



COUNTY OF LOS ANGELES OFFICE OF INSPECTOR GENERAL

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April 11, 2022

TO: Supervisor Holly Mitchell, Chair
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Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger

FROM: Max Huntsman
Inspector General

SUBJECT: SIXTH REPORT BACK ON IMPLEMENTING BODY-WORN CAMERAS
IN LOS ANGELES COUNTY

Purpose of Memorandum:

On January 9, 2020, the Office of Inspector General presented its first report back on the September 24, 2019, Board motion directing the Office of Inspector General, in consultation with the Sheriff, Public Defender, Acting Alternate Public Defender, District Attorney, Chief Executive Officer, County Counsel and the Executive Director of the Civilian Oversight Commission to monitor and report on: 1) the progress of the implementation of technology infrastructure upgrades at patrol stations and other locations as needed for body-worn cameras; and (2) the receipt of a final body-worn camera policy from the Sheriff's Department, with such policy to address the elements raised by the Board of Supervisors. This is our sixth report back on the progress of the Los Angeles County Sheriff's Department's (Sheriff's Department) implementation of body-worn cameras.

Body-Worn Camera Equipment Procurement and Deployment

As of March 14, 2022, the Sheriff's Department has deployed 3,637 body-worn cameras (BWCs). While the Sheriff's Department has outfitted many of the patrol units with BWCs, the Office of Inspector General recommends that specialized units, such as Special Enforcement Bureau, Custody Division, and Mental Evaluation Teams, also receive BWCs. The following is a timeline of the BWCs which were deployed since the

Office of Inspector General's last report back as well as the projected deployment dates for units yet to receive the BWCs.:

Stations Completed September 2021 to Present	Completed Date
Cerritos Patrol Station	9/30/2021
Operation Safe Streets Bureau	10/31/2021
Metrolink Bureau	10/31/2021
Transit Services Bureau	10/31/2021
Santa Clarita Station	11/30/2021
Carson Station	12/31/2021
Avalon Station	03/02/2022
Court Services – Levy Crew (<i>Projected</i>) ¹	04/30/2022
County Services Bureau (<i>Projected</i>)	07/31/2022
Parks Bureau (<i>Projected</i>)	07/31/2022
Community Colleges Bureau (<i>Projected</i>)	TBD

In the past there have been delays in deployment due to infrastructure issues. The Sheriff's Department reports that the majority of those issues have been resolved. The only caveat being, that for the four projected units: Parks Bureau, County Services Bureau, Court Services-Levy Crew, and Community Colleges Bureau, there have been delays due to supply chain issues in purchasing network equipment and/or required internal infrastructure improvements. Due to supply chain issues, there has been an increased cost in network equipment; however, the Sheriff's Department reports they currently have enough savings² to cover these additional costs. Should the need arise due to the recent increase in prices, the Sheriff's Department will work with the CEO office to find solutions to ensure there is no delay in deploying and maintaining BWCs at all units for which deployment is planned. The Sheriff's Department remains optimistic that the projected units will receive the BWCs by the end of summer 2022. As of March 8, 2022, the Sheriff's Department reports uploading 1,397,524 videos to evidence.com (a cloud storage site, provided and managed by Axon, where BWC footage is stored). There have been no reports of videos being lost or corrupted while being uploaded to the site or when being viewed on the site. There have been occasional issues retrieving videos from this cloud site, but the vendor has worked with the Sheriff's Department to

¹ According to information provided by the Sheriff's Department, the Court Levy Crew is part of the Civil Management Bureau within Court Services Division. It is the unit that handles court ordered evictions, subpoena service, and other court-related functions. This unit was selected for BWCs based on the type of duty they perform

² According to the Sheriff's Department, the cost savings are due to salary savings and savings in capital asset purchase lines.

quickly resolve these issues. The Sheriff's Department's BWC unit is not aware of any significant complaints from other justice partners – the Los Angeles County District Attorney's Office, Public Defender's Office, Alternate Public Defender's Office, and/or defense attorneys – as to any BWC video access issues. The complaints the Body-Worn Camera Unit has received have generally centered around technical issues involving case sharing. The Sheriff's Department reports that it has worked with these parties to quickly address any such issues as they occur.

Since deploying BWCs to its first units in October 2020, the Sheriff's Department reports there have been a small number of cases for which it has initiated discipline, and/or issued discipline, for deputies who have failed to abide by the Sheriff's Department's BWC policies. The Office of Inspector General is aware of instances where deputies delayed turning on their BWCs. As the Board is aware, the Sheriff's Department's refusal to comply with oversight laws by providing direct access to body-worn camera video and discipline records leave us unclear as to whether those delays in activation led to administrative actions and/or briefings to ensure all personnel are turning on cameras in a timely fashion.

Continuing Concerns Regarding the Deployment and Use of BWCs

In the Office of Inspector General's "*Fifth Report Back on Implementing Body-Worn Cameras in Los Angeles County*," the Office of Inspector General discussed concerns with the Sheriff's Department policies on when deputies activate and de-activate BWCs (See Sheriff's Department's Manual of Policy and Procedures, section 3-06/200.08, "Body Worn Camera Activation.") In previous reports the Office of Inspector General has called on the Sheriff's Department to amend its policy to state simply and succinctly that deputies must "turn on the camera when responding to a call for service or at the initiation of any other law enforcement or investigative encounter between a police officer and a member of the public," rather than listing situations in which deputies should turn it on. A recent case illustrates the very reason why the current policy fails to address situations in which BWCs need to be worn and activated.

On February 17, 2022, the Operations Safe Street Unit of the Sheriff's Department was conducting a "surveillance/apprehension" operation of an armed suspect who was allegedly involved in a recent violent carjacking. The goal of this operation was to take the suspect into custody, which required law enforcement agents to identify themselves as law enforcement agents in order that the civilian knows they are not being accosted by a person who has no legal vested authority to conduct a detention or arrest. For this operation, some deputies wore vests identifying them as members of the Sheriff's

Department. With the plan in place, the deputies drove to the area where the suspect was last seen. One of the deputies, who was wearing a vest that identified him as a deputy sheriff but was in an unmarked car, saw the suspect on the street. The deputy exited his car to detain and take the suspect into custody. The deputy saw the suspect was armed with a gun and fired his gun multiple times at the suspect. As the suspect fled, there were two more deputy-involved shootings in which two deputies also fired numerous rounds at the suspect. Because the case is still in the investigatory stage, it is unknown if the suspect shot at the deputies. After the deputy-involved shootings, the suspect disappeared into a nearby home. Inhabitants of the home exited unharmed, stating the suspect was inside the home and that he was possibly injured. Because the suspect was barricaded inside the home, the Sheriff's Department Special Enforcement Bureau was called to the scene. At some point, the homeowners informed deputies that one of their family members might still be inside the residence. After approximately one hour, deputies made entry into the home and arrested the suspect, who had sustained multiple gunshot wounds. During the search of the home and its adjoining yard, the deputies found a 67-year-old male Hispanic in the yard, who appeared to have died from a gunshot wound(s). The Sheriff's Department notified the California Attorney General's Office (Attorney General) as the Attorney General is required by law to investigate the death of an unarmed civilian who died as the result of a deputy involved shooting pursuant to California Government Code section 12525.3 The Attorney General's Office upon reviewing the facts of the case assumed the investigation finding that it falls within the purview of Government Code section 12525.3.

None of the deputies were equipped with BWCs. The operational plan included a decision not to deploy each deputy with a BWC even though the unit had been issued BWCs on October 31, 2020. When the Office of Inspector General inquired as to the reason for the decision not to deploy BWCs for the operation, the Sheriff's Department reported its policy doesn't require their use because it was a "surveillance." This statement is inconsistent with the Sheriff's Department's stated objective for the operation: that it was to apprehend the suspect, not simply surveillance. Even if it were an undercover surveillance operation, an appropriate tactical plan should have included having some deputies available with BWCs in the event an encounter with the suspect occurred. Given that the plan was to apprehend the suspect and that at least some of the deputies were outfitted with vests identifying them as deputies, there was no tactical advantage for the deputies not to be wearing BWCs because the operational team was not undercover.

The fact that the policy, as written, allows units to decide not to deploy BWCs to apprehend or conduct surveillance of a suspect points to the necessity to amend the BWC policy. The Attorney General, the Office of the Inspector General, and the public are left without a vital piece of evidence, which could have shed light in this investigation on the factors that led to the bystander's death.

In discussions with the Sheriff's Department, it reported an intent to update its policy to require all OSS deputies, who are not working surveillance only missions, to wear and use BWCs. In this operation, the OSS-Gang Surveillance Unit (GSU) was conducting the surveillance in partnership with the U.S. Marshals. GSU deputies are deputized by the U.S. Marshals for all GSU operations. While the U.S. Marshals do not object to the GSU deputies being required to deploy BWCs, according to the Sheriff's Department the policy must be approved through official federal government channels before it can be enforced. All other deputies in OSS, who are not on the OSS-GSU, must comply with BWC policy when not working surveillance only missions. The Office of Inspector General will continue to monitor the adoption of this policy to require deployment of cameras to the GSU. The Office of Inspector General continues to recommend that the Sheriff's Department simplify its BWC policy to abrogate the use of exceptions for employing BWCs when contacting suspects or other members of the public.

MH:KV

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