



Office of Inspector General County of Los Angeles

Reform and Oversight Efforts: Los Angeles County Sheriff's Department

October to December
2020

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INTRODUCTION

This report describes a portion of the Office of Inspector General’s monitoring, auditing, and review of activities related to the Los Angeles County Sheriff’s Department (LASD) that occurred from October 1, 2020, through December 31, 2020.¹

MONITORING LASD OPERATIONS

Service Comment Reports

In accordance with LASD policies, the Department accepts and reviews all comments from members of the public about departmental service or employee performance.² LASD categorizes these comments into three categories:

- External Commendation: an external communication of appreciation for and/or approval of service provided by LASD members;
- Service Complaint: an external communication of dissatisfaction with LASD service, procedure or practice, not involving employee misconduct; and
- Personnel Complaint: an external allegation of misconduct, either a violation of law or LASD policy, against any member of LASD.³

The Office of Inspector General continues to have concerns of possible inconsistencies in the handling of these service comments. The Office of Inspector General continues to monitor these comments made by the public to identify inconsistencies in the documentation, investigation, and resolution of the service comments and opine on steps forward to establish consistent protocols for processing these comments and reporting the outcomes to complainants.

The following chart lists the number and types of comments reported for each station or unit.⁴

¹ The report will note if the data reflects something other than what was gathered between October 1, 2020 and December 31, 2020.

² See Los Angeles County Sheriff’s Department, *Manual of Policies and Procedures*, 3-04/10.00, “Department Service Reviews.”

³ It is possible for an employee to get a Service Complaint and Personnel Complaint based on the same incident in question.

⁴ This data was obtained from LASD’s Performance Recording and Monitoring System on January 5, 2021, and reflects the data provided as of that date.

INVESTIGATING BUREAU/STATION/FACILITY	COMMENDATIONS	PERSONNEL COMPLAINTS	SERVICE COMPLAINTS
ADM : EAST PATROL ADM HQ	1	0	0
ADM : SOUTH PATROL ADM HQ	0	1	0
ALD : ALTADENA STN	8	5	0
AVA : AVALON STN	0	0	1
CCS : COMMUNITY COLLEGE BUREAU	3	0	0
CCS : CUSTODY COMPL & SUSTAIN BUREAU	1	0	0
CEN : CENTURY STN	5	10	3
CER : CERRITOS STN	5	1	2
CMB : CIVIL MANAGEMENT BUREAU	7	1	1
CNT : COURT SERVICES CENTRAL	1	2	0
COB : CENTRAL OPS BUREAU	0	1	0
COM : COMPTON STN	0	4	3
CPB : COMMUNITY PARTNERSHIP BUREAU	1	1	0
CRV : CRESCENTA VALLEY STN	3	3	0
CSB : COUNTY SERVICES BUREAU	3	3	2
CSN : CARSON STN	3	6	3
CST : COURT SERVICES TRANSPORTATION	0	3	2
ELA : EAST LA STN	6	5	3
EOB : EMERGENCY OPER BUREAU	1	0	0
EST : COURT SERVICES EAST	1	3	1
FCC : FRAUD & CYBER CRIMES BUREAU	1	0	0
HOM : HOMICIDE BUREAU	0	3	1
HTB : HUMAN TRAFFICKING BUREAU	0	1	0
IAB : INTERNAL AFFAIRS BUREAU	1	1	0
IND : INDUSTRY STN	3	8	4
IRC : INMATE RECEPTION CENTER	3	1	0
LCS : LANCASTER STN	8	19	4
LKD : LAKEWOOD STN	7	10	4
LMT : LOMITA STN	5	4	2
MAR : MARINA DEL REY STN	2	7	0

INVESTIGATING BUREAU/STATION/FACILITY	COMMENDATIONS	PERSONNEL COMPLAINTS	SERVICE COMPLAINTS
MCJ : MEN'S CENTRAL JAIL	0	1	0
MLH : MALIBU/LOST HILLS STN	10	8	3
MTL : METROLINK	1	0	0
NCF : NORTH CO. CORRECTL FAC	3	0	0
NWK : NORWALK REGIONAL STN	7	9	4
OSS : OPERATION SAFE STREETS BUREAU	0	2	1
PER : PERSONNEL ADMIN	1	0	0
PKB : PARKS BUREAU	0	2	1
PLM : PALMDALE STN	18	28	3
PRV : PICO RIVERA STN	6	1	2
RIB : RECORDS & IDENTIFICATION	0	1	0
RMB : RISK MANAGEMENT BUREAU	1	1	0
SCV : SANTA CLARITA VALLEY STN	24	11	1
SDM : SAN DIMAS STN	13	5	0
SEB : SPECIAL ENFORCEMENT BUR	0	2	0
SHR : OFFICE OF THE SHERIFF	0	3	2
SIB : SHERIFF INFORMATION BUREAU	0	2	1
SLA : SOUTH LOS ANGELES STATION	6	8	1
TEM : TEMPLE CITY STN	5	7	1
TRP : TRAP	1	0	0
TSB : TRANSIT SERVICES BUREAU	0	6	2
TT : TWIN TOWERS	0	1	0
UNK : UNKNOWN	0	0	1
WAL : WALNUT/SAN DIMAS STN	10	3	3
WHD : WEST HOLLYWOOD STN	13	10	3
WST : COURT SERVICES WEST	1	0	0
Total :	199	214	65

Taser Use in Custody

The Office of Inspector General has compiled the number of times LASD has deployed a Taser in custodial settings from January 2018, through December 2020.

The numbers below were gathered from the LASD's *Monthly Force Synopsis*, which LASD produces and provides to the Office of Inspector General each month.⁵

<u>Month</u>	<u>Number of Taser Deployments</u>
January 2018	5
February 2018	2
March 2018	7
April 2018	7
May 2018	0
June 2018	4
July 2018	6
August 2018	7
September 2018	3
October 2018	5
November 2018	3
December 2018	1
January 2019	9
February 2019	9
March 2019	5
April 2019	4
May 2019	1
June 2019	2
July 2019	6
August 2019	9
September 2019	6
October 2019	3
November 2019	6
December 2019	5
January 2020	5
February 2020	3
March 2020	3
April 2020	4
May 2020	3
June 2020	5
July 2020	1
August 2020	3
September 2020	4
October 2020	3
November 2020	3
December 2020	6

⁵ The Office of Inspector General is not opining on whether the use of the Taser in each of these incidents was permissible under LASD's policies and/or if the Taser was deployed lawfully. During the presentation of the Quarterly Report for the first quarter at the Cluster Agenda Review for Public Safety, there was a discussion regarding the possibility of supplementing Taser usage data. The Office of Inspector General is in the process of devising the best way to present the data in a more meaningful way.

Use-of-Force Incidents in Custody Division

The Office of Inspector General monitors LASD's staff-on-prisoner use of force incidents, prisoner-on-prisoner violence, and assaults by prisoners on LASD personnel. LASD reports the following numbers for the uses of force within its Custody Division through March of this year. LASD is still verifying the accuracy of the reporting of incidents which occurred subsequent to March 2020.

Prisoner-on-staff Assaults:

1 st Quarter of 2018	144
2 nd Quarter of 2018	173
3 rd Quarter of 2018	131
4 th Quarter of 2018	115
1 st Quarter of 2019	122
2 nd Quarter of 2019	132
3 rd Quarter or 2019	164
4 th Quarter of 2019	136
1 st Quarter of 2020	131
2 nd Quarter of 2020	91

Prisoner-on-prisoner Assaults:

1 st Quarter of 2018	871
2 nd Quarter of 2018	905
3 rd Quarter of 2018	988
4 th Quarter of 2018	881
1 st Quarter of 2019	769
2 nd Quarter of 2019	794
3 rd Quarter of 2019	858
4 th Quarter of 2019	709
1 st Quarter of 2020	717
2 nd Quarter of 2020	496

Use-of-force Incidents:

1 st Quarter of 2018	546
2 nd Quarter of 2018	592
3 rd Quarter of 2018	530
4 th Quarter of 2018	452
1 st Quarter of 2019	501
2 nd Quarter of 2019	478
3 rd Quarter of 2019	525
4 th Quarter of 2019	431
1 st Quarter of 2020	386
2 nd Quarter of 2020	274

LASD Use of Unmanned Aircraft Systems

LASD reports that it deployed one of its Unmanned Aircraft Systems (UAS) one time between October 1, 2020, and December 31, 2020. The UAS was deployed on November 8, 2020, to assist Lakewood Sheriff's Station deputies handle a call regarding a barricaded suspect. The UAS was used to search the interior of the home to get the exact location of the suspect. The suspect was taken into custody.

DATA REVIEW

Deputy-Involved Shootings

The Office of Inspector General reports on all deputy-involved shootings in which a deputy intentionally fired a firearm at a human being or intentionally or unintentionally fired a firearm and a human being was injured or killed as a result. This quarter there were eleven incidents in which people were shot or shot at by LASD personnel. Office of Inspector General staff responded to each of these deputy-involved shootings. Seven people were struck by deputies' gunfire, six of them fatally.

The information contained in the following summaries of shootings is based on information provided by LASD and is preliminary in nature. The Office of Inspector General is not in possession of the investigatory materials and is not able to independently verify the information provided by LASD.

Lakewood: LASD reported that on October 6, 2020, at approximately 12:40 p.m., a Lakewood patrol deputy investigated a report of felony vandalism involving a male Hispanic vandalizing a news van with a shovel. Within an hour of receiving the vandalism report, the Lakewood deputy contacted a male Hispanic who he reportedly recognized from a video of the incident provided by the news crew. Initially, the male Hispanic walked away but then turned back toward the patrol car driver side door. When the deputy stepped out of the car, the suspect threw a jagged piece of metal and then a mason jar at the deputy. While the piece of metal struck the car door, neither object struck the deputy.

The deputy noticed what appeared to him to be a knife in the suspect's hand and fired four rounds at the suspect, hitting him twice. The suspect was not incapacitated and when additional deputies responded they deployed less lethal force, including two Arwen⁶ rounds and a Taser. Following a brief struggle, the suspect was taken into custody, transported by ambulance to the hospital, treated for gunshot wounds to his left thigh and right wrist, medically cleared, and booked. Body-worn cameras had not been issued to the deputies at the Lakewood station at the time of this shooting.

South Los Angeles: LASD reported that on October 6, 2020, at approximately 11:15 p.m., two deputies were providing security for a fellow deputy who was at the Harbor-UCLA Medical Center recovering from surgery. When the two deputies heard screaming coming from a nearby hospital room, one of the deputies left to investigate, entering a room occupied by patient Nicholas Burgos, other patients and medical staff. Mr. Burgos was using a metal object to smash a computer screen and then attempted to smash a large window. According to LASD, the deputy assisted medical staff by evacuating the other patients from the hospital room. As the deputy returned to the hospitalized deputy's room, Mr. Burgos followed, striking the walls and another computer with the metal object. After the deputy closed the hospital room door behind her, Mr. Burgos banged on the door and smashed the door window. As he opened the door, advanced toward the three deputies, the deputy who had initially investigated fired nine rounds at Mr. Burgos.

Mr. Burgos sustained multiple gunshot wounds. He was treated at the scene by medical staff and immediately underwent emergency surgery but succumbed to his injuries on November 1, 2020. None of the deputies were equipped with body-worn cameras.

⁶ Per Department Field Operations Directive, "90-009 Less Lethal Weapon Systems," The A.R.W.E.N. (five shot capacity) and the Pan Arms SL6 (six shot capacity) and SL-1 (single shot capacity) are less lethal shoulder weapons which are designed to launch 37mm projectiles."

Century: LASD reported that on October 16, 2020, at approximately 5:30 p.m., two Century Station deputies were conducting a security check of Mona Park. As they entered the parking lot, they spotted a male Black, later identified as Fred Williams, holding a handgun. Mr. Williams was standing to the side of a group of 10-15 male Blacks, who the deputies reportedly believed to be gang members based on previous contacts.

Mr. Williams appeared to see the patrol car, placed the gun in his pocket, and ran. One of the deputies exited the patrol car and gave chase on foot, while the driver deputy followed Mr. Williams's route in the patrol car. Mr. Williams ran down a private driveway and climbed to the top of a storage shed at the rear of the property. According to the deputy, Mr. Williams pointed the gun in his direction and the deputy fired eight rounds at Mr. Williams, wounding him. Mr. Williams was pronounced dead at the scene.

Detectives recovered a Taurus, 9mm semi-automatic handgun, loaded with seven live rounds from the ground next to where the suspect fell. The foot pursuit and shooting were captured on the body-worn camera worn by the shooting deputy. In accordance with the protocols of the Family Assistance Program, the Department of Mental Health was notified in order to provide services to Mr. Williams's family.

South Los Angeles: LASD reported that on October 15, 2020, at approximately 4:01 a.m., deputies responded to a kidnapping and assault with a deadly weapon call. Deputies were notified by an informant that a suspect described as a male Black, later identified as Dana Young, was observed kidnapping someone at gunpoint and that the informant was following the suspect in a car. At one point, Mr. Young stopped his car, exited his vehicle and allegedly fired two rounds at the informant's car. Mr. Young re-entered his car and fled with the alleged kidnapping victim still in his car. The informant stopped following Mr. Young and called 911 to report the shooting.

With the information provided by the informant, the deputies were able to locate Mr. Young's car backed into a parking spot against a fence. The deputies approached on foot and observed a naked female in the back seat of the vehicle. Mr. Young quickly began to drive away through the lot. As the vehicle accelerated, the alleged kidnapping victim jumped from the moving vehicle.

Multiple deputies initiated a vehicle pursuit, which ended when Mr. Young crashed. As Mr. Young exited the driver's side of the car, and fled on foot, one of the deputies shot approximately seven to eight rounds,⁷ striking Mr. Young in the back

⁷ Eight shell casings were recovered at the scene.

of the head, left buttocks, and right thigh. Mr. Young was pronounced dead at the scene. Detectives recovered a revolver loaded with five live rounds and one expended shell casing from under the driver's seat of Mr. Young's vehicle.

Body-worn cameras had not been issued to the deputies at the South Los Angeles Station at the time of this shooting. In accordance with the protocols of the Family Assistance Program, the Department of Mental Health was notified in order to provide services to Mr. Young's family.

Lancaster: LASD reported that on October 17, 2020, at approximately 1:49 a.m., a deputy and civilian ride-a-long were on patrol in Lancaster when the deputy noticed approximately 200 people loitering around a local bar. As the deputy entered a dirt parking lot east of the bar, he heard several gunshots.

While exiting his patrol car, the deputy saw a male Black standing in the middle of street with a handgun, which he appeared to be pointing in the direction of the large crowd. The deputy identified himself as a deputy sheriff and ordered the male to drop the handgun. The male proceeded to fire approximately two rounds in the direction of the crowd and continued to ignore commands to drop the gun. Fearing for the safety of the crowd, the deputy fired four rounds from his duty weapon at the suspect, at which point the male turned toward the deputy and his ride-a-long and pointed the handgun at them. Fearing the suspect would shoot, the deputy fired five more rounds at the male. None of the gunshots struck the male.

The male fled the scene in a car and was later pursued on foot after he exited the vehicle. During the foot pursuit the deputies lost sight of him and set up a containment. The suspect was eventually located after a witness reported seeing the suspect enter a vehicle after which the suspect was apprehended and taken into custody. According to LASD, a review of video footage from neighboring businesses and residences revealed the male shooting at an unidentified person, rather than shooting into the crowd.

Detectives recovered two guns from the area where the suspect was observed firing the first shots.

According to information received from LASD, the deputy who first witnessed the suspect fire his weapon had not yet been issued a body-worn camera. The deputy who arrived to assist him did not turn his camera on until the foot pursuit.

Norwalk: LASD reported that on October 28, 2020, at approximately 10:53 p.m., two deputies conducted a traffic stop on a car for an unspecified Vehicle Code violation. A male Hispanic exited the front passenger side of the car. One of the

deputies detained the driver while the other went in foot pursuit of a male Hispanic passenger. The deputy ran down a driveway at the location, which paralleled a footpath the suspect used to get to the rear parking lot of an apartment complex. The deputy regained sight of the suspect, who he saw attempting to hide between two cars at the rear of the lot, up against a wall. The suspect produced a handgun, at which point the deputy fired two rounds, missing the suspect. The suspect eventually surrendered. A semi-automatic handgun was found where the suspect surrendered and a loaded magazine that appeared to fit in the suspect's gun was found on the other side of the wall to the parking lot. There is no body-worn footage of the incident as body-worn cameras were not yet deployed at the Norwalk Station.

Century Station: LASD reported that on November 2, 2020, at approximately 9:47 a.m., deputies observed a vehicle traveling at a high rate of speed. The deputies attempted to conduct a traffic stop. The driver made an abrupt turn and then stopped in the middle of the road in a residential area.

The deputies stopped their patrol vehicle a short distance from the vehicle and the driver deputy took a position behind the patrol vehicle door with his weapon drawn and pointed toward the stopped vehicle. A male Black exited from the rear driver's side of the vehicle with a gun in his hand and momentarily faced the deputy. The deputy fired five rounds at the male but did not hit him. As the armed suspect fled, the passenger deputy went in foot pursuit of him but lost sight of him. Along the path of the foot pursuit, detectives recovered a gun but the suspect was never located.

A portion of the incident was captured on body-worn cameras and Body Worn Camera Unit personnel responded and processed the video evidence.

South Los Angeles: LASD reported that on November 15, 2020, at approximately 1:51 a.m., South Los Angeles Sheriff's Station received a call stating a man was in the middle of the street holding a silver firearm. Deputies arrived on scene and noticed a male Black standing in the middle of the intersection pointing a gun at passing vehicles. The two deputies exited the patrol car. The male pointed his firearm in their direction. In response, the two deputies fired a total of 15 rounds at the male.

The male sustained several gunshot wounds to the upper torso. He was taken to the hospital, where he was pronounced dead. The detectives recovered a Smith & Wesson .357 Magnum revolver, loaded with one live round and five expended casings, at the scene.

Body-worn cameras had not yet been issued to the deputies at the South Los Angeles Station at the time of this shooting. In accordance with the protocols of the Family Assistance Program, the Department of Mental Health was notified in order to provide services to the suspect's family.

East Los Angeles: LASD reported that on November 15, 2020, at approximately 2:23 a.m., a probationary deputy was off duty, attending a party with two of his male friends in East Los Angeles. An unknown male Hispanic approached the three men and asked if they were gang members. The three responded that they were not, and after the male Hispanic claimed gang membership, a verbal argument ensued. Another party goer separated the parties, the male Hispanic left the location, and the host told everyone to leave. While driving away from the party, the deputy and his two friends spotted the male Hispanic with whom they had argued walking on the street. The deputy stopped his car alongside the male Hispanic at which time the male Hispanic fired at the deputy's car. The deputy returned fire, shooting ten rounds but missing the suspect. The deputy suffered a gunshot wound to his right foot and switched seats with one of his friends who then drove him to the hospital. The deputy was treated and discharged. Because the deputy was off duty at the time of the shooting, there is no body-worn camera video of the incident.

Industry: LASD reported that on December 5, 2020, at approximately 10:30 p.m., a witness reported hearing a possible gunshot and seeing a male Hispanic kidnapping a woman. By the time the deputies from the Industry Station arrived at the scene the male had fled the location with the female, whose purse deputies located at the scene along with a 9mm pistol and a spent 9mm cartridge case.

Approximately four hours after the kidnapping, a family member located the female and her alleged kidnapper in a parked car. The family member was able to get the female to safety but she had suffered abrasions to her head and body. She was transported by family to a local hospital for treatment. The suspect fled the location.

Industry Station investigators prepared a wanted flyer of the male after he was positively identified. The wanted flyer indicated that the suspect may be driving a newer white Jeep Cherokee.

On Sunday, December 6, 2020, Industry Station deputies located the male driving the described Cherokee. According to LASD, a short pursuit ensued with the male intentionally driving head on towards two occupied patrol cars causing the deputies to swerve to prevent from being struck. The male fled without being apprehended.

Later that evening, Walnut Station deputies located the vehicle and engaged in another vehicle pursuit but lost sight of the car.

At 11:47 p.m., a deputy observed a white Jeep Cherokee backed into a carport stall just outside of the security gate leading to an apartment complex. The deputy made a U-turn and pulled into the complex's driveway, positioned the passenger side wheel well of his marked patrol vehicle in front of the Cherokee. In order to determine if anyone was in the car, the deputy exited his patrol vehicle, shined his flashlight into the front windshield, and immediately recognized the male sitting in the driver's seat of the Cherokee as the wanted suspect.

The suspect started his vehicle and yelled, "Get out of the way or I am going to kill you!" The suspect quickly accelerated and rammed the front end of the Cherokee into the passenger side wheel well area of the patrol vehicle pushing the front end of the patrol vehicle approximately ten feet. The deputy, who was standing in the open "V" of his driver's door, was pushed back by the force of the collision, which caused his right foot to get caught under the vehicle, and the deputy fired twelve rounds at the suspect.

The suspect sustained at least two gunshot wounds to the head, one to the torso and one to the left thigh. He was pronounced dead at the scene. No weapons were recovered from the suspect or his vehicle.

There is no body-worn camera video of the shooting as the deputy did not activate the camera until after the shooting and no video was captured until the deputy took cover as he waited for additional units to respond. In accordance with the protocols of the Family Assistance Program, the Department of Mental Health was notified in order to provide services to the suspect's family.

South Los Angeles: LASD reported that on December 19, 2020, at approximately 6:50 p.m., deputies received a call for service of two gunshot victims down in the street. The call was updated to include that one of the victims had a firearm. When the first two deputies arrived, several citizens directed them to the location of the shooting and they noticed a male holding a gun and partially concealed behind a flowerpot. Deputies ordered the male to put the gun down but he did not comply. As a third deputy arrived on scene, they heard a gunshot coming from the male's direction and the deputies fired at the suspect. A fourth deputy arrived to assist. The deputies observed the suspect continuing to move behind the flowerpot, with the firearm still pointed in their direction and the deputies again fired their weapons at the suspect. When a fifth deputy arrived, he positioned his patrol vehicle to provide cover for the other deputies. The fifth deputy observed the suspect

continuing to move and point the gun in the direction of the deputies; he too then fired at the suspect.

The suspect sustained several gunshot wounds to his upper torso and right leg and was pronounced dead at the scene by Los Angeles County Fire paramedics.

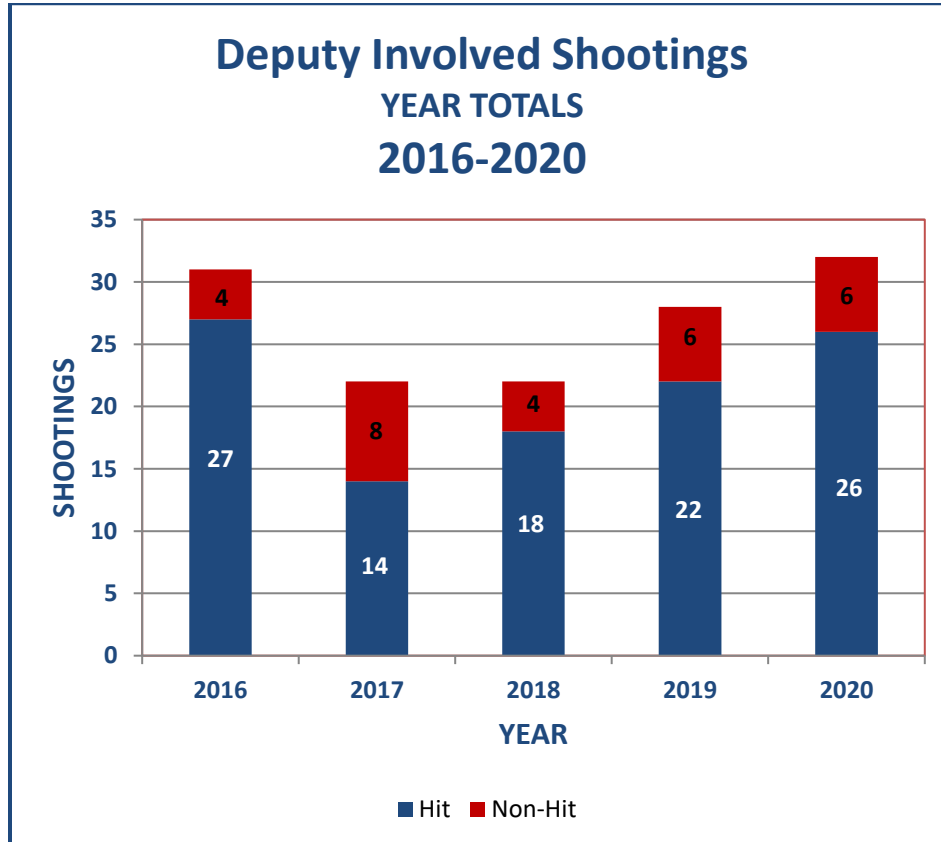
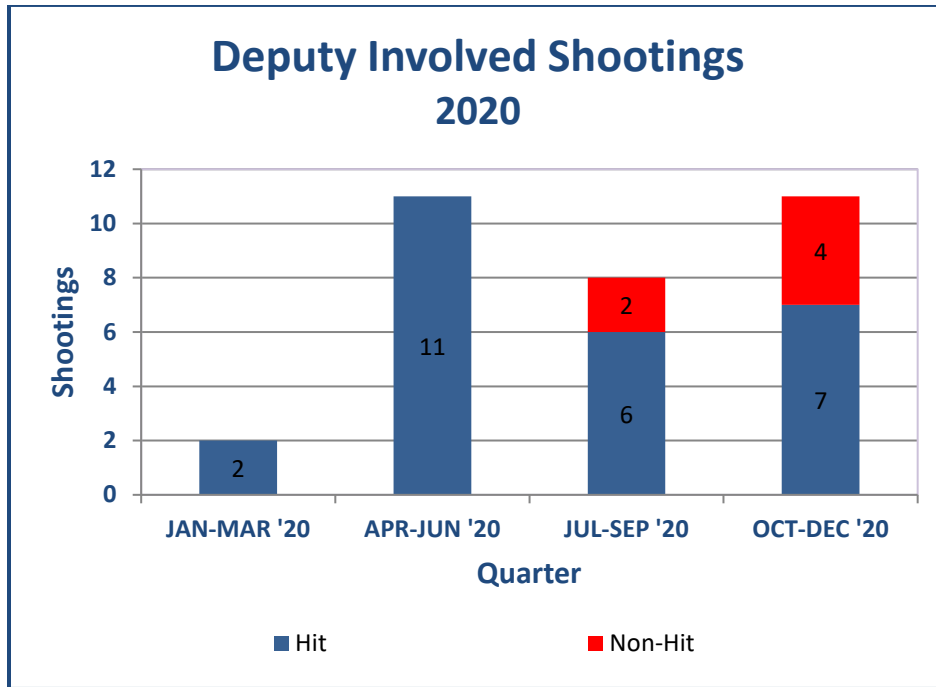
Another suspect, also a male Hispanic, was found in the area, lying unresponsive in the street holding a handgun with another gun in his pants pocket. This suspect had been shot in his upper torso and was transported to the hospital where he was pronounced dead.

LASD investigators reported that the two suspects arrived at the location together and each fired multiple rounds at an unknown victim in a vehicle and then at a nearby apartment building. The suspect who hid behind the flowerpot was hit by the car after he fired at it. Investigators believe that additional suspects may have been shooting at the suspect involved in the deputy-involved shooting and the suspect who was found in the street.

According to LASD, a Taurus G2C, 9mm semi-automatic handgun with no magazines or rounds, a Stoeger Cougar 8040, and a 9mm semi-automatic handgun with an empty magazine and chamber were recovered from the suspect who hid behind the flowerpot. The suspect found in the street was in possession of a Haskell JS, .45 caliber semi-automatic handgun with no rounds in the weapon and an EEA .357 caliber revolver, loaded with five live .357 rounds. Forty-five expended shell casings were recovered at the scene of the deputy-involved shooting. Eight 9mm casings, seven expended .45 caliber casings, ten expended .40 caliber casings, and a magazine with seven live rounds were recovered from the scene of the initial shooting involving the two suspects.

There is no body-worn camera video from the shooting as the cameras had not yet been deployed at South Los Angeles Station. In accordance with the protocols of the Family Assistance Program, the Department of Mental Health was notified in order to provide services to the suspect's family.

Deputy Involved Shootings for 2020 and Comparison to Prior Years



District Attorney Review of Deputy-Involved Shootings

LASD's Homicide Bureau investigates all deputy-involved shootings in which a person is injured. The Homicide Bureau submits the completed investigation of each deputy-involved shooting in which a person has been injured and which occurred in the County of Los Angeles, to the Los Angeles County District Attorney's Office (LADA) for review and possible filing of criminal charges.

Between October 1, 2020, and December 31, 2020, the LADA issued findings in eight deputy-involved shooting cases involving LASD employees.

- In the October 30, 2019, fatal shooting of Ricardo Myers, the District Attorney opined in a [memorandum dated October 9, 2020](#), deputy Jonathan Lee acted lawfully in the defense of another.
- In the June 18, 2019, non-fatal shooting of Jorge Ramirez and Andy Ramirez, the District Attorney opined in a [memorandum dated October 21, 2020](#), deputies Timothy Cho, Richard Jaramilla, Quoia Griffin, Miranda Carvalho, Jose Ramirez, Goldburn Myvett, and Ramy Khaddage acted lawfully in self-defense and in defense of others.
- In the February 6, 2018, fatal shooting of Cesar Bautista, the District Attorney opined in a memorandum dated November 16, 2020, deputy Andrew Christopher Gonzalez acted lawfully in self-defense and in defense of others, and to stop a fleeing felon when he fired his first volley of shots and that it cannot be proven beyond a reasonable doubt that deputy Gonzalez's second volley of gunshots constituted an unreasonable application of deadly force.
- In the August 17, 2018, non-fatal shooting of Cornell Glass, the District Attorney opined in a memorandum dated November 16, 2020, deputies Joshua Smilor and Dorian Ventura acted lawfully in self-defense, in defense of others, and to stop a fleeing felon.
- In the October 27, 2018, non-fatal shooting of Alvaro Jimenez, the District Attorney opined in a memorandum dated November 16, 2020, deputy Luis Cano acted lawfully in self-defense.
- In the April 4, 2018, non-fatal shooting of Frank Robles, the District Attorney opined in a memorandum dated November 16, 2020, deputy John Rogart acted lawfully in self-defense.
- In the October 7, 2018, non-fatal shooting of Enrique Lopez, the District Attorney opined in a memorandum dated November 20, 2020, deputy Francisco Quinones-Medina acted lawfully in self-defense.

- In the June 14, 2019, non-fatal shooting of Robert Ball, the District Attorney opined in a memorandum dated November 23, 2020, deputy Zachary Marshall Vera acted lawfully in self-defense and in defense of others.

The District Attorney's formal findings and the facts surrounding each of the above cases may be found at the District Attorney's web site at:

<http://da.lacounty.gov/reports/ois>.⁸

Homicide Bureau's Investigation of Deputy-Involved Shootings

The Homicide Bureau is responsible for conducting the investigation of all deputy-involved shootings, regardless of category, in which a person is injured or killed. After completing its investigation, the Homicide Bureau submits its investigation to the LADA for consideration of filing criminal charges.

If the LADA declines to file the case, LASD's Internal Affairs Bureau (IAB) completes a force review to determine whether Department personnel violated any Departmental policies during the incident.

For the present quarter, the Homicide Bureau reports 24 shooting cases involving LASD personnel are currently open and under investigation. The oldest case the Homicide Bureau is still actively investigating is the June 6, 2019 shooting that occurred in South Los Angeles. For further information as to that shooting, please refer to the Office of Inspector General's *Reform and Oversight Effort: Los Angeles Sheriff's Department, April to June 2019* report⁹. The oldest case that the Bureau has open is a 2017 shooting in Century, which has been sent to the LADA's office and awaiting a filing decision.

This quarter, LASD reports it has sent four cases involving deputy-involved shootings to the LADA for filing consideration.

Internal Criminal Investigations Bureau

LASD's Internal Criminal Investigations Bureau (ICIB) reports directly to the Sheriff and Undersheriff. It is responsible for investigating allegations of criminal misconduct by members of LASD.

⁸ As of the date of this report, the pages for the decisions made in November by the LADA are no longer accessible.

⁹ https://oig.lacounty.gov/Portals/OIG/Reports/2nd_QTR_2019_Reform_and_Oversight_Efforts.pdf?ver=2019-08-12-141305-897

As of December 31, 2020, LASD reports ICIB has 72 active cases. This quarter, LASD reports sending five cases to the LADA for filing consideration. The oldest open case that ICIB has sent to the LADA for filing consideration is a 2016 case, which is still being reviewed by the LADA.

Internal Affairs Bureau

The Internal Affairs Bureau (IAB) is responsible for conducting administrative investigations of policy violations by LASD members. It is also responsible for responding to and investigating deputy-involved shootings and significant use-of-force cases. Administrative investigations are also conducted at the unit level. The subject's unit and IAB determine whether an investigation is investigated by IAB or remains a unit-level investigation.

This quarter, LASD reports opening 106 new administrative investigations. Of these 106 cases, 36 were assigned to IAB, 43 were designated as unit-level investigations, and 27 were entered as criminal monitors. In the same period, IAB reports that 69 cases were closed by IAB or at the unit level. There are 352 pending administrative investigations. Of those 352 investigations, 237 are assigned to IAB and the remaining 115 are pending unit-level investigations.

Civil Service Commission Dispositions

There were five final decisions issued by the Civil Service Commission this quarter. Of those five, one final decision upheld the Department's decision to suspend a deputy with no pay during the pendency of a criminal matter in which the deputy was a defendant. The other four final decisions reversed the Department's discharge of deputies. Two of these reversals were done at the direction of the Superior Court after writ. One of those writs reversing discharge was issued because the Superior Court found that the Department failed to observe civil service rules in the discharge of a probationary deputy; the decision regarding discipline for that employee will now be decided based upon his/her status as a deputy rather than a probationary employee.

Consent Search Policy

On November 17, 2020, the Los Angeles Police Commission passed and approved an update to the existing Los Angeles Police Department (LAPD) consent search policy. The updated policy requires Los Angeles police officers to take additional steps to document and notify civilians of the search parameters before conducting

what the law defines as “consensual searches.”¹⁰ Consent searches are searches where the party being searched gives law enforcement agents permission to conduct a search of their person or property. Consensual searches are constitutionally permissible and can be conducted without reasonable suspicion or probable cause. While the term may appear to be self-explanatory, courts have provided checks and balances as to when such a search can be done properly and when it exceeds the bounds of what is legally permissible. The onus is on the prosecution team, which includes law enforcement agents, to prove a search was consensual absent reasonable suspicion or probable cause.¹¹ There are two main requirements for a consensual search to be legal: 1) the consent must be given voluntarily, and 2) the consent must be given by an individual/party with actual or implied authority over the items and/or place to be searched.¹² The police may use ruses and deception to get consent and are under no obligation to tell a person of the right to refuse.¹³

In his October 27, 2020, “Interdepartmental Correspondence,” LAPD’s Chief of Police, Michael R. Moore, stated it was his hope by implementing such policies, his employees are better able to “communicate their investigative reasoning and actions. In doing so, officers further the Department’s [LAPD’s] initiatives to build trust and facilitate understanding with the community, as well as improve voluntary compliance in its enforcement efforts. Above all, greater transparency allows personnel to promote a better understanding amongst the public about actions taken by police officers and the reasons for them.”¹⁴ This new policy, through verbal or written advisement, requires LAPD officers to advise civilians they have an absolute right to refuse the request to search and can withdraw the consent at any time, something the law does not require. With the implementation of this policy LAPD now requires officers to capture on body-worn cameras or on Digital In-Car Video System, the officer’s request to search and the civilian’s answer to such a request. In the alternative, the officer may provide the civilian a form in English and/or Spanish outlining the request for the search and must obtain a signed

¹⁰ LAPD Chief of Police, “[01RM136_KM-C284e-20201021145746 \(lacity.org\)](#),” LAPD, November 17, 2020. (Accessed on December 14, 2020).

¹¹ *Bumper v. North Carolina* 391 U.S. 543, 548 (1968).

¹² Lemons, Bryan R., “Searching a Vehicle Without a Warrant Consent Searches,” Federal Law Enforcement Training Centers. https://www.fletc.gov/sites/default/files/imported_files/training/programs/legal-division/downloads-articles-and-faqs/research-by-subject/4th-amendment/searchingavehicle-consent.pdf. (Accessed November 9, 2020).

¹³ Legal Information Institute, “Consent Searches,” Cornell Law School. <https://www.law.cornell.edu/constitution-conan/amendment-4/consent-searches#fn320> (Accessed November 9, 2020). LAPD Chief of Police, “[01RM136_KM-C284e-20201021145746 \(lacity.org\)](#),” LAPD, November 17, 2020. (Accessed on December 14, 2020).

¹⁴ LAPD Chief of Police, “[01RM136_KM-C284e-20201021145746 \(lacity.org\)](#),” LAPD, November 17, 2020, p. 1. (Accessed on December 14, 2020).

authorization from the civilian prior to conducting the search. While the new LAPD policy does not specifically prohibit the use of ruses or deception, the policy seemingly discourages the use of such tactics to gain consent. This level of transparency and documentation moves LAPD closer to its outlined goals of transparency and community trust.

The Office of Inspector General reached out to LASD representatives to discuss whether it is considering implementing similar policies now that body-worn cameras are being distributed to all patrol deputies. LASD representatives directed the Office of Inspector General to LASD's Manual of Policies and Procedure section 3-06/200.08 – "Body Worn Cameras-Activation," which states:

Department personnel shall activate their body worn camera (BWC) prior to initiating, or upon arrival at, any enforcement or investigative contact involving a member of the public, including all:

- Vehicle stops;
- Pedestrian stops (including self-initiated consensual encounters);
- Calls for service;
- Code-3 responses, including vehicle pursuits;
- Foot pursuits;
- *Searches*; [Emphasis added]
- Arrests;
- Uses of force, including any transportation of the subject;
- In-custody transports of persons who are uncooperative, belligerent, or threatening;
- Suspect, victim, and witness interviews (except as indicated below); and/or
- Any encounter with a member of the public who is or becomes uncooperative, belligerent, or otherwise hostile.

Department personnel may activate their BWC for the following reasons:

- Transportation of a member of the public; and/or
- *Other investigative or enforcement activities where, in the Department member's judgment, a video recording would assist in the investigation or prosecution of a crime or when a recording of an encounter would assist in documenting the incident for later investigation or review.* [Emphasis added]

LASD's Manual of Policies and Procedure section 5-09/520.05, "Stops, Seizures, and Searches," states, "[d]epartment members shall not conduct arbitrary searches. The request to conduct a consent search must be reasonable, and a deputy must be able to articulate a valid reason under law and policy for initially having stopped the individual."

These policies require employees who are outfitted with body-worn cameras to turn them on when conducting searches. However, unlike the LAPD policy, the LASD policy does not require the consent to be captured and preserved in a video or in writing. Nor does it require its employees to advise civilians of the parameters of the search, the right to refuse such searches, or the right to withdraw consent at any time during the search.

LAPD policy explicitly details what its employees must say to civilians when conducting a consent. By specifying that the officer must state the place or items to be searched, by narrating the search as it is being conducted, and advising civilians they have a right to refuse, LAPD policy moves one step closer to the goal of transparency and building trust between its officers and the communities they serve. By documenting consent searches and obtaining written authorization or capturing it via video, it is also protecting its employees from potential baseless claims that consent was never given. The Office of Inspector General recommends LASD implement similar policies to promote transparency and to facilitate communication between law enforcement and the communities LASD serves. LASD should also consider specifically prohibiting the use of ruses and deception to gain consent as such tactics can undermine public trust in law enforcement.

Facial Recognition Software

The Los Angeles County Regional Identification System (LACRIS) operates out of LASD. The unit has a staff of roughly 20 people, who provide services to all 48 law enforcement agencies in Los Angeles County. LACRIS was created in 1986, and is a hybrid agency working in partnership with California Department of Justice and local law enforcement agencies to provide training and assistance in obtaining Criminal Offender Record Information, or CORI, as defined under Penal Code section 11075. The Penal Code defines CORI as "records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release." The California Legislature enacted CORI to improve the

accuracy and speed at which agencies could get access to such information.¹⁵ “The information governed by this scheme was to come from ‘criminal justice agencies,’ which are defined as ‘those agencies at all levels of government which perform as their principal functions... activities . . . [r]elate[d] to the apprehension, prosecution, adjudication, incarceration, or correction of criminal offenders’ or ‘[r]elate[d] to the collection, storage, dissemination or usage of criminal offender record information.’ By definition, such agencies include courts, law enforcement, prosecutors, corrections agencies, and others.” For example, in Los Angeles County, LACRIS gathers suspects’ biometric records including fingerprints, booking photographs, and iris information¹⁶. These biometric records are attached to a person’s personal information and criminal charges. The biometric records are maintained locally and are assigned a unique reference number for each individual. LACRIS receives this information from the various law enforcement entities within Los Angeles County and acts as the local repository for the information collected by the law enforcement agencies. LACRIS forwards these biometric records and attached criminal charges to the California Department of Justice. By law, the California State Attorney General is required to maintain the security of all criminal offender records and thereby maintain the security of the LACRIS records that it receives.¹⁷

When law enforcement seeks to retrieve such information from the Department of Justice, such as to review prior criminal history or search for possible suspects, it goes through its local point person or entity, which again in Los Angeles County would be LACRIS. LACRIS, like the other centralized local agencies in California, is tasked with aiding local law enforcement in obtaining information from the Department of Justice, training local law enforcement agencies on the laws pertaining to the confidentiality and handling of LACRIS information, and assisting with the dissemination of CORI information to parties with the legal right and need to know the information being sought.¹⁸

¹⁵ Rabinowitz, Weisberg, and Pearce, “The California Criminal Justice Data Gap,” Stanford Law School, April 2019. https://law.stanford.edu/wp-content/uploads/2019/04/SCJC-DatagapReport_v07.pdf. (Accessed December 28, 2020).

¹⁶ Starting July 2020, Los Angeles County began to scan irises when booking individuals and use that another source of identification information. The device scans a person’s irises and provides for a contactless system to identify an arrestee. The system was to be installed at “163 Livescan stations in 114 law enforcement locations throughout the county.” “Los Angeles County Sheriff’s Department to Deploy Iris ID Technology,” IrisID, <https://www.irisid.com/los-angeles-county-sheriffs-department-to-deploy-iris-id-technology/> (Accessed February 2, 2021).

¹⁷ See Penal Code section 11077.

¹⁸ Commission on Peace Officers Standards and Training and California Department of Justice, “Telecommunications Training Guide,” National Criminal Justice Reference Service, May 1994. <https://www.ncjrs.gov/pdffiles1/Digitization/151234NCJRS.pdf>. (Accessed December 28, 2020); See Penal Code section 11105(b) and 13300(b).

Being a law enforcement officer does not automatically endow a person with the right to access CORI records. LACRIS determines the requisite training needed before such access can be given. LACRIS provides training and assistance to use the LiveScan machine, mobile fingerprinting devices, and facial recognition tools.¹⁹ Violations such as viewing or requesting CORI information without completing the mandatory training, obtaining information that is beyond the scope of duties as a law enforcement agent, or tampering with the data in any other manner potentially subject the agent to criminal and civil penalties under the law.²⁰ LACRIS has its own policies which follow what the state laws dictate. Each law enforcement agency can supplement these policies and state laws by implementing policies geared towards its employees and uses, as long as the agency's policies do not violate or contradict LACRIS policies or state law.

The automated facial recognition component of CORI records and how local law enforcement agencies use such technology has come under scrutiny in recent years. To find out more about LACRIS' facial recognition services, the Office of Inspector General representatives spoke to the staff working at LACRIS. The staff described the facial recognition services as a digitized version of the old hardcopy "mugbook" historically used by police officers prior to the new digital technology. Before 2009, law enforcement agents had to manually search photographs in a hardcopy book and compare them to photographs of suspects. This new digitized system's intent was to update this manual search into a computerized, easy to use search system. To use the facial recognition system, the trained law enforcement agent scans in a picture obtained as part of an active investigation into the "Digital Mugshot System," which then compares the suspect in the crime scene photograph with photographs in the Department of Justice's database. The database then provides the agent with a list of possible persons who closely resemble the person in the crime scene photograph. The initial search usually yields approximately 243 possible suspects. The agent must visually compare these photographs to the image of the suspect. Based on the similarities and other characteristics (such as if the person has tattoos, the person's last known address, etc.), the agent can then pursue leads to track down a possible perpetrator.

The biggest change brought about by the digitized method is that a computerized algorithm compares the alleged suspect's photographs with mugshots in the computer database, whereas in the past a law enforcement agent manually thumbed through a hard copy photobook of suspects. Mugbooks do not generate the same privacy concerns as computerized records. The sheer volume of

¹⁹ <https://www.lacris.org/>. (Accessed December 22, 2020).

²⁰ See Penal Code sections 502, 11140-11144, 13301-13304, and Government Code sections 6200-6201.

photographs available to law enforcement implicates the privacy rights of many more individuals.

LACRIS representatives emphasized that this is an investigative tool that is not to be used alone nor can it be used in any court to identify any persons as the suspect. LACRIS representatives conduct random audits monthly to ensure that all agents are using LACRIS as trained and all agents who use the system have authorization to have such access.

LACRIS does not use Department of Motor Vehicle photographs or any open source photographs. Open source software programs pull photographs from all sources, including social media sources, and these photographs are not considered to be a reliable method of identification in a criminal investigation. The LACRIS' "Digital Mugshot System" only contains photographs which are maintained by the Department of Justice as outlined by state law governing CORI. The law also governs what photographs can be used to compare with photographs in the system. For example, at this time, law enforcement agents are prohibited from using stills captured from their body-worn cameras.²¹ This means a suspect recorded on a body-worn camera, is not permitted to be scanned into the "Digital Mugshot System" to compare against possible suspects in the Department of Justice's database.

In recent months, LAPD has received criticism about its officers using third-party software for facial recognition purposes.²² LACRIS representatives, who also provide services to the LAPD, are aware of LAPD employees' practice of using third-party facial recognition software. LACRIS relates that it does not use such software, does not train officers to use such software, and strongly recommends agencies not use such software because these open source software are prone to manipulation and are not as stringently maintained as the photographs in the Department of Justice's data systems.

LASD representatives stated LASD deputies are required to submit all facial recognition requests to LACRIS. LASD recognizes LACRIS as the sole, authorized database to conduct facial recognition searches. LASD has drafted new policies covering facial recognition software that are undergoing reviews by its unions. The Office of Inspector General has not seen the draft version of these policies. Since 2009, LACRIS reported LASD has used the Digital Mugshot System 27,816 times. In 2019, it was used 4,976 and in 2020, it was used 5,641 times. Given that LASD has

²¹ See Penal Code section 832.19.

²² Richard Winton and Kevin Rector, "LAPD bars use of third-party facial recognition systems, launches review after BuzzFeed inquiry," Los Angeles Times, November 17, 2020. [LAPD bars use of third-party facial recognition systems, launches review after BuzzFeed inquiry - Los Angeles Times \(latimes.com\)](https://www.latimes.com/local/lanow/story/2020-11-17/lapd-bars-use-of-third-party-facial-recognition-systems-launches-review-after-buzzfeed-inquiry). (Accessed December 15, 2020).

used and will continue to utilize this system, the Office of Inspector General strongly recommends LASD's policies include language prohibiting deputies from utilizing photographs from or employing third-party facial recognition software. The draft policy should be provided to the Sheriff's Civilian Oversight Commission and the Office of the Inspector General for comment prior to its adoption.

CUSTODY DIVISION

Handling of Prisoner Grievances

LASD is still in the process of working on installing tablets in all jail facilities to capture information related to prisoner requests and, eventually, prisoner grievances. There are still a total of 180 installed iPads. There are 48 iPads at Century Regional Detention Facility (CRDF), 48 iPads at Men's Central Jail (MCJ), and 84 iPads at Twin Towers Correctional Facility (TTCF). LASD is reporting that all iPads in MCJ are currently down and there is insufficient staffing to complete planned upgrades. LASD reports that they are still considering moving to Windows based tablets in order to rectify compatibility issues and ease other connectivity concerns. LASD reports that prisoners have accessed the iPads to obtain information on 2,390,024 occasions between January 1, 2020, and December 31, 2020, which is 50% less than 2019.

As reported in the Office of Inspector General's January 2018 *Reform and Oversight Efforts: Los Angeles County Sheriff's Department* report, LASD implemented a policy restricting the filing of duplicate and excessive prisoner grievances.²³ LASD reports that between October 1, 2020, and December 31, 2020, 13 prisoners were restricted from filing 38 grievances under this policy.

In-Custody Deaths

Between October 1, 2020, and December 31, 2020, seven individuals died while under the care and custody of LASD. The seven decedents died in the hospitals to which they had been transported.

Office of Inspector General staff attended the Custody Services Division Administrative Death Reviews for each of the seven in-custody deaths.

²³ See Los Angeles County Sheriff's Department, *Custody Division Manual*, 8-04/050.00, Duplicate or Excessive Filings of Grievances and Appeals, and Restrictions of Filing Privileges.

The following summaries, arranged in chronological order, provide brief descriptions of each in-custody death:

On October 1, 2020, an individual died at Olive View–University of California, Los Angeles Medical Center after being transported from North County Correctional Facility (NCCF) five hours prior, for a higher level of care.

On September 30, 2020, an individual at MCJ suffered a medical emergency. Deputies and medical personnel rendered emergency aid until paramedics arrived and transported the individual to Los Angeles County/USC Medical Center (LCMC). The individual died on October 2, 2020.

On November 18, 2020, an individual died at LCMC after being transported from TTCF's Correctional Treatment Center on September 30, 2020, for a higher level of care.

On November 22, 2020, an individual died at LCMC after being transported from CRDF on October 26, 2020, for a higher level of care.

On November 19, 2020, an individual at MCJ was reportedly discovered unresponsive by deputies. Deputies and medical personnel rendered emergency aid until paramedics arrived and transported the individual to LCMC. The individual died on November 26, 2020.

On December 3, 2020, an individual died at LCMC after being transported from TTCF's Correctional Treatment Center on October 31, 2020, for a higher level of care.

On December 18, 2020, an individual was reportedly discovered by deputies in a cell at MCJ during what was described as a suicide attempt. Deputies and medical personnel rendered emergency aid until paramedics arrived and transported the individual to LCMC. The individual died on December 22, 2020.

Other Deaths

Between October 1, 2020, and December 31, 2020, two individuals died under circumstances which do not fit within the current categorical definition of in-custody deaths but were under the care and custody of LASD when the condition which resulted in their deaths first became apparent.

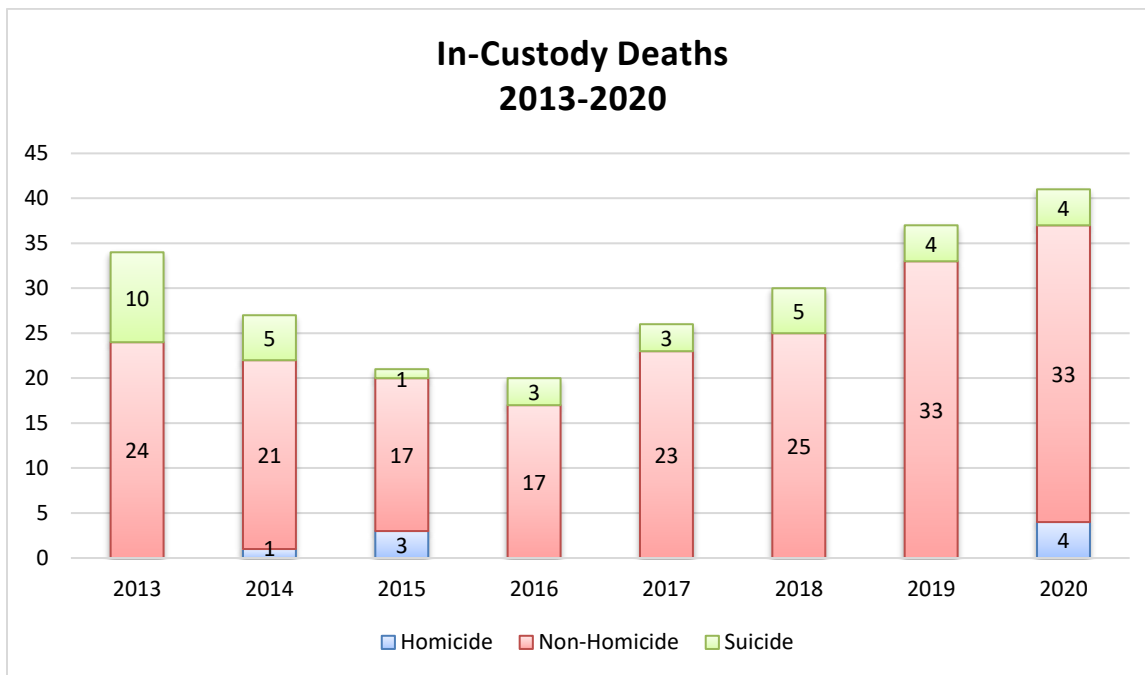
Office of Inspector General staff attended the Custody Services Division Administrative Death Reviews for each of these deaths.

The following summaries provide a brief description of the circumstances surrounding these deaths:

On October 6, 2020, an individual at TTCF was reportedly discovered unresponsive by a prisoner. Deputies and medical personnel arrived and rendered emergency aid until paramedics arrived and transported the individual to LCMC. This incident was later reported to be a suicide attempt. The individual was compassionately released on November 9, 2020 and died on November 10, 2020.

On October 14, 2020, an individual at Pitchess Detention Center North (PDC-North) was transported to Henry Mayo Newhall Hospital for a higher level of care. The individual was compassionately released on October 30, 2020 and died on November 9, 2020.

Comparison to Prior Years



The number of in-custody deaths the Office of Inspector General reports may vary slightly from historical data provided by LASD because LASD identifies in-custody deaths by custody status and the location of an individual's death.

Office of Inspector General Site Visits

The Office of Inspector General normally conducts site visits and inspections at LASD's custodial facilities to identify matters requiring attention. Since the Los Angeles County Safer at Home Order issued on March 19, 2020, the Office of Inspector General has limited site visits. In the fourth quarter of 2020, Office of Inspector General personnel completed 16 site visits inside LASD's NCCF, MCJ, TTCF, and CRDF. Office of Inspector General staff have been closely monitoring LASD's and Correctional Health Services' (CHS's) response to the COVID-19 pandemic and following up on concerns raised by the public. As part of the Office of Inspector General's jail monitoring, Office of Inspector General staff attended 40 Custody Services Division executive and administrative meetings and met with division executives for 45 monitoring hours related to COVID-19 as well as general conditions.

CITIZENS' COMMISSION ON JAIL VIOLENCE UPDATES

CCJV Recommendation 3.12: The Department should purchase additional body scanners

LASD continues to operate body scanners at MCJ, CRDF, PDC North, PDC South, NCCF, and Inmate Reception Center (IRC).

According to LASD records, from October 1, 2020, to December 31, 2020, 291 prisoners refused to go through the body scanners across all applicable facilities. As previously reported, LASD reported that it no longer records the reasons for such refusals because the data did not contribute significant feedback towards the goal of reducing strip searches since the primary reason for refusals is jail politics.