



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

## HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



March 11, 2020

Mr. Daniel W. Baker, Inspector General  
Office of Inspector General  
County of Los Angeles  
3312 S. Hill Street, 3<sup>rd</sup> Floor  
Los Angeles, California 90013

Dear Mr. Baker:

### RESPONSE TO EMAIL DATED MARCH 3, 2020, AT 10:30 A.M.

This letter is in response to your email sent to me on March 3, 2020, at 10:30 a.m. regarding your initial request for documents related to an investigation wherein you stated the production of these documents was warranted pursuant to the new version of Los Angeles County Ordinance 6.44.190, which formerly stated:

- A. *As part of the Board of Supervisors' duty to supervise the official conduct of the Sheriff under Government Code section 25303, the Office of Inspector General ("OIG") is created in the department of the Board of Supervisors. The OIG is created to promote constitutional policing, to promote the common interest of the Board of Supervisors and the Sheriff in effective and lawful policing, and to facilitate the Board of Supervisors' responsibility without interfering with the Sheriff's investigative functions. **The OIG shall focus on matters relevant to department-wide policies and procedures and shall not interfere with criminal, personnel, and other investigations by the Sheriff's Department.** (Emphasis added; former Los Angeles County Ordinance Code 6.44.190.)*

While the new version of 6.44.190 provides:

- A. *As part of the Board of Supervisors' duty to supervise the official conduct of County officers under Government Code section 25303,*

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*the Office of Inspector General ("OIG") is created in the Department of the Board of Supervisors to promote constitutional policing and the fair and impartial administration of justice, and to facilitate the Board of Supervisors' responsibility without obstructing the Sheriff's criminal investigative function. **The OIG's scope includes matters relevant to the policies, procedures, practices, and operations of the Sheriff's and Probation departments (collectively, the "Departments"). In accordance with Government Code section 25303, the OIG shall have access to all Departments' information; documents; materials; facilities; and meetings, reviews, and other proceedings necessary to carry out the OIG's duties under this section.*** (Emphasis added; new version of Los Angeles County Ordinance 6.44.190)

As you are well aware, Government Code §25303 limits the scope and extensiveness of Ordinance 6.44.190. Consequently, where your requests exceeds the scope of what is permissible under Government Code Section 25303, or tantamount to obstruction of the Sheriff's authority, your requests will require discussion by the Department and your office in order to be accommodated.

Since this ordinance has recently gone into effect, and both your office and the Department are jointly represented by the same county counsel, we are waiting for further legal guidance from the Office of County Counsel, as well as a forthcoming proposal for a new memorandum of agreement that will provide more clarity and understanding for all concerned parties in determining which requests we can be collaboratively agreed upon. Until such time, this issue will remain outstanding until the Department receives further legal guidance.

Thank you for your understanding and anticipated cooperation as we navigate this new area. Should you wish to discuss please do not hesitate to contact me at your earliest convenience.

Sincerely,

ALEX VILLANUEVA, SHERIFF



MATTHEW J. BURSON, CHIEF  
PROFESSIONAL STANDARDS DIVISION