



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



April 6, 2022

Fesia Davenport, Chief Executive Officer
Chief Executive Office
County of Los Angeles
713 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Ms. Davenport:

RESPONSE TO THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT BUDGET FACT SHEET

I recently became aware of a "Sheriff's Department Budget Fact Sheet" you posted on the lacounty.gov website at:

http://file.lacounty.gov/SDSInter/lac/1121129_Sheriff_sDepartmentBudgetFactSheet3.21.22.pdf.

You are the individual appointed to inform the Board of Supervisors (Board) on financial matters, which aids them in making data driven decisions to manage the County. Not sharing the full financial picture regarding the Los Angeles County Sheriff's Department (Department) does not help them make the best decisions for public safety. Much of what you posted was not actually fact, but opinion. I have addressed each claim you made sequentially and trust you will correct the record with this information. More importantly, I ask you to better inform the Board on these matters.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

CEO Claim #1:

It is up to me, as Sheriff, to manage the LASD budget. I, not the Board of Supervisors or the County's Chief Executive Office have the responsibility and authority to decide how I use the Department's \$3.6 billion budget. Making the tough fiscal, personnel and programmatic decisions are part of the job as they are for every County department head.

LASD Facts #1:

Agreed.

The above statement however seems to be in stark contrast with what you stated in your October 5, 2020, correspondence addressed to me in response to the Department's plan to redeploy staff within the Department's Parks Bureau (Attachment A).

In the October 5, 2020, correspondence you informed me that I lack the authority to redeploy Parks Bureau staff. The proposed redeployment was only being contemplated at the time due to the County's imposed curtailments and the need for additional staff resources within the Department's Custody operation, wherein a total of 1,005 budgeted positions were deleted as part of the FY 2020-21 curtailments. At that time, you acknowledged your understanding of the proposed redeployment of Parks Bureau staff was being proposed due to the Department's desire to both effectuate a curtailment plan and comply with certain settlement agreements affecting the County's jail facilities.

In October 2020, I was informed that I lack the authority to redeploy personnel, and in March 2022, I understood that part of my job was to make tough personnel and programmatic decisions. In October 2020 when I attempted to make the tough personnel and programmatic/operational decision to redeploy Parks Bureau staff to ensure the County's adherence to the settlement agreements and make sure that the County's incarcerated population were adequately cared for, you advised me that I lacked this authority.

Lastly, although the Department agrees that I have the authority to decide how I use the Department's budget, it must be understood that the Department is woefully under-staffed and under-funded. Furthermore, several independent analyses/audits completed at the request and/or

support of the Board have concurred with or validated this notion, including the analysis completed by the JFA Institute (Reduced Jail Population Cost Savings Estimate, Men's Central Jail Closure Fiscal Analysis), the recent Public Safety Realignment audit performed by the California State Auditor, and the opinion of the Rosas Court Monitors that significant staffing cuts in the jails must be avoided, which was shared with the Board Offices back in February 2021.

As an aside to the issue of my responsibility and authority to decide how the Department's budget is utilized, the County must clarify the basis for their reference to the Department's "\$3.6 billion budget." As of the FY 2021-22 Final Adopted Budget, the Department's Final Adopted budgeted appropriation is \$3,461,992,000 or \$3.5 billion. If the County is considering the \$143.7 million in Departmental appropriation that **DOES NOT** reside in the Department's budget and is being held in a completely separate, non-Department budget unit (i.e., Provisional Financing Uses budget unit), then this caveat must be noted/footnoted and further explained for public consumption/consideration/transparency.

CEO Claim #2:

The Board has not "defunded" the Sheriff's Department. In fact, the Department's total budget increased from 2020-21 (\$3.54 billion) to 2021-22 (\$3.61 billion).

LASD Facts #2:

It cannot be denied or ignored that the Board defunded the Department to the tune of \$145m in FY 2020-21 and as part of this funding decrease eliminated a total of 1,281 budgeted positions from the Department. To continue making this statement is intellectually dishonest and purely political.

Using the CEO's above-noted budget figures had the \$145 million curtailment not been enacted, the Department's budget would have been \$3.76 billion in FY 2021-22 and not \$3.61 billion.

Again, as noted above, in an effort to be completely transparent with the public and inform them of what the Department's actual budget is, the County must explain the source of their cited budget amounts for the Department. The County must explain to the public the amount of budgeted funding that is actually budgeted within the Department's budget

vs. the amount of budgeted funding that they are attributing to the Department, but that is not actually budgeted to the Department and is residing in a completely separate County budget unit. Additionally, you choose to ignore inflation, rising costs, and all other basic budgetary factors.

The Department's FY 2020-21 Final Adopted Budget was \$3.44 billion, and the Department's FY 2021-22 Final Adopted Budget is \$3.46 billion. These figures represent the amount of budgeted funding that is actually budgeted to the Department/within the Department's specific budget units and **DOES NOT** include any amount of funding that the County has appropriated to non-Department budget units.

Two of the Supervisors have already publicly acknowledged issues with the Department's budget and have called for an increase in academy classes.

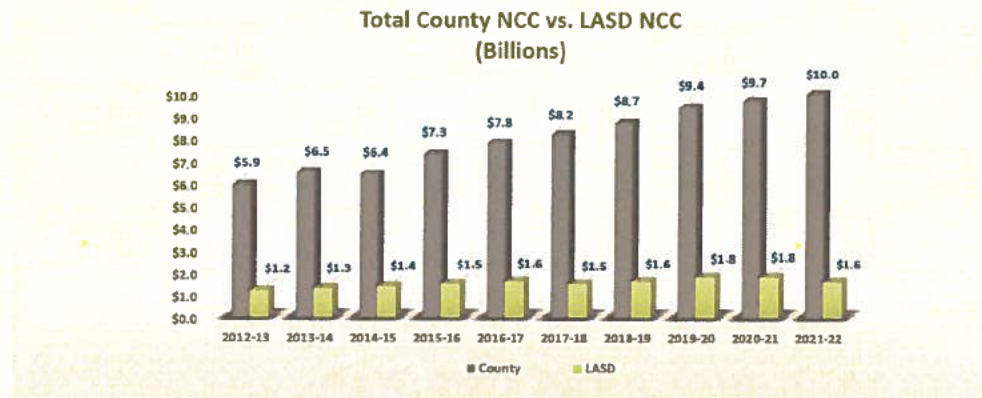
Stating the budget has not been defunded because the budget went from \$3.54 billion (2020-2021) to \$3.61 billion (2021-22) ignores logic and simplifies a complex issue to arrive at the desired answer. It could never pass academic peer review and it does not even pass the smell test. Traditionally, the Department has received approximately 10 percent of the total County budget, but has been defunded to approximately **8 percent** of the total County budget. In FY 2014-15 the Department received **22.5 percent** of the total NCC, and since I took office, the Department's percentage has been dramatically reduced. In comparison, the FY 2021-22 budget is **16.0 percent** of the total NCC.

BUDGET HISTORY & PERSPECTIVE:

Total County Budget vs. LASD Budget
(Billions)



BUDGET HISTORY & PERSPECTIVE:



CEO Claim #3:

There have been NO layoffs in the Sheriff's Department. When the County was forced to tighten its overall spending for FY 2020-21 due to the severe economic decline caused by the COVID-19 public health crisis, all County general funded departments, including the Sheriff's Department were asked to institute an eight percent spending cut. Instead of submitting a viable plan of thoughtful cuts, the Sheriff offered a proposal that included laying off as many as 888 deputies. You ultimately identified funding to avoid any layoffs.

LASD Facts #3:

1. Please see the below excerpt of the CEO's March 19, 2020, memo to County departments. Departments were **NOT ASKED** to institute an eight percent **spending cut**; they were advised that they were being **REQUIRED** to prepare and submit net County cost (NCC) **budget reduction SCENARIOS**. What was submitted by the Department, **as REQUIRED** by the CEO, were scenarios of what various NCC budget reductions could/might amount to. The **CEO REQUIRED budget reduction scenarios WERE NEVER RECOMMENDED BY THE SHERIFF**.

March 19, 2020	First District MARK RIDLEY-THOMAS Second District SHEILA KUEHL Third District JANICE HAHN Fourth District KATHRYN BARGER Fifth District
To: All Department Heads	
From: Sachi A. Harnan Chief Executive Officer	
DEPARTMENTAL BUDGET REDUCTION SCENARIOS	
<p>As discussed at last week's department head meeting, the rapidly evolving Coronavirus (COVID-19) pandemic has spurred a global economic emergency. The economy has experienced severe stock market volatility and plunges. Many economists believe that a recession has already taken hold. The County anticipates significant decreases in several revenue sources that are impacted by decreased spending in the local economy that will impact our financial plan for the current fiscal year and subsequent years as well. Therefore, we are requiring departments to prepare and submit net County cost (NCC) budget reduction scenarios to our office for fiscal year 2020-21. Additionally, departments should reduce spending for the remainder of this fiscal year.</p>	

2. The **CEO REQUIRED** NCC *budget reduction* **SCENARIOS** and the resulting eventual \$145 million ongoing NCC curtailment to the Department and the deletion of 1,281 budgeted positions were required/imposed **NOT** because of a severe economic decline caused by the COVID-19 public health crisis, but because, as was explained to County departments, "The County **ANTICIPATES** significant decreases in several revenue sources that are impacted by decreased spending in the local economy that will impact our financial plan for the current fiscal year and subsequent years as well." As we all know now, the County's **ANTICIPATED** significant revenue decreases were temporary/short-lived, at best, and the \$145 million ongoing defunding/cut to the Department was not only unnecessary/unwarranted, but was used by the County, as stated by the CEO, to make the year-one Measure J allocation of \$100 million possible (please see the below excerpts from the Board's May 19, 2021, Budget Hearings).

May 19, 2021

THE MEETING TRANSCRIPT

OF THE MEETING OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS



15 MILLIONS OF DOLLARS OUR WAY. WE SEE A STATE BUDGET WITH A
16 LARGE SURPLUS AND THE POTENTIAL OUTLINED BY THE GOVERNOR TO
8 LEANER BASELINE. THE CUTS THAT YOUR BOARD APPROVED IN THE
9 CURRENT YEAR, THAT'S THE 2021 BUDGET, THOSE CUTS HAVE PROVIDED
10 US WITH THE ABILITY TO FUND THE BOLD POLICY AGENDA WE ARE
11 TAKING NOW. IN FACT, THOSE CUTS MADE THE YEAR-ONE MEASURE J
12 ALLOCATION OF \$100 MILLION POSSIBLE WITHOUT LAYOFFS OR
13 CURTAILMENTS. I WILL NOTE THAT THIS MAY NOT NECESSARILY BE
14 TRUE IN FUTURE BUDGET CYCLES AS WE RAMP UP FUNDING TO MEET THE
15 FULL MEASURE J SET-ASIDE BY JUNE OF 2024. BUT THE LEANER
16 BASELINE ESTABLISHED IN THIS FISCAL YEAR POSITIONED US WELL TO
17 BE ABLE TO MOVE FORWARD WITH THE MEASURE J FIRST-YEAR SET-
18 ASIDE, STARTING NEXT YEAR. NEXT SLIDE, PLEASE. SO A COUPLE OF

13 YOUR BOARD APPROVED 8 PERCENT CUTS TO DEPARTMENTS THAT ARE
14 FUNDED WITH LOCALLY GENERATED REVENUES. THESE WERE DEEP CUTS
15 TOTALING NEARLY \$370 MILLION AND LED TO THE ELIMINATION OF
16 MORE THAN 2500 VACANT POSITIONS. THE BIGGEST SINGLE DEPARTMENT
17 THAT WAS RECEIVED AND IMPACT OF THOSE CUTS WAS THE SHERIFF'S
18 DEPARTMENT. THE SHERIFF'S DEPARTMENT'S BUDGET WAS REDUCED BY
19 \$145 MILLION, AND APPROXIMATELY 1,392 POSITIONS WERE
20 ELIMINATED. THERE WERE ALSO ABOUT 500 POSITIONS THAT WERE
21 ELIMINATED FROM THE PROBATION BUDGET DURING THE SAME ROUND OF
22 CUTBACKS. SO THOSE CUTS WERE TOUGH, BUT, BECAUSE WE MADE THEM,
23 WE WERE ABLE TO REDUCE THE BUDGET AMOUNT, THE BUDGET LEVEL,
24 THAT WE ARE STARTING FROM TODAY. AND THAT PLAYED A SIGNIFICANT
25 FACTOR IN ALLOWING US TO SET ASIDE THE FIRST \$100 MILLION FOR

**The Meeting Transcript of
The Los Angeles County Board of Supervisors**

27

May 19, 2021

THE MEETING TRANSCRIPT

THE MEETING OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS



1 MEASURE J WITHOUT DOING LAYOFFS IN FISCAL YEAR '21-'22. SO, TO
2 SAY IT ANOTHER WAY, WE REDUCED OUR BUDGET BASELINE. WE HAD
3 LESS COSTS, AND, THEREFORE, WHEN OUR REVENUES STARTED TO COME
4 BACK ONLINE, WE WERE ABLE TO SET ASIDE THAT FIRST \$100 MILLION
5 FOR MEASURE J. AND AS WE LOOK TO FUTURE BUDGET CYCLES, I CAN'T

3. The funding that was ultimately identified by you to avoid Departmental layoffs in FY 2020-21 was not additional, new, or separate one-time funding, rather the identified funding (i.e., \$40 million) was a portion of the Department's previously budgeted services and supplies and capital assets funding/appropriation (i.e., a total of \$143.7 million) that the County previously extracted from the Department's budget and transferred to the County's Provisional Financing Uses budget unit. Had you identified a new, separate funding source to avoid potential Departmental layoffs (that would have only been experienced as a result of the County-imposed NCC curtailment to the Department) it could be argued that the availability of the \$40 million (from the initial \$143.7 million) would have been available to finance Departmental operations/needs in FY 2020-21, **OR** to further increase the County-described final net adjusted surplus for the Department at the close of FY 2020-21 – increasing it from \$22.2 million to \$62.2 million ($\$22.2 + \$40.0 = \$62.2$).

Sheriff's Department FY 2020-21 Summary of Year-End Closing - Net Adjusted Surplus \$ in Millions				TABLE 2
Line #	Description	(A) (B) LASD Surplus/ Deficit		
		Adjustments	Total	
1	Total Net County Cost Surplus Adjusted for Proposition 172 (Table 1: C19)			\$37.9
2	Adjustments:			
3	Unreimbursed Cost & Revenue Not Transferred to LASD			
4	COVID-19: Housing Individuals Awaiting Transfer to CDCR	\$46.9		
5	Public Protests	8.1		
6	Fires (Lake and Bobcat)	2.4		
7	Escheated Funds Held in the General Fund	6.1		
8	Subtotal			\$63.5
9	Judgements & Damages Excess Funding		(1.3)	
10	Loss of FY20-21 Fire Dept Boating/Waterways Grant		(1.1)	
11	Carryover & One-time Funding Requests for FY 2021-22			
12	Body Worn Camera Project	(\$7.1)		
13	Cannabis Consumer Health and Safety Taskforce	(2.5)		
14	Less Lethal Weapons Replacement	(1.6)		
15	Veteran Mental Health Evaluation Team (MET)	(0.7)		
16	Various Other Operational Needs for Critical Projects	(1.5)		
17	Subtotal Carryover & One-Time Funding			(\$13.4)
18	NET ADJUSTED SURPLUS			\$85.6
19	Loan Repayment for FY 2018-19 Net Adjusted Deficit		(63.4)	
20	NET ADJUSTED SURPLUS After Loan Repayment			\$22.2

It is worth noting that the referenced Loan Repayment for FY 2018-19 Net Adjusted Deficit (Line 19) falsely or deliberately misleads the public by indicating that the Deficit was due to mismanagement by the Department

when the truth of the matter is the Deficit was due to the CEO/Board underfunding of mandated Sheriff programs and uncontrollable cost increases.

CEO Claim #4:

The Sheriff continues to provide just one side of the story. In February, the Chief Executive Office also approved one 40-person Custody Assistant academy class for March or April and one Deputy academy class, as well as the hiring of an additional 20 new deputy trainees and two executive promotions. Justifying additional Academy classes would require the Sheriff to complete an overall strategy for retaining current employees and recruiting to fit today's job market, a plan the Chief Executive Office has requested. This requires focus and vision rather than soundbites and social media posts.

LASD Facts #4:

Justification for a minimum of five to seven DST Academy Classes annually is clearly provided/demonstrated in the **International Association of Police Chiefs'** October 2019 report that was provided to the CEO and Board of Supervisors entitled, *Sheriff Recruitment, Hiring, and Retention Process Improvement Report*. As part of natural operational staff attrition and as understood by the CEO, the Department has for the last several years (dating back even before the start of my first term as Sheriff) experienced the attrition/loss of approximately 400-500 sworn personnel annually with the annual average for the period of 2013-2018 being 417, per the assessment of the **International Association of Police Chiefs** (please see below excerpts from a CEO Board report dated October 30, 2019).

With an understood DST Academy Class attrition rate of 20 percent (as noted by the **International Association of Chiefs of Police**) and a projection of each DST Academy Class beginning with a class size of 87 recruits (resulting in approximately 70 graduating recruits from each DST Academy Class), at an absolute minimum a total of five to seven DST Academy Classes are required annually in order to just offset the annual attrition of 400-500 sworn personnel from the Department. In **FY 2020-21** and **FY 2021-22** alone a total of **three** and **five** DST Academy Classes were conducted, respectively. As you can see the County-authorized number of convened DST Academy Classes in FY 2020-21 and FY 2021-22 were insufficient and did not allow the County to even meet/offset its sworn attrition in these two fiscal years. It must be reiterated that the five to seven annual DST Academy Classes are necessary to meet/offset the annual

sworn staff attrition (including the resulting cascading effect on sworn movement/advancement) the five to seven annual DST Academy Classes may not be sufficient enough to fully accommodate any potential growth or increases in the amount of budgeted sworn staffing within the Department that may occur via the County's annual budget process.

What's more, it is clearly a savings of taxpayer dollars to allow the Department to hire new, lower-paid deputies than it is to pay long-term, seasoned deputies time-and-one-half in overtime to fill required posts in patrol, custody, and elsewhere throughout the Department.



SACHI A. HAMAI
Chief Executive Officer

County of Los Angeles
CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

October 30, 2019

To: Supervisor Janice Hahn, Chair
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Kathryn Barger

From: Sachi A. Hamai
Chief Executive Officer

Board of Supervisors
HILDA L. SOLIS
First District

MARK RIDLEY-THOMAS
Second District

SHEILA KUEHL
Third District

JANICE HAHN
Fourth District

KATHRYN BARGER
Fifth District

SHERIFF RECRUITMENT, HIRING, AND RETENTION STRATEGIES: FINAL REPORT
(ITEM NO. 59-A, AGENDA OF APRIL 10, 2018)

Sheriff Recruitment, Hiring, and Retention Process Improvement Report

Prepared for the County of Los Angeles

October 2019

International Association of Chiefs of Police

Current State

LASD provided historical data on turnover rates. LASD's Job Openings and Labor Turnover Survey (JOLTS) data from 2013-2018 show that 2,502 sworn personnel left LASD, with a range of 364 (2014) to 488 (2017) cases annually. The majority of cases were classified as separating due to retirement (52.96%), unknown (14.71%), or service-connected disability (10.75%) reasons. The 2013-2018 average annual attrition rate of 417 are near LASD's projected annual hiring rate of situation, the dropout rate for the Academy is significant, at 20.38 percent and is well above the numbers reflected in other agencies the IACP has studied. Despite its best efforts, the Academy has consistently averaged a 20 percent attrition rate since January 2012, and it is clearly challenged to try to keep up with the department's overall attrition

CEO Claim #5:

The Sheriff's Department has hired or promoted more than 1,900 new employees under the County's "hiring freeze." Despite the sheriff's politically charged rhetoric, LASD is in no way prohibited from filling critical positions. Seeking to contain LASD deficit spending, the Board adopted motions on October 1, 2019, and April 28, 2020, requiring that the Sheriff justify new hires. Since October 2019, at least 1,234 sworn promotions/new hires and 718 non-sworn personnel

have been approved. In addition, 1,000 non-sworn reserve officers were approved to be hired earlier in 2022.

LASD Facts #5:

I have been prohibited by the CEO from conducting/convening a sufficient number of DST Academy Classes over the last two fiscal years, as well as hiring both sworn and non-sworn staff in a timely manner. You have not allowed the initiation/completion of a sufficient number of annual DST Academy Classes to even meet/offset the understood amount of average annual sworn attrition in the Department. The denial and delay of your approval of the Department's submitted hiring requests in both the sworn and non-sworn ranks have resulted in unnecessary, avoidable staff attrition, the loss of Departmental expertise, increased workload for an already overburdened and depleted workforce, and plummeting staff morale. There are currently 927 unfilled sworn positions on the Department, which creates a significant hardship and impacts the community negatively, as well as contract compliance.

CEO Claim #6:

The Sheriff has not been prevented from hiring more deputies to serve Contract Cities. A process is in place for the Sheriff to request approval to fill the vacancies in his Department, including for services to contract cities. When asked to suggest possible cuts for fiscal year 2020-21, the Sheriff recommended cutting patrols in unincorporated areas and eliminating units like the Special Victims, Major Crimes and Parks Bureaus. This amounted to more of a threat than useful set of recommendations, a pattern repeated in his recent remarks to the Norwalk City Council about his inability to provide more patrols.

LASD Facts #6:

By not authorizing a sufficient number of DST Academy Classes to be convened over the last two fiscal years (in order to offset attrition) and curtailing 586 budgeted sworn positions as part of the FY 2020-21 curtailments (1,281 budgeted positions in total were curtailed as part of the FY 2020-21 curtailments), 553 of which were from the Department's Custody Divisions (that did not see a corresponding closure of a Custody jail facility and/or a corresponding decrease in operational responsibilities), the CEO and Board have made it impossible for the Department to accommodate any new needs/staffing requests received from the Department's Contract Cities/Contract Entities.

What also must not be lost sight of is the resulting impact on remaining sworn staff within the Department (as well as non-sworn staff) and the need for the remaining personnel to take on additional responsibilities and work shifts in order to make up for the depleted staffing levels within the Department. This increased burden on remaining staff has led to both attrition and leaves of absence amongst these personnel, which only furthers exacerbates the workload strain on remaining personnel and the Department's inability to take on any additional responsibilities and/or accommodate proposed staffing increases from the Department's Contract Cities/Contract Entities. In order to maintain minimum staffing, we were forced to raise the maximum overtime limit from 96-hours per month, to 120-hours per month. Additionally, we were forced to change the maximum days worked in a row from 12 to 30. We are currently losing 15-20 deputies per month to lateral transfers to other law enforcement agencies. Exit interviews confirm this is almost entirely due to mandated overtime conditions and vaccination mandates.

As it relates to the Department's submission of the CEO-required NCC budget reduction scenarios for FY 2020-21 it must be reiterated that the Sheriff DID NOT recommend proceeding with any of the curtailment scenarios and only submitted the potential scenarios per the CEO's instruction.

CEO Claim #7:

New LASD hiring has been approved despite a drop in the jail population. The jail population has decreased as a result of precautions taken against COVID-19 early in the pandemic and criminal justice reforms. Better managing and allocating his workforce is part of the work the Sheriff and his team need to do to further bring down overtime spending and better serve both the public and his workforce.

LASD Facts #7:

This was either intellectually dishonest or signals a complete lack of understanding as to custody operations. The jail population may have experienced a decrease since the onset of the COVID-19 pandemic; however, none of the County's jail facilities have since closed and none of the Department's operational responsibilities within the jails/custody operation have been eliminated or decreased in a manner or extent that is equivalent to the decrease in the jail population. Additionally, it remains to be seen if the decrease to the jail population will be sustained on an

ongoing basis in perpetuity, or if the population will return to pre-pandemic levels.

Moreover, the County's mandated responsibilities under the various consent decrees and/or court settlements affecting the County's jail facilities and incarcerated population still remain and as a result, require an adequate and increased level (above and beyond what is allocated to the Department as of April 2022) of budgeted Departmental staffing to ensure the County's adherence to these requirements.

Despite the County's acknowledgment of the decreased jail population and the understood point that the County has been incapable of closing one of its jail facilities and/or realizing a corresponding decrease to its custodial responsibilities and consent decree obligations, it must be noted that several independent authorities have cited lower/inadequate staffing ratios within the Department (as compared to other municipalities/jurisdictions), urged the County to forgo significant staffing cuts for the County's jails, and noted that the County has "significant" surpluses in most of its public safety realignment accounts and that the County has no justification in holding the "significant" surpluses. To give perspective, Rikers Island in New York City has an inmate to staff ratio of 1 to 1, yet the Department jail system has an inmate to staff ratio of 4 to 1.

Finally, during FY 2020-21, the Department reduced its overtime spending by approximately \$100 million as compared to the year prior. The sustained decrease in overtime spending however is not sustainable, as service and contractual obligations must be met in the County's unincorporated areas and in our Contract Cities. Additionally, a recent State audit conducted by the State Commission on Peace Officers Standards and Training found that the Department is deficient in meeting many of its training requirements for Department personnel. Increasing Departmental compliance with these training standards requires personnel to attend training and as such, will require available staff to backfill assignments left vacant by personnel attending these trainings. Aside from meeting contractual obligations and increasing compliance with training standards, another factor contributing to and responsible for the heightened overtime expenditures are the ever increasing Departmental vacancies and staff impairments that are not being addressed or readily addressed due to the CEO's reluctance to authorize a sufficient number of DST Academy Classes and the sustained hiring freeze that the Department

is on, and which is contributing to unnecessary delays in filling staff vacancies.

CEO Claim #8:

LASD is projecting a \$111 million budget deficit this year, but the Sheriff has failed to offer a concrete plan for how to live within the Department's means. Like all department heads, the Sheriff is expected to live within his department's budget. Though LASD was operating in the red before the Sheriff took office, he has shown little ability to course correct and closed FY 19-20 with an adjusted deficit of \$34.9 million. The CEO's budget team is projecting a deficit of between \$80 million to \$111 million for the twelve months ending June 30, 2022.

LASD Facts #8:

As noted above, the Department closed FY 2020-21 with a CEO-described net adjusted **SURPLUS of \$22.2 million**.


The \$22.2 million net adjusted surplus was achieved via several factors, including the previously noted approximate \$100 million decrease in overtime spending compared to the year prior. The \$100 million decrease in overtime spending was achieved by me due to a number of factors including, but not limited to: redeployment of staff; consolidation and reduction of overhead; elimination of unfunded positions within the Department's Patrol Operations (that were in effect and in existence prior to me assuming office); and institution of CARPing (Cadre of Administrative Reserve Personnel).

As noted above, the \$22.2 million net adjusted surplus in FY 2020-21 could have been a \$62.2 million surplus had the CEO not used \$40 million of the Department's previously allocated services and supplies and capital assets funding to avoid potential Departmental layoffs. This would have only been experienced as a direct result of the County's curtailment of \$145 million and the deletion of 1,281 budgeted positions from the Department's budget. These layoffs would have been self-inflicted by the County.

Not included in the CEO-described \$22.2 million (or \$62.2 million) net adjusted surplus for FY 2020-21, is the fact that the \$22.2 million net adjusted surplus was achieved **AFTER** the CEO/County deducted \$63.4 million from the Department's closing surplus/variance in FY 2020-21 to

account for what the CEO describes as a necessary repayment of \$63.4 million for the Departmental "deficit" that was experienced in FY 2018-19. Had the \$63.4 million "repayment" not been factored, the Department would have closed FY 2020-21 with a **\$125.6 million SURPLUS**. (\$22.2m + \$40m + \$63.4m).

Not explained or acknowledged by the CEO/County is that factors contributing to the CEO-described deficits in prior fiscal years included, but were not limited to: unfunded/underfunded uncontrollable cost increases in salaries and employee benefits and services and supplies; a funding gap in excess of \$100 million attributable to the trial court security services that the Department provides to the Courts; and the County's reluctance to allocate available surplus Assembly Bill (AB) 109 revenue (that the State Auditor confirmed exists within the County) to the Department (or hold us harmless) for the amount of AB 109/Realignment Departmental costs (unreimbursed costs) in excess of the amount of revenue the Department receives from the County. As an example of the excess claimed costs that the Department has related to its AB 109 programs, in FY 2020-21 these excess costs, per the CEO, totaled \$15.7 million. Had the CEO/County allocated available surplus AB109 revenue to the Department (or held us harmless) to cover these unreimbursed costs the Department's net adjusted surplus for FY 2020-21, as described by the CEO, would have been a surplus of **\$37.9 million** (\$22.2 + \$15.7m).

	<p align="center">CHIEF EXECUTIVE OFFICE Kenneth Hahn Hall of Administration 500 West Temple Street, Room 713, Los Angeles, California 90012 (213) 974-1101 http://ceo.lacounty.gov</p>	<p>Board of Supervisors HILDA L. SOLIS First District HOLLY J. MITCHELL Second District SHEILA KUEHL Third District JANICE HAHN Fourth District KATHRYN BARGER Fifth District</p>																																																																		
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To: Supervisor Holly J. Mitchell, Chair Supervisor Hilda L. Solis Supervisor Sheila Kuehl Supervisor Janice Hahn Supervisor Kathryn Barger																																																																				
From: Fesia A. Davenport Chief Executive Officer																																																																				
<p align="center">PUBLIC SAFETY REALIGNMENT: FISCAL YEAR 2020-21 FOURTH QUARTER REPORT ON BUDGET</p>																																																																				
FY 2020-21 Public Safety Realignment Summary of Department Budget and Claims (as of June 30, 2021)																																																																				
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CEO Claim #9:

The Department's 2020-21 budget surplus was supported by one-time funding that cannot be duplicated. The Department finally ended last year in the black and made some progress in reducing overtime. However, the strategies were primarily one-time measures that cannot be relied on to keep the Sheriff's Department budget balanced.

LASD Facts #9:

As shared with the CEO during the Department's FY 2022-23 Recommended Budget Hearing, the Department has implemented a number of strategies to reduce spending – all of which are to the detriment of Departmental operations and negatively impact the health and safety not only of Department staff and those we serve, but the entire County. The

Department is woefully underfunded by the County (our present operational needs far exceed the amount of resources allocated to our Department) and it has been demonstrated to the CEO that the percentage of NCC resources allocated to the Department pales in comparison to the percentage of NCC resources allocated to neighboring Sheriff's Offices by their counties. It has also been demonstrated to the CEO that there are available resources or opportunities within the County to assist the Department with its operational and budgetary needs including, but not limited to: 1) the County's \$39.3 billion total County budget (as of FY 2021-22; 2) the approximate \$2.4 billion surplus that the County closed FY 2020-21 with; 3) NCC resources available to the County as a result of rising Proposition 172 revenues within the County; and 4) the available surplus/reserves in AB109/Realignment revenue within the County.

It cannot continue to be expected that the Department be solely responsible for closing each fiscal year on budget when the amount of resources allocated to the Department is insufficient. Closing each year on budget requires the collective participation and support of the CEO/County.

CEO Claim #10:

The Sheriff is responsible for determining which public safety programs best serve County residents and which should be eliminated. As an elected official, the Sheriff has broad authority to fund programs within his Department as he sees fit. Final operational decisions lie with the Sheriff, and the Chief Executive Office and Board have little interest in or authority to micromanage those choices. The Department alone made the decision to shut down its online crime reporting system, for example, and has 100% control over whether to maintain or eliminate the Cargo CATS Unit.

LASD Facts #10:

Once again, as noted above, how can it be explained to the public that final operational decisions lie with me and that the CEO and Board have little interest in, or authority to micromanage the Sheriff's choices, when in October 2020, you advised me I lack the authority to redeploy staff assigned to the Department's Parks Bureau? The above statement and the CEO's October 2020 letter to me completely contradict one another.

With respect to the Department's suspension of the online crime reporting system, the utilization of the online reporting system (or lack thereof)

coupled with the County's reluctance to properly finance the Department, directly contributed to this decision being made.

CEO Claim #11:

If public safety is at risk, the Board of Supervisors has shown its readiness to move immediately to find funding to address public concerns. Just one example of this is the Board's unanimous approval for allocating \$2.4 million in October for enforcement against water theft and illegal cannabis grows in the Antelope Valley and \$2.5 million to a Department taskforce to combat illegal dispensaries in the unincorporated areas as well as illegal grows. However, more staffing or more money cannot be used to solve every problem. This approach would leave the County unable to balance its budget.

LASD Facts #11:

It is the Board's/County's responsibility to allocate funds to ALL County departments, not just the Sheriff's Department, to address emerging needs.

The County cannot and should not take credit for providing a cumulative total of \$4.9 million to the Department to address the above-noted matters when not only is this the County's responsibility, but it could also be argued is still insufficient to address these enforcement efforts.

Moreover, the County should explain to the public what their analysis of increasing operational costs to the Department (and ALL other County departments) has proven. I look forward to hearing from the County/CEO how the above-noted \$4.9 million cumulative allocation compares to the extent of unfunded/underfunded cost increases in salaries and employee benefits and services and supplies that the Department is experiencing year in and year out that include, but are not limited to: overtime; workers compensation; separation pay; miscellaneous earnings; rents/leases; utilities; fuel; food; service contracts; etc.

The public might be able to deduce for themselves, given their own recent personal experience with rising costs, that the cumulative increases in the unfunded/underfunded costs increases noted above far exceed the \$4.9 million in additional funding that was provided to the Department.

CEO Claim #12:

Claims about cuts to the LASD services and supply budget are misleading. Though the Board has held \$143 million in reserve to try and help manage expenditures, the Board has transferred that same amount to the Department for its use annually since 2019.

LASD Facts #12:

Regardless of whether or not these funds are transferred back at some point during the year it cannot be denied that the Department's budget was reduced by \$143.7 million.

What also cannot be denied is that the \$143.7 million reduction to the Department's budget was applied to the Department's services and supplies and capital assets budget categories, which are two budget categories that were not experiencing deficits or over-expenditures at the time the budgeted funding was removed from the Department's budget; hence, these were two categories that were not in need of expenditure management.

CEO Claim #13:

The Department has yet to produce a concrete, data-driven spending plan for public safety. The Chief Executive Office has repeatedly asked the Sheriff to develop a long-term plan for addressing the LASD budget deficit and continues to look for opportunities to help the Department better spend the \$3.6 billion at its disposal. To date, after repeated requests and numerous meetings, the Department has failed to do the in-depth analysis necessary to safeguard limited resources and ensure public safety.

LASD Facts #13:

The Department has met several times with representatives of the CEO and the Board Offices to discuss its budgetary issues and, on several occasions, has provided an explanation of mitigations that have both been implemented by the Department and are available to the CEO/Board for consideration.

As noted above, when the Department was in need of finding a way to effectuate the curtailments that were applied to the Department in FY 2020-21, while ensuring that its custody operation was staffed appropriately in order to assure the County's compliance with the various settlement agreements or consent decrees, the Department was advised by

the CEO that the proposed Departmental mitigation/staff deployment plan to redeploy staff assigned to the Department's Parks Bureau could not move forward because, as the CEO advised at the time, I lacked the authority to do this.

Most recently, as part of the Department's FY 2022-23 Recommended Budget Hearing, the Department presented and provided a budget assessment and potential mitigations document (i.e., a mitigation plan) for your consideration. Subsequent to the presentation of this material to the CEO, the Department forwarded a copy of the presentation document to each of the Board Offices for their review. This Department-developed plan, coupled with the above-noted findings of several County-secured and/or County-supported entities, have advised the County/Board of insufficient resources within the Department. Additionally, we have identified the availability of potential revenue streams that could help support the needs of the Department. It is disingenuous to state this information has not been provided to the County.

CEO Claim #14:

Los Angeles County does not have a stockpile of unallocated funds. Like any responsible financial steward, the County sometimes closes out the year with some money unspent. Money that was not spent during 2020-21 budget cycle - primarily related to big capital projects that take longer to get underway - has either been carried over to the next fiscal year for the original capital project or fully allocated to other programs and services during the 2021-22 budget process. That includes unspent dollars provided as additional funding for LASD.

LASD Facts #14:

As noted above and as noted by independent, objective entities such as the California State Auditor, there are several financing options (either one-time or ongoing) available to the County for their consideration in allocating additional funds to the Department to meet its operational and budgetary needs. Once again, these options include, but are not limited to:

- 1) \$39.3 billion total County budget (as of FY 2021-2022).
- 2) Approximate \$2.4 billion surplus the County closed FY 2020-2021.
- 3) NCC resources available to the County as a result of rising Proposition 172 revenues within the County.
- 4) Available surplus/reserves in AB 109/Realignment revenue within the County.

CEO Claim #15:

It's premature to speculate about what Metro's new contract for public safety services will include. As for the LASD contract with Metro, Metro will soon be issuing a new request for proposals for public safety services. The scope of that contract has not yet been defined and so any speculation by LASD about the contract's requirements is premature. Both the Metro board and the County Board of Supervisors are committed to rider safety.

LASD Facts #15:

The Department looks forward to the actions taken by both Metro and the Metro Board and is committed to being an active and engaged leader in ensuring the maintenance of the County's public health and safety, including the health and safety of those that rely on Metro to meet their transportation needs. Over the last couple of years, it cannot be ignored, disputed, or denied that those individuals that represent Metro's ridership have been forced to endure an increase in harmful and unenviable experiences while being a customer of Metro. Most importantly and most regrettably, far too many County residents of Metro have paid the ultimate sacrifice due to the escalating unsafe conditions in and around Metro's bus and rail lines.

Although it is accurate a Request for Proposal has not been issued and the terms of future contracts are pending, it would be irresponsible to not provide feedback to the public regarding safety concerns related to Metro Board actions. The Metro Board has made numerous motions directly related to public safety in the context of the future contract, which is not speculation. These motions and commentary are focused on exploring ways to reduce law enforcement despite having no data to support this direction. The Department has a responsibility to address concerns related to public safety, including actions by governing bodies that will place residents at risk. The following are a few items from Metro that highlights these concerns:

- The Metro Board of Directors implemented the "Public Safety Advisory Committee" (PSAC) with the following Metro Board defined goals:
 - Developing a transit ambassador program that provides staffed presence at Metro facilities and on Metro vehicles.
 - Identifying alternatives to armed law enforcement response to nonviolent crimes and code of conduct violations.

- Enhancing greater community stewardship of transit spaces including stops and station plazas.
 - Education/expansion of Metro fare discount programs.
 - Outreach and services for unhoused individuals.
 - Input on the scope of services, budget, and other provisions of the multi-agency police contract renewal.
 - Review Metro's Customer Code of Conduct.
 - A shift of resources from armed law enforcement to the above strategies.
- The Metro PSAC has no law enforcement representation on the committee and only met with law enforcement on one occasion for an hour presentation. Only one PSAC member participated in a ride along, despite the entire committee being strongly encouraged to participate.
 - The Metro Board of Directors took steps to identify: "ways to reform the agency's policing practices as well as reallocating resources typically devoted to policing to other forms of community safety."
 - The Metro Board of Directors is seeking: "partnership with community leaders to re-envision transit safety and community-based approaches to policing as it considers the renewal of its multi-agency law enforcement police contract in 2022."
 - The Metro Board of Directors approved a motion to fund an "Ambassador" pilot project, with the stated purpose of reducing law enforcement presence.

CEO Claim #16:

Rider safety includes public health concerns. LASD's most immediate concern should be to ensure that deputies working in public transit are not actively putting riders at risk of infection from COVID-19. As of July 2022, every LASD deputy working the Metro system will need to be vaccinated, and LASD has lagged behind other County departments in its vaccination rates. By refusing to enforce the County's vaccination policy, LASD is putting all riders of the system at risk of contracting COVID-19.

LASD Facts #16:

The Department's most immediate concern NOW AND ALWAYS is/will be to ensure to the greatest extent possible the health and safety of the County's residents, including those that partake in public transportation. From the onset, I have been an outspoken proponent of receiving the COVID-19 vaccine. Furthermore, I have repeatedly expressed to members of my Department and County residents at large the importance of taking measures necessary to reduce the spread of COVID-19, including the use of personal protective equipment, maintaining distance, and getting tested as necessary.

The actual science and statistics do not support the above statements. Per the United States Center for Disease Control (CDC), fully vaccinated individuals are capable of passing COVID-19 onto others. Actual data from the Department shows that there was only a .4 percent reduction of infection rate for those who were fully vaccinated vs. those who were unvaccinated. Also of great concern was the irresponsible manner in which the Metro Board passed this mandate without any consultation with the Department as to the disastrous impact to public safety this may potentially create. The Board's action to attempt to terminate more than 4,000 employees would make it impossible to provide contracted law enforcement to Metro.

In conclusion, it may be highly beneficial and quite informative for the County/Board and/or Metro, to contract a non-biased entity to poll Metro's ridership and determine how their fear of possibly contracting COVID-19 from a Department member/deputy compares to their fear of being the victim of crime in the absence of a law enforcement presence, while riding a Metro bus or rail line. Conducting this poll and understanding the findings from this poll may help the Board/Metro understand their own most immediate, pressing concern should be to determine how to protect County residents/Metro's ridership from these types of individuals and not from a Department member/deputy. Although both public safety issues are important, good leaders determine which resources and policies take priorities when competing interests are present.

Ms. Davenport

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April 6, 2022

Should you have any questions, please contact my Chief of Staff, Commander John Satterfield at [REDACTED].

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alex Villanueva', with a stylized flourish at the end.

ALEX VILLANUEVA
SHERIFF

Ms. Davenport

-27-

April 6, 2022

AV:JLS:ac

(Office of the Sheriff)

c: The Honorable Board of Supervisors

Attachments

- Sheriff Recruitment, Hiring, and Retention Strategies: Final Report (Agenda Item No. 59-A), April 10, 2018
- Los Angeles County Sheriff's Department plan to re-deploy staff in parks Bureau, October 5, 2020