or his
16 fear for the public who wore "F the Sheriff" shirts and
17 jackets.

18 COMMISSIONER BONNER: Nor was that excuse even mentioned
19 in the list of reasons given by his -- more recently -- by the
20 private lawyer that's representing the Sheriff.

21 I'm wondering before we proceed with the first
22 witness, but there was another request that our Special Counsel
23 made, and that is a motion to essentially empower the -- for
24 the commission to empower the issuance of a subpoena for any
25 and all documents related to the investigation of the Kennedy

1 Hall incident. And I'm prepared to make that motion now with
2 any finetuning or tweaking somebody wants to make to it. I
3 think -- I think it's appropriate that we make sure that we
4 preserve those documents as part of our investigation,
5 ultimately potentially subpoenaing and having those documents
6 before us.

7 COMMISSIONER RUBIN: I'll second that.

8 CHAIR KENNEDY: Shall we take a vote?

9 COMMISSIONER BONNER: So we have three motions?

10 CHAIR KENNEDY: We --

11 COMMISSIONER RUBIN: I thought we have two.

12 COMMISSIONER BONNER: Well, okay. One motion to compel
13 both the -- Murakami and Sheriff Villanueva. Okay.

14 I see that as three motions, but -- but I'm -- I
15 might be too metaphysical about it.

16 CHAIR KENNEDY: Let me ask Brian, our Executive Director:

17 Do we have to have public comment, or can we vote?

18 EXECUTIVE DIRECTOR: You do have to have public comment.

19 COMMISSIONER BONNER: If there is any.

20 MS. WILLIAMS: We don't have anybody who signed up for
21 public comment for this specific item. We have one for general
22 public comment. But if there's anyone that would like to
23 speak, please raise your hand regarding this vote -- this
24 motion.

25 MALE SPEAKER: Oh, no. I have nothing on that.

1 CHAIR KENNEDY: Okay. Why don't we take a vote?

2 MS. WILLIAMS: Commissioner Bonner?

3 COMMISSIONER BONNER: Aye as to all three.

4 MS. WILLIAMS: Commissioner Cooper?

5 COMMISSIONER COOPER: Aye.

6 MS. WILLIAMS: Commissioner Garcia?

7 COMMISSIONER GARCIA: Aye.

8 MS. WILLIAMS: Commissioner Giggans?

9 COMMISSIONER GIGGANS: Aye.

10 MS. WILLIAMS: Commissioner Harris?

11 COMMISSIONER HARRIS: Aye.

12 MS. WILLIAMS: Chair Kennedy?

13 CHAIR KENNEDY: Yes, as to all motions.

14 MS. WILLIAMS: And Commissioner Rubin?

15 COMMISSIONER RUBIN: Yes.

16 MS. WILLIAMS: Motions carry.

17 CHAIR KENNEDY: We -- we interrupted you, Mr. Deixler.

18 MR. DEIXLER: Well, the other thing I want to do before I
19 call our first witness is to introduce the other counsel who
20 will be appearing today and who worked so diligently with us to
21 try to organize testimony and -- and the like.

22 And so from left to right, Sarah Moses of the Manatt
23 firm, Naeun Rim of the Manatt firm, Anthony Pacheco of the
24 Vedder Price firm, and I see that Bill Forman, masked, with the
25 red, white, and blue tie from the Winston and Strawn firm who

1 will be examining a witness as well today.

2 COMMISSIONER BONNER: Thank you.

3 CHAIR KENNEDY: We -- we really appreciate all the lawyers
4 who have volunteered their time and worked so hard to bring out
5 all the evidence of deputy gangs within the department as the
6 Sheriff has requested we do.

7 MR. DEIXLER: So with the commission's permission, I'd ask
8 that we call Matthew Burson as our next witness.

9 I'm told he's in the witness room, and if you'd like,
10 I'll go get him.

11 CHAIR KENNEDY: Thank you.

12 Good morning, Mr. Burson. Could you raise your right
13 hand.

14 Do you swear to tell the truth, the whole truth, and
15 nothing but the truth?

16 MR. BURSON: I do.

17 MR. DEIXLER: Mr. Burson, good morning.

18 Would you please state your full name and spell your
19 last name for the record.

20 MR. BURSON: My name is Matthew Jerome Burson,
21 B-u-r-s-o-n.

22 MR. DEIXLER: And, sir, are you currently an employee of
23 the Los Angeles County Sheriff's Department?

24 MR. BURSON: No, I'm not.

25 MR. DEIXLER: When did your service to the department end,

1 sir?

2 MR. BURSON: March 31st, 2022.

3 MR. DEIXLER: At the time of your retirement what position
4 did you hold?

5 MR. BURSON: Division Chief.

6 MR. DEIXLER: Would you share with the commission a bit
7 about the path of your career from your graduation from the
8 academy until your retirement as a chief?

9 MR. BURSON: I graduated from the academy -- the LA County
10 Sheriff's Academy in 1989.

11 And from that point I worked the Sybil Brand
12 Institute for Women, Custody Division, from '89 to 1995.

13 From 1995 to 1998, I worked patrol as a patrol deputy
14 at Carson and Industry stations.

15 From 1998 to 2000, I worked the Gang Enforcement Team
16 for Operation Safe Streets Bureau.

17 From 2000 to 2006, I worked Operation Safe Streets
18 Bureau as a detective and also an FBI -- I worked with the FBI
19 on a task force -- I was a task force officer -- and also in
20 Homicide as a homicide task force officer.

21 In 2006, I promoted to the rank of sergeant --
22 January 2006. Worked patrol at Lennox Station for
23 approximately 10 months.

24 Went back to Operation Safe Streets Bureau as a
25 sergeant -- team sergeant. Worked there until 20 -- excuse

1 me -- 2018 -- I'm sorry -- 20 -- 2008.

2 Then I went to the Sheriff's Office, and I was the
3 executive aide for Sheriff Lee Baca from 2008 to 2010.

4 2010, I promoted -- say February 2010, I promoted to
5 the rank of lieutenant. Went to Lennox Station, worked there
6 until 2012.

7 Then I went to Homicide Bureau as a homicide team
8 lieutenant, 2012 to 2013.

9 And then from 2013, I went to the Division -- excuse
10 me -- Detective Division for the -- and I was the executive
11 aide for the division chief of the Detective Division and
12 worked there until 2015.

13 In 2015, I promoted to the rank of captain, again
14 going back to Operation Safe Streets Bureau. Worked there
15 until, say, June of 2015 to April of 2018.

16 And then in April of 2018 I went to the Internal
17 Criminal Investigations Bureau as a captain. From 2018 of
18 April till December 2018, where I was promoted to division
19 chief for Professional Standards Division and maintained that
20 position until my -- until I left the department in February of
21 2021. I left on a medical leave.

22 And then March of '22, that was my last day on the
23 department.

24 MR. DEIXLER: Well, sir, after all of that work, you
25 richly deserve to -- to have a retirement.

1 Let me ask you: Were you ever a commander?

2 MR. BURSON: No, sir.

3 MR. DEIXLER: Is it usual for a person to be elevated from
4 captain to division chief without being a commander?

5 MR. BURSON: Generally, you would follow the path of
6 captain, commander, then chief.

7 MR. DEIXLER: Who is the sheriff who elevated you from --
8 from captain to commander?

9 MR. BURSON: That is the current sheriff, Sheriff
10 Villanueva.

11 MR. DEIXLER: Did you know the Sheriff prior to your
12 appointment as a division chief?

13 MR. BURSON: No, I did not.

14 MR. DEIXLER: What about the undersheriff, Murakami, did
15 you know him?

16 MR. BURSON: Yes, I did.

17 MR. DEIXLER: And about how long did you know the
18 undersheriff, Murakami?

19 MR. BURSON: For approximately 30 years.

20 MR. DEIXLER: Do you know whether he has a tattoo as a
21 member of a deputy clique?

22 MR. BURSON: I understand he has a tattoo of a caveman on
23 his ankle, yes.

24 MR. DEIXLER: And the Cavemen were a deputy clique, as you
25 understood it?

1 MR. BURSON: Yes.

2 MR. DEIXLER: Let me turn your attention, if I can, to
3 your duties at ICIB.

4 Could you briefly outline for the commission your
5 duties at ICIB in 2018 prior to your promotion to division
6 chief.

7 MR. BURSON: The duties of ICIB is to investigate criminal
8 activity caused or committed by department employees.

9 MR. DEIXLER: Was one of the matters you were overseeing
10 the investigation of the beating at Kennedy Hall?

11 MR. BURSON: Yes.

12 MR. DEIXLER: At the beginning of your work on the Kennedy
13 Hall investigation, did you participate in a meeting with
14 Chief Gooden on the subject of that investigation?

15 MR. BURSON: Yes, I did.

16 MR. DEIXLER: And do you recall anybody else who attended
17 that meeting with you and Chief Gooden?

18 MR. BURSON: I believe it was Commander Curtis Jensen and
19 Constitutional Policing Advisor Diana Teran.

20 MR. DEIXLER: Did you receive direction from Chief Gooden
21 to investigate the Kennedy Hall incident as a potential
22 criminal matter?

23 MR. BURSON: Yes.

24 MR. DEIXLER: And do you recall what factors were
25 identified as the reason it should be treated as a criminal

1 rather than a policy violation?

2 MR. BURSON: Well, definitely it was severity of the
3 injuries that the deputies sustained, and also to get to the
4 bottom of the clique -- alleged clique aspect of what was
5 occurring at that off-training party.

6 MR. DEIXLER: In that meeting with Chief Gooden,
7 Commander Jensen, and the constitutional policing lawyer, what
8 do you recall being said on the subject matter of needing to
9 get to the bottom of deputy cliques or gang involvement?

10 MR. BURSON: I'm sorry. Could you repeat that?

11 MR. DEIXLER: Yes.

12 What do you remember being said on the subject of
13 needing to investigate or talk about deputy cliques?

14 MR. BURSON: In that meeting?

15 MR. DEIXLER: Yes.

16 MR. BURSON: Oh, okay.

17 No. Again, it was the severity of the beatings. It
18 was -- it was a -- a variety of -- of factors. Just the -- the
19 nature of that station, the history of that station, and some
20 of the other incidents that were -- potentially occurred at
21 that station.

22 MR. DEIXLER: Do you recall whether at that meeting with
23 Chief Gooden, Commander Jensen, and lawyer Teran that there was
24 a discussion of the possibility that the facts that were then
25 known would show concrete evidence of deputy gangs?

1 MR. BURSON: Well, we didn't call them gangs at the time.
2 It was cliques.

3 MR. DEIXLER: Okay. Same concept.

4 Let's make clear then what you mean by a "deputy
5 clique," as you used that term in 2018, as you met with this
6 group of senior executives of the department.

7 What was a "clique," as you use that term?

8 MR. BURSON: Well, I mean, a clique was just a group of
9 deputies who had similar tattoos and basically were in charge
10 of the station, in charge of other deputies, just had their
11 own -- their own little fiefdom, we'll say.

12 MR. DEIXLER: Was -- was Jefferson Chow the lead
13 investigator of the Kennedy Hall beating?

14 MR. BURSON: Yes.

15 MR. DEIXLER: And did you regard him as a competent
16 investigator?

17 MR. BURSON: Yes.

18 MR. DEIXLER: Prior to the sheriff's election of 2018, did
19 you believe the Kennedy Hall incident was properly viewed as a
20 criminal investigation?

21 MR. BURSON: Yes.

22 MR. DEIXLER: Let me ask you a bit drawing on that long
23 experience. When you were at Homicide and ICIB, was one of the
24 things that was routinely sought to be determined by
25 investigators the motive for alleged wrongdoing?

1 MR. BURSON: Absolutely. Yes.

2 MR. DEIXLER: And -- and why is discovering the motive for
3 a crime important for a criminal investigator?

4 MR. BURSON: Well, I mean, that's -- that's the whole
5 genesis of the crime. You need to determine why that crime
6 occurred and who was involved.

7 MR. DEIXLER: Is the discovery of the motive for a crime
8 consistent with professional police practices?

9 MR. BURSON: Yes.

10 MR. DEIXLER: And would it have been important, for
11 example, for you to determine whether the Kennedy Hall incident
12 was just a drunken brawl or an event that involved a clique
13 enforcing its power over other deputies?

14 MR. BURSON: I'm -- I'm sorry.

15 MR. DEIXLER: Yeah. What -- if it -- if it was, why would
16 it matter to you whether you were investigating a drunken brawl
17 or a power assertion by a group -- a clique?

18 MR. BURSON: Well, I mean, you -- you want to get to the
19 root of -- of what occurred.

20 MR. DEIXLER: When you were at OSS, which you've described
21 as Operation Safe Streets, is that -- was its principle focus
22 criminal gangs?

23 MR. BURSON: Yes.

24 MR. DEIXLER: And by "criminal gangs," I mean street
25 gangs; is that --

1 MR. BURSON: That was --

2 MR. DEIXLER: -- what you understood?

3 MR. BURSON: Yes, sir.

4 MR. DEIXLER: Did the operation of your work at OSS gain
5 you familiarity with how gangs operated?

6 MR. BURSON: Yes.

7 MR. DEIXLER: Would it be fair to say that gangs operated
8 with a shot caller?

9 MR. BURSON: Yes. That's correct.

10 MR. DEIXLER: And what is a "shot caller" as that term is
11 used in criminal gangs?

12 MR. BURSON: Shot caller is generally the individual
13 that's in charge of the gang that's giving direction to the
14 gang.

15 MR. DEIXLER: A moment ago you testified about how in the
16 East LA Station where the Kennedy Hall incident occurred there
17 was a group of deputies that appeared to be running it for
18 their own benefit, or words to that effect.

19 Do I remember correctly?

20 MR. BURSON: Yes.

21 MR. DEIXLER: Would that be in the nature of there being a
22 shot caller at the East LA Station at the time?

23 MR. BURSON: Yes.

24 MR. DEIXLER: Is a -- is a sheriff's station run by a shot
25 caller rather than a captain a violation of fundamental

1 principles of professional policing?

2 MR. BURSON: No. A shot caller should not run a station,
3 no. That's --

4 MR. DEIXLER: And -- and why is it that a shot caller
5 shouldn't run a station whereas perhaps a captain should?

6 MR. BURSON: No. A captain should run a station, not a
7 shot caller.

8 MR. DEIXLER: As the investigation of the Kennedy Hall
9 beating began, did you receive word that Max Huntsman of the
10 OIG wanted to make sure the investigation of Kennedy Hall
11 included understanding the role of subgroups, cliques, or
12 deputy gangs?

13 MR. BURSON: Yes.

14 MR. DEIXLER: And how did that requirement come to your
15 attention?

16 MR. BURSON: We met with Mr. Huntsman in person: Myself,
17 my commander at the time, Steve Gross. The IAB captain was
18 also in attendance.

19 MR. DEIXLER: When you began your work on this East LA
20 beating investigation, did you know the specific name of the
21 Banditos?

22 MR. BURSON: No, I didn't.

23 MR. DEIXLER: Were you aware, nevertheless, of the history
24 of the East LA Station?

25 MR. BURSON: I was, yes.

1 MR. DEIXLER: And just tell us a little bit about what you
2 knew about that and whether it was a location for known problem
3 deputies.

4 MR. BURSON: Well, I recall there was a lawsuit some years
5 back involving one of the trainees there who had mentioned that
6 she had to do certain things to get off training, and it was a
7 direct reference to the Banditos at the station.

8 MR. DEIXLER: Did you meet with a Lieutenant Chevalier to
9 discuss whether a proper investigation would include
10 determining whether there were deputy gangs or cliques as a
11 motive for the Kennedy Hall beatdown?

12 MR. BURSON: Yes.

13 MR. DEIXLER: And did you have any question in your mind
14 that a proper investigation of Kennedy Hall would've required
15 an investigation into the involvement, if any, of a deputy
16 clique or a gang?

17 MR. BURSON: No.

18 MR. DEIXLER: Let me ask you to take a look at what has
19 been previously marked as exhibit numbered 4, which we've
20 established is the log of the investigator -- Investigator
21 Chow. Perhaps we can put that up.

22 And I'd like to direct your attention to the entry of
23 November 9th, 2018.

24 Page before, I guess.

25 1530, do you see that entry?

1 MR. BURSON: Yes, sir.

2 MR. DEIXLER: And does the entry on 11/9/2018 on Exhibit 4
3 accurately reflect your understanding of what was required by
4 OIG to ensure that the investigation was thorough?

5 MR. BURSON: Yes.

6 MR. DEIXLER: Would you, just for the record, read into
7 the record what is contained there starting with the word
8 "also."

9 MR. BURSON: "Also, Lieutenant Chevalier advised me OIG
10 wanted additional questions about subgroup -- subcultures at
11 East LA. Captain Burson confirmed additional questions needed
12 to be asked."

13 MR. DEIXLER: And was the confirmation by you that
14 additional questions needed to be asked a function of the
15 conversations you had had with Chief Gooden, Commander
16 Jensen --

17 MR. BURSON: Yes.

18 MR. DEIXLER: -- among others?

19 As well as drawing upon your long experience as an
20 investigator in Homicide and ICIB and Operation Safe Streets?

21 MR. BURSON: Yes.

22 MR. DEIXLER: All of the decisions you made were a product
23 of your lengthy and distinguished career in the -- in the
24 Sheriff's Office. Is that a fair statement?

25 MR. BURSON: Yes.

1 MR. DEIXLER: And at the time, November 9th, 2018, when
2 that instruction was given by you, who was the sheriff of Los
3 Angeles County?

4 MR. BURSON: Jim McDonnell.

5 MR. DEIXLER: Now let me turn your attention to
6 November --

7 COMMISSIONER BONNER: Wait, Counsel.

8 MR. DEIXLER: Yes.

9 COMMISSIONER BONNER: Do we have an approximate date of
10 that entry? I -- I'm trying to read it here, and I'm at an
11 angle.

12 MR. DEIXLER: It's 11/9/18 at 1530 hours.

13 COMMISSIONER BONNER: 11/9/18. Okay. Thank you.
14 November 9th --

15 MR. DEIXLER: Yes.

16 COMMISSIONER BONNER: -- 2018.

17 MR. DEIXLER: Yes.

18 COMMISSIONER BONNER: Thank you.

19 MR. DEIXLER: Did you, after the 9th of November, receive
20 a phone call from Captain Larry Del Mese?

21 MR. BURSON: Yes.

22 MR. DEIXLER: Let me ask you to look at the entry for
23 11/27/2018.

24 And while we scroll there, who was Captain
25 Larry Del Mese at the time of this call in November of 2018?

1 MR. BURSON: Captain Del Mese was a captain of the
2 Court Services Division. But he was also on, from what
3 I understood, incoming Sheriff Villanueva's transition team.

4 MR. DEIXLER: Was he, as a captain in the paramilitary
5 structure of the LA Sheriff's Department, superior to you?

6 MR. BURSON: No. He was equal.

7 MR. DEIXLER: Was he in a position to -- being in Court
8 Services -- in a position to give you direction at -- on his
9 own given your work in ICIB?

10 MR. BURSON: No.

11 MR. DEIXLER: As best you can recall, what did
12 Captain Del Mese say to you on the 27th of November?

13 MR. BURSON: Captain Del Mese called me on behalf of the
14 Sheriff -- the incoming sheriff, Alex Villanueva, and told me
15 to hold off on any questioning about the investigation
16 including the Banditos until I talked to him -- until I talked
17 to the Sheriff when he would come into office.

18 MR. DEIXLER: As of November 27th, 2018, was
19 Alex Villanueva the sheriff of Los Angeles County?

20 MR. BURSON: No.

21 MR. DEIXLER: As of November 27th, 2018, who was the
22 sheriff of Los Angeles County?

23 MR. BURSON: Jim McDonnell.

24 MR. DEIXLER: Did you believe that Captain Del Mese was
25 speaking for himself or was speaking on behalf of the incoming

1 but not yet sheriff, Villanueva?

2 MR. BURSON: He was definitely speaking on behalf of
3 Alex Villanueva.

4 MR. DEIXLER: And what was it that he said that caused you
5 to believe that?

6 MR. BURSON: He said specifically that, hey, I talked to
7 the sheriff, and the sheriff -- or Alex Villanueva wants you to
8 hold off on any questioning until you talk to me -- until I
9 talk to the sheriff when he comes in the office.

10 MR. DEIXLER: And why did you care about what Captain
11 Del Mese told you on that occasion? Why did it matter to you
12 as a member of the Sheriff's Department?

13 MR. BURSON: Well, he was working on the incoming
14 sheriff's transition team, and so he had a direct line to the
15 sheriff -- of the incoming sheriff.

16 MR. DEIXLER: Now let's go to the entry of 11/27.

17 And for the record, could you read that entry,
18 11/27, 1300 hours.

19 MR. BURSON: "Cancelled interviews due to Captain/Chief
20 Burson. He wanted"...

21 And I don't know. The camera is blocking the rest of
22 the statement.

23 MR. DEIXLER: "He wanted to make sure"...

24 MR. BURSON: Oh. "He wanted to make sure I did not have
25 to ask questions about subcultures."

1 CHAIR KENNEDY: Let's have this removed so you can read
2 it.

3 COMMISSIONER BONNER: You know, the other thing is, I'm --
4 Counsel, I wouldn't mind if you just read it into the record
5 because I -- I can't read it from this angle.

6 MR. DEIXLER: Sure.

7 COMMISSIONER BONNER: I can't --

8 MR. DEIXLER: Yeah. We're having the witness read it.

9 Why don't you start again now that we've made it
10 clearer for you. It's the entry of November 27th, 2018, at
11 1300 hours.

12 MR. BURSON: "Cancelled interviews due to Captain/Chief
13 Burson. He wanted to make sure I did not have to ask questions
14 about subculture groups at East LA Station. Worked on" -- no.
15 Well, "Worked on the other case."

16 MR. BURSON: And so that entry of November 27th, and I
17 will get to the Captain/Chief point shortly, but that entry of
18 November 27th, 2018, does that accurately reflect the
19 instruction that you gave to Investigator Chow on that
20 occasion?

21 MR. BURSON: Yes.

22 MR. DEIXLER: And does it accurately reflect the
23 instruction you received from Captain Del Mese, which was given
24 to you on behalf of the incoming but not yet sheriff,
25 Villanueva?

1 MR. BURSON: Yes.

2 MR. DEIXLER: Let me -- let me pause on the entry
3 describing you as Captain/Chief as of 11/27.

4 As of 11/27, had you been promoted?

5 MR. BURSON: No.

6 MR. DEIXLER: As of 11/27, who was the chief of
7 Professional Standards, the -- the position that you were
8 ultimately appointed to?

9 MR. BURSON: Alicia Ault.

10 MR. DEIXLER: And as of November 27th, did you believe
11 that Chief Ault and Mr. Del Mese had some issue or dispute
12 regarding a personnel issue?

13 MR. BURSON: Yes.

14 MR. DEIXLER: And what was your understanding about what
15 that dispute pertained to?

16 MR. BURSON: From what I understand is Captain Del Mese
17 called Chief Ault telling her that she needed to rehire
18 Carl Mandoyan, who was a discharged employee.

19 MR. DEIXLER: And, again, that was a conversation which
20 occurred prior to 11/27, as far as you know, but reflected
21 Captain Del Mese issuing directions on behalf of the incoming
22 but not yet sheriff. Is that how you understood the
23 chronology?

24 MR. DEIXLER: Yes.

25 MR. BURSON: And as of 11/27, did you have a belief that

1 Chief Ault was likely to be replaced as chief?

2 MR. BURSON: I'm -- I'm sorry. Say again.

3 MR. DEIXLER: Yes.

4 As of November 27th, did you believe that Chief Ault
5 was likely to be replaced in her position?

6 MR. BURSON: I had no idea.

7 MR. DEIXLER: Was there a rumor about somebody who might
8 be taking that position?

9 MR. BURSON: Yes.

10 MR. DEIXLER: And -- and -- and what was the rumor that
11 you heard in or about that time?

12 MR. BURSON: At that time, or shortly thereafter, that it
13 was -- Lieutenant Rich Weston was rumored to -- he was going to
14 be the chief of Professional Standards Division.

15 MR. DEIXLER: And -- and do you know whether Lieutenant
16 Weston had any relationship with Mr. Del Mese or the sheriff or
17 whatever the basis was for their -- for the rumor going around
18 the department that he might get that position?

19 MR. BURSON: I didn't know the relationship at the time.

20 MR. DEIXLER: Did he get the promotion?

21 MR. BURSON: No, he did not.

22 MR. DEIXLER: Okay.

23 We'll come back to -- to the circumstances of your
24 promotion in a moment, but let's return to the entry of 11/27.

25 Am I clear that the instruction to pause, that is,

1 to not ask questions about subculture groups at East LA Station
2 was your direct instruction from Mr. Del Mese -- Captain Del
3 Mese -- to you which you just conveyed to -- to Deputy Chow?

4 MR. BURSON: Yes.

5 MR. DEIXLER: Given your background at OSS and ICIB and
6 Homicide, did you understand that in ordering a pause into any
7 subgroup role in the -- in the beating might affect the ability
8 to determine the motive for that act?

9 MR. BURSON: Yes.

10 MR. DEIXLER: If it was a beating administered by a
11 subgroup as a result of a plan or a display of authority that
12 would've been something that would be important for an
13 investigator to be able to know in assessing what would be
14 proper in that case?

15 MR. BURSON: Yes.

16 MR. DEIXLER: Did the order to pause looking into the
17 motive for a crime seem odd to you?

18 MR. BURSON: Very. Yes.

19 MR. DEIXLER: Did it seem odd to you that the order to
20 pause an investigation into the motive for a crime was coming
21 at the direction of a person who was not yet the sheriff of
22 Los Angeles County?

23 MR. BURSON: Yes.

24 MR. DEIXLER: Thirty years of service as a -- in the
25 Sheriff's Department, can you think of another occasion in

1 which you were told not to investigate the motive for a crime?

2 MR. BURSON: Never.

3 MR. DEIXLER: Did you become aware that Alex Villanueva
4 regarded East LA as his home station?

5 MR. BURSON: That's very obvious, yes.

6 MR. DEIXLER: Do you remember when Alex Villanueva got
7 sworn in as the sheriff?

8 MR. BURSON: December 3rd, 2018.

9 MR. DEIXLER: And when he was sworn in as the sheriff, did
10 you observe whether he had singled out any group for special
11 attention?

12 MR. BURSON: Yes.

13 MR. DEIXLER: And -- and would you share with the
14 commission what you observed on December the 3rd of 2018 when
15 Sheriff Villanueva was sworn in?

16 MR. BURSON: Yes.

17 A number of us executives, captain and above,
18 attended the inauguration of Mr. Villanueva being sworn at
19 East LA College. And we noticed that there was a section
20 towards the front that was roped off, a large section, and
21 prior to the inauguration commencing, we noticed East LA
22 Station deputies marching in and sitting in those specific
23 seats.

24 MR. DEIXLER: So as of December 3rd, 2018, when these
25 East LA deputies marched in, the investigation into the conduct

1 of certain of those deputies at Kennedy Hall had been paused;
2 is that true?

3 MR. BURSON: Yes.

4 MR. DEIXLER: Knowing that there had been this
5 investigation, that it had been paused, and seeing what looks
6 like special attention, what was your reaction to that -- to
7 that moment when the East LA deputies marched into the
8 inauguration of the new sheriff?

9 MR. BURSON: I thought it was extremely odd,
10 inappropriate.

11 MR. DEIXLER: And why is that?

12 MR. BURSON: Well, you don't single out -- you're sheriff
13 of the entire county. You don't single out one station as your
14 favorite.

15 MR. DEIXLER: After the sheriff was sworn in, did you
16 attend a staff meeting with the new sheriff and other ranking
17 officers?

18 MR. BURSON: On that day or...

19 MR. DEIXLER: After that. Some -- sometime after the 3rd.

20 MR. BURSON: On December 6th.

21 MR. DEIXLER: And would you -- December 6th or
22 December 5th; recall?

23 MR. BURSON: Oh, I'm sorry. December 5th.

24 MR. DEIXLER: Okay.

25 MR. BURSON: Yes.

1 MR. DEIXLER: And -- and on December 5th, could you
2 describe the -- the meeting that you attended?

3 MR. BURSON: This was a meeting at Star Center where we
4 were -- "we" being lieutenant and above, all the ranks of
5 lieutenant and above -- attended a meeting with the new
6 sheriff, and he spoke to us about leadership. And then we all
7 had to remove our insignias from our collars which identified
8 our ranks.

9 MR. DEIXLER: And after you had removed your insignias,
10 what was the next thing that you had to do at this meeting?

11 MR. BURSON: We were all subsequently broken up into
12 groups and had to write resumès according to our careers.

13 MR. DEIXLER: How did the -- that meeting strike you?

14 MR. BURSON: Very odd.

15 MR. DEIXLER: After the meeting in which you were asked to
16 remove your insignias and the insignias of other ranking
17 officers, did you speak with Captain Del Mese again?

18 MR. BURSON: I did the following day.

19 MR. DEIXLER: And on December the 6th, was that?

20 MR. BURSON: Yes.

21 MR. DEIXLER: And by the time you had spoken to
22 Captain Del Mese, had he been promoted?

23 MR. BURSON: He was now the -- Sheriff Villanueva's
24 chief of staff.

25 MR. DEIXLER: And was he still captain, or he -- did he

1 receive a promotion as well?

2 MR. BURSON: He promoted to chief of staff, yes.

3 MR. DEIXLER: I see. So he -- he -- he went from a
4 captain to a chief of staff --

5 MR. BURSON: Yes.

6 MR. DEIXLER: -- from December 3rd to December the 5th, I
7 guess?

8 MR. BURSON: Yes.

9 MR. DEIXLER: Okay.

10 And would you tell me what happened on December 6th
11 in your conversation with Captain Del Mese? I'm sorry.
12 Chief of Staff Del Mese.

13 MR. BURSON: I was at a Christmas party with Internal
14 Criminal Investigation Bureau, and I received a call from
15 Chief of Staff Del Mese to report to the Sheriff's Office.

16 MR. DEIXLER: And did you do so?

17 MR. BURSON: Yes.

18 MR. DEIXLER: And when did you do so?

19 MR. BURSON: In the afternoon of December 6th.

20 MR. DEIXLER: And would you describe the meeting?

21 MR. BURSON: Well, I went to the Sheriff's Office, sat
22 down in his office. It was the Sheriff, Chief of Staff
23 Del Mese, and then-Undersheriff Ray Leyva was in the office.

24 MR. DEIXLER: And when you entered the meeting on
25 December the 6th, what was your rank?

1 MR. BURSON: Captain.

2 MR. DEIXLER: And when you left the meeting on
3 December 6th, what was your rank?

4 MR. BURSON: Division chief.

5 MR. DEIXLER: And, again, you skipped over being a
6 commander and went straight to being a chief?

7 MR. BURSON: Yes.

8 MR. DEIXLER: And that was kind of an unusual rocket ship
9 of a promotion, wasn't it?

10 MR. BURSON: Yes.

11 MR. DEIXLER: After your promotion on December 6th, did
12 you again speak with commander -- I'm -- I'm sorry -- Chief of
13 Staff Del Mese?

14 MR. BURSON: Yes.

15 MR. DEIXLER: And how soon after you were promoted did
16 Chief of Staff Del Mese call you?

17 MR. BURSON: Well, I called him on the following day on
18 December 7th.

19 MR. DEIXLER: And on December the 7th, the day after you
20 were promoted, what was the substance of the conversation
21 between you and Del Mese?

22 MR. BURSON: The point of my calling Chief Del Mese was to
23 ask the Sheriff about the investigation that we were told to
24 halt.

25 MR. DEIXLER: And what was -- what was said by each of you

1 as -- in general, as you best recall, in that conversation?

2 MR. BURSON: Well, again, every time Larry talked, it was
3 on behalf of the Sheriff, and, basically, that's how every
4 conversation started. So, in this instance, it was on behalf
5 of the Sheriff: "Go ahead and don't look into the Bandito
6 aspect of the case or the subgroup aspect of the case. Just
7 focus on the alcohol and the fight."

8 MR. DEIXLER: Did -- did the fact that you had received
9 this instruction lead you to the belief that you were being
10 instructed by the Chief Law -- Law Enforcement Officer of Los
11 Angeles County, that is, the new sheriff, about how to conduct
12 an investigation?

13 MR. BURSON: Yes.

14 MR. DEIXLER: Let me ask you again to look at Exhibit 4
15 which -- and the entry for December the 7th at 9:00 a.m.

16 Could you read into the record that entry, please.

17 MR. BURSON: "Received the go-ahead to start interviewing
18 witnesses for this case. Also, the chief, Burson, informed me
19 that I did not need to ask about subgroups at East LA."

20 MR. DEIXLER: And does that accurately reflect the
21 instruction that you gave to Investigator Chow on December 7th
22 of 2018?

23 MR. BURSON: Yes.

24 MR. DEIXLER: And let me ask you again because it's a
25 paramilitary structured organization.

1 Did you believe you had the power to disobey the
2 order you understood was coming from the Sheriff?

3 MR. BURSON: No, I did not.

4 MR. DEIXLER: The words "subgroups" or "subculture groups"
5 in the entry of December the 7th, did you understand that to
6 include deputy cliques such as the Banditos?

7 MR. BURSON: Yes.

8 MR. DEIXLER: And you gave that instruction to Deputy Chow
9 only because Del Mese told you he was speaking on behalf of the
10 Sheriff; is that true?

11 MR. BURSON: That's correct.

12 MR. DEIXLER: Did that strike you as an odd instruction to
13 be given by a new sheriff?

14 MR. BURSON: Well, again, it -- it -- it was very odd, but
15 I didn't know, at the time, who he had spoken with. I didn't
16 know if the Sheriff had talked to OIG or County Counsel and
17 collectively made that decision. Nonetheless, I -- I still
18 thought it was odd.

19 MR. DEIXLER: Did it ever come to your attention that
20 Max Huntsman and the OIG had told the Sheriff, in effect, no
21 need to look into subculture groups or the Banditos in East LA?

22 MR. BURSON: No.

23 MR. DEIXLER: Did it ever come to your attention that the
24 County Counsel had suggested to the new sheriff that there was
25 no need to look into subculture groups or the Banditos in

1 connection with East LA?

2 MR. BURSON: No.

3 MR. DEIXLER: While anything was possible at the time, you
4 were ordered, and you followed your order.

5 Is that a fair summary of your position, sir?

6 MR. BURSON: Yes, sir.

7 MR. DEIXLER: Now, at the time that this December 7th
8 instruction from Chief of Staff Del Mese was given to you on
9 behalf of the Sheriff, were you aware that a large number of
10 deputies had already refused to be interviewed in connection
11 with Investigator Chow's investigation?

12 MR. BURSON: No.

13 MR. DEIXLER: When did you learn that fact, if you did?

14 MR. BURSON: I learned that later on.

15 MR. DEIXLER: And what effect would knowing that deputies
16 were refusing to be interviewed have upon you as an
17 investigator to determine the motive of -- of a crime?

18 MR. BURSON: Well, I know policy. They're required to
19 cooperate with any criminal investigation. And I just found it
20 striking that they just arbitrarily refused when they should've
21 been disciplined.

22 MR. DEIXLER: Did it ever come to your attention that
23 Sheriff Villanueva or Chief of Staff Del Mese or anybody else
24 ordered the non-compliant deputies to actually be interviewed?

25 MR. BURSON: No.

1 MR. BURSON: As far as you know, after this part of the
2 investigation was shut down and the deputies refused to -- to
3 testify or to be interviewed, they were never instructed that
4 they had to as a matter of sheriff departmental policy; is that
5 fair?

6 MR. BURSON: Yes.

7 MR. DEIXLER: Can you think of any reason, as a
8 professional investigator with 30 years' experience, why on
9 December 7th, 2018, knowing what was known, other than the
10 possibility that somebody had told the Sheriff it was
11 unnecessary as just a fact-finding matter, is there any reason
12 that one would not want to investigate the subculture
13 involvement in a beatdown deputy-on-deputy fight?

14 MR. BURSON: No.

15 MR. DEIXLER: At the time you were following orders, did
16 it occur to you that you were somehow being used as part of a
17 coverup?

18 MR. BURSON: No.

19 MR. DEIXLER: Looking back at it now, can you see why an
20 objective observer might conclude that you were part of a
21 coverup?

22 MR. BURSON: Oh, absolutely.

23 MR. DEIXLER: You were promoted two grades on
24 December 6th, and by December 7th, you had been instructed to
25 shut down any further investigation of subgroups by the man who

1 had given you the promotion.

2 Do I understand that chronology correctly?

3 MR. BURSON: Yes.

4 MR. DEIXLER: And was there a quid pro quo of some sort?

5 MR. BURSON: Absolutely not.

6 MR. DEIXLER: Can you see why an objective observer could
7 think it looks like there was a quid pro quo?

8 MR. BURSON: Yes.

9 MR. DEIXLER: Was it unusual for you to follow a direct
10 order from a superior?

11 MR. BURSON: No.

12 MR. DEIXLER: You had a 30-year history of doing so; is
13 that correct?

14 MR. BURSON: Yes.

15 MR. DEIXLER: As you reflect back upon that time and that
16 role of your career, do you now feel that you were used as kind
17 of an unknowing dupe to shut down an investigation?

18 MR. BURSON: I believe I was.

19 MR. DEIXLER: That if the investigation had been pursued
20 properly that it might have come to a different conclusion?

21 MR. BURSON: Possibly, yes.

22 MR. DEIXLER: Are you aware that Deputy Chow has testified
23 that he was surprised that criminal charges weren't filed in
24 the matter?

25 MR. BURSON: Yes.

1 MR. DEIXLER: That he believed criminal charges were
2 warranted?

3 MR. BURSON: Yes.

4 MR. DEIXLER: Do you know that three of the four
5 perpetrators were terminated but they're seeking reinstatement
6 through the Civil Service Commission?

7 MR. BURSON: Yes.

8 MR. DEIXLER: Based upon your 30 years' experience, do you
9 have the impression that those are the type deputies that you'd
10 want to be in charge of were you back at the LA Sheriff's
11 Department?

12 MR. BURSON: No. Definitely not.

13 MR. DEIXLER: We had anonymous -- an anonymous witness
14 testify who brought out the fact that currently in East LA
15 Station there were approximately a dozen Banditos still there.

16 As of the time that you retired, did you have the
17 impression that the Banditos of East LA had been driven out and
18 were no longer a factor in the East LA Station?

19 MR. BURSON: I -- I had no idea.

20 MR. DEIXLER: If it had been up to you, would you have
21 ordered Investigator Chow to pursue the subgroup involvement?

22 MR. BURSON: Yes.

23 MR. DEIXLER: Let me change the subject and turn your
24 attention to a statement you publicly made on August the 13th,
25 2020. And there's a clip that will, I think, focus us on this.

1 [Beginning of clip] "My name is Matthew Burson.
2 That's M-a-t-t-h-e-w, B-u-r-s-o-n, and I'm the chief of the
3 department's Professional Standards Division. And my areas of
4 responsibility include Internal Affairs Bureau, known as IAB,
5 and the Internal Criminal Investigations Bureau.

6 "I am here to strongly denounce alleged deputy
7 subgroups and cliques, commonly referred to deputy gangs. I
8 have more than 30 years of experience on this department, and I
9 had -- and I take the utmost pride in this -- in this
10 profession. I am absolutely sickened by the mere allegation of
11 any deputy hiding behind a badge to hurt anyone.

12 "As you have heard for decades, the LASD has been
13 under intense scrutiny as a result of these groups surfacing in
14 various sheriff stations around the county. Names such as
15 Vikings, Reapers, Regulators, Little Devils, Cowboys, 2000 and
16 3000 Boys, Jump Out Boys, and most recently, Banditos and
17 Executioners have not only caused great embarrassment and
18 concern to the department but to the community as well.

19 "Currently, IAB is conducting a comprehensive
20 investigation into the existence of the so-called Executioners
21 at Compton Station. However, our intent is to examine the
22 department in its entirety. I want to assure you that this
23 administration is taking an aggressive stance in combating this
24 issue and will utilize any resource necessary to identify those
25 individuals involved in adverse behavior, whether

1 administrative or criminal.

2 "We have also reached out to the FBI for assistance
3 knowing that with their dedication and expertise we will
4 accomplish much more than the previous administration combined
5 as our goal is transparency. The department is also
6 implementing a new policy prohibiting the participation of any
7 subversive groups, which is the first of its kind. On
8 behalf..." [End of clip.]

9 So -- thank you.

10 Did the comprehensive investigation of the entire
11 department that you announced on August 13th, 2020, occur?

12 MR. BURSON: No.

13 MR. DEIXLER: After you announced to the public that this
14 comprehensive investigation would occur, what prevented it from
15 occurring?

16 MR. BURSON: Well, we were in the process of waiting for
17 the RAND study to conclude as well.

18 MR. DEIXLER: So let -- let me make sure I understand.

19 After you made this announcement, did somebody tell
20 you to hold off on commencing the investigation until the RAND
21 study was completed, or did you decide that on your own?

22 MR. BURSON: No. We had a meeting in the Sheriff's Office
23 with various executives and made that determination that we'll
24 wait until the RAND study completes so we can glean information
25 from that study.

1 MR. DEIXLER: And was the Sheriff present at that meeting?

2 MR. BURSON: I believe so, yes.

3 MR. DEIXLER: And was the undersheriff present at that
4 meeting?

5 MR. BURSON: Yes.

6 MR. DEIXLER: Did it ever come to your attention that
7 anybody at the Sheriff's Office informed the public that the
8 announced, comprehensive, department-wide investigation, in
9 fact, did not occur?

10 MR. BURSON: I believe no.

11 MR. DEIXLER: From August 2020, how long did it take
12 before the RAND study was released?

13 MR. BURSON: The RAND study was released, I believe, in
14 September of 2021.

15 MR. DEIXLER: And you were the person who was going to be
16 heading the comprehensive investigation, but you had to take a
17 disability step down for a period for injuries; is that true?

18 MR. BURSON: Yes.

19 MR. DEIXLER: And when did you step down for reason of
20 health?

21 MR. BURSON: February of 2021.

22 MR. DEIXLER: So from February of 2021 through September
23 of 2021, if not you, who would've been in charge of leading the
24 comprehensive investigation of the entire department?

25 MR. BURSON: I would've assumed it would've been the

1 person replacing me.

2 MR. DEIXLER: And who is that?

3 MR. BURSON: Her name was Kelly Porowski.

4 MR. DEIXLER: And did it ever come to your attention that
5 Kelly Porowski had conducted a comprehensive investigation of
6 the entire department during the hiatus -- your hi- -- your
7 injury hiatus?

8 MR. BURSON: No.

9 MR. DEIXLER: Would it be fair to say that more than a
10 year passed from the time you made the announcement until the
11 RAND report, and the public was never informed that the
12 comprehensive investigation, which you had announced, did not
13 take place?

14 MR. BURSON: Yes. Correct.

15 MR. DEIXLER: Other than meeting -- did you meet with RAND
16 in connection with their investigation or study?

17 MR. BURSON: Initially, at the beginning of the -- of
18 their study.

19 MR. DEIXLER: And after you met with them at the beginning
20 of the study did -- did they call upon you again for further
21 information?

22 MR. BURSON: I might have talked to them once or twice
23 after that.

24 MR. DEIXLER: Other than the meeting with RAND once or
25 twice, did you have any other involvement in a comprehensive

1 investigation?

2 MR. BURSON: No. No, sir.

3 MR. DEIXLER: And, again, specifically the Sheriff, did he
4 ever announce that the comprehensive investigation had not been
5 done?

6 MR. BURSON: No.

7 MR. DEIXLER: Do you think a comprehensive investigation
8 of the entire department regarding the involvement of deputy
9 gangs would have been beneficial to the department that you'd
10 given 30 years of your life to?

11 MR. BURSON: Absolutely. Yes.

12 MR. DEIXLER: And -- and -- and why is that?

13 MR. BURSON: Well, I mean, obviously there's something
14 going on there, and this isn't new, obviously. This is
15 something that's been occurring for more than 50 years. But
16 every remedy that we've tried at this point has failed,
17 obviously, if we're still talking about this or having this
18 problem and maligning community trust. Something needs to
19 change.

20 MR. DEIXLER: Let me -- yesterday when we spoke, I asked
21 you kind of a personal question, and I think the commission
22 would benefit from hearing your answer.

23 I asked you why did you want to become a member of
24 the Sheriff's Department more than 30 years ago.

25 Would you share that sensation of making that

1 decision with this commission?

2 MR. BURSON: Okay.

3 I grew up in South Central Los Angeles during a time
4 when drugs, violence, and gang activity were part of my
5 environment. At the age of 12, I was a victim of a drive-by
6 shooting because I was walking home at night. Fortunately, I
7 wasn't hit.

8 LAPD, 77th Division encounters and abuses were normal
9 because everyone was seen as a gang member or a violent threat.
10 I didn't know at the time to be more afraid of the police or
11 the gang members in the community. It was definitely a time of
12 confusion where you couldn't tell the good guy from the bad.

13 But that question was clearly answered for me on
14 January 3rd, 1979, with the tragic murder of Eula Mae Love at
15 the hands of two LAPD officers just blocks away. Ms. Love,
16 whose grandchildren would ultimately become my nieces and
17 nephew, was an apparent knife-wielding threat to these officers
18 who shot her approximately 12 times at close range, killing her
19 instantly. And, of course, no charges were brought against
20 them. Now it was clear to me who the bad guys were, and my
21 disdain for law enforcement only grew.

22 Through my latter years as a teen, the stories of
23 abuse were becoming more obvious and frequent, causing the gap
24 between law enforcement and their respective communities to
25 further expand. Therefore, I made a decision to be part of the

1 solution, not the problem, in hopes of defending those who were
2 considered marginalized. I wanted to ensure that everyone,
3 regardless of race, color, creed, or socioeconomic status were
4 given the equal protection of the law they so rightfully
5 deserved.

6 In 1987, I joined the California Department of
7 Corrections as a correctional officer before transitioning to
8 Los Angeles County Sheriff's Department in 1989. I felt the
9 LASD would help me accomplish my goal of serving the people of
10 Los Angeles County, particularly communities of color.

11 During my career, I prided myself on maintaining the
12 highest level of integrity, transparency, and character
13 treating those I encountered with dignity and respect, in
14 essence, how I wanted to be treated.

15 In my 35-year law enforcement career, I have never
16 had any significant discipline or questionable encounters where
17 my integrity was in question. I have also considered my
18 actions and decision to be above reproach. I never waived in
19 doing what was right. In fact, mentoring young, black men
20 during my tenure as the vice president-elect of the Black Peace
21 Officers Association of Los Angeles County was always one of my
22 proudest moments.

23 I've had many mentors through my professional
24 journey, but none more special than my brother-in-law, then
25 Harvard Law professor Charles Ogletree. He helped me instill

1 my values as a man of integrity and protector of the
2 defenseless and marginalized.

3 Also, my cousin, retired Colonel Eddie Stephen Ray of
4 the United States Marine Corps and recipient of the NAVY cross,
5 taught me about honor, service, dignity, duty, and being fully
6 committed to serving others, but more importantly is my faith
7 and love for God who is a foundation in my life and direction.

8 Excuse me.

9 In closing, I'd like to thank this commission for
10 giving me the opportunity to address you and the subject at
11 hand. My goal here today is to remove any doubt of my actions
12 and reaffirm the character of my good name that I worked so
13 hard to establish.

14 I would further like to commend the hardworking
15 men and women of the Los Angeles County Sheriff's Department,
16 Los Angeles Police Department, and law enforcement community
17 as a whole. Over the years, my myopic view of law enforcement
18 as a teenager significantly changed from disdain to compassion
19 and understanding. This is a very difficult profession filled
20 with adversity. The sacrifices and commitment of the law
21 enforcement community should never go unnoticed. Therefore,
22 let not the actions of a few be a reflection of the many who
23 serve their respective communities with honesty, integrity,
24 dignity, and professionalism.

25 Thank you.

1 MR. DEIXLER: My last question, sir: Was the department
2 you left in March of 2020 the department you hoped that you
3 would've joined 35 years before?

4 MR. BURSON: I, unfortunately, have to say no because I
5 feel that we've lost the community, the people we're supposed
6 to serve and protect, and it's going to take a lot of
7 leadership and a lot of growing to regain that trust.

8 MR. DEIXLER: I have no further questions. I pass the
9 witness.

10 CHAIR KENNEDY: Thank you.

11 COMMISSIONER RUBIN: Do you want to give him a couple
12 moments?

13 CHAIR KENNEDY: Do you need a couple minutes before we
14 have other questions?

15 MR. BURSON: I'm fine.

16 COMMISSIONER RUBIN: Okay.

17 COMMISSIONER BONNER: Could I ask a few?

18 COMMISSIONER RUBIN: Yeah. And I have some as well. But
19 go ahead.

20 COMMISSIONER BONNER: Thank you for being here today,
21 Mr. Burson. I don't think we've seen each other for a couple
22 of years.

23 I think on the screen there, there was a -- it looked
24 like a press conference of August 13th, 2020, which you
25 announced that there would be a comprehensive investigation of

1 deputy cliques and subgroups within the Sheriff's Department,
2 including the Executioners and others.

3 Wasn't -- I'm taking you back in time, but my
4 recollection is the RAND study had already started at that
5 point in time. Am -- am I -- am I right?

6 By the way, my memory may not be correct on this, but
7 I actually remember the RAND study actually starting before
8 that press conference in which you announced that there would
9 be a comprehensive investigation.

10 What's your recollection of that?

11 MR. BURSON: Well, the RAND study was in progress --

12 COMMISSIONER BONNER: Yeah.

13 MR. BURSON: -- when -- when we used to talk about it in
14 our -- remember our ad hoc meetings --

15 COMMISSIONER BONNER: Yes.

16 MR. BURSON: -- that we had.

17 COMMISSIONER BONNER: Yeah.

18 MR. BURSON: I thought I had mentioned that in one of our
19 ad hoc meetings that we were waiting for the RAND study --

20 COMMISSIONER BONNER: Yeah. Yeah.

21 MR. BURSON: -- to complete.

22 COMMISSIONER BONNER: Well, that I don't remember.

23 Here's what I remember, and I want to ask you about
24 from the ad hoc -- this -- this is the Oversight Commission's
25 Ad Hoc Committee on deputy cliques that Commissioner Rubin

1 chairs. I'm on it; Commissioner Harris was on it. I recall a
2 meeting very vividly, Mr. Burson, in which you stated flat out
3 to us at that Ad Hoc Committee that there would be a
4 comprehensive investigation of not just the Executioners but
5 deputy cliques, subgroups, gangs, by whatever nomenclature
6 within the LA Sheriff's Department, that that was going to
7 happen. In fact, you assured us -- you assured us that was
8 going to happen. I remember that meeting vividly, and I took
9 that away.

10 I do not recall your coming -- and I make -- by the
11 way, I don't recall everything, but I don't remember your
12 communicating back to us that oh, well, wait a minute, I told
13 you that but now, well, we've decided to stop, halt the
14 investigation because we're going to wait till the RAND study
15 is completed.

16 I don't remember ever getting that feedback from you,
17 Chief Burson, and that's disappointing to me.

18 So tell me -- tell me when it was that you
19 communicated that to the Ad Hoc Committee on deputy cliques.

20 MR. BURSON: Well, I was -- and I'm not -- again, I'm not
21 saying I'm 100 percent sure on that as well, but I believe that
22 I communicated that to the ad hoc meeting on one of our two
23 meetings because we only had two meetings.

24 COMMISSIONER BONNER: And perhaps I was not at that second
25 meeting; so let me move past that for a moment.

1 But irrespective of that, basically you announced not
2 only -- you not only told us, the Ad Hoc Committee on deputy
3 cliques, that this comprehensive investigation was going to
4 move forward, you -- you told the public that.

5 And -- and then you go to a meeting at which the
6 sheriff is at, the undersheriff, and some others, and they say,
7 oh, wait a minute; let's just -- let's just stop investigation
8 until the RAND study is completed.

9 It looks to me, sir, like the rug was just pulled out
10 from under you. Did you not feel that way?

11 MR. BURSON: No, I didn't, only because, again, we've
12 looked at this issue for so many years, and I thought we were
13 going to glean whatever information we got from that study into
14 the investigation.

15 COMMISSIONER BONNER: All right.

16 So, in any event, I -- I just want to say that, you
17 know, you -- you've rendered some, you know, some valuable and
18 extraordinary public service in your years as -- in the
19 Sheriff's Department. But the reality is that the whole -- as
20 far as I'm concerned, the whole notion that there was going to
21 be a comprehensive investigation and that it was going to move
22 forward, you know, appears to be the joke was on us.

23 And that's a statement; it's not a question, sir, but
24 thank you for being here.

25 COMMISSIONER RUBIN: Thank you.

1 CHAIR KENNEDY: Lael?

2 COMMISSIONER RUBIN: Yes.

3 Thank you, Chief Burson.

4 I certainly do remember our previous conversations,
5 and you were one of the few members of the Sheriff's Department
6 who agreed to speak with the Ad Hoc Committee, and we
7 appreciated your candor then. We believed your candor; we
8 believed you and your willingness to work with us and
9 understand what -- what the commission was looking at, that we
10 weren't looking to -- for a scapegoat. We were looking for
11 answers to help the department and help the community, and we
12 were grateful that you had agreed to talk with us.

13 I distinctly remember you were saying then that you
14 would inform the Ad Hoc Committee and the commission of your
15 ultimate findings because you believed your responsibilities in
16 your role were -- were significant and important. And I still,
17 today, believe that you recognized that, and, in fact, even
18 though you were -- you were here under subpoena, you recognized
19 the important work that this commission is doing.

20 Going back to the August 13th press conference that
21 Mr. Deixler played the -- the video clip, did somebody write
22 those words? Did the press office write -- of -- of the
23 Sheriff's Department write your comments, or were they comments
24 that you wrote yourself?

25 MR. BURSON: I wrote myself.

1 COMMISSIONER RUBIN: And at the time that you -- that you
2 wrote them and before you presented them, did the undersheriff
3 or the sheriff or anybody on his staff want to know in advance
4 what you were going to say?

5 MR. BURSON: Yeah. I -- I honestly don't recall that.

6 COMMISSIONER RUBIN: But it was -- it was your belief then
7 that you were going to conduct an investigation even though it
8 was -- should have been done earlier, but that's another issue,
9 and that you would make -- you and the department would make
10 your findings public?

11 MR. BURSON: Yes. Definitely.

12 COMMISSIONER RUBIN: And did you ever have an opportunity
13 to talk with the Sheriff about your work, about when you could
14 proceed with your investigation?

15 Going back and sort of piggybacking on the
16 communication you had from Mr. Del Mese before the Sheriff was
17 installed as the sheriff, you were told to pause the
18 investigation until you talked to the Sheriff.

19 So did you ever have an opportunity to talk directly
20 to the Sheriff, or was it always through Mr. Del Mese?

21 MR. BURSON: Primarily it was -- I talked to the Sheriff
22 on other occasions, but primarily it was through Chief of Staff
23 Del Mese.

24 COMMISSIONER RUBIN: And at the first meeting that you had
25 with -- when you were assigned the role of -- of looking into

1 the Kennedy Hall and the East LA, you said that there were
2 several people who were present at the meeting, including the
3 Constitutional Policing Advisor Diana Teran --

4 MR. BURSON: Yes.

5 COMMISSIONER RUBIN: -- correct?

6 Did she give you any advice or suggestions about how
7 to conduct the investigation?

8 MR. BURSON: Honestly, I don't recall.

9 I -- I recalled Chief Gooden 'cause he was the --
10 he's the primary person that's going to initiate the
11 investigation.

12 COMMISSIONER RUBIN: And at the time when you were heading
13 ICIB, you believed you had the obligation and the
14 responsibility to go where the evidence would lead you;
15 correct?

16 MR. BURSON: Absolutely. Yes.

17 COMMISSIONER RUBIN: Once again, thank you for your candor
18 today, thank you for your long history, and we appreciate you
19 being here.

20 MR. BURSON: Thank you.

21 CHAIR KENNEDY: Mr. Burson, you told us that as a longtime
22 member of the department you observed every remedy that we try
23 has failed.

24 Can you explain to us what remedies you're talking
25 about that the -- that the Sheriff's Department has tried to

1 eradicate deputy cliques or deputy gangs?

2 MR. BURSON: Well, I'm talking about the Kolt's
3 Commission, that report, and their findings. That was in '90s,
4 I believe.

5 And then you go to the 3000, 2000 Boys in -- in
6 custody, and, you know, obviously I wasn't directly a part of
7 those incidences. But anytime you would hear about some of
8 those types of instances occurring, you would assume the
9 administration is handling it appropriately.

10 CHAIR KENNEDY: Okay.

11 Now, isn't it true that the Sheriff Department's
12 response to the Kolt's Commission request to do something about
13 deputy gangs at that time was to say there are no deputy gangs
14 in the department?

15 MR. BURSON: Well, I haven't read the full report.

16 CHAIR KENNEDY: That was Sheriff Block's response, wasn't
17 it? "There -- there are none. There are no gangs in the
18 Department."

19 MR. BURSON: No. I don't -- I don't recall that.

20 CHAIR KENNEDY: Okay.

21 MR. BURSON: I -- I haven't read the full report. I just
22 recall parts of the report.

23 CHAIR KENNEDY: Well, I think the record will show that
24 that was exactly the -- the reaction.

25 And then I guess what I -- I would like to know is

1 when you were told not to investigate the deputy gang
2 affiliation of a group of deputies beating up another group of
3 deputies, did you think that was an order that should be
4 followed?

5 MR. BURSON: Well, again, I didn't know the true basis of
6 where and why the order was given because it was always rumored
7 that it was just a drunken brawl. And that's what we were told
8 at the inception of the investigation coming from the station
9 acting captain, that it was just a drunken brawl and that was
10 the only thing that was being propagated, that it was a drunken
11 brawl.

12 CHAIR KENNEDY: As a longtime -- well, formerly as a
13 longtime member of the department, could you give us any
14 insights into why young deputies out of the academy would want
15 to join a deputy gang? I mean, do you know, like, why -- why
16 is that appealing to some of the deputies?

17 MR. BURSON: I have no idea because I never have.

18 My only objective was to serve the community as we
19 were all sworn to do.

20 CHAIR KENNEDY: When people above you are telling you not
21 to ask about clique or gang affiliation and telling you not to
22 pursue an investigation that you have promised the public you
23 would pursue, did you ever question why the management at LASD,
24 at the highest level, would want to protect the deputy cliques
25 or deputy gangs from being exposed to the public?

1 MR. BURSON: I guess you would have to ask him that.

2 CHAIR KENNEDY: I'm asking you. Like, did you ever wonder
3 why would we want to hide these things?

4 MR. BURSON: Well, I mean, are you talking about December,
5 or are you talking about --

6 CHAIR KENNEDY: Both.

7 MR. BURSON: Okay.

8 Well, again, in December of 2018, due to the fact
9 that we're a paramilitary organization, it wasn't my thought to
10 question the Sheriff about his decision not knowing if he had
11 other information, again, from OIG, from County Counsel, from
12 other -- some other source. So in that respect I didn't
13 question it; I just followed orders.

14 In October -- excuse me -- August of 2020, at my
15 press conference, I think we were relying more on the RAND
16 study. It was my impression we were just going to rely more on
17 the RAND study, try to glean information from the RAND study,
18 and then move forward from there even to try to have a starting
19 point.

20 CHAIR KENNEDY: Is that normal, that you're going to not
21 investigate possible crimes because a think tank is conducting
22 a study of a global issue?

23 MR. BURSON: Well, we weren't -- we were still looking at
24 the Compton Executioners 'cause that was a new thing, and I had
25 also been in contact with the FBI on numerous occasions. So,

1 internally, we were still looking into it.

2 CHAIR KENNEDY: And did you complete any kind of
3 investigation regarding the Executioners at the Compton
4 Station?

5 MR. BURSON: Did I complete it?

6 CHAIR KENNEDY: Yes.

7 MR. BURSON: No. I don't know if that investigation was
8 completed. I'd probably -- like I said, I was gone several
9 months later.

10 CHAIR KENNEDY: Any other questions, Commissioners?

11 Patti.

12 COMMISSIONER GIGGANS: Thank you very much, Chief Burson,
13 for being here. I have a couple of questions.

14 Did other deputies or captains or other leaders ever
15 come to you, even informally, and express concerns about these
16 activities of cliques, either informally or formally coming,
17 you know, around the water cooler, having coffee? Were -- did
18 anybody else express concerns? People that you worked with
19 almost on a daily basis.

20 MR. BURSON: Well, informally, some of us would talk about
21 our disdain for it and how it made the department look, what a
22 negative light it cast over the department as well as the
23 community.

24 We should be all -- we should be about community
25 trust and -- and building our relationships and somehow that

1 got sidetracked.

2 COMMISSIONER GIGGANS: So would it be fair to say that
3 there are those in the department who actually accept the
4 existence of these cliques and subgroups along with their
5 concern? It seems that that's what -- that's what they're
6 expressing.

7 MR. BURSON: No. I don't know of anyone that would
8 accept --

9 COMMISSIONER GIGGAN: No. I don't mean accept that it's
10 okay. I mean, accept the fact that they exist. Acknowledging
11 the fact that they exist.

12 MR. BURSON: I can't say personally I've talked to anyone
13 about that specifically.

14 COMMISSIONER GIGGAN: But they -- you did hear them in
15 conversation with you informally express concerns about it?

16 MR. BURSON: Absolutely.

17 COMMISSIONER GIGGAN: Okay. Good.

18 So my other question is: With this shot-caller
19 concept, are you aware of any concerns that those in the
20 department who are concerned about cliques and gangs have?
21 Any of them discussed that possibly the shot callers are also
22 engaged in directing retaliation at families -- at the families
23 of those who have lost their lives -- their family members have
24 lost their lives in context with deputy shootings?

25 MR. BURSON: No. I never heard that.

1 COMMISSIONER GIGGAN: Okay.

2 Thank you so much.

3 CHAIR KENNEDY: Irma.

4 COMMISSIONER COOPER: Hello. First, I want to thank you.

5 I know it was difficult to come here and testify and answer
6 some tough questions.

7 My question for you: When you were asked about
8 whether or not you were being used, your response was "Yes."
9 But can you expand on why you think the public would have
10 thought that about you?

11 MR. BURSON: Well, to say that I felt I was used in -- in
12 the context you're saying is when I was given that order, I
13 believed that order to not look into the subgroup aspect of
14 that incident, to me, I thought that at the time it was just
15 like it was rumored, a drunken brawl. Just would've -- drunk
16 deputies at a -- at an event and also that the Sheriff was in
17 conference with the OIG and County Counsel in not pursuing
18 that, for whatever reason.

19 I thought it was unusual at the time, but I didn't
20 know above my head what -- why that decision was made. So, in
21 hindsight now, knowing that, you know, some definite --
22 deputies were significantly injured and knowing more of the
23 history of that station, which should probably be demolished,
24 obviously, it did cause me some concern.

25 COMMISSIONER COOPER: So it never crossed your mind that

1 your promotion was your reward for stopping this investigation?

2 MR. BURSON: No. Because I was promoted before I got that
3 order. I was promoted on December 6th; I got that order on
4 December 7th.

5 COMMISSIONER RUBIN: (Inaudible.)

6 COMMISSIONER COOPER: Okay.

7 You said you was just following orders, and I can
8 relate to that because I also spent 30 years in the military,
9 and I was a commander three times. So I understand following
10 orders. But I also understand when you feel that order is
11 illegal or you have concerns about an order you ask your
12 superiors about the order. And you said it never crossed your
13 mind to ask the Sheriff about that order.

14 Can you sort of explain a little bit more? You
15 thought it was odd, but you didn't feel it was in your privy to
16 try to get a clarification on that order.

17 MR. BURSON: I felt the Sheriff had more information than
18 I did. Again, it was always propagated as being a drunken
19 brawl only. Just a mutual combat between a bunch of drunk
20 deputies.

21 And I didn't know, again, if there was further
22 information that I wasn't privy to and that was just the
23 decision to not, you know, go overboard, we'll say.

24 COMMISSIONER COOPER: But you were the director. Are you
25 saying your subordinates did not give you complete information

1 about what was going on with the investigation?

2 MR. BURSON: No. What are -- I'm sorry.

3 COMMISSIONER COOPER: You were in charge.

4 MR. BURSON: Yes.

5 COMMISSIONER COOPER: Right?

6 MR. BURSON: Uh-huh.

7 COMMISSIONER COOPER: So you get reports from your
8 subordinates who's doing the legwork. So was that the final --

9 MR. BURSON: Well...

10 COMMISSIONER COOPER: -- report, that it was just a brawl?

11 MR. BURSON: The final report?

12 COMMISSIONER COOPER: Uh-huh.

13 MR. BURSON: The final report, it wasn't filed, obviously,
14 by the DA's Office.

15 And mind you, now, my position as chief, I have
16 commanders and captains running that division so I'm not in
17 day-to-day communication with that investigator with that
18 particular case. So at that point, once I promoted, now I'm
19 responsible for the entire division. So I'm on to other
20 responsibilities trusting that my commanders and captains are
21 handling the investigation and if they need to tell me
22 something that they would bring it to my attention.

23 COMMISSIONER COOPER: Did you ever speak to the family
24 members of the severely injured police?

25 MR. BURSON: No.

1 COMMISSIONER COOPER: Thank you.

2 CHAIR KENNEDY: Anyone else?

3 JP.

4 COMMISSIONER HARRIS: Well, I also want to thank you for
5 being here today, Chief -- I know this has been difficult --
6 and I really appreciate your candor in coming here and
7 answering these questions. I do have a couple.

8 The 8/13/2020 news conference, is it typical for a
9 division chief to call for a news conference that isn't first
10 approved by the sheriff?

11 MR. BURSON: It would be approved by the sheriff, yes.

12 COMMISSIONER HARRIS: So the point of my question is: Who
13 initiated this press conference? Was it self-initiated on your
14 part --

15 MR. BURSON: No.

16 COMMISSIONER HARRIS: -- or were you directed by the
17 Sheriff?

18 MR. BURSON: Sheriff, yes.

19 COMMISSIONER HARRIS: Okay.

20 MR. BURSON: The Sheriff's a part of the press conference.

21 COMMISSIONER RUBIN: Right.

22 COMMISSIONER HARRIS: Okay.

23 MR. BURSON: Yes.

24 COMMISSIONER HARRIS: So you were acting on behalf of the
25 Sheriff --

1 MR. BURSON: Yes.

2 COMMISSIONER HARRIS: -- making this statement?

3 MR. BURSON: Yes.

4 COMMISSIONER HARRIS: But you're saying you did not run
5 your statement through the Sheriff or Sheriff's Information
6 Bureau to see what you were going to say?

7 MR. BURSON: No, I did not.

8 No. That's not true. That's not true.

9 I had somebody look at it. It -- I did have somebody
10 look at it, but not for -- just for editing, not for content.

11 COMMISSIONER HARRIS: Okay.

12 MR. BURSON: Yeah.

13 COMMISSIONER HARRIS: Let's go back to 2018.

14 There was a point where this was -- this was going to
15 be an ICIB investigation. And just answer for me, Chief
16 Gooden, was he the chief of Professional Standards Division at
17 that time in 2018? Chief Gooden.

18 MR. BURSON: No. He was the Central Patrol Region.

19 COMMISSIONER HARRIS: Okay. So he was Central Patrol --

20 MR. BURSON: East LA -- he's over East LA.

21 COMMISSIONER HARRIS: Okay. Thank you.

22 And Commander Curtis Jensen?

23 MR. BURSON: Over -- he was commander over East LA --

24 COMMISSIONER HARRIS: Okay. Thank you very much. All
25 right.

1 About how many people were interviewed in the course
2 of the investigation at ICIB? Just roughly.

3 MR. BURSON: Well, according to Chow's record, over 70.

4 COMMISSIONER HARRIS: 70?

5 MR. BURSON: Over 70.

6 COMMISSIONER HARRIS: Okay.

7 How many of those would you believe were the subject
8 of the investigation who actually were -- had criminal
9 culpability as opposed to those who were interviewed as
10 witnesses?

11 MR. BURSON: Oh, I -- I --

12 COMMISSIONER HARRIS: Just a guess. How -- how many --
13 because three people were fired.

14 MR. BURSON: Three people were fired, yes.

15 COMMISSIONER HARRIS: Okay. So would it be safe to assume
16 that there was the balance of that 70 were interviewed as
17 witnesses?

18 MR. BURSON: Oh, absolutely. They were interviewed as
19 witnesses, as being partygoers.

20 COMMISSIONER HARRIS: Okay.

21 And you're saying that the majority of those people
22 refused to answer questions about gang affiliation or cliques?

23 MR. BURSON: From what I understand, yes.

24 COMMISSIONER HARRIS: Okay.

25 And at this point you're the chief of -- now you're

1 the chief of Professional Standards Division; correct?

2 MR. BURSON: Yes.

3 COMMISSIONER HARRIS: And by your own statement, you are
4 now over ICIB and IAB?

5 MR. BURSON: Yes.

6 COMMISSIONER HARRIS: When did the District Attorney
7 return their findings that they were not going to file on the
8 deputy sheriffs for criminal conduct?

9 MR. BURSON: That, I don't know. I don't know exactly.

10 COMMISSIONER HARRIS: Okay.

11 Were you the chief --

12 MR. BURSON: Yes.

13 COMMISSIONER HARRIS: -- when that occurred?

14 MR. BURSON: Yes.

15 COMMISSIONER HARRIS: Okay.

16 What is the normal course of events when there's been
17 an internal criminal investigation conducted and the District
18 Attorney has refused to file charges? What happens then?

19 MR. BURSON: Then that case goes to IAB --

20 COMMISSIONER HARRIS: Okay. Did --

21 MR. BURSON: -- for administrative investigation.

22 COMMISSIONER HARRIS: Did this case go to IAB for
23 administrative investigation?

24 MR. BURSON: Yes.

25 COMMISSIONER HARRIS: Were those people who --

1 I'm -- I thought you were going to say something
2 else. I'm sorry.

3 Were those people who were interviewed and refused to
4 answer questions about gang or clique affiliation -- were they
5 then compelled to answer those questions in the internal
6 investigations -- in the Internal Affairs' investigation of
7 that incident?

8 MR. BURSON: I haven't read the internal -- I haven't read
9 that investigation, but yes, there's -- there should be.
10 That's policy that dictates that they'd be invested -- excuse
11 me -- that they -- they're compelled to answer.

12 COMMISSIONER HARRIS: But you don't know if that, in fact,
13 happened?

14 MR. BURSON: No, I don't.

15 COMMISSIONER BONNER: It appears that it did not happen,
16 by the way, but -- but you're not aware of it.

17 Go ahead. Go ahead, JP. I'm sorry.

18 COMMISSIONER RUBIN: Are you testifying?

19 COMMISSIONER BONNER: I mean --

20 COMMISSIONER HARRIS: I'll -- I'll -- I'll leave it at
21 that. Thank you.

22 CHAIR KENNEDY: Anyone else?

23 COMMISSIONER BONNER: I just had one follow-up question
24 that would have to do with a finding I think we -- we need to
25 decide whether to make.

1 But, Chief Burson, you referred to the fact that the
2 Sheriff's Department is a paramilitary organization, and I
3 think that would include that the Sheriff's Department has a
4 chain of command; correct?

5 MR. BURSON: Yes.

6 COMMISSIONER BONNER: Would you agree that if you have a
7 deputy shot caller who is part of a deputy clique or subgroup
8 at a station that that undermines the chain of command in those
9 stations in which the shot callers are operating?

10 MR. BURSON: I -- could you repeat that?

11 COMMISSIONER BONNER: Okay.

12 Would you agree that a deputy shot caller who is part
13 of a deputy clique at a station undermines the chain of command
14 at those stations?

15 MR. BURSON: Yes.

16 COMMISSIONER BONNER: So if you have a deputy clique with
17 shot callers, the policies and rules that are set -- rules of
18 conduct that are set by the Sheriff's Department can be ignored
19 by a deputy clique member, essentially, without consequences at
20 those stations. Is that not correct, sir?

21 MR. BURSON: It shouldn't be.

22 COMMISSIONER BONNER: But that's what's -- that's what
23 happens when a deputy -- a deputy clique or a subgroup is
24 controlling the station with shot callers, is it not?

25 MR. BURSON: Then I would hold that captain of that

1 station responsible for that.

2 COMMISSIONER BONNER: Well, I do too hold him responsible,
3 but I'm wondering whether anybody else is holding him
4 responsible? Like the sheriff.

5 But yeah, I mean -- but the fact is -- I'll leave it
6 at that. I'm not going to make argument here. I -- let me --
7 let me limit my questions to actual questions.

8 Thank you.

9 CHAIR KENNEDY: Patti, you have another question?

10 COMMISSIONER GIGGANS: Yeah. I have a -- have a
11 follow-up question.

12 It really has been portrayed and the Sheriff is on
13 record as to the public and to the press that -- that whole
14 Kennedy incident was a drunken brawl. I mean, that was really
15 described -- portrayed. And almost like as that's all it was,
16 even though there were serious injuries.

17 So this idea of drunken brawl, is there a kind of
18 ethos or common thinking that this happens, and it's, like,
19 "Boys will be boys, or cops will be cops, and this happens
20 occasionally. People go out, they get drunk, and they get into
21 mischief and sometimes people get beat up"?

22 We probably can't -- probably if people have been
23 reprimanded for this before, we probably -- it's all in
24 personnel files, and we maybe can't know. Maybe the OIG can
25 find out.

1 But in your view -- in your view, have you heard
2 before this idea of "Yeah, that was a drunken brawl"?

3 MR. BURSON: No.

4 COMMISSIONER GIGGANS: No?

5 MR. BURSON: No.

6 COMMISSIONER GIGGANS: So you think that even though it's
7 portrayed as something not significant, that when there is
8 serious injuries, a drunken brawl would be taken extremely
9 seriously?

10 MR. BURSON: Absolutely.

11 COMMISSIONER GIGGANS: All right.

12 Thank you.

13 CHAIR KENNEDY: JP?

14 COMMISSIONER HARRIS: Yeah. Let me just follow up again
15 on the Internal Affairs investigation.

16 I can appreciate that at the time this occurred it
17 may have been perceived by some as nothing more than a drunken
18 brawl. However, by the time the District Attorney had rendered
19 a decision that they were not going to file criminal charges,
20 quite a length of time had passed.

21 It's my recollection that at that point it was much
22 more widely believed that there was something more involved
23 than just a drunken brawl, that the Banditos were involved in
24 this. And it would seem to me that the department would really
25 want to know through its Internal Affairs' investigation if

1 there was, in fact, a group identified as the Banditos at
2 East LA Station that had some involvement in this.

3 You spoke earlier to the point of motive that would
4 have perhaps given a much more clear indication of motive
5 although the criminal case was already finished. But I find it
6 interesting that there didn't seem to be any particular
7 interest on the part of sheriff's executives in determining
8 through this Internal Affairs investigation where people could
9 be compelled to answer questions or be fired, that we never got
10 any more information about the existence of a group called the
11 Banditos at East LA Station. I -- I just find that curious.

12 Do you find that curious also?

13 MR. BURSON: Well, I can say that knowing what I know now
14 does arouse a lot of speculation. And should it have been
15 investigated more vigorously? Absolutely. Absolutely. Again,
16 knowing what I know now. Again, this wasn't the only
17 investigation that I oversaw.

18 COMMISSIONER HARRIS: Understood.

19 MR. BURSON: You know, being a big department that we are,
20 but more could've been done.

21 COMMISSIONER HARRIS: Thank you.

22 CHAIR KENNEDY: Lael.

23 COMMISSIONER RUBIN: Yes.

24 Chief Burson, knowing what you know now, do you
25 believe that the reason you were told at the direction of the

1 Sheriff to pause your investigation into the events at the
2 East LA Station and the gang activity there -- or what everyone
3 is calling that -- had to -- something to do with the fact that
4 the Sheriff himself had been a deputy at that station?

5 MR. BURSON: I -- I don't want to speculate, ma'am. I
6 just -- you know, I -- I can't say for sure, but it's just --
7 it just looks bad overall.

8 COMMISSIONER RUBIN: Thank you very much.

9 CHAIR KENNEDY: Mr. Deixler, may this witness be excused?

10 MR. DEIXLER: Yes, Sean. And thanks for his service.

11 CHAIR KENNEDY: Thank you, Mr. Burson. We appreciate you
12 coming here to testify before this commission.

13 It's 10:45, almost. We're going to take a 15-minute
14 break. We'll resume at 11:00 a.m.

15 (A recess was taken from 10:45 a.m.
16 until 11:00 a.m.)

17 CHAIR KENNEDY: Do we have everyone? It's --

18 COMMISSIONER RUBIN: Yeah.

19 CHAIR KENNEDY: -- we're going to start up.

20 Jennifer, we can start.

21 We're going to resume this fact-finding hearing, and
22 Mr. Deixler, you've announced that the next witness is going to
23 be done by Mr. Forman; is that correct?

24 MR. DEIXLER: Yes. Mr. Forman is going to examine former
25 Chief of Staff Del Mese.

1 MR. FORMAN: Do we have the witness?

2 MR. DEIXLER: Yes.

3 CHAIR KENNEDY: Is Mr. Del Mese on Zoom?

4 MR. O'CONNOR: He is. This is -- this is Tim O'Connor.
5 I'm the attorney for Mr. Del Mese, and he is on Zoom. He's
6 ready.

7 CHAIR KENNEDY: Mr. Del Mese, can you raise your right
8 hand?

9 Do you solemnly swear or affirm to tell the truth,
10 the whole truth, and nothing but the truth under penalty of
11 perjury?

12 MR. DEL MESE: I do.

13 CHAIR KENNEDY: Thank you.

14 Mr. Forman.

15 MR. FORMAN: Thank you.

16 Good morning, Chief Del Mese. My name is
17 Bill Forman. I represent the Loyola Law School Center for
18 Juvenile Law, a stakeholder in these proceedings.

19 Could you please say and spell your name for the
20 record.

21 MR. DEL MESE: Lawrence Del Mese. L-a-w-r-e-n-c-e,
22 D-e-l, M-e-s-e.

23 MR. FORMAN: Now, Chief Del Mese, were you employed by the
24 LA Sheriff's Department?

25 MR. DEL MESE: I was. I am retired.

1 MR. FORMAN: And when did you retire?

2 MR. DEL MESE: In February of 2020.

3 MR. FORMAN: And could you give me a short rundown of your
4 time with the Sheriff's Department from the year started and
5 the different posts you held?

6 MR. DEL MESE: Well, I began, in 1985, the sheriff's
7 academy. I graduated, and went to PDC South for about
8 33 months and then worked in that custody environment.

9 And 1988, I went to Lennox Sheriff Station, and
10 worked in a patrol environment at that station until '94.

11 In 1994, I transferred to West Hollywood Sheriff
12 Station to work patrol.

13 And in 1995, I transferred to Safe Streets Bureau to
14 work the Gang Enforcement Team. I worked Century Gang
15 Enforcement, Lakewood Gang Enforcement, and Lennox Gang
16 Enforcement until I promoted to sergeant in 1998.

17 My first assignment as a patrol sergeant was
18 Century Sheriff Station for about a year.

19 And I came back to Lennox Sheriff Station and I
20 worked as a patrol sergeant for about a year.

21 I went to the Gang Enforcement Team of OSS in
22 2000 when we started the Compton contract, and I was the
23 Gang Enforcement Sergeant at Compton when we started.

24 After a few months, I transferred to Detective
25 Division. I worked auto theft, commercial crimes.

1 And then I spent five years at Major Crimes with the
2 U.S. Marshals' Task Force as a TFO supervisor.

3 Around 2007, I promoted to lieutenant. I went to
4 Palmdale Station for about a year.

5 Worked West Hollywood Station where I was a detective
6 bureau commander for about four years.

7 In 2012, I went back to OSS as a field lieutenant for
8 about six months, and then I went to South LA Station as the
9 operations lieutenant.

10 I promoted in November of 2013 to captain. I was
11 assigned to Major Crimes Bureau.

12 After a short period at Major Crimes Bureau, I was
13 assigned to the Court Services Central where I spent a little
14 over four years as the captain of Central Bureau.

15 In 2018, I was brought onto Alex Villanueva's
16 campaign. I was promoted to commander for one day, and then
17 chief -- to be his chief of staff.

18 I stayed in his chief of staff role for six months,
19 ending July 1st, 2019.

20 And I spent the remainder of my time as the region --
21 or the North County division chief until my retirement February
22 of 2020.

23 MR. FORMAN: Thank you for that history, Chief Del Mese.

24 I'd like to talk with you a little bit about your
25 time at the Lennox Station.

1 Was there a deputy clique at the Lennox Station
2 called the Grim Reapers?

3 MR. DEL MESE: Yes, there was.

4 MR. FORMAN: And what were the Grim Reapers?

5 MR. DEL MESE: More of a fraternal group.

6 This was the -- are you talking about my time there
7 in Patrol in the late '80s, early '90s?

8 MR. FORMAN: Talking -- first, let's take your personal
9 experience.

10 MR. DEL MESE: That's my --

11 MR. FORMAN: Yes. What -- what --

12 MR. DEL MESE: -- personal experience.

13 MR. FORMAN: Okay.

14 And do you know that the Grim Reapers still exist as
15 a deputy clique? Is that within your knowledge?

16 MR. DEL MESE: I -- I don't know.

17 MR. FORMAN: Were you a member of the Grim Reapers?

18 MR. DEL MESE: Well, I'd like to invoke my right of
19 privacy on that. I am retired from the department, and I
20 really don't want to discuss, you know, myself.

21 MR. FORMAN: Chief Del Mese, I'm going to ask you again,
22 and I haven't heard an objection from your attorney instructing
23 you not to answer.

24 Were you a member of the Grim Reapers?

25 MR. O'CONNOR: I -- I'm objecting on the basis that that

1 invades the witness's right for privacy.

2 COMMISSIONER RUBIN: What is --

3 MR. O'CONNOR: He's already provided -- he's provided an
4 answer; so it's up to him what he will testify to.

5 CHAIR KENNEDY: What -- what is the -- the objection from
6 the attorney is the right of privacy?

7 MR. O'CONNOR: Absolutely.

8 CHAIR KENNEDY: Chief --

9 MR. O'CONNOR: And the witness has given his answer.

10 COMMISSIONER BONNER: So are you instructing the witness
11 not to answer, sir?

12 MR. O'CONNOR: I am not instructing the witness not to
13 answer.

14 COMMISSIONER BONNER: Well, then we expect an answer.

15 MR. FORMAN: I -- I would ask the commission that
16 Chief Del Mese be directed to answer the question, was he a
17 member of the Grim Reapers?

18 CHAIR KENNEDY: The -- I -- you need to answer the
19 question. You're under subpoena, sir.

20 MR. O'CONNOR: The witness has provided an answer, and I
21 would like to point out to this commission that there was an
22 attempt to influence his testimony prior to these proceedings.
23 It was a witness tampering. I had to write a cease-and-desist
24 letter to the attorney that was engaged in that. This
25 commission has announced civil attorneys from various firms

1 that are assisting in this commission, and my question to this
2 commission is: Is Vincent Miller, who not only attempted to
3 influence this witness's testimony, but also threatened me with
4 a criminal action for writing a cease-and-desist letter --

5 CHAIR KENNEDY: Okay.

6 MR. O'CONNOR: -- which is a violation of rule --
7 Professional Rules and Responsibilities 5-100, which is
8 threatening criminal disciplinary charges, which he did with
9 the --

10 CHAIR KENNEDY: Vincent Miller is not affiliated with this
11 commission. So I'm not sure --

12 MR. O'CONNOR: Good.

13 CHAIR KENNEDY: -- I understand what your objection has to
14 do with this proceeding.

15 MR. O'CONNOR: I wanted to make sure this wasn't an
16 attempt to influence his testimony, that it wasn't coming from
17 this commission.

18 He's here to testify voluntarily even though he was
19 subpoenaed. He's here to cooperate, and he's --

20 CHAIR KENNEDY: It's not voluntary; it's a subpoena.

21 And the question is: Were you a member of the Grim
22 Reapers?

23 MR. O'CONNOR: You can answer it now.

24 MR. DEL MESE: Okay. Well, I -- yes, I was a member of
25 the Grim Reapers.

1 CHAIR KENNEDY: Thank you.

2 Mr. Forman.

3 MR. FORMAN: What does it mean to be a member of the
4 Grim Reapers?

5 MR. DEL MESE: From my experience, it was a fraternal
6 group that worked hard and received some recognition from their
7 peers.

8 MR. FORMAN: Why was it called the Grim Reapers?

9 MR. DEL MESE: I don't know. I didn't create the name.

10 MR. FORMAN: Is there a tattoo associated with the deputy
11 clique, the Grim Reapers?

12 MR. DEL MESE: I believe there is.

13 MR. FORMAN: What is that tattoo?

14 MR. DEL MESE: A grim reaper.

15 MR. FORMAN: Okay.

16 That's -- that's the figure of death with the hood
17 and -- and the skull and the scythe? That -- that's the
18 figure?

19 MR. DEL MESE: Right.

20 MR. FORMAN: Okay.

21 Are the tattoos numbered? Individually numbered by
22 the deputies --

23 MR. DEL MESE: I believe they -- I believe they were at
24 that time.

25 MR. FORMAN: What do the numbers signify?

1 MR. DEL MESE: The order that you received it.

2 MR. FORMAN: Okay.

3 Do you know why a deputy clique -- a group of
4 deputies who are charged with protecting people from violence
5 and to uphold the law would choose a symbol of death for their
6 group?

7 MR. DEL MESE: No.

8 MR. FORMAN: Okay.

9 So members could have the tattoo of the Grim Reaper.
10 Would there -- would there be a specific place on the body that
11 members would have a tattoo of the Grim Reaper?

12 MR. DEL MESE: At that time?

13 MR. FORMAN: Yes.

14 MR. DEL MESE: I believe it was on our ankle.

15 MR. FORMAN: It was left or right, or did it matter?

16 MR. DEL MESE: I don't know if it mattered.

17 MR. FORMAN: Okay.

18 Did you ever get a Grim Reaper tattoo?

19 MR. DEL MESE: Yes.

20 MR. FORMAN: And do you still have that tattoo?

21 MR. DEL MESE: No.

22 MR. FORMAN: Did you have it removed?

23 MR. O'CONNOR: I object. You're invading the right of
24 privacy of the witness. He has medical privacy. That's a
25 medical procedure. You cannot delve into that. And I'm

1 objecting on the basis of it invades his medical privacy and
2 invades his right of privacy.

3 CHAIR KENNEDY: The -- the objection is medical privacy?
4 That's an evidentiary objection. You're --

5 MR. O'CONNOR: The right of privacy is absolutely an
6 evidentiary objection. And I told you you're delving into
7 medical matters 'cause you're asking him about a medical
8 procedure, which removal of a tattoo is.

9 CHAIR KENNEDY: Are you --

10 MR. O'CONNOR: I've not instructed -- I have not
11 instructed the witness. It'll be very clear if I instruct the
12 witness. I'm making the objection.

13 MR. FORMAN: I would ask that Mr. O'Connor's objections
14 then be limited to objections from now on if they're not
15 instructions. We've gotten several speaking objections.

16 CHAIR KENNEDY: Yes. We -- we just need the objection.
17 Thank you.

18 And now, Mr. Del Mese, can you answer the question?

19 MR. DEL MESE: Rephrase the question, please.

20 MR. FORMAN: I'll repeat the question.

21 MR. DEL MESE: Or repeat the question.

22 MR. FORMAN: When did you have your tattoo removed?

23 MR. DEL MESE: 2018, 2019. Somewhere in there.

24 MR. FORMAN: Why did you remove your tattoo of the
25 Grim Reaper?

1 MR. DEL MESE: Because I believed it had become to
2 something that didn't serve me in any purpose.

3 MR. FORMAN: Had it served your purpose up until 2018?

4 MR. DEL MESE: No. It -- it served me no purpose from the
5 day I got it but it had obviously become a liability.

6 MR. FORMAN: In what way was having a gang tattoo for a
7 sheriff's deputy a liability?

8 MR. DEL MESE: Well, I think with the -- in looking at how
9 things have progressed in this issue, the perception is a lot
10 different today than it was in 1990, you know, the -- the whole
11 meaning behind it. The groups that have been identified by
12 your commission and the activities that they're taking don't
13 lend themselves to professional law enforcement of which I
14 subscribe to.

15 MR. FORMAN: Is it your testimony that the current conduct
16 of the cliques is not consistent with profession law
17 enforcement? Is that what I heard you say?

18 MR. DEL MESE: Yes. I -- I believe that it becomes a
19 liability.

20 MR. FORMAN: Could -- well, could you elaborate on that,
21 Mr. Del Mese?

22 MR. DEL MESE: I think it becomes a liability to the
23 employee, their career, and the department.

24 MR. FORMAN: Is it a "bad look," as they say?

25 MR. DEL MESE: Yes.

1 MR. FORMAN: Did your tattoo have a number?

2 MR. DEL MESE: Yes.

3 MR. FORMAN: What was your number?

4 MR. DEL MESE: Two-two.

5 MR. FORMAN: What does the 22 signify?

6 MR. DEL MESE: Apparently I was the 22nd person.

7 MR. FORMAN: The 22nd member to be inducted into the
8 Grim Reapers?

9 MR. DEL MESE: I -- I'm assuming.

10 MR. FORMAN: Do you know what number they're up to now in
11 Grim Reaper tattoos?

12 MR. DEL MESE: I have no idea.

13 MR. FORMAN: Okay.

14 Was it limited on what kinds of deputies could join
15 the Grim Reapers when you were a member; for instance, could a
16 woman become a Grim Reaper?

17 MR. DEL MESE: Not to my knowledge.

18 MR. FORMAN: Okay.

19 Were you aware of any women who -- off -- deputies
20 who are Grim Reapers?

21 MR. DEL MESE: I don't have any knowledge to that.

22 MR. FORMAN: Okay.

23 Were you aware of any black deputies who were
24 Grim Reapers?

25 MR. DEL MESE: I have no knowledge.

1 MR. FORMAN: If a deputy wanted to join the Grim Reapers,
2 how would they go about doing that? Is there an initiation?

3 MR. DEL MESE: Not that I know of.

4 MR. FORMAN: What did you do to join the Grim Reapers?

5 MR. DEL MESE: I really can't tell you. I was asked.

6 MR. FORMAN: Asked by whom?

7 MR. DEL MESE: People that I worked with.

8 MR. FORMAN: Could you name those people?

9 MR. DEL MESE: I don't recall exactly. Most of them are
10 retired, or some of them are passed away. I don't recall, in
11 particular, one person.

12 MR. FORMAN: What is it they saw in you to the extent they
13 told you that they decided that they were going to ask you to
14 be a Grim Reaper?

15 MR. DEL MESE: Professional work product. I -- I don't
16 know.

17 MR. FORMAN: Are you familiar with the term "shot caller"
18 in the context of the Sheriff's Department's deputies' cliques?

19 MR. DEL MESE: I've heard that used today.

20 MR. FORMAN: Was there a shot caller for the Grim Reapers
21 in the Lennox Department the times you were there?

22 MR. DEL MESE: No.

23 MR. FORMAN: Did the Grim Reapers play any role in
24 assignments in Lennox Division?

25 MR. DEL MESE: Not that I remember.

1 MR. FORMAN: Had nothing to do with promotions?

2 MR. DEL MESE: No.

3 MR. FORMAN: So what was the point of the group?

4 MR. DEL MESE: Social, maybe. I don't know.

5 MR. FORMAN: You were a member for about over 20 years,
6 and you can't say what the purpose of the Grim Reapers was?

7 MR. DEL MESE: Like I said, it -- it served me no good
8 over that 20 years. Something that I got, and it's something
9 that I got rid of.

10 MR. FORMAN: Do you know what a Brady List is, or Brady
11 information from your work as a sheriff's deputy?

12 MR. DEL MESE: Yes. I'm familiar with the concept of
13 Brady.

14 MR. FORMAN: What is it?

15 MR. DEL MESE: Brady v. Maryland was a case that was
16 decided.

17 MR. FORMAN: Well, are you -- I asked if you're familiar
18 with a Brady List?

19 MR. DEL MESE: Oh.

20 MR. FORMAN: Have you heard that phrase before --

21 MR. DEL MESE: I have.

22 MR. FORMAN: -- that -- that phrase before?

23 And what is that?

24 MR. DEL MESE: A list of deputies that shouldn't -- should
25 be made available to the defense if they're testifying in a

1 criminal court case.

2 MR. FORMAN: And why should that list of deputies be made
3 available to the defense? Why are those deputies on that list?

4 MR. DEL MESE: I thought it was for engaging in improper
5 uses of force, things of -- things of that nature. There's a
6 criteria. I don't know what it is.

7 MR. FORMAN: Do you recall that one of the points of
8 contention between former Sheriff McDonnell and Sheriff
9 Villanueva and the election in 2018 was whether the sheriff
10 should hand over the department's Brady List to the District
11 Attorney's Office?

12 Did you ever hear that?

13 MR. DEL MESE: I don't recall that.

14 MR. FORMAN: Do you -- do you know that you're on the
15 Sheriff's Department Brady's List?

16 MR. DEL MESE: No. I've never received notification to
17 that effect.

18 MR. FORMAN: Could we pull up Exhibit 2, please.

19 I -- I represent that this is a -- Exhibit 2 are
20 various printouts from the website giglio-bradylist.com. And
21 that website describes itself as -- it says:

22 "The United States Department of Justice has
23 initiated a methodical approach called proactive disclosure in
24 conjunction with the Open Government Directive. This Brady
25 List platform allows Organizations, Prosecutors, and Peace

1 Officer Standards & Training Departments to enter their
2 independent findings, in any number of cases, in direct
3 compliance with Brady and the Freedom of Information Act."

4 And we have Exhibit 2 open, and I'm going to --
5 very faint writing. I -- I'm going to represent to you,
6 Chief Del Mese, that I went to Brady List, and I typed in the
7 name Lawrence Del Mese. And that is written -- it's in faint
8 writing below the silhouette there. And what I got was "Brady
9 Offenses: Gang Activity."

10 So is this the first you're learning that you're on a
11 Brady List for gang activity?

12 MR. DEL MESE: This is the first I've been notified.

13 MR. FORMAN: Okay.

14 And there was also a -- we -- turn the page to
15 page 2.

16 "Official Statement: Grim Reapers associate/N.G. and
17 L.G. v. County of LA, CV 13-08312."

18 And then you'll see also there's a tab there right
19 below it that says "View PDF."

20 I clicked on that tab, and it brought us to page 3.

21 Can we go to page 3, please.

22 And this is what we have here:

23 "Lawrence Del Mese, Gang Activity," and "Official
24 Statement: Grim Reapers associate N.G. and L.G. v. County of
25 Los Angeles."

1 Are you familiar with that lawsuit, "N.G. and L.G. v.
2 County of LA"?

3 MR. DEL MESE: No, I'm not.

4 MR. FORMAN: Okay.

5 Do you know if there was any evidence in that lawsuit
6 identifying you as a Grim Reaper associate?

7 MR. DEL MESE: I have no idea.

8 MR. FORMAN: That lawsuit involved David Chevez.

9 Is he a Grim Reaper?

10 MR. DEL MESE: I don't know.

11 MR. FORMAN: Have you heard that name before?

12 MR. DEL MESE: I believe he worked at South LA Station
13 when I was there.

14 MR. FORMAN: Did you know him then?

15 MR. DEL MESE: I know who he is.

16 MR. FORMAN: But you didn't have knowledge that he was a
17 member of the Grim Reapers?

18 MR. DEL MESE: Not to my knowledge.

19 MR. FORMAN: Did you know that he's been involved in at
20 least two fatal shootings?

21 MR. DEL MESE: No. But I take your word for it.

22 MR. FORMAN: That lawsuit that appears on your Brady List
23 also involved deputies Juan Meza and Lawrence Swanson.

24 Do you know them?

25 MR. DEL MESE: I believe they all worked there when I was

1 there.

2 MR. FORMAN: When you say "there," that's the South LA
3 Station?

4 MR. DEL MESE: South LA, yes.

5 MR. FORMAN: And you know if Juan Meza and Lawrence
6 Swanson were members of the Grim Reapers?

7 MR. DEL MESE: I do not.

8 MR. FORMAN: And did you know that both of them were also
9 involved in fatal shootings?

10 MR. DEL MESE: I will take your word for that.

11 MR. FORMAN: That's the first you're hearing this?

12 MR. DEL MESE: Yes.

13 MR. FORMAN: But you have no idea why you'd be named in a
14 lawsuit in court as a Grim Reaper associate and that this would
15 appear as a gang activity on the Brady List?

16 MR. DEL MESE: I don't recall being deposed for that
17 lawsuit or testifying at all.

18 MR. FORMAN: Okay.

19 Do you have an estimate of how many Grim Reapers are
20 now in the Sheriff's Department?

21 MR. DEL MESE: I'm retired, sir. I have no idea.

22 MR. FORMAN: Well, let's go back to the day you retired.

23 What would be your estimate of that?

24 MR. DEL MESE: I have no idea.

25 MR. FORMAN: Well, was it more than 10?

1 MR. DEL MESE: Sir, I -- I left Lennox Station in April of
2 1994 as a line patrol deputy, and I know there was probably 22
3 up to that point.

4 MR. FORMAN: So the time you were, say, chief of staff to
5 Sheriff Villanueva, you had no idea how many Grim Reapers there
6 were in the Sheriff's Department?

7 MR. DEL MESE: No.

8 MR. FORMAN: Now, you were deposed in another matter in
9 April this year, and you testified that you were familiar
10 with -- particular experience with other subgroups within the
11 Sheriff's Department.

12 Which subgroups are you familiar with, from your own
13 personal knowledge?

14 MR. DEL MESE: I think the question in my deposition was,
15 was there Regulators at Century Station when you were there and
16 some of the other units that I worked.

17 And I think my response was I -- you know, they were
18 probably there. I don't even know if they existed then, but
19 there were subgroups at -- at Century Station when I worked
20 there. I just --

21 MR. FORMAN: Okay. What -- what --

22 MR. DEL MESE: -- didn't know which ones they were.

23 MR. FORMAN: Okay.

24 You don't recall what subgroups are at Century
25 Station?

1 MR. DEL MESE: Not when I was there, no.

2 MR. FORMAN: Okay.

3 When -- well, at some point did you learn of what
4 subgroups are at Century Station?

5 MR. DEL MESE: I had heard of the Vikings, and I have
6 subsequently heard of the Regulators, but that's the limit of
7 my knowledge.

8 MR. FORMAN: How'd you hear of the presence of those
9 subgroups at the Century Station?

10 MR. DEL MESE: I read about them -- the Vikings in the
11 newspaper and heard rumors when I worked there.

12 MR. FORMAN: You heard rumors when you worked in Century
13 Station that the Vikings were a subgroup there?

14 MR. DEL MESE: Correct.

15 MR. FORMAN: Okay.

16 What about the Regulators?

17 MR. DEL MESE: I don't know if they were a group at that
18 point. It was --

19 MR. FORMAN: When you worked at the Lennox Station, were
20 there other deputy cliques there other than the Grim Reapers?

21 MR. DEL MESE: Not to my knowledge.

22 MR. FORMAN: What about the South LA Station where you
23 worked?

24 MR. DEL MESE: Not to my knowledge.

25 MR. FORMAN: Okay.

1 I want to go forward to 2018. And you said you
2 were -- well, you worked on the -- the campaign for then
3 candidate Villanueva; correct?

4 MR. DEL MESE: Correct.

5 MR. FORMAN: Okay.

6 Did you know Sheriff Villanueva before your
7 involvement on the campaign?

8 MR. DEL MESE: No, I did not.

9 MR. FORMAN: You had never worked with him before?

10 MR. DEL MESE: No, I had not.

11 MR. FORMAN: How did you become involved in the campaign?

12 MR. DEL MESE: We had just finished working for
13 Bob Lindsey and he lost in the primary and I was invited to
14 work for Villanueva.

15 MR. FORMAN: Who invited you?

16 MR. DEL MESE: Eli Vera.

17 MR. FORMAN: And -- and did you then have a meeting with
18 Candidate Villanueva where he could -- where he talked with you
19 about your role in the campaign?

20 MR. DEL MESE: We did meet with Villanueva, and at some
21 point specific roles were discussed.

22 MR. FORMAN: And did candidate Villanueva ever ask you if
23 you'd been a gang member or affiliate?

24 MR. DEL MESE: No.

25 MR. FORMAN: And what was your role in the campaign?

1 MR. DEL MESE: To replicate what we had done with
2 Bob Lindsey. Basically, going with him to constituent meetings
3 and keeping him on point, keeping him focused.

4 MR. FORMAN: Focused on what?

5 MR. DEL MESE: On the issues that he was subscribing to at
6 that time.

7 MR. FORMAN: Were any of those issues the problem of
8 deputy cliques in the Sheriff's Department?

9 MR. DEL MESE: No. I don't recall ever having a
10 conversation with him about that.

11 MR. FORMAN: That was during the campaign. You don't
12 recall ever having a conversation with candidate Villanueva
13 about deputy cliques?

14 MR. DEL MESE: Correct.

15 MR. FORMAN: And then there's the election, and does he
16 ask you to become chief of staff?

17 MR. DEL MESE: Yes.

18 MR. FORMAN: Did he say why he selected you to be chief of
19 staff?

20 MR. DEL MESE: Well, during the transition, I was kind of
21 the secretary. I had access to sheriff's data network, whereas
22 a lot of the people we were dealing with were retired, somewhat
23 organized; so I think it kind of just fell into a role of
24 assisting him, and I think that's why he asked me to be the
25 chief of staff.

1 MR. FORMAN: When he asked you to be chief of staff, did
2 you say anything to him along the lines of there's something
3 you got to know; I'm a member of a deputy clique called the
4 Grim Reapers?

5 MR. DEL MESE: No.

6 MR. FORMAN: And he didn't ask you ever if you were a
7 member of a -- a group, did he?

8 MR. DEL MESE: No.

9 MR. FORMAN: Did you have your tattoo removed before or
10 after his election?

11 MR. DEL MESE: It was in that time period.

12 MR. FORMAN: In the time period of the -- well, the
13 election is one day. Was it before that day, or was it after
14 that day?

15 MR. DEL MESE: I -- I don't recall. I know I was
16 intending to do it at that time. I don't recall exactly when I
17 did it.

18 MR. FORMAN: But you thought it would be a liability going
19 forward in the department to have this visible marking of your
20 affiliation with the Grim Reapers; correct?

21 MR. DEL MESE: Correct.

22 MR. FORMAN: So you covered it up? You had it -- you had
23 it removed.

24 MR. DEL MESE: Correct.

25 MR. FORMAN: The Sheriff tasked you with different jobs

1 during the transition. What -- what were they?

2 MR. DEL MESE: I'm sorry. You -- I --

3 MR. FORMAN: What -- what jobs did you have --

4 MR. DEL MESE: It was broken.

5 MR. FORMAN: -- during the transition, from the McDonnell
6 administration to the Villanueva administration, you were
7 tasked with certain jobs. So just tell me what you were doing
8 for him during that transition period, which was November --

9 MR. DEL MESE: I was --

10 MR. FORMAN: -- I'm sorry. Let me just situate you.

11 Roughly November 2018.

12 Go ahead. I'm sorry to interrupt.

13 MR. DEL MESE: I was basically coordinating meetings
14 between people and his election headquarters, contacting people
15 and asking them to come there if he -- that's what he wanted to
16 have done. I was, like, a scheduling guy.

17 MR. FORMAN: Just a scheduling guy, or did you have other
18 responsibilities?

19 MR. DEL MESE: There was no articulated responsibility; so
20 we divided up the issues between myself, Ray Leyva, and a few
21 other folks that were there.

22 MR. FORMAN: And it's safe to say that during the
23 transition period -- well, the -- the -- Sheriff Villanueva ran
24 on a platform of cleaning house; isn't that fair?

25 MR. DEL MESE: I believe that was one of his platforms,

1 yes.

2 MR. FORMAN: He was going to get rid of the old management
3 and the old ways; right?

4 MR. DEL MESE: Correct.

5 MR. FORMAN: And that was one of the first things that
6 Villanueva asked you to do, wasn't it, was to get -- help get
7 rid of the old management, isn't it?

8 MR. DEL MESE: He asked me to send an email with the names
9 of managers that he was going to demote, at-will employees, and
10 I -- I sent that email for him.

11 MR. FORMAN: You sent that email for him to who?

12 MR. DEL MESE: Anthony La Berge and Jim McDonnell.

13 MR. FORMAN: Did you send that email to anyone else?

14 MR. DEL MESE: Not that I recall.

15 MR. FORMAN: And I'm a little confused on the record.

16 Exactly what did this email that you sent at the
17 asking of Villanueva to McDonnell and others say?

18 MR. DEL MESE: A list of at-will employees that he did not
19 want to retain their job duties.

20 MR. FORMAN: When you say "he," you mean Villanueva;
21 correct?

22 MR. DEL MESE: Villanueva, yes.

23 MR. FORMAN: And did you help him compile this list of
24 at-will employees that he wanted to terminate?

25 MR. DEL MESE: No. He told me which names to put on that

1 list on the email that I sent.

2 MR. FORMAN: And the "he," again, is Villanueva?

3 MR. DEL MESE: Correct.

4 MR. FORMAN: Do you know what criteria Villanueva used in
5 identifying those names?

6 MR. DEL MESE: No, I do not.

7 MR. FORMAN: Okay.

8 In this email, did you tell the recipients that they
9 could either take a full-rank demotion or retirement?

10 MR. DEL MESE: I don't recall the substance of the
11 narrative, but that probably would have been accurate as they
12 were at-will chiefs and above. And I believe commander is the
13 last Civil Service rank so they had the options to demote to
14 commander.

15 MR. FORMAN: In your experience with the Sheriff's
16 Department, what circumstances justify a full rank demotion?
17 Is it a change in the sheriff?

18 MR. DEL MESE: I had never experienced it so I have no --
19 nothing to base it on.

20 MR. FORMAN: And aside from McDonnell and La Berge, can
21 you recall any other names of persons on that email who were
22 either terminated, told to retire, or given a demotion at --
23 because that's what Villanueva wanted to do?

24 MR. DEL MESE: I don't recall who was on the list of
25 names, no.

1 MR. FORMAN: When did you send that email?

2 MR. DEL MESE: I don't recall the exact date.

3 MR. FORMAN: Was it before Villanueva took the oath of
4 office, or was it during the transition period?

5 MR. DEL MESE: I think the transition -- are you talk --
6 before he -- I'm talking about the transition period that was
7 before he was sworn in.

8 MR. FORMAN: Okay.

9 MR. DEL MESE: Are you talk -- is there another transition
10 period 'cause I --

11 MR. FORMAN: No. That's --

12 MR. DEL MESE: -- I wasn't involved with that.

13 MR. FORMAN: We're talking about the same transition
14 period.

15 MR. DEL MESE: Okay.

16 MR. FORMAN: Okay.

17 So I think the record's clear is that you sent this
18 email before Villanueva was sworn in as sheriff of Los Angeles
19 County; correct?

20 MR. DEL MESE: Correct.

21 MR. FORMAN: Now, as people are being terminated, some
22 people are being rehired, and one of the tasks you got was to
23 reinstate Caren Mandoyan; is that right?

24 MR. DEL MESE: That is not correct.

25 MR. FORMAN: Okay.

1 Well, put it in your words. What were you asked to
2 do with respect to Caren Mandoyan?

3 MR. DEL MESE: I was asked to contact Alicia Ault, the
4 then-chief of Professional Standards, and let her know that I
5 had been given a settlement agreement and I would be emailing
6 that to her. That was all at the request of Alex Villanueva.

7 MR. FORMAN: Had you seen the settlement agreement before
8 you -- the -- the -- well, where did you get the settlement
9 agreement from? Who gave it to you?

10 MR. DEL MESE: I believe it was someone at the -- the
11 transition. It may have been Mandoyan's attorney. I -- I
12 don't recall.

13 MR. FORMAN: Well, was Mandoyan's attorney part of the
14 transition team?

15 MR. DEL MESE: I believe he was present on certain days.
16 For whatever reason, I don't know.

17 MR. FORMAN: What's the name of Caren Mandoyan's attorney?

18 MR. DEL MESE: Michael Goldfeder.

19 MR. FORMAN: And you believe he was present as part of the
20 transition team?

21 MR. DEL MESE: I --

22 MR. FORMAN: That's the question --

23 MR. DEL MESE: -- just said that he was present on certain
24 days. I don't recall how much or when.

25 MR. FORMAN: Present where?

1 MR. DEL MESE: At the storefront.

2 MR. FORMAN: What's the storefront?

3 MR. DEL MESE: Where the transition team was meeting.

4 MR. FORMAN: Okay.

5 So Mandoyan's lawyer was present in -- at the
6 transition team headquarters as these decisions were being made
7 about personnel; correct?

8 MR. DEL MESE: I don't know about that. I know that he
9 was possibly the one that gave me that settlement agreement.

10 MR. FORMAN: But you don't recall who?

11 MR. DEL MESE: No.

12 MR. FORMAN: Did you get it by email, or were you given a
13 hard copy of it?

14 MR. DEL MESE: I ended up emailing it. I don't know how
15 it came to me.

16 MR. FORMAN: Okay.

17 And let's go back a bit. Who is Caren Mandoyan?

18 MR. DEL MESE: A deputy sheriff who was terminated under
19 McDonnell.

20 MR. FORMAN: You knew him; correct?

21 MR. DEL MESE: I did.

22 MR. FORMAN: How did you know him?

23 MR. DEL MESE: He worked West Hollywood Station when I was
24 a lieutenant there.

25 MR. FORMAN: Okay.

1 When did you first meet Mr. Mandoyan?

2 MR. DEL MESE: I don't recall.

3 MR. FORMAN: Was it 20 years ago?

4 MR. DEL MESE: I -- I don't recall.

5 MR. FORMAN: What -- what -- was it 30 years ago?

6 MR. DEL MESE: I don't believe so.

7 MR. FORMAN: So we're somewhere between 20 years and now.

8 Would you say you've known Mr. Mandoyan for at least
9 10 years?

10 MR. DEL MESE: Yes. I worked with him at West Hollywood,
11 and I was there from 2008 to 2012.

12 MR. FORMAN: And he's a Grim Reaper; right?

13 MR. DEL MESE: I have read that, yes.

14 MR. FORMAN: Okay.

15 You never discussed with him that he's a Grim Reaper?

16 MR. DEL MESE: I may have. I don't recall.

17 MR. FORMAN: Did you ever see his tattoo?

18 MR. DEL MESE: I don't recall.

19 MR. FORMAN: Do you know what his number is?

20 MR. DEL MESE: No.

21 MR. FORMAN: But when you worked with him, you knew he was
22 a Grim Reaper?

23 MR. DEL MESE: When I worked with him, I don't believe he
24 had that designation.

25 MR. FORMAN: When did he get the designation?

1 MR. DEL MESE: I don't know.

2 MR. FORMAN: So how would you know whether he had the
3 designation or not when you worked with him?

4 MR. DEL MESE: I don't ever remember that coming up in
5 conversation prior to reading in the newspaper or seeing him on
6 Channel 7, I believe.

7 MR. FORMAN: Well, you have talked with him about being a
8 Grim Reaper though; right?

9 MR. DEL MESE: I don't recall; I may have.

10 MR. FORMAN: And Mr. Mandoyan, he worked on Villanueva's
11 campaign as well; correct?

12 MR. DEL MESE: Yes.

13 MR. FORMAN: And what was his role in the campaign?

14 MR. DEL MESE: I believe he drove him around.

15 MR. FORMAN: Okay.

16 And you know how Villanueva knew Mandoyan?

17 MR. DEL MESE: No.

18 MR. FORMAN: Okay.

19 Were they close to each other?

20 MR. DEL MESE: I think they became close.

21 MR. FORMAN: And, in fact, Caren Mandoyan was standing
22 next to Villanueva at his inauguration; isn't that true?

23 MR. DEL MESE: Yes. That is correct.

24 MR. FORMAN: Okay.

25 Can we bring up Exhibit 5?

1 And do -- do you -- can you see Exhibit 5,
2 Mr. Del Mese?

3 MR. DEL MESE: Yes.

4 MR. FORMAN: Okay.

5 And is the gentleman to Mr. -- to Sheriff -- to the
6 Sheriff's right -- is that Caren Mandoyan?

7 MR. DEL MESE: Yes.

8 MR. FORMAN: And it appears he's holding the new star or
9 something that the Sheriff is about to get?

10 MR. DEL MESE: Correct.

11 MR. FORMAN: Thank you.

12 Thanks, Patricia.

13 And you said that he was dismissed from the
14 department.

15 Why was Deputy Mandoyan dismissed from the
16 department?

17 MR. DEL MESE: I believe it was a domestic violence issue.

18 MR. FORMAN: And reading from a report, it's that in 2016
19 he was discharged for violence against a female deputy. He
20 stalked her, tried to break into her apartment, and then lied
21 about his conduct.

22 The victim testified that Mandoyan used his status as
23 a deputy gang member to try to dissuade her from reporting the
24 offense, stating that as a Reaper, he had influential friends
25 who could ruin careers in the department. Mandoyan had also

1 been involved in two non-fatal shootings in 2013 and 2015.

2 That's not the first time you're hearing about those
3 charges against Mr. Mandoyan, is it?

4 MR. DEL MESE: No.

5 MR. FORMAN: Okay.

6 And, in fact, when he was disciplined, and when he --
7 when he was dismissed in 2016, did you try to intercede on his
8 behalf?

9 MR. DEL MESE: No.

10 MR. FORMAN: Did you telephone or talk to Alicia Ault
11 about his dismissal in 2016?

12 MR. DEL MESE: I read a statement by her that I did, and
13 that may have only been to find out the status of his case. I
14 don't recall making that call.

15 MR. FORMAN: Well, in 2016, were you working in
16 Internal Affairs?

17 MR. DEL MESE: No.

18 MR. FORMAN: What business was the status of his case to
19 you?

20 MR. DEL MESE: Personal knowledge.

21 MR. FORMAN: Personal knowledge of what?

22 MR. DEL MESE: To see if he was going to be terminated or
23 just get days off.

24 MR. FORMAN: Why did you care?

25 MR. DEL MESE: I don't recall.

1 MR. FORMAN: Were you trying to help out a fellow Reaper?

2 MR. DEL MESE: No. Not that I recall.

3 MR. FORMAN: Not that you recall.

4 So who is Alicia Ault?

5 MR. DEL MESE: Retired chief of Professional Standards.

6 MR. FORMAN: Okay.

7 And so in 2018, at the time of the election, she was
8 the chief of the Internal Affairs Bureau; correct?

9 MR. DEL MESE: I believe so.

10 MR. FORMAN: Okay.

11 What is your opinion of Chief Ault?

12 MR. DEL MESE: She's competent.

13 MR. FORMAN: Anything else?

14 MR. DEL MESE: No.

15 MR. FORMAN: And so in November of 2018, during the
16 transition period, you telephoned Chief Ault at the request of
17 the incoming sheriff; correct?

18 MR. DEL MESE: Yes.

19 MR. FORMAN: And it was, you say, to forward a settlement
20 agreement; correct?

21 MR. DEL MESE: That is correct.

22 MR. FORMAN: And in this agreement, it called for the full
23 reinstatement of Caren Mandoyan, isn't that right?

24 MR. DEL MESE: I don't know. I didn't read it.

25 MR. FORMAN: You didn't read the agreement you sent to

1 her?

2 MR. DEL MESE: No.

3 MR. FORMAN: So you -- you didn't know what that
4 settlement agreement said, whether he was getting full
5 reinstatement, full back pay, anything?

6 MR. DEL MESE: No.

7 MR. FORMAN: Is that your policy to not read attachments
8 that you send to people?

9 MR. DEL MESE: Normally I would have. This came from
10 Mr. Villanueva, and I was just the messenger.

11 MR. FORMAN: And what did -- what did -- what did
12 Villanueva tell you in connection with contacting Alicia Ault?
13 What did he want you to say?

14 MR. DEL MESE: That we had -- he -- they had a settlement
15 agreement they would like her to take a look at.

16 MR. FORMAN: Did you or -- do you know if Villanueva
17 reviewed the evidence that led to Mandoyan's dismissal and
18 decided that he somehow deserved reinstatement?

19 MR. DEL MESE: Only from public statements that he's made.

20 MR. FORMAN: You had no communications with him about his
21 efforts to reinstate Mandoyan?

22 MR. DEL MESE: Not after the initial meetings where he
23 coordinated a Truth and Reconciliation Panel. After that, I
24 didn't have any communication with him on it.

25 MR. FORMAN: This settlement agreement you sent, was it

1 sent with the approval of then-Sheriff McDonnell?

2 MR. DEL MESE: Not to my knowledge.

3 MR. FORMAN: Villanueva was not sheriff when he asked you
4 to send this agreement to have it approved for the
5 reinstatement of Mr. Mandoyan; is that right?

6 MR. DEL MESE: I believe I asked her to review it.

7 MR. FORMAN: Just to review it?

8 MR. DEL MESE: That's all I was asked.

9 MR. FORMAN: And did Villanueva explain to you why he was
10 making this ask, why he was forwarding the settlement
11 agreement, why he wanted it to happen?

12 MR. DEL MESE: No.

13 MR. FORMAN: Do you know if Villanueva knew that Mandoyan
14 was a Grim Reaper?

15 MR. DEL MESE: I don't know.

16 MR. FORMAN: Now, you said you -- did you first talk to
17 Alicia Ault, or did you send her the agreement after you first
18 talked?

19 MR. DEL MESE: Could you rephrase that question?

20 MR. FORMAN: Okay.

21 You said you sent her an agreement, and you talked to
22 her. I want to know what happened first. The talk or the
23 send.

24 MR. DEL MESE: I believe I -- that's the reason I called
25 her was to tell her I was going to send it.

1 MR. FORMAN: Okay.

2 And how many conversations did you have with
3 Alicia Ault about the Mandoyan issue?

4 MR. DEL MESE: Just that one that I recall.

5 MR. FORMAN: Just one that you recall.

6 You know that she recalls two conversations; right?

7 MR. DEL MESE: I don't know. I don't recall.

8 MR. FORMAN: Well, you -- she was deposed. Chief Ault was
9 deposed on May 23rd, 2019, in connection with a lawsuit about
10 the reinstatement of Mandoyan, and you attended as the client
11 representative of the Sheriff. So you sat there through her
12 testimony.

13 Do you recall sitting there through that?

14 MR. DEL MESE: That's correct.

15 MR. FORMAN: Okay.

16 And do you recall that she testified that she had two
17 conversations with you about the Mandoyan issue?

18 MR. DEL MESE: Are you referring to the one we just
19 discussed that I don't recall early on and then the subsequent
20 one that was connected to the settlement agreement?

21 MR. FORMAN: No. I'm talking about the transition time
22 period. Thank you for the clarification.

23 She talks about two conversations with you in the
24 settlement time period -- in the transition time period.

25 Do you recall that testimony?

1 MR. DEL MESE: I don't -- I don't recall that.

2 MR. FORMAN: Well, you were sitting there, and you heard
3 this testimony.

4 Do you recall Chief Ault testifying at her deposition
5 that you telephoned her in her office on November 26th, 2018?

6 And just about the first thing you said to her was
7 that you were looking at a picture of her on the organization
8 chart for the department. And she asked you if it was a newer
9 photo, meaning were you planning a new position for her, and
10 you didn't answer.

11 Do you recall her testimony on that?

12 MR. DEL MESE: I recall the testimony on that; I don't
13 recall the conversation. And I didn't have a org chart with
14 pictures on it; so I was a little confused by all that.

15 MR. FORMAN: Did you have an org chart at all?

16 MR. DEL MESE: I may have had an org chart I believe I
17 downloaded that did not have pictures.

18 MR. FORMAN: As the designated chief of staff during the
19 transition period, you're going to have an org chart; right?

20 MR. DEL MESE: Only what I brought. There was no rules as
21 to what I should have or what I shouldn't.

22 MR. FORMAN: Is it your best recollection you had an org
23 chart during the transition period?

24 MR. DEL MESE: It is my best recollection I did have one,
25 and it did not have pictures.

1 MR. FORMAN: And -- so do you deny that you began your
2 conversation with Chief Ault by saying that you're looking at
3 the Sheriff's org chart?

4 MR. DEL MESE: I don't recall that at all, and I didn't
5 recall that at the time she testified to it.

6 MR. FORMAN: You did or did not?

7 MR. DEL MESE: I did not.

8 MR. FORMAN: Well, let's look at Exhibit 1, which you
9 would have seen before because it was an exhibit at her
10 deposition.

11 She -- this is -- we -- these are...

12 Thank you for blowing it up.

13 These are -- she testified these are her notes that
14 she made on November 26th, 2018, when you called her in her
15 office, and she's written your name at the top.

16 Do you see that, "Del Mese"?

17 MR. DEL MESE: Uh-huh.

18 MR. FORMAN: And the first thing she's written there is,
19 "Looking at photo of me on org chart. Newer photo."

20 Do you see that?

21 MR. DEL MESE: I see that.

22 MR. FORMAN: And she testified that she wrote down what
23 you said to her. She testified she wrote it down that day.

24 Do you have reason to think she's lying about that?

25 MR. DEL MESE: I don't recall that.

1 MR. FORMAN: Do you have reason to think she's lying about
2 that?

3 MR. DEL MESE: I can't make that decision. I don't recall
4 it.

5 MR. FORMAN: Well, do you think that Chief Ault fabricated
6 these notes?

7 MR. DEL MESE: I don't know.

8 COMMISSIONER RUBIN: Jesus.

9 MR. FORMAN: What leads you to think -- well, why do you
10 doubt the authenticity of these notes?

11 MR. DEL MESE: I don't know.

12 MR. FORMAN: You don't know why --

13 MR. DEL MESE: You're asking me questions I don't have
14 answers to. I'd be speculating.

15 MR. FORMAN: So she testified these were her notes made on
16 that day, and there's no challenge made to them.

17 What would be a better record of that conversation of
18 November 26th, 2018? Her notes of that day, or your memory of
19 it today?

20 MR. DEL MESE: I don't know. I didn't recall that when
21 she testified to it. I don't recall that happening.

22 MR. FORMAN: And you agree that contemporaneous notes are
23 more accurate than memories three-and-a-half years later?
24 That's why deputies make notes when they're taking statements;
25 correct?

1 MR. DEL MESE: I would say that would be correct.

2 MR. FORMAN: Assuming that Chief Ault's contemporaneous
3 notes are accurate, you understand how that statement could be
4 perceived as intimidating as high-ranking officials are being
5 demoted on the org chart -- that you're looking at the org
6 chart?

7 MR. DEL MESE: I could see that, but she forgot to mention
8 in her testimony that she followed up with a question, "Is this
9 quid pro quo?" And I told her absolutely not.

10 MR. FORMAN: I'm going off of what her recollection -- you
11 have your recollection, and I'm looking at these notes.

12 MR. DEL MESE: Well, my recollection is --

13 MR. FORMAN: Let -- let me ask --

14 MR. DEL MESE: -- we clarified that in our conversation,
15 but what she testified to, she kind of left that out.

16 So maybe that goes towards your speculative question
17 do I think these are accurate or not.

18 MR. FORMAN: But you're guessing right now?

19 MR. DEL MESE: I'm not guessing. I know she asked me
20 that, and I made it quite clear that it was not quid pro quo,
21 no promises were being made to -- for her to do something and
22 receive something in return.

23 MR. FORMAN: So --

24 MR. DEL MESE: I was the messenger. I just wanted to
25 deliver the message. I didn't want to try to influence the

1 message. I didn't want to, you know, invoke any opinions. I
2 just told her this is what the sheriff elect asked me to do.

3 MR. FORMAN: Okay.

4 Mr. Del Mese, please wait till I ask a question.
5 Okay? Thank you.

6 She also testified as you were sitting there, "He
7 went on to talk about what he wanted me to do. And I'm, like,
8 'Okay.' So this is the ask, you know, I'm going to have to do
9 this. We'll bring you along in the Villanueva regime. And
10 that's exactly how I took it, as a threat."

11 What did you think when you heard that testimony at
12 her deposition?

13 MR. DEL MESE: Based on what I just told you, I thought it
14 was inaccurate.

15 MR. FORMAN: And she writes below here, "Return to work
16 Mandoyan, Caren. S/A." And she said the "S/A" testified as a
17 settlement agreement.

18 Does that make sense to you?

19 MR. DEL MESE: I did provide her a settlement agreement.

20 MR. FORMAN: And then it says below that "To Chief of
21 Division."

22 Do you see that note?

23 MR. DEL MESE: Uh-huh.

24 MR. FORMAN: Do you recall Chief Ault saying that she told
25 you on that phone call that the request to reinstate Mandoyan

1 needed to go through the division chief of where he was
2 assigned to at the time of his dismissal?

3 Do you recall her saying that?

4 MR. DEL MESE: No. I don't recall that.

5 MR. FORMAN: Do you recall her testifying to that as you
6 sat there?

7 MR. DEL MESE: I don't recall it.

8 MR. FORMAN: Do you recall her saying that this note to
9 Chief of Division reflects that part of that conversation?

10 MR. DEL MESE: I don't recall.

11 MR. FORMAN: And do you recall her saying that she was not
12 the Chief of Division to whom the request for reinstatement had
13 to go to; it had to go to Hollywood Division 'cause that's
14 where Mandoyan was?

15 Did she push back on you saying, "I can't handle this
16 request. This is not who it should go to"?

17 MR. DEL MESE: She may have. I don't recall.

18 MR. FORMAN: She may have.

19 And her notes indicate that she did mention that.

20 Did you insist that she, herself, handle the
21 restatement request?

22 MR. DEL MESE: Not that I recall, no.

23 MR. FORMAN: Well, she told you that she was not the
24 proper channel. Did you press her on that?

25 MR. DEL MESE: No. Not that I recall.

1 MR. FORMAN: Well, so let's look at the settlement
2 agreement that you sent her after this phone call.

3 Go on the next page.

4 We have an email exchange between Chief Ault and you.
5 And we have at the bottom here "Lawrence Del Mese."

6 That's your email; correct?

7 MR. DEL MESE: Correct.

8 MR. FORMAN: And it -- that's -- that one is dated
9 November 26th, and it just says, "Sent from. Subject:
10 Mandoyan."

11 Do you see that?

12 MR. DEL MESE: Are you talking about the subject line?

13 MR. FORMAN: Yeah. Right there. You see that?

14 MR. DEL MESE: Okay.

15 MR. FORMAN: Okay.

16 MR. DEL MESE: Yes, I do see that.

17 MR. FORMAN: And then if you go back up to -- Chief Ault
18 responded on November 30th:

19 "Sir, as today is my last date in service to the --
20 to the County, I wanted to close the loop on this request.
21 I've given this document to County Counsel to process."

22 So the document she's referring to is the settlement
23 agreement. Is that your understanding?

24 MR. DEL MESE: Correct.

25 MR. FORMAN: Okay.

1 And then if we turn the page, we have the settlement
2 agreement. And she's testified -- there's handwriting on it.

3 Do you see that's her handwriting? She -- that --
4 that's her handwriting; so I don't want to confuse you with
5 that.

6 And have you seen this -- aside from her deposition,
7 have you seen this settlement agreement before?

8 MR. DEL MESE: Not that I recall.

9 MR. FORMAN: So her deposition six months afterwards was
10 the first time you ever saw the settlement agreement?

11 MR. DEL MESE: Correct.

12 MR. FORMAN: Can you go to the last page of the agreement.

13 And do you see there where it is her name, actually,
14 as the signatory on "Behalf of the Department" on the
15 settlement agreement? And she's testified she crossed it out
16 'cause that was improper.

17 Do you see that?

18 MR. DEL MESE: Uh-huh.

19 MR. FORMAN: Did you put her name down there as the person
20 signing for the department?

21 MR. DEL MESE: No.

22 MR. FORMAN: Do you know who did?

23 MR. DEL MESE: No.

24 MR. FORMAN: But you sent this to her with her signature
25 even after she told you she could not handle the request, that,

1 properly, it'd have to go to a different division.

2 MR. DEL MESE: As I stated, I did not open that or read it
3 prior to sending it. I was just the messenger.

4 MR. FORMAN: After she told you that she was not the
5 proper person to process this request, why did you maintain to
6 go outside those channels?

7 MR. DEL MESE: I don't understand your question.

8 I do know that I asked -- I was asked to send her the
9 settlement agreement. I was asked to call her and let her know
10 I would be sending her the settlement agreement, and as to the
11 rest, I don't recall.

12 MR. FORMAN: She also testified as you were sitting there
13 that you told her that the reinstatement for Mr. Mandoyan had
14 to be handled immediately before the Sheriff took office.

15 Do you deny that you said that?

16 MR. DEL MESE: I may have told her that was the Sheriff's
17 request, but that was not my request.

18 MR. FORMAN: Was the Sheriff's request different from
19 your -- wait a minute. Was the Sheriff's request different
20 from some requests that you had?

21 MR. DEL MESE: I had no requests. I'm the messenger --

22 MR. FORMAN: You're the messenger -- sorry to cut you off.

23 Go ahead.

24 MR. DEL MESE: I was just the messenger, and she would be
25 receiving that settlement agreement via email.

1 MR. FORMAN: So it was -- but you conveyed it was the
2 Sheriff's request that this be handled before his inauguration?

3 MR. DEL MESE: That this be handled. I -- I didn't give
4 her a timeline that I recall.

5 MR. FORMAN: Okay.

6 She testified that you did, that it had to be done
7 immediately.

8 Was she telling the truth when she said that?

9 MR. DEL MESE: I don't know if she was telling the truth
10 or not. I don't recall it.

11 MR. FORMAN: She testified:

12 "They wanted it done while McDonnell was in office.
13 They did not want it to be done on Monday when it would have
14 been easier, as I suggested. And I was told emphatically by
15 Del Mese 'It has to be done by Friday.'"

16 Do you deny saying that to her?

17 MR. DEL MESE: I don't recall saying that to her.

18 MR. FORMAN: And she also testified that you asked to wipe
19 Mandoyan's disciplinary record clean and restore him with full
20 back pay.

21 Do you recall her giving that testimony?

22 MR. DEL MESE: Yes. I recall hearing that testimony. I
23 don't recall ever saying anything like that. Unless it was
24 written in the settlement agreement, I have no idea where she
25 got that.

1 MR. FORMAN: Well, it was, in fact, written in the
2 settlement agreement that you sent to her, wasn't it?

3 MR. DEL MESE: I don't know.

4 MR. FORMAN: Well?

5 MR. DEL MESE: I know I didn't tell her that.

6 MR. FORMAN: Well, let's go to the first page of the
7 settlement agreement. Page down a little bit.

8 We have here Points 1, 2, and 3:

9 "That the department shall rescind discharge action
10 imposed on Mandoyan, on September 14th, 2016, and, in addition,
11 is going to rescind other disciplinary charges for which he
12 wasn't dismissed in 2016."

13 Do you see that?

14 MR. DEL MESE: I do.

15 MR. FORMAN: And she told you, "Hey, we can't do this.
16 Like, this -- we've never done this, which is wiping out
17 somebody's disciplinary record."

18 MR. DEL MESE: I don't recall having that conversation
19 with her. Once I sent her the settlement agreement, I believe
20 that was the last time I communicated with her.

21 MR. FORMAN: And you didn't communicate with her at all in
22 this conversation what any of the terms of the settlement
23 agreement was. That's your testimony?

24 MR. DEL MESE: I don't recall that.

25 MR. FORMAN: You don't recall that.

1 Now, eventually, you had a parting of the waves -- of
2 the ways with -- with Sheriff Villanueva over Caren Mandoyan;
3 is that correct?

4 MR. DEL MESE: I had -- I was transferred from the
5 Sheriff's Office to North Patrol. That is correct.

6 MR. FORMAN: And do you believe that was because of a
7 difference of opinion you had with the Sheriff, ultimately,
8 over the reinstatement of Caren Mandoyan?

9 MR. DEL MESE: I believe that was part of it.

10 MR. FORMAN: Okay.

11 Can you tell me what part of it that was? Why --
12 why you believe that.

13 MR. DEL MESE: Well, there's two people in that
14 administration that would consistently tell the sheriff "No":
15 Ray Leyva, he lasted three months; Larry Del Mese, he lasted
16 six months.

17 MR. FORMAN: And --

18 MR. DEL MESE: People that told him "Yes" got promotions
19 one after another that continue on to this day.

20 So I know you've been sitting here, you know, calling
21 my credibility into question, but let the facts speak for
22 themselves. I had a very short run in that administration for
23 a reason, because I learned from this case not to be the
24 messenger. I learned from other situations to speak my truth,
25 and I think, overall, that was not appreciated by the Sheriff.

1 MR. FORMAN: Well, let -- let me ask you about that,
2 Mr. Del Mese.

3 In what ways do you think speaking the truth was not
4 appreciated by Sheriff Villanueva?

5 MR. DEL MESE: By the fact that I got sent to another job
6 and they brought someone else in who would tell him "Yes."

7 MR. FORMAN: And what -- what truth did you speak that led
8 to Villanueva sending you to another job?

9 MR. DEL MESE: Daily.

10 MR. FORMAN: Can you give me some examples?

11 MR. DEL MESE: Well, you know, unbeknownst to me, the
12 Sheriff had spent a lot of money to redecorate the old
13 Sheriff's Office in Monterey Park. And he came in one day and
14 said, "We're all moving to Monterey Park."

15 I told him, "I don't think that's a good idea, and I
16 don't know why we would have redecorated those offices."

17 But that's a perfect example of Mr. Villanueva was
18 doing a lot of things outside my knowledge.

19 MR. FORMAN: One of the -- one of the truths you spoke to
20 him is that you thought that the Sheriff's Department should
21 drop its bid to reinstate Mandoyan, isn't that right?

22 MR. DEL MESE: When it became litigation, I voiced my
23 opinion that one -- one employee should not be more important
24 than the organization itself.

25 I was always very professional, and the Sheriff's

1 Department and its reputation are very important to me and I
2 believe that it was detracting from that, yes.

3 MR. FORMAN: And who gave you the news that you were being
4 transferred from the chief of staff position?

5 MR. DEL MESE: Well, as you've probably read in my
6 deposition, it was Mr. Murakami.

7 MR. FORMAN: Okay.

8 And you also testified there that you believe
9 Mr. Murakami understood that you were being transferred because
10 of your opposition now to the Mandoyan reinstatement over legal
11 challenges.

12 MR. DEL MESE: I did speculate to that, yes.

13 MR. FORMAN: And where were you transferred to?

14 MR. DEL MESE: North Patrol.

15 MR. FORMAN: And was North Patrol the post you retired
16 from?

17 MR. DEL MESE: Yes, it is.

18 MR. FORMAN: Okay.

19 Let's -- we've heard some -- first of all, were you
20 able to listen in on some of the testimony of Chief Burson
21 earlier today?

22 MR. DEL MESE: Yes, I did.

23 MR. FORMAN: So I want to ask you some about the Kennedy
24 Hall incident and his testimony.

25 What's your understanding of the Kennedy Hall

1 incident?

2 MR. DEL MESE: Only what I've read in the newspaper, that
3 it was one group of deputies that attacked another.

4 MR. FORMAN: Okay.

5 So you say it was only what you read in the
6 newspaper. Did you read any internal reports about the
7 Kennedy Hall incident?

8 MR. DEL MESE: Not that I recall.

9 MR. FORMAN: Did you have any discussions with any of the
10 investigators into Kennedy Hall about the incident?

11 MR. DEL MESE: Not that I recall.

12 MR. FORMAN: Did you have any discussions with anybody
13 about the refusal of many deputies to testify about the
14 incident?

15 MR. DEL MESE: Not that I recall. That would not have
16 been part of my duties.

17 MR. FORMAN: So you just read about it in the newspaper.
18 No other knowledge of the incident other than what me and all
19 the other people walking around would know about?

20 MR. DEL MESE: It wasn't part of my official duties to be
21 involved in that.

22 MR. FORMAN: Did you think that the incident, from what
23 you read, reflected poorly on the department?

24 MR. DEL MESE: Yes.

25 MR. FORMAN: In what ways?

1 MR. DEL MESE: I had trouble understanding why one group
2 of deputies would attack another.

3 MR. FORMAN: Would that reason be because one group of
4 deputies were members of the Banditos and the others weren't?

5 MR. DEL MESE: I don't know. That would be my speculation
6 at this point, based on what I've heard.

7 MR. FORMAN: Okay.

8 You understood that the Kennedy Hall incident
9 involved allegations that some Bandito deputies attacked other
10 deputies; correct?

11 MR. DEL MESE: Based on what I read in the Times, yes.

12 MR. FORMAN: And you understood, based on what you've
13 read, that dispute -- that the divisions between Bandito
14 deputies and non-Bandito deputies was a possible motive for the
15 crimes; correct?

16 MR. DEL MESE: Based on what I've heard today.

17 MR. FORMAN: This is the first time you're hearing that as
18 a motive?

19 MR. DEL MESE: It's the first one I recall.

20 MR. FORMAN: And did you hear Chief Burson's testimony
21 that one of the points of the Kennedy Hall investigation was to
22 get to the bottom of the role of the deputy cliques in that
23 incident?

24 Did you hear that?

25 MR. DEL MESE: I heard him say that that should -- that

1 was the goal he was asked to perform, yes.

2 MR. FORMAN: And in your experience as a law -- law
3 enforcement officer, is it appropriate to get to the bottom of
4 the motive for a criminal act?

5 MR. DEL MESE: It is appropriate.

6 MR. FORMAN: Okay.

7 Can you think of any circumstances where it would be
8 appropriate to purposely decide not to investigate motive in
9 connection with a criminal act?

10 MR. DEL MESE: No, I cannot.

11 MR. FORMAN: Okay.

12 And you understood that during the transition period
13 that this investigation of -- and when I say "transition
14 period," I'm referring to November 2018, after the election,
15 before the inauguration.

16 And you understood that during this transition period
17 the Sheriff's Department was investigating the Kennedy Hall
18 incident; correct?

19 MR. DEL MESE: I -- as I recall they were, yes.

20 MR. FORMAN: Okay.

21 And who was Matt Burson? What is your understanding
22 of who he was in the role of that investigation?

23 MR. DEL MESE: The captain at ICIB.

24 MR. FORMAN: Okay.

25 And you've heard the testimony this morning, and you

1 probably saw a declaration that Chief Burson said that you
2 called him up on November 27th, 2018, and that -- for the
3 chronology, that's one day after your call with Chief Ault,
4 which was on November 26th, that you called up -- he testified
5 that you called him on November 27th, 2018, and said you were
6 calling on behalf of the new sheriff, Villanueva, and he should
7 hold off on asking questions about the Banditos until the new
8 sheriff arrives.

9 You heard that; right?

10 MR. DEL MESE: I heard him say that.

11 MR. FORMAN: Did you make that call?

12 MR. DEL MESE: As you probably read in my deposition, I
13 don't recall ever having that conversation with Matt Burson or
14 any conversation with Alex Villanueva regarding the Banditos.

15 MR. FORMAN: You don't recall having any conversation ever
16 with Alex Villanueva about the Banditos?

17 MR. DEL MESE: No.

18 MR. FORMAN: Even when you were chief of staff after the
19 election?

20 MR. DEL MESE: I don't -- I don't recall ever having that
21 conversation.

22 MR. FORMAN: Never a topic that came up at all?

23 MR. DEL MESE: Not in my presence that I recall.

24 MR. FORMAN: And so you don't recall that conversation
25 with Chief Burson.

1 He has a pretty detailed recollection, wouldn't you
2 say?

3 MR. DEL MESE: So he says.

4 MR. FORMAN: Okay.

5 Well, are you saying that he's made up that
6 conversation?

7 MR. DEL MESE: I'm saying he may have had that
8 conversation, but I don't believe it was with Larry Del Mese,
9 and I'll tell you why.

10 One of your commissioners brought up the point we are
11 a paramilitary organization, we have chain of command. If he
12 got a message like that from me and didn't go to the
13 undersheriff, I don't know why he would not have. And if I got
14 that message from Alex Villanueva to give to somebody, I would
15 have gone to the undersheriff. That's not something that I
16 involve myself with --

17 MR. FORMAN: Okay.

18 MR. DEL MESE: -- especially after the Mandoyan case.

19 MR. FORMAN: And you -- and you remember that -- that
20 Chief Ault testified that you were asking her to go outside the
21 proper channels to reinstate Mr. Mandoyan; correct?

22 MR. DEL MESE: I was delivering the Sheriff's wishes to
23 Chief Ault. I don't recall ever saying or going outside any
24 official channels. I'm not a personnel guy. I don't know what
25 the official pathway is for reinstatements, but I can tell you

1 I don't recall ever discussing the Banditos with Mr. Burson.

2 MR. FORMAN: So is it -- is it your testimony that you
3 don't recall and that it's possible you had that discussion?

4 MR. DEL MESE: Well, you know, that's three-and-a-half
5 years ago.

6 And if I didn't get a chance, let me tell the
7 commission that I appreciate them letting me testify remotely.
8 I am suffering from my second bout of COVID in the last two
9 months. But that -- that aside, I don't recall any of that.

10 MR. FORMAN: But you're not ruling out it's possible you
11 had that conversation with Chief Burson?

12 MR. DEL MESE: It's possible, but I would say improbable.

13 MR. FORMAN: Do you recall Sheriff Villanueva ever telling
14 you to call Chief Burson about the Kennedy Hall incident?

15 MR. DEL MESE: No. I -- I would continually connect
16 Alex Villanueva with people on the department when he asked.

17 Did he ask me to call Chief Burson? Probably many
18 times. About what? I have no idea.

19 MR. FORMAN: And in your experience as a law enforcement
20 officer, what is your opinion of Chief Burson's statement to
21 Deputy Chow that he cancelled the interviews so that he would
22 not have to ask questions about the subcultures at the East LA
23 Station?

24 Is that good policing?

25 MR. DEL MESE: No.

1 MR. FORMAN: Is it corrupt policing?

2 MR. DEL MESE: Could be.

3 MR. FORMAN: Could be in what way?

4 MR. DEL MESE: If he was trying to obstruct an
5 investigation, I think it could be criminal.

6 MR. FORMAN: Are you concerned about your criminal
7 liability in connection with Kennedy Hall?

8 MR. DEL MESE: Not at all.

9 MR. FORMAN: You're also -- you also heard the testimony
10 from -- from Chief Burson this morning that he spoke to you on
11 December 7th to inquire about the Kennedy Hall status.

12 And you again said on behalf of the Sheriff that
13 the -- they were not to ask any questions about the Banditos.

14 MR. DEL MESE: It's very interesting. When he testified
15 that he was in the Sheriff's Office with Ray Leyva and the
16 Sheriff and me the day prior, I don't know why he wouldn't have
17 brought it up to them directly. So it's very convenient that
18 he keeps quoting these conversations that we had, but I don't
19 recall.

20 MR. FORMAN: You don't recall one way or the other;
21 correct?

22 MR. DEL MESE: I said it's very improbable.

23 MR. FORMAN: And it was in that meeting on December 6th --
24 that's the one you're talking about that Burson was promoted
25 from captain to chief.

1 Do you know why that promotion was made?

2 MR. DEL MESE: Well, after firing all his chiefs, the
3 Sheriff had no choice but to promote a lot of people, more than
4 one rank, to fill those positions.

5 MR. FORMAN: Was any message delivered to Chief Burson in
6 connection with his promotion of what he was expected to do,
7 say, perhaps in connection with Kennedy Hall?

8 MR. DEL MESE: I don't recall the meeting, let alone what
9 was said.

10 MR. FORMAN: Do you recall meeting at all on December 6th
11 with the Sheriff and Leyva and Burson?

12 MR. DEL MESE: No.

13 MR. FORMAN: You don't remember that meeting at all?

14 MR. DEL MESE: I don't remember that meeting at all.

15 MR. FORMAN: So at least four people there. We'll have to
16 ask the other -- other two who -- to testify about that;
17 correct?

18 MR. DEL MESE: Yes.

19 MR. FORMAN: Okay.

20 Kennedy Hall was a big story in the press; correct?

21 MR. DEL MESE: It was a story in the press. I don't know
22 if it was big or small.

23 MR. FORMAN: Okay.

24 And -- but you reiterate that your only knowledge of
25 the incident comes from what you read in the press. You didn't

1 learn anything within the Sheriff's Department about the
2 Kennedy Hall incident?

3 MR. DEL MESE: Not that I recall. There's a whole chain
4 of command from the assistant sheriff down that may have been
5 involved in that. The chief of staff wasn't one of them.

6 MR. FORMAN: Okay.

7 And so as chief of staff you never had any
8 discussions with anyone at the Sheriff's Department about
9 Kennedy Hall. Is that your testimony?

10 MR. DEL MESE: Not that I recall.

11 MR. FORMAN: You had never had any -- never read any
12 internal materials about Kennedy Hall even as chief of staff or
13 the Sheriff; correct? That's your testimony?

14 MR. DEL MESE: Not that I recall. That is my testimony.

15 MR. FORMAN: Did you ever hear about that there were
16 deputies who were refusing to comply with the investigation?

17 MR. DEL MESE: Not until testimony earlier today.

18 MR. FORMAN: Okay.

19 And I want to step back a little bit about the
20 Sheriff's approach in general to the subgroups.

21 Do you recall that during the -- the campaign that
22 the issue of sheriff's subgroups, cliques, or gangs was an
23 issue in the campaign between Villanueva and McDonnell?

24 MR. DEL MESE: It may have been. I'm -- I'm having
25 trouble recalling exactly in what context.

1 MR. FORMAN: Okay.

2 But you worked on the campaign, but you're not sure?

3 MR. DEL MESE: I did some work on the campaign, but I
4 don't know in what context that came up.

5 MR. FORMAN: Did Villanueva say he was going to get tough
6 on the subgroups?

7 MR. DEL MESE: He may have. He said a lot of things.

8 MR. FORMAN: Okay.

9 And you agree that the department should get tough on
10 the subgroups. You think that the deputies should get rid of
11 their tattoos and shouldn't belong to the subgroups any longer;
12 isn't that right?

13 MR. DEL MESE: I do. As I testified, I believe it
14 tarnishes the image of the department.

15 MR. FORMAN: Okay.

16 And do you recall that on his first day of office
17 Villanueva replaced the head of East LA with Ernie Chavez?

18 Do you recall that?

19 MR. DEL MESE: I don't know when Ernie Chavez was promoted
20 to captain and assigned to East LA. I know my job was to find
21 a vacancy because the Sheriff wanted to move the captain that
22 was in that role.

23 MR. FORMAN: And he wanted to move him because, as he said
24 in the press, that the Banditos had run roughshod over that
25 captain; isn't that correct?

1 MR. DEL MESE: He may have. He didn't -- I don't recall
2 discussing why. I just recall my actions were finding an open
3 unit for a captain item.

4 MR. FORMAN: But Ernie Chavez wasn't his first choice for
5 that position, was he?

6 MR. DEL MESE: Not that I recall.

7 MR. FORMAN: Do you recall that Villanueva's first
8 choice to be the new chief of East LA, to clean house, was
9 Danny Batanero; correct?

10 MR. DEL MESE: I recall that the Sheriff wanted to make
11 Danny Batanero a captain, and I believe it was at East LA.

12 MR. FORMAN: Okay.

13 And who is Danny Batanero?

14 MR. DEL MESE: He was a person who retired from the
15 department as a sergeant that I had never met before.

16 MR. FORMAN: And you felt it was going to be next to
17 impossible to take somebody back as a sergeant and then promote
18 him to captain immediately to be in charge of a -- of an -- of
19 a station; correct?

20 MR. DEL MESE: As you read in my deposition testimony, I
21 spent most of my time in that office trying to figure out the
22 nuts and bolts of that, and it violated Civil Service rules to
23 bring a sergeant back as a captain.

24 MR. FORMAN: And did you ask Villanueva why he wanted
25 Batanero in that role?

1 MR. DEL MESE: No.

2 MR. FORMAN: Did you know that Batanero is on the
3 Brady List as a founding member of the Banditos?

4 MR. DEL MESE: I did not know that.

5 MR. FORMAN: Do you know that he is credited as being one
6 of the designers of the Banditos logo?

7 MR. DEL MESE: I did not know that.

8 MR. FORMAN: Well, when Mr. Batanero was being vetted for
9 this position of taking over East LA, was any investigation
10 done of his subgroup affiliation?

11 MR. DEL MESE: Not to my knowledge.

12 MR. FORMAN: When anybody was promoted by Chief
13 Villanueva, was there any investigation done of their subgroup
14 affiliation?

15 MR. DEL MESE: I think that question would be for
16 Ray Leyva.

17 In my tenure -- and then Tim Murakami after that, as
18 the chief of staff, I wasn't asked to or expected to vet
19 anybody.

20 MR. FORMAN: So -- but to -- in your -- to your knowledge,
21 that inquiry never happened where deciding whether someone is
22 going to be promoted, in fact, was a member of a subgroup?

23 You never heard that going on?

24 MR. DEL MESE: No. To my knowledge, no.

25 MR. FORMAN: And even though you were chief of staff from

1 December 2018 to July 1, 2019, your testimony is that you never
2 discussed the Banditos with Sheriff Villanueva?

3 MR. DEL MESE: Not that I recall.

4 MR. FORMAN: Okay.

5 And during that whole time you were his chief of
6 staff you never discussed with him or had a meeting about
7 dealing with the problem of sheriff's subgroups; isn't that
8 correct?

9 MR. DEL MESE: I don't recall ever being in those
10 meetings.

11 MR. FORMAN: Do you recall if any meetings were occurring
12 where the purpose was to discuss the problem dealing with
13 sheriff subgroups?

14 MR. DEL MESE: I -- there may have been a meeting to that
15 effect with the proper people involved, but I don't recall it.

16 MR. FORMAN: You never heard of it?

17 MR. DEL MESE: Three-and-a-half years ago, I don't recall.

18 MR. FORMAN: And the whole time you were the chief of
19 staff, you were not even aware of any kind of plan for
20 addressing the deputy subgroup issue by the administration;
21 isn't that right?

22 MR. DEL MESE: I was not personally, no.

23 MR. FORMAN: Well, you were not aware of any plan,
24 personally, or not. You were not aware of any plan; isn't that
25 correct?

1 MR. DEL MESE: That I recall, no.

2 MR. FORMAN: Okay.

3 On the other hand, Sheriff Villanueva did ask you to
4 set up a meeting with the FBI, the State Attorney General's
5 Office, and others to investigate Max Huntsman and others for
6 supposedly accessing files improperly; isn't that correct?

7 MR. DEL MESE: As you probably read in my deposition, I
8 did set up a meeting with the outside agencies regarding access
9 of files. As I testified in my deposition, I may -- I don't
10 remember if Max Huntsman or Diana Teran or others were the
11 names involved. I didn't get that information on who did it,
12 just that it was done.

13 MR. FORMAN: Well, as you -- talking about your
14 deposition, you also testified that Villanueva was focused on
15 just the most prominent names of who may have accessed the
16 files, including Max Huntsman; correct?

17 MR. DEL MESE: Eventually that came out because of what I
18 read in the newspaper.

19 MR. FORMAN: Okay.

20 MR. DEL MESE: I believe I was gone from that office by
21 that time.

22 MR. FORMAN: Well, in fact, you did set up that meeting
23 with the FBI and the Attorney General's Office; correct?

24 MR. DEL MESE: I did.

25 MR. FORMAN: And you understood that Max Huntsman and his

1 team, in fact, had authority to access files; correct?

2 MR. DEL MESE: Correct.

3 MR. FORMAN: Now, Villanueva never asked you to organize a
4 meeting with the FBI to look into subgroups, did he?

5 MR. DEL MESE: Not that I recall.

6 MR. FORMAN: Seems like a big thing. Did that happen, or
7 not?

8 MR. DEL MESE: Not that I recall.

9 MR. FORMAN: You just don't recall it.

10 Would you ordinarily remember if he came and asked
11 you let's set up a meeting with the FBI to investigate the
12 subgroups?

13 MR. DEL MESE: I -- I don't recall him asking me that.

14 MR. FORMAN: Okay.

15 And did -- he never asked you to set up a meeting
16 with the State AG's Office about investigating the subgroups,
17 did he?

18 MR. DEL MESE: Not that I recall.

19 MR. FORMAN: Okay.

20 In your personal perspective of Sheriff Villanueva,
21 who did he think was the biggest -- the bigger danger to the
22 Sheriff's Department, the sheriff subgroups or Max Huntsman?

23 MR. DEL MESE: I don't know. You'd have to ask him that.

24 MR. FORMAN: I'm asking about your perspective on what he
25 was focused on.

1 MR. DEL MESE: I -- I really can't testify as to what he
2 was focused on other than -- my job, which was, you know,
3 setting up meetings and introducing him to his executive staff
4 through meetings, making -- making sure that the schedule was
5 correct. I was an office manager. I was not a decision-maker.
6 There was five other people in the organizational chart above
7 my rank that made decisions. I came to work, and I managed an
8 office.

9 MR. FORMAN: And as an office manager, you never set up a
10 meeting on the issue of the sheriff's subgroups, did you? You
11 were never asked.

12 MR. DEL MESE: I'd have to -- I'd have to look at the
13 official, you know, schedule to see if there was one. I don't
14 recall ever setting up any meetings like that.

15 MR. FORMAN: And -- and did you --

16 MR. DEL MESE: Subsequently, after I left, maybe they did
17 have those meetings. I don't recall.

18 MR. FORMAN: You don't know, do you?

19 MR. DEL MESE: No, I don't.

20 MR. FORMAN: But you do recall setting up meetings to
21 discuss the file issue; correct?

22 MR. DEL MESE: The what issue? I'm sorry.

23 MR. FORMAN: The issue with the access to files.

24 MR. DEL MESE: Well, access to files, yes, because that
25 was both internal and external, and we tried to find out what

1 the recourse was going to be on that investigation early on.

2 MR. FORMAN: And you ultimately thought that the whole
3 file issue probably didn't have any merit and should be left
4 alone?

5 MR. DEL MESE: Once the Attorney General and the FBI
6 decided not to investigate, it was my personal opinion that it
7 should probably be left alone.

8 MR. FORMAN: I pass the witness.

9 CHAIR KENNEDY: Thank you, Mr. Forman.

10 Does -- do the commissioners have any questions?

11 May this witness be excused?

12 COMMISSIONER BONNER: Well, I mean, other than -- I mean,
13 a colossal failure of recollection of things that expect some
14 recollection of, but I have no questions for the witness.

15 CHAIR KENNEDY: May this witness be excused?

16 MR. O'CONNOR: I object to that comment by the
17 commissioner. It's harassing, it's incorrect, and the witness
18 has testified at best of his recollection here today, and let
19 the record reflect that.

20 CHAIR KENNEDY: Thank you, Mr. Del Mese. You're excused.

21 MR. DEL MESE: Thank you.

22 CHAIR KENNEDY: Mr. Deixler, want to proceed with your
23 third witness? Do you want to put that over? I -- really --

24 MR. DEIXLER: Ms. April Tardy -- I'd be surprised if we
25 could complete Chief Tardy and still allow time for public

1 testimony, but it would be my inclination to start, if we
2 could.

3 CHAIR KENNEDY: Okay.

4 MR. DEIXLER: I'm told I have to go to the microphone --

5 CHAIR KENNEDY: Yes.

6 MR. DEIXLER: -- repeat that which I just said, which is I
7 would be surprised if we would be completed with the next
8 witness's testimony, Chief Tardy, in the remaining time, giving
9 time for public comment. But it'd be my inclination to start
10 the examination of this witness. Sarah Moses of the Manatt,
11 Phelps firm is going to be conducting that.

12 CHAIR KENNEDY: Why don't we -- why don't we go, like, a
13 half hour and see how it goes and then we can always continue
14 the testimony to our next special hearing --

15 MR. DEIXLER: Very well.

16 CHAIR KENNEDY: -- if you're not done. Okay?

17 Right here.

18 Hi. Can you sit down?

19 Do you want to raise your right hand?

20 MS. TARDY: Yes.

21 CHAIR KENNEDY: Do you solemnly swear or affirm under
22 penalty of perjury to tell the truth, the whole truth, and
23 nothing but the truth?

24 MS. TARDY: I do.

25 MS. MOSES: Good afternoon, Chief Tardy.

1 MS. TARDY: Good afternoon.

2 MS. MOSES: As Mr. Deixler mentioned, my name is
3 Sarah Moses of the law firm Manatt, Phelps & Phillips. I am a
4 member of Special Counsel's team that is looking into sheriff
5 deputy gangs, and I'll be asking you some questions today.

6 Can you please state your full name and spell your
7 last name for the record.

8 MS. TARDY: Sure. April Lynn Tardy, T as in Tom, a-r-d-y.

9 MS. MOSES: And how are you currently employed?

10 MS. TARDY: I am a chief with the Los Angeles County
11 Sheriff's Department, assigned to Central Patrol Division.

12 MS. MOSES: And the Central Patrol Division includes
13 East Los Angeles and Compton; is that right?

14 MS. TARDY: That's correct.

15 MS. MOSES: Can you please tell us, briefly, how long
16 you've been with the Sheriff's Department, and each of the
17 positions that you have held.

18 MS. TARDY: Yes.

19 I've been with the department for 28 years. I
20 started my career at Sybil Brand Institute for Women in 1994.

21 I went to IRC in 1997 as a deputy sheriff.

22 I then went to Temple Station for patrol.

23 From there, I was assigned to Operation Safe Streets
24 as a gang investigator assigned to Compton Station.

25 I promoted to sergeant in 2000 -- January of 2011 --

1 I'm sorry, of 2006, and I was assigned to Compton Station for
2 four -- five-and-a-half years. And I worked as a field
3 sergeant, a detective sergeant, and the operations sergeant.

4 I promoted to lieutenant in August of 2011 and went
5 to Men's Central Jail. Worked there for about two years and
6 was part of the commander's task force at that time.

7 And I went over to Carson Station as a watch
8 commander and DB lieutenant.

9 From there, I went to South Los Angeles as the
10 operations lieutenant.

11 And then I went to Central Patrol Division as the
12 executive aide to Chief Bobby Denham of Central Patrol.

13 I was promoted to captain in October of 2016, and I
14 went over to South Los Angeles where I stayed there a little
15 over two years before I was promoted to commander in January --
16 well, acting commander in January of 2019, where I was assigned
17 to Central Patrol.

18 I was assigned to the chief position in
19 January of 2021, and I'm currently there now.

20 MS. MOSES: Can you tell me during the time that you were
21 a deputy working in the Operation Safe Streets Bureau, which is
22 the department's effort to combat street gangs; am I right?

23 MS. TARDY: That's correct.

24 MS. MOSES: Did you ever hear about a deputy subgroup
25 known as the Jump Out Boys?

1 MS. TARDY: I had left the unit, I believe, at that time,
2 but I did read about it. I don't know of any of the deputies
3 who were involved, but I did hear about the case.

4 MS. MOSES: When did you first hear about the Jump Out
5 Boys?

6 MS. TARDY: The first time I heard it was actually in the
7 media, and then I heard talk around the station -- the
8 department about the Jump Out Boys.

9 MS. MOSES: And while you were a lieutenant from 2011
10 through 2016, assigned to Men's Central Jail, did you ever hear
11 about the deputy subgroup known as the 3000 Boys?

12 MS. TARDY: I heard about that.

13 What happened, I got there in August of 2011, and in
14 December of 2010 was the Quiet Cannon fight involving the
15 deputies, and then that's when I began hearing about 2000 and
16 3000 Boys. I had never worked Men's Central Jail; so I didn't
17 know what that meant.

18 MS. MOSES: Had you been hearing about the 2000 Boys and
19 the 3000 Boys from members of the department or also from the
20 media?

21 MS. TARDY: From members of the department.

22 MS. MOSES: And during the time you were the captain of
23 South Los Angeles from 2016 to 2019, did you ever hear about a
24 deputy subgroup known as the Grim Reapers or the Reapers?

25 MS. TARDY: Yes, I had heard about that.

1 MS. MOSES: And what had you heard?

2 MS. TARDY: I heard that it was a subgroup at the station,
3 but I didn't know any members or, you know, what the tattoo
4 looked like.

5 MS. MOSES: Now, you became the chief of the Central
6 Patrol Division, which as we discussed, includes East Los
7 Angeles and Compton. I'm sorry, the commander of the Central
8 Patrol Division in January 2019; is that right?

9 MS. TARDY: That's correct.

10 MS. MOSES: Before you became the commander of the
11 Central Patrol Division, did you know East Los Angeles and
12 Compton's troubled histories with deputy subgroups?

13 MS. TARDY: No. I had never heard anything about East LA,
14 the Banditos. And Compton Station, I had been there for
15 several years, and I'd never heard of any troubled history.

16 MS. MOSES: And so before you started as commander of the
17 Central Patrol Division, no one sat you down and explained that
18 those two divisions had -- those two stations had had a
19 troubled history with deputy subgroups?

20 MS. TARDY: No. That's correct.

21 MS. MOSES: And what are your responsibilities, briefly,
22 as chief of the Central Patrol Division currently?

23 MS. TARDY: I am responsible for risk management issues,
24 personnel. I oversee six stations, probably a little less than
25 1600 employees. That -- that includes reviewing cases that are

1 for case review -- I present in case review. I review cases
2 that are going to the Executive Force Review Committee and
3 Critical Incident Review, along with a host of other things
4 such as budget and...

5 MS. MOSES: Is part of your role as the chief of Central
6 Patrol Division ensuring that department policy is enforced?

7 MS. TARDY: Yes.

8 MS. MOSES: Does that include the department's policy on
9 deputy subgroups?

10 MS. TARDY: Yes.

11 MS. MOSES: And you have, in fact, opened two
12 investigations into deputy subgroups, one in East Los Angeles
13 and one in Compton; is that right?

14 MS. TARDY: That's correct.

15 MS. MOSES: Is it fair to say that you're proud of the
16 work you have done to combat deputy subgroups?

17 MS. TARDY: So far, yes. I know it's a lot of work ahead
18 of us, but I think I'm making some strides.

19 MS. MOSES: Is it safe to say that having devoted what
20 sounds like your entire professional career to the department
21 that you care about the integrity of the department and its
22 sworn officers?

23 MS. TARDY: I do.

24 MS. MOSES: Would you agree that participation in law
25 enforcement subgroups, gangs, or cliques harms morale and

1 erodes public trust?

2 MS. TARDY: I do. I agree with that.

3 MS. MOSES: Undermines the department's goals and can
4 create a negative perception of the department?

5 MS. TARDY: Yes.

6 MS. MOSES: Increases the risk of civil liability to the
7 part -- the department and involved personnel?

8 MS. TARDY: Yes.

9 MS. MOSES: Okay.

10 Let's talk about what we mean when we are discussing
11 law enforcement gangs today.

12 If you could please turn to Exhibit 1 in the binder
13 that should be in front of you. This is Penal Code Section
14 13670.

15 If you'll take a look, please, at Section (a)(2), you
16 have of the definition of law enforcement gang, which I will
17 read a portion of. It says:

18 "Law enforcement gang means a group of peace officers
19 within a law enforcement agency who may identify themselves by
20 a name and may be associated with an identifying symbol,
21 including, but not limited to, matching tattoos, and who engage
22 in a pattern of on-duty behavior that intentionally violates
23 the law or fundamental principles of professional policing."

24 Do you see that?

25 MS. TARDY: Yes.

1 MS. MOSES: Chief Tardy, do law enforcement gangs exist in
2 the Los Angeles Sheriff's Department?

3 MS. TARDY: I would say that deputy subgroups exist within
4 our department, such as the Banditos and what has been deemed
5 as the Executioners in Compton.

6 MS. MOSES: So subgroup -- subgroups exist, but law
7 enforcement gangs do not; is that right?

8 MS. TARDY: That's correct.

9 MS. MOSES: Please tell me, in your mind, what the
10 difference is between a deputy subgroup and a law enforcement
11 gang.

12 MS. TARDY: Well, I -- I know that there is a pattern
13 of -- we have to refer to the pattern of behavior -- on-duty
14 behavior.

15 What separates it for me is I know that there isn't
16 anything in court yet; so we can call anything a gang until
17 it's been heard in court. So a judge or a court has to --
18 there are certain criteria -- and I'm going back to my gang
19 history. There's certain things that we have to put in place
20 in order to, let's say, file a case as -- for a gang. Just
21 because we call it a gang doesn't necessarily make it a gang.

22 For instance, I want to file a case because I see
23 three people tagging a wall. That doesn't make them a gang
24 because I say that it is; so I can't file it as a gang.

25 So I'm going to need certain criteria, and one is,

1 you know, a common sign, symbol, or name -- tattoo can be one
2 as well -- in addition to territory that's been defined, a list
3 of membership, in addition to crimes that they've committed
4 that we have predicate acts on. So crimes that they have been
5 charged with. And that's my definition of a gang. And the
6 reason I call this a subgroup is because that hasn't been
7 established yet.

8 MS. MOSES: And when you say "it hasn't been established
9 yet," do you mean that no court has determined that a law
10 enforcement gang exists? There's been no criminal conviction
11 under this Penal Code statute?

12 Is what I understand you're saying?

13 MS. TARDY: That's correct. And I'm not saying that it --
14 it -- it hasn't -- it hasn't happened yet, but it's possible
15 that it can.

16 MS. MOSES: Okay.

17 So I'm looking at Section 13670, and I -- I don't see
18 anywhere in this definition the necessity of a criminal
19 conviction, and so I'm curious -- I have read this more times
20 than I'd like to admit; I'm sure you have as well. It's not in
21 there, but can you please tell me where you came to the
22 understanding that a criminal conviction was necessary?

23 MS. TARDY: Not necessarily a criminal conviction, but if
24 we're charging a deputy with 13670 PC, and it's being submitted
25 to court, what are the other areas that they're looking at for

1 filing consideration? That's what -- that's where I'm thinking
2 of this case.

3 MS. MOSES: Okay.

4 It may be helpful to kind of break down this
5 definition into a couple parts as we continue to discuss today.
6 I see three parts here.

7 The first, we have a group of peace officers who
8 identify themselves by a name; the second may be associated
9 with an identifying symbol, including a tattoo; and the third,
10 violate fundamental principles of professional policing.

11 Does that sound like an accurate summary of the three
12 factors that would support a finding of a law enforcement gang?

13 MS. TARDY: Yes.

14 MS. MOSES: Okay.

15 MS. TARDY: That's three, yes.

16 MS. MOSES: Let's talk about the Compton Station.

17 Are the Executioners a law enforcement gang under
18 Penal Code Section 13670?

19 MS. TARDY: My answer would be the same as previously
20 stated.

21 MS. MOSES: Do they identify themselves by name?

22 MS. TARDY: They do.

23 MS. MOSES: And that's the Executioners, or "New Ink," as
24 I believe you've called them?

25 MS. TARDY: That's correct.

1 MS. MOSES: And are they associated with an identifying
2 symbol?

3 MS. TARDY: Yes, they are.

4 MS. MOSES: Patricia, can we pull up Exhibit 4, please.

5 This is the calf of Deputy Samuel Aldama.

6 Is this the identifying symbol that the Executioners,
7 or New Ink, are associated with?

8 MS. TARDY: Yes, it is.

9 MS. MOSES: And are you aware of any individual that has
10 this tattoo or has identified as being part of the Executioners
11 having violated fundamental principles of professional
12 policing?

13 MS. TARDY: Not that I'm aware of.

14 MS. MOSES: You opened a deputy subgroup investigation
15 under the department's policy in 2020, I believe, in the
16 Compton Station; is that right?

17 MS. TARDY: That's correct.

18 MS. MOSES: And as a result of that investigation, you
19 moved 11 deputies to non-patrol assignments; is that right?

20 MS. TARDY: That's correct.

21 MS. MOSES: Were any of those deputies moved to non-patrol
22 assignments Executioners?

23 MS. TARDY: They did have the tattoo, yes. They were
24 self-admitted during the investigation.

25 MS. MOSES: And so did they do something to violate policy

1 in order to warrant moving them to a non-patrol assignment?

2 MS. TARDY: It was a administrative patrol move -- or
3 administrative moves -- transfers for the good of the station.

4 MS. MOSES: So were the transfers to non-patrol
5 assignments discipline or not discipline?

6 MS. TARDY: It was not discipline.

7 MS. MOSES: And were those individuals found to have
8 violated department policy at any point in that investigation?

9 MS. TARDY: No.

10 MS. MOSES: How about the Banditos in East LA? Are they a
11 deputy subgroup?

12 MS. TARDY: Yes, they are.

13 MS. MOSES: And they identify themselves by a name; right?

14 MS. TARDY: They do.

15 MS. MOSES: And they have an identifying symbol; is that
16 right?

17 MS. TARDY: That's correct.

18 MS. MOSES: Can we pull up, Patricia, Exhibit 14.

19 This is the Loyola report on deputy gangs, page 8 of
20 the document. If you could zoom in there.

21 Is that image on the left the symbol that the
22 Banditos out of East LA associate themselves with?

23 MS. TARDY: Yes, it is.

24 MS. MOSES: And are you -- are you aware of any Bandito
25 having violated department policy or any fundamental principle

1 of professional policing?

2 MS. TARDY: Yes.

3 MS. MOSES: And what are -- what are those violations?

4 MS. TARDY: There were several performances standards,
5 conduct towards others, and this was part of the Kennedy Hall
6 investigation.

7 MS. MOSES: So if I understand correctly, we have the
8 Banditos, who identify themselves by a name and have an
9 identifying symbol, which we're looking at, and have violated
10 department policy in connection with the Kennedy Hall incident.

11 And so explain to me again how that does not qualify
12 as a law enforcement gang.

13 MS. TARDY: That's the term that I use is "subgroups," and
14 I know it's been used here today several times so...

15 MS. MOSES: I understand it's your preferred term, but we
16 talked about there being three different factors that would
17 establish a law enforcement gang. And from the description you
18 just gave, the Banditos satisfy all three of them.

19 So my question is, why is it not -- why are the
20 Banditos not a law enforcement gang?

21 MS. TARDY: According to 13670 PC, that is the definition;
22 correct.

23 MS. MOSES: And they meet it?

24 MS. TARDY: Yes.

25 MS. MOSES: Okay.

1 Let's talk about Kennedy Hall. Can you please
2 summarize that incident briefly for me.

3 MS. TARDY: A group of deputies at an off-training party
4 were involved in a huge fight in which several deputies who had
5 a lot more seniority at the station challenged other deputies
6 with less seniority to a fight at the Kennedy Hall, and several
7 people were injured. And there were several deputies, some
8 on-duty and some off-duty, who either stood by or maybe
9 transported some of the victims/suspects away from the
10 incident.

11 MS. MOSES: To the hospital; correct?

12 MS. TARDY: To the hospital and to other locations, yes.

13 MS. MOSES: The deputies who were more senior, those were
14 Banditos?

15 MS. TARDY: Yes.

16 MS. MOSES: And is it your opinion that the Kennedy Hall
17 incident was a drunken brawl involving mutual combat between
18 two groups of deputies, or was this Bandito violence against
19 non-Banditos?

20 MS. TARDY: Initially, I had heard that it was just a
21 drunken brawl, somewhat similar to the Quiet Cannon fight of
22 December 2010. And throughout the investigation, I read that
23 several people were self-admitted Banditos.

24 MS. MOSES: You spoke at a press conference on
25 August 13, 2020, regarding the Kennedy Hall investigation;

1 correct?

2 MS. TARDY: Correct.

3 MS. MOSES: Let's play a portion of that press conference,
4 Patricia. This is -- this is going to be Exhibit 7.

5 And there's a question at the beginning that's very
6 hard to hear; so I will say it before we begin in case we can't
7 hear it.

8 The questioner says, "And how is this," referring to
9 the Kennedy Hall policy violations that the investigation
10 found," link -- linked to a clique or to the Banditos?"

11 "And how is this linked to a -- to a clique or to the
12 Banditos?

13 "Well, because of the culture and what I would call
14 some shot callers at the station -- there's a difference
15 between a shot caller and a team leader.

16 "A team leader is someone who's promoting positive
17 behavior in the community, the department, and the station.

18 "A shot caller is someone who's trying to manipulate
19 and direct people and control the dialogue of what's going on
20 at the station.

21 "So that's what we found, that there were some people
22 who were acting as shot callers at the station and directing
23 people to do things such as different schedules and changing
24 schedules and having control over the schedules and different
25 events that were going on around the station and the station

1 areas."

2 Do you recall saying that?

3 MS. TARDY: I do.

4 MS. MOSES: Can you please tell us what a shot caller is?

5 MS. TARDY: A shot caller is someone who is a leader of a
6 group or at the station who is senior and directs the younger
7 deputies as to what the feel of the station should be.

8 MS. MOSES: That sounds very positive.

9 Is a shot caller a good thing to have in a station?

10 MS. TARDY: No. We prefer to have more seasoned deputies
11 as training and leaders and not shot callers. I did say that
12 we found during the investigation that there were people who
13 were trying to control the schedule. I did learn during the
14 investigation that there were shot callers who were dictating
15 when and where they can have barbecues and what events they can
16 have barbecues for.

17 MS. MOSES: How many of those shot callers you were
18 referring to in that August 13, 2020, press conference were
19 discovered to be Banditos during the course of the Kennedy Hall
20 investigation?

21 MS. TARDY: There were three that were self-admitted
22 during the course of the investigation.

23 MS. MOSES: And if someone is acting as a shot caller,
24 that means they are, by definition, usurping the authority of
25 the captain of that station; right?

1 MS. TARDY: Absolutely.

2 MS. MOSES: And that is in violation of department policy?

3 MS. TARDY: Yes, it is.

4 MS. MOSES: And that is contrary to fundamental principles
5 of professional policing?

6 MS. TARDY: Yes, it is.

7 MS. MOSES: Who are the shot callers you were referring to
8 in that August 2020 press conference?

9 MS. TARDY: I don't remember all of their names, but they
10 were discharged.

11 MS. MOSES: Was it Renè Munoz?

12 MS. TARDY: Yes.

13 MS. MOSES: Gregory Rodriguez?

14 MS. TARDY: Correct. And Silvero (phonetic).

15 MS. MOSES: David Silverio?

16 MS. TARDY: Yes.

17 MS. MOSES: And all three of them were terminated; that's
18 right?

19 MS. TARDY: That's correct. And there was a fourth who
20 was a sergeant. He was never -- he was never self-admitted
21 because I don't believe he interviewed; he was retired.

22 MS. MOSES: He retired with --

23 MS. TARDY: [Indiscernible.]

24 MS. MOSES: No consequences; correct?

25 MS. TARDY: Correct.

1 MS. MOSES: And deputies Munoz, Rodriguez, and Silverio
2 can still get their jobs back? They can appeal their
3 terminations through the Civil Service Commission?

4 MS. TARDY: Yes. I -- I have to go and hear the --
5 present their -- their case at the department -- for the
6 department so...

7 MS. MOSES: When are those hearings scheduled for?

8 MS. TARDY: I don't know. They've been cancelled a couple
9 of times.

10 MS. MOSES: Do you believe that those deputies deserve
11 their jobs back?

12 MS. TARDY: I do not.

13 MS. MOSES: Why is that?

14 MS. TARDY: Because of the conduct and the behavior that
15 occurred that night. The -- I'm surprised that the case wasn't
16 filed by the DA's Office. There was some significant injuries,
17 and I don't believe that they represented the badge well.

18 MS. MOSES: Will you be disappointed if deputies Munoz,
19 Rodriguez, and Silverio are reinstated?

20 MS. TARDY: Yes.

21 MS. MOSES: Should we go for another five minutes, or
22 what's the best?

23 CHAIR KENNEDY: It's -- how much more questioning do you
24 have, Ms. Moses?

25 MS. MOSES: I have quite a bit.

1 CHAIR KENNEDY: Would it be appropriate to break?

2 Chief Tardy, we have this courtroom until 1:00, and
3 so we need to conclude. Would you be able to come back at our
4 next scheduled hearing to finish your testimony?

5 MS. TARDY: When is the next scheduled 'cause I've already
6 cancelled my vacation?

7 CHAIR KENNEDY: Oh.

8 MS. TARDY: And I've already rescheduled it.

9 CHAIR KENNEDY: I'm sorry.

10 MS. TARDY: So...

11 CHAIR KENNEDY: We have not set the date; so if we worked
12 with you for a date that works so you don't have to cancel your
13 vacation again.

14 MS. TARDY: Okay.

15 CHAIR KENNEDY: I think we can stop here, and we're going
16 to take a five-minute break and allow for final public
17 comments.

18 You're excused for now, and we really appreciate you
19 coming here.

20 MS. TARDY: Thanks.

21 MS. MOSES: Thank you, Chief.

22 (A five-minute break was taken until 12:50 p.m.)

23 CHAIR KENNEDY: Mr. Deixler, is there anything we need to
24 do before we conclude this session with public comments as
25 required by the Brown Act?

1 MR. DEIXLER: I thought that it would be appropriate to
2 present to the commission a brief offer of proof with regard to
3 the undersheriff, Murakami, so that there's no question
4 notwithstanding his alleged physical condition that his
5 testimony is relevant. And I would call upon Anthony Pacheco,
6 who is the witness -- who -- who has been assigned that task,
7 if that's okay with the commission.

8 CHAIR KENNEDY: Yes.

9 Mr. Pacheco.

10 MR. PACHECO: We strongly believe that Undersheriff
11 Murakami's role relative to gangs, exclusionary groups, cliques
12 must be investigated fully and fairly. We strongly believe
13 that the citizens of Los Angeles County deserve complete
14 transparency and accountability regarding sheriff deputy gangs.
15 We believe that Undersheriff Murakami's testimony can help us
16 shine a bright light onto these challenging issues and give us
17 some opportunity to understand what's happening in the various
18 sheriff stations throughout the county facilities and on the
19 streets in Los Angeles.

20 When given the opportunity to ask questions of the
21 undersheriff, we will seek information regarding the following:

22 The existence of deputy gangs in the department.

23 The scope and impact of deputy gangs on the
24 department, including the department's practices, policies,
25 culture, and chain of command.

1 We will look at the scope and impact with the
2 undersheriff of deputy gangs and its effect on the members
3 of the community.

4 We will look at the effectiveness of the department's
5 existing policies in addressing issues with regard to law
6 enforcement gangs and seeing if they work at all.

7 We would ask questions whether members of these
8 groups engage in conduct that violates department's policies,
9 law, and best law enforcement practices.

10 And we will ask questions of the undersheriff with
11 regard to recommended policies, leadership, and actions needed
12 to address and eradicate this scourge on the county.

13 CHAIR KENNEDY: Thank you.

14 Mr. Deixler, anything else? I mean, I also think we
15 heard testimony today; right? Sworn testimony that
16 Undersheriff Murakami has a tattoo?

17 MR. DEIXLER: Yes, we did.

18 CHAIR KENNEDY: A caveman tattoo.

19 MR. DEIXLER: Yes, we did.

20 We will probably have a question or two about that.

21 CHAIR KENNEDY: Thank you.

22 Mr. Deixler, anything else?

23 MR. DEIXLER: That's all, subject to public comment.

24 CHAIR KENNEDY: Okay.

25 I think the rule is commissioner comments first and

1 then public comment, if the commissioners want to say anything.

2 Does anyone...

3 Let's go to public for comment.

4 MS. WILLIAMS: Our first speaker is Steve Hill followed by
5 our last speaker that signed up, Richie Serjanko.

6 The other one.

7 MR. HILL: Hello. My name is Steve Hill. I'm a United
8 States Marine Corps veteran, retired correctional peace
9 officer, businessowner, and -- and I'm also a Black Satanist.

10 Now, part of the reason I'm here is because of my
11 license plate. I have a vanity state-issued license plate that
12 reads "For Satan." I know religion is in the news now because
13 of the Supreme Court, but this happened long before. That's
14 just part -- part of the reason.

15 The other reason is I've been arrested; I had my guns
16 confiscated. That was on February -- no, March 7th, and I do
17 believe it was because I spoke out at a meeting on January 22nd
18 about cannabis and the illegal grows in the Antelope Valley.

19 To this day I don't know why I've been arrested. The
20 Department of Justice assisted in my arrest. I -- I have a
21 letter from them, certified, telling me not to come to court.
22 I have another letter stating that they reject filing charges
23 against me, and the Sheriff's Department is not releasing any
24 information.

25 I've talked to all of my elected officials,

1 V. Jesse Smith, black pastor up there, they all know about it.
2 Nobody's doing nothing. Senator Scott Wilk did check into it
3 for me, and he stated that protocol wasn't followed.

4 But I also had a previous lawsuit of a rogue deputy
5 coming to my house, tracking me down to investigate me for
6 being in his neighborhood. Now, I'm a real estate appraiser.
7 I'm in everybody's neighborhood. I couldn't even get to court
8 for that before my attorney fired/quit. Anyway...

9 Mr. Bonner, the last meeting you instructed someone
10 from the panel to --

11 MS. WILLIAMS: Mr. Serjanko.

12 MR. HILL: -- get my documents. So today, I brought them.

13 CHAIR KENNEDY: Thank you. Your time is --

14 MS. WILLIAMS: And our next --

15 CHAIR KENNEDY: Next member.

16 MS. WILLIAMS: Richie Serjanko followed by M.J. King
17 followed by Stephanie Luna.

18 MR. SERJANKO: Yeah. So I'm Richie Serjanko with the
19 group People's City Council, also the Check the Sheriff
20 Coalition.

21 I'd urge the commission to do whatever they can to
22 enforce the law against Sheriff Villanueva for defying
23 subpoenas over and over again. You know, you can hold him in
24 contempt; you can do something.

25 But the fact that he's -- the excuse that he gave was

1 that he is afraid for his safety because people are wearing
2 "Fuck the Sheriff's Department" shirts in here, it's a
3 ridiculous excuse considering that there are violent deputy
4 gangs that kill community members like Anthony Vargas. And the
5 Sheriff's Department continues to harass, nearly daily, the
6 Vargas family. So we can talk about violence and safety, you
7 know. Their -- their safety is at risk all the time.

8 So for Alex Villanueva to say that he can't come into
9 a room at Loyola Law School because the Vargas family wears
10 "Fuck the Sheriff's Department" jackets is utterly ridiculous.
11 And I don't -- I don't see how that can be a valid excuse to
12 defy a subpoena.

13 And so I would like to know what your plan is to hold
14 him accountable for defying a subpoena and to use that
15 ridiculous argument, especially since we have a First Amendment
16 right to wear clothing that says, "Fuck the Sheriff's
17 Department."

18 I yield the rest of my time.

19 CHAIR KENNEDY: Thank you.

20 MS. WILLIAMS: King followed by Stephanie Luna.

21 MS. KING: Villanueva's chief of staff and Grim Reaper
22 member, Lawrence Del Mese's testimony was enlightening today.

23 COMMISSIONER BONNER: Somebody might.

24 MS. KING: It's too bad that he couldn't recall too much.

25 Both Del Mese and Burson both claimed they were just

1 doing their jobs. Just doing your jobs is enforcing the status
2 quo. Even if the deputy wants to do the right thing, it's
3 impossible in this system that they chose to participate in.

4 We all know that Villanueva fearing for his safety at
5 this meeting is a load of shit. The County's most powerful
6 gang leader playing the victim is not cute.

7 He's threatened you, the OIG, the Board of
8 Supervisors. We paid \$1.5 million alone, plus private
9 security, to the LA County CO for this harassment.

10 Are your continual motions for the County Counsel to
11 expeditiously enforce Villanueva's subpoena falling on deaf
12 ears?

13 You know their names, the names of all of the
14 community members whose lives were stolen by LASD. You've
15 heard from their families. How many more lives must be stolen
16 before there's accountability in the Sheriff's Department?

17 CHAIR KENNEDY: Thank you.

18 Next.

19 MS. WILLIAMS: Where is Stephanie Luna?

20 CHAIR KENNEDY: Ms. Luna?

21 MS. LUNA: Hi. Thank you, you know, first and foremost to
22 the commission for, you know, even holding these hearings
23 because this is something that's long overdue. You know, my
24 nephew was killed, as many of you know, as part of a deputy
25 gang initiation.

1 And, you know, the testimony that we heard today,
2 it's disgusting. We have the chief of staff that was
3 alongside Villanueva that took part in actively covering up
4 the Kennedy Hall incident speaking like it was, you know,
5 nothing, you know, not that big of a deal.

6 We have another sheriff that gave testimony that, you
7 know, cried on the stand, and it's -- it's just, you know, the
8 tears fall short when they're complicit with the murders of our
9 loved ones. They're complicit with the harassment of families,
10 you know.

11 I just hope that the commission's able to do
12 something to get Villanueva to show up, and, you know, be held
13 accountable because it doesn't make sense that he's saying my
14 jacket is part of the problem why he -- he's not showing up
15 when, on Tuesday, he was in West Hollywood at a restaurant
16 eating. And just this morning while this commission is holding
17 this deputy gang hearing, he's holding a hearing on fireworks
18 safety. And I'm sorry, but I don't think that fireworks are
19 the single biggest threat to LA County right now. It is, in
20 fact, the Los Angeles County Sheriff's Department.

21 You know, I'm not sure what else to come up here and
22 say. We -- we -- like I said, I'm hoping that the commission
23 is able to figure out a way to get Villanueva in here because
24 he needs to be held accountable. He's gone after so many of
25 you guys publicly. He's gone after the Attorney General, he's

1 gone after the OIG, he's gone after, you know, families,
2 public -- public speakers, and it's just too much already.
3 Something needs to be done, and we -- we need to figure out a
4 way to hold Villanueva accountable and eradicate deputy gangs
5 first and foremost so we can ultimately, you know, abolish the
6 Sheriff's Department.

7 Thank you.

8 CHAIR KENNEDY: Thank you.

9 So it's 1:04. I think it is time to adjourn.

10 Mr. Deixler, I want to thank you and your crew of
11 excellent lawyers for helping us develop all the information
12 about the alleged deputy gangs in the LA Sheriff's Department.

13 The investigation is ongoing. We will hold a fourth
14 special hearing on deputy gangs on a date to be determined near
15 the end of this month.

16 And, Mr. Deixler, I -- I guess we'll work with
17 Chief Tardy to make sure that it's a date that works for her so
18 she can conclude her testimony.

19 With that, I think that we are adjourned.

20 Thank you, Commissioners, for showing up.

21 Thank you, members of the public, for participating.

22 (The hearing was concluded.)

23 -o0o-

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25

STATE OF CALIFORNIA)

) ss.

COUNTY OF LOS ANGELES)

I, ANN BONNETTE, California CSR No. 6108, Louisiana Court Reporter No. 85135, Registered Professional Reporter No. 22501, AAERT CERT D-368, Certified Manager of Reporting Services, do hereby certify:

That said digitally recorded audio of the Civilian Oversight Commission Hearing, July 1, 2022, was transcribed into computer-generated text under my direction and supervision, and I hereby certify the foregoing transcript to the best of my ability.

I further certify that I am neither counsel for nor related to any party to said action nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 25th day July, 2022.



ANN BONNETTE, CSR 6108

AAERT CERT D-368

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