

REVISED MOTION BY SUPERVISOR HILDA L. SOLIS

July 27, 2021

AND HOLLY J. MITCHELL

Taking Action: Further Protections for Surviving Families from Law Enforcement

Harassment and Retaliation

In response to the continued complaints and concerns raised by families whose loved ones were killed by LA County Sheriff’s Department (LASD) deputies, the LA County Board of Supervisors (Board) unanimously supported the May 4, 2021 motion, “Protecting Surviving Families from Law Enforcement Harassment and Retaliation”¹ directing the Office of Inspector General (OIG) to update its 2020 report back to the Sheriff Civilian Oversight Commission (COC) regarding “incidents of harassment and intimidation experienced by surviving families”² and conduct a thorough investigation with recommendation, working with County Counsel to “pursue legal options if there are barriers”³ to the OIG’s ability to “fulfill its directive to report”⁴.

¹ <http://file.lacounty.gov/SDSInter/bos/supdocs/158009.pdf>

² https://oig.lacounty.gov/Portals/OIG/Reports/Report_on_Protect_ing_Surviving_Families.pdf

³ Ibid.

⁴ Ibid

MOTION

MITCHELL _____

KUEHL _____

HAHN _____

BARGER _____

SOLIS _____

As a result, the OIG prepared a memorandum and report back⁵ with summaries of its interviewed families; barriers to the OIG's ability to comply with the Board's directive to report back on the harassment and intimidation of families; and its meetings with the LA County District Attorney (DA). The report lays out several recommendations to protect our families from harassment, intimidation, and unnecessary pain and trauma from the misconduct of LASD deputies.

It also lays out the continued and important need for the Family Assistance Program to be fully funded and staffed to ensure those who have been harmed by law enforcement misconduct receive the necessary services to address The Board needs to continue to stand up for our impacted residents by moving forward on these and other recommendations.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Direct County Counsel, in collaboration with the Office of Inspector General, to pursue all legal remedies, in accordance with State and County laws, to require the LA Sheriff's Department to comply with Government Code Sections 25303, 25303.7, and County Code 6.44.190 by granting the OIG monitoring and investigative requests, including direct OIG access to the Performance Recording and Monitoring System (PRMS) database and body-worn camera videos, so that the OIG can fulfill its obligations as directed by the LA County Board of Supervisors per the May 4, 2021 motion.
2. Direct the Executive Office of the LA County Board of Supervisors'

⁵ https://oig.lacounty.gov/Portals/OIG/Reports/Report_on_Protect_ing_Surviving_Families.pdf

Information Technology (IT) Division and the Internal Services Department (ISD), in consultation with County Counsel and the Chief Executive Office, to seek to secure access to Los Angeles County records maintained by the Sheriff's Department in electronic databases and cloud storage systems, including negotiating contracts with outside vendors that require direct access for the Office of Inspector General and, as permitted by law, for other County justice departments, like the Public Defender, Alternate Public Defender, and the District Attorney, and exploring the use of the Information Systems Advisory Body's (ISAB) Enterprise Digital Evidence Management Solution (eDEMS).

- a. Access to the cloud-based storage system for body-worn camera video, evidence.com, shall be granted to the Office of Inspector General, and, as permitted by law, for the Public Defender, Alternate Public Defender, the District Attorney, and other relevant County justice departments as part of the contract between ISD and Axon Enterprises, Inc.
 - i. If necessary, additional licenses to evidence.com shall be purchased for the Office of Inspector General, the Public Defender, Alternate Public Defender, the District Attorney, and other relevant County justice departments.
3. Request the LA County District Attorney (DA) to investigate all allegations of criminal conduct by the LA County Sheriff's Department (LASD).
 - a. Additionally, should the DA not have sufficient staff to prosecute

criminal conduct by deputies or when LASD's investigations are deficient, the DA, in collaboration with the Chief Executive Office, shall report back, in writing, in 60 days on staffing and funding needs for these specific purposes.

4. Direct the Office of Inspector General (OIG), in collaboration with the Chief Executive Office, County Counsel, LA Sheriff's Department, District Attorney, Public Defender's Office, and Alternate Public Defender's Office to report back in 60 days on the feasibility, cost, operations, and other relevant information on the creation of an independent Office of Law Enforcement Standards as detailed in the OIG's February 2021 report, "Los Angeles County Sheriff's Department: Review and Analysis of Misconduct Investigations and Disciplinary Process."
 - a. The report back shall also include any legal considerations on how the Office of Law Enforcement Standards, if created, would handle discipline of LA Sheriff's Department personnel.
 - b. Additionally, the report back must include specific need for staffing and funding for the Office of Inspector General, Public Defender, and Alternate Public Defender should the creation of an independent Office of Law Enforcement Standards be established.
5. Request the LA Sheriff's Department to provide all complaints of misconduct to the Office of Inspector General within 48 hours of receipt to allow the OIG to monitor the LA Sheriff's Department's inquiry into the allegations to ensure a quality, thorough, and comprehensive investigation.

6. Request the LA Sheriff's Department, in collaboration with County Counsel, Office of Inspector General, and the Sheriff Civilian Oversight Commission, to develop and adopt a policy regarding memorial sites and vigils involving victims of deputy-involved shootings and killings within 90 days.

WE FURTHER MOVE that the Board of Supervisors

7. Direct the Chief Executive Office, in collaboration with the Sheriff Civilian Oversight Commission, Office of Inspector General, Department of Mental Health, Department of Public Health's Office of Violence Prevention, Medical Examiner-Coroner, and other relevant County and community stakeholders, to identify ongoing funding necessary to continue the LA County Board of Supervisors' established Family Assistance Program to support families following an in-custody death or fatal use of force by law enforcement by Supplemental Budget.

#

HLS:el