

[PROPOSED] LASD POLICY PROHIBITING DEPUTY CLIQUES

PREAMBLE TO PROPOSED POLICY

The policy set forth below is based on the following factual findings:

The existence of deputy cliques within the Los Angeles Sheriff's Department (LASD) dates back at least to 1971 and continues to the present. Deputy cliques are groups of Sheriff's deputies, assigned to a particular LASD patrol station or unit, who self-associate, self-identify and exclude other deputies assigned to the same station or unit, and thus are a subgroup within a particular station or unit. The deputy cliques identify themselves by name, e.g., the Banditos, the Executioners, the Regulators, the Grim Reapers, the Rattlesnakes, the Cowboys, etc., and often their members have common or matching tattoos or use hand signals, and engage in other rituals similar to street gangs.

The existence of deputy cliques within the LASD for the past fifty years has created myriad internal and external problems. Internally, the deputy cliques hurt morale within the LASD and create a shadow-system of supervision and leadership in conflict with each station's actual supervision and chain of command. Externally, the deputy cliques foster an "us-against-them culture" that leads to frequent and excessive uses of force, dishonesty, racial profiling, and the enforcement of a code of silence. The totality of deputy clique misconduct has eroded trust and mutual respect between the LASD and the communities they are supposed to serve.

The more notorious deputy cliques—such as the Vikings, the Wayside Whites, the Regulators, the 2000 Boys, 3000 Boys, the Jump Out Boys, the Posse, the Grim Reapers, the Banditos, and the Executioners—have generated scandals that cast the Department in a negative light and lawsuits that ultimately cost the County millions of dollars in settlements and judgments. The Los Angeles County Counsel has estimated that the clique-related misconduct and uses of force have cost the taxpayers at least \$55 million in settlements. The actual settlement costs are likely much higher than this because LASD leadership has refused to investigate whether any deputy involved in a shooting is affiliated with a deputy clique.

For decades, independent oversight bodies and commissions have identified deputy cliques as a serious problem within the LASD and recommended that the leadership take affirmative action to eradicate deputy cliques.

In 1992, the Kolts Commission investigated use-of-force problems associated with patrol deputy cliques, such as the Vikings, and concluded that some members “appeared at least in times past to have engaged in behavior that is brutal and intolerable and is typically associated with street gangs.” (Kolts Report at 323.) The Kolts Commission recommended that LASD officials “conduct an immediate, thorough Internal Affairs investigation to root out, and punish severely any lingering gang-like behavior by its deputies.” (Id. at 332.) The LASD leadership declined to implement this recommendation.

In 1999, the United States Commission on Civil Rights released a report on use of force and police misconduct in Los Angeles, which addressed deputy cliques within the LASD. (Racial and Ethnic Tensions in American Communities: Poverty, Inequality, and Discrimination: Vol. V the Los Angeles Report.) The Commission stated, “Serious allegations persist that groups of deputies have formed associations that harass and brutalize minority residents.” (Id. at 220). While the Sheriff had testified at one of the hearings that the LASD had no cliques, the Commission noted that he had recently acknowledged the existence of “an organized vigilante group of LASD employees” called the Posse that assaulted mentally ill inmates in their custody. (Id.) The Commission recommended, “The LASD should initiate a careful investigation into allegations of other deputy gangs,” and urged the United States Department of Justice to open an investigation, as well. (Id.)

In 2012, the Citizens Commission on Jail Violence (CCJV) investigated use-of-force problems associated with custody deputy cliques, such as the 2000 Boys and the 3000 Boys. Like the Kolts Commission, the CCJV concluded that “the Department has a long history of deputy cliques” and that “these subcultures within the Department contributed to acts of insubordination, aggressive behavior, and excessive force in the jails for many years.” (CCJV Report at 101.) The CCJV warned, “Cliques of deputies that resist or undermine supervision, violate Department policies, exert negative influences over deputies, use frequent and excessive force against inmates, and engage in violent behavior against members of the public and other deputies represent threats to the very integrity, ethics, and mission of the Department.” (Id. at 104.) The CCJV recommended that “Department leaders should actively discourage membership in deputy cliques and avoid promoting or condoning a culture of allegiance to a subpart of the Department.” (Id. at 115.)

Despite these prior findings and recommended reforms, deputy cliques within the LASD have persisted. For example, a relatively new deputy clique, the Banditos, has emerged at the East Los Angeles station. Several female deputies have alleged they were pressured to provide sexual favors to Banditos in order to remain working at the station. At a September 18, 2018 off-training party, several Banditos severely beat new deputies whom they didn't want to work with at the East Los Angeles station. The Office of Inspector General (OIG) found that that the LASD internal investigation of the incident deliberately ignored the assailants' clique-affiliation as a motive for the assaults. The OIG concluded, "Substantial evidence exists to support the conclusion that the Banditos are gang-like and their influence has resulted in favoritism, sexism, racism, and violence." (OIG, Analysis of the Criminal Investigation of Alleged Assault by Banditos (Oct. 2020) at 29.)

Another new clique, the Executioners, has emerged at the Compton station. According to a recent whistleblower lawsuit filed by a Compton deputy, the Executioners exclude African Americans and women, and assault and retaliate against other deputies who challenge their authority at the station. "Prospects" who want to join the Executioners allegedly "chase ink" (i.e., seek to obtain permission to get an Executioners tattoo) by shooting somebody to prove that they are worthy of wearing their tattoo. The whistleblower has testified that the two deputies involved in the fatal shooting of Andres Guardado were prospects seeking to join the Executioners at the time of the shooting.

While some of the historic deputy cliques are gone, there is evidence that a number of deputy cliques are still in existence. They include: the Banditos (East LA station),¹ the Cowboys (Lancaster Station),² the Executioners,³ the Grim Reapers,⁴ the Rattlesnakes (Palmdale and Lancaster stations),⁵ and the Regulators (Century Station⁶).

Efforts short of an outright ban on participation in deputy cliques have been ineffective. For example, despite a new policy adopted by the Sheriff in February

¹ See 50 Years of Deputy Gangs in the Los Angeles County Sheriff's Department, Loyola Law School, Jan. 2021, at pp. 4-7.

² *Ibid.*, p. 10.

³ *Ibid.*, pp. 10-11.

⁴ *Ibid.*, p. 12.

⁵ *Ibid.*, p.18.

⁶ *Ibid.*, p. 18.

2020, there has not been one instance in which a deputy has been disciplined for his participation in a deputy clique.

In view of the foregoing, the only effective way of eradicating deputy cliques is to adopt the policy below which clearly prohibits, henceforward,⁷ participation in, joining, or soliciting others to join a deputy clique.

MANUAL OF POLICY AND PROCEDURES

3-01/ - Joining and Participation in Deputy Cliques is Prohibited

Department personnel shall not participate in, join or solicit other Department personnel to join a deputy clique. A deputy clique is a group of Sheriff's deputies, assigned to a particular LASD patrol station or unit, who self-associate, self-identify and exclude other deputies assigned to the same station or unit, and thus are a subgroup within a particular station or unit. Deputy cliques identify themselves by name, e.g., the Banditos, the Executioners, the Regulators, the Grim Reapers, the Rattlesnakes, the Cowboys, etc., and often their members have common or matching tattoos or use hand signals, and/or engage in other rituals and behaviors similar to street gangs.

Any Department employee who participates in or joins a deputy clique, or solicits another employee to join a deputy clique, will be subject to discipline.⁸

Deputy cliques include but are not limited to the Banditos, the Executioners, the Regulators, the Grim Reapers, the Rattlesnakes, and the Cowboys and participation in or joining these deputy cliques is specifically prohibited.

This policy supersedes and replaces 3-01/050.83 of 2/14/2020

⁷ The Policy set forth below is not intended to be retroactive. However, employee of the LASD who joins, participates in a deputy clique, or solicit another employee to join a deputy clique on or after the effective date on which this Policy is adopted is subject to discipline for violation of the Policy.

⁸ The Table of Discipline must provide for this as a distinct MPP violation. The range discipline for violation of this policy should range from reprimand, involuntary re-assignment, to and including termination.