L.A. County Reform: A Cow County No More

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July 2024

In 1855, the main industry of Los Angeles County was the raising and selling of cattle. According to Tom Sitton, the county's leading historian, L.A. was known as a “cow county.”

L.A. County’s governing body in 1855 was an elected board of supervisors of five members combining legislative and executive authority.

One hundred and sixty-nine years later, the county's governing body consists of five supervisors, combining legislative and executive authority.

Is this the ideal form of government both for a pre-Civil War cow county and for a modern metropolis with almost 10 million residents? How did the model of five supervisors with both legislative and executive authority become the solution for 57 of the 58 counties, both L.A. County with its $46.5 billion budget and Alpine County's 1,411 residents and budget of around $16 million?

Current L.A. County supervisors recently took steps to create a November ballot measure to amend the county charter for a separate, elected executive (a county mayor) along with a larger legislative body of nine members. As with all charter changes, the voters have the last word.

Throughout the decades, reformers have identified the problems with L.A. County governance and how to fix them. Districts with 2 million residents each cannot provide genuine representation and access. An expanded board would cut the size of districts. But it's not just about the size of districts. A supervisor with both a representation role and a

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share of administering county departments is unlikely to maximize the connection to residents.

Without an elected executive to direct departments and present a budget, staff must navigate informal power lines to individual supervisors and deputies. The public does not know whom to hold accountable. And for those who live in unincorporated territory (more than a million Angelenos), there is no local mayor or council, only the supervisor.

A half century ago, the John Randolph Haynes and Dora Haynes Foundation funded the Public Commission on Los Angeles County Government, a blue-ribbon panel completely independent of the government. The commission was led by major community leaders and backed by a research team including public policy experts and academics.

The commission’s landmark 1976 report, “To Serve Seven Million,” recommended an elected executive and a nine-member board. The reforms lost at the polls in both 1976 and 1978 in an era of anti-government tax revolt.

So, what gives? How have things stayed unchanged while the arguments for the present system don’t get any better with time?

Begin with the California Constitution. The state currently offers cities and counties some “home rule,” the chance to shape their own governance structures with local voter support.

The 1879 state Constitution allowed cities to create a charter, the city’s constitution. L.A. city jumped at the chance, and by 1888 had passed its first charter.

But counties were left out. Counties were still seen as creatures of the state, rather than as semi-independent, at times feisty players in government.

The 1911 Constitution finally extended charter power to the counties. L.A. city was already a prolific charter maker, learning what changes voters would like and which they would reject. It developed a charter in 1924 that, with major renovations in 1999, has remained the city’s governing document for a century.

The county enthusiastically embraced its new home rule, creating the first county charter in the nation in 1912. Today 14 of the 58 counties have charters. (San Francisco had earlier

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2 The 1879 Constitution has been remarkable in its durability. The 1879, 1911, and current versions all have Article XI to house provisions on local government.
gotten around limits on counties by becoming a city-county, with 11 supervisors and an elected mayor.)

After this hopeful start, the culture of county reform never quite took hold. The constitution and state law allow charter counties to increase the number of supervisors beyond five and are silent on a county mayor. No charter county took advantage of this authority.

Los Angeles County, of course, has changed dramatically from the days of the early charter. The county became more urbanized with an array of duties far beyond being a state administrative unit. Today, the careers and challenges of Los Angeles city and county elected officials overlap, the most obvious case being homelessness. But the numbing uniformity of county governance persists.

Still, the reform impulse that so inspired county leaders in 1911 continues to move forward despite the governmental and legal hoops it must jump through.

When L.A. County voters imposed term limits on supervisors in 2002, the courts allowed it only because the legislature had passed a law specifically authorizing that power. Since the state law did not cover sheriffs, the court ruled that the county cannot place term limits on that office. That’s why county supervisors are limited to three terms, while the sheriff faces no term limits.

When county officials and voters challenged then-sheriff Alex Villanueva, state law was required to empower a civilian oversight commission to enforce subpoenas of the sheriff’s public testimony. The courts could then rely on state law to protect voter-approved provisions to bolster civilian oversight.

As the county debates the new proposal, it’s worth remembering that reform at this level of government is really difficult. There are already the usual impediments to any governance reform, including the ultimate challenge of gaining voter support.

But particularly for the county, the reach of the state Constitution and state law, the unpredictability of how courts might rule on county powers, and the newness of a culture of reform at the county level all offer special challenges. In that light, putting long-established reform ideas onto the table for public officials, community observers, and the voters to consider is a major step forward.
Whether the latest initiative succeeds or fails, there should be no going back to the time when counties and their voters felt powerless to shape their own governance and democracy.

L.A. — a cow county no longer.

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