



COUNTY OF LOS ANGELES OFFICE OF INSPECTOR GENERAL

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INSPECTOR GENERAL

March 21, 2022

Sheriff Alex Villanueva
Los Angeles County Sheriff's Department
Hall of Justice, 8th Floor
211 West Temple Street
Los Angeles, California 90012

Dear Sheriff Villanueva:

I am writing to repeat my request for documentation first sent to you on January 19, 2022, and to respond to a separate letter from Undersheriff Timothy Murakami dated February 10, 2022. The thirty days provided for production of the requested documents in our January 19, 2022, letter have elapsed, and to date we have not received any of the requested items. Please provide the documents and information enumerated below by no later than March 31, 2022.

Penal Code Section 13670

California Penal Code section 13670 requires that law enforcement agencies maintain a policy prohibiting participation in "law enforcement gangs," including groups that violate federal or state antidiscrimination laws. The statute also requires law enforcement agencies to cooperate in inspector general investigations into the existence of such gangs. Please consider this a request for cooperation pursuant to Penal Code section 13670(b) and Los Angeles County Code section 6.44.190(I), for the production of books and accounts for inspection under Government Code section 25303, and for the provision of information in a directed manner under section 6.44.190(I).

Undersheriff Murakami's letter objects to the use of the term "deputy gangs" and contends that the term "stems from . . . false allegations made by a now discredited deputy sheriff." You made similar claims in a February 16, 2022, letter to the Board of Supervisors. These contentions ignore the plain language of section 13670 and the history of the Los Angeles County Sheriff's Department, misapprehend the legislative history of section 13670, and attempt to distract from the importance of the issues the Office of Inspector General ("OIG") is investigating.

The original version of Assembly Bill 958, which is codified in section 13670, used the term “law enforcement clique.” See California Bill Analysis, A.B. 958 Assem., 4/27/2021. Recognizing that the term “clique” was not accurate, the Legislature replaced it with “gang.” See California Bill Analysis, A.B. 958 Assem. (Assembly Floor Analyses), 7/8/2021. The Legislature also expanded AB 958’s original definition of “law enforcement clique” by specifically including in the new definition of “law enforcement gang” “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.” *Id.*

In support of these changes, the Assembly’s Bill Analysis explained that “[r]eports about gangs within the LA county sheriff have been widely reported.” *Id.* and cited reports. The Senate Bill Analysis further explained: “Allegations of malicious behavior by gangs formed within law enforcement agencies has not been strictly limited to the Los Angeles County Sheriff. However, it does appear to be the agency with the *most prolific problem.*” See California Bill Analysis, A.B. 958 Assem. (Senate Floor Analyses), 7/8/2021 (*emphasis added*).

This history of section 13670 clearly establishes that the Legislature enacted the statute to root out “law enforcement gangs,” including specifically in the Sheriff’s Department. The OIG’s investigation seeks to effectuate the purpose of section 13670, and the Sheriff’s Department is mandated by law to cooperate with this office. Failure to do so will be a violation of section 13670.

Tattooed Members of the Banditos or Executioners

To the extent Undersheriff Murakami’s letter seeks the existence of facts requiring investigation under Penal Code section 13670, I refer you to the following Sheriff’s Department investigations, which include admissions of members with tattoos and allegations of gang-like behavior:

Internal Criminal Investigation Bureau Investigation 918-00055-2003-441

Internal Affairs Investigation IV2464157

Internal Affairs Investigation IV2514097

The evidence collected in these cases requires additional investigation by this office to determine whether the members of the Banditos or Executioners *“engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including but not limited to, excluding, harassing, or discriminating against any individual based on a protected category under federal or state antidiscrimination laws,”* as defined in Penal Code section 13670 (emphasis added).

As you are aware, these investigations uncovered substantial evidence of a variety of conduct relevant to the definition of “law enforcement gang” under the Penal Code, including violent acts against sworn personnel and discrimination in membership based upon race and gender. For instance, see the Office of Inspector General Report *Analysis of the Criminal Investigation of Alleged Assault by the Banditos*,¹ which in reviewing the ICIB investigation of the “Kennedy Hall Incident” states, *“It is of concern that despite gleaning information from five deputies about East LA station’s veteran deputies’ association with a group known as the Banditos, witnesses were not thoroughly questioned about the group and some witnesses were not questioned at all regarding their knowledge of the Banditos. Even without thorough investigation, the evidence establishes the motive for these assaults was intimidation and enforcement of standards of policing established by the veteran deputies who identified as Banditos.”* (emphasis added).

Undersheriff Murakami’s letter asked for a “list of personnel who [the OIG has] identified to be in violation of [section] 13670.” Here again, you misapprehend the nature of this office’s request for documents and information. The OIG has not identified anyone to be “in violation” of section 13670. Rather, it is conducting a lawful investigation of these issues. The Sheriff’s Department may not refuse to produce the records requested below by unilaterally declaring that no deputy sheriff is a member of a “law enforcement gang.” OIG is required by law to investigate any group that may potentially fall under section 13670 and section 13670 requires the Sheriff’s Department to cooperate in the investigation.

¹https://oig.lacounty.gov/Portals/OIG/Reports/Review_Banditos_Investigation.pdf?ver=qKWrmZe26J3u6iyZ1Sxd2g%3d%3d

We have compiled a partial list of deputies whom the Sheriff's Department itself has identified as allegedly being tattooed members of the Banditos or Executioners², taken from the above-mentioned investigations, and can provide this list to you separately if needed.³ The list contains eleven alleged Banditos and thirty alleged Executioners. Because these groups may fall within the definition of a "law enforcement gang" under section 13670, the OIG is entitled to records to conduct its investigation.

Undersheriff Murakami's letter contends that the OIG is requesting records it already possesses or has "viewed." This is inaccurate because OIG is requesting many records it does not have. Moreover, the Sheriff's Department is required to produce all records related to OIG's section 13670 investigation, including records it has produced previously, so OIG can ensure the production is complete and that there is a clear trail of documents and information produced by the Department pertaining to this investigation. However, as an accommodation to the Sheriff's Department, OIG is willing to accept "new" and/or unique documents that the Sheriff's Department has not produced previously, provided that the Department certifies it has ensured the completeness of its production. This will require the Department to search for and collect all responsive records, compare that set of materials to documents it has produced previously, and produce all "new" and/or unique documents. Moreover, the Department must specifically identify all documents it has produced previously that are not produced pursuant to this request, so that OIG may track all responsive records pertaining to this investigation. If the Sheriff's Department elects this option, please ensure that the Department's production is complete and please include with the production the foregoing information in its certification.

Documents and Information Requests

To effectively fulfill our oversight function delineated within Los Angeles County Code section 6.44.190, providing for the gathering of information and collection of records, and as required by Penal Code section 13670, we are requesting the Department instruct all personnel to cooperate with our investigation as directed and provide all documents and information relating to the categories of information requested below.

² The name "Executioners" has been used to describe a deputy gang based out of the Sheriff's Department's Compton Station with similar tattoos consisting of a skeleton with a Nazi-style military helmet. The members of this deputy gang may not use the name Executioners, but instead may use another name to identify themselves.

³ The list will only be provided to those who have a legal right to possess it and will not be shared otherwise.

For ease of reference, "Documents and Information" includes, without limitation, all documents, files, records, books, papers, writings, and video and audio recordings. The word "Communications" means, without limitation, any type of communication using any form or media, including but not limited to email, instant messenger service, text message, voicemail message, or any other computerized and/or electronic transmission, as well as any written, typed, taped, or recorded communication of any kind.

When a request uses the words "related to" or "relating to," it should be read to seek all documents, files, records, books, papers, writings, video and audio recordings, and/or Communications (as defined) that state, mention, contain, describe, discuss, reflect, refer to, or indicate (in whole or in part) any of the items sought in that category.

Categories:

1. Documents and Information relating to any alleged secret society, group, clique, "law enforcement gang" (as that term is defined in Penal Code section 13670(a)(2)), or other form of organization (whether formal or informal), comprised of two or more deputy sheriffs or employees in the Sheriff's Department (hereinafter, "Potential Law Enforcement Gang" or "Potential Law Enforcement Gangs"). This category requests, without limitation, Documents and Information relating to the following Potential Law Enforcement Gangs:
 - a. Executioners.
 - b. Gladiators
 - c. Any group that identifies as "old ink" or "new ink"
 - d. Banditos.
 - e. Regulators.
 - f. Jump Out Boys.
 - g. Gladiators.
 - h. The Grim Reapers.
 - i. The Vikings.
 - j. Any other group alleged by anyone to be a Potential Law Enforcement Gang.
2. Documents and Information relating to any allegation, report, or complaint, whether substantiated or not (collectively, "Any Allegation"), that any current or former deputy sheriff or employee of the Sheriff's Department was, has been, or is currently a member of any Potential Law Enforcement Gang. This category requests, without limitation, Documents and Information relating to Any Allegation that any current or former deputy sheriff or employee of the Sheriff's Department has ever had:

- a. A tattoo of a skull wearing a helmet mimicking or resembling the Nazi Stahlhelm design; and/or
 - b. A tattoo carrying assault rifles consistent with the AK47; and/or
 - c. Matching tattoos associated or connected with a Potential Law Enforcement Gang.
3. Documents and Information relating to:
 - a. Internal Criminal Investigation Bureau Investigation 918-00055-2003-441.
 - b. Internal Affairs Investigation IV2464157.
 - c. Internal Affairs Investigation IV2514097.
4. Documents and Information relating to all Watch Commander Service Comment investigations, all IAB investigations, all ICIB investigations, and all Unit Level investigations of Any Allegation that any current or former deputy sheriff or employee of the Sheriff's Department was, has been, or is currently a member of any Potential Law Enforcement Gang.
 - a. This category requests without limitation ICIB logs and other electronic records, including emails, reflecting direction from Sheriff Villanueva, or any other supervisory personnel, communicated to the investigative staff assigned to investigate the "Kennedy Hall incident" (ICIB case 918-00055-2003-441) regarding whether to collect evidence of Potential Law Enforcement Gang membership, and statements by Sheriff Villanueva or any other supervisory staff regarding the likely outcome of the investigation.
5. All Communications relating to each of the Documents and Information requested as set forth in Requests 1 through 4, inclusive.
6. The following Documents and Information for any current or former deputy sheriff or employee of the Sheriff's Department who has been named or identified in Any Allegation as being a current or former member of any Potential Law Enforcement Gang:
 - a. Employee name.
 - b. Employee number.
 - c. Current assignment and contact information, including last known address, phone number, and email address.
 - d. Photograph of the employee.
 - e. Photographs of any tattoos, including but not limited to, of any Potential Law Enforcement Gang, including "station tattoos".
 - f. Gender of the employee.
 - g. Race of the employee.

Sheriff Alex Villanueva

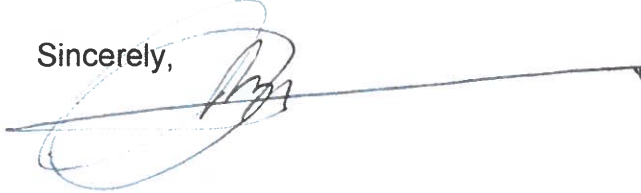
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- h. Sexual Orientation.
- i. Reasons why they have been identified as a Potential Law Enforcement Gang member and any evidence supporting that conclusion or contradicting it.
- j. The name of the associated Potential Law Enforcement Gang.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Max', followed by a long horizontal line extending to the right.

MAX HUNTSMAN
INSPECTOR GENERAL

MH:ec

- c: Supervisor Holly J. Mitchell, Chair
- Supervisor Hilda Solis
- Supervisor Sheila Kuehl
- Supervisor Janice Hahn
- Supervisor Kathryn Barger
- Fesia Davenport, Chief Executive Officer
- Celia Zavala, Executive Officer
- Rodrigo A. Castro-Silva, County Counsel
- Lisa Garrett, Director of Personnel, Human Resources
- Brian K. Williams, Executive Director, Sheriff Civilian Oversight Commission