



COUNTY OF LOS ANGELES OFFICE OF INSPECTOR GENERAL

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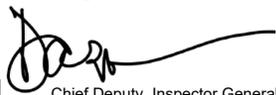
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INSPECTOR GENERAL

September 22, 2022

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

FROM: Max Huntsman 
Inspector General Chief Deputy, Inspector General on behalf of Inspector General Max Huntsman

SUBJECT: SEVENTH 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 of Supervisors motion directing the Office of Inspector General, in consultation with the Los Angeles County Sheriff's Department, Public Defender, 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 Los Angeles County Sheriff's Department (Sheriff's Department), with such policy to address the elements raised by the Board of Supervisors. This is our seventh report back on the progress of the Sheriff's Department's implementation of body-worn cameras.

Body-Worn Camera Equipment Procurement and Deployment

As of August 24, 2022, the Sheriff's Department has deployed 3,786 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 and Major Crimes, also receive BWCs. The Sheriff's Department reported that it had deployed BWCs to the specialized unit of Community

Partnerships Bureau, which houses the Sheriff's Department's Mental Evaluation Team and Homeless Outreach Services Team.¹ The following is a timeline of the BWCs which were deployed since the Office of Inspector General's sixth report back as well as the projected deployment dates for units yet to receive the BWCs:

Stations Completed/Scheduled March 2022 to Present	Completed Date
Avalon Station	03/02/2022
Court Services – Levy Crew (<i>Projected</i>) ²	09/30/2022
Parks Bureau (<i>Projected</i>)	10/31/2022
County Services Bureau (<i>Projected</i>)	12/31/2022
Community Colleges Bureau (<i>Projected</i>)	12/31/2022

According to the Sheriff's Department deployments to Court Services, County Services Bureau, and Parks Bureau, which were scheduled to be completed by July 2022, were delayed due to ongoing supply chain issues for network equipment and the equipment required to conduct internal infrastructure improvements. The *Stations Completed/Scheduled March 2022 to Present* chart above is the new estimated timeline and includes the completion of infrastructure, camera deployment and training. Despite the supply chain issues, the Sheriff's Department reports it is still within budget. It continues to work closely with the Chief Executive Office to ensure it has adequate funds in its budget to complete the above proposed projects.

The Sheriff's Department reports that it is exploring the feasibility of deploying BWCs in custody. Sheriff's Department personnel have started inspecting the infrastructure of the custodial facilities to determine the constraints and limitations of the current infrastructure, and the associated costs with deploying BWCs to all custodial personnel, including custody assistants who work alongside deputies in the facilities. According to the Sheriff's Department, it expects to provide its preliminary findings regarding the feasibility of deployment of BWCs in custodial facilities sometime in the last quarter of this calendar year.

¹ The Sheriff's Department deployed BWCs to the Community Partnerships Bureau back on October 31, 2021. This information was not included in previous reports as the Sheriff's Department only recently made the Office of Inspector General aware that this Bureau had received BWCs.

² 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.

As of August 24, 2022, the Sheriff's Department reports uploading 2,464,098 videos to evidence.com, the cloud storage site that stores BWC video. According to the Sheriff's Department, there are no reports of videos being lost or corrupted during uploading or viewing on the site. There have been intermittent issues regarding access to the website, but the Sheriff's Department reports working with Axon to quickly resolve the issues.

From February 1, 2022, to August 1, 2022, the Sheriff's Department reports that it opened four administrative investigations against deputies violating BWC policies.³ During the same time period, the Sheriff's Department reports that it disciplined deputies in nine different instances for violating BWC policy, with the majority of the discipline being for a violation of Manual of Polices and Procedure section, "3-06/200.08 –Body Worn Camera–Activation." According to the Sheriff's Department, the discipline in those cases ranged from written reprimand to five days. The data provided by the Sheriff's Department on this discipline is only for administrative investigations investigated by the Internal Affairs Bureau. There are potentially other instances in which supervisors may have informally counseled deputies for BWC policy violations, or chose to note the policy violation through Performance Log Entries.⁴

According to the Sheriff's Department, the BWC unit is not aware of any unresolved complaints from the justice partners – the District Attorney's Office, Public Defender's Office, Alternate Public Defender's Office, and/or defense attorneys – as to any BWC video access issues. There has been an increase in requests regarding BWC audit trails and the videos' metadata from the justice partners. The Sheriff's Department is working with its liaisons at the District Attorney's Office to provide the information in response to these requests.

³ It may take up to a year for the Sheriff's Department to complete an administrative investigation. Only after such an investigation is completed, will discipline be issued based on what the investigation uncovers.

⁴ "Performance Log Entry (PLE) is the hard copy documentation of a supervisory notation about a deputy's performance, including commendations, weaknesses, career guidance, and training." (See United States Department of Justice, "Antelope Valley Monitoring Team Monitor's Audit of Community Complaints," p. 5, January 10, 2018.) [http://www.la-sheriff.org/s2/static_content/avc/documents/Monitor%20Public%20Complaint%20Audit%20\(012018\).pdf](http://www.la-sheriff.org/s2/static_content/avc/documents/Monitor%20Public%20Complaint%20Audit%20(012018).pdf). A PLE is not formal discipline. The intent is that the information documented in the PLE may be incorporated into a employee performance evaluation. If it is not, there is no requirement that it be maintained beyond the evaluation period of one year.

Continuing Concerns Regarding the Deployment and Use of BWCs

Through attendance at meetings, the Office of Inspector General representatives have noted that management personnel, training personnel, and personnel from Internal Affairs Bureau (IAB), may lack the technical training to know when BWC policy violations have occurred. This is concerning because these personnel are responsible for initiating and/or investigating disciplinary actions when deputies fail to activate their cameras according to Sheriff's Department policies.

BWCs are continually recording and activating the "record" feature triggers the BWC to **save** the video, including the minute prior to the record button being activated. During that minute, only the video, but not the audio, is saved. The way to determine the exact moment a deputy activated the camera, is to listen for the audio start time in the saved video. The time at which the audio begins, is the moment the deputy intentionally depressed the record button on their BWC to capture the incident. Office of Inspector General representatives have seen several BWC videos where it is clear there was a delay in activation that is contrary to the Sheriff's Department policy, including after the deputies arrive on the scene or after a shooting occurred. Responses to inquiries from the Office of Inspector General regarding these delays have included answers that suggest the personnel responsible for investigating policy violations are unaware that the one minute captured prior to the audio indicates that the recording was not activated until after that one-minute period, resulting in the Sheriff's Department missing policy violations. The Office of Inspector General recommends all Sheriff's Department personnel to be re-briefed on the technology and Sheriff's Department BWC policies to ensure all levels of command staff have a robust understanding of how the BWCs work and the policies surrounding the use of the cameras.

The Office of Inspector General continues to have concerns regarding the lack of deployment of BWCs to the Operation Safe Streets Bureau's Gang Surveillance Unit (GSU). In the Office of Inspector General's [*Sixth Report Back on Implementing Body-Worn Cameras in Los Angeles County*](#), the Office of Inspector General's reports on reform and oversight efforts for [*January to March 2022*](#), and for [*April to June 2022*](#), the Office of Inspector General reported that the Sheriff's Department has not deployed BWCs to deputies assigned to the GSU because the deputizing of the members of the GSU team by the U.S. Marshals necessitates a Memorandum of Understanding (MOU) with the federal government. While this issue has been raised in these three reports, the first one being in April of this year, to date a MOU between the federal government and the Sheriff's Department has not been executed. Details of a February 17, 2022, shooting were reported in both the [*Sixth Report Back on Implementing Body-Worn*](#)

[Cameras in Los Angeles County](#) and in the report titled [Reform and Oversight Efforts: Los Angeles County Sheriff's Department - January to March 2022](#). In that shooting, members of the GSU were involved in a shooting during which an innocent bystander was killed.⁵ GSU members were not wearing BWCs during the incident. As reported, initially the Sheriff's Department stated it was because those members were acting in "surveillance" capacity, and therefore were not required by policy to wear BWCs but later stated that it was due to the lack of the MOU with the federal government.

As reported in the report titled, [Reform and Oversight Efforts: Los Angeles County Sheriff's Department - April to June 2022](#), The GSU was involved in another shooting on May 18, 2022, that was also not captured on BWC due to BWCs not being deployed to that unit. In this deputy-involved shooting the GSU was tracking a homicide suspect, who was an alleged member of a criminal street gang. The suspect was tracked to a shopping center, where a GSU detective reported that the suspect reached towards his waistband and appeared to be tugging on an object. The detective gave commands for the suspect to stop, unholstered his gun and fired one round at the suspect. The round missed the suspect. A firearm was recovered from the suspect.

The Sheriff's Department reports for the past six months it has been actively working with the US Marshals to finalize the MOU governing BWCs. According to the Sheriff's Department, on September 15, 2022, a draft of the proposed MOU was circulated to Sheriff's Department executives to review and approve. The Office of Inspector General has not seen a copy of this proposed MOU, nor have we been asked for our input and/or recommendations in drafting the language of the MOU. The Office of Inspector General recommends that the Sheriff's Department provide the proposed MOU to the Office of Inspector General for analysis and input and then to expeditiously finalize the MOU with the federal government to ensure cameras are quickly deployed to the GSU given that it has been involved in two shootings this year.

The Office of Inspector General has repeatedly requested and continues to request that the Sheriff's Department provide the Office of Inspector General access to evidence.com. On July 7, 2022, the County of Los Angeles filed a Petition for Writ of Mandate against Sheriff Villanueva requesting a court order that the Sheriff provide the Office of Inspector General with access to evidence.com at the offices of the Office of Inspector General. Without viewing access to the full inventory of BWC videos, it is impossible for the Office of Inspector General to review BWC video of interactions

⁵ The shooting is still under investigation. At this time, it is not known whether it was a GSU member's bullet or the suspect's bullet which fatally struck the bystander.

between law enforcement and the public, including victims, witnesses, suspects, and critical incidents; only with viewing access can the Office of Inspector General determine whether Sheriff's Department policies are being complied with.

If you have any questions concerning this report, please contact me at (213) 974-6100.

MH:KV:ec

c: Alex Villanueva, Sheriff
Fesia Davenport, Chief Executive Officer
Celia Zavala, Executive Officer
Dawyn Harrison, Acting County Counsel
Brian K. Williams, Executive Director, Sheriff's Civilian Oversight Commission