



**EXHIBIT A**

**DOCUMENTS TO PRODUCE**

You are required to produce the following DOCUMENTS and ELECTRONIC DATA:

The complete investigation, including all reports, witness interviews, summaries, and exhibits of the LASD's Homicide Bureau relating to the use of lethal force involving **Andres Guardado** on or about June 18, 2020, including without limitation, the investigative reports submitted by the Sheriff's Department to the Los Angeles County District Attorney's Office and any such investigative reports, including witness interviews, summaries and exhibits not submitted to the District Attorney's Office as part of any internal administrative investigation.

## DECLARATION OF ROBERT C. BONNER REGARDING SUBPOENA DUCES TECUM

1. I, Robert C. Bonner, declare that I am Chair of the Los Angeles County Sheriff Civilian Oversight Commission (Commission or COC) and have served on the Commission since its inception in December 2016. Prior to serving on the Commission, I headed three different federal law enforcement agencies; the Drug Enforcement Administration, the United States Customs Service, and U.S. Customs and Border Protection. I also served as the United States Attorney and as a U.S. District Judge for the Central District of California. I am a retired partner of Gibson, Dunn & Crutcher.
2. The witness has possession or custody or is in control of the documents, electronically stored information, or other things listed in the subpoena duces tecum as **Exhibit A**, and shall produce them on March 20, 2025 at 9:00 a.m., as specified in box 1 of the Subpoena Duces Tecum for Personal Appearance and the Production of Documents and Electronically Stored Information.
3. Good cause exists for the production of the documents, electronically stored information, communications, or other things described in **Exhibit A** for reasons including but not limited to the following:
  - a. The COC has broad subpoena power to investigate, inter alia, Uses of Lethal Force and Impact of Deputy Cliques and Deputy Gangs as part of its duties to oversee the Sheriff's Department, to determine whether systemic issues exist, and make recommendations to the Sheriff and the Sheriff's Department to correct them.

The Board of Supervisors created the COC in 2016 to provide for civilian oversight of the Sheriff and Sheriff's Department. See L.A. Cty. Code § 3.79.010; see also *League of Women Voters v. Countywide Crim. Justice Coordination Com.*, 203 Cal.App.3d 529, 551 (1988) (ruling that the Board "may . . . create commissions or committees to which it delegates authority"); Gov't Code § 31000.1. Indeed, the Sheriff Civilian Oversight Commission's very purpose is to provide "oversight" of the Sheriff and Sheriff's Department. L.A. Cty. Code § 3.79.010. Its mission is:

[T]o improve public transparency and accountability with respect to the Los Angeles County Sheriff's Department, by providing . . . ongoing analysis and oversight of the Department's policies, practices, procedures, and advice to the Board of Supervisors, the Sheriff's Department, and the public.

*Id.* § 3.79.020.

The COC is authorized, *inter alia*, to "make recommendations to the LASD and the Board of Supervisors . . . on the Sheriff's Department's operational policies and procedures

that affect the community” and to “[i]nvestigate . . . and make recommendations to the Board of Supervisors . . . on systemic Sheriff-related issues or complaints affecting the community.” *Id.* § 3.79.030.A.–B. The COC also “[f]unction[s] as a bridge between the Sheriff’s Department and the community by . . . bringing an additional perspective to the Sheriff’s Department decision-making to ensure an ongoing balance between the sometimes competing factors of ensuring public safety and [protecting] constitutional, civil and human rights.” *Id.* § 3.79.030.H.

To perform these important functions, the COC “shall . . . obtain[] answers from the Sheriff to community concerns about the Sheriff’s Department’s operations, practices and activities.” *Id.*; see also *id.* § 3.79.030.A. The Sheriff’s Department is required to attend and participate in COC meetings. L.A. Cty. Code § 3.79.070 (“The Sheriff, or a senior ranking member of the Sheriff’s Department . . . shall attend and participate in all the meetings of the Commission but shall not have voting rights.”).

The COC has two separate and independent sources of broad subpoena power: Measure R, codified in Section 3.79.190 of the Los Angeles County Code and Government Code Section 25303.7.

Measure R. The COC’s first source of subpoena power is Measure R, which 72.85% of the County’s voters approved in March 2020. Measure R amended Los Angeles County Code Section 3.79.190 to provide that “[c]onsistent with state law, including, but not limited to the Peace Officer’s Bill of Rights, the Commission [*i.e.*, the COC] has the power to subpoena and require attendance of witnesses and the production of books and papers pertinent to its investigations and oversight, and to administer oaths.” This authority is derived from a voter initiative and is not derived from nor delegated by the Board of Supervisors.

Government Code section 25303.7. Government Code section 25303.7 explicitly provides for the creation of civilian oversight commissions, explicitly provides for them to possess subpoena power, and explicitly provides that inquiries or investigations conducted by oversight boards “shall not be considered to obstruct the investigative functions of the sheriff.” Gov’t Code § 25303.7(d). The COC may “examine . . . [a]ny officer of the county in relation to the discharge of their official duties on behalf of the sheriff’s department [or] [a]ny books, papers, or documents in the possession of or under the control of a person or officer relating to the affairs of the sheriff’s department” when the COC “deems it necessary or important.” Gov’t Code § 25303.7(b)(1)(B) & (C). Similar to Measure R, this authority of the Commission is based upon a state statute and is not authority delegated to it by the Board of Supervisors.

Effective oversight requires that the Commission have access to LASD documents. Regarding LASD documents that are protected as confidential and may not be disclosed under state law, the Commission intends to go into closed session to receive them and maintain their confidentiality. The COC will not publicly disclose any document received under this subpoena that is protected as confidential under state law. Moreover, LASD

providing confidential documents under this subpoena is an intra-County sharing that does not implicate *Pitchess* rules. See, e.g., *Johnson v. Fontana County F.P. Dist.*, 15 Cal.2d 380, 391 (1940) (explaining “generally a political subdivision and the officers, boards, commissions, agents and representatives thereof form but a single entity”); *Ass’n for Los Angeles Deputy Sheriffs v. Superior Ct.*, 8 Cal.5th 28, 50 (2019) (differentiating between “insiders” and “outsiders” and sanctioning “shar[ing]” of Section 832.7 information with the former); *Parrott v. Rogers*, 103 Cal.App.3d 377, 383 (1980) (holding “disclosure by one [government] official or department to another is not a ‘public disclosure’”); *Michael v. Gates*, 38 Cal.App.4th 737, 743 (1995) (holding a law enforcement agency may share Section 832.7 records with its attorneys because there is no “discovery or disclosure”); *Michael P. v. Superior Ct.*, 92 Cal.App.4th 1036, 1048 (2001) (holding that a local police department did not waive privilege over official information by allowing “social workers to review various reports and summarize their contents for inclusion in their reports,” and recognizing that “[i]nteragency information sharing should not automatically constitute a waiver of the official information privilege . . . so long as sufficient safeguards are in place to prevent disclosure to persons with no ‘official interest’ in the information”).

- b. The ability to review the investigative reports relating to the use of lethal force against Andres Guardado will assist the Commission in understanding the circumstances surrounding the killing of Andres Guardado by a Sheriff Deputy, including whether there was a potential connection with a Deputy Gang called the Executioners, whether and why no body worn camera was activated, and whether the investigation was adequate.

As part of its oversight role, the COC, to the extent possible, is concerned about and has tracked nearly all uses of lethal force by Sheriff’s Deputies. In particular, it has tracked and expressed interest and concern about the use of lethal force against Andres Guardado, a 23-year-old, killed by a Sheriff Deputy in June 2020, and on multiple occasions has requested that the Sheriff’s Department voluntarily provide the investigative report to the Commission, or an ad hoc committee of the Commission for review. The COC’s interest in the fatal shooting and the internal investigative report continued after the District Attorney’s Office, in 2023, declined prosecution of the deputy involved. I am informed and believe that this deputy is no longer a Deputy Sheriff as a result of his unrelated conviction in federal district court of a civil rights offense, in violation of 18 USC sec 1983.

Based on what the COC knows, much of which is based on media reporting, Guardado was encountered by two Sheriff Deputies in a driveway to a car repair shop in an unincorporated area of Los Angeles County. Upon spotting the deputies, it appears that Guardado fled by foot. At the end of a chase, Guardado was on the ground, face down. Media reports indicated the deputy who shot Guardado stated that Guardado tried to reach for a gun while on the ground, whereupon the deputy discharged five rounds into Guardado’s back, causing his death. Evidently, the deputy’s partner did not witness the shooting. There is evidently no body worn camera footage. To be clear, I cannot say that any of this is true or not, nor that it is contained in the Homicide Bureau’s investigative report as neither I, nor anyone else on the Civilian Oversight Commission, has ever been allowed to review the reports.

The COC conducted and is continuing to investigate the critically important topic of the existence and operation of Deputy Cliques and Deputy Gangs within patrol stations and units of the Sheriff's Department. Among the issues the COC examined was the existence of the "Executioners," a deputy clique within the Department's Compton station whose members sport a matching tattoo on their calves.

During its investigation of Deputy Gangs and Deputy Cliques, the COC learned that one such clique or subgroup is known as the Executioners. Members of the Executioners have matching tattoos, featuring a helmeted skull typically on their inner calves. To become a clique member, a deputy must be selected by the clique or shot callers within the clique. A deputy who aspires or wants to be a member of such a Deputy Clique often is led to believe that it necessary to take certain actions, which may not be consistent with LASD use of force policy, to become a clique member. Such deputies are said to be "chasing ink."

In 2023-24, the COC informed the LASD of information it received that the deputy who shot and killed Guardado and his partner were believed to be "chasing ink."

One reason that the COC wishes to review the Guardado investigative reports is to determine whether a possible motive related to being or wanting to become an Executioner may have motivated the deputy who killed Guardado, and whether a possible deputy clique connection was investigated. If this potential motive was not investigated, the COC, to provide effective oversight, wants to know, why not. This is relevant to the COC's broader, multi-year inquiry into the impact of Deputy Gangs and Deputy Cliques within the LASD.

Another issue of concern to the COC is the failure to use Body Worn Cameras (BWCs). There is no BWC footage of the shooting. The COC, having promoted and supported the usage of BWCs by all Patrol Deputies of the LASD, wants to understand why no BWCs were activated and what recommendations it may need to make to correct this failure.

Third, the COC has an abiding interest in understanding every use of lethal force, whether the use of force was constitutional and within policy or not and, further, to assess whether there were policies, procedures, or training which should be implemented that could prevent the application of deadly force. Only by reviewing investigative reports, such as the Guardado report, can the Commission gain an understanding whether such fatal uses of force are systemic and capable of being reduced by policy changes or training.

In sum, the COC seeks the documents, electronically stored information, communications, and other things in **Exhibit A** in furtherance of the COC's obligations to provide meaningful oversight of the Sheriff and the Sheriff's Department, to identify potentially systemic issues leading to the use of deadly force, and to consider whether and what recommendations are appropriate to reduce the use of deadly force, particularly out-of-policy and unconstitutional uses of force against residents of Los Angeles County.

The Homicide Bureau's investigation of the use of lethal force against Andres Guardado is not confidential. It is disclosable under state law. See Cal. Penal Code § 832.7(b)(1)(A)(i) and 832.7(b)(1)(A)(ii).

4. The documents, electronically stored information, or other things described in **Exhibit A** are material to the issues involved in this matter for the reasons set forth in Paragraph 3, above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this **27th** day of **February, 2025**

A handwritten signature in blue ink that reads "Robert C. Bonner". The signature is written in a cursive style with a long horizontal line extending to the right.

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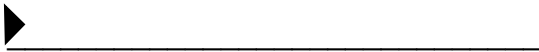
Robert C. Bonner, Chair  
Los Angeles County Sheriff Civilian Oversight Commission

**PROOF OF SERVICE OF SUBPOENA  
SUBPOENA DUCES TECUM FOR PERSONAL APPEARANCE AND THE PRODUCTION OF  
DOCUMENTS, ELECTRONICALLY STORED INFORMATION, AND THINGS**

1. I served this Subpoena for Personal Appearance by personally delivering a copy to the person served as follows:
  - a. Person served (name):
  - b. Address where served:
  - c. Date of delivery:
  - d. Time of delivery:
  - e. Witness fees (check one):
    - (1)  were offered or demanded and paid. Amount .....\$ \_\_\_\_\_
    - (2)  were not demanded or paid
  - f. Fee for service .....\$ \_\_\_\_\_
  
2. I received this subpoena for service on (date): \_\_\_\_\_
3. Person serving:
  - a.  Not a registered California process server.
  - b.  California sheriff or marshal.
  - c.  Registered California process server.
  - d.  Employee of independent contractor of a registered California process server.
  - e.  Exempt from registration under Business and Professions Code section 22350(b).
  - f.  Registered professional photocopier.
  - g.  Exempt from registration under Business and Professions Code section 22451.
  - h. Name, address, telephone number and, if applicable, county of registration and number.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

  
\_\_\_\_\_  
(Signature)