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Economy & Efficiency Commission Presentation

Editorial Note: Although every effort has been made to insure the accuracy of the material in this presentation, the scope of the material covered and the discussions undertaken lends itself to the possibility of minor transcription misinterpretations.

**PRESENTATIONS BY
Todd S. Rogers
Sheriff Department
Los Angeles County**

May 8, 2014

Chairman Barcelona greeted Mr. Rogers, and welcomed him while turning it over for Mr. Rogers to speak to the Economy and Efficiency Commission (EEC).

Los Angeles County Sheriff Department Reforms:

Biography

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Mr. Rogers stated that his law enforcement career began in 1985 when he attended the Sheriff's Department Training Academy and graduated as a Deputy Sheriff. He stated that he has been assigned to the Carson, Pico Rivera and Lomita Stations, Training Bureau, Community Oriented Policing Services (COPS) Bureau, the Regional Community Policing Institute and several other custody assignments.

Mr. Rogers stated that as Assistant Sheriff his command experience includes serving as the Captain of Carson Station for six years. He stated that this was a particularly high honor, as he had grown up in the community. He stated that for the past four years, he served as an Area Commander within the Department's Field Operations Region II Headquarters and Leadership and Training Division.

Mr. Rogers stated that he holds both a Bachelor of Arts and a Master of Arts Degree from California State University, Dominguez Hills.

Mr. Rogers also stated that he leads two nonprofit organizations that raise money to support local schools, teachers and students. He was elected to the Lakewood City Council in 2001 and has since been re-elected in 2005, 2009, and 2013.

Department Issues

Mr. Rogers stated that the department has had a multitude of scandals within the department. He stated that the department had a sad scenario with bullet proof vest where officials wanted investigations into the Los Angeles County Sheriff's Department's shipment of bullet proof vest to Cambodia via the suburban city of Gardena.

He stated that a L.A Times report exposed favoritism in the Department. He stated that the report accused Sheriff Lee Baca of granting special treatment to friends and relatives of the department in its hiring program, according to employee records and interviews gathered and reviewed by the Los Angeles Times. He stated that records showed that high-ranking Department officials injected themselves into the hiring process to lobby for favored candidates, some of who received jobs despite trouble histories.

Mr. Rogers stated that another scandal within the Department is the "secret clique" in the gang unit. He stated that some of the gang enforcement team within the department went and got tattoos to symbolize being a part of the clique. He stated that there were three different groups: one with a skeleton holding a smoking barrel; one of a Viking; and the last one of a bar code with 300 under it. He stated that these groups celebrated the fact that they shot at or shot someone whether the shooting was heroic or not. He stated that all the groups have been fired and they are fighting for their jobs back through the civil service process. He stated that from that it culminated into a brawl in Montebello where the group got into a fight with some visiting deputies. He stated that the Montebello Police Department had to come out and the department did some investigations and later realized that they had to fire more deputies.

Mr. Rogers stated that 18 LA County deputies were charged in a civil rights, corruption probe. He stated that they were charged with excessive use of force and obstruction of justice. He stated that there were also a couple of non-departmental related offenses related to real estate fraud.

Mr. Rogers stated that all the issues became too much for Sheriff Lee Baca to withstand. He stated that when Mr. Baca promoted him 13 months ago, Sheriff Baca had every intention to run for reelection. He stated that with all the pressure coming down on January 7, 2014 Sheriff Baca announced that he was resigning from the LA County Sheriff Department. He stated that within three weeks the Board of Supervisors appointed Interim Sheriff John Scott, the former Chief of the Sheriff's Department and former Captain of the Carson Sheriff Station.

Reorganization

Mr. Rogers stated that in the 13 months before sheriff Baca resigned there were a lot of things put in place that he and Sheriff Baca are very proud of. He stated that one of the things that he did was completely reorganize the Sheriff Department. He stated that the removal of the former undersheriff was one of the events that led to his elevation. He stated that one of the things that the sheriff asked him to do was temporarily eliminate the undersheriff position and divide the organization under four command areas under the four Assistant Sheriffs. He stated that the purpose was to reduce the span of control and more importantly to create greater accountability. He stated that he came up with a plan in two weeks and the following four command areas (1) the Custody Division (2) Patrol Operations (3) Countywide Services and (4) Administrative & Support Services (under Assistant Sheriff Rodgers). He also stated that the Department reorganized the Patrol Divisions geographically from three to four: North Patrol Division, Central Patrol Division, South Patrol Division, and East Patrol Division.

Mr. Rogers stated that he also had a hand in revamping the Department's hiring and promotional process. He stated that a lot of the power for hiring was consolidated to the hands of a very few. He stated that the department took the authority away from them and created hiring panels and now when a background investigation is complete, the package is sent to a panel of two lieutenants and a civilian member of the Sheriff Department. He stated that the panel doesn't receive the name of the candidate or the numbers from the Sheriff Department and they are not provided the gender although sometimes they are able to figure that out. He stated that it is supposed to be a blind review of all qualifications of the individual relative to the hiring standards of the Sheriff Department. He stated that the panel makes the decision whether someone gets hired or not, personnel does not make the decision. He also stated that it must be a unanimous decision

of the three to hire and if it a split decision, it goes to a panel of five commanders who makes the decision and if for some reason they cannot decide, it would then go to himself which has not happened. He stated that about 50% of the candidates that go to the panel are being hired and the other 50% are being rejected. He stated that the promotion process follows the same procedure. He stated that the department has made promotions inclusive again instead having the power consolidated into the hands of a few people. With the process in place, the right people are now being selected based upon merit instead of personal relationships.

Healing the Budget

Mr. Rogers stated that the Sheriff Department's budget was a mess and had \$188 million structural deficit beginning the fiscal year. He stated that when he took over the job he found about \$52 million of unfunded programs. He stated he went to the Board of Supervisors and presented the good, bad, and the ugly of the Sheriff Department's budget and expressed the department's needs and the Board of Supervisors gave the Sheriff Department \$40 million to start healing the budget.

Critical Incident Review Process

Mr. Rogers stated that in the past if there was a deputy-involved shooting and in the aftermath of the shooting, the case would be presented to the District Attorney's Office for criminal consideration to make sure that it was within the law and the department would also perform an administrative investigation that usually takes 11 months to 1 year. He stated that if the department found issues with the shooting there would be remedial action taken. He stated that by the time that happens it is usually too late. He stated because of the length of time it takes, he created a Critical incident review process that requires every deputy involved in a shooting and other critical incidents where deadly force is used, be reviewed the following week. He stated that the Commanders Panel discusses tactics, policies, and liabilities within the early stages right after the incident. He stated that the department reviews everything that happened the week before every Wednesday morning. He stated that the department deals with everything including whether or not the issue is within policy because the department still has to follow the Police Officer's Bill of Rights and go through the investigative process.

Mr. Rogers stated that he also created an anonymous whistle blower website within the department that is similar to the crime stoppers program. He stated that employees use a universal password to log in and anonymously report misconduct within the Sheriff's Department without any fear of identification. He stated that the program was launched in December and received approximately 2 dozen tips most of which has gone to internal affairs to do further criminal investigation.

Reforms Sheriff Scott

Mr. Rogers stated that when Sheriff Scott arrived the department has established about 50 things that the department is working on and is trying to complete by December 1, 2014. He stated one of the first things Sheriff Scott did was start the suspension of the deputy field program. He stated that these were people that worked directly for Sheriff Baca at high salaries that did not include the vehicle, cell phone and miscellaneous expenses. He stated that this program has been suspended indefinitely. He also stated that the perception was that these were political patronage jobs and did not have a tangible benefit to the organization.

Mr. Rogers stated that Sheriff Scott did a Strength-Weakness-Opportunity-Threat Analysis (SWOT) of every unit in the Sheriff's Department and has now received reports on all of the units through the Division Chiefs in the Executive Meeting held every Wednesday. He stated that this required everyone to take a critical look at their operations to see what improvements could be made.

Mr. Rogers stated that the Department did an audit of the Reserve Forces Bureau. He stated that it was a poorly kept secret that the Department had a lot of reserved Deputies who took badges and guns but did not receive the proper training and a lot of them never provided the required service that they were expected to provide in the Department. He stated that these deputies took their badges and guns and went out into various communities. He stated that one deputy went around with chief stars on his collar and giving out

accommodations on his own with Sheriff Baca's signature using a signature machine. He stated that the Department told 395 deputies that their services were no longer needed. He stated that some deputies were given the opportunity to shape up but most were invited to ship out.

Mr. Rodgers stated that the Cigar Patio was a smoking hangout that the former undersheriff used to hold court and smoke cigars. He stated that one had to be on a specific emailed group to get invited to special functions that were held there. He stated that all the functions were usually held on a Friday before a long weekend and they were all generally by invitation only. He stated that the only time he would go to the Patio was to brief his supervisors on incidents that had arose. Mr. Rodgers stated that the Cigar Patio is now called the "Terrace Grill" and is opened to all Sheriff Department employees. He stated that it is now designated as a Department gather place for all staff to utilize in a non-smoking environment.

Mr. Rodgers stated that the Office of Independent Review (OIR) is on its way out and will be defunded as of June 30, 2014. He stated that the department's proposal is to maintain two Office of Independent Review attorneys within the organization to help guide department executives on the completion of investigations.

Mr. Rodgers stated that the Sheriff asked him to launch a 10 year review of shootings for commonalities from lessons learned. He stated that the process has just begun and expects that it will take many man-hours to complete but it will be the most extensive review of Deputy-involved shootings in the history of the Department.

Mr. Rodgers stated that the Sheriff Department is also making changes in the command structure, not only in the alignment and the organization of the command, but also the people who are holding the positions. He stated that there are some people who don't fit into the current philosophy of the organization and they have been encouraged to do other things. He stated that this was something that needed to be done and it is a misfortunate byproduct of what the department has been going through but the department has to make sure that they have the right people with the right philosophy in key positions within the organization. Mr. Rodgers stated that the other reforms in progress are the MTA Policing strategies, Public Access, Academy Assessment, and Seatbelt Awareness.

Questions/Comments:

Commissioner Wolowicz asked if the ripples have calmed down from the ongoing path of Realignment. Mr. Rodgers replied that the Department just got started with the realignment and they need to change some laws that will be quite catastrophic. He stated that the department has 20,000 jail beds in the system and 7,000 of the beds are occupied by AB 109 inmates. He stated that the department has the largest number of 10-year plus sentences in the State of California and those numbers will just continue to rise. He stated that it costs about \$200 million a year to implement AB 109 and the department receives about \$174 million dollars and that creates a big problem in itself. He stated that the department is releasing the non-violent, non-sexual, and the non-serious criminals. He stated that "non-serious" is a relative term because those being released are property criminals, people who do identity theft, people who steal cars, and people who shop lift. He stated that these people account for 75 to 80% of all the crimes committed. He stated that there is a greater likelihood to be victimized by AB 109 inmate than any others.

Commissioner Piltz stated that the Board has just recently approved spending a lot of money to tear down Men's Central Jail and rebuilding it. Commissioner Piltz stated that he served on the last Civil Grand Jury and the task force really looked at the Committee on jail violence and they focused on the role that the Sheriff Department had on the custody division and one of the things that the group attempted to do was to find out how much the cost was for handling the mental cases and everyone agreed that the Sheriff Department really needs to try and get out of the business of being the largest mental institution in the country. He asked whether Mr. Rodgers have the numbers to convince the Board of Supervisors that there may be an alternative model that would be cost efficient for the County. Mr. Rodgers replied that the Board has approved \$15 million for design but have not approved the \$2.3 billion for the jail and if they approved it today, it would be a decades away. He stated that the department will just have to deal with the mentally ill population but that some of them need to be incarcerated. He stated that the department just did a request for interest on Mental Health capacity out in the community in terms of beds that are available for

community based treatments. He stated that there are less than 200 beds available and that there is a capacity crisis in the community.

Chair-Emeritus Philibosian stated that a few years ago the E&E Commission looked at using custody officers rather than employing sworn personnel in the jails. He stated that there was opposition amongst all sides including department unions etc. He asked if anyone has looked at that issue and whether or not Custody Officers can replace some of the Sworn Personnel Officers. Mr. Rodgers replied that it is a brilliant idea and the department talks about it all the time but the department is kind of stuck in neutral on the topic and does not see that changing anytime soon. He stated that there is talk about creating a career path for all Custody Assistants.

Chairman Barcelona expressed his appreciation to Mr. Rogers for coming to speak to the EEC and the Commissioners applauded.

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Kenneth Hahn Hall of Administration, Room 163, 500 West Temple St.,
Los Angeles, CA 90012
Phone (213) 974-1491 FAX (213) 620-1437 EMail_eecomm@co.la.ca.us
WEB eec.co.la.ca.us