



COUNTY OF LOS ANGELES SHERIFF CIVILIAN OVERSIGHT COMMISSION

Improving Public Transparency and Accountability

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Resolutions in Support of California Assembly Bill 847 (AB 847)

California Assembly Bill 847 (AB 847) amends Penal Code section 832.7(a) to permit Sheriff Departments and other California law enforcement agencies to provide civilian oversight commissions with access to confidential documents without violating state law.

Specifically, AB 847 would permit California law enforcement civilian oversight commissions with access to the personnel records of peace officers deemed confidential under California Penal Code (PC) 832.7(a) by amending that section to read that this section prohibition against providing confidential reports and records “does not apply to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney’s office, the Attorney General’s office, the Commission on Peace Officer Standards and Training, or a civilian oversight board or commission for a California law enforcement organization established under Government Code Section 25303.7(a) or other duly enacted municipal or county ordinance.” (Emphasis on the proposed language added by AB 847.)

In other words, AB 847 provides civilian oversight commissions with the same access to confidential information that is currently given to Attorneys General, District Attorneys and Grand Juries. To be clear, civilian oversight commissions, such as ours, would be required to maintain confidentiality of such records and not make them public.

The Los Angeles County Sheriff Civilian Oversight Commission (Commission) believes that AB 847 merely clarifies existing law which already permits the Commission such access. But the Los Angeles County Sheriff, based on advice of County Counsel, has taken the position that he and his Department would risk violating Penal Code section 832.7(a) if they gave the Commission or Commission ad hoc committees such access. See declaratory relief action titled *Sheriff Robert G. Luna v. Los Angeles County Sheriff Civilian Oversight Commission*, Case No. _____, filed March 18, 2025. In his lawsuit against the Commission, the Sheriff alleges that Penal Code section 832.7(a) prohibits him and his Department, through a custodian of records, from providing confidential documents to this Commission, even under the compulsion of Commission subpoenas. The Sheriff and members of the Los Angeles County Sheriff’s Department (LASD) have repeatedly stated that to release records deemed confidential under Penal Code section 832.7(a) to the Commission would expose him and/or LASD personnel to potential criminal penalties for violating Penal Code section 832.7(a). See declaratory relief action, ¶¶ 13-15, The enactment of AB 847 will eliminate the Sheriff’s concern.

No civilian oversight commission, including this Commission, can be optimally effective in identifying systemic issues within the Sheriff's Department and issues adversely impacting the public, without being able to access confidential reports of the LASD. The LASD has regularly and routinely denied the Commission's requests for such confidential reports on the ground that allowing the Commission, or any member of the Commission, to be shown any investigative or incident reports regarding a deputy sheriff (a California peace officer) would be a misdemeanor violation of Penal Code section 832.7(a). This has included denial of the Commission's request to review reports related to the existence and impact of deputy gangs, the use of out-of-policy force against jail inmates, fabricating use of force reports, and the like. Indeed, as recently as March 20, 2025, the LASD defied three Commission document subpoenas relating to the use of force by deputies, including the use of lethal force. The LASD is withholding and redacting information in these reports based on its claim that it must do so to protect confidential information in these reports.

For the foregoing reasons, and to allow this Commission to render effective oversight of the LASD,

NOW, THEREFORE, BE IT RESOLVED that the Sheriff Civilian Oversight Commission supports the passage of AB 847.

BE IT FURTHER RESOLVED that the Sheriff Civilian Oversight Commission urges the Board of the Supervisors and the County of Los Angeles to support the passage of AB 847.

The Executive Director of the Commission is directed to forthwith transmit the foregoing Resolutions regarding to the Board of Supervisors and the Sheriff.



Dated: April 17, 2025

Robert C. Bonner, Chair

Sharmaine Moseley, Executive Director, Sheriff Civilian Oversight Commission, does hereby certify that the above is true and correct copy of the Resolutions duly adopted by the Commission at its meeting held on April 17, 2025, and as same appears of record in the official Statement of Proceedings of said Commission.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Los Angeles Sheriff Civilian Oversight Commission this seventeenth day of April 2025.

April 17, 2025
Dated



Sharmaine Moseley, Executive Director