

Communication from Public

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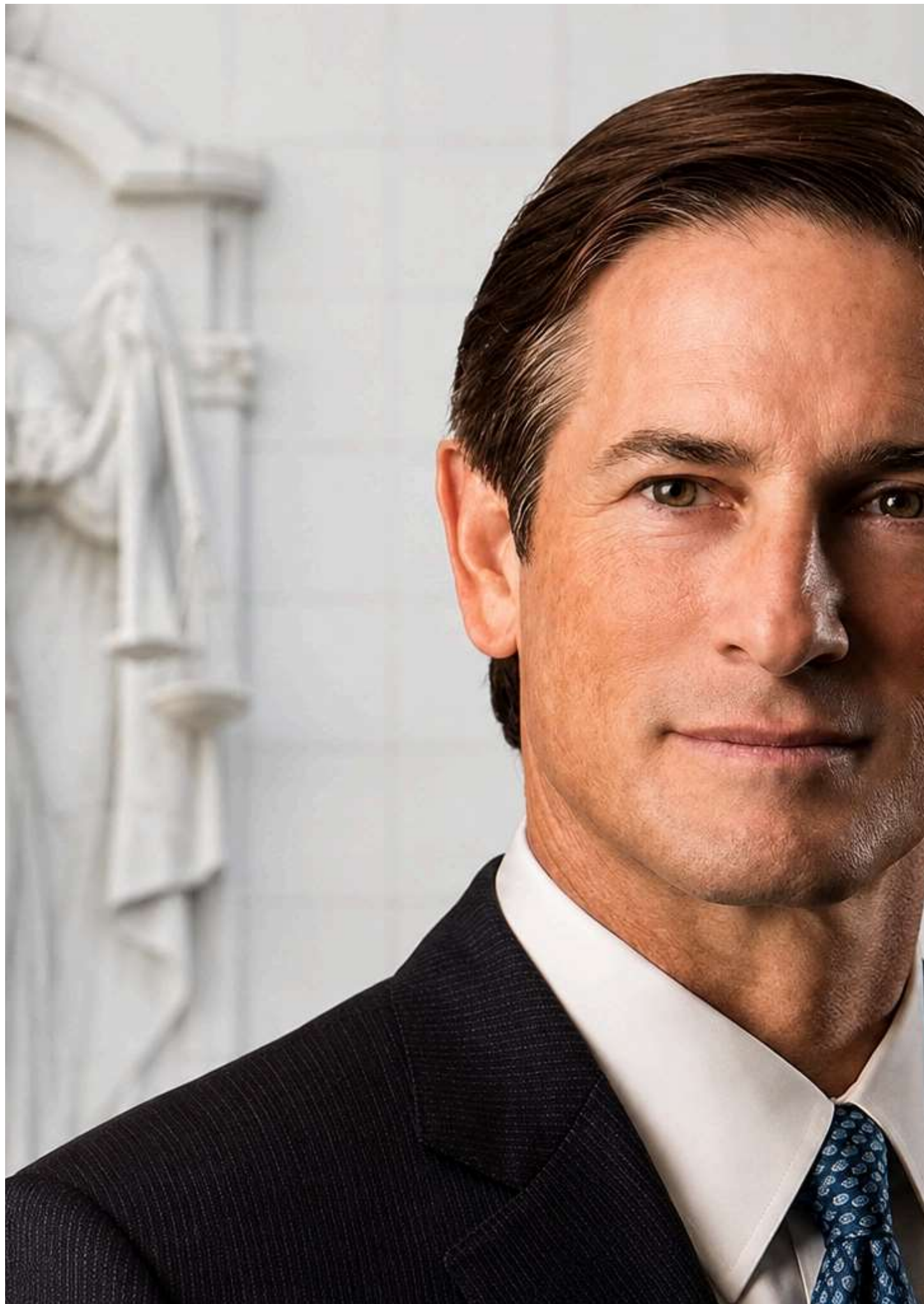
Comments for Public Posting: Honorable City Councilmembers, I am calling on the Los Angeles City Council to demand accountability from the LAPD and the Board of Police Commissioners for failing to address ongoing internal problems within the department. Oversight must produce measurable improvements, not delays or assurances. When serious issues persist, public trust erodes—and the city pays the price. Rising liability payouts place additional pressure on Los Angeles and its departments. This is not just a budget issue; it reflects continuing harms and the cost of systems that are not working. City Council leadership must treat this as an urgent accountability matter and ensure decisive action to address LAPD internal challenges. I urge the Council to strengthen oversight with meaningful, enforceable reforms, including: clear timelines for corrective action; regular public reporting on progress; independent review of recurring internal failures; and transparency requirements that allow the public to understand what is being fixed and whether it is improving outcomes. I ask that you contact the Board of Police Commissioners and Chief McDonnell to commit to specific reforms immediately, and that you hold them to those commitments in public. I urge LA residents to contact their City Council representatives, attend upcoming public meetings, and demand major, meaningful reforms. Thank you.

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LOS ANGELES

Shame on DA Nathan Hochman: The Prosecution of LAPD Officer Daniel Flores

Written by Caroline Aguirre.



0 Comments

BETWEEN THE LINES - Shame, shame on Los Angeles County District Attorney Nathan Hochman.

Hochman has filed 16 felony counts against LAPD Officer Daniel Flores for allegedly illegally recording coworkers who used racial slurs and made homophobic, demeaning and disparaging remarks about candidates who had applied to become members of the Los Angeles Police Department.

The recordings reportedly took place in their assigned workplace and during working hours.

Hochman has stated that Flores could have reported this unacceptable and distasteful behavior to his supervisor, the LAPD Internal Affairs Group or the Office of the Inspector General.

That sounds good, but anyone familiar with the history of LAPD should ask a very important question: What happens to officers who actually report misconduct?

Both the City of Los Angeles and the Los Angeles Police Department serve an extraordinarily diverse population. There should be no tolerance for racial, homophobic or degrading remarks within the department, particularly when those remarks concern people seeking to become LAPD officers.

What Happened When Other Officers Complained?

In 2017, Josh Rubenstein was commanding officer of the LAPD Public Communications Group, which oversaw sworn and civilian personnel assigned to the Media Relations Division.

During that period, two Black police officers alleged that Rubenstein referred to them as his “boys” on several occasions. Both officers reportedly asked Rubenstein to stop referring to them that way, but according to their allegations, the conduct continued.

A formal written report was subsequently submitted concerning Rubenstein's remarks.

The term “boy” has a long and disgraceful history when used to demean and dehumanize Black men. It harkens back to an era of Jim Crow, racial segregation and the disenfranchisement of African Americans.

Both officers subsequently pursued civil lawsuits.

Now one would think that what is good for the goose is good for the gander.

Not so fast.

Josh Rubenstein is currently Communications Director for the Los Angeles County District Attorney's Office.

So, Mr. Hochman, perhaps you can explain something.

What follow-up occurred regarding the complaints against Rubenstein? Was there an investigation by LAPD Internal Affairs or another oversight agency? What were its findings?

And considering those allegations, why is Rubenstein now serving as Communications Director for your office?

The appearance of hypocrisy is difficult to ignore.

Hochman's Case Against Flores

Let's look at Hochman's explanation for filing criminal charges against Flores.

Prosecutors allege that Flores initiated some of the unacceptable conversations and then erased portions of the recordings containing his own statements. They also contend that Flores was emotionally upset by his coworkers' behavior and wanted to sue the department.

Finally, prosecutors say Flores failed to report his concerns to supervisors, Internal Affairs or the Inspector General before making the recordings.

My first question is: Where was the supervisor?

Did a supervisor know what was being said? Were supervisors present when any of these conversations occurred? Did anyone in authority hear similar comments and do nothing?

Those questions deserve answers.

As for the allegation that Flores participated in some of these conversations, Hochman knows that law enforcement officers sometimes participate in conversations or activities during investigations to obtain information.

Undercover narcotics officers do it. Confidential informants do it. Officers investigating criminal activity sometimes say or do things to keep a conversation going so they can obtain evidence.

That does not automatically mean Flores' recordings were legal. But the circumstances surrounding why the recordings were made should not simply be brushed aside.

I can also understand why Flores might have become increasingly upset after repeatedly hearing coworkers allegedly make racial, homophobic and crude remarks about people of different races and backgrounds.

Why Not Just Go to Internal Affairs?

Hochman's argument assumes that an LAPD officer can simply walk into Internal Affairs, report another officer and trust that everything will work exactly as intended.

The history of LAPD suggests that things can be more complicated.

For years, officers have feared that reporting fellow officers could result in being labeled a "snitch" or becoming professionally isolated. That fear can cause officers who witness questionable conduct to remain silent.

There have also been lawsuits involving LAPD personnel alleging retaliation, favoritism or interference with internal investigations.

Several years ago, for example, a female LAPD officer learned that her face had allegedly been placed onto lewd photographs. According to allegations made in subsequent litigation, she sought assistance within the department but was dissatisfied with its response and ultimately filed a lawsuit.

There have also been cases in which LAPD Internal Affairs investigators themselves alleged that investigations involving favored officers were interfered with or halted.

These cases raise an obvious question: If officers don't believe the internal system will protect them, how realistic is Hochman's argument that Flores should simply have gone to Internal Affairs?

Another Secret Recording Case

There is another case worth considering.

Several years ago, a California parole agent assigned to the El Monte parole complex alleged that a supervisor told him she would give him a favorable rating if he joined the Chicano Peace Officers Association.

The parole agent reportedly recorded the conversation without the supervisor's knowledge or consent.

The matter eventually went to court.

Unlike Flores, however, the parole agent was not criminally prosecuted by the California Attorney General for making the recording.

The circumstances of that case were different, and one case does not necessarily determine the outcome of another. But it demonstrates why the circumstances surrounding a workplace recording matter.

Was There an Expectation of Privacy?

Hochman's case also raises the issue of whether the people recorded by Flores had a reasonable expectation that their conversations were confidential.

California law generally prohibits recording confidential communications without the consent of all parties.

But whether a particular conversation is legally considered confidential can depend upon where it occurred, who was present and whether the participants reasonably believed their conversation would remain private.

These recordings reportedly occurred in an LAPD workplace during working hours.

That makes the circumstances important.

A conversation behind a closed office door may present a very different privacy question from an open workplace conversation where other employees can hear what is being said.

Ultimately, that will be an issue for the court.

What About the Officers on the Recordings?

While Hochman's office prosecutes Flores, another question shouldn't disappear:

What is LAPD doing about the officers whose comments were allegedly captured on those recordings?

If LAPD employees made racist, homophobic or degrading remarks about prospective police officers, the department should investigate those statements thoroughly and determine whether those employees violated department policies.

Los Angeles residents deserve a police department where applicants and employees are evaluated on their qualifications—not their race, ethnicity, sexual orientation or other personal characteristics.

The focus cannot simply be on the person who pressed the record button.

It must also be on what was recorded.

Whatever a court ultimately decides about Flores' conduct, he brought allegations of disturbing workplace behavior into public view.

And that deserves attention.

CityWatch previously examined allegations concerning LAPD's internal disciplinary system in the December 8, 2022 article, "LAPD's Broken Internal Affairs Division: Cronyism, Nepotism, Favoritism," and a follow-up article published December 14, 2022.

The Flores case makes those questions relevant once again.

Nathan Hochman may believe Officer Flores violated California law.

But before condemning the officer who exposed these conversations, Hochman and LAPD should answer another question:

What are they doing about the conduct Flores exposed?

(Caroline Aguirre is a retired 24-year State of California law enforcement officer, LAPD family member, community activist and Neighborhood Watch captain. Aguirre is a CityWatch contributor.)