

November 20, 2025

To: Los Angeles County Sheriff's Civilian Oversight Commission
Chair Hans Johnson
Vice Chair Arthur Calloway
Vice Chair Luis Garcia
Executive Director Sharmaine Moseley
Deputy Director Bikila Ochoa

**Re: Inquiry into ALADS's Weaponization of the Meet and Confer Process
under the Meyers-Milias-Brown Act**

The passage of AB 847 ushers in a new era for civilian law enforcement oversight across California. With their newly affirmed access to certain confidential law enforcement records, civilian oversight bodies and county inspectors general throughout the state will be better equipped to meet their mandate to shed light on and help root out unconstitutional policing practices. The Check the Sheriff Coalition was proud to support AB 847 by appearing in front of the Assembly's public safety commission, organizing support letters, and calling our representatives to give the Los Angeles County Sheriff's Civilian Oversight Commission (COC) the tools it needs to meet its mandate.

We were alarmed but not surprised to learn that AB 847 is already under threat by police special interest groups. On October 16, 2025, just 10 days after Governor Newsom signed AB 847 into law, the Association of Los Angeles Deputy Sheriffs (ALADS) submitted a [letter](#) to Supervisor Kathryn Barger and Acting Chief Executive Officer Joseph M. Nicchitta, seeking to initiate the meet and confer process under the Meyers-Milias-Brown Act. We are deeply concerned that AB 847 may suffer the same fate as other important reforms—such as Measure R, AB 392, Penal Code section 13670, and the Inspector General's investigation into deputy gangs pursuant to Section 13670—where ALADS has prolonged the meet and confer process as a means of resisting, derailing, and delaying important reforms of the Los Angeles County Sheriff's Department (LASD).

The vital and long-overdue access conferred onto civilian oversight bodies by AB 847 cannot be overstated and cannot wait. To ensure the timely implementation of AB 847, we urge the COC to investigate, examine, and monitor ALADS's use of the meet and confer process, and ultimately cast light on this opaque process that ALADS has weaponized to delay and deny legislative and voter-mandated reforms for years.

The Meyers-Milias-Brown Act and the Meet and Confer Process

The Meyers-Milias-Brown Act

The Meyers-Milias-Brown Act (MMBA) governs labor-management relations in California's local governments, including cities, counties, and most special districts. The

MMBA requires public employers to meet and confer in good faith with employee representatives about matters that fall within the scope of representation. As a recognized employee organization representing LASD rank-and-file deputies, ALADS is legally entitled to engage in collective bargaining on behalf of its members regarding matters that fall under the scope of representation pursuant to the MMBA.

A public employer's duty to bargain under the MMBA arises under two circumstances: (1) when the decision itself is subject to bargaining, and (2) when the effects of the decision are subject to bargaining, even if the decision itself is nonnegotiable.¹ The scope of representation under the MMBA includes matters relating to employment conditions and employer-employee relations, including wages, hours, and other terms and conditions of employment.² Conversely, "consideration of the merits, necessity or organization of any service or activity provided by law or executive order," commonly referred to as the "fundamental managerial or policy decision," are outside the scope of representation.³ Yet, even if a management decision is not itself subject to bargaining, the employer may nevertheless still need to negotiate over the "effects" of such a decision.⁴ For example, "although an employer has the right unilaterally to decide that a layoff is necessary, [they] must bargain about such matters as the timing of the layoffs and the number and identity of employees affected."⁵

The California Supreme Court has devised a three-part test to determine when an employer's action is subject to the meet and confer requirement under the MMBA.⁶ First, does the management action have "a significant and adverse effect on the wages, hours, or working conditions of the bargaining-unit employees?" If not, there is no duty to meet and confer. Second, does the "significant and adverse effect arise from the implementation of a fundamental managerial or policy decision?" Third, "if both factors are present—if an action taken to implement a fundamental managerial or policy decision has a significant and adverse effect on the wages, hours, or working conditions of the employees—[the court applies] a balancing test" and the action "is within the scope of representation only if the employer's need for unencumbered decisionmaking in managing its operations is outweighed by the benefit to employer-employee relations of bargaining about the action in question."⁷ In balancing the interests to determine whether parties must meet and confer over a certain matter, a court may also consider whether the "transactional cost of the bargaining process outweighs its value."⁸

According to the Court, "[d]ecisions involving the betterment of police-community relations and the avoidance of unnecessary deadly force are of obvious importance, and directly affect the quality and nature of public services."⁹ As such, "[t]he burden of requiring an employer to confer about such fundamental decisions clearly outweighs the benefits to employer-

¹ See, e.g., *El Dorado County Deputy Sheriff's Assn. v. County of El Dorado*, 244 Cal.App.4th 950, 956 (2016).

² Cal. Gov. Code § 3504

³ *Id.*; *Claremont Police Officers Assn. v. City of Claremont*, 39 Cal.4th 623, 628–32 (Cal. 2006).

⁴ *Claremont*, 39 Cal.4th at 633–34.

⁵ *Id.* (citations omitted).

⁶ *Id.* at 638.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.* at 632; *Bldg. Material & Constr. Teamsters' Union v. Farrell*, 41 Cal.3d 651, 664 (Cal. 1986).

employee relations that bargaining would provide.”¹⁰ Fundamental managerial or policy decisions excepted from mandatory bargaining “include changing the policy regarding a police officer’s use of deadly force, and permitting a member of the citizens’ police review commission to attend police department hearings regarding citizen complaints and sending a department member to review commission meetings.”¹¹

For reference, other public employer actions in the law enforcement oversight context have also been held to be fundamental managerial or policy decisions not triggering the requirement to meet and confer:

- A city was not required to meet and confer under the MMBA with the police association concerning the implementation of a racial profiling study, because the study did not have a significant and adverse effect on the officers’ working conditions, as the study required only slightly more information to be collected than required in completing a citation or arrest report and the impact on officers’ working conditions was de minimis. *Claremont Police Officers Ass’n v. City of Claremont*, 39 Cal.4th 623 (2006).
- An LASD policy revision precluding deputies who witnessed or were involved in a shooting incident from consulting collectively or “huddling” with lawyers or labor representatives before speaking with investigators was outside the meet-and-confer requirements of the MMBA. The policy was a fundamental decision because the express objectives in implementing its policy revision was to collect accurate information regarding deputy-involved shootings and thereby foster greater public trust in the investigatory process. Further, the balancing test favored the Department, as ALADS’s argument that the right of deputies to huddle with counsel is a “working condition” was tenuous while the Department’s interest in public accountability is significant on its face. *Ass’n for Los Angeles Deputy Sheriffs v. County of Los Angeles*, 166 Cal.App.4th 1625 (Cal. Ct. App. 2008), as modified (Sept. 24, 2008), as modified (Oct. 6, 2008).
- A county policy prohibiting deputy sheriffs under investigation to access the internal affairs investigative file before being interviewed by an internal affairs investigator did not constitute a working condition and thus was not subject to meet and confer requirements under the MMBA, even if there was a long-standing past practice of pre-investigative interview access to the investigative file, particularly where the deputies association’s memorandum of understanding did not prohibit a reduction of existing consistently applied past practices. *Ass’n of Orange County Deputy Sheriffs v. County of Orange*, 217 Cal.App.4th 29 (Cal. Ct. App. 2013).

The Meet and Confer Process

The MMBA imposes an enforceable obligation on both employers and employee organizations to engage in timely, meaningful, and good faith bargaining. Notably, the two

¹⁰ *Bldg. Material*, 41 Cal.3d at 664.

¹¹ *Claremont Police Officers Ass’n*, 39 Cal.4th at 632 (citing, respectively, *San Jose Peace Officer’s Ass’n v. City of San Jose*, 78 Cal.App.3d 935 (Ct. App. 1978) and *Berkeley Police Ass’n v. City of Berkeley*, 76 Cal.App.3d 931 (Ct. App. 1977)).

parties do not have to come to an agreement, but only have to make a good faith effort to bargain. Both parties' "good faith" is measured by a totality of the circumstances test, gauging whether both parties engage with the process with a genuine desire to reach a resolution.¹²

Public employers are not required to agree to union demands or abandon firm positions.¹³ They must, however, provide notice, engage in substantive discussions, and avoid premature unilateral action.¹⁴ Conversely, employee organizations may violate Government Code section 3505 of the MMBA by stalling negotiations, refusing to meet, or engaging in "surface bargaining," a term PERB uses to describe going through the motions without the genuine intent to reach an agreement.¹⁵

There is no set timeline for meet and confer under the MMBA. Instead, the duty must be carried out promptly and for *a reasonable period of time* based on the totality of the circumstances.¹⁶ Courts and PERB have consistently emphasized that the duty is satisfied when parties approach negotiations with genuine intent, make timely proposals, and allow for impasse resolution procedures to operate, where applicable. These bodies have upheld meet and confer processes lasting weeks or months if marked by consistent engagement and rejected those marred by stalling, refusal to meet, or premature unilateral action. A party that attempts to manipulate the process or avoid meaningful engagement may be found in violation of their statutory duty.

ALADS Has Weaponized the Meet and Confer Process to Delay Reforms

ALADS has abused the meet and confer process to obstruct, delay, and deny critical oversight and reform efforts of LASD. While most County public employee unions conclude negotiations within two to four months, negotiations between ALADS and the County endure for years.¹⁷ The COC, the OIG, and members of the public have rang the alarm about ALADS's

¹² See, e.g., *Int'l Ass'n of Fire Fighters, Local 188 v. Pub. Employment Relations Bd.*, 51 Cal.4th 259, 271 (Cal. 2011) (noting that good faith includes a genuine willingness to reach agreement, "but the MMBA does not require that an agreement actually result in every instance, and it recognizes that a public employer has the ultimate power to reject employee proposals on any particular issue").

¹³ See, e.g., *Santa Clara County Corr. Peace Officers' Ass'n, Inc. v. County of Santa Clara*, 224 Cal.App.4th 1016, 1035 (2014) ("Agreement between the public agency and its employees is to be sought as the result of meetings and conferences held in good faith for the purpose of achieving agreement if possible; but agreement is not mandated. It follows that government is not required to cease operations because agreement has not been reached."); *Pub. Employees Ass'n of Tulare Cnty. v. Bd. of Supervisors*, 167 Cal.App.3d 797 (1985) (explaining that inflexible bargaining positions are not per se unlawful).

¹⁴ See, e.g., *City of Fresno v. People ex rel. Fresno Firefighters*, 71 Cal. App. 4th 82, 97–98 (1999); *Coachella Valley Mosquito & Vector Control Dist. v. Pub. Employees Relations Bd.*, 35 Cal. 4th 1072, 1088–89 (2005).

¹⁵ See, e.g., *County of Riverside*, PERB Dec. No. 2119-M (2009) (finding surface bargaining where the union refused to engage on key topics and delayed meetings).

¹⁶ Cal. Gov. Code § 3505.

¹⁷ For example, SEIU Local 721, representing over half of Los Angeles County workers, began contract negotiations immediately after its existing agreement expired in March 2025. Despite escalating to a two-day strike on April 28–29, a tentative agreement was reached by June 16, meaning the entire process took roughly three months from contract expiration to resolution. See SEIU Local 721, *We Reached a Tentative Agreement with LA County at the Common Language Table!* (June 16, 2025), <https://www.seiu721.org/2025/06/we-reached-a-tentative-agreement-with-la-county-at-the-common-language-table.php>; L.A. County Chief Executive Office, *L.A. County Statement on*

strategic weaponization of the meet and confer process to ultimately weaken efforts to reform LASD. And often, despite no legal requirement to do so, the County—through County Counsel and LASD leadership—continues to engage in protracted meet and confer negotiations with ALADS. This practice has allowed ALADS to subvert important reforms involving external oversight, use of force, discipline, and deputy gangs.

In an attempt to better understand the extent of this issue, we submitted a Public Records Act request to LASD seeking a list of all policies that have gone through the meet and confer process between ALADS, LASD, and the County since 2020. As of this letter, LASD has not produced any responsive information. As a result, our analysis is limited to the policies and reforms publicly known to have suffered implementation delays due to the meet and confer process. ALADS seeking to initiate the meet and confer process with AB 847 has brought a renewed level of urgency around this persistent problem.

Two issues with the meet and confer process between ALADS and the County are particularly concerning and should be investigated. First, the County has at times opted to engage in the meet and confer process for policies that it is not required to negotiate under the MMBA. Notwithstanding any possible rationale behind this practice, the effect is that efforts at reform, oversight, and transparency that have been overwhelmingly backed by the public and state government are so substantially delayed that their impact is virtually nullified.

Second, the meet and confer process between ALADS and the County has proved to be exceedingly long. Unlike other negotiations with County public employee unions that conclude within months, bargaining between ALADS and the County has endured for multiple years. This is contrary to the understanding of the process by both the Los Angeles Employees Relations Commission (ERCOM) and the California Court of Appeals. In finding that the County was required to bargain with ALADS before adopting County Ordinance 20-0520 codifying Measure R, ERCOM expressed its “expectation that negotiations will be completed no later than [60] days from the[ir] commencement.”¹⁸ Nevertheless, the meet and confer process for Measure R, which Los Angeles County voters passed with more than 70% of the vote in March 2020, is still ongoing. Years later, the California Court of Appeals relied on this mistaken expectation in holding that the Inspector General’s investigation into deputy gangs, as authorized under Penal Code section 13670, was subject to meet and confer requirements.¹⁹ That bargaining process regarding the Inspector General’s investigation of deputy gang members, which began in May 2022, was ongoing as of February 24, 2025.²⁰ A final Decision and Order on the matter has not been made public.

Tentative Agreement with SEIU 721 (June 17, 2025), <https://lacounty.gov/2025/06/17/la-county-statement-on-tentative-agreement-with-seiu-721/>.

¹⁸ *Ass’n for Los Angeles Deputy Sheriffs v. County of Los Angeles*, 106 Cal.App.5th 982, 989 (2024).

¹⁹ *Id.* at 1003.

²⁰ Los Angeles County Employee Relations Commission, Meeting Minutes, February 25, 2025, *available at* <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/a823d078-05dd-4ac1-903d-141ed9e5b7e2/February%2024%2C%202025%20ERCOM%20Meeting%20Minutes.pdf>.

Measure R

More than five years ago, in March 2020, voters made a resounding call for more effective oversight of LASD by passing Measure R. Voters agreed that the COC needed independent subpoena power that was not subject to agreements with the Board of Supervisors, the Office of the Inspector General (OIG), or, most importantly, the Sheriff's Department it was created to oversee. Measure R passed with support from nearly 73% of the electorate. Despite this clarion call from over 1.3 million Los Angeles County voters, ALADS has filed multiple lawsuits to block the COC from subpoenaing law enforcement records and witnesses. Separately, ALADS initiated a meet-and-confer process that has barred the COC from utilizing its subpoena power now for more than five years. As a result, the COC has not had the access it needs to investigate the deputy gang crisis, deputy-involved shootings, or other misconduct the community has consistently brought to the Commission's attention.

Use of Deadly Force AB 392

On August 19, 2019, the California Act to Save Lives, Assembly Bill 392 (AB 392), changed the law governing law enforcement officers's use of deadly force.²¹ Previously, the law authorized officers to use force whenever "reasonable" to effect arrest, prevent escape, or overcome resistance. Under the new law, officers are legally justified in using deadly force only when *necessary* in defense of human life.²² Officers must evaluate and use other available resources and techniques, instead of deadly force, if doing so would be reasonably safe and feasible. The new law also made clear that an officer's conduct leading up to the use of force should be considered in determining whether the force was justified.

Despite years of case law establishing that there is no legal requirement to submit use of force policies to the meet and confer process, the County still agreed to enter into negotiations with ALADS over LASD's updated policy. Former Sheriff Villanueva submitted a proposed manual revision on August 29, 2019, ten days after the law was signed.²³ The County, however, agreed to enter into the meet and confer process over the new policy, which took nearly five years to adopt. As a result, LASD's use of force policy was out of compliance with state law until March 2024.

Penal Code 13670

In response to the deputy gang crisis within LASD, the Legislature passed Assembly Bill 958, codified as Penal Code section 13670, which requires law enforcement agencies to maintain policies making participation in law enforcement gangs a basis for termination and compelling officers to participate in any investigation into these gangs by an inspector general.²⁴ Notably, in enacting Section 13670, the Legislature singled out LASD deputy gangs and found that such law enforcement gangs have "undermin[ed] California's movement to enhance professional

²¹ Press Release, Office of Governor Gavin Newsom, Governor Gavin Newsom Signs Use-of-Force Bill (Aug. 19, 2019), <https://www.gov.ca.gov/2019/08/19/governor-gavin-newsom-signs-use-of-force-bill>.

²² Cal. Pen. Code § 835a(a)(2).

²³ Los Angeles County Sheriff's Department Proposed Manual Revision, Aug. 29, 2019, *available at* https://file.lacounty.gov/SDSInter/bos/supdocs/TacticalIncidents_DeadlyForce_2019-038-01_.pdf.

²⁴ Assem. Bill No. 958 (Reg. Sess. 2021-2022).

standards of policing” and have been “damaging to the trust and reputation of law enforcement throughout California.”²⁵

Despite being an expressed target of Section 13670, LASD continued to resist compliance with state law. Only after continued pressure from the public and the COC, former Sheriff Villanueva adopted a superficial and ineffectual policy on deputy gangs.²⁶ This policy did not prohibit joining or soliciting membership into deputy gangs, and only enforced discipline where a deputy is involved in a separate act of misconduct.²⁷ Further, Villanueva’s policy did not require LASD to identify deputy gangs or to cooperate with oversight bodies, including the OIG or the California Attorney General.²⁸ Despite becoming out of compliance with state law when Section 13670 went into effect on January 1, 2022, LASD maintained Villanueva’s policy until September 2024—effectively violating the law for nearly three years.

After a prolonged drafting process, the first meet and confer session between ALADS, the Department, and the County began on May 9, 2023. The final policy, LASD Manual Policy 3-01/050.82, was not adopted until September 2024—after a 17-month negotiation period.²⁹ In order to speed up the meet and confer process, Sheriff Robert Luna bifurcated the policy and only moved forward on a policy pertaining to deputy gangs. To date, because of ALADS’s weaponization of the meet and confer process, LASD has yet to adopt a policy also banning deputy cliques.

Office of Inspector General’s Investigation into Deputy Gangs

In May 2023, Inspector General Max Huntsman initiated an investigation into 35 members of LASD the OIG had reason to believe were members of deputy gangs. The Inspector General’s power to initiate this investigation was explicitly authorized by Penal Code section 13670.³⁰ ALADS immediately filed two complaints: one with ERCOM initiating the meet and confer process over the effects of the investigation and another with the California Superior Court seeking a preliminary injunction to halt the Inspector General’s investigation entirely until the meet-and-confer process was completed.

²⁵ *Id.* at § 1(a).

²⁶ See Loyola Law School Center for Juvenile Law & Policy, 50 Years of Deputy Gangs in the Los Angeles County Sheriff’s Department: Identifying Root Causes and Effects to Advocate for Meaningful Reform, at 30-31 (Jan. 2021), *available at* <https://lmu.app.box.com/s/ho3rp9qdbmn9aip8fy8dmmukjjgw5yyc>.

²⁷ See L.A. County Sheriff’s Dep’t, Manual of Policy and Procedures (2024), 3-01/050.83 - Employee Groups which Violate Rights of Other Employees or Members of the Public, *available at* <https://pars.lasd.org/Viewer/Manuals/10236/Content/14944> (hereinafter “LASD 3-01/050.83”); L.A. County Off. of the Inspector Gen., Los Angeles County Sheriff’s Department’s Legal Compliance: Deputy Gangs, at 13 (Feb. 2024), *available at* <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/46e798fa-65b4-4410-ab42-7ae20adbb95c/Los%20Angeles%20County%20Sheriff%27s%20Department%27s%20Legal%20Compliance%20-%20Deputy%20Gangs.pdf> (hereinafter “OIG Feb. 2024 Report”).

²⁸ See LASD 3-01/050.83.

²⁹ See L.A. Sheriff’s Dep’t, Transparency & Oversight Update, at 2 (Oct. 2024), *available at* https://lasd.org/wp-content/uploads/2024/10/Transparency_oversight_UPDATE_TO_COC_RECOMMENDATIONS.OCTOBER_2024.pdf; L.A. County Sheriff’s Dep’t, Manual of Policy and Procedures, 3-01/050.82 - Prohibition - Law Enforcement Gangs and Hate Groups, *available at* <https://pars.lasd.org/Viewer/Manuals/10008/Content/21149>.

³⁰ See Cal. Pen. Code § 13670.

After dismissing ALADS's privacy and constitutional claims, the court granted the preliminary injunction based on ALADS claim that the investigation was subject to meet and confer under the MMBA.³¹ The case went up for appeal, stalling the investigation, despite the OIG's requests to continue the bargaining process in order to avoid further delays. On November 20, 2024, the appellate court affirmed the trial court's decision blocking the OIG interviews pending the meet-and-confer process regarding their effects.³² A key part of the court's decision hinged on their flawed understanding that the meet and confer process could be completed fairly quickly, based on ERCOM's expressed expectation that negotiations on a similar issue should take no longer than 60 days.

A year after this decision, the OIG's investigation is still stalled by the meet and confer process. In the absence of proper investigation, accountability, and even a policy complying with state law, deputy gangs have continued to thrive within LASD. For instance, the insignia of the Regulators, a deputy gang previously believed to be inactive resurfaced on the wall of the Century Regional Detention Facility.³³ In January 2024, media reports identified a previously-unknown deputy gang, the Industry Indians, after its members drunkenly antagonized a group of teenagers at a bowling alley, shouting at the teens, flashing their guns, and punching a 19-year-old in the face.³⁴ While the deputies involved in this incident were fired, LASD management squandered an opportunity to adequately investigate this possible deputy gang.³⁵ LASD did not conduct further questioning or ask the deputies to identify other Industry Indians members.³⁶ According to media reports, there may be at least 58 members of the Industry Indians.³⁷

LASD failed to comply with the Board of Supervisors request to report on the Industry Indians. Rather, it conducted a perfunctory investigation that gave "the outward appearance of complying with section 13670 while minimizing the chances the action will be upheld in court or actually impact the alleged gang."³⁸ For example, a deputy involved in the bowling alley incident revealed that many deputies working at the Lakewood station have matching tattoos.³⁹

³¹ *Ass'n for Los Angeles Deputy Sheriffs v. County of Los Angeles*, No. 23STCPOIT4S, at *34 (L.A. Super. Ct. July 10, 2023), https://s3.documentcloud.org/documents/23871446/2023_07_10-alads-vs-la-co-oig-prelim-injunction-decision.pdf ("ALADS is entitled to bargain over the significant and adverse effects of the County's implementation of Penal Code section 13670 and to prevent the OIG from doing so until the County has satisfied the bargaining process.").

³² *Ass'n for L.A. Deputy Sheriffs v. County of Los Angeles*, No. B331881, 2024 WL 4834247 (Cal. Ct. App. Nov. 20, 2024).

³³ Blakinger, *Oversight investigators find deputy gang 'logo' outside Los Angeles women's jail*, L.A. TIMES (Feb. 22, 2024), <https://www.latimes.com/california/story/2024-02-22/oversight-investigators-find-deputy-gang-logo-outside-los-angeles-womens-jail>.

³⁴ Blakinger & Tchekmedyian, *L.A. County supervisors ask sheriff for report on 'Industry Indians' deputy gang*, L.A. TIMES (Jan. 24, 2024), <https://www.latimes.com/california/story/2024-01-24/l-a-county-supervisors-ask-sheriff-for-report-on-industry-indians-deputy-gang>

³⁵ OIG Feb. 2024 Report, *supra* fn. 24, at 19.

³⁶ *Id.*

³⁷ Blakinger & Tchekmedyian, *supra* fn. 34.

³⁸ L.A. County Off. of the Inspector Gen., *Report Back on Industry Indians; Investigation and Outcome of Deputy Gangs in the Los Angeles County Sheriff's Department and Status Update on the Los Angeles County Sheriff's Department's Deputy Gang Policy (Item No. 6, Agenda of January 23, 2024)* (Mar. 28, 2024), <https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/a5052fff-b34b-425f-99af-0c25b9becb98/Report%20Back%20on%20Industry%20Indians.pdf>.

³⁹ OIG Feb. 2024 Report, *supra* fn. 24, at 21-23.

Yet, LASD only conducted a superficial investigation into the nature of those tattoos, relying solely on a deputy survey conducted by the Lakewood station's supervisors.⁴⁰ The inquiry did not ask which deputies have the tattoo or how a person gets one.⁴¹ Instead, LASD took the words of these deputies at face value to reach the conclusion that the matching tattoos were not indicative of a deputy gang at the Lakewood station.⁴² As a result of this inadequate investigation, the public does not know who has a Lakewood station tattoo or whether the tattoo is only available to deputies of a certain race or gender, making it impossible to know if this group runs afoul of section 13670, for example by discriminating against members of the department.⁴³

While the meet and confer process slowly crawls onward, LASD has effectively continued to defy state law and local directives. By preventing the OIG from performing its official duty to oversee LASD and expeditiously investigate deputy gangs, the court's injunction overrode the will of the Legislature and has left communities vulnerable to continued abuse at the hands of deputy gang members. The courts did not adequately consider this significant harm to the public interest, as well as the ALADS' history of prolonging the meet and confer process as a means of delaying and undermining reform and oversight of the Department.

The COC Should Audit the Meet and Confer Process as a Proactive Means of Ensuring AB 847's Timely Implementation

The COC has a vested interest in ensuring oversight, reforms, and recommendations spearheaded by the Commission are implemented in a timely and effective manner. The meet and confer process allows ALADS to stall any progress at reform while allowing the Department to evade accountability. ALADS has manufactured a dangerous buffer that allows its members to police according to outdated standards and to escape consequences for misconduct that violates state law.

We urge the COC to take the following steps to investigate and shed light on ALADS's abuse of the meet and confer process under the MMBA:

- 1) Request and make public information on the meet and confer process from ERCOM, County Counsel, and LASD to better understand the process including a list of all policies and reforms that have gone through the meet and confer process with law enforcement associations (ALADS, LASPA, PPOA, etc.) from January 2020 until present. The list should include the date the meet and confer process was initiated, the dates of any meet and confer sessions, the current status of each policy and the date the meet and confer process concluded, if applicable.
- 2) Agendize a meet and confer presentation, where representatives from County Counsel, ERCOM, and LASD are present to answer questions regarding the meet and confer process and discuss the issues that contribute to prolonged delays.

⁴⁰ *Id.* at 22.

⁴¹ *Id.* at 21-23.

⁴² *Id.*

⁴³ See Pen. Code § 13670, subd. (a)(2).

- 3) Provide status updates at the COC's monthly meetings to monitor progress on existing meet and confer processes between the County and ALADS and other law enforcement associations as a means of tracking duration and progress of such processes and comparing it to the 60-day meet and confer period recommended and expected by ERCOM.

We deeply appreciate the COC's commitment to creating a more accountable and transparent LASD. We would be happy to meet to discuss in detail any matters in this letter.

Sincerely,

Check the Sheriff Coalition
ACLU Foundation of Southern California
Loyola Anti-Racism Center