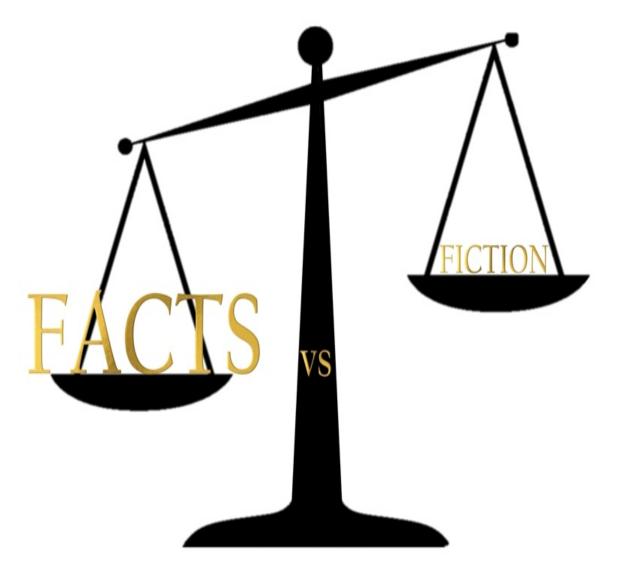
WEAPONIZED OVERSIGHT: A Cautionary Tale of Unicorns and "Deputy Gangs"



Too often we judge other groups by their worst examples while judging ourselves by our best intentions. If "deputy gangs" are a legitimate problem, why has no one ever been named who met the elements of section 13670 of the California Penal Code, or been decertified by the Commission on Peace Officer Standards and Training (POST) as a "law enforcement gang" member under Senate Bill 2?

By John L. Satterfield, Ed. D March 30, 2024

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Preface

Much has been penned on the issue of clandestine sub-groups, labeled "deputy gangs," existing within the Los Angeles County Sheriff's Department; undeniably, issues do exist. If conversations were embarked upon with truth, instead of dark fantasy, these issues would be resolved. But the plan was never to have an honest problem-solving discussion, it was to vilify, defund, and castigate law enforcement. Evidence against the "deputy gangs" narrative has been disregarded, omitted, and marginalized. Facts will be presented in this article that will shed light upon the gaslighting, censorship, and ulterior motives associated with the *straw man* war waged through lawfare, propaganda, and the weaponization of government resources in the name of oversight.

As forewarned by our 33rd president, "Once a government is committed to the principle of silencing the voice of opposition, it has only one way to go, and that is down the path of increasingly repressive measures until it becomes a source of terror to all its citizens and creates a country where everyone lives in fear."

Opening Statement

"Deputy gang members" are like unicorns, everybody knows what one looks like, but nobody has ever really found one. Despite the propaganda and false narratives, no one has actually ever been identified within the Los Angeles County Sheriff's Department (Department), who met the elements of section 13670 of the California Penal Code - Law Enforcement Gang (AB 958) or been decertified by the California Commission on Peace Officer Standards and Training (POST), as a "law enforcement gang" member under Senate Bill 2 – Police Decertification.

There are, however, groups often referred to as sub-groups, cliques, sub-cultures, and clubs, who have matching tattoos that vary from station to station. Any attempts to lump these groups into the same category as criminal "gangs" are incontrovertibly wrong. As with <u>all</u> professions, there are examples of both administrative and criminal misconduct. On occasion, some of those cases involve an individual who is a member of one of these groups. When this occurs, it is due to the individuals' poor choices and decision-making, not any group affiliations, just as it would be if it occurred and there were no group associations. This is due to the fact, "Misconduct is an individual behavior and occurs independent of tattoo status."²

Despite being cloaked in altruistic camouflage, the zealous obsession to transform peace officers into "gang members" is firmly rooted in greed and political ideology. It is a quest for larger civil suit settlements, a vehicle to obtain more votes, a bureaucratic hunt for the "white whale" disguised as oversight, a dramatized topic to sell papers and or clicks, and an opportunity to push social justice agendas that can ultimately result in rewards of hundreds of millions of dollars through defunding and redistribution.

Do not conflate deputy groups with deputy "gangs."

¹ Truman, Harry S., "Special Message to the Congress on the Internal Security of the United States" (Truman Library, August 8, 1950).

² Abderhalden, Frances P., Orosco, Carlena A., and Tellis, Katharine, "Trends in Deputy Misconduct: A Reflection on 2012-2022" (CSULA study, 2022).

³ Melville, Herman, and Mead Schaeffer, "Moby Dick" (Dodd, Mead and company, 1922).

Weaponization: Propaganda

Over the last three and a half decades, two gargantuan epochal shift points in law enforcement can be plotted on a calendar, March 3, 1991, and May 25, 2020. The beating of Rodney King and the murder of George Floyd. Both were undeniably wrong. Both were captured on video. Both involved a Black man and White officers. Both shocked the consciousness of society. Both were followed by days of rioting. Both caused death, injury, and millions of dollars in damage. Both triggered major police reforms. Both severely damaged the relationship between law enforcement and the community. And, both tragic events saw opportunists emerge and exploit our pain to their advantage. One such result was a new California state law criminalizing law-enforcement-sub-groups.

As the saying goes, "Never let a good crisis go to waste." The social unrest in 2020 was seen by many as a movement focused on a, now embattled, social justice organization. Others saw it as an opportunity to redistribute major portions of the public safety budget to community-based non-profit (501(c)3) organizations and non-governmental organizations (NGOs) focused on social justice activism. Some simply saw it as an opportunity to commit acts of arson and vandalism. As Alfred Pennyworth declared in *The Dark Knight* (2008), "Some men just want to watch the world burn."

From these decentralized shared ideologies, an unstructured yet intuitive, *anti-law enforcement coalition* spontaneously emerged. The informal coalition was comprised of civil trial attorneys, politicians, social justice activists, non-profit foundations, NGOs, the justice involved, the media, and community members angered by the gruesome actions repeatedly shown of, now-convicted felon, Minneapolis Police Department Officer Derek Chauvin. This coalition informally joined forces to weaponize their motivations against law enforcement. One result was mainstreaming the use of the term "deputy gangs."

Those who coined the term "deputy gangs" claimed the Department had been plagued for many years by dozens of violent groups with matching tattoos, modeled after criminal street gangs, who engaged in brutal and intolerable behavior. These groups purportedly targeted minorities, frequently used excessive force, lied in reports, and bullied other personnel who refused to join. They are alleged to control patrol stations through a shadow command system that influences assignments, schedules, and promotions. To date, no Department personnel have ever been legally identified by a court of law who meet the elements of this definition. Any attempt to claim otherwise is propaganda, unfounded gossip, defamatory, and untrue.

⁴ The earliest attribution is Italian Renaissance philosopher Niccolo Machiavelli, but also commonly attributed to former President Barack Obama's Chief of Staff Rahm Emanuel; *Rules for Radicals* author Saul Alinsky; 32nd U.S. President Franklin D. Roosevelt; and, WWII British Prime Minister Winston Churchill.

⁵ Watson, Michelle, "Black Lives Matter executive accused of 'syphoning' \$10M from BLM donors, suit says" (CNN, 2022).

⁶ Karma, Roge, "Los Angeles voters just delivered a huge win for the defund the police movement" (Vox, 2020).

⁷ Tan, Rebecca, Lang, Marissa J., Olivo, Antonio, Chason, Rachel, and Cox, John W., "Night of destruction across D.C. after protesters clash with police outside White House" (Washington Post, 2020).

⁸ The term *"Justice-Involved"* is defined as people who have been involved with the criminal justice system as suspects and punished through incarceration in jail or prison, been on probation or parole, or are currently awaiting trial.

⁹ Folk, Zachary, "What To Know About The L.A. Sheriff's Department's Police 'Gangs'—As Ex-Sheriff Prepares To Testify" (Forbes, 2023).

To effectively push the "deputy gangs" narrative, online *Troll Farms*¹⁰ were hired, in concert with the support of anti-law enforcement activists¹¹ using multiple fake accounts designed to conceal their true identity and leave the impression hundreds of people were commenting negatively on a subject, when in reality it was only 4-5 people. These fake accounts are known as, "sock puppets, alternate accounts or alts, alias accounts, duplicate accounts or dupes, troll accounts, bots (which are usually automated), and other random terms associated with the "gaming" culture." This was the start of a very well-funded operation, with the simple mission of pushing the statement, "Google LASD Gangs!" Complete with Twitter/X and Instagram accounts, which coincidentally were followed by journalists who have written numerous anti-law enforcement articles.

One journalist, who appears to have monetized the "deputy gangs" narrative on the "Google LASD Gangs!" platforms, wrote one of the "circular narrative" documents often pointed to as a reference. The uncharacteristic, repeated use of the term, by design, triggered certain social media algorithms, which identified the term as "trending" and boosted it to a level where it was soon on the first page of returns whenever someone "Googled" anything having to do with the Department.

A similar tactic was utilized to bring political harm to the sheriff at the time, Alex Villanueva. The plan they conspired and executed was to circulate a false narrative that the sheriff was a member of the East Los Angeles Patrol Station sub-group, the "Banditos," and then bombard the official government websites and social media accounts relentlessly with the phrase, "Show us your tats!" There was even a song widely circulated on social media called "Google LASD Gangs," by DJ Show Us Your Tats.

Mr. Villanueva addressed the lies at once and publicly stated, that he never had any tattoos, never belonged to a sub-group, and worked at the station before that sub-group ever existed. But the truth was never their goal, only misdirection, harassment, and damaging his reputation. These "trolls" kept up the false narrative until he left office. Some say attack funding ended immediately after the election results were in, which would be consistent with when the attacks did stop. Even though propaganda and 100% false, the damage was done, and as Mark Twain once said, "A lie can travel halfway around the world while the truth is putting on its shoes."

To better understand the term "deputy gangs," first focus on civil trial attorneys. Not the righteous ones honored with awards, judicial appointments, and law school professorships, but those at the other end of the spectrum. The ones willing to sell their souls in quest of the all-mighty litigation dollar, no matter how unlikely or unbelievable their clients' allegations are. These unscrupulous individuals are the origin of the term "deputy gangs." They invented the term ultimately for one simple reason, larger monetary settlements. If they could successfully marginalize, defame, and vilify peace officers publicly for the jury pools, biases may root and sway verdicts in their favor. Disregarding the "unintended" consequences of destroying the bond between the community and those who have sworn an oath to protect it.

Almost everything said on the subject over the last several years by these civil attorneys, the media, and other "law enforcement gang" advocates has regurgitated the same talking point, "Since the early

¹⁰ Ho, Karen, "Troll farms reached 140 million Americans a month on Facebook before 2020 election, internal report shows" (MIT Technology Review, 2021).

¹¹ Cagle, Kate, "LA activists disrupt events, hound candidates amid election season" (Spectrum News, 2022).

¹² Brown, Ethan, "The Man Who Cracked the Code of L.A.'s Notorious Sheriff Gangs" (New York Magazine, 2020).

1990s, Los Angeles County has paid over \$54 million in settlements from 59 legal claims related to deputy gangs." This is extremely manipulative and misleading.

Fact #1: The tally was performed by the Los Angeles Office of County Counsel in 2020, and is based on unconfirmed allegations, not facts, pure speculation.

Fact #2: The cases were settlements, not victories in court regarding a claim of "law enforcement gangs."

Fact #3: Many of the cases would have settled for the recorded amounts, due to other non-related factors.

Fact #4: Many of the cases were settled due to a laissez-faire style of legal defense; sometimes the strategy dictated it was cheaper to pay them than go to trial.

Fact #5: Some of the cases were wrongfully categorized.

Fact #6: We live in a highly litigious society and much more money has been spent settling "non-law enforcement gang" cases than "law enforcement gang" cases.

Fact #7: Some of those cases were very winnable, but involved procedural mistakes made by counsel which resulted in a forced need to settle.

Fact #8: \$54 million in settlements from 59 legal claims equates to \$915K per settlement, which is barely above the cost of going to trial in many circumstances.

Fact #9: No matter the circumstances, even if the suspect was armed with a gun and shooting at police at the time of death, the family will almost assuredly receive some level of monetary settlement or award in a *wrongful death* or *survival cause of action* lawsuit; that is just the way the system works because they do not need to be won by the same "beyond a reasonable doubt" standard of proof in criminal cases.

Additionally, it was rumored at the time, that guidance was given to County Counsel by the Board of Supervisors (Board) to "make sure it's a big number," as they were calculating the \$54M figure. In doing so, they could manufacture additional political and public support for their *Measure J* ballot initiative.¹³ The "\$54 million in settlements" talking point makes for a good distraction, but the truth is far more nuanced and far <u>less</u> incriminatory.

Weaponization: Political Hatred

The Civilian Oversight Commission (COC), Office of the Inspector General (OIG), and Board joined with anti-law enforcement stakeholders in leading the charge to place a *scarlet letter*¹⁴ of sin and shame on the chest of every deputy sheriff, in their quest to brand them "deputy gang" members. Why were these elected officials and political appointees allowed to direct unadulterated hatred toward those they are supposed to be providing "unbiased" oversight upon?

Such as on February 18, 2021, when the former chair of the COC, Priscilla Ocen, publicly stated during a video-recorded COC meeting, "This department essentially has a culture of impunity. They close ranks. They obfuscate. They lie... They cover up gangs. They cover up murders. They cover

¹³ Measure J was an initiative placed on the ballot by the Los Angeles County Board of Supervisors to take <u>no less</u> than 10% away from the public safety budget and provide it to "direct community investment" and "alternatives to incarceration."

¹⁴ Hawthorne, Nathaniel, "Scarlet Letter" (Penguin Classics, 2003).

up lies... The Sheriff's Department is operating as a gang, as a whole." On a separate occasion, Ms. Ocen stated in an interview with the media, "We have a problem with white supremacy in the LA County Sheriff's Department. We have a problem with white supremacist gangs." Ms. Ocen's rancorous unsubstantiated declarations not only impugned the integrity of those who may belong to a station sub-group, but every member of the organization, "as a whole." What reliable facts can be cited to support the "officially issued" statement, "They cover up murders?" Remarkably, the other members of the COC gave their silent approval of her hateful and racially charged 4-minute rant. On February 25, 2021, the COC received a letter from the Department demanding an apology for Ms. Ocen's words and conduct, but the letter never received a response. At no time has the COC ever condemned her statements or apologized for her conduct. At no time has Ms. Ocen, who left the COC in early 2022, ever been censured for her conduct, and at no time has she ever apologized for her words.

Then, on March 27, 2021, similar shockingly irresponsible and racially charged comments were made by Board member, Holly Mitchell during an online forum advertised as, *Exposing LA Sheriffs, Gangs, Murders, and Harassment of Families Forum.*¹⁷ During this forum, Supervisor Mitchell stated, "Law enforcement, the district attorney associations and sheriffs' associations of California... Are clearly such white supremacist organizations."

At this same online anti-law-enforcement forum, Board member Hilda Solis also appeared as an advertised guest and spoke on the topic of "deputy gangs." During this event, Supervisor Solis stated the department has engaged in "decades of historical discrimination and racism." Then went on to say, "The sheriff's department is a very violent organization, we know in many ways; retaliation and harassment."

These types of unproven, irresponsible, and biased blanket statements make the day-to-day challenges peace officers face even more difficult and serve to undermine the ability of organizations to recruit, retain, and operate safely within communities. Neither Ms. Mitchell nor Ms. Solis have ever apologized for their recklessly inflammatory and racially charged words.

Where are the proven facts to support these statements? How is an organization with a sworn peace-officer demographic composition of over 50% Latino, 9% Black, 5% Asian, and over 20% female, a "racist" and "White supremacist" organization "operating as a gang?" Dr. Martin Luther King sermonized to judge people by the "content of their character." Is that proclamation no longer valid; or was there an exclusion for the law enforcement profession?

What about those Department members with a station tattoo who were murdered in the line of duty? Yes, multiple Los Angeles County Deputy Sheriffs who had station tattoos were tragically murdered by actual criminal street gang members, as defined by section 186.22 of the California Penal Code. Empathetically ponder that thought for a moment, and then try to understand how painfully offensive it is to hear the terms "murderers" and "gang members" used to describe deputies, knowing your partner, your friend, gave the ultimate sacrifice for their community. Were those heroes "gang

¹⁵ Los Angeles County Sheriff Civilian Oversight Commission, "OIG Review and Analysis of Misconduct Investigations and Disciplinary Process" (Video: 2:05:18 to 2:08:59, February 18, 2021).

¹⁶ Loewinger, Micah, "Active-Duty Police in Major U.S. Cities Found on Alleged Rosters of Far-Right Group" (KQED, 2021).

¹⁷ Centro CSO, BLM LA, "Exposing LA Sheriffs, Gangs, Murders, and Harassment of Families Forum" (Video, March 27, 2021).

members?" Were those heroes "murderers?" Should the wonderful things said about them by politicians, community leaders, the clergy, the media, and others at their televised funerals now be condemned? What changed?

One of the foundational core values of 21st-century policing can be found in The Bible, *Luke 6.31*, commonly referred to as, *The Golden Rule*, and generally translated as, "Do unto others as you would have them do unto you." Those who have established a pattern of routinely spewing out venom toward others should embrace this time-honored wisdom and reevaluate their words. In doing so they may realize, "Too often we judge other groups by their worst examples while judging ourselves by our best intentions." ²⁰

Weaponization: Gunned Down

In 2020, we all remember when a cry for police reform swept across our nation like wildfire, literally in some cities. Many felt powerless because of pandemic lockdowns and looked for a way to be heard. For some, the "defund the police" movement became the defacto way to vocalize what happened to George Floyd was abhorrent and wicked. Many politicians, political appointees, and media outlets began to fan flames of hatred on the issue by associating the entire profession of law enforcement with the bad acts of a few individuals. Almost overnight, public perceptions of the law enforcement profession went from "honorable public servants" to "fascist racist thugs."

A result of this hateful climate manifested in record numbers of police officers being assaulted and senselessly gunned down and murdered.²¹ Many in our society may have already forgotten about the four City of St. Louis officers shot days later, in response to the murder of Mr. Floyd, and their retired police captain who was killed by looters.²² According to Uniform Crime Reporting Program (UCR) data collected by the Federal Bureau of Investigation (FBI), Law Enforcement Officers Killed and Assaulted (LEOKA), over 60,000 law enforcement officers were assaulted in the line of duty in 2020, a sharp rise from previous years.²³

Numerous people still recall the well-publicized video²⁴ of two Department deputies in the Compton area viciously gunned down on September 12, 2020. This attack became a national story, commented on by both President Donald Trump and, then-presidential-candidate, Joe Biden. Largely because this video captured the cold-blooded attempted murder of two deputy sheriffs, and their incredibly courageous actions afterward. Not many could hold back their tears as they watched Deputy Claudia Apolinar (who was shot in her face, both arms, and both hands), holding her weapon with a broken arm and caring for her partner, Deputy Emmanuel Perez-Perez (who had been shot in his head, arm, hand, and was clinging to consciousness), with her other broken arm. I spoke with both deputies in the emergency room that horrific night and can attest to their bravery; they are heroes.

¹⁸ CA POST, "Principled Policing: A Discussion of Procedural Justice and Implicit Bias – CCN# 12426" (Facilitation Guide, Pg. 31, 2016).

¹⁹ Bible, "Luke 6:31" (New International Version Edition).

²⁰ Bush, George, "Dallas Police Officer's Funeral" (CNN, 2016).

²¹ Tucker, Emma, and Krishnakumar, Priya, "Intentional killings of law enforcement officers reach 20-year high, FBI says" (CNN, 2022).

²² Salter, Jim, "4 St. Louis officers shot, ex-captain killed during unrest" (Associated Press, 2020).

²³ FBI, "FBI Releases Statistics for Law Enforcement Officers Assaulted and Killed in the Line of Duty" (LEOKA, 2024)

²⁴ Over 16M views on Twitter/X.

Surveillance video caught the cowardly ambush, as well as the reactions of others in the vicinity. One man's voice had elation as he repeatedly uttered the phrase, they got "aired out," they got "aired out," while laughing obnoxiously. No help was offered by onlookers. Medical aid was not dispatched until Deputy Apolinar called for it over the radio, even though the assassin's bullet had just ripped through both sides of her mouth and shattered her jaw. After several distorted attempts to request help, the dispatcher deciphered what she was attempting to say and dispatched assistance.

What people have likely forgotten about that night was the presence of a group of anti-law enforcement activists who blocked the entrance of St. Francis Medical Center, where both deputies were fighting for survival. From the street, they steadily chanted, "We hope they die!, We hope they die!, We hope they die!" Later that evening, an arrest was made of a protester who attempted to break into the ICU area, allegedly to harm one of the critically injured deputies.²⁵

Weaponization: False Allegations

As previously highlighted, many politicians across the nation, and their appointees, continued to seize on the opportunity to score political points by pushing the "defund the police – anti-law enforcement – deputy gang" agendas. Police stations across the country were protested, vandalized, and in some cases, burned to the ground, ²⁶ yet many politicians continued with their hate-laced attacks.

In Los Angeles County, which was *ground zero* for the war to rebrand law-enforcement-sub-groups as "gangs," the defamatory term "deputy gangs" was interjected into the national conversation by politicians, civil trial attorneys, activists, and the media ad nauseam.²⁷

The still yet-to-be-proven-in-a-court-of-law allegations of "deputy gangs" first originated from a few lawsuits filed over the last several decades, coupled with the reinvigoration of several lawsuits filed more recently by the families of persons killed by deputies in the line of duty,²⁸ and several lawsuits filed by disgruntled deputies (who seem to share the commonality of job performance related issues). The attorneys in these cases were aware of existing deputy-sub-groups and re-branded them "deputy gangs."

The term "deputy gangs" was sensationalized and used in a post-George-Floyd era as a circular narrative for repeated attacks upon the Department by members of the Board, the OIG, the COC, activist groups, other elected officials, civil trial attorneys, and the media. These unsubstantiated allegations were cited as facts in reports by RAND Corporation, The Center for Juvenile Law & Policy, and Knock LA; a frowned-upon practice unable to survive academic peer review.

The Los Angeles Times²⁹ repeatedly referenced the unconfirmed "deputy gang" allegations in many dozens of articles, but did manage to place the sensational claims in the obligatory "quotes." The unconfirmed allegations in these reports and articles served as a foundation to attack and undermine the perceived credibility and legitimacy of the Department, even though they were based on what has

²⁵ Rahman, Khaleda, "L.A. Protesters Try to Break into Hospital Where Two Officers Are in Critical Condition After 'A Cowardly' Shooting" (Newsweek, 2020).

²⁶ Impelli, Matthew, "54 Percent of Americans Think Burning Down Minneapolis Police Precinct Was Justified After George Floyd's Death" (Newsweek, 2020).

²⁷ Goodyear, Dana, "The L.A. County Sheriff's Deputy-Gang Crisis" (The New Yorker, 2022).

²⁸ All determined lawful by the Los Angeles County Office of the District Attorney.

²⁹ Due to the organizational culture of "lies by omission" on this and other related topics, the author is unable to cite the Los Angeles Times as a credible reference.

been determined through our legal system to be uncredible sources and unconfirmed allegations. These articles repeatedly omitted crucial counter facts, counter-clarity, and perceptual context on the subject.

One 71-page lawsuit, which was the absolute cornerstone for sensational and outlandish "deputy gangs" quotes in most articles, other lawsuits, and media coverage, was dismissed by the court with prejudice³⁰ on November 4, 2021, and the lawyer and deputy complainant were both sanctioned monetarily. The judge went on to officially chastise both on the record for what amounted to false statements, lack of evidence, and absence of triable facts. The Court brutally highlighted the deputy complainant "may not contradict his deposition testimony by proffering different testimony in a later declaration." Translation: You can't lie, then when it is discovered, lie again.

In reporting on the "deputy gangs" issue, the weapon of choice for the media was to *quote* sensational unproven allegations directly out of a complainant's lawsuit, no matter how egregious, then tailor the article around those sensational unproven claims, rarely paying much attention to counterbalancing the article with an equally worded responsive viewpoint, or contradictory data. Then almost by design, when the case was dismissed by a judge, lost by jury verdict, or simply proven to be false, many months or years later, the damage was already done. Journalists seldom publish follow-up articles highlighting the outcome of these cases. On the rare occasion one does, it is usually more of an excuse to rehash the original unproven claims and give a platform to the losing civil attorney so they can make excuses as to why they lost and declare, "We are confident we will win on appeal!"

When considering the "deputy gangs" claims reported on, it is important to remember anyone can file a lawsuit, for any reason, and they can allege whatever idiocy they want no matter how ridiculous, unlikely, or contradictory to existing evidence. The *National Enquire* has created an industry exploiting these preposterous claims. Frivolous lawsuits are filed against celebrities all the time and quite often portions of the nonsensical allegations are reported on as "headlines" by the media. Sensationalism sells, especially within an industry in sharp decline.³²

There have been countless wild "deputy gangs" claims made, but none have ever been proven in an actual court of law. An example of this was one of <u>multiple</u> allegations, complaints, lawsuits, and claims filed by the family members of an armed man who was killed during a violent encounter with deputies, which was captured on video, in 2019.³³ Other lawsuits had already been defeated, but this new claim focused on "intentional infliction of emotional distress."

On January 27, 2022, the two female family members (complainants) alleged in their claim, under penalty of perjury, that the deputy who shot their family member, "... encountered the present claimant [sister of the deceased] and her mother [mother of the deceased] at a food truck gathering in East Los Angeles. [The deputy] recognized the present claimant as the sister of the deceased. After recognizing her, [the deputy] walked directly toward her, and her mother, with a plate of tacos in his

³⁰ Under the law, a case dismissed with prejudice has been permanently dismissed. No matter the circumstances, if a case is dismissed with prejudice, it cannot be brought back to court.

³¹ Fahey, William F., Judge, "Gonzalez v. County of Los Angeles - Case No. 20STCV 35594" (Order on Motions, November 4, 2021).

³² Lipka, Michael, and Shearer, Elisa, "Audiences are declining for traditional news media in the U.S. – with some exceptions" (Pew Research, 2023).

³³ The <u>Los Angeles Office of the District Attorney</u> found "deputy acted lawfully in self-defense when he used deadly force against" the suspect. The shooting incident was captured on video.

hands, made eye contact with her to confirm that she recognized him as the deputy that shot and killed her brother, [the deceased,] and taunted her by approaching her, and asking her if she wanted some tacos, and then snickering as he walked away. This despicably disrespectful and intentional conduct traumatized the present claimant profoundly. She was shocked by his conduct and deeply terrified by the taunting."

Prior to uncovering any investigative facts into the matter, members of the Board, members of the COC, activist groups, and the media seized on the opportunity to issue derogatory statements, reports, motions, and articles regarding the "harassment and intimidation" experienced by the families of those "murdered" by deputies who belonged to "deputy gangs." They apologized to the family members and gave them lengthy speaking times at public meetings to condemn, disparage, and spread confirmed lies about the Department. The Board had already passed a motion titled, *Taking Action: Further Protections for Surviving Families from Law-Enforcement, Harassment and Retaliation* and multiple articles had been written in the media condemning the "harassment and intimidation" of "surviving families" by "deputy gangs." "Harassment and intimidation" that nobody could prove and every investigation showed was unfounded.

Unfortunately for the well-crafted political narrative, and the trustworthiness and credibility of the two complainants, the deputies had wisely activated their body-worn cameras (BWC) early enough to capture the entire incident on video from multiple angles. The allegations of the women were shown to be false.

The BWC footage revealed the deputies were getting plates of food made "to go" at a local street vendor taco stand. As they waited by their marked patrol vehicles for the food to be prepared, a vehicle driven by the two complainants drove by and observed them. After seeing the deputies, the women intentionally parked their vehicle across the street from the location. They exited their vehicle, crossed the street, approached the location, walked past the deputies nonchalantly, began recording with a cellular phone, and then suddenly broke into screaming profanity-laced allegations and manufacturing a chaotic scene. The whole incident was a sham. Based on the recorded facts, the claim for damages was denied. Sadly, at the end of the body-worn camera footage, a deputy can be heard explaining to a newer deputy, "This is why we eat in the kitchen, to avoid this."

On February 23, 2022, the body-worn camera footage was made public during a press conference³⁴ and showed the incident for what it was. Afterward, the attorney for the complainants abandoned any further civil actions. Yet, the Board, COC, and media continued to weaponize the demonstrably false "harassment, intimidation, and emotional distress," claims of this and several other families. Even though the claims were proven to be 100% false, the political narrative to create evil "deputy gang members" persevered. As exhibited during WWII, "Repeat a lie often enough and it becomes the truth."³⁵

When asked in 2022, about the demonstrably false claims some families continue to make, which are repeated by the Board and their surrogates, Sheriff Villanueva said, "Our hearts will always go out to the families who have lost loved ones due to armed violent encounters with deputies, and we want to always treat them with respect, compassion, and dignity. But occasionally there comes a point in time where we must call for an end to their false statements, false allegations, and conspiracy theories,

³⁴ Villanueva, Alex, "Los Angeles County Sheriff's Department Press Conference" (Press Conference, February 23, 2022).

³⁵ A law of propaganda often attributed to the chief propagandist for the Nazi Party, Joseph Goebbels.

resulting from failure to accept their loved one was involved in criminal activity, and rejection of the facts as presented to them in the investigative report completed by the Office of the District Attorney, Justice System Integrity Division."

Another element of weaponization is the strategy of lying by omission.³⁶ One example is almost everything written on the topic of "deputy gangs" has intentionally omitted the mixed-methods study conducted by the California State University, Los Angeles (CSULA) - Department of Criminal Justice. This study, *Trends in Deputy Misconduct: A Reflection on 2012-2022*,³⁷ was the most in-depth academic review of the issue of patrol station sub-groups to date. The study included an examination of the organizational structure, policies, and procedures that govern the Department's response to deputy misconduct. The study found, "Misconduct is an individual behavior and occurs independent of tattoo status. Rather, cases involving the presence of a tattoo and allegations of misconduct are coincidental."

Another example of lying by omission is a statement in the 1992 Kolts Commission Report on Police Brutality in Los Angeles (Kolts Commission), always left out of publications or articles. "Deputy gang" advocates never fail to cite the overquoted assertion included in a 1992 court statement "Lynwood area deputies who are members of a neo-Nazi, white supremacist gang—the Vikings— which exists with the knowledge of departmental policymakers," but refuse to include the fact the Kolts Commission investigated the claims and found the evidence "does not conclusively demonstrate the existence of racist deputy gangs."

Yet almost everything ever written on the subject has included the statement and attributed it to a federal judge. Never acknowledging those claims were investigated and found to be untrue. In reality, those were not even the judge's own words, they were the verbatim words written in the lawsuit originally filed in the NAACP's initial complaint and simply copied in the findings. Also perpetually absent, are the facts former sheriff Sherman Block called the allegations "hogwash" at the time, said the judge was "totally hostile" to the Department, and that the activist judge has been a member of the NAACP Board of Directors (a clear conflict of interest).

As a matter of historical interest, Mr. Block soon afterward refused \$400,000 from the city of Pasadena to hire 763 deputies to work the New Year's Day Rose Parade, because the city council insulted the Department in a motion excluding "white supremacist" deputies "allegedly assigned to Lynwood" patrol station. Mr. Block was outraged by the defamation and refused the service of personnel and resources. After this the city council, mayor, and president of the Tournament of Roses all issued apologies for the council's reckless statements and begged him to reconsider. Yet, former sheriff Alex Villanueva was attacked and vilified when he defended the organization from similar reckless unfounded defamation many years later.

On September 23, 2022, another example of lying by omission occurred when COC lead counsel Bert Diexler, stated on the record during the *Special Hearing on Deputy Gangs*, that Captain Angela Walton had been under surveillance by an "undercover sheriff's vehicle" in front of her residence on

³⁶ Lying By Omission is defined as leaving out important details to intentionally misrepresent the truth.

³⁷ Abderhalden, Frances P., Orosco, Carlena A., and Tellis, Katharine, "Trends in Deputy Misconduct: A Reflection on 2012-2022" (CSULA, 2022).

³⁸ The "1992 Kolts Commission Report on Police Brutality in Los Angeles" acknowledged the evidence "does not conclusively demonstrate the existence of racist deputy gangs."

September 20, 2022. During his dramatic statement, he omitted the fact Captain Walton had a multimillion-dollar lawsuit against the Department, which in 2024 would be spurned by a jury of her peers. On October 3, 2022, a letter was sent to the COC and Mr. Diexler, notifying them a detailed investigation had taken place that proved definitively the vehicle in question was not connected to the Department in any way and further attempts to spread this unreliable "gossip" is unprofessional. In February 2023, special counsel released the Report and Recommendations of the Special Counsel to Sheriff Civilian Oversight Commission Regarding Deputy Gangs and Deputy Cliques in the Los Angeles County Sheriff's Department and on page 18 describes Ms. Walton reported an "intimidation effort involving the parking of an undercover car directly in front of her home." Willfully, intentionally, and unethically omitting any mention of the fact this vehicle was not registered to, or connected to, the Department in any way, as they had been informed in writing. Another example of the pattern and culture of lying by omission.

Yet another example of lying by omission is the failure to ever discuss or include any reference to the *Gates/Johnson Settlement Agreement*, which states, "When a deputy is concurrently the subject of a criminal investigation and an administrative investigation arising from the same incident, act, or omission, or has criminal charges pending from an incident, act, or omission which is also the subject of an administration investigation, the Department shall not require or compel said deputy to submit to an interview in that administrative investigation." This fact is ignored by Mr. Huntsman and the COC every time they mention the "Kennedy Hall" investigation and infer there was some manner of misconduct associated with not "compelling statements" from those involved during the criminal interviews. By religiously refusing to acknowledge this court-approved settlement agreement when criticizing the actions taken with the investigation, they choose to be either strategically ignorant or tactically dishonest. Whichever it is, they are intellectually dishonest.

Why are those espousing anti-law enforcement ideologies tolerated as they continually weaponize unconfirmed, unrealistic, and demonstrably false information, while simultaneously going to great lengths to omit any existing facts contradictory to their preferred narrative and outcome?

Weaponization: Federal, State, and Local Government

Despite the absence of facts, certain California politicians banded together to create a <u>solution in need of a problem</u>, by sponsoring legislation to combat the still yet-to-be-proven phantom menace of "law enforcement gangs." According to the data, the goal was apparently to defund, defame, and decry; not solve an alleged problem.

The issue of "deputy gangs" was obsessed over by the Board in countless motions and resolutions; the same was true of the Board-appointed and controlled COC and OIG. Former Board member, and convicted felon, Mark Ridley-Thomas, ⁴⁰ was a vocal advocate of the "deputy gangs" mantra, as were most of the other Board members. At approximately the same time he was engaged behind the scenes in illegal contracts and public corruption, Mr. Ridley-Thomas also led a crusade to weaponize all assets available to county government against law enforcement. He authored motions to call for the sheriff's resignation, remove the sheriff by lawfare, delay the purchase of body-worn cameras, impose a hiring freeze, impose a promotional freeze, seize \$144 million in Service and Supply (S&S)

³⁹ See the Second Appellate District Appeal case B238141 (Los Angeles County Superior Court No. BC425156) Association for Los Angeles Deputy Sheriff's vs Leroy Baca et al., for the history of the litigation and settlement agreement.

⁴⁰ Powel, James, and Nguyen, Thao, "Los Angeles politician sentenced to 42 months on corruption charges, latest in city scandals" (USA Today, 2023).

budget funds, reduce academy recruit classes, and at least 20 other anti-law enforcement motions. He even posted pictures of himself posing with "F k⁴¹ the Police" signs, multiple times on his various social media accounts.

This hatred of law enforcement and pattern of weaponizing government is why many believe the Board actively solicited Assemblymember Mike A. Gipson (D) as their sponsor for state legislation addressing the issue. A Department policy addressing these sub-groups did not exist until the 33rd sheriff tackled the issue with a labor-union-approved policy⁴² in February 2021.⁴³ Also included was an attestation form and an in-depth, self-narrated, video highlighting, "Department personnel shall not participate or join in any group of Department employees which promotes conduct that violates the rights of other employees or members of the public."

But these accomplishments were not met with positivity, instead, the Board, OIG, and COC all called for his resignation, then issued a heavy-handed subpoena with their newly bestowed subpoena power, a move which <u>after</u> he left office years later the courts would rule unlawful.⁴⁴ But only <u>after</u> more than 40 weaponized negative articles were written on the topic stating he had "defied subpoenas" and the political damage had been done.

Despite the attacks, the new Department policy became the template for AB 958 – Prohibits Law Enforcement Cliques and Sub-Groups. Since the bill was based on his policy, Sheriff Villanueva endorsed the bill. But behind the scenes, before it was sent to the Governor's desk for signature, the title was spitefully changed to AB 958 – Prohibits Law Enforcement Gangs. Many believe the change in title from "Cliques and Sub-Groups" to "Gangs" was an abuse of government resources for the purpose of electioneering and directly attributed to calls made by members of the Board, and their surrogates, to hurt the sheriff in his re-election campaign, while simultaneously placing a permanent stain on the Department in indelible ink.

The need for a solution to remedy "law enforcement gangs" was so imperative for the California State Legislature, that in less than five months the legislation was created, pushed through committee, voted on, and placed on Governor Gavin Newsom's desk for signature. *Penal Code Section 13670 - Law enforcement gangs prohibited,* became law on September 30, 2021, and went into effect on January 1, 2023. From that day forward, the "anti-law enforcement coalition" has continually worked the term "deputy gangs" into everything possible. The worst part of the law is simply the unnecessary and inaccurate use of the defamatory word "gangs" in the title, instead of the originally titled, "sub-groups or cliques."

Penal Code Section 13670, a law enforcement gang is defined as: "A group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to:

⁴¹ Profanity censored.

⁴² Villanueva, Alex, "3-01/050.83 - Employee Groups which Violate Rights of Other Employees or Members of the Public" (LASD, 2021).

⁴³ Publishing policy with the approval of all the various involved labor unions is a laborious and time-consuming task.

⁴⁴ AV Times Staff, "LA County loses bid for contempt hearing for Villanueva" (Antelope Valley Times, 2022).

- Excluding, harassing, or discriminating against any individual based on a protected category under federal or state anti-discrimination laws.
- Engaging in or promoting conduct that violates the rights of other employees or members of the public.
- Violating agency policy.
- The persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified.
- Falsifying police reports.
- Fabricating or destroying evidence.
- Targeting persons for enforcement based solely on protected characteristics of those persons.
- Theft.
- Unauthorized use of alcohol or drugs on duty.
- Unlawful or unauthorized protection of other members from disciplinary actions.
- Retaliation against other officers who threaten or interfere with the activities of the group."

Another California law pushed through during the same timeframe was *Senate Bill 2 – Police Decertification* (SB-2). Authored by Senator Steven Bradford (D), the bill was signed into law by Governor Gavin Newsom on September 30, 2021, and some phases took effect on January 1, 2022. Essentially, this new law provided a litany of reasons a peace officer's POST⁴⁵ certificate could be revoked, making them unemployable by any law enforcement agency in the state. Of special note is the fact SB-2 specifically included "Participation in a law enforcement gang," as a reason for decertification. Both SB-2 and 13670 PC were sponsored and strongly supported by many anti-law enforcement activist organizations, some of whom publicly promote Marxism, abolishment of police, and anti-American rhetoric (such as labeling the U.S. flag as a "racist" symbol).

On July 21, 2021, U.S. Congresswoman Maxine Watters joined the attacks when she sent a letter to U.S. Attorney General Merrick Garland requesting his office "Take action to address the reported existence of a rogue, violent gang of law-enforcement officials, who called themselves the "executioners," operating within the Los Angeles Sheriff's Department." The six-page letter went on to quote wild unproven allegations from already defeated lawsuits, false statements regarding deputy-involved-shootings, ⁴⁶ and a regurgitation of the same propaganda used by the anti-law enforcement activists. The same day Congresswoman Watters sent the letter, her office publicly released it to the media, generating an enormous amount of press for the news cycle. Amidst the hateful climate generated, the circular "deputy gangs" narrative continued to push forward like a juggernaut. Time eventually revealed the claims for the cheap political talking points they were, but by then the damage had been done.

Sadly, experience has shown the only time some elected officials will say something positive about law enforcement is when a peace officer is killed in the line of duty, and they are shamelessly tripping over each other to speak at the nationally televised funeral. As was the example seen on March 29, 2024, by New York Governor Kathy Hochul at murdered New York Police Department Detective Jonathan Diller's wake, where she was confronted unapprovingly by family members, but still later requested to speak at the nationally televised funeral service, which was denied. Many peace officers have made

⁴⁵ California Commission on Peace Officer Standards and Training (POST).

⁴⁶ All shootings referenced in Congresswoman Watters's letter were ruled to be justified by the Office of the District Attorney's, Justice System Integrity Division.

it clear they do not want any elected leaders, appointees, or bureaucrats who supported anti-law enforcement policies at their funerals, in the event they die in the line of duty. A final last protest against hypocrisy.

Weaponization: Recruitment & Retention

Law enforcement agencies across the nation are experiencing trouble recruiting and retaining personnel⁴⁷ and many attribute the difficulties to the anti-law enforcement climate brought on by the "defund the police" movement. Other factors include reduced budgets, public harassment, and poor working conditions brought on by the problems associated with understaffing.

Recruitment and retention have already been irreparably harmed within the Department and the future looks extremely bleak. Due to the weaponized motions passed over the last several years by the Board, the Department presently has over 1,200 sworn vacancies. Those are in addition to the 1,281 positions previously eliminated by the Los Angeles County Office of the CEO, at the direction of the Board, during fiscal year 2020-21. To make matters worse, several hundred more vacancies are expected in 2024, due to record-setting numbers of retirements and resignations.

Amidst this, patrol stations are currently at 70% staffing levels, and struggle to provide personnel with vacations and mandated training requirements. Many personnel are ordered to work mandated overtime shifts after they complete their workday, or over their scheduled days off. Sources inside the organization point out the Department will not meet the *California Commission on Peace Officer Standards and Training (POST), Continuing Professional Training (CPT)* minimum mandates for this two-year training cycle. These latest reductions to the organization may trigger the *tipping point* to which there is no recovery, absent draconian cuts to service areas and public safety policies.

Efforts by the Department to fill academy classes have been largely unsuccessful. Partly because the best recruitment ambassadors for an organization are its own employees, but with low morale and such hateful "deputy gang" propaganda, what sane person would currently recommend a profession in law enforcement to friends, family, and acquaintances? The labeling, prejudice, stereotyping, bias, character assassinations, and name-calling, need to end if recruitment and retention are to ever see improved levels. The alternative will be to bear witness to a lawless, violent, and uncivilized society, as Los Angeles County devolves into a dystopian civilization. A social experiment with an outcome both predictable and preventable.

Weaponization: Investigations

In Los Angeles County, there have been dozens of investigations (federal, state, local, internal, and civilian), conducted since the 1980s, focused on uncovering "harmful deputy gangs" within the Department. If "deputy gangs" are a legitimate problem, why has no peace officer ever been named who met the elements of *section 13670 of the California Penal Code*, or could be decertified by POST as a "law enforcement gang" member under SB 2?

The COC has been investigating the issue of "deputy gangs" almost since its inception in 2016. Over the last two years, they have conducted a well-publicized series of extremely prejudiced meetings, marketed as *Special Hearings on Deputy Gangs in the Sheriff's Department*, where "witnesses" were subpoenaed, under *Penal Code Section 25303.7*, ⁴⁸ and subjected to one-sided compound "gotcha"

⁴⁷ The Associated Press, "The U.S. is experiencing a police hiring crisis" (NBC News, 2023).

⁴⁸ California Code Government Code, "Section 25303.7 - Sheriff Oversight Board Subpoena Power" (Law, 2022).

questions, bullying, and the absence of attorney representation. The "witnesses" were forced to sit and be subjected to abuse by attorneys, while unable to provide opening statements, or enjoy basic legal representation - such as objections, cross-examination, or re-direction of testimony. Additionally, these "hearings" allowed "secret" witnesses, to testify with a disguised voice and no cross-examination, in direct opposition to the Sixth Amendment right to face your accusers.

These meetings were modeled more after the "Spanish Inquisition," than our American legal system. Yet, reminiscent of "McCarthyism" and the rigged "Q clearance hearing" depicted in the Oscarwinning movie *Oppenheimer* (2023). Although holding the meetings at Loyola Law School's student mock courtroom, ⁴⁹ provides the illusion of legal legitimacy. The prejudiced result has been sterilized "thought police" propaganda for the target audiences' consumption, creating a one-sided "straw man" argument full of political theater. Investigations are not supposed to last forever, so how many public tax dollars will continue to be wasted before they end? Currently, the math appears to be *Investigation x Infinity = Dead Horse*.

Weaponization: Lawfare

The speedy creation of new laws targeting law enforcement continues to bring us back to an important question: If "law enforcement gangs" were such a problem in California, then out of the approximately 600 California law enforcement agencies, 80,000 peace officers, and over 5,000 reserve peace officers, all currently participating statewide in the California Commission on Peace Officer Standards and Training (POST) certification program, why has not one single person been identified who meets the elements of the law they pushed through?

How big of a problem was this for the State of California if unable to identify even one person out of 80,000 who could be indicted? How many tax dollars were wasted to create this solution for a problem the data continues to show does not exist? Yet, serious problems the legislature could have focused attention on like *homelessness, addiction,* and *retail theft,* continue to flourish and multiply.

How was the need for <u>this</u> conversation and legislation, more exigent than a discussion on the current data showing the harm certain social engineering legislative maneuvers, primarily *Proposition 47*, have created? Certain elements of *Proposition 47* can be directly attributed to the negative societal issues we currently face in Los Angeles County.

Such as the elimination of the law 666 PC - petty theft with a prior offense which led to the current epidemic of retail theft crimes. Before the passage of Proposition 47, a history of theft-related convictions would result in being charged with a felony for future theft-related crimes, and serve as a deterent. Also, the threshold for a felony theft arrest was changed from \$400 or greater, to \$950 or greater. The decriminalization of our theft laws has placed us in our current state of theft devolution. Large retail chains, such as Walmart, Walgreens, Target, Whole Foods, Nike, Kroger, Old Navy, and Nordstrom, are closing their doors in many California cities, and the tax base they once provided has disappeared. Placing petty theft with a prior back in the penal code would end mass retail theft overnight.

⁴⁹ A movie-set type of room designed for law school students to practice their courtroom skills.

⁵⁰ Orwell, George, "1984" (Secker & Warburg, 1949).

⁵¹ Chakraborty, Barnini, "Walmart and Target wade into California's Proposition 47 fight." (Washington Examiner, 2023).

⁵² Peiser, Jaclyn, "Is there a shoplifting crisis? What you need to know about retail crime." (Washington Post, 2021).

⁵³ Polumbo, Brad, "Walgreens is Closing 5 San Francisco Stores Thanks to This Failed California Policy" (Foundation for Economic Education, 2021).

⁵⁴ Editorial Board, "The truth about Proposition 47 and smash-and-grab robberies" (OC Register, 2023).

Another ill effect of *Proposition 47* was changing the illegal drug possession laws regarding *heroin, methamphetamine, and cocaine,* from a felony to a low-level misdemeanor. This change served as an engraved invitation to substance abusers from across the rest of the nation, where the laws remain a felony. Additionally, the data showed an unintended consequence is the death of at least five unhoused persons suffering from addiction per day in Los Angeles County; thousands per year statewide.⁵⁵ Before, when these individuals would be arrested for a felony, the court had the ability to place them in somewhat of a tactical dilemma regarding sentencing; they could either enter a diversionary rehabilitation program, or they could go to prison. The choice was an easy one, and these individuals were able to "detox" and get healthy, while also receiving the help and support they so desperately needed to fight their addiction and be placed on a pathway to recovery. Since the passage of *Proposition 47*, these programs have withered and disappeared, because the court no longer has the same degree of leverage.⁵⁶

How was the discussion and passage of *Penal Code Section 13670*, more important to the legislature than the discussion of many thousands of homeless people dying on our streets every year because of the passage of *Proposition 47?* Elected officials proclaim there is a "deputy gangs" problem, while ignoring the thousands of deaths the data shows their own legislation was responsible for. How do unexceptional politicians with no real-life experience, who are more beholden to partisan ideologies than common sense and saving lives, continue to be re-elected?

Weaponization: Oversight

Over the years the COC and Inspector General Max Huntsman have issued numerous public statements alleging the Department is filled with "deputy gangs" which are like a "cancer" secretly running the organization. As well as the claim the 33rd sheriff was responsible for "obstruction" in a Department Internal Criminal Investigative Bureau (ICIB) investigation involving a fight between several off-duty deputies occurring on September 26, 2018, when Jim McDonnell was sheriff. The incident is commonly referred to as the "Kennedy Hall" or "Banditos" incident. An additional claim was an alleged "deputy gang" was in command of Compton Patrol Station, as evidenced by a work slow-down implemented by their "shot-caller" in 2019, resulting from a staffing issue involving a scheduling deputy position.

Mr. Huntsman and the COC allege the ICIB investigations would have proven "deputy gangs" existed and operated as a criminal enterprise at both East Los Angeles Patrol Station and Compton Patrol Station, if not derailed by the incoming sheriff. These allegations continue to be asserted, even though evidence overwhelmingly contradicts the notions.

In attempting to uncover these "conspiracies" over the last 5 ½ years, the key pieces of evidence pointed to alleging to connect "deputy gangs" with "engaging in a pattern of on-duty behavior that intentionally violates the law" were:

1. The Department is filled with "deputy gangs" which are like a "cancer" throughout the entire organization, and these "deputy gangs" run the patrol stations through a "shadow command."

⁵⁵ Fortiér, Jackie, "Thousands Massive Increase In Unhoused People Dying In LA Is Called A Daily Tragedy By Health Officials" (LAist, 2023).

⁵⁶ Department of Public Health, "New Public Health Report Shows Sharp Rise in Mortality Among People Experiencing Homelessness" (County of Los Angeles Newsletter, 2023).

- 2. Several ICIB log entries made by Sergeant Jefferson Chow stating, "OIG wanted additional questions," asked regarding station sub-cultures, along with "canceled interviews" to confirm not asking questions about station sub-groups, allegedly by order of the sheriff-elect.
- 3. Testimony by Matthew Burson alleging Lawrence Del Mese, both retired division chiefs, instructed him to direct investigators not to ask about "Bandito" station sub-cultures during interviews, at the direction of the sheriff-elect.
- 4. Testimony by Mr. Chow and Mr. Burson alleging Mr. Huntsman gave them orders to ask "additional questions" about "Banditos" memberships, which were sabotaged.
- 5. Testimony by Larry Waldie Jr. alleging a "deputy gang" at Compton Patrol Station was responsible for a "work slow-down" and community members suffered as a result.

The statements and credibility of Mr. Huntsman, Mr. Burson, Mr. Chow, Mr. Waldie Jr., and Mr. Chow's log, become crucial for the above allegations to survive.

But on October 25, 2022, Mr. Huntsman was sworn in for an eight-hour deposition and, contrary to every defamatory "deputy gangs" statement he has ever made, was unable to identify or name even one person who was a "law enforcement gang" member, as defined by Penal Code Section 13670.⁵⁷ Additionally, Mr. Huntsman testified under oath that statements made by Mr. Burson in a declaration dated June 16, 2022, and contained in Sergeant Chow's ICIB log, were not true. Specifically, he [Huntsman] never gave instructions to ask "additional questions about subcultures at East LA." Definitively impeaching crucial parts of Mr. Burson's testimony, Mr. Chow's testimony, and Mr. Chow's ICIB log.

Further problems with the accuracy of Sergeant Chow's log occurred in an entry on November 27, 2018, at 13:00 hours, "Cancelled interviews due to Captain/Chief Burson. He wanted to make sure I did not have to ask questions about subcultures groups at ELA Station." Mr. Burson was a captain at the time. If written on the indicated date, as Sergeant Chow stated under oath, then why was Captain Burson listed as "Captain/Chief Burson?" Mr. Villanueva was not sworn in as sheriff until December 3, 2018, and both Mr. Villanueva and Mr. Burson testified they never met or discussed the topic of promotion until December 6, 2018. The decision to promote Burson was not discussed until nine days afterward by anyone in the chain of command, leading an objective factfinder to the logical conclusion Sergeant Chow authored his log sometime after the first mention of Mr. Burson's promotion on December 6, 2018. Of course, authoring his log after the fact would be a violation of policy and procedure, a motive to cover it up with false statements, and perjury. Mr. Chow's ICIB log is a crucial piece of evidence which Mr. Huntsman and the COC have used to point to "obstruction."

- Why were the false statements and discrepancies in Mr. Chow's log suppressed and omitted?
- Why was Mr. Huntsman's sworn testimony kept suppressed and never used to impeach Mr. Burson, Mr. Chow, or his log?
- Why did Mr. Huntsman sit quietly during the sworn testimony of both Jefferson Chow and Matthew Burson and allow them to provide testimony he knew at the time was false?
- Why were the false statements and discrepancies in Mr. Chow's log suppressed when Mr. Villanueva was questioned at the COC on January 12, 2024?

⁵⁷ Hammock, Randall M., Judge, "Art Hernandez, et al. v. County of Los Angeles - Case No. 19STCV33158, (Deposition, 2022).

- Why were the false statements and discrepancies in Mr. Chow's log suppressed when retired former undersheriff Timothy Murakami was questioned at the COC on March 7, 2024?
- Why was the fact a multi-million-dollar lawsuit against the County of Los Angeles filed by Mr. Waldie ignored?
- Why was the fact a multi-million-dollar lawsuit against the County of Los Angeles filed by Mr. Chow's wife, Vanessa Chow, ignored?
- When discussing the "Kennedy Hall" investigation with witnesses, why were no questions ever asked about the "Gates/Johnson Settlement Agreement?"
- Why was the fact the same two attorneys, who appear to have collaborated behind the scenes with the COC on the *Special Hearings on Deputy Gangs in the Sheriff's Department*, are the attorneys of record in over 25 other alleged "deputy gangs" or "whistleblower" lawsuits ignored? Or the fact those same attorneys twist the testimony the COC retrieves, to breathe new life into their overabundance of failing lawsuits?
- Why is the COC, an oversight advisory commission, enthusiastically circumventing the legal system to provide self-destructive volumes of discovery for the benefit of those actively suing their employer, the County of Los Angeles? Possibly resulting in the unnecessary loss of valuable tax-payer dollars, outside of the rules of evidence and ethical standards.

Weaponization: "The Abyss Gazes Also Into You."

Of special note, is the fact Mr. Huntsman is currently the subject of two separate felony criminal investigations being conducted by the California Office of the Attorney General (AG), involving theft of electronic personnel files⁵⁸ and, conspiracy to commit obstruction of justice.⁵⁹ Mr. Huntsman and the COC would demand any member of the department alleged to have committed these crimes be immediately relieved of duty pending the outcome of the investigation; and rightfully so.

While under investigation, why is Mr. Huntsman still allowed to possess highly confidential information? Information for which many have alleged he may be the source of countless "leaks" to reporters, such as June 13, 2022, when Mr. Huntsman toured the East Los Angeles Sheriff's Station in his official capacity and photographed a sticker on an unassigned locker-room locker he felt was a problem, then before the investigation could be concluded, the photograph and a negative narrative was published on the Twitter/X account of reporter Kate Cagle on June 20, 2022. Why are there special concessions made for Mr. Huntsman, and why is he allowed to remain in his official role?

A key witness to support the elements of Mr. Huntsman's "deputy gangs" allegations is Mr. Burson. At his COC appearance on July 1, 2022, Mr. Burson testified he received a phone call from Captain Lawrence Del Mese on December 7, 2022, telling him, on behalf of the sheriff-elect, to "hold off on any questioning about the investigation including the Banditos until I talked to him." ⁶⁰

On the same day, Mr. Del Mese disputed this and stated under oath, "I don't recall ever having that conversation with Matt Burson or any conversation with Alex Villanueva regarding the Banditos." ⁶¹

⁵⁸ Brown, Marc, and Bartley, Lisa, "LASD has 'criminal investigation' into its own watchdog" (Eyewitness News, 2019).

⁵⁹ Bonta, Rob, "Commits to investigating alleged advance warning regarding search warrants executed against Sheila Kuehl and Patricia Giggans" (CA Office of the Attorney General, September 20, 2022).

⁶⁰ Los Angeles County Sheriff Civilian Oversight Commission, "Special Hearing on Deputy Gangs in the Sheriff's Department" (Transcript, Pg. 27, July 1, 2022).

⁶¹ Los Angeles County Sheriff Civilian Oversight Commission, "Special Hearing on Deputy Gangs in the Sheriff's Department" (Transcript, Pg. 130, July 1, 2022).

On January 12, 2024, former sheriff, Alex Villanueva, appeared under oath at the COC and testified he never gave any direction to Mr. Del Mese, Mr. Burson, or anyone else regarding not asking questions in the "Kennedy Hall" investigation.⁶²

A fact ignored by the OIG and COC is a text conversation Mr. Burson held with Mr. Murakami on November 12, 2021, while Mr. Burson was off work on long-term approved leave for a confidential reason. Mr. Burson had learned one of the patrol division chiefs was retiring and wanted to return to active duty and assume her position.

Mr. Burson: Hey Tim, I heard Coronne was leaving... any mention on who's taking her

place?

Mr. Murakami: Not yet. Still talking.

Mr. Burson: Hypothetically, would I have a chance at that position if I were to come back?

And, more importantly, would the sheriff welcome me back or even want me

back?

Most interestingly was the phrase, "... would the sheriff welcome me back or even want me back?" The context and tone both signal Mr. Burson believes his prior job performance was not thought of in the best terms by the sheriff at the time. When Mr. Burson was rejected, he made his displeasure well-known and was described by others as "disgruntled." Mr. Burson officially retired on March 30, 2022, and then appeared 2 ½ months later at the COC, on June 16, 2022.

Even though both Mr. Del Mese and Mr. Villanueva denied under oath ever taking part in the conversation in question with Mr. Burson, why was greater attention not paid by the COC to the notion Mr. Burson and Mr. Chow both alleged to have blindly followed orders they believed were unethical, immoral, and criminal? Both said they were just "following orders," which is cowardly, weak, and the antithesis of leadership.

If Mr. Burson and Mr. Chow's allegations were true, they both had a sworn duty to make immediate notification to any of the following: the Office of the District Attorney, the Office of the Attorney General, the Office of the Inspector General, the Office of County Counsel, the Civilian Oversight Commission, any member of the Board of Supervisors, or the Federal Bureau of Investigation.

The "I was just following orders" defense, or "Nuremberg Defense," failed after World War II, it failed after the "My Lai Massacre," and it failed after "Operation Pandora's Box." This behavior is an embarrassment and if it was true, should result in SB-2 decertification, under the categories of, 1) Dishonesty and 6) Acts that violate the law. Why did their allegations surface many years later, only after they stood to benefit?

Why did the COC avoid asking questions about possible underlying motives that could point to reasons for negative testimony about the Department, and the former sheriff? Such as the possibility Mr. Chow may have been motivated by a need to cover up the policy violation from his sloppy log, as well as the potential financial gain if his wife's pending lawsuit succeeds. Why did the COC fail to explore the thought Mr. Burson may have been motivated by being disgruntled over the

⁶² Los Angeles County Sheriff Civilian Oversight Commission, "Special Hearing on Deputy Gangs in the Sheriff's Department" (Transcript, January 12, 2024).

administration's rejection of him and a need to seek revenge for his feelings of having been treated unfairly by the organization? Revenge is a powerful motivator and many disgruntled former employees throughout history have committed far worse acts, over much less.

Most of the behavior observed during the *Special Hearings on Deputy Gangs* investigation seems to be based on a "The ends justify the means" philosophy. Those who secretly fantasize about manufacturing some type of RICO⁶³ act case, need to accept that even though they have created dramatic political theater, it is still not an episode of *Law and Order* and they do not get to write their own endings. Facts matter. Credibility matters. Common sense matters. Finally, "Beware that when fighting monsters, you yourself do not become a monster... for when you gaze long into the abyss. The abyss gazes also into you." It appears the monster some may perceive, is their own likeness being reflected.

Weaponization: "Turning a Blind Eye."

The original message which was publicly stated by the COC to those personnel who once belonged to a station sub-group is they should be "terminated." For no specific disciplinary reason other than having once belonged to a social group many years ago, that at the time was given "tacit approval" by senior executives. The COC has continued to say there is no need for the sub-groups to be directly connected with misconduct to terminate employees. Of course, termination under these circumstances would be illegal, immoral, irresponsible, and ill-advised.

But then on May 24, 2022, the COC placed Lieutenant Larry Waldie Jr., who had a \$26 million lawsuit against the Department that would soon fail very publicly in a jury trial, under oath and had him testify about "deputy gangs" during one of many *Special Hearings on Deputy Gangs* meetings. A decision some could say was very self-serving and would enhance his pending lawsuit.

The lead COC inquisitor began by reading a passage from a department memorandum, dated September 13, 2004, involving Waldie Jr.'s father, retired former Undersheriff Larry Waldie Sr., and actions to address deputy-sub-groups at Century Patrol station. After covering parts of Waldie Jr.'s resume, which led many to point to nepotism by having merely 13 years of service when promoted to the rank of lieutenant (average was over 24 years), special counsel, Bert Deixler asked the following:

Mr. Deixler: And I should ask, for purposes of candor, do you have a tattoo?

Mr. Waldie: Yes, sir.

Mr. Deixler: And what is the tattoo associated with?

Mr. Waldie: It is associated with a group of deputies from Compton Station, as Mr.

Huntsman had placed in a memo. The name is the Gladiators, and it was associated with, essentially, serving the community, hard work, the ability to - the ability to teach others, share information with others, and do the right

thing.

Mr. Deixler: When did you obtain your tattoo as a Gladiator?

Mr. Waldie: I believe it was in 2007 after about two years working Compton Station. 65

⁶³ The Racketeer Influenced and Corrupt Organizations Act (RICO) is a federal law targeting organized criminal activity and racketeering (18 U.S.C. §§ 1961-68).

⁶⁴ Nietzsche, Friedrich W., "Beyond Good and Evil" (1886).

Los Angeles County Sheriff Civilian Oversight Commission, "Special Hearing on Deputy Gangs in the Sheriff's Department" (Transcript, Pg. 60, May 24, 2022).

The above portions of the transcript were the only questions ever asked involving "Gladiators." The COC intentionally avoided asking crucial questions they have listed as reasons to appear on subpoenas they have issued others.

- Why was he never asked to resign, or a call made for his "termination?"
- Why was his picture never entered as evidence and publicly displayed on the monitor while repeatedly being called a "gang member," as was done on multiple occasions to Mr. Murakami?
- Why were no questions asked about why he violated his father's 2004 memorandum?
- Why were no questions asked to name other members, as has become the standard practice for everyone else who appears at the COC?
- Why were no questions asked about why he joined the "Gladiator" sub-group?
- Why were no questions asked about the inner workings of the "Gladiator" sub-group?
- Why were the "Gladiators" not referred to as a "deputy gang" during the meeting, like all the other sub-groups were referred to?

Although, many questions were asked about the other Compton Patrol Station sub-group, which trial attorneys and the media named, "Executioners." However, no one assigned to Compton Patrol Station had ever heard of or used the term before. As mentioned previously, Mr. Waldie also alleged the other Compton Patrol Station sub-group was responsible for a work slow-down that endangered the community:

Mr. Deixler: During the month of March 2019, was there a slowdown?

Mr. Waldie: Yes, sir.

Mr. Deixler: And during the month of March 2019, was there an increase in crime in the

area patrolled by Compton deputies?

Mr. Waldie: Yes, sir.

Mr. Deixler: Other than the work slowdown initiated by the Executioners, do you know of

a legitimate reason for why there would be declining arrests in the midst of a

crime wave?

Mr. Waldie: I don't know of any other reason based on my experience and based on

analyzing the numbers of why this happened.⁶⁶

Then, on July 1, 2022, and July 25, 2022, Division Chief (now Undersheriff) April Tardy appeared at the COC's *Special Hearings on Deputy Gangs* and provided testimony under oath. During her appearance, she was asked the following:

Ms. Moses: And historically, deputy subgroups, are they comprised of a particular ethnicity

or race?

Ms. Tardy: That's -- I don't know the ethnicity or race, but I know males, typically, is what

I'm being told.

Ms. Moses: Women are not allowed to be members of deputy subgroups; correct?

Ms. Tardy: That's correct. That's the information I've received.

⁶⁶ Los Angeles County Sheriff Civilian Oversight Commission, "Special Hearing on Deputy Gangs in the Sheriff's Department" (Transcript, Pg. 71 & 74, May 24, 2022).

Ms. Moses: And does discriminating based on gender violate fundamental principles of

professional policing?

Ms. Tardy: It does.⁶⁷

These responses would have been fine, except it was a well-known fact at the time, Ms. Tardy belonged to a deputy-sub-group when she was assigned to Temple Patrol Station and had the "V" tattoo on her ankle. The "V" is the Roman numeral five, for the 5th sheriff's station, or station #5. Knowing she was a member of a deputy-sub-group, had a station tattoo on her ankle at the time, and was a minority female, after testifying under oath "I don't know the ethnicity or race, but I know males, typically, is what I'm being told;" causes her statements to be viewed as problematic, at best. The context used with the phrase "is what I'm being told," can even be categorized as intellectually dishonest.

- Why did Ms. Tardy keep her station tattoo and sub-group membership a secret?
- Was this a lie by omission?
- Why did Ms. Tardy choose to self-censor her opportunity to exhibit courageous leadership
 and explain under oath why her membership in a deputy-sub-group and her station tattoo
 were symbols of pride?
- Why did Ms. Tardy neglect her opportunity to educate the COC as to why a station tattoo is not a "deputy gang tattoo?"

The COC never questioned Ms. Tardy about her station sub-group membership, station tattoo, or problematic answers. She was never pressed with the standard McCarthyesque line of questioning to "name names" of other sub-group members, or the date she received her tattoo and what it meant to her.

What further destroys any shred of legitimacy in this process, is the fact Inspector General Max Huntsman was 100% aware of Ms. Tardy's deputy-sub-group affiliation and station tattoo at the time. On June 13, 2022, Mr. Huntsman initiated a discussion in a group setting regarding Ms. Tardy's station tattoo with a senior department executive, who had been previously unaware of the tattoo. This occurred more than two weeks before Ms. Tardy's first COC appearance, and almost six weeks before her second.

- Other than Mr. Huntsman, who else associated with the Board, OIG, COC, Office of County Counsel, or special investigator law firm (Kendall Brill & Kelly), was aware of Ms. Tardy's station tattoo and sub-group membership?
- Why has the COC not called Ms. Tardy back to answer further questions?
- Why did Ms. Tardy receive special treatment?

Many believe Ms. Tardy's behavior was a successful audition for the role of undersheriff with the Board, and that it was a member of the Board who ordered sheriff-elect Luna to hire her as his undersheriff. It is also believed the same Board member instructed sheriff-elect Luna to release a

⁶⁷ Los Angeles County Sheriff Civilian Oversight Commission, "Special Hearing on Deputy Gangs in the Sheriff's Department" (Transcript, Pg. 53-54, July 25, 2022).

lieutenant "on loan" to the Los Angeles County Probation Department, as a "reward" to the lieutenant.

Coincidentally, further testimony given by Ms. Tardy that same day has recently become a completely separate subject of controversy, ⁶⁹ and on January 25, 2024, a formal petition to completely decertify her as a peace officer under *Senate Bill 2: Officer Decertification* (SB-2) was filed with POST for <u>alleged</u> perjury. The SB-2 claim against her originates from testimony provided under oath, where she stated there <u>had</u> been a work slowdown at Compton Patrol Station in 2019.

Ms. Moses: And why did you transfer him?

Ms. Tardy: Because of his actions; because of the information that I had received about

the work slowdown. There were several other incidents that happened at the

station in which I believe he was acting as a shot caller.

Ms. Moses: And so Deputy Juarez initiated a work slowdown in the Compton Station in

2019 when the then-captain did not select Deputy Juarez's preferred deputy as

the scheduling deputy. Is that what you're referring to?

Ms. Tardy: That's the information I received, yes. ⁷⁰

As depicted in the transcript, on July 25, 2022, Ms. Tardy testified the Compton "shot caller" initiated a 2019 "work slowdown," corroborating Mr. Waldie Jr.'s claims, which assuredly made Mr. Waldie Jr. and his attorney very happy, but left Department senior executives watching live over video shocked and confused. Confused because on June 1, 2022, Ms. Tardy sent a Department email to senior executives, many weeks before her COC appearance, including a spreadsheet with data confirming there were no work slowdowns in 2019 at Compton Patrol Station or East Los Angeles Patrol Station, along with the statement, "Based on my review of this data, I have no concerns with the response times." It is a mystery how the facts were confused during testimony, but she has since testified she was referring to the "allegations" of a slowdown, not an actual slowdown. She clarified she just forgot to "say the word allegations."

Soon after Mr. Waldie Jr's multi-million-dollar lawsuit failed to convince jurors he was a "whistleblower," the losing civil attorney pointed to Ms. Tardy's alleged flip-flop and formally claimed she "committed perjury" when she provided testimony on May 23, 2023, which was in direct opposition to her earlier COC testimony on July 25, 2022. The *Petition for POST Decertification Pursuant to Senate Bill 2* alleges she "committed perjury," and should be "decertified" as a peace officer.⁷¹

However, at the same time the COC and OIG were busy providing special treatment to Mr. Waldie Jr. and Ms. Tardy, the COC continued to subpoena, harass, and make defamatory public statements about, honorably retired former sheriff, Alex Villanueva, and honorably retired former undersheriff, Timothy Murakami, who they additionally repeatedly referred to as a "gang member" during multiple official meetings.

⁶⁸ Woods, Cece, "Sheriff's Lieutenant Mired in Allegations of Civil Rights Violations at LA County Probation" (Current Report, 2024).

⁶⁹ Schwebke, Scott, "Petition seeks to decertify LA County undersheriff for contradictory testimony on deputy gangs" (Daily News, 2023).

⁷⁰ Los Angeles County Sheriff Civilian Oversight Commission, "Special Hearing on Deputy Gangs in the Sheriff's Department" (Transcript, Pg. 41-42, July 25, 2022).

⁷¹ Schwebke, Scott, "Petition seeks to decertify LA County undersheriff for contradictory testimony on deputy gangs" (Daily News, 2023).

On March 7, 2024, Mr. Murakami appeared at the COC's *Special Hearings on Deputy Gangs* meetings and was questioned in great detail as to his knowledge of "deputy gangs," where he confirmed having once belonged to the East Los Angeles Patrol Station "Cavemen" sub-group, but no longer had the "Cavemen" tattoo. During the meeting, Mr. Murakami, who honorably retired after 42 years of dedicated service, took offense to the use of the term "gang" and maintained his tattoo, which he removed many years ago, represented "station pride, and being recognized as a hardworking deputy," and had "no nefarious connotation." ⁷² The headlines afterward read he admitted to having a "gang tattoo;" completely false, he admitted to having a station tattoo.

- How many thousands of tax-payer dollars were wasted so that an honorably retired man in his mid-sixties could be forced to appear under oath and state he used to have a cartoonish "Fred Flinstone-esque" tattoo approximately 35 years ago?
- Were the subpoena and appearance an effort to shame someone who refused to "bend the knee" to a body of political appointees?
- What is the COC's clearly defined mission, goals, and end state on this topic?

The well-documented pattern of the COC and OIG turning a blind eye to certain individuals, while persecuting, bullying, shaming, and tormenting others, has left many extremely puzzled about their true underlying intent and motivation in the pursuit of "deputy gangs."

- Why has the heavy-handed subpoena machine at the COC yet to print a subpoena to appear under oath for Sheriff Robert Luna, former Sheriff Jim McDonnell, former Sheriff John Scott, or former Sheriff Lee Baca?
- Why are there no subpoenas for former Undersheriff Jacques La Berge, former Undersheriff Larry Waldie Sr., former Undersheriff Paul Tanaka, former Undersheriff Bill Stonich, former Undersheriff Jerry Harper, or "Deputy Gang Czar" Division Director Elaine Decker?
- Why has Undersheriff April Tardy not been ordered to return and answer questions regarding "problematic" prior testimony?
- Since hard empirical data exists irrefutably proving there was no "work slowdown," at Compton Patrol Station in 2019, why has Lieutenant Larry Waldie Jr. not been investigated regarding his demonstrably false statements alleging under oath one did occur?

If "truth" is the focus, then each person listed above likely possesses important information to aid the investigation. But if "harassment" of perceived political enemies is the focus, then there is no need to ever issue another subpoena.

Station Sub-Groups: Genesis

The Board of Supervisors' motto for criminal justice system reform is "Care first, Jail last." Sadly, they will extend that philosophy to murderers, rapists, robbers, thieves, and child molesters. Yet, a peace officer with no criminal record, who wears a target on their chest daily, and has sworn an oath to protect others is a "law enforcement gang" member, which seems to be the "Hate first, Cops last" model. This type of ostracization is what helped to form these groups in the first place. Why does a child molester, or "minor-attracted person (MAP)" as activists have suggested should be the new term,

⁷² Los Angeles County Sheriff Civilian Oversight Commission, "Special Hearing on Deputy Gangs in the Sheriff's Department" (Transcript, March 7, 2022).

deserve a greater level of grace and compassion than a deputy sheriff who has never engaged in misconduct, but may have once belonged to a station sub-group?

To understand the formation of these sub-groups, accept the reality of the way things used to be, not the way they are now. In the 1970s, Department training was deficient, equipment was substandard, mental health support was non-existent, alcoholism was high, divorce rates were high, suicides were ignored, speaking about your feelings could result in being relieved of duty and the loss of your weapon, and the long-term impact of cumulative trauma and posttraumatic stress disorder were not understood.

At the time, employee performance was based on an "enforcement model" not a "service model." Meaning, if you wanted to earn an outstanding performance evaluation, then you had better engage in a high degree of productivity when it comes to traditional law enforcement duties, such as taking lots of people to jail. The organizational value system of the time reinforced lawfully taking as many people as possible to jail, which absent positive community interactions, can create an "us vs. them" mentality. Unlike today, where positive interactions with the community are the central core for evaluation.

Back then, the only real support systems available in a strongly quasi-military organization with a clearly defined chain of command were the unofficial peer-led support groups formed by shift mates. The job was tough and demanding, both physically and mentally. Many of the involved stations suffered partners killed in the line of duty. It was common to have station personnel who barely survived violent encounters.

These sub-groups emerged as a survival mechanism and were formed to help emotionally support, as well as to socialize and relieve stress away from the workplace. They formed softball teams, went to the river together, had celebrations at each other's homes, and volunteered in the community. They hung Christmas lights at the homes of fallen comrades, so their widow and children would not have to do it themselves. These groups of friends were bonded together by on-duty trauma and off-duty recreation. They became families, which is why they called each other brother and sister. Eventually, these tightly woven and cohesive assemblies of friends evolved into more structured groups, and ultimately, deputy-sub-groups were born.

After deputy-sub-groups surfaced, they quickly became engrained in the organizational culture. The need to belong socially is a human instinct and a basic human need. Studies show satisfying the need to belong in the workplace, leads to a 56% increase in job performance, a 50% reduction in turnover risk, and a 75% decrease in the use of employee sick days. Early sub-group members were high performers, enjoyed coming to work, and never called in sick, which was approvingly valued by supervisors and managers.

Station Sub-Groups: History

No one has ever denied unofficial sub-groups (cliques, clubs, fraternal organizations) existed in law enforcement; they are rumored to have existed for many years throughout the entire nation. The existence of these groups is akin to similar circles found in the armed forces, college fraternities, secret

⁷³ Carr, Evan W., Reece, Andrew, Kellerman, Gabriella Rosen, and Robichaux, Alexi, "The Value of Belonging at Work" (Harvard Business Review, 2019).

societies, sports teams, other public professions, or even those who unite for a common cause. Even the Boy Scouts of America have a sub-group, called *The Order of the Arrow*; are they "gang members?"

By current definition, the Department's oldest sub-group was founded in 1927, is comprised of a "group of peace officers within a law enforcement agency who identify themselves by a common name, are associated with an identifying symbol," wear apparel with a common identifying symbol, have engaged in acts of extreme violence, and some even have "matching tattoos." They "identify themselves" by the name, *American Legion STAR Post #309*. The group is very "exclusionary;" they only allow honorably discharged veterans of the U.S. Armed Forces to join. This example checks just as many of the "law enforcement gang member" boxes as any other groups discussed in connection with "deputy gangs." Absent "a pattern of on-duty behavior that intentionally violates the law," even the *Boy Scouts* and the *American Legion* can be labeled "gangs."

Nonetheless, it is accepted the first Department patrol station sub-group was at East Los Angeles Station and referred to themselves as the "Little Red Devils," which was the cartoonish character depicted on their members' tattoos. They were followed by "3rd Street Wall;" and the "Cavemen," who were later replaced by the "Banditos."

Other early unofficial Department sub-groups were the "Pirates" at Firestone Patrol Station, the "Vikings" at Lynwood Patrol Station, and the "Grim Reapers" at Lennox Patrol Station. Contrary to popular belief, these groups also included tattooed members who were women, racial minorities, and LGBTQ+.

Anyway, there was alleged misconduct occurring at Lynwood Patrol Station, and the "Vikings" subgroup had been blamed by community members, civil attorneys, and the media for it, so in 1993, both Lynwood Patrol Station and Firestone Patrol Station were decommissioned and closed. Their station reporting districts were merged into the newly built Century Patrol Station, but soon afterward, the "Regulators" sub-group emerged there. Later, the "Spartans" sub-group would be created.

It is believed the Century Patrol Station "Regulators" took inspiration from the Department's rich Western heritage beginning in the 1850s and symbols of the West, such as those depicted in the 1988 motion picture Young Guns, which served to provide their name. The Century Patrol Station "Spartans" are also believed to have drawn their inspiration from history. The history of Sparta, and the tale of the battle of Thermopylae in 480 BC, where 300 Spartans stood against 300,000 Persian army aggressors; a story of courage and honor. The "Reapers" took their name to serve as a constant reminder of the death that may await them due to a faulty split-second decision caused by a lack of training and experience, and to always be ready. One common thread all groups shared; they had partners who were killed in the line of duty.

It may seem strange to many in the community when they learn a station tattoo was modeled after a symbol of death, but most in law enforcement would agree the protected are not forced to deal with the ever-looming reality of death in their daily lives. Like the looming *sword of Damocles*,⁷⁴ every time a peace officer kisses their kids and leaves for work, they are fully cognizant of the danger and know it

⁷⁴ A parable where Damocles flattered King Dionysius and the king offered to switch places for a day. When they switched, a sword hung by a thread above the throne to serve as a constant reminder of the fear in which a person with great power must live.

may be the last time their loved ones see them. Since 1970, a total of 81 Department personnel have been killed in the line of duty.⁷⁵

It is believed <u>every</u> patrol station, and some coveted unit assignments, in the Department have formed unofficial sub-groups and tattoo symbols at one time. The fact the names of most of these sub-groups remain unknown is a testament to their innocuous and completely benign nature. Some stations have had multiple station tattoos cycle through over the years, due to the generational factors associated with these groups. A person who served at a patrol station in the 1990s may have belonged to a sub-group and socialized off-duty with others in the sub-group. But as time moves forward, people move on. They promote, transfer, retire, or simply change as to their off-duty interests.

Many of these station sub-groups center around off-duty recreation and socialization. It stands to reason someone unmarried in their mid-twenties who enjoyed going to the river or playing sports with their friends and co-workers may not still engage in those activities in their thirties, forties, or fifties, once they have families and other responsibilities. Station sub-groups are generational, and rarely do members of different generations mix.

Recently, the media reported on a new "deputy gang" named the "Industry Indians," who were reported to have been involved in an altercation with a group of teens at the *Bowlium Lanes*, in Montclair. In reality, this "new deputy gang" had actually been in existence for closer to 30 years, in total obscurity. Consistent with design, the Board, OIG, COC, and activists wasted no time in issuing condemning statements about this "new deputy gang." However, sources say the investigation did not show any of the elements of the alleged crimes had anything to do with membership in the station sub-group; none. Instead, when it was discovered two members of the large group of involved personnel had a station tattoo, the Department's top senior executive leadership chose to publicize the "deputy gang" narrative regarding the incident. Very disingenuous, since Department policy specifies, "... which promotes conduct that violates the rights of other employees or members of the public." Also, since 13670 PC specifically states, "... who engage in a pattern of on-duty behavior that intentionally violates the law." There is zero evidence the sub-group "promoted the conduct," and this incident was clearly off-duty behavior.

Leading up to the announcement, Sheriff Luna, who ran on an "anti-deputy gangs" platform, had been repeatedly criticized for his failure to show results in pursuit of "deputy gangs" within the organization. Will the new standard operational procedure, or "Luna Doctrine," be to increase discipline and broadcast a "deputy gang" narrative, any time the subject of an investigation is discovered to have a station tattoo? If so, get out the checkbook and practice writing zeroes, because the civil service process, and what follows, will not be kind, "The truth ages like wine, lies age like milk."

Station Sub-Groups: Membership

Rather than attempt to understand why these sub-groups were formed, critics have chosen to harshly label and demonize them. They attack and call names, instead of having a conversation and jointly embarking on a journey to discover solutions.

⁷⁵ According to the *California Officer Down Memorial* <u>Page</u>.

⁷⁶ Editorial Staff, "4 sheriff deputies fired after fight at bowling alley" (2 Urban Girls, 2023).

Back in the 1990s, some of these sub-groups were well-known and viewed by new deputies as the "all-star team." Just like in sports, every team had a few top players who were "all-star" material. The organizational culture and senior executive leadership at the time did nothing to dissuade people from the perception. Quite the opposite, they reinforced it in many cases by being members themselves.

Most sub-groups have some organized manner of selecting members, no different than college fraternities, which usually center around recognizing hard work and outstanding performance. Some still say it is a way for people who work together under tough conditions to socialize, form long-term bonds outside of work, and help cope with the cumulative trauma placed on individuals. As previously mentioned, contrary to current disinformation, these sub-groups contain tattooed partners of all protected categories, including women, minorities, and LGBTQ+ members.

It was widely known certain specialized coveted units were comprised of people who had belonged to a station sub-group. But these people were also undeniably high achievers who were the "cream of the crop" and looked up to. They were almost always experienced peer leaders⁷⁷ who were former field training officers, with incredible technical and tactical proficiency. These sub-group members were impressive, and younger deputies wanted to be like them. Were these top-performing individuals successful because they had station tattoos, or did they have station tattoos because they were top-performing successful individuals?

The unwritten rule for many became, "If you want to go to (<u>specialized unit</u>) you need to work (<u>insert station</u>) and get the station tattoo." Additionally, it was well-known some senior executives favored individuals from certain Region II patrol stations, ⁷⁸ especially if they had that station's tattoo. One former undersheriff was well-known for repeatedly saying, "If you didn't work Region II, you didn't work patrol."

The past 50 years of Department senior executive leadership allowed the groups to exist and evolve until the issue was officially addressed in early 2021 by former sheriff, Alex Villanueva. If this has been a problem over the last 50 years, then it emerged out of the failures of past sheriffs and past Board members, who were publicly aware of the sub-groups since the story was covered in depth by the media in 1991. It is easy to point a finger at other people, but true leaders realize when you do there are always three more fingers pointed back at you. It is much easier to now blame some nameless faceless deputies who were not even born when these issues began, than it is to take accountability and ownership of the issue. What is the culpability of those who should have solved the issue over the last 50+ years? Or is it possible the issue was never as big of an issue as is now alleged?

Lastly, the United States Constitution and the First Amendment protect against government intrusion of free association and free speech. Stricter Department policies than what is already in effect would likely not survive Constitutional scrutiny, as was confirmed in the legal opinion letter dated November

⁷⁷ In the report provided by special counsel to the COC, (2023, Pg. 11), the term "peer leader" was attacked and listed as a "euphemistic term" to describe those who engage in "excessive force." The statement is unfounded and a ridiculous example of Orwellian "word policing."

⁷⁸ Those Region II stations were Carson Station, Century Station, Compton Station, Lennox Station (renamed South Los Angeles Station), and alumni from Firestone Station and Lynwood Station. Region II was later replaced by Central Patrol Division and South Patrol Division.

19, 2021, obtained by the Association for Los Angeles County Deputy Sheriffs (ALADS).⁷⁹ Which is yet another piece of omitted evidence the OIG and COC repeatedly refuse to acknowledge.

As is the fact a Department memorandum dated September 13, 2004, referred to on page 8 of the Report and Recommendations of the Special Counsel to Sheriff Civilian Oversight Commission Regarding Deputy Gangs and Deputy Cliques in The Los Angeles County Sheriff's Department (2023), used the term "Mexican mafia" to highlight a history of deputy behavior described as "unethical activity engaged in by Century station personnel." What counsel intentionally⁸⁰ omitted from their report was the fact this ended in a multi-million-dollar lawsuit being filed for the violations of their Constitutional rights and ended in jurors deciding "Black supervisors" acted out of "racism" by labeling the "Regulator" sub-group deputies with terms like "Mexican mafia" and "gang members." Why did the special counsel selectively omit facts highlighting the dangers of making defamatory statements about station sub-groups?

It is strange the powers that be are aware of a 2015 Federal Settlement Agreement for patrol stations in the Antelope Valley, which made it a Constitutional violation, absent reasonable suspicion, to ask detained drivers questions like, "If they are on probation or parole; if they are a gang member; if they have any weapons; or, to exhibit any perceived biased policing practices." Yet, these same County government entities saw no problem with their own similarly biased behaviors.

This was the case on May 12, 2023, when the OIG sent a letter⁸¹ to certain personnel suspected of having a station tattoo. The official letter directed personnel to appear and show their uncovered body parts, document any tattoos, and reveal all information surrounding their private life in connection with any tattoos. Personnel were threatened with "failure to cooperate in an investigation into police misconduct is grounds for decertification of a peace officer." Meaning termination. The questions asked in the letter were nothing short of "McCarthyism," such as, "Have you ever been told about other deputies who might be in or have been in the group? If so, which deputies? Who told you this?" The literal personification of "name names!" Amazingly, the letter did not just completely unmask itself and ask, "Are you now, or have you ever been a member of the <u>sub-group</u> party of the United States?⁸²

On March 18, 2024, the Superior Court of California, granted a request for a Preliminary Injunction against the actions of the Board, OIG, and Department from releasing any personnel files of members belonging to the Los Angeles County Professional Peace Officers Association (PPOA) labor union. For now, the efforts to create a new "Blacklist" have been stayed by the court, but what the future holds is uncertain.

It should be noted on June 30, 2023, soon after PPOA filed the above-indicated motions, a crowd of anti-police activists led by the co-founder of a major Marxist social justice organization, protested in front of the court to signify displeasure with the labor union's challenge of the Constitutional

⁷⁹ Tehranian, John, "Proposed Los Angeles County Civilian Oversight Committee Policy to Ban Deputy Subgroups" (Opinion Letter, November 19, 2021).

⁸⁰ The case was well known, and a simple internet search in due diligence would have revealed the headlines from October 17, 2018.

⁸¹ Letter sent on May 12, 2023, to a number of sworn personnel from Max Huntsman and the Office of the Inspector General, on behalf of the Los Angeles County Board of Supervisors.

⁸² A question asked during the "red scare" by Senator McCarthy; "Are you now, or have you ever been, a member of the Communist Party of the United States?" The senate hearings destroyed the lives of those they "blacklisted."

infringement. This is yet another example highlighting the incredibly coordinated nature and weaponized bond currently in existence between social justice activism, county government, and of course the media, who covered the event.

For real change to occur, the decision to no longer join these groups needs to be an educated one made voluntarily, not through intimidation, threat, coercion, or "blacklists." The solution for this issue is not the stick, it is the carrot.

Station Sub-Groups: Avoid Certain Tattoos

These groups once may have served a purpose, but times have changed. The conditions these groups were initially formed under, largely no longer exist. The leadership, policies, and procedures implemented by the 33rd sheriff,⁸³ were effective in educating the current workforce and influencing them to no longer join sub-groups. This hypothesis could have easily been quantified in the study conducted by the *RAND Corporation*, but for some inexplicable reason, the exculpatory questions were never explored as part of the methodology.

Notwithstanding, all in law enforcement are advised to avoid future station sub-group memberships altogether, or at least those that involve violent or offensively perceived tattoos, as viewed by the community. It has become clear the community feels Department members who associate with these particular sub-groups are wrong in doing so; this issue has driven a wedge between law enforcement and service to the public. This wedge has served to delegitimize, in the eyes of some, and trust must be restored. Without public support, law enforcement fails.

As stated in the 7th Peelian Principle,⁸⁴ "To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence."

Station Sub-Groups: Station Tattoo, Not "Gang Tattoo"

Station tattoo is the correct term. On March 16, 2023, Sheriff Robert G. Luna told the COC, that Undersheriff April Tardy "does not have a gang tattoo" and "there is a difference between a station tattoo and a gang tattoo." Sheriff Luna was 100% correct, the Temple Patrol Station "V" tattoo is not a "gang tattoo." On March 7, 2024, before concluding his testimony at the COC, Mr. Murakami issued an astute warning against categorizing "good and bad" groups and forewarned it is a very "slippery slope." Mr. Murakami was 100% correct, these sub-groups either all have "station tattoos," or all have "gang tattoos."

Sheriff Luna has repeatedly pointed to Division Director Eileen Decker, hired soon after he took the reins, as the head of all "deputy gangs" issues, but we never hear from her. Does Sheriff Luna and Ms. Decker believe a Constitutionally sound policy can be implemented for good station tattoos, and bad "gang" tattoos? If so, where and when can we expect public access to their list, and what Constitutionally sound objective rubric was certified to impartially sort them?

There has already been public acknowledgment not all sub-groups have "gang tattoos," which is a good starting point to build upon, but still not the key to unlocking the solution. The solution can

⁸³ The Honorable Alex Villanueva, DPA.

⁸⁴ Peel, Robert, "The Nine Principles of Policing" (Metropolitan Police, 1829).

be found in each individual, not the sub-group. Personal accountability for one's own actions is the solution, not mass hysteria, group stereotyping, and group punishment.

Admittedly, some sub-groups lost sight of the fact a station sub-group symbol should ignite inspiration, not fear. A symbol should reflect the espoused values of a group and foster partnership with the communities; the same communities many in law enforcement have lost their lives protecting. And most can agree, the symbols chosen as the "station tattoo" by some of these sub-groups are in poor taste and not a unifying symbol. Basic common sense should have dictated a flaming skeleton wearing a combat helmet while wielding an AK-47, or a skeleton head pointing a gun next to a "dead man's" poker hand, would eventually serve as a divisive wedge to positive community relations and does not convincingly message, "We care about our community and will serve it faithfully." No one would ever expect a bunch of cops to get a *Hello Kitty* tattoo, but maybe discontinue the heavy focus on morbid terror?

But, what about the majority of other "station tattoo" symbols though? What is so offensive about silly cartoon characters, Roman numerals, bland work gear, and other harmless representations? It is believed there have been at least 30+ patrol station tattoos over the years, yet the only ones publicized are the "scary" ones. Why do critics repeatedly ignore the fact approximately three-fifths of the patrol station sub-groups are unidentified and unlinked to credible allegations of misconduct? Is it because the unidentified sub-groups would water down the frightfulness of the "deputy gang" hype being created?

As a reminder, the First Amendment applies to all Americans. Absurd hypothetical questions about having "Swastika" tattoos, as asked at a recent COC meeting, serve to evoke negative emotions and outrage, not solve problems. To be clear, no member of the Department has <u>ever</u> been accused of having a tattoo of that nature. Why ask unfounded racially charged hypotheticals, other than to invoke negative emotions and cloud the issue?

Station Sub-Groups: Good, Bad, or Redeemable

Communities are comprised of both "good" and "bad" people. The law enforcement profession hires from the community; therefore logically, the profession will be comprised of both good and bad personnel. Although the Department screens applicants in the hiring process, there are still some bad people who slip through. Sometimes those bad people join a station sub-group, and sometimes they do not. When a bad person engages in misconduct, it is because they chose to break the rules. If they belong to a sub-group, it does not mean the sub-group broke the rules. It means the individual is bad, just like it would if the individual did not belong to a sub-group and broke the rules.

Most often, there are times when good people make mistakes and engage in misconduct. Whether the individual belongs to a sub-group or not, the fault lies with them. It also does not mean the individual is bad. It means a good person made a bad mistake and along with holding them administratively accountable, we should do everything we can to <u>save</u> the person.

These are basic leadership lessons most experienced supervisors and managers are well aware of. Contrary to the bumper sticker wisdom of anti-law enforcement activists, "One bad apple does <u>not</u> mean the whole bunch is rotten!" It means, we have one <u>bad</u> apple, and we can either get rid of it, or we can <u>redeem</u> it; all the rest remain <u>good</u> apples.

Station Sub-Groups: Words Matter

They are law-enforcement-sub-groups, not "gangs." Some may relegate and call this a matter of semantics, but <u>words matter</u>. The word "gangs" inaccurately invokes negative mental models of criminal enterprises engaged in misconduct, while the words "sub-groups, cliques, and fraternities" all invoke more accurate depictions of clubs and anodyne recreational associations.

Admittedly, membership in <u>some</u> of these sub-groups has potentially, eroded public trust, increased the risk of civil liability, created a negative public perception, and harmed organizational morale. This is why <u>some</u> should consider disassociating from certain sub-groups and covering or removing their tattoos. Not because they are criminal organizations or gangs, they are not. But, the inflammatory symbols some sub-groups have chosen to represent their groups have metamorphosized into a divisive wedge with the community, affecting their primary mission of serving the public.

So, what about the hundreds and hundreds, of current active-duty personnel who may have become members of a sub-group when there was "tacit approval" by Department senior executives? What is their path forward? Most are still the same high-achieving top performers they have always been, but now they have been condemned to live under the stigma of being a deputy "gang" member. A term that negatively affects their careers, promotions, and job assignments. Why have there been so many negative resolutions involving deputy "gangs," but not a single positive resolution, such as a resolution to create a confidential tattoo removal program for deputies who may want to remove their station tattoo? Why has there only been a focus on negativity?

Perpetuating the "law enforcement gangs" narrative only serves to alienate. The basic tenets of 21st-century policing involve the removal of "us vs. them" mentalities, yet the "deputy gangs" inquisition has been nothing but an "us vs. them" crusade. If elected officials continue with their "deputy gangs" attacks, those in a position to leave should explore their employment options with other agencies. Other strategies include being brutally honest with anyone in your circle of influence interested in this career and steering them to more respectful and appreciative entities. Abusive employers who do not value their employees must sometimes learn their lessons the hard way.

Why would anyone ever want to go to work and potentially lose their life protecting their community, when they are labeled a law enforcement "gang" member? All most want in return for their dedicated service is a paycheck, a little respect, and not to be referred to as a "gang member." Maintaining this course will contribute to the collapse of the Department, and the eventual end of the law enforcement profession as we know it, which many have declared was their goal. Contemplate calling 9-1-1 for help and your screams are met by a recorded voice message,

Hello. We're sorry, but the 9-1-1 call system has been discontinued. Your message will be forwarded to an outreach ambassador in the morning, who can empower you with community-based solutions, between the hours of 9 am and 5 pm. Thank you for your call, it is important to us and will eventually be responded to in the order it was received. Goodbye.

A bit of levity to emphasize a point, although some do not see it as a joke and want exactly what was just described. A complete abolishment of law enforcement services, to be replaced by 100%

taxpayer-funded non-profit organizations with community-based solutions for public safety. "From each according to his ability, to each according to his needs." 85

Closing Statement

There are no law enforcement "gangs!" In Los Angeles County, social justice activists have taken over much of the political system, either directly through elections, or indirectly through financial and political support. The weaponization of government assets and lawfare against anything standing in the way of their political ideologies and objectives have become commonplace. Public tax dollars continue to be taken from law enforcement budgets and redirected to non-profit organizations that share the same social justice political ideologies. The more dispersions cast upon law enforcement, the easier it becomes to defund them and redistribute the funds. As crime continues to rise, skewed⁸⁶ data is intentionally misrepresented and used for false narratives by these entities. Labeling and referring to members of the Los Angeles County Sheriff's Department as "gang members" is a successful strategy to continue redirecting public assets to their like-minded supporters.

As already said, "deputy gang" members are like unicorns, everybody knows what one looks like, but nobody has ever actually found a real one. This is why there are more unknown and nameless clubs and sub-groups, than ones written about; because they are benign and not "gangs."

"Law Enforcement Gangs" are a myth created to rename existing clubs in order to enhance civil lawsuits and push political ideologies. The "evidence" these groups are "gangs" is not factual, or even anecdotal, it is based on emotion, rumor, hype, hearsay, falsehoods, false/discredited testimony, carefully engineered circular narratives, and selfish desires to enrich oneself. There is a well-established pattern of lies by omission, false evidence, unethical behavior, and "perjury." These ethical failures all serve to destroy the credibility, trustworthiness, validity, and reliability of the existing "deputy gangs" narrative.

Yes, there is occasionally misconduct within the organization. Human beings are flawed and will never be perfect. Yet, there is no more misconduct in law enforcement than there is with lawyers, medical doctors, dentists, accountants, or any other profession. When misconduct is discovered, it is dealt with under the law, either administratively or criminally, and is on the individual, not the club they may or may not belong to. As stated in the CSULA study findings, "Misconduct is an individual behavior." It is not a group behavior.

To date, there has never been a shred of evidence showing a sub-group in furtherance of a "pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing." In the exceedingly improbable event someone is ever proven to violate Section 13670 of the Penal Code, and decertified as a peace officer under Senate Bill 2, then they, and they alone, qualify to be referred to by the slanderous term. Until then, there are no law enforcement "gang" members, or "deputy gangs," and the use of the term is offensive.

⁸⁵ A slogan attributed to Karl Marx (1875), meaning free access to and distribution of goods, capital, and services, in a communist system with socialism.

⁸⁶ Example: When a "retail theft mob" of 40-50 people swarms a retail business and each person steals items, which when added together total \$25K-\$30K, the current method of reporting only counts the multiple thefts as a single event, thus misrepresenting and skewing the data. The "one" theft crime statistic, in reality, represents 40-50 crimes. In some areas, recent skewed data actually is used to deceptively claim a drop in crime, which is absolutely not the case.

Let this grim tale serve as a sober warning to all; it happened slowly at first, then all at once, ⁸⁷ do not let it happen to you. ◆



John Satterfield, Ed. D is the president of <u>Guardian Consulting Corp.</u>, specializing in 21st-century police training, expert courtroom testimony, and public safety journalism. His distinguished law enforcement career spanned over 32 1/2 years with the Los Angeles County Sheriff's Department, retiring at the rank of Commander. He is also a Gulf War combat veteran who served 6-years on active duty in the U.S. Marine Corps. Satterfield is a graduate of both the POST Master Instructor and Executive Development Programs and earned a Doctor of Education degree from the University of Southern California. You can contact John at <u>GuardianConsultingCorp@Outlook.com</u>, or on <u>LinkedIn</u>.

⁸⁷ A reference to a line in the Ernest Hemingway novel, *The Sun Also Rises* (1926). In conversation, a man was asked how he went bankrupt, and he answered, "Two ways. Gradually, then suddenly."