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INSPECTOR GENERAL

July 7, 2021

TO: Supervisor Hilda Solis, Chair
Supervisor Holly J. Mitchell
Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger

FROM: Max Huntsman for 
Inspector General

SUBJECT: REPORT BACK ON PROTECTING SURVIVING FAMILIES FROM
LAW ENFORCEMENT HARASSMENT AND RETALIATION

Purpose of Memorandum:

By motion on May 4, 2021, the Los Angeles County Board of Supervisors (the Board) directed the Office of Inspector General to consult with impacted families, to update its 2020 report back to the Sheriff Civilian Oversight Commission regarding incidents of harassment and intimidation experienced by surviving families and to: conduct an in-depth investigation that is not limited to complaints filed with the Los Angeles County Sheriff's Department (Sheriff's Department); report back to the Board of Supervisors within 60 days with robust recommendations for supporting families and forbidding any harassment of them; work in collaboration with County Counsel to pursue legal options if there are barriers to the Office of Inspector General's ability to fulfill its directive to report; and consult with impacted families, the Los Angeles District Attorney, and relevant stakeholders and report back to the Board of Supervisors in 60 days on alternative mechanisms for receiving, investigating, and retaining community complaints of deputy harassment, intimidation, and other misconduct.¹

¹ Los Angeles County Board of Supervisors motion: *Protecting Surviving Families from Law Enforcement Harassment and Retaliation*, May 4, 2021, at: <http://file.lacounty.gov/SDSInter/bos/supdocs/158009.pdf>

Office of Inspector General personnel met with several stakeholders including members of the American Civil Liberties Union (ACLU), Black Lives Matter (BLM), and Chicano activist, Carlos Montes, to discuss complaints of family harassment by sheriff's deputies and seek assistance in contacting families impacted by Sheriff's Department's conduct.

As directed, the Office of Inspector General also met with members of the Los Angeles County District Attorney's Office (LADA), including the Head Deputy of LADA's Justice System Integrity Division (JSID), LADA's Special Advisor for Post-Conviction and JSID, and LADA's Community and Government Affairs Liaison, to discuss alternative mechanisms for receiving, investigating, and retaining community complaints of deputy harassment, intimidation, and other misconduct.

Interviews of Families of Decedents Killed as a Result of a Deputy-Involved Shooting

On May 22, 2021, with the assistance of ACLU, BLM, and Carlos Montes, the Office of Inspector General was able to virtually meet with approximately six families to gauge their willingness to meet with staff individually to discuss the trauma they have experienced as a result of harassment and intimidation by the Sheriff's Department and conduct more in-depth investigation of the allegations. Following this initial meeting, interviews were conducted with the families regarding ongoing harassment. The following is a summary of their comments:

A mother whose son was shot and killed on June 27, 2019, during an East Los Angeles (ELA) deputy-involved shooting, previously filed several complaints with the Sheriff's Department. Her initial complaints of harassment are detailed in the Office of Inspector General's report back to the COC on family harassment.² However, since then, the harassment has continued. One instance occurred in October of 2019, when she was at the memorial site for her son. While she and others were at the memorial site, she heard a helicopter overhead, approximately four patrol cars drove toward the site with their headlights off. Several deputies, including a deputy she had previously filed a complaint against, approached them claiming they had received a report of 70 people gathering at the memorial site. The decedent's mother reported that the deputy was laughing. Later that month, while at a Sheriff's Department Town Hall meeting, the decedent's mother observed a uniformed deputy and two women in civilian clothing photographing the signs she

² [Office of Inspector General Report Back on Inquiry and Assessment as to the Harassment of Families by LASD Patrol Operations Staff Following a Fatal Use of Force by LASD.](#)

was holding. One of the women in civilian clothing deleted the photographs after the decedent's mother spoke with her. The mother did not file a complaint about the incident.

After the Town Hall meeting, the decedent's mother and others visited her son's memorial site where they were met by approximately 10 patrol cars and 20 deputies who formed what she described as a "riot" line. Their actions caused the decedent's mother to become so scared that she vomited. Even after the decedent's mother moved out of East Los Angeles, she continued to feel harassed. One time she was pulled over by Sheriff deputies for a traffic violation when deputies ordered her minor daughter to stop recording the deputies. Then, her and her minor daughter were placed in the back of separate patrol cars, their car was searched, and the decedent's mother was accused of having "drug money" in a purse that was not hers that they had recovered from her car. Prior to releasing the minor daughter, a deputy reportedly told her to airdrop the video she had taken of them to him. The decedent's mother reported that the ACLU filed a complaint on her behalf about this incident because she was too scared to do it on her own.

On June 3, 2021, Office of Inspector General staff spoke to two women whose nephew died as the result of a deputy-involved shooting on August 12, 2018 in East Los Angeles.

According to one of the decedent's aunts, shortly after the shooting, deputies at the scene were acting "aggressively." When her sister, the decedent's mother, tried to obtain information about the shooting, deputies laughed at her, mocked them, and made crude remarks. The aunt stated that a complaint regarding this conduct was filed by the family's attorney. On at least one occasion, there was a heavy deputy presence at their nephew's memorial site.

According to the decedent's aunt, on another occasion the decedent's mother and brother-in-law were inside a 7-11 store when a deputy knocked on the window of the store and asked if she was the decedent's mother. The deputy then walked back towards other deputies and started talking and smirking. The deputies then followed the decedent's mother home and drove past her house. The decedent's aunt also described an incident where the decedent's brother was eating in his car close to the family's home when he was approached by four deputies on bicycles. The deputies then pulled him out of his car and placed on the curb for 45 minutes. When a supervisor responded to the scene, he recognized the decedent's brother by name and instructed the deputies to release him. Another time, after a townhall meeting attended by the aunt and other family members, deputies followed the family home.

According to one of the decedent's aunts, nearly a year after her nephew's death, a crowd had peacefully gathered in front of the ELA Sheriff station to honor the decedent's birthday, when deputies started acting aggressively and threw three packs of bottled water towards them; no complaint regarding this conduct was made.

To memorialize the death of the decedent, on the anniversary of his death, a tree was planted at the location of the fatal shooting. According to the decedent's aunt, at the same time, a deputy was issuing parking tickets even though the cars were parked legally. The family reports they were also followed home that day by two patrol cars. As recently as March of this year, the family is still being targeted. In March 2021, after participating in a podcast on deputy secret subgroups, the family observed a large group of deputies congregated outside of the location of the podcast taping including the deputy who shot the decedent. The deputies claimed to be there in relation to another call, but the family believes they were there in an attempt to intimidate the family.

Office of Inspector General staff conducted a telephone interview of the parents of a man killed in a deputy-involved shooting on February 4, 2018, in South Los Angeles.

According to the decedent's father, following the shooting, even though they no longer live in the jurisdiction of the Los Angeles County Sheriff's Department, deputies followed cars leaving their home. In addition, during a fundraiser at the site of their son's shooting, some of the participants were arrested. According to the decedent's mother, on June 26, 2018, her daughter and her friends were harassed as they held a barbeque in their front yard, which is located outside of the Sheriff's Department's jurisdiction. When the decedent's mother tried to file a complaint with the Sheriff's Department, she was told that the reason the deputies were out of their jurisdiction was because they were "policing" and that her daughter and her friends looked suspicious.

The decedent's father also stated that since the time of his son's shooting, deputies and LAPD officers have driven by his business and made gestures with their middle finger. He believes that the LAPD officers are working with the deputies to harass him and his family. The decedent's father explained that the Sheriff's Department makes him feel like they are "enemy combatants." Regarding the complaint process, he expressed concerns regarding the lack of independent review and noted the Sheriff's Department bureaucracy lacks compassion. The decedent's father suggested that a community panel be assembled and be made part of the disciplinary process, as it would give community members a voice in the process.

Office of Inspector General staff conducted an interview of the sister of a man who died as a result of a March 14, 2021, deputy-involved shooting. The decedent's sister stated that in the week after her brother's death, deputies were constantly driving past their house, laughing, and smiling at them. On March 28, 2021, the decedent's sister met with Supervisor Hilda Solis and Carlos Montes. After the conference, the deputies stopped driving by her home and she was advised to keep a log of the incidents. However, according to the decedent's sister, on June 6, 2021, a deputy drove by her house, but this time, the deputy waved and smiled at her husband. Since she had cameras installed at the time, the decedent's sister was able to retrieve a picture of the incident which Office of Inspector General staff were able to confirm it as described. The decedent's sister wants to see deputies who are involved in fatal incidents transferred to another station.

On June 16, 2021, Office of Inspector General staff visited the home of one of the families to retrieve additional information regarding the incidents of harassment and intimidation. They were able to retrieve copies of letters received by the family from the Sheriff's Department in response to complaints, as well as videos they believe show deputies harassing and intimidating them.

Barriers Faced by the Office of Inspector General in Reporting on Law Enforcement Harassment of Surviving Families

On May 14, 2021, the Office of Inspector General issued a demand letter asking the Sheriff's Department to reactivate the Office of Inspector General's PRMS terminals in order to give the Office of Inspector General unfettered access to PRMS records. In the same letter, the Office of Inspector General also requested access to evidence.com, the cloud-based storage system for body-worn camera video. These requests were made to allow the Office of Inspector General to fulfill the Board's directive that the Office of Inspector General report on the harassment of surviving families of those killed in a deputy-involved shooting. By a letter dated June 7, 2021, these requests were denied by the Sheriff's department, citing unexplained security concerns.

Outcome of Meetings with LADA

During meetings with representatives of the LADA, it was explained that LADA does not have the resources to receive and investigate complaints of deputy harassment, and unless the complaint rises to the level of criminal misconduct, LADA does not have the have the power to take any action.

Recommendations

The Office of Inspector General has the following recommendations:

1. Because the Office of Inspector General has been repeatedly denied independent access to PRMS, this is the database in which complaints and the outcomes of the investigation are recorded, and to body-worn camera video, we are unable to independently verify complaints or conduct a meaningful analysis of the complaints of harassment. Access to the video is critical to assess complaints and mandated by Government Code section 25303 and County Code section 6.44.190. The Sheriff's Department's refusal to grant the Office of Inspector General access to body-worn camera video makes it impossible for the Office of Inspector General to independently verify the deputies' actions or to corroborate and/or disprove civilian complaints. As directed by the Board's May 4, 2021, motion, the Office of Inspector General requests that County Counsel initiate legal proceedings in accordance with state and county laws to require the Sheriff's Department to grant the Office of Inspector General ("OIG") access to these systems so OIG can fulfill its obligations as directed in the May 4, 2021, motion.
2. The Executive Office of the Board's IT Division and the Internal Services Department (ISD), in consultation with County Counsel, should seek to secure access to Sheriff's Department databases and cloud storage systems by negotiating contracts with outside vendors that include access for the Office of Inspector General. Access to the cloud-based storage system for body-worn camera video, evidence.com, should be granted to the Office of Inspector General as part of the contract between the ISD and Axon Enterprise, Inc; if necessary, additional licenses to evidence.com should be purchased to provide the Office of Inspector General access to all body-worn camera video.
3. LADA's Justice Integrity Division should investigate all allegations of criminal conduct by the Sheriff and the Sheriff's Department management; the Office of Inspector General has detailed violations of the law by the Sheriff in its [December 14, 2020 letter to the COC](#).
4. LADA's JSID unit should investigate and prosecute criminal conduct by individual deputies. The failure by a public prosecutor to hold deputies accountable for criminal conduct profoundly erodes public trust. One example of this is LADA's rejection of the filing of criminal charges, or conduct its own investigation of an assault by Sheriff's deputies at Kennedy Hall, as discussed and reported in the Office of Inspector General's [Analysis of the Criminal](#)

- [Investigation of Alleged Assault by Banditos](#), report. LADA's refusal to hold deputies accountable sends a message to Sheriff's Department personnel that they are above the law and that their misconduct will go unchecked. If LADA does not have sufficient staff to prosecute criminal conduct by deputies or to conduct investigations when Sheriff Department investigations are deficient, additional staff and funding should be allocated for that purpose.
5. An independent Office of Law Enforcement Standards should be created and housed within the County's Human Resources Department as detailed in depth in the Office of Inspector General's report entitled [Los Angeles County Sheriff's Department: Review and Analysis of Misconduct Investigations and Disciplinary Process](#), published in February, 2021. This independent office should be given the power and mandate to investigate all allegations of misconduct and conduct full and thorough investigations. All complaints of harassment should be sent to the Office of Law Enforcement Standards for investigation.
 6. All complaints of harassment should be forwarded to the Office of Inspector General to monitor and investigate as part of its function of systemic oversight; discipline should still be handled by the Sheriff's Department (pending creation of the Office of Law Enforcement Standards). Receipt and retention of these complaints allows the Office of Inspector General to decide whether to investigate, analyze, and recommend policy changes to address the systemic issues that allow the misconduct of individual deputies to go unchecked.
 7. Implement the Office of Inspector General's previous recommendations from the November 17, 2020, report. Specifically,
 - A. Adopt a policy regarding memorial sites and vigils.
 - B. Ensure thorough investigations of complaints.
 - C. Ensure complaints are properly classified.
 8. On July 9, 2019, the Los Angeles County Board of Supervisors established the Family Assistance Program (FAP) to support families following an in-custody death or fatal use of force incident while in custody of the Sheriff's Department. The goal of this program is to improve compassionate communication and provide trauma-informed support to families who lose a loved one following a fatal use of force or a death associated with a use of force. This program should be funded and expanded to provide resources and support to the family members experiencing harassment from members of the Sheriff's Department.

The Honorable Board of Supervisors

July 7, 2021

Page 8

Should you have any questions regarding this report, please do not hesitate to contact our office.

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c: Alex Villanueva, Sheriff
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