

The Dispatcher Cries Wolf – Again

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In no less than three separate “articles” in its October 2005 edition, the ALADS Dispatcher returns to the topic of the Office of Independent Review. Unfortunately, as with past issues of the paper, the October articles also return to a pattern of unsubstantiated criticism and unfair allegations. Our interest in reducing confusion as a result of the dissemination of inaccurate information compels me to again correct the record.

In the first article, authored by Roy Burns and entitled “Nation of Islam Leader says ‘MAKE ME’”, the author discusses the recent confrontation between Minister Tony Mohammad and the Los Angeles Police Department. In the article, Mr. Burns claims that “[f]ostering violent confrontations between their self-appointed leaders and peace officers is the stock and trade of the NOI, and their (sic) not about to stop on their own.”

From there, Mr. Burns makes the bold – and completely illogical – jump to me and OIR. Though he stops short of accusing me of actually provoking controversial incidents involving LASD, he does portray me as an individual who waits for high profile incidents to exploit for the sake of my own agenda – all at the expense of fairness to deputies. The facts, however, tell a different story.

What Mr. Burns conveniently ignores is that OIR’s longstanding protocol gives it the opportunity and responsibility to monitor the full range of discipline cases, shootings and other critical events. Some are high profile, but many are routine and below the radar of media attention or controversy. Nonetheless, my colleagues and I remain committed to carrying out our mission in the same way each time: to ensure that investigations are thorough, fair, and effective. In a high profile event, our involvement is also meant to reassure the public that the Department is handling the incident with the proper levels of attention and concern. This transparency not only promotes accountability, but also benefits the Department in the form of increased credibility and heightened public confidence.

As to the article’s allegation that after another high profile incident I will be off “running to federal prosecutors,” I have refuted this baseless charge before. Perhaps the Dispatcher believes that sufficient repetition compensates for accuracy and factual support, but I expect that careful readers will think otherwise.

In the second article in the Dispatcher entitled “Office of Independent Review Counsel Michael Gennaco Allowed to Participate in Compton Shooting Deputies’ Investigation,” the promising correctness of the headline quickly gives way to further unsubstantiated opinion. The anonymous author insists that deputies involved in that shooting somehow compromised their interests by agreeing to OIR’s presence at their interviews, and fell into OIR’s ongoing master plan to “crucify” deputies. Again, the facts belie this attempt by the author to engender concern

among deputies regarding OIR's role in LASD's internal investigative process.

LASD uses administrative interviews as a fact gathering exercise in order to gain insight into the deputies' observations, actions, responses, and mind set during critical incidents. We cannot see how being able to hear first-hand the account of each of the involved deputies somehow worked to their detriment and somehow infringes on our independence. It certainly helped us in our review process to learn soon in time the mind set of each of the deputies rather than await the tape recorded interviews and transcripts that are ultimately made available to us in every case.

Regarding the limited follow up questions that we asked of the deputies at the end of the interviews, those questions were simply intended to clarify their account of the incident. As we indicated in our Report of the Compton shooting incident, the additional questions posed by us actually worked to the benefit of the deputies on several instances, as it helped us and the Department's reviewers to better understand their mind set and actions. We also note that the immediate and subsequent feedback from the deputies directly involved in the interviews indicated no such concern or belief that our presence or involvement was a ploy to "get them" or in any way worked to their detriment.

Finally, in yet another article authored by Mr. Burns entitled "Disciplinary Delays," he claims that it is OIR's "meddling in disciplinary affairs" that is responsible for the "needless delays in dozens of cases." In the article itself, Mr. Burns cites not one example of a time in which OIR's "meddling" caused a disciplinary case to be delayed. As we have reported, it is our intent not to ever unnecessarily slow down the disciplinary process. When we receive an internal investigative report for review, we read it immediately and promptly reach out to the Departmental decision maker so that we can make timely recommendations on case outcomes. When we detect a case that has languished, our recommendation to the Department is to do what it can to finish the investigation. We have systemically attacked the delay issue by working with the Department to move the investigations along at a faster pace. Because of these facts, I am not surprised that Mr. Burns fails to cite even one example to support his alarmist claims.

We find it unfortunate that the Dispatcher continues to publish misleading and baseless allegations regarding OIR's role in LASD's internal investigations. However, we will continue to publicly respond to each allegation in order to provide the true facts about these matters.