



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



April 29, 2020

Sachi Hamai, Chief Executive Officer
County of Los Angeles
713 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Ms. Hamai:

REQUEST FOR RESTORATION OF ENTERPRISE HUMAN RESOURCE SYSTEM PROMOTION ACCESS

This letter is a request to reestablish the Los Angeles County Sheriff's Department's (Department) ability to input promotions at all levels into the Enterprise Human Resources system (eHR), and maintain our access to this aspect of eHR in order to fulfill our ongoing staffing needs at all ranks.

On Friday, April 24th, 2020, employees assigned to the Department's Personnel Bureau were unable to input promotions of deputy sheriff trainees, deputies, and sergeants into the eHR system. These line staff positions are essential to public safety. The access to the respective component of eHR, which allows my staff to input promotional items, was obstructed prior to the Board of Supervisors voting on a promotional freeze, which as you know took place on April 28th, 2020. These promotions are essential to staffing critical vacancies. Currently, the Department is challenged with 319 deputy vacancies, 356 sergeant vacancies, and 34 lieutenant vacancies. These vacancies will increase throughout the year due to normal attrition.

The Department loses a substantial amount of sworn and civilian personnel at all ranks through retirements, injuries and other attrition factors every year. Left unfilled, the vacancies will place an ever increasing financial and risk management burden on Los Angeles County and the Department. Appropriate staffing levels and supervision are a requirement to the demands of the collective consent decrees and oversights of the Citizens' Commission on Jail Violence, the Department of Justice, and *Rosas v. Baca*. All settlement

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agreements, citing excessive force in the jails, lack of training, inadequate force policies, and reinforcement of such policies, pontificated the need for an increase in supervision within the jails. These supervisory mandates must be filled or overtime will be required to staff these vacancies. While the safeguarding and operations of the jails are clearly confined to the Sheriff's authority (California Penal Code Section 4000, Government Code Section 22605 - 22610), failing to appropriately fund the employment and training of personnel to properly staff the jails may subject the Board to liability (Brandt v. Madera County Board of Supervisors 84 Cal.App.3d 598). Especially given the contention of the collective settlement agreements that a lack of supervision was one of the factors leading to numerous cases of excessive force.

Additionally, the Board of Supervisors has no legal authority to use its budgetary power to dictate the employment in or operation of the Office of the Sheriff (Hicks v. Orange County Board of Supervisors (1977) 69 Cal. App. 3d 228, 241 [138.Rptr.101]). Moreover, California courts have repeatedly held that only the sheriff can control how he spends the funds allotted to him in the County budget, and that the County cannot withhold the funds necessary to carry out his duties (Brandt v. Madera County Board of Supervisors, (1978) 84 Cal.App.3d 468). The actions taken in rescinding our access to input promotions into the eHR system directly impacts the deployment and investigative function of the Department, prohibiting it from carrying out its fundamental duties and mission to protect public safety.

Should you have any questions, please contact Captain John Burcher of my staff [REDACTED].

Sincerely,



ALEX VILLANUEVA
SHERIFF

AV:JB:ac

(Office of the Sheriff)

cc: Supervisor Hilda L. Solis, First District, Board of Supervisors
Supervisor Mark Ridley-Thomas, Second District, Board of Supervisors
Supervisor Sheila Kuehl, Third District, Board of Supervisors
Supervisor Janice Hahn, Fourth District, Board of Supervisors
Chair, Kathryn Barger, Fifth District, Board of Supervisors
Mary Wickham, County Counsel, Office of the County Counsel
Ron Hernandez, President, Association for Los Angeles Deputy Sheriffs
Tab Rhodes, President, Professional Peace Officers Association