



COUNTY OF LOS ANGELES SHERIFF CIVILIAN OVERSIGHT COMMISSION

Improving Public Transparency and Accountability

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Sharmaine Moseley
Executive Director

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RESOLUTION TO ENFORCE SUBPOENAS AND ENSURE ACCESS TO UNCONFLICTED COUNSEL FOR THIS COMMISSION

**On April 16, 2026, Sheriff Civilian Oversight Commission approved this resolution
unanimously by a vote of 8-0-0.*

WHEREAS this Commission has lawfully issued three subpoenas in February 2025 and repeated its request for compliance with these three subpoenas in January 2026 to the Los Angeles County Sheriff's Department (LASD), in part, under this Commission's subpoena authority granted by state law in AB 1185 (effective January 1, 2021) and AB 847 (effective January 1, 2026), both of which amend Section 25303.7 of California law; and

WHEREAS the three subpoenas, lawfully issued by this Commission, came about only because the LASD refused Commission requests to voluntarily provide important records necessary for an investigation by this Commission and in March 2025 sued this Commission to block enforcement of the subpoenas; and

WHEREAS L.A. County Counsel asserts a legal position requiring a "meet and confer" process by L.A. County agencies as a precondition for compliance with state law, and, citing labor code and pending "meet and confer" negotiations, thus refuses to enforce this Commission's subpoenas on the LASD, and with LASD having invoked, in January 2026, the County Counsel's legal position to require "meet and confer" as a precondition for compliance with state law as justification by LASD to resist compliance with the subpoenas lawfully issued by this Commission; and

WHEREAS the California Court of Appeal ruled on March 26, 2026, in the case of *Independent Office of Law Enforcement Review and Outreach (IOLERO) v. Sonoma County Sheriff*, that there is "no authority ... that a county can divest a county agency of authority conferred on it by state statute, by means of a labor agreement or otherwise"; and

WHEREAS the Court of Appeal concluded that "any conflicting provisions in the [local labor] Agreement do not impact the subpoena power granted to the Independent Office by section 25303.7" of state law and made this holding of law in a ruling that ordered enforcement of pending subpoenas issued by IOLERO on the Sonoma County Sheriff.

NOW, THEREFORE, BE IT RESOLVED, the Los Angeles County Sheriff has no justification for refusing to comply with the three subpoenas lawfully issued by this Commission, and the Commission calls on LASD to comply immediately with the three lawfully issued subpoenas and on the L.A. County Counsel to enforce them; and

BE IT FURTHER RESOLVED, that any delay, nonresponse, disregard, indecision or refusal by LASD to comply with the subpoenas or by County Counsel to enforce the subpoenas issued by this

Commission raises not only noncompliance under law, but also the serious question of an internal conflict of interest insofar as County Counsel claims to represent, simultaneously, the interests of this Commission and LASD; and

BE IT FURTHER RESOLVED that, in light of the holding of law in *IOLERO*, this Commission calls on County Counsel to review its legal position on the enforcement of subpoenas lawfully issued by this Commission and to report back to this Commission with a clear, unequivocal position no later than Monday, April 20, 2026 and, if failing to fully reconcile to the satisfaction of this Commission the serious question of an internal conflict of interest by County Counsel, to furnish this Commission by Monday April 20, 2026 unconflicted outside counsel to represent the interests of this Commission faithfully and effectively (which is consistent with best practices for other oversight entities and can ultimately be less expensive to taxpayers) or failing such acceptable assignment, to recognize the interest of this Commission in selecting its own outside counsel without delay, obstruction, interference, or encumbrance in order to exercise the authority granted this Commission under state law, which includes achieving enforcement of the three subpoenas and effectuating the mission and purpose of this Commission under law.

April 16, 2026

Dated



Hans Johnson, Chair

Sharmaine Moseley, Executive Director, Sheriff Civilian Oversight Commission, does hereby certify that the above is a true and correct copy of the Resolution duly adopted by the Commission at its meeting held on April 16, 2026, and as same appears of record in the official minutes of said Commission.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Los Angeles Sheriff Civilian Oversight Commission this 16th day of April 2026.

April 16, 2026

Dated



Sharmaine Moseley, Executive Director