



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

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The following individuals submitted comments on agenda item:				
Agenda #	Relate To	Position	Name	Comments
52.		Other	Byron Jose	
		Item Total	1	
Grand Total			1	

From: [ExecutiveOffice](#)
To: [PublicComments](#)
Subject: Fw: Public comment on agenda item 52, Board Meeting 2/10/2026
Date: Monday, February 9, 2026 10:05:46 AM
Attachments: [2026.01.30 Letter to BOS re Rosas compliance 15th and 16th report.pdf](#)

From: Peter Eliasberg <PEliasberg@aclusocal.org>
Sent: Monday, February 9, 2026 9:50 AM
To: ExecutiveOffice <ExecutiveOffice@bos.lacounty.gov>
Cc: Melissa Camacho <MCamacho@aclusocal.org>
Subject: Public comment on agenda item 52, Board Meeting 2/10/2026

Please accept the attached letter for public comment on agenda item 52 for the Board meeting tomorrow.

Sincerely,

Peter Eliasberg and Melissa Camacho

Peter Eliasberg
Chief Counsel/
Manheim Family Attorney
For First Amendment Rights
ACLU of Southern California
(o) 213.977.5228 |

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The ACLU: Because Freedom Can't Protect Itself

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Southern California

January 30, 2026

Via Email

Members of the Los Angeles County Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Re: *Rosas* Compliance Presentation – Cluster Agenda 2/4/2026 & Board
Agenda 2/10/2026

Honorable Members of the Los Angeles County Board of Supervisors,

In anticipation of the *Rosas* compliance presentation by Sheriff’s Department and court-appointed Monitors on February 10, 2026, Plaintiffs’ counsel are providing the Board with their perspective on the Monitors’ Fifteenth and Sixteenth reports to the Court. Those reports reveal troubling patterns of non-compliance by LASD that continue more than 11 years after the *Rosas* consent decree was approved. This letter supplements our December 16, 2025 letter to the Board, which addressed the Fifteenth, but not the Sixteenth, Report.

The Head Strike Gap

I. The Thirteenth through the Fifteenth Report

One of LASD’s persistent failures is its continuing to find head strikes in policy when the Monitors find those same head strikes out of policy. In the use of force cases involving head strikes reviewed by the Monitors in the Thirteenth, Fourteenth, and Fifteenth Reports, the Monitors find head strikes to be out of policy about **15 times** more often than LASD does. Of the 51 head strike cases reviewed for those three reports, the Monitors found 31 (60.8%) out of policy while LASD found only 2 out of policy (3.9%). And LASD made **no** progress in

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closing that gap between the 13th and 15th reports because in the 14th and 15th report it did not find a single head strike out of policy.

Report No. and Date filed with Court	Total Head Strike Cases Reviewed by Monitors	Number found non-compliant under Rosas 2.6 by LASD	Number found non-compliant under Rosas 2.6 by Monitors
Thirteenth Report (May 21, 2024)	24 ¹	2 (8.33%)	18 (75%)
Fourteenth Report (January 3, 2025)	12	0 (0%)	6 (50%)
Fifteenth Report (October 15, 2025)	15	0 (0%)	7 (46.7%)
Cumulative Totals	51	2 (3.9%)	31 (60.8%)

2.. The Fifteenth Report Illustrates the Kind of Egregious Uses of Force that LASD approves of and which the Monitors Find Violate Rosas 2.6

In the Fifteenth Report, the Monitors described two different very troubling incidents that the Monitors found to violate Rosas use of force of provisions, but which LASD found **in policy**. The first can be viewed on the internet by using this link. <https://www.youtube.com/watch?v=hIRntgTinMk>

The Monitors described the incident as follows:

In the first case, two deputies removed a high-security, handcuffed inmate from his cell in order to escort him down a narrow jail hallway. Both deputies went hands-on, with one deputy gripping the back of the inmate's neck. The inmate's head forcefully struck the window ledge of the wall opposite his cell. In the deputy's use of force report, he claimed his hand ended up behind the inmate's neck by accident, that the inmate quickly turned and that it was the inmate's own momentum that drove his head into the wall/window ledge. This claim was belied by the video evidence, which reflected the deputy braced his body for leverage with his hand gripping the back of the inmate's neck, and

drove the inmate's head into the window ledge. Serious head lacerations resulted from this impact.

This is a photo of the incarcerated person's head after deputies threw him into the window ledge.



The Department found the use of consistent with *Rosas* 2.6 and all LASD use of force policies.¹

The other incident involved use of significant force, including three punches to the face, of an incarcerated person with profound mental illness who was in a suicide gown. The Department credited deputies' reports that they responded to aggressive behavior from the incarcerated person even though no video evidence supported those assertions. The video contained very brief "gaps," but the Monitors concluded that the video showed the victim "sitting calmly as staff approached." Moreover, the Monitors found the deputies' reports not credible "because their reports included verbiage that was 'almost identical' and contained the same rare, unique errors, such as the phrase 'handcuffed immediately handcuffed'" in both reports.

The Monitors were very critical of LASD's handling of these cases. As the 15th Report states, we "met with the Department's senior leadership to emphasize concerns about the cases and highlight systemic deficiencies in the Department's force review practices." Nonetheless, no one in the Department - not the deputies who violated use of force policies or the Commanders who violated *Rosas* provisions by failing to identify violations or dishonesty - has been held accountable.

¹ The Department did find the deputies did violate other policies, but not any *Rosas* use of force policies.

2. The Sixteenth Report and the Head Strike Gap

There is some evidence of improvement in the head strike gap in the 16th report. In the 19 use of force cases involving head strikes assessed in the 16th report, the Monitors found 9 of them out of compliance with Rosas 2.6. Of those 9 cases, LASD found four of them in compliance and sent the other five for administrative investigations. Under LASD protocol, a use of force can only be found out of compliance and discipline imposed after an administrative investigation. But not all administrative investigations conclude that a head strike was out of compliance. The Department's Rosas presentation contains a slide comparing the number of administrative investigations opened to the number of violations found. In the 11th-16th Reporting periods, the Department opened 65 investigations, and found violations in 47 or 72% of cases. For the head strike cases sent for administrative investigations LASD will find – at most -- five of the head strike cases out of compliance, while the Monitors have already found that nine of them were non-compliant. If the pattern from past years holds, it is likely that at least one of those cases will be found in compliance. Even if you add in the cases in which LASD sent for administrative investigations and assume that every one of those cases will yield a finding of a violation of Rosas 2.6 and LASD's Limitations on Force policy, which implements Rosas 2.6, the Monitors will still be finding non-compliant heads strikes 5.7 times more often than LASD in the 13th-16th report and almost twice as often in the 16th report. Below is table of the head strike cases for the 13th-16th reports.

Report No. and Date filed with Court	Total Head Strike Cases Reviewed by Monitors	Number found non-compliant under Rosas 2.6 by LASD	Number found non-compliant under Rosas 2.6 by Monitors
Thirteenth Report (May 21, 2024)	24 ¹	2 (8.33%)	18 (75%)
Fourteenth Report (January 3, 2025)	12	0 (0%)	6 (50%)
Fifteenth Report (October 15, 2025)	15	0 (0%)	7 (46.7%)
Sixteenth Report (January 23, 2026)	19	Best case scenario if all administrative investigations yield findings of head strike violation 5 (26.3%)	9 (47.4%)

Cumulative Totals	70	7 (10%)	40 (57.1%)
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CONCLUSION: The Monitors find head strike violations at least 5.7 times more often than the Sheriff's Department does.

A Pattern of Lack of Accountability in Use of Force Cases Generally

If we widen the lens from head strikes to use of force policy violations generally, LASD's unwillingness to impose accountability is just as glaring.

The total number of uses of force from the Eleventh to Sixteenth Reports are as follows:

- Sixteenth Report (3Q24, 4Q24): 403
- Fifteenth Report (1Q24, 2Q24): 402
- Fourteenth Report (3Q23, 4Q23): 336
- Thirteenth Report (1Q23, 2Q23): 384
- Twelfth Report (3Q22, 4Q22): 434
- Eleventh Report (1Q22, 2Q22): 523

Over the course of three years, there were 2,482 uses of force in Men's Central Jail, Twin Towers Correctional Facility, and Inmate Reception Center. The Department imposed discipline on eighty-two (82) people for fifty-four (54) cases with use of force policy violations during this period. The Rosas presentation contains a slide with those administrative investigations indicated, but the slide fails to mention that the 54 cases are out of a total of 2,482. That is to say, a scant 2% of use of force incidents in the downtown jail facilities resulted in staff being disciplined. The Department did not discipline a single person at the rank of Captain or above for failure to properly identify force violations or dishonesty in reporting.

This anemic discipline rate stands in contrast with the Panel's own conclusions. Consider, for example, that in the period covered by the Sixteenth Report, the Panel found there to be a violation of at least one use of force policy provision in 18 of the 50 packages reviewed. In effect, discipline for use of force violation(s) was presumptively appropriate in 36% of cases. Similarly, in the Fifteenth Report,

the Panel found a violation of at least one use of force policy provision in 27 of the 50 packages reviewed. Discipline for use of force violation(s) therefore was presumptively appropriate in 54% of the cases. Yet LASD imposes disciplines at a paltry rate of 2% of the force cases. Table 3 (Draft Report, pg. 10). Moreover, over just the 15th and 16th reports, the Monitors found use of force violations in 45 cases. By contrast, over the course of 6 reports (11th-16th), LASD imposed discipline for use of force violations in 54 cases.

We recognize that the Monitors review only a subset of the force cases and the ones they review tend to be more serious and thus more likely to have improper force. But in the period covered by the Fifteenth Report, LASD imposed discipline for force policy violations in 4 cases, when there are on average 413 force cases in a six-month period. By contrast, the Monitors found force policy violations in 27 of the 50 cases they reviewed. In other words, the Monitors almost four times more cases containing force policy violations in the 50 cases they reviewed for the 15th report than cases for which LASD imposed discipline for force policy violations in all the cases over six months – likely 300-400 cases.

We expect that the Sheriff's Department will assert that it has already taken significant steps to address the accountability issues that the ACLU and the Monitors have been warning about for years, including the implementation of the CFIT teams. But there is significant doubt that CFIT is resulting in improved outcomes. the Monitors have noted ways that the CFIT process is not addressing the Department's accountability issues. For example, the Monitors pointed to a troubling case in CFIT which credited the veracity of accounts by deputies about why they used force, including head punches, on an incarcerated person with serious mental illness despite clear evidence of collaboration and ignored video evidence that did not support the deputies account. Monitors' Fifteenth Report at 7 ("Despite this evidence of collaboration, and lack of any video evidence that the inmate was aggressive, CFIT credited the deputies' accounts that the inmate was "assaultive" and it therefore found the force was justified. . . .")

In addition, the Monitors have expressed concern about higher ups' overruling CFIT's recommendations that an administrative investigation be opened. (In the Monitors' Fifteenth Report, they noted: "[h]owever, the Panel has since seen several cases in which the CFIT investigator recommended an administrative investigation and that recommendation was later overturned by supervisory personnel at the jail itself." Report at p. 7.

The *Rosas* presentation also shows that CFIT teams have not sped up the review time. The average completion time for CFIT review – which is a first level review – is 123.4 days.

The Sheriff's Department has a Troubled History of Not Holding Line Personnel and Supervisors Accountable for Improper Uses of Force

For more than 30 years experts appointed by the Board of Supervisors have called out LASD for failing to identify use of force violations and impose appropriate discipline. The 1992 report of the Kolts Commission contained the following findings:

“My staff and I found deeply disturbing evidence of excessive force *and lax discipline*. The LASD has not been able to solve its own problems of excessive force in the past and has not reformed itself with adequate thoroughness and speed.” p.1 (emphasis added).

“The fact that little or no discipline was imposed on the Department members responsible for the excessive forces in many of the [civil litigation] cases [the Kolts Commission reviewed] suggests that the Department is tolerant of excessive force and that the elimination of excessive force is not a high priority of the Department.” p. 25.

The 2012 Report of the Citizens Commission on Jail Violence reached similar conclusions, but this time specific to LASD's supervision of the county jails.

“The Department has found very few force incidents overall to be unreasonable, [and] it has been too lenient about imposing discipline for dishonesty or omissions in reporting the use of force. . . .” p. 143.

“There have been critical failures over time by supervisors in the jails to thoroughly and timely investigate use of force and, where appropriate, impose discipline.” p. 144.

Even after the Court approved the *Rosas* consent decree in 2015, the Court-appointed Monitors have continued to call out LASD for the same failure to hold its personnel accountable that the Kolts Commission and CCJV warned about. To note just a few examples:

The Monitors' Fifth Report to the Court stated: "The Panel is concerned that reviewing Commanders are reluctant to find a use of force out of policy (and therefore subject to discipline) even when they acknowledge that the force was problematic, and they will instead find that troubling incidents raise performance and training issues." Panel's Fifth Report, Dkt. 198, p. 17.

"Use of force reviews by supervisors and managers in the serious cases selected by the Monitors, almost always fail to note out-of-policy head shots or – less frequently – attempts to justify them. Then the supervisors and managers are not held accountable for those failures and the Deputies using the improper for are 'counseled' or sent to remedial training and actual discipline is seldom imposed. While the Department has openly acknowledged this continuing issue in discussions with the Monitors, and is now contemplating changes to the way head shots are categorized and reported, there has been little real change or progress in more than two years." Panel's Tenth Report, Dkt. 205, p. 2.

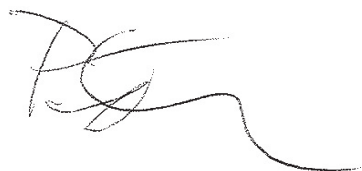
"In addition to continuing to focus on reducing overall uses of force and head strikes, the Department must hold deputies accountable for use of force violations and hold supervisory staff accountable when they fail to identify and appropriately address violations. *In a majority of the cases reviewed by the Panel for this Report in which the Panel identified force policy violations, Department managers either failed to identify, properly analyze, or address those violations.*" Panel's Thirteenth Report, Dkt. 316, p. 3-4. (emphasis added).

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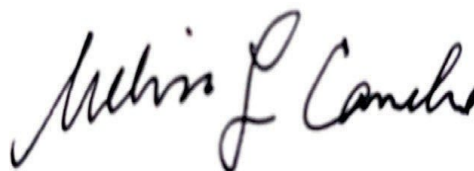
CONCLUSION

Given the enormous gap between the Monitors' findings of violations of use of force policies and LASD's, and how it mirrors LASD's thirty-year history of failure to "solve its own problems of excessive force" we urge the Board to aggressively question LASD about how it intends to cure its longstanding use of force and accountability problems at the line staff and the command staff level and finally come into compliance with the *Rosas* consent decree.

Sincerely,



Peter J. Eliasberg
Chief Counsel



Melissa Camacho
Senior Staff Attorney

cc: Justice Deputies

Eric Bates, Interim Inspector General

Dara Williams, Chief Deputy Inspector General

Catharine Wright, Assistant Inspector General