





2019 ANNUAL REPORT

COUNTY OF LOS ANGELES SHERIFF
Civilian Oversight Commission

# CIVILIAN OVERSIGHT COMMISSION 2019 ANNUAL REPORT

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A MESSAGE FROM THE

# **Executive Director**

Brian K. Williams, Esc

e choose hope over fear. We see the future not as something out of our control, but as something we can shape for the better through concerted & collective effort," former President Barack Obama. Moving into our fourth year of existence, the Commission is working collaboratively to shape a better future. Created in response to the demands of the community, we work diligently to ensure their voices are heard. Through the collective efforts with community members, elected officials & law enforcement, our advisory oversight body has influenced positive changes for some of the most persistent issues facing our community & law enforcement.

In 2019, some projects have included immigration policy recommendations & resolutions advising the Sheriff to turn over the Brady list of officer misconduct, recommending the removal of the Fort Apache seal from the East L.A. Sheriff's Station & encouraging the rejection of the Mira Loma Women's Detention Center Project. In addition to monitoring the progress of Body Worn Cameras, Mental Evaluation Teams, the Family Assistance Program & the Prison Rape Elimination Act, the Commission also acted on motions requesting investigations into secret deputy subgroups & the harassment of families following fatal uses of force.

Even with the progress we have made, I am mindful of the work that still needs to be done. As we continue our work toward real reform, I'm most thankful for our collective efforts to increase public engagement. The comments from community members at Commission meetings, town halls, conferences & community meetings are invaluable. The community shines a light on areas the Commission needs to review. Working with these community partners, our elected officials, the Inspector General & others, the Commission will continue to shape a better future for community police relations. We strive to work with the Sheriff's Department to make it even more transparent.

I would like to take a moment to thank the Executive Office, the Office of the Inspector General & the Sheriff's Department for their collaborations. I must also thank each member of the public that reaches out to us because it is your feedback that is so valuable for the Commission's work. I would like to give recognition to the staff for their concerted efforts to advance the cause. Kudos & thanks to Starlet Atkins, Christine Aque, Daniel Delgadillo, Erick Montalbán-Lara, Tracy Jordan-Johnson, Jennifer Osborn & Ingrid Williams.

The Commission chooses hope. We look forward to the future, a better future that we are working to shape with your help.



PHOTO ABOVE

Executive Director Brian K. Williams addresses the Board on July 9, 2019 at the Kenneth Hahn Hall of Administration in downtown Los Angeles.

BRIAN K. WILLIAMS, ESQ.

Executive Director
December 31, 2019



PHOTO ABOVE

L.A. County Board of Supervisors 2019. Left to right: Mark Ridley-Thomas, 2nd District; Sheila Kuehl, 3rd District; Kathryn Barger, 5th District; Hilda L. Solis, 1st District; Janice Hahn, 4th District.

# Los Angeles County Board of Supervisors

PROGRESS WITH SUPPORT

On January 12, 2016, the Los Angeles County Board of Supervisors (Board) implemented the Sheriff Civilian Oversight Commission (Commission). Necessary for the success of the Commission, the Board has consistently supported transparency & accountability with respect to the Los Angeles County Sheriff's Department (Sheriff's Department) & have taken action to support the Commission's recommendations.

The Commission submitted several recommendations to the Board in 2019, & they appropriately took action regarding deputy reinstatements, secret deputy subgroups, body worn cameras & continuing the path of reform of the Sheriff's Department. With the support of the Board, the Commission has continued to monitor immigration policy adherence, use of force practices & Mental Evaluation Teams progress.

### **BOARD ACTIONS**

Motion	Authored by	Date
LASD: Deputy Reinstatement	Supervisors Barger & Kuehl	January 29, 2019
Comprehensive Study of Secret Sheriff's Deputy Subgroups	Supervisor Solis	March 12, 2019
Evaluating the Legality of the Proposed "Truth & Reconciliation Commission"	Supervisors Ridley-Thomas & Kuehl	March 12, 2019
Assessing County Liability in Settlements Involving Sheriff "Gangs"	Supervisors Kuehl & Solis	April 30, 2019
Supporting families following an in-custody death or fatal use of force	Supervisors Ridley-Thomas & Kuehl	July 9, 2019
Expanding Authority to Investigate Deputy Secret Societies	Supervisors Hahn & Ridley-Thomas	July 23, 2019
Implementing Body Worn Cameras in Los Angeles County	Supervisors Ridley-Thomas & Solis	September 24, 2019
Continuing on the Path of Reform: Strengthening Accountability & Civilian Oversight of the Sheriff's Department	Supervisors Ridley-Thomas & Kuehl	October 15, 2019

### PHOTO BELOW

L.A. County Board of Supervisors meeting on October 15, 2019 at the Kenneth Hahn Hall of Administration in downtown L.A.





## A Year in Review

### 2019 ACTION AREAS

- Allegations of Harassment Against Families
- Brady List
- Inmate Welfare Fund
- Mira Loma Women's Detention Center
- Fort Apache East L.A. Station Logo
- Internal Administrative Investigations
- Secret Deputy Subgroups
- Immigration Policy
- 3 Year Self Evaluation Review

### **REGULAR MONITORING**

- Significant events
- Inspector General reporting
- Consent decrees
- Litigation costs
- Unmanned aircraft systems
- Body worn cameras
- Prison Rape Elimination Act
- Mental Evaluation Teams
- Family Assistance Program
- Courtesy & professionalism

### STRATEGIC PRIORITIES

- Brady List
- Recruitment
- Transparency (AB1491)
- Secret deputy subgroups
- Inmate Welfare Fund
- Men's Central Jail
- Internal personnel discipline

### PHOTO LEFT

L.A. County Sheriff Civilian Oversight Commissioners Lael Rubin & Pastor Xavier Thompson address the Board on March 12, 2019.

REFORM	CIVILIAN OVERSIGHT COMMISSION
Engagement	Provided a forum for community
	members to discuss concerns with
	the Sheriff's Department & increase
	the level of communication with the
	community through Commission, town
	hall & neighborhood meetings.
Transparency	Increased the transparency of the
	Sheriff's Department. The Commission
	has worked with the Department to
	increase the amount of information on
	their website, including use of force,
	discipline & other statistics.
Policy	Made substantive recommendations
	& inquiries regarding immigration
	policies, the Brady list, the Fort Apache
	East L.A. Station Logo, the Mira Loma
	Women's Detention Center Project, the
	harassment of families following a fatal
	use of force & secret deputy subgroups.

### PHOTO BELOW

Commission Chair Patti Giggans addresses the Board at the October 15, 2019 board meeting. Also pictured, Executive Director Brian K. Williams & Inspector General Max Huntsman.

### PHOTO RIGHT

L.A. County Board meeting on March 12, 2019 at the Kenneth Hahn Hall of Administration in downtown L.A.





# Report from the Chair

The Civilian Oversight Commission is completing its third year of oversight. We are gaining experience as we go. Our staff & commissioners have worked collectively to recommend several action items for the Sheriff's Department to consider implementing.

In 2019, the Commission recommended improvements related to the disclosure of the Brady list of officer misconduct, compliance with immigration policies & rejection of the Mira Loma Women's Detention Center project.

Additional areas of interests taken up as priorities include the removal of the Fort Apache East L.A. Station logo, an inquiry into secret deputy subgroups, bringing to light internal administrative investigations & understanding the priorities of the Inmate Welfare Fund. We have also witnessed progress in the areas of the Prison Rape Elimination Act, the Family Assistance Program, Mental Evaluation Teams & body worn cameras.

From our regular meetings to our town halls, we have given community members the opportunity to

have their voices heard. Hearing directly from the community informs our inquiries, research & enables us to stay connected & relevant.

I would like to thank my fellow commissioners who listen to community feedback, review policies, conduct research, provide oversight & develop recommendations to improve the Sheriff's Department. Coming with diverse backgrounds & life experiences, we all bring valuable perspectives to create well-balanced solutions for reform.

I want to give special thanks to the staff & the Executive Director of the Commission as well as the Office of Inspector General, the Sheriff's Department & the Board of Supervisors for their engagement & for their commitment to reforming & transforming policing in Los Angeles County.

As an independent body, we experience great challenges & see potential for progress. In the coming year, we will continue to try to build bridges between the community & the LASD. We hope to create a more transparent law enforcement system for L.A. County by performing our mandate of oversight through developing better cooperation with the Sheriff's Department leadership.

Our goal is to advocate for transparent & accountable law enforcement & improve community & police relations. We hope you will join with us to reach this worthy & necessary goal.





PHOTO LEFT

L.A. County Sheriff Civilian

Oversight Commission Chair Patti

Giggans addressed the Board of

Supervisors on March 12, 2019.

## **Commission Members**

The Board of Supervisors appointed nine commissioners to serve on the Civilian Oversight Commission. Five members are nominated from each Supervisorial District, & four additional members are appointed by the entire Board. Commissioners' diverse backgrounds include community & faith leaders, a retired Sheriff's Department Lieutenant, a former federal judge & attorneys with a broad range of experiences—from former prosecutors & public defenders to professors & executives from nonprofit organizations.



PATTI GIGGANS
Commission Chair, Executive
Director of Peace Over Violence
Appointed by Supervisor Kuehl on
11/24/2016, reappointed 7/24/2018



JAMES P. HARRIS Former Sheriff's Lieutenant Appointed by Supervisor Knabe on 11/1/2016



XAVIER THOMPSON
Senior Pastor of the Southern
Saint Paul Church
Appointed by Supervisor Ridley-

Thomas on 11/1/2016



LAEL RUBIN
Vice Chair, Former Deputy District
Attorney
Appointed by the Board of Supervisors
on 11/1/2016, reappointed by



the Board on 7/24/2018

SEAN KENNEDY
Center for Juvenile Law & Policy Executive
Director & former Federal Public Defender
Appointed by the Board of
Supervisors on 11/1/2016



CASIMIRO U. TOLENTINO Former Administrative Law Judge for the State of California Appointed by the Board of

Supervisors on 7/24/2018



ROBERT C. BONNER
Attorney, former U.S. Attorney
& DEA Administrator
Appointed by Supervisor Antonovich
on 11/1/2016, reappointed by



PRISCILLA OCEN
Loyola Law School Associate
Professor
Appointed by the Board of
Supervisors on 11/1/2016



HERNÁN VERA
Attorney & former President
& CEO of Public Counsel
Appointed by Supervisor
Solis on 11/1/2016

## Mission & Values

VISION

The Civilian Oversight Commission works to facilitate public transparency & accountability with respect to the Los Angeles County Sheriff's Department.

### **MISSION**

The Commission provides ongoing review, analysis & oversight of the Sheriff Department's policies, practices & procedures. They build bridges between the Sheriff's department & the public, & recommend solutions to advise the Board, the Sheriff's Department & the public. Striving to perform its duties in a thorough & transparent manner, the Commission demonstrates

credibility & respectfulness by promoting equality & justice. The Commission welcomes public involvement & provides for opportunities for robust community engagement.

### **DUTIES & RESPONSIBILITIES**

- Boost transparency & reclaim accountability
- Discover gaps & patterns of misconduct
- Recommend solutions for real change
- Build bridges among various audiences
- Give the community a stronger voice

### **VALUES**

### **INDEPENDENT**

### **AUTONOMOUS**

Housed under the Executive Office of the Board of Supervisors, the civilian team is positioned to remain independent in their oversight of the Sheriff's Department.

### CREDIBLE

### TRUSTWORTHY

Strives to perform its duties in a manner that is thorough & demonstrates credibility. The Commission works to remain knowledgeable, respectful & transparent.

### RESPECTFUL

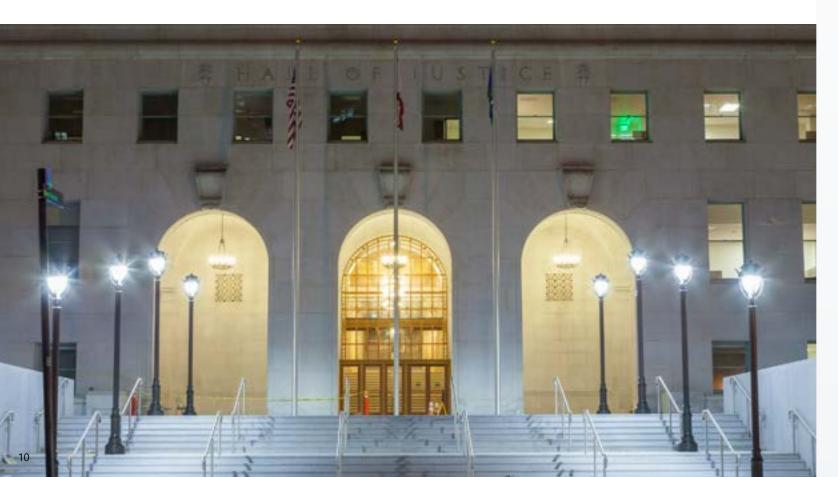
### SINCERE

Encourages public involvement & treats participants in a sincere manner. The Commission provides opportunities for robust engagement.

### **NEUTRAL**

### FAIR & JUST

Creates opportunities for community members from diverse backgrounds to voice their opinions & thoughts. Promotes equality & justice.



### County of Los Angeles **Board of Supervisors** Structure Executive Office of the **Board of Supervisors** ORGANIZATIONAL CHART Civilian Oversight Commission Commission **Executive Director** Members Brian K. Williams Management Community **Principal Staff** Senior Management Paralegal Information Officer Analyst Analyst Secretary Jennifer Osborn Starlet Atkins Tracy Jordan-Johnson Erick Montalbán-Lara **Ingrid Williams** Intermediate Board Specialist Senior Staff Analyst Senior Staff Analyst Christine Aque Daniel Delgadillo

Commission staff support the mission by creating opportunities for community interaction through town halls, commission meetings, conferences & social media engagement. The team supports Commissioners, the Board of Supervisors & the ordinance by coordinating closely with the Office of Inspector General, the Sheriff's Department & other agencies. After monitoring topics & conducting research, staff work with ad hoc committees to prepare recommendations. Once recommendations are approved by the full Commission, they are provided to the Board & the Sheriff's Department.

### ESTABLISHMENT

The Board approved an ordinance that created the Civilian Oversight Commission on September 27, 2016. The Commission is authorized by Chapter 3.79 of the Los Angeles County Code.

### JURISDICTION

The Commission provides oversight of the L.A. County Sheriff's Department, which is the nation's largest sheriff's department with approximately 18,000 employees. The law enforcement agency provides services to 42 incorporated cities & 141 unincorporated communities, courthouse security for the Superior Court of Los Angeles County, & the housing & transportation of approximately 18,000 inmates daily within the county jail system, the nation's largest county jail system.

L.A. County is the nation's largest county by population. A subdivision of the State of California, the County of Los Angeles is charged with providing numerous services that affect the lives of 10 million residents who live throughout a sprawling 4,084 square miles of land.

### PHOTO LEFT

Hall of Justice at 211 W. Temple St., Los Angeles, CA 90012.



POLICING IS AN IMPORTANT & COMPLEX ASPECT OF LIFE IN

OUR COMMUNITY. THE ENTIRE COMMUNITY MUST BE INVOLVED

IN THIS PROCESS SO EVERYONE'S VOICE IS HEARD.



### PHOTO LEF

Civilian Oversight Commission Chair & Peace Over Violence Executive Director Patti Glggans provided opening remarks.

### PHOTO RIGHT

The keynote speaker, Jerome Dixon shared his story of being a juvenile interrogated & coerced into signing an incriminating statement. He spoke about how that changed the trajectory of his life and what he is doing now.



### PHOTO PIG

Executive Director Brian K. Williams announces the panel who analyzed the differences of elected sheriffs & appointed police chiefs. Left to right: Southwestern Law School Professor Isabelle Gunning; Loyola Marymount University Professor Laurie L. Levenson; former Undersheriff Ray Leyva; & UCLA Center for African American Studies Director of Public Policy Isaac Bryan.



# Community Policing Conference

n November 16, 2019, the Commission hosted the 2nd Annual Community Policing Conference with the theme of "Redefining Public Safety in Los Angeles County." This unique conference brought together nearly 200 key stakeholders including community members, law enforcement, criminal justice professionals, academics & the media to discuss the topic of policing in L.A. County.

The day began with keynote speaker, Jerome Dixon who shared his experience in Oakland, CA of being coerced into signing an incriminating statement in a murder investigation & serving 21 years behind bars. He shared how he is moving forward since the parole board acknowledged his claim of innocence & released him from custody in 2011.

The next panel outlined how different law enforcement structures administer public safety through elected sheriffs or appointed police chiefs, & panelists discussed the characteristics & challenges of each system.

The next group of experts explored factors that lead to law enforcement use of force. Community members watched a live interactive demonstration of de-escalation & diversion training.

The L.A. County's Human Relations Commission & the Department of Public Health were conference planning partners.



### PHOTO BELO

To preface the discussion on de-escalation, Sergeant Kevin Tiwari from L.A. County Sheriff Department's Mental Evaluation Team demonstrated the interactive training on de-escalation & diversion.



### PHOTO BELO

This panel discussed de-escalating techniques. Left to right: Loyola Law School Center for Juvenile Law & Policy Executive Director & Civilian Oversight Commissioner Sean Kennedy; Sergeant Kevin Tiwari; Law Enforcement Accountability Network founder Theresa Smith; social critic Jasmyne Cannick & Sergeant Annadennise Briz.







# **Commission Meetings**

ommission meetings provide an opportunity for the public to comment on items before the Commission as well as any item that is in the Commission's jurisdiction.

The public is encouraged to attend all Commission meetings. As the Commission works to boost transparency & accountability, community input is vital to the ongoing analysis of the department's policies, practices & procedures. Community feedback may provide direction on additional issues the Commission evaluates.

Commission meetings are publicized at the Hall of Administration, online at coc.lacounty.gov, through media advisories, email notifications & social media.

Thank you to the team of the Metropolitan Transportation Authority for providing meeting locations for 2019. Regular Commission meetings for 2020 will typically be held on the third Thursday of the month from 9:00 a.m. - 1:00 p.m. at St. Anne's Conference Center at 155 Occidental Blvd., Los Angeles, CA 90026.

Sign up to receive email notifications of upcoming meetings on coc.lacounty.gov.



### PHOTO COLLAG

At Commission meetings, the panel listened to presentations from guest speakers, heard public comments & discussed areas of improvement for the Sheriff's Department.

**Above:** September 17, 2019. Left to right: James P. Harris, Sean Kennedy, Lael Rubin, Patti Giggans & Brian K. Williams.

**Top Left:** February 26, 2019. Left to right: Priscilla Ocen, Patti Giggans, Brian K. Williams, Xavier Thompson, Casimiro Tolentino, Lael Rubin & Hernán Vera.

**Left:** November 14, 2019. Left to right: Sean Kennedy, Robert Bonner, Lael Rubin, Patti Giggans, Brian K. Williams & Xavier Thompson.

### 2019 BY THE NUMBERS:

- 11 Commission meetings
- 884 attendees at Commission meetings
- 305 speakers at Commission meetings

### PHOTO BELOV

Following the December 2019 Commission meeting, members of the Commission gathered. Left to right: Brian K. Williams, Sean Kennedy, Casimiro Tolentino, Patti Giggans, Lael Rubin, Hernán Vera & James P. Harris.

# Town Halls & Public Outreach

he Commission welcomes public involvement & provides opportunities for engagement throughout L.A. County. Coordinating with community groups & other stakeholders, the Commission organizes town halls to engage with people who may have feedback about the Sheriff's Department.

Community members are encouraged to discuss how they feel about public safety in their communities & share their experiences with the Sheriff's Department.



### PHOTO ABOVE

Panelist listen during public comments at the July 11, 2019 town hall in East L.A. Left to right: Hernán Vera, Sean Kennedy, Patti Giggans, Lael Rubin & Brian K. Williams.

TOWN HALLS PROVIDE A PUBLIC FORUM WHERE RESIDENTS ARE
ENCOURAGED TO TAKE THE MICROPHONE TO ADDRESS LEADERSHIP FROM

THE COMMISSION & THE LOCAL SHERIFF'S STATION.

Town halls are set up as listening sessions intended to facilitate conversations with members of the public, commissioners & Sheriff's Department leadership. The public is invited to provide feedback about Department actions, policies or interactions. Additionally, resource booths feature local government & nonprofit organizations' community service information. Learn more about community engagement opportunities at coc.lacounty.gov.

### PUBLIC INTERACTIONS

- 5 Town Hall listening sessions (Carson, East L.A., Malibu, Santa Clarita, South L.A.)
- 27+ community group meetings
- 314 attendees at Town Hall meetings
- 77 speakers at Town Hall meetings

### PHOTO BELOV

Leadership from the Commission & the Sheriff's Department listen to community members at the Carson Town Hall on April 30, 2019.







## **NACOLE** Conference

CELEBRATING NACOLE AT 25 YEARS: COURAGE, COLLABORATION & COMMUNITY

Six staff & commissioners attended the 25th Annual Conference of the National Association for Civilian Oversight of Law Enforcement in Detroit, MI from September 22-26, 2019. At the conference, the oversight community came together to celebrate accomplishments, discuss issues & effective practices in oversight. Staff participated in five days of networking, training & collaboration. They also developed & hosted two educational sessions:

The session, "Hearing Multiple Voices: Town Hall Meetings in a Volatile Environment" focused on public engagement & transparency. Experienced oversight practitioners discussed the unique challenges of conducting public meetings & how to address those challenges.

Executive Director Brian K. Williams explained how a disruptive town hall following a deadly officer involved shooting was the catalyst for the Family Assistance Program. He discussed how this served as a great example of how the community, law enforcement agencies & oversight boards can work together to address significant issues in need of assessment.

The "Why are They Always Calling the Cops on Me?" session explored the phenomena of individuals calling 911 on a group or a person for seemingly innocuous behavior. Panelists explored answers as to why this is happening, what can be done to address these situations, what is behind this trend & what law enforcement response should be.

Brian K. Williams also presented on a panel titled "Recalling the Origins of Oversight: Incidents, Tragedies, & Public Demands for Change."

### **PHOTO ABOVE**

The panel discussed volatile community meetings on September 22, 2019. Left to right: Detroit Board of Police Commissioners Chair Lisa Carter; St. Louis Civilian Oversight Board Executive Director Nicolle Barton; L.A. County Sheriff Civilian Oversight Commission Chair Patti Giggans & Executive Director Brian K. Williams.



### PHOTO ABOVE

On September 23, 2019, Executive Director Brian K. Williams spoke during the session on the origins of oversight.



### PHOTO ABOVE

On September 25, 2019, this panel discussed frivolous calls to 911. Left to right: Grand Rapids Diversity & Inclusion Manager Patti Caudill; Grand Rapids Community Relations Commission Chair Tommy Allen; L.A. County Civilian Oversight Commissioner James P. Harris; L.A. Police Service Representative Training Officer Marsha Myers, University of Nevada Professor of Law Addie Rolnick; & Brian K. Williams.

# Complaints & Commendations

FILING A COMPLAINT OR COMMENDATION

he Civilian Oversight Commission receives complaints concerning the L.A. County Sheriff's Department through various methods. Complaints are often received through email, over the phone, in person or by mail correspondence. Monthly Commission meetings & town halls also provide an avenue for the public to provide complaints or commendations about the Sheriff's Department.

Since the Commission has no investigative authority, the Commission works closely with the Office of the Inspector General to process these complaints. All commendations or complaints are forwarded to the Office of the Inspector General. Complaints

are then forwarded to the Sheriff's Department for investigation, which can be monitored by Inspector General staff.

The Inspector General has the authority to undertake an inquiry & audit or monitor the situation, & they can investigate specific instances only in special circumstances. Anonymous complaints are not usually able to be investigated.

### PHOTO BELOW

On October 15, 2019, Inspector General Max Huntsman provided a report to the Board. Also pictured are Commission Chair Patti Giggans & Executive Director Brian K. Williams.



# Harassment of Families

INVESTIGATION INTO HARASSMENT OF FAMILIES FOLLOWING A FATAL USE OF FORCE

The L.A. County Sheriff's Department has been involved in numerous fatal deputy involved shootings in recent years. The Commission recognizes the concerns of various families who have reported harassment from patrol operations deputies following the death of their loved one.

"Staff has been apprised of several issues that have occurred out in the community," said Brian K. Williams, Esq., Executive Director of the Commission. "According to members of the community we've spoken with, these issues generally occur after there has been a deputy involved shooting or some significant action by the Sheriff's Department."

This is a significant issue which requires a proactive & multifaceted response, so the Commission

unanimously approved a motion requesting the Office of the Inspector General & the Sheriff's Department take action. The Office of Inspector General was directed to initiate a formal inquiry & assessment to determine if harassment of families by patrol operations staff following fatal uses of force is occurring & the nature of harassment.

The Commission requested the Sheriff's Department initiate a formal investigation of the alleged harassment occurring at the East L.A. & Century Sheriff stations associated with the families of those who have died as a result of a deadly deputy involved shooting.

### PHOTO BELOW

On November 19, 2019, the Commission discussed the allegations of harassment of the families of people who died as a result of deputy involved shootings. Left to right: Sean Kennedy, Robert Bonner, Lael Rubin, Patti Giggans, Brian K. Williams & Xavier Thompson.





### ΡΗΟΤΟ ΔΒΟ

On October 22, 2019, the Commission recommended the Sheriff's Department maintain a Brady list of deputy misconduct & provide it to the District Attorney. Left to right: James P. Harris, Sean Kennedy, Robert Bonner, Lael Rubin, Patti Giggans, Brian K. Williams, Xavier Thompson & Casimiro Tolentino.

# Brady List of Deputy Misconduct

he L.A. County Sheriff's Department created a Brady list of 300 deputies whose personnel files allegedly contain findings of serious misconduct that may impeach their credibility as a prosecution witness at trial. The term "Brady" comes from the 1963 U.S. Supreme Court case Brady v. Maryland, that ruled suppression by the prosecution of evidence favorable to a defendant who has requested it violates due process.

On October 22, 2019, the Commission unanimously approved a resolution strongly recommending Sheriff Alex Villanueva give the Brady list to the L.A. County District Attorney's Office.

"We want that list to be turned over to the District Attorney now so that wrongful convictions & Brady violations don't occur, or at least we do everything we can within our power to stop them as soon as we can," said Commissioner Sean Kennedy, Executive Director of Center for Juvenile Law & Policy at Loyola Law School & former federal public defender.

The resolution outlines that Brady violations are one of the leading causes of wrongful convictions & threaten the integrity of L.A. County's criminal justice system. These violations also have resulted in the

County paying many multimillion dollar settlements to exonerees in connection with their wrongful convictions.

"There are deputies on that list whose testimony is never going to be believed by a jury, it's that serious, & that person should not be a deputy sheriff," said Commissioner Robert Bonner, attorney & former U.S. Attorney & DEA Administrator. "This also goes to the state of the discipline system in the Sheriff's Department as well."

### **BACKGROUND**

The legal battle began in November 2016, when the deputies' union went to court to prevent then-Sheriff Jim McDonnell from turning over the Brady list to the District Attorney. The Commission supported then-Sheriff McDonnell in a March 23, 2017 resolution. The Association for Los Angeles Deputy Sheriffs vs. Superior Court was argued on June 5, 2019, & the court's opinion was published on August 26, 2019.

"Law enforcement personnel are required to share Brady material with the prosecution," wrote Chief Justice Cantil-Sakauye for the entire court. "The harder it is for the prosecution to access the material, the greater the need for the deputies to produce it."



PHOTO LEFT

Chair Patti Giggans, Executive Director Brian K. Williams & Inspector General Max Huntsman appear before the Board on October 15, 2019.

## Subpoena Power

here was much discussion about subpoena power in 2019 both at the Commission & the Board of Supervisor meetings. In fact, several community organizations secured the required number of signatures to place a ballot measure on the March 2020 ballot, which, if passed, will grant subpoena power to the Commission.

The Ballot Measure R contains three major components:

- 1. Requires the Commission to draft a Comprehensive Public Safety Reinvestment Plan & Feasibility Study to explore ways to reduce the jail population & reinvest jail costs to prevention & mental health;
- 2. Enlarges the Commission's investigatory role by permitting the Commission to use its own staff; &
- 3. Grants the Commission the authority to issue subpoenas.

The Board also investigated conferring subpoena power on the Commission. As part of continued efforts to increase public transparency & accountability over the Sheriff's Department, the Board unanimously approved a motion by Supervisors Mark Ridley-Thomas & Sheila Kuehl to have the County Counsel provide recommendations on how to modify the County ordinance to grant the Commission the power to compel. Unlike the March 2020 ballot measure that grants the Commission direct subpoena power, the Board of Supervisor's proposed amendment to the Commission & the Office of the Inspector General ordinances would grant the Commission access to Sheriff's Department data, documents & direct testimony, including the authority to compel their production through the issuance of subpoenas by the Office of the Inspector General when deemed necessary by a majority of the Commission to fulfill its oversight function.

Assuming the ballot measure survives legal challenges, the court will have to reconcile any inconsistencies between the proposed ordinance amendment & the ballot measure because the court will not infer an intent to repeal one over the other. Ultimately, case law holds that if the ballot measure & the proposed ordinance amendment are irreconcilable, the court will favor preserving the voters' constitutional power of initiative & invalidate the proposed ordinance amendment.

Although it is too early to tell how the Commission will obtain subpoena power, one thing is clear, subpoena power will be conferred on the Commission either directly through the ballot measure or by the Board of Supervisors.

"It is our hope that the Sheriff would give us maximum cooperation.

Subpoena power will be a tool of last resort for us, but it is a tool that I think we need if we really want to increase transparency."

- Brian K. Williams, Esq., Executive Director
October 15, 2019

## L.A. County Jails

The L.A. County Sheriff's Department is responsible for the housing & transportation of approximately 18,000 inmates daily within the county jail system. The Commission often hears community feedback about the jails & is monitoring concerns to ensure the detention environment is just & humane.

- **Inspector General Max Huntsman** September 17, 2019

### Inmate Welfare Fund

he Inmate Welfare Fund is administered by the Sheriff's Department & governed by the Inmate Welfare Commission, which is comprised of private citizens appointed by the Sheriff. The Fund receives profits from inmates & the public through the sale of commissary items, inmate telephone services & more. The money is to be used for the benefit, education & welfare of inmates as well as for jail maintenance.

Commissioner Priscilla Ocen requested information regarding telephone charges & other costs for people in the detention environment at an early 2019 Commission meeting.

At the September 17, 2019 Commission meeting, L.A. County Office of the Inspector General Monitor Noemi Zamacona described how the Inmate Welfare Fund is generated & revenue is allocated to programming & jail maintenance. She also compared the current California Penal Code Section 4025 to Senate Bill 555.

Following the analysis, she noted the Department's initial progress:

- Offering women free & unrestricted access to tampons
- Beginning to conduct a cost benefit analysis
- Starting outreach to jurisdictions that offer low cost or free telephone calls for incarcerated people

Recommendations put forth by the Office of the Inspector General include:

"Budgets drive inhumane behavior,

& so we, the County, have to step

up & change this & work with

the Sheriff's Department to make

these things, which are good

expenditures, budget items & then

there should be zero dollars in the

*Inmate Welfare Fund.*"

- Identify ways to significantly reduce commissary & telephone costs for incarcerated people
- Increase the 51% currently allocated solely to programming
- Increase internal oversight of all inmate welfare allocations
- Provide more detailed information about budgeted positions & all funded programs, so the Commission can make the most informed decisions
- Ensure that any future contracts introducing technological media provide the lowest possible costs to incarcerated people

After further discussion & hearing public feedback, Chair Patti Giggans created an ad hoc committee on the Inmate Welfare Fund. The committee is exploring the

program by coordinating meetings with the Sheriff's Department, the Office of the Inspector General & the Inmate Welfare Fund Commission to identify areas for improvement.

INMATE WELFARE FUND

Ad Hoc Committee

Casimiro U. Tolentino Hernán Vera

Daniel Delgadillo, staff member

21

20

### Prison Rape Elimination Act

o eliminate sexual abuse of individuals confined in detention facilities, the Prison Rape Elimination Act (PREA) was signed into law in 2003. PREA bars cross gender strip searches, mandates that inmates are provided a way to report sexual abuse to an outside independent entity & requires facilities to pass a PREA compliance audit every three years.

At the October 22, 2019 Commission meeting representatives from the PREA Implementation Team provided an update on compliance efforts. Deputy County Counsel Tyson B. Nelson explained that PREA is a federal law mandating zero tolerance of sexual abuse & harassment while incarcerated.

The Department of Justice issued PREA Standards in 2012, & the Sheriff directed that the Century Regional Detention Facility (CRDF) be audit-ready by December 2019. The Implementation Team reviewed the standards that impact the Sheriff's Department & explained of the 199 provisions that impact CRDF; 104 were audit-ready, 74 were in progress & 21 were noncompliant. In addition, Sheriff's Department PREA Coordinator, Assistant Division Director Karen S. Dalton provided an overview of the complexities of PREA standards, which include items such as hiring & promotion practices, investigations at the administrative & criminal level as well as contract language, data collection & retention.

### BACKGROUND

In 2017, the Commission encouraged the Sheriff to adopt PREA regulations & report on compliance; the Board directed the creation of PREA Compliance Unit; & key personnel discussed the development of a strategic plan for PREA compliance. In 2018, the Board ordered County Counsel to coordinate & lead a PREA Compliance Implementation Team.

The ad hoc committee meets monthly with the PREA Implementation & Compliance Team to collaborate to prevent sexual assault & rape in the L.A. County jail system.

### PREA

### Ad Hoc Committee

Patti Giggans, Chair

Sean Kennedy Pricilla Ocen

Lael Rubin

Daniel Delgadillo, staff member

# Mira Loma Women's Detention Center

The Commission voted unanimously to urge the Board of Supervisors to reject the proposed women's jail facility at Mira Loma at the January 2019 Commission meeting. The resolution noted that the planned facility in Lancaster was approximately 70 miles from Central L.A., burdening families who want to visit.

While acknowledging the loss of \$100 million in state grant funding, Commission members saw the sacrifice of the funds as warranted given the County's commitment to diversion, education, mental health & rehabilitate programming.

Advocacy groups have long opposed new jails, urging that funds be redirected to mental health, substance use, homelessness & other programs that could eliminate the need for more jail cells. On February 2019, the Board voted to reject the \$215 million plan to construct the Mira Loma Women's Detention Center.

### **BACKGROUND**

In 2018, County Departments & community organizations spoke before the Commission regarding the project, discussing community concerns of Valley Fever & the location making visitations difficult. The project dates back to 2013, when the State conditionally awarded \$100 million in AB900 Grant funds to L.A. County to address prison overcrowding.



### PHOTO ABOVE

At the October 22, 2019 Commission meeting, L.A. County Sheriff's Department Custody Assistant Division Director Karen Dalton & Deputy County Counsel Tyson Nelson provided an update on the Sheriff's Department's compliance with the Prison Rape Elimination Act (PREA).



# East L.A. Station Logo

REMOVAL OF THE FORT APACHE LOGO & MARKINGS FROM THE EAST L.A. SHERIFF'S STATION

n July 23, 2019, the Commission unanimously passed a resolution condemning the East L.A. Sheriff Station logo which depicted the words "Fort Apache." After being previously banned by then-Sheriff McDonnell due to the image's perception as giving the wrong impression, Sheriff Alex Villanueva reintroduced it.

Community members voiced opposition of the logo and spoke out about the history of Fort Apache, the Chicano Vietnam War protest turned riot, the East L.A. Sheriff's station's consequent design & adoption of the insignia. They described the logo as recalling the John Wayne movie on Fort Apache, with the inference that the East L.A. Station was a lone outpost where deputies were at war with residents.

Sheriff Villanueva spoke at the Commission meeting & thereafter appeared at a news conference declaring that the logo represented deputies working hard but maintaining a low profile, but that he will drop the words "Fort Apache" from the logo & keep the rest

### PHOTO ABOVE

At the July 23, 2019 Commission meeting, James P. Harris, Priscilla Ocen, Patti Giggans, Brian K. Williams, Xavier Thompson, Lael Rubin, Casimiro Tolentino & Hernán Vera discuss the Fort Apache logo.

intact. In August 2019, Commission staff received information from the Sheriff's Department on its stations & their logos. The East L.A. logo on the photos provided appeared the same but did not include the terms "Fort Apache."

Sheriff correspondence dated December 4, 2019 to the Commission indicated the significance of the station's logo, reflecting the history of heroic deputy actions in service to the community, underscoring the staff's pride & outlined that there were no intentions of offending the people they serve. Furthermore, the letter indicated that the Sheriff reached out to the Chairwoman of the White Mountain Apache Tribe who found nothing wrong with the logo.

The letter reiterated the Sheriff's decision to remove the words "Fort Apache" but allowed the riot gear depiction & other terms to remain. The Sheriff stated his belief that "eliminating the entire logo would be a disservice to the rich history of the station & negatively affect the high morale" of East L.A. staff.

### PHOTOS RIGHT

At the July 23, 2019 Commission meeting, Soledad Enrichment Action's Mr. Johnny Torres (immediate right) & L.A. City/County Native American Indian Commission Chair Chrissie Castro (far right) presented on the history of Fort Apache, the Chicano Vietnam War protest turned riot, the East L.A. Sheriff's station's consequent design & adoption of the insignia.





# Internal Administrative Investigations

COMMISSION PRIORITIZES FURTHER REVIEW OF THE SHERIFF DEPARTMENT'S INTERNAL ADMINISTRATIVE INVESTIGATIONS

In March 2019, the Board directed Office of the Inspector General to report back on a monthly basis outcomes & dispositions on disciplinary actions by the Sheriff's Department.

At the May 21, 2019 Commission meeting, Inspector General Max Huntsman presented its report and highlighted concerns about a sharp increase in the number of administrative investigations that the Department was inactivating. The Inspector General advised that during the months of January & February 2019, the Sheriff's Department inactivated 45 administrative investigations. Staff from the Office of the Inspector General provided the Commission with an overview of the Sheriff's Department policies & procedures regarding inactivation of administrative investigations.

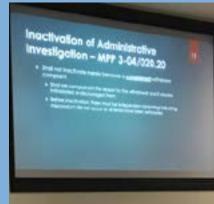
The Commission has continued to monitor & receive status updates on internal administrative investigations & dispositions from the Office of the Inspector General.

Inspector General Huntsman has continued to attend Commission meetings & has provided updates on administrative investigations during his July & November reports. To increase transparency, the Commission requested Sheriff's Department executives attend Commission meetings to provide their expertise regarding the inactivation of cases.



### PHOTO BELOW

During the May 21, 2019 meeting, Inspector General Max Huntsman, James P. Harris, Priscilla Ocen & Patti Giggans listened intently to a presentation from the Office of the Inspector General on Internal Administrative Investigations.





### PHOTO BELOV

Deputy Inspector General Bita Shasty provides an update on Internal Administrative Investigations at the Metropolitan Transportation Authority Board Room in L.A. on May 21, 2019.



### PHOTO LEF

During the May 21, 2019 Commission meeting, James P. Harris, Priscilla Ocen, Patti Giggans, Brian K. Williams, Xavier Thompson & Lael Rubin hear a presentation from the Office of the Inspector General on Internal Administrative Investigations.



### PHOTO LEFT

The panel discusses secret deputy subgroups at the April 23, 2019 Commission meeting at the Metropolitan Transportation Authority Board Room in Los Angeles, CA.

# Secret Deputy Subgroups

n March 12, 2019, the Board of Supervisors passed a motion to have the Commission, Office of the Inspector General, County Counsel & all relevant stakeholders continue studying the issue of secret deputy subgroups. The Board motion also requested that the Sheriff's Department cooperate in the study.

At the March 26, 2019 Commission meeting, County Counsel & Sheriff's Department leadership presented their perspectives & advised they have formed a working group related to secret deputy subgroups.

At the April 23, 2019 meeting, the Commission directed the Office of the Inspector General & the Sheriff's Department to conduct an inquiry into the extent to which deputy gangs or subgroups exist. In April 2019, Commissioner Sean Kennedy released a memo arguing that "there is no constitutional impediment" to investigating deputy subgroups & that the Sheriff has a right to inquire his employees about having any tattoos associated with these subgroups without violating their constitutional rights.

County Counsel retained an independent third party, the RAND Corporation, to conduct a study. Their goals include finding out if & why deputy subgroups exist, obtaining community members' perspectives & developing recommendations on how these subgroups should be managed. Their study is projected to produce a final report by September 2020. The Commission identified community members & leaders to help provide feedback about their experiences with secret deputy subgroups.

On April 30, 2019, a Board motion directed County Counsel to provide a list of claims, lawsuits & other settlements that involved allegations of deputies belonging to secret societies or cliques. This followed a multimillion dollar lawsuit filed in February 2019 against the County by seven East L.A. station deputies who claimed the Banditos, an alleged deputy subgroup harassed & attacked them.

On July 23, 2019, the Board passed a motion directing County Counsel to make recommendations on expanding the authority of the Inspector General to investigate secret deputy subgroups. This followed news reports that the Federal Bureau of Investigation also launched an investigation of their own into the issue of the L.A. County Sheriff's Department secret deputy subgroups. With the various agencies involved in examining the issue, the Commission continues to monitor their actions.

The Sheriff's Department provided the Commission with its policies to address the issue with their personnel, &

the Commission provided feedback. The Sheriff's Department also provided the Commission a draft of a new policy on deputy subgroups. It is currently in the meet & confer process with the unions.

The Commission continues to review this matter.

### SECRET DEPUTY SUBGROUPS Ad Hoc Committee

Lael Rubin

James P. Harris

Sean Kennedy

Robert Bonner

Daniel Delgadillo, staff member

### PHOTO RIGHT

At the February 26, 2019 Commission Meeting, L.A. County Deputy Inspector General Shadi Kardan presented an overview of the Trust Act.

# **Immigration Policy**

COOPERATION WITH IMMIGRATIONS & CUSTOMS ENFORCEMENT (ICE)

After presenting a draft report & receiving feedback in 2018, the Commission's Immigration Ad Hoc Committee completed its review & analysis of the Sheriff Department's adherence to their immigration policies & procedures. The Committee presented its draft report to the full Commission with proposed recommendations in April 2019.

On May 21, 2019, the Commission adopted the Immigration report that included 12 recommendations based upon their extensive review & analysis of the Department's policies, procedures & practices associated with their immigration adherence in the custody & field operations. The report with recommendations was provided to the Sheriff's Department & the Board of Supervisors. All recommendations acknowledge that the Department should first follow federal or state law.

It was recommended the Sheriff's Department should:

- 1. Not provide ICE with more information than it provides to the public.
- 2. Ensure all department operations, inmate detainer release procedures & detainer acceptance policies are consistently reviewed & updated.
- 3. Develop an "Immigration Information" webpage.
- 4. Develop communications to apprise the public of the "Immigration Information" webpage.
- 5. Ensure appropriate staff acknowledge receipt of & are trained on immigration policies.
- 6. Not assist ICE in any operation to enforce federal immigration laws.
- 7. Publicly disclose reports on immigration-related transfers to ICE & on U-Visa applications.
- 8. Provide reports on civil immigration detainers & criminal enforcement requests received from ICE.
- 9. Not provide ICE with access to Sheriff's Department properties such as IRC, courthouse lockups & jails.



- 10. Not honor ICE detainers, unless specifically required by federal or state law.
- 11. Not approve employee's requests for outside employment with ICE or associated operations.
- 12. The Commission also recommends the Board examine how the Sheriff's Department uses County resources in responding to ICE detainers.

Commission staff have continued to monitor the immigration policy adherence since the adoption of the report. The Sheriff's Department has voiced a commitment to progress in this area & has committed to meeting monthly with the Office of the Inspector General, Office of Immigrant Affairs & the Commission.

### **BACKGROUND**

Immigration related issues have been tracked by the Commission since January 10, 2017, when the Board directed the Commission to analyze Department's adherence to their immigration policies, practices & procedures.

### IMMIGRATION

Ad Hoc Committee

Hernán Vera Lael Rubin

Priscilla Ocen

Casimiro U. Tolentino

Tracy Jordan-Johnson, staff member

### PHOTO BELOW

At the January 22, 2019 Commission meeting, Sheriff Alex Villanueva discussed the issue of ICE in the jails.



# Family Assistance Program

uring the November 19, 2019 Commission meeting, there was a progress update on the Family Assistance Program. Guest speakers reviewed a June 19, 2019 Chief Executive Office report that outlined a framework for a multidisciplinary team aimed at improving compassionate communication & providing trauma-informed support to families who lose a loved one through a deputy's fatal use of force or in custody death.

The July 2019 Board directives for the program include:

- Hire Family Assistance Advocates
- Identify leadership level staff from various County departments to establish a multidisciplinary team
- Establish policies to assist with burial costs
- Develop protocols for trauma-informed responses
- Develop training curriculum
- Create a website that outlines related roles of the multidisciplinary team

The Family Assistance Advocates will respond to incidents of fatal officer involved shootings & in custody deaths whether in the community, at a hospital or in the jail. They support families, friends & witnesses impacted by these incidents & provide mental health services, social services & burial expenses.

### Next steps include:

- Move toward hiring Family Assistance Advocates
- Develop protocols & policies for the program
- Meet monthly until the program is fully implemented
- Develop a Family Assistance Program website

The Implementation Team consists of County staff

from Mental Health, Medical Examiner-Coroner, Sheriff's Department, Public Health's Injury & Violence Prevention Program, Chief Executive Office, Office of Inspector General, County Counsel, Registrar-Recorder/County Clerk & the Civilian Oversight Commission.

# FAMILY ASSISTANCE PROGRAM Ad Hoc Committee

Patti Giggans
Pricilla Ocen
James P. Harris
Ingrid Williams,

staff member



### PHOTO ABOVE

At the July 9, 2019 Board of Supervisor's meeting, Executive Director Brian K. Williams addressed the Board in support of the Family Assistance Program. Chair Patti Giggans is also pictured.

### PHOTOS BELOW

On November 19, 2019, L.A. County Department of Mental Health, Outreach, Engagement & Triage Deputy Director Miriam Brown provided an update on the Family Assistance Program.

Dr. Jonathan R. Lucas, L.A. County Medical Examiner-Coroner presented on the Coroner's duties & responsibilities.







### HOTO LEFT

The L.A. County Department of Mental Health & Sheriff's Department MET leadership provided an update on at the May 21, 2019 Commission meeting. Left to right: James P. Harris, Priscilla Ocen, Brian K. Williams & Xavier Thompson.

# MENTAL EVALUATION TEAMS Ad Hoc Committee

Patti Giggans, Chair James P. Harris

Sean Kennedy

Christine Aque, staff member

## Mental

# **Evaluation Teams**

ental Evaluation Teams (MET) are coresponder teams staffed by a Sheriff's Department deputy & a Department of Mental Health clinician that work together to assist patrol deputies responding to situations involving people with mental health issues. MET conducts patient field evaluations, assesses mental health needs & connects patients with community resources or treatment centers, diverting them away from the criminal justice system wherever possible.

MET team members presented a progress report at the May 21, 2019 Commission meeting, where the Sheriff's Department reported most recommendations were implemented.

In 2019, the MET program operated with 34 teams. As of July 2019, MET had been making 55% of all their calls. The projected MET expansion of 12 teams did not occur for the 2019-2020 fiscal year, due to budget constraints. MET also began oversight of the Crisis Intervention Training program, which is a 32 hour intensive training program that educates deputies on crisis intervention & de-escalation skills to improve outcomes in interactions with individuals suffering mental health crises. They had trained more than 1,200 of the approximately 5,300 patrol personnel during the past three years.

MET management was developing plans to address the lack of staffing for replacement coverage for personnel in training. That issue made it challenging for stations to release their deputies for training.

### BACKGROUND

At the February 15, 2018 meeting, the Commission approved the MET final recommendations to enhance the mission of de-escalating violent confrontations between law enforcement & people with mental illnesses. Staff have been monitoring the progress since.

The goal of Mental Evaluation

Teams is to assist persons in
obtaining the proper mental health
assessment & treatment instead of
being arrested & jailed, as well as
de-escalating potentially volatile
situations with patrol deputies.

# **Body Worn Cameras**

uring the March 26, 2019 Commission meeting, Sheriff Alex Villanueva discussed the issue of body worn cameras & noted the cost & number of staff required to implement the program was reduced. He advised the program would now cost 13 million dollars to implement & would require 25 staff members instead of the 239 proposed by the previous administration. The new proposal was forwarded to the Board of Supervisors & the Chief Executive Office.

At the April 23, 2019 Commission meeting, Detective Division Commander Chris Marks provided an update that funding was allocated to build the network infrastructure at five stations. He advised that would enable the immediate implementation of body worn cameras at those stations once the equipment was procured.

In June 2019, the International Association of the Chiefs of Police, through the Chief Executive Office, released an independent evaluation of the Sheriff Department's Body Worn Camera program proposal. The evaluation report detailed a review of best practices for policies on deputy review of footage & public release of videos. It also made recommendations on program budget & evaluation.

It considered the L.A. County Sheriff Department's proposal of 34 million dollars for the creation of the program with 33 full time staff to be reasonable.

On August 30, 2019 the Chief Executive Office submitted its analysis of the Sheriff's Department Body Worn Camera program proposal. It largely concurred with International Association of the Chiefs of Police's report & recommended the Sheriff begin implementation of the program.

On September 24, 2019, the Board passed a motion authorizing the program implementation. The motion requested the Commission & Office of the Inspector General be provided the final Body Worn Camera policy by the Sheriff's Department, as well as to report to the Board biannually on the implementation & program effectiveness. The Commission received the final policy & is determining its next actions in collaboration with the Office of the Inspector General, including

considering the hiring of an outside evaluator for the program.

### **BACKGROUND**

The Commission's Body Worn Camera report was approved July 2018, & staff have since been monitoring.

## USE OF FORCE Ad Hoc Committee

Xavier Thompson

Robert Bonner

James P. Harris

Sean Kennedy

Christine Aque, staff member

Daniel Delgadillo, staff member

Tracy Jordan-Johnson, staff member

### PHOTO BELOW

At the March 26, 2019 Commission meeting, Body Worn Cameras implementation was discussed. Left to right: Lael Rubin, Hernán Vera, Assistant Sheriff Robin Limon & Sheriff Alex Villanueva.





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PHOTO LEFT
Commission
members listened
to the community
at the Town Hall
on July 11, 2019 at
East L.A. Services
Center Senior.





# COUNTY OF LOS ANGELES SHERIFF CIVILIAN OVERSIGHT COMMISSION

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