

LATHAM & WATKINS^{LLP}

CCJV Management Team Findings

1. The Sheriff Failed to Monitor and Proactively Control Use of Force

- The Sheriff allowed his Undersheriff and Assistant Sheriff to run the Custody Division without effective oversight
- The Sheriff has said he was unaware of the problems in the jails until recently

2. Senior Management Failed to Investigate Excessive Use of Force Problems

- Senior Management insulated the Sheriff from force issues and other bad news
 - Cavanaugh and Burns did not tell the Sheriff about Olmsted's concerns regarding jail violence
- Undersheriff Tanaka testified he was unaware of force problems at MCJ

3. LASD Management Has Known About and Failed to Address Problems with Deputy Cliques

- Substantial evidence that:
 - The Department was aware of deputy cliques dating back many years
 - Deputy cliques present at MCJ and known to high level management as far back as 2004
 - Efforts to address cliques vetoed by Tanaka

4. The Undersheriff Failed to Uphold the Department's Goals & Values

- Substantial evidence that Tanaka:
 - Urged deputies to be aggressive, “work in the grey area,” and “function right on the edge of the line”
 - Made comments that undermine the credibility of IAB
 - Discouraged supervisors from investigating deputy misconduct

5. Key Department Leaders Ignored and Failed to Address Deputy Aggression at MCJ

- Department Leaders had a lax attitude towards deputy aggression and discouraged deputy discipline
- Olmstead and others reported MCJ force problems to Department Leaders but were ignored

6. There Was a Breakdown in the Chain of Command at MCJ

- Tanaka encouraged and permitted deputies to circumvent the chain of command
 - Undermined Captain Clark, as well as his commander and the Chief of Custody
- Other captains failed to respect the chain of command
 - Evidence that Captain Cruz did not respect his superiors

7. The Sheriff Has Failed to Hold Senior Management Accountable

- The Sheriff has criticized his management for failing to alert him to MCJ problems
- The Sheriff has acknowledged that Tanaka's comments were inappropriate and sent the wrong message to Department personnel
- No record that senior management has been disciplined, demoted, or faced any consequences

8. The Sheriff Appears to Lack Confidence in Senior Management Responsible for Custody

- Created the Commander Management Task Force to “cut through the bureaucracy”
- Recently shifted the reporting responsibilities of IAB and ICIB
- Modified the process for review of serious discipline

9. The Current Management Structure Over Custody is Flawed

- The current Assistant Sheriff for Custody has far too many responsibilities
 - Custody
 - Court Services Division
 - Technical Services Division
 - Leadership and Training Division
- No direct reporting relationship with the Sheriff
 - Reports to the Undersheriff

10. There is a Perception that Promotions are Based Upon Loyalty, Not Merit

- Many department members believe promotions and assignments are based on loyalty to the Undersheriff
- Campaign contributions accepted by Tanaka furthered the perception of patronage
 - No formal policy governs the acceptance of contributions from employees in the Department