



Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Susan Dueñas, Public Safety Director

Approved by: Steve McClary, City Manager

Date prepared: April 18, 2023 Meeting date: May 8, 2023

Subject: Letter in Opposition to Rotating Los Angeles County Sheriff's Deputies to Other Stations at Least Every Five Years

RECOMMENDED ACTION: Consider authorizing the Mayor to send a letter to Los Angeles County Sheriff, with copies sent to the Civilian Oversight Commission and Los Angeles County Supervisor Lindsey P. Horvath, in opposition to a recommendation to rotate patrol deputies in periodic rotations, no longer than every five years.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2022-2023. This project is part of normal staff operations.

DISCUSSION: On March 3, 2023, the Los Angeles County Sheriff's Civilian Oversight Commission approved the Report and Recommendations of the Special Counsel to the Sheriff Civilian Oversight Commission Regarding Deputy Gangs and Deputy Cliques in the Los Angeles County Sheriff's Department. The Report includes 27 wide-ranging reforms for the Sheriff's Department including a recommendation to "consider rotating all patrol deputies in periodic rotations, no longer than every five years, or sooner, to another station" (Attachment 1)

While rotating deputies has been useful for breaking up some deputy gangs in the past, the Special Counsel's report recognizes that it is just one of many options that department leaders can use. The Report also includes a recommendation for the Sheriff to provide a report to the Civilian Oversight Commission on his perception of the viability and likelihood of success of the rotational plan.

Moving deputies every five years would have a negative impact on the City of Malibu and all communities. Law enforcement efforts are strengthened by continuity and the relationships that are built within the community. In addition, during a disaster such as the Woolsey Fire, knowledge of the community, the roads and the neighborhoods is critical for an effective response.

Staff recommends that the Council consider directing the Mayor to write a letter to the Los Angeles County Sheriff, the Civilian Oversight Commission and Supervisor Horvath opposing the concept of automatically rotating deputies at least every five years.

ATTACHMENTS:

- 1) Report and Recommendations of the Special Counsel to the Sheriff Civilian Oversight Commission Regarding Deputy Gangs and Deputy Cliques in the Los Angeles County Sheriff's Department, Section V., Sub-section C. Re-Deployments and Rotations
- 2) Draft letter to Sheriff Robert G. Luna

agenda item of these meetings.

C. RE-DEPLOYMENTS AND ROTATIONS

Special Counsel recognizes the complexity of the Department, as well as the difficulty of managing the second largest local law enforcement agency in the country, with its large geographical area, responsibilities for operating the largest county jail system and the largest local court system in America and its duty to police over four million residents.

Special Counsel also recognizes that re-deploying or transferring deputies who belong to a Deputy Gang or Deputy Clique from one unit or patrol station to another has in certain circumstances resulted in moving but not necessarily solving the problem. The clearest illustration of this was the transfer of substantial numbers of deputies who were members of the 2000 and 3000 Boys to the same patrol stations they selected as their preferences, i.e., Compton and South L.A. Stations, respectively. Nonetheless, the use of the Sheriff's authority to re-deploy, transfer and rotate assignments is a valuable tool that can help eliminate Deputy Gangs and Deputy Cliques within the Department and, importantly, preventing their formation and re-emergence.

In interviewing non-Department law enforcement managers, as well as former Department leaders, Special Counsel recognizes that other law enforcement agencies use re-deployment and assignment rotation to minimize the risk of problematic officer or deputy groups forming in those agencies. It is an available and appealing strategy here. While not a panacea, it would provide an additional remedy and the mere announcement of the policy could serve a prophylactic effect.

Moreover, the evidence adduced demonstrates that the Department's decentralized station-based structure has played a significant role in fostering Deputy

Gangs and Deputy Cliques. Deputies' loyalties extend to the station rather than to the Department as a whole. Indeed, tattoos often are associated with the first or "home" station of the deputy.

At a minimum, the Sheriff should provide a report to the COC on his perception of the viability and likelihood of success of the rotational plan set forth below.

Special Counsel urges that the Sheriff implement the following recommendation for re-deployment and periodic rotations of deputies within patrol and custody:

1. **The Sheriff should use his authority to re-deploy and rotate deputies based upon the needs of the Department for the Department to eliminate the formation and re-emergence of Deputy Gangs and Deputy Cliques.**

The Sheriff should consider making such re-deployments or transfers within a geographic patrol or custody division, where possible, to avoid undue hardships. The Sheriff should also consider rotating all patrol deputies (after completion of field training) no later than the end of their first year in patrol to another patrol station within the Division. The Sheriff should also consider rotating all patrol deputies in periodic rotations, no longer than every five years, or sooner, to another station. The CCJV recommended and the Department implemented frequent rotations of deputies within the facilities of the County Jails. The rotational policy played a role in breaking up of the 2000 and 3000 Boys and reducing excessive force in MCJ. The rotation of deputies serving in Custody divisions should continue.

To effectively use the Sheriff's authority to re-deploy, Unit Commanders should take necessary actions to address the problem of Deputy Gangs and Deputy Cliques under their commands, including recommending to their Chiefs transfers of problematic deputies. Captains must be focused upon the rotation options and actively

participate in informing Commanders and Chiefs of the utility and results of such transfers.

2. **The Department should re-assess the dual career track for Custody/Court Services and provide a written report to the COC explaining what factors impede implementation.**

Having more deputies in Custody or Court Services who want careers in those Divisions may allow other deputies to go directly to patrol from the academy or shorten the time that other deputies spend in Custody after the academy.

3. **The Department should assess the feasibility of first assignments to patrol rather than jail facilities and provide a written report to the COC explaining what factors exist, if any, impede implementation.**

D. **ACCOUNTABILITY**

1. **The Sheriff should ensure that senior executives and unit leaders, notably captains and commanders are implementing the Sheriff's policy, vision and objectives regarding Deputy Gangs and Deputy Cliques.**

A segment of the weekly Executive Planning Council meeting (Sheriff, Undersheriff, Assistant Sheriff, Division Chiefs and various staff members) should be devoted to discussion of the progress of the initiative to end Deputy Gangs and Deputy Cliques. Identified obstacles should be remedied quickly.

2. **The Office of Inspector General should monitor implementation of the policy banning, joining or participating in Deputy Gangs and Deputy Cliques.**

Because of the imperative of implementing policies to eliminate Deputy Gangs



City of Malibu

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April 27, 2023

Sheriff Robert G. Luna
Los Angeles County Sheriff's Department
211 W. Temple St.
Los Angeles, CA 90012

Re: Opposition to Rotating Deputies to Other Stations Every 5 Years

Dear Sheriff Luna,

On behalf of the City Council of the City of Malibu, I am writing to express our opposition to the recommendation approved by the Sheriff's Civilian Oversight Commission to rotate patrol deputies in periodic rotations, no longer than every five years. While Malibu recognizes and commends the Commission's efforts to address the formation of deputy cliques within the Los Angeles County Sheriff's Department, we believe that this recommendation would have significant negative consequences for the members of our community.

We believe that rotating the deputies currently assigned to the Sheriff's Malibu/Lost Hills Station will disrupt the strong bonds and relationships that local deputies have built, which have been critical to our Station's success. By requiring deputies to be reassigned every five years, this recommendation would be depriving our community of experienced and trusted law enforcement personnel with the specific institutional knowledge required to effectively serve the unique and diverse needs of our community.

Rather than disrupt these cherished and successful relationships between the members of our community and our local Malibu/Lost Hills Sheriff's Station personnel, we are requesting that you consider the other recommendations made in the Report and Recommendations of the Special Counsel to the Sheriff Civilian Oversight Commission Regarding Deputy Gangs and Deputy Cliques in the Los Angeles County Sheriff's Department. Focusing efforts on the other recommendations listed in the report would promote our shared goals ensuring effective community-based policing, while also supporting initiatives to eliminate the formation of deputy cliques.

In conclusion, the Malibu City Council strongly urges you to reject the recommendation to rotate sheriff deputies at least every five years. We encourage the Sheriff's Department to focus on other strategies listed in the report that will also eliminate the formation of future deputy cliques, without sacrificing the relationships and expertise that our deputies have built within our community.



Sincerely,

Mayor Bruce Silverstein
City of Malibu
bsilverstein@malibucity.org
310-456-2489

Cc: Los Angeles County Supervisor Lindsey P. Horvath
Los Angeles County Sheriff's Civilian Oversight Commission

