LASD Compliance with CC 6.144.90

• Internal Discipline
• Secret Societies
• Transparency
• Hiring
• Harassment
Internal Discipline

10/32/18: Request for full PRMS access
The PRMS profile for an employee who is the subject of one of these invisible cases will neither show the case nor indicate that there even exists a case which is hidden from view. Only after our inquiry were we told that these cases are made invisible by the selection of a “Private to IAB” feature. The selection of this feature makes the case invisible to all except specially designated personnel.

When the Memorandum of Agreement to Share and Protect Confidential LASD Information was negotiated I was informed that executive level access was the most complete access to PRMS available (then known as the Personnel Performance Index). That the very existence of internal investigations and the resulting disciplinary actions can be concealed from the Office of Inspector General was not contemplated by and is contrary to the intent of my MOA.

I request that you provide the Office of Inspector General complete and full access to PRMS records of all internal investigations and disciplinary cases, including those designated as “Private to IAB.” My work reviewing the Department’s internal investigations is time sensitive. Thank you for your timely consideration.

Sincerely,

Max Huntsman
Inspector General

MHDW3
Internal Discipline

2/13/19: Request to Identify Unfair Discipline Cases
February 13, 2019

Sheriff Alex Villanueva
Los Angeles County Sheriff’s Department
Hall of Justice
211 W. Temple Street
Los Angeles, California 90012

Dear Sheriff Villanueva:

You have made reference to a number of Internal Affairs cases that may have been compromised and are currently under review by the Department. These references were made during presentations to the Civilian Oversight Commission on January 22, 2019, the Board of Supervisors on January 29, 2019, the State of the Department press conference held on January 30, 2019 and during a NBC interview on February 3, 2019.

We are concerned anytime there is an allegation that a Department procedure has been compromised specifically dealing with disciplinary processes.

Based on these concerns, we are requesting that you provide us with the names and employee numbers of the six department staff members that may have been treated unfairly as referenced during the public meetings outlined above, which are currently under review. Additionally, if there are other cases under review in addition to the six, we would make the same request.

We look forward to working with Department in reviewing these matters to insure that the disciplinary process is fair and uncompromised.

Respectfully,

MAX HUNTSMAN
Inspector General

By

Daniel W. Baker
Chief Deputy
Internal Discipline/Hiring/Secret Societies

Truth and Reconciliation Access Denied
No Response from the Department
Good morning Ms. Johnson,

Stephen Niwa would like to schedule an one hour meeting with Sheriff Alex Villanueva to discuss the Truth and Reconciliation process on the Mandoyan case.

Does the Sheriff have any availability on the following dates/times:

Thursday, February 14, 2019 – Between 1:00 p.m. to 5:00 p.m.
Friday, February 15, 2019 – Between 1:00 p.m. to 5:00 p.m.

Kriththika Vasudevan and Elliot Kase from our office will also be attending the meeting.

Thank you,

Esther Campos
Office of Inspector General
312 South Hill Street, Third Floor
Los Angeles, CA 90013
Phone: 213.974.6100
Fax: 213.974.9346
ecampos@oig.lacounty.gov
Re-scheduled interview with Sheriff canceled

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From: Agosto, Anna B. <abagosto@lasd.org>
Sent: Tuesday, March 19, 2019 10:50 AM
To: Campos, Esther <ECampos@oig.lacounty.gov>
Cc: Rachel Johnson <rjohnso@lasd.org>
Subject: Meeting w/Sheriff

Hi Esther:

Per our earlier phone conversation, today’s 2:30 pm. meeting with the Sheriff has been canceled.

Sorry for any inconvenience.

Thank you,
Anna
(213) 229-3005
COUNTY OF LOS ANGELES
OFFICE OF INSPECTOR GENERAL

MAX HUNTSMAN
INSPECTOR GENERAL

February 13, 2019

Sheriff Alex Villanueva
Los Angeles County Sheriff’s Department
Hall of Justice
211 W. Temple Street
Los Angeles, California 90012

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Respectfully,

MAX HUNTSMAN
Inspector General

By: Daniel W. Baker
Chief Deputy
Despite the OIG’s specific request to be provided advance notice of the Truth and Reconciliation Panel’s meetings in order to monitor the process and report on it, the Department proceeded with the reinstatement of Mandoyan without affording the OIG an opportunity to review the process. The OIG has since reviewed all available documentation in drafting this report; however, without full cooperation from the Department, the OIG is unable to answer the fundamental question of how and why the Department elected to reinstate, or as the Department now argues, re-hire Mandoyan.

For a list of some of the questions that remain unanswered about the Truth and Reconciliation process please refer to the OIG’s Letter requesting information regarding the process used to re-evaluate the Mandoyan case, dated March 5, 2019, that was sent to the Department at Exhibit 41.
March 5, 2019

To: Authorized Representative of the Los Angeles Sheriff’s Department

The Office of Inspector General is conducting a review of the ad hoc discipline re-evaluation process in the case of Caren Mandoyan under Internal Affairs Bureau case number IV 2383392 (Mandoyan case).

Thank you for your help with the following questions. A response within ten (10) working days of this request is very much appreciated.

1. How was the Mandoyan case selected as the first case for re-evaluation?
2. Why was the Mandoyan case re-evaluated before the Department had drafted and or implemented a policy outlining the Truth and Reconciliation process?
3. Why was the re-evaluation of the Mandoyan case initiated before the hearing date on Deputy Mandoyan’s writ of mandate that was calendared for January 31, 2019?
4. Sheriff Villanueva stated that he gave the Mandoyan case to then Commander Steve Gross for re-evaluation during the first week of his administration. What was the date on which the Sheriff formally assigned the Mandoyan case to then Commander Gross for re-evaluation?
5. How was the assignment of the Mandoyan case to then Commander Gross memorialized?
6. Please provide a copy of the assignment.
7. Who assigned Lt. Roberto Granek to produce the December 13, 2018 correspondence to Acting Chief Gross with the subject heading of “Analysis of Administrative Investigation II” 2383392 – Deputies Carey Mandoyan and Amber Taylor” (Granek Memorandum)?
8. What guidance and/or instructions were given to Lt. Granek, or any involved members of the Professional Standards Division, as to the preparation of the Granek Memorandum?
9. What was the deadline by which time Lt. Granek was expected to submit the memorandum to Chief Gross? Who gave Lt. Granek (or her team) the deadline?

9. Please identify all persons that assisted Lt. Granek in the preparation of the December 13, 2018 Granek Memorandum and include a description of what they contributed to the process of creating the Granek Memorandum.

10. Other than the materials identified in the first paragraph of the December 13, 2018 Granek Memorandum, please list any additional materials reviewed in the preparation of the December 13, 2018 Granek Memorandum.

11. Please describe any further investigations conducted during the preparation of the Granek Memorandum, identifying any new documents created and listing the employees that conducted the further investigation.

12. After the Granek Memorandum was completed, what actions related to the Mandoyan case were taken by the Department prior to the ad hoc Truth and Reconciliation Panel meeting on December 21, 2018?

13. How were the members of the ad hoc Truth and Reconciliation Panel selected?
14. Who selected the members of the ad hoc Truth and Reconciliation Panel?
15. In addition to the ad hoc Truth and Reconciliation Panel members, were any other current and/or former Department members involved in the re-evaluation or the selection of the Mandoyan case for re-evaluation?

16. In addition to the ad hoc Truth and Reconciliation Panel members, were any other current and/or former Department members asked to be involved in the re-evaluation of the Mandoyan case?
17. When were the ad hoc Truth and Reconciliation Panel members notified that they would be on the Panel?
18. Who were the ad hoc Truth and Reconciliation Panel members notified that the Mandoyan case, in particular, had been selected for discipline re-evaluation?
19. How were the ad hoc Truth and Reconciliation Panel members notified that the Mandoyan case, in particular, had been selected for discipline re-evaluation?
20. Please describe the guidance and/or instructions given to the ad hoc Truth and Reconciliation Panel members on how to proceed with the re-evaluation of the Mandoyan case?
21. Who provided the ad hoc Truth and Reconciliation Panel members with guidance and/or instructions on how to proceed with the re-evaluation of the Mandoyan case?
22. When the ad hoc Truth and Reconciliation Panel convened on December 21, 2018, where did it meet?
23. What guidance was provided to the ad hoc Truth and Reconciliation Panel as to how to conduct the meeting and the process(es) to be followed in re-evaluating the Mandoyan case?
24. Please describe the process(es) followed during the December 21, 2018 ad hoc Truth and Reconciliation Panel meeting.
25. Please list all the materials that the ad hoc Truth and Reconciliation Panel used in preparation for and during the December 21, 2018 ad hoc Truth and Reconciliation Panel meeting.

26. Who was the Department's representative at the December 21, 2018 ad hoc Truth and Reconciliation Panel meeting?

27. Who assisted the ad hoc Truth and Reconciliation Panel in developing its report for the December 21, 2018 Truth and Reconciliation Panel meeting?

28. Who assisted the ad hoc Truth and Reconciliation Panel in developing its report for the December 21, 2018 Truth and Reconciliation Panel meeting?

29. What was the standard of proof the ad hoc Truth and Reconciliation Panel used in its re-evaluation of the Mandoyan case?

30. What was the standard of proof the ad hoc Truth and Reconciliation Panel used in its re-evaluation of the Mandoyan case?

31. What was the standard of proof the ad hoc Truth and Reconciliation Panel used in its re-evaluation of the Mandoyan case?

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60. What was the standard of proof the ad hoc Truth and Reconciliation Panel used in its re-evaluation of the Mandoyan case?
Hiring

5/22/19: Request for Review of Hiring Packets
The OIG would like to continue monitoring the Department’s hiring process and review the applicant files for the next incoming class. Our understanding is that a brand new class has been established and set to start at the Academy in June 2019. As part of our monitoring process, the OIG is requesting to review all personnel and background files of all Deputies (both rehires and new applicants) for the June 2019 incoming class. Given the confidential nature of these files, we are happy review the files in your office.

Please let us know if we can set this up for the first week of June.
Hiring

11/01/19: Request for HIPAA Waiver
Cited by LASD
Captain McBride,
Prior to our meeting on November 15th, would it be possible for you to send us the HIPAA waiver that the applicants sign with regard to their medical records?
Dara

**Dara Williams, Assistant Inspector General**
Los Angeles County Office of the Inspector General
312 S. Hill Street, 3rd Floor, Los Angeles, CA 90013
(T) 213-974-6100
(F) 213-680-1406

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Transparency

6/10/19: Request for LASD Directives to Employees re: OIG Cooperation
Good morning,

Please provide to the Office of Inspector General at this email address or at the address below the contents of all correspondence by and between department executives and managers (i.e. rank of captain and above), in whatever form (i.e. email, unit order, directive, bulletin, et al), which occurred on or after December 3, 2018, and which contains direction or instruction regarding providing department information to the Office of Inspector General.

Thank you for your prompt attention. Please do not hesitate to contact us if you have any questions.

Daniel W. Baker
Chief Deputy, Inspector General
Los Angeles County Office of Inspector General
312 S. Hill St. 3rd floor
Los Angeles, CA 90013
(213) 974-6100
Harassment/Secret Societies

11/25/19: Request re: Harassment Complaints
The Sheriff’s Civilian Oversight Commission requested that LASD “initiate a formal investigation of alleged harassment occurring at the East Los Angeles and Century Sheriff stations associated with the families of those who have died as a result of a Deputy Involved Shooting.” The Office of Inspector General requests that LASD additionally investigate any allegations set forth in the attached letter dated November 18, 2019 from the Centro Community Service Organization, Black Lives Matter Los Angeles, and the ACLU of Southern California. With regard to the in the attached letter, please provide the OIG with real time updates as these investigations move forward.

Finally, we renew our request of December 4, 2018 for the text of all proposed changes, additions or deletions to LASD policies, practices, and procedures. As an adjunct to that request, given that there have likely
a. Complaints received by LASD are logged and tracked within the WCSCR process listed above. No distinction is made within our tracking as to allegations involving "harassment" stemming from critical incidents involving family members of suspects shot by deputies. As such, this request is overly broad and not something LASD can provide at this time.

actions, including all interactions with the public. This commitment is grounded in LASD’s Professional Conduct policy (3-01/000.10) as well as the department’s Code of Ethics. Both of these policies are attached for your review. They are also published on the department’s public website.

4. Review of past alterations of LASD policies, etc.:
   a. LASD currently has many reference materials available for review by the public within the department’s website. Source material can be researched under the “Public Data Sharing” portal.
   b. Policy updates are a constant, ongoing process within the department. Numerous revisions take place as policies are placed under management review. Any request for “revisions made” is once again overly broad and would require extensive working hours to produce such a request.
   c. Plans are continuing as to the way in which source material is supplied to the public including the addition of policy revision dates, however, a date of completion is not anticipated.

Lieutenant William Jaeger
Office of the Undersheriff
211 W. Temple St., 8th Floor
Los Angeles, CA 90012
(213) 229-3079 – Office
(323) 240-9924 – Cell
In regards to the Department, you were already made aware of a recent notice to all employees, Policy #3-01/050.83, agreed upon by the unions, where the Sheriff has made it clear "any group that violates the rights of others..." will be referred to the Los Angeles County District Attorney's Office. Furthermore, the RAND Corporation is response to your statement, in issue, taken from the Board of Supervisors' transcript dated July 23, 2014 (Board of Supervisors Transcripts, pgs.118-120):

You begin your introduction by stating:

"We've hired five years ago so to speak to the power..."

Because I think we are at a crossroads now where this (subpoena power) is critical. Every deputy employed today joined LASD when it already had secret societies. They didn't have a choice. These secret societies exist in numbers because for 39 years LASD management has purposefully not investigated them, leaving deputies and the public to fend for themselves. Sherman Block, many years ago, [x] a code of silence in place by ignoring allegations that the Vikings were using gang signs and gang terms and instead of investigating, not evidence of a gang inside the department, but individual misconduct alone. This blueprint has been followed ever since with resultant that have been well publicized.

You have stated here and elsewhere, in other forums, that the Sheriff (past or present) does not investigate alleged "gang" activity inside the Los Angeles County Sheriff's Department (Department). Yet you fail to acknowledge how these cases where allegations of employees carrying out non-authorized conduct violating Department policy, or any alleged criminal conduct, would in fact be successfully handled. To begin with, since you have access to all information the Board of

211 W 7TH STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
Editorial: The Sheriff's Department's disciplinary system is a mess. Villanueva made it worse.

Villanueva put an end to discipline investigations of dozens of deputies and threw out the code of conduct that McDonnell had established. He ridiculed rules that reduced jail violence and called for the return of the metal flashlights that deputies once wielded as...
In early February 2019, we observed a sharp increase in the number of administrative investigations that the Department was inactivating. Upon inquiry to the Department, we were told that a Department directive had been issued in mid-December 2018 instructing chiefs, directors, and captains to re-evaluate all open administrative investigations to determine whether any of them should be inactivated. On February 20, 2019, we asked the Department for copies of any such directive or guideline but, to date, have received no response.
CLAIM: “Villanueva put an end to discipline investigations of dozens”

THE FACTS: Policies were introduced to strengthen investigative integrity, ban the formation of subgroups/cliques, improve accountability, all while honoring.

THE CLAIM: “Villanueva put an end to discipline investigations of dozens of deputies”

THE FACTS: The disciplinary system, long a source of contention between the department and the unions representing the rank-and-file members, is now a model of reform. Policies were introduced to strengthen investigative integrity, ban the formation of subgroups and cliques, and improve accountability, all while honoring due process and procedural justice for the workforce.
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