



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



November 21, 2023

Tracy Jordan, Principal Staff Analyst
Sheriff Civilian Oversight Commission
World Trade Center
350 South Figueroa, Suite 288
Los Angeles, California 90071
Sent via Electronic Transmission

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT RESPONSE
TO THE CIVILIAN OVERSIGHT COMMISSION'S REQUEST
FOR INFORMATION ON REPETITIOUS COMPLAINTS**

Dear Ms. Jordan:

On October 4, 2023, the Civilian Oversight Committee (COC) requested information regarding a log related to complaints made against the Los Angeles County Sheriff's Department (LASD) from certain members of the community. Specifically, the Commission requested:

A copy of "LASD Repetitious Complaints Log" (or the similarly titled log) be provided quarterly or anytime the log is updated.

The Department understands and respects the critical role of the COC in providing oversight and promoting transparency. However, many types of records maintained by the LASD are confidential under the law and may not be disclosed, including to the COC, absent specific statutory authority.

The requested records are deemed confidential so as to protect the anonymity of complaints made by members of the public based on the following

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authorities: Penal Code sections 832.5, 832.7, and 832.8. As such, pursuant to County Code sections 3.79.035, the Department cannot disclose that list at this time. Section 3.79.035 provides that:

Because the Commission is a Brown Act body that is not authorized to conduct closed sessions, the Commission may not receive records protected by any law protecting the confidentiality of records...[Citations omitted].

Because the Department sought to determine whether there was an alternative avenue for disclosure of these materials to the COC, the request was also examined under the California Public Records Act (CPRA). The names of complainants are similarly exempt from disclosure under the CPRA, Government Code sections 7922.000, 7927.700, and 7927.705. These records are confidential and exempt from disclosure based on, but not limited to, the following authorities: Penal Code sections 832.5, 832.7, and 832.8, the Public Safety Officers Procedural Bill of Rights Act as set forth in Government Code sections 3300 et seq., and the right to privacy under the California Constitution, article I, section 1.

While under the above analysis the Department cannot disclose this list to the COC, please be aware that that a copy of the Department's Repetitious Complainant's List dated September 27, 2023 (the last date the list was updated), was provided by the Internal Affairs Bureau to the Office of the Inspector General on October 4th of this year following a request for an updated list from that office. Thus, in the interest of transparency and accountability, the oversight body with the required statutory authority was provided with the list and will continue to be provided the list upon the request of that office.

In preparing to respond to your request, the LASD consulted with County Counsel regarding the production of the requested records. The Department's consultation with County Counsel was to determine whether the materials could be produced, and that any production made is completed in accordance with the law.

Despite our inability to provide a copy of the list at this time, I wish to reiterate that the Department seeks to be transparent with the COC and respond as fully and completely as it is able to every request for information. In the past year alone, we have responded to an estimated 60 requests for

information, subject matter experts, or speaking requests. As you know, while seeking to be transparent the Department must also follow all applicable laws and regulations that relate to the disclosure of information. We do not pretend to have all of the answers while we attempt to navigate these issues. As a result, we are happy to work with the COC and County Counsel to determine whether there are ways to comply with COC requests for information similar to those requested here, including whether a confidentiality agreement could cover such material or whether there is an alternative solution to both comply with requests for confidential information while simultaneously complying with all relevant laws. I am confident our objectives are identical in seeking a resolution to these issues that I understand have been long-standing.

Sincerely,

ROBERT G. LUNA, SHERIFF

FOR
EILEEN M. DECKER
DIVISION DIRECTOR
OFFICE OF CONSTITUTIONAL POLICING

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