

PROTECTING VULNERABLE COMMUNITIES: A REVIEW OF THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT'S HATE CRIME POLICIES, PROCEDURES, AND TRAINING

Recommendation

LASD Response

1

Update the Sheriff's Department hate crime and hate incident review and tracking systems to ensure hate crimes and hate incidents are accurately identified and not underreported to the California DOJ and other agencies.

The Sheriff's Department Hate Crime Coordinator reviews all Department hate crime and hate incident reports to ensure they are accurately written, categorized, and entered into the Department's uniform reporting database. The reviewed entries are then reported to California DOJ and other agencies by the Department's Statistical Unit.

2

Provide refresher hate crimes trainings and mandate an implicit bias reduction training curriculum conducted by a subject matter expert in the area.

The Sheriff's Department Hate Crime Coordinator regularly provides training to Academy Classes, Patrol Schools, Field Training Officer courses and Supervisor courses, in addition to providing recurrent briefings to patrol stations regarding hate crimes and hate incidents.

The Los Angeles County Department of Human Resources provides a required Implicit Bias Reduction training via the Learning Link system. All Sheriff's Department employees are required to take this training.

3

Require patrol deputies to use a checklist during hate crime investigations to help develop expertise in identifying and investigating such crimes.

The Sheriff's Department Manual of Policy and Procedures provides information on hate crime investigations and outlines their handling by patrol deputies. The development of a checklist for patrol deputies is currently being reviewed by the Hate Crime Task Force, who is actively collaborating with outside law enforcement agencies that have developed hate crime checklists for their own respective agencies' use.

4

Require personnel to familiarize themselves with the California Attorney General's Hate Crime Rapid Response Team protocols to ensure awareness of all resources available to them when handling qualifying hate crimes.

All noteworthy hate crimes, which include all qualifying events prompting a deployment of the California Attorney General's Hate Crime Rapid Response Team, will result in a notification to the Hate Crime Task Force. The Hate Crime Task Force is familiar with the Response Team protocols and the resources available through them.

5

Implement community outreach programs related specifically to hate crimes and hate incidents.

The Sheriff's Department Hate Crime Task Force works in conjunction with community groups, anti-hate initiatives, and patrol station community relations personnel to regularly coordinate and attend community outreach events and programs in Sheriff's Department areas. The Hate Crime Task Force partners with groups like the Act Against Hate Alliance and The Hate Crime Book Organization to participate in recurrent community outreach events, focusing on educating the public on hate crimes and hate incidents.

6

Require cultural-sensitivity trainings to help build cultural competency.	The Sheriff's Department regularly provides cultural-sensitivity trainings in their academy classes, patrol schools, and supervisor courses.
	7
Develop stronger relationships with community leaders to better assess the unique needs and fears of vulnerable communities when reporting hate motivated events.	The Sheriff's Department Hate Crime Task Force consistently collaborates with community-based organizations of different backgrounds, and anti-hate initiative leaders, to assess and address the unique challenges facing vulnerable communities when reporting hate crimes and hate incidents. The Hate Crime Task Force regularly meets with organizations like the Anti-Defamation League and LA vs. Hate to discuss hate related topics, and how to best address unique challenges that may present itself for specific communities.
	8
Ensure compliance with California Penal Code section 422.92 by routinely updating the Sheriff's Department's hate crimes brochure and distributing it to victims of hate crimes and to the public.	The Sheriff's Department's hate crimes brochure is regularly reviewed by the Department Hate Crime Coordinator to ensure the information contained within it is accurate and provides up to date information and resource/reporting referrals to victims of hate crimes and hate incidents.
	9
Follow the requirements set forth in AB 1985.	The Sheriff's Department Manual of Policy and Procedures section regarding the handling of hate crimes is pending review by the Hate Crime Task Force for revision recommendations. Any future updates or additions to the Sheriff's Department's policies regarding hate crimes will comply with the requirements established in AB 1985.

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT'S SANTA CLARITA VALLEY
DOMESTIC HIGHWAY ENFORCEMENT TEAM**

Recommendation

LASD Response

1

Before any deputy is assigned to the DHET team, he, or she, at minimum, receive training on Drug Trafficker Interdiction, Drug Trafficking Investigations, and Drug Identification Packaging, along with any other specialized highway drug-interdiction training.

This unit was disbanded in 2018.

2

Before any supervisor is assigned to supervise the DHET, he or she receive training on Narcotic and Specialized Unit Supervision.

This unit was disbanded in 2018.

3

All DHET supervisors and deputies attend annual training on search-and-seizure law updates and on expert testimony.

This unit was disbanded in 2018.

4

All DHET supervisors and deputies attend biannual training on racial profiling and cultural diversity.

This unit was disbanded in 2018.

5

A written policy or unit order be implemented for the DHET and/or any other specialized station unit that sets forth the goals and expectations of the team, as well as specific guidance on how to develop legally-sound probable cause for pretextual traffic stops and any resulting detentions.

This unit was disbanded in 2018.

7

The Sheriff's Department should ensure all unit orders are properly vetted in accordance with Manual of Policy and Procedures (MPP) Section 3-09/340.00, Department Information.

This unit was disbanded in 2018.

8

The Sheriff's Department should ensure adherence to California Government Code section 25355 and County Fiscal Manual Section 2.4.2, Donation Reporting Requirements, when receiving donations.

This unit was disbanded in 2018.

9

Station management should work with the Sheriff's Department's Administrative Services Division to ensure that the in-car video system purchased by the City of Santa Clarita in 2015 for DHET's use is properly accounted for.

This unit was disbanded in 2018.

RESPONSE TO CIVILIAN OVERSIGHT COMMISSION AD HOC COMMITTEE INQUIRY ON EXCESSIVE FORCE

Recommendation

LASD Response

1

The Sheriff's Department should document in detail cases in which a complaint is terminated because the complainant is suspected of having mental instability.

Regarding Custody Services Divisions handling of complaints and use of force, Custody thoroughly investigates every complaint and allegation of force, and documents the results of said investigation, regardless of the alleged mental state of the complainant. Any allegation of a use of force is tracked through the electronic Line Operations Tracking System.

2

The allegations-of-force cases should be properly tracked and reported in a consistent manner. The Sheriff's Department should develop a department-wide policy to accomplish this. These cases should be tracked and reported in a centralized computer database accessible to unit commanders and not simply on a tracker at the Discovery Unit.

Regarding Custody Services Divisions handling of complaints and use of force, Custody thoroughly investigates every complaint and allegation of force, and documents the results of said investigation, regardless of the alleged mental state of the complainant. Any allegation of a use of force is tracked through the electronic Line Operations Tracking System.

3

The Sheriff's Department should reassess its definitions of unfounded and exonerated within the Manual of Policy and Procedures and adjust them to mirror the definition of those terms in Penal Code sections 832.5(d)(2) and (3).

4

The Sheriff's Department's Professional Standards Division should take a more active role in monitoring those cases assigned to unit personnel for investigation to ensure the cases are handled appropriately. This would address the possibility that station standards as to "reasonable" conduct may vary throughout the Department.

6

We recommend that all citizen complaints alleging unreasonable force be documented as service comment reports even if a full inquiry is deemed unnecessary before referring the case for an administrative or criminal investigation. Such documentation is necessary to track how many unreasonable force investigations are initiated by citizen complaints.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT SAFETY OF FIREARMS POLICY

Recommendation

LASD Response

1

The Sheriff's Department's blood alcohol content standard in its Safety of Firearms Policy (MPP 3-01/025.45 should be .02 The standard of .08 blood alcohol content (BAC) level stated in the current Safety of Firearms policy is too high.

2

Sheriff's Department Safety of Firearms policy should include prohibition of carrying firearms while consuming alcohol in establishments that serve alcohol.

3

The rebuttable presumption language of the Sheriff's Department's Safety of Firearms policy should be removed.

4

There should be an "emergency exception" to the Safety of Firearms policy that allows a deputy who has been consuming alcohol to arm him or herself in emergency situations that require quick action to protect human life.

5

Add language similar to the Sheriff's Department's MPP 3-01/090.10 Operations of Vehicles MPP section 3-01/090.10, which states that "... if member has an odor of alcoholic beverage or there is a reasonable suspicion to believe member is under the influence of alcohol the unit commander or higher shall order a test of the member. If the member refuses a direct order to be tested the member shall be subject to discipline." This language should be added to the MPP section on Safety of Firearms.

6

The Sheriff's Department should create a policy that requires unit commanders to order a deputy to submit to an alcohol test in all off duty accidental discharges.

**REVIEW OF THE INMATE RECEPTION CENTER INTAKE EVALUATION PROCESS,
NOVEMBER 2019**

Recommendation

LASD Response

1

The Sheriff's Department should reevaluate the feasibility and safety of the plan to transport IRC Clinic patients to Urgent Care for medical clearance unless patients otherwise require that level of care.

This should be marked as complete/not applicable. The Sheriff's Department does not have control over Urgent Care referrals. Urgent Care referrals are solely done at the discretion of Correctional Health Services (CHS). The Sheriff's Department agrees routinely transporting patients to Urgent Care from IRC increases the chances of a use of a force incident and unnecessarily ties up personnel. The Inspector General should inquire with CHS as to the appropriateness of referring individuals with severe mental illness to Urgent Care.

2

The Sheriff's Department should dedicate sufficient Custody Division personnel to expand Urgent Care to twenty-four hours a day. (This requires collaboration with CHS and an increase in CHS staffing to operate Urgent Care twenty-four hours a day.)

This should be marked as complete with respect to the Sheriff's Department. The Sheriff's Department has had sufficient staffing to operate Urgent Care 24 hours per day, 7 days per week since 2019. The Inspector General might be referring to CHS staffing, which, for obvious reasons, might affect the operating hours of urgent care.

3

The Sheriff's Department should maintain adequate mental health housing for prisoners with moderate and severe mental illnesses.

This should be marked as complete. While the now cancelled Mental Health Treatment Center (MHTC) would have appropriately addressed this concern, the Sheriff's Department has, nevertheless, added nearly 1,000 Medium Observation Housing (MOH) beds since this report was published. The Sheriff's Department has also identified multiple new modules for High Observation Housing (HOH). As of the date of this report, we do not have individuals waiting for mental health housing. While the Sheriff's Department can continue to identify new housing options, CHS will need additional resources to support additional housing.

4

CHS, in collaboration with the Sheriff's Department, should identify and implement a tracking mechanism that can generate real-time and aggregate population data about mentally ill prisoners and their current mental health classifications.

The MHTC project included provisions for improved IT infrastructure and a modern, connected system that would have combined Sheriff's jail management, CHS data, and data from our justice partners. Unfortunately, the Board of Supervisors cancelled MHTC. As we're sure the Inspector General is aware, the Board of Supervisors, not the Sheriff's Department, controls funding for large projects, such as the one that would be required to implement this recommendation.

5

The Sheriff's Department should work with the courts and other County partners to explore the feasibility of revising the bus schedule as necessary to conduct additional transports throughout the day and reduce IRC Clinic backlogging.

This should be marked completed since the recommendation was to "explore the feasibility" of changing the bus schedule. The Sheriff's Department's bus schedules are based on the court calendar. This issue has been broached before with the Superior (and then Municipal) Courts, going back to the 1980s when the Board of Supervisors attempted to gain additional funding for more variable court hours. Unfortunately, the Superior Court schedule does not permit a change in the bus schedules and "more frequent" busses would not alleviate the large influx of newly remanded individuals in the afternoon and evening hours. Understanding this, the Sheriff's Department has adapted its staffing model at IRC over the years to accommodate this influx.

6

The Sheriff's Department should immediately implement and maintain adequate staffing of Custody Division personnel in the IRC Clinic during all shifts to transport patients as needed and without delay.

Unfortunately, significant personnel curtailments by the Board of Supervisors prevents the Sheriff's Department from fully implementing this recommendation. Despite the curtailments, the Sheriff's Department continues to try to be as creative and flexible as possible to maintain proper staffing levels in the IRC Clinic.

8

The Sheriff's Department leadership should identify and implement all additional strategies necessary to eliminate backlogging, excessive wait times, long periods of patient tethering, squalor, and other potentially dangerous or inhumane conditions of confinement in the IRC.

This should be marked as completed. As of the date of this report, the Sheriff's Department and CHS have collaboratively implemented sufficient strategies to eliminate backlogs at IRC. Individuals are routinely untethered and moved to housing within four (4) hours at IRC. Wait times for individuals who are not tethered do not exceed 24 hours. Additionally, the Sheriff's Department has expanded the cleaning and sanitization efforts in the IRC Clinic, including the use of additional outside custodial staff (Servicon) to clean treatment/high traffic areas.

9

The Sheriff's Department should identify a timeframe beyond which patients awaiting housing in the IRC Clinic or Module 231 are released from custody if safe, adequate housing remains unavailable.

The Sheriff's Department continues to work collaboratively with CHS, the Office of Diversion and Recovery (ODR), and other justice partners to divert individuals from custody. Further, under the Rutherford settlement, the Sheriff's Department has a release mechanism when the jail lacks sufficient housing. This release authority, however, is limited to a few specific circumstances. Individuals lawfully remanded to the custody of the Sheriff generally cannot be released absent a court order or through the sufficient posting of bond/bail. Additionally, Rutherford release criteria is contingent on the jail being overcrowded. Notwithstanding the lack of legal authority, the Sheriff's Department will not release individuals waiting to be seen by a medical and/or mental health provider without an adequate plan of care into Downtown Los Angeles.

SECOND REPORT BACK ON THE LASD'S DEPARTMENT'S PLAN TO UPGRADE THE DATA SYSTEMS USED TO TRACK JAIL VIOLENCE

Recommendation

LASD Response

Any change to the categorization of a use-of-force in the Electronic Line Operations Tracking System (e-LOTS) database, should be immediately communicated to the Risk Management Bureau Discovery Unit so those changes can be timely updated in Performance Recording and Monitoring System (PRMS). This will ensure that the use-of-force totals and categories of force recorded in e-LOTS and PRMS are consistent.

In Custody Services Divisions, Custody Support Services Bureau (CSSB) does a yearly audit of both systems to make sure they coincide with each other. This audit has been taking place since 2015 when OIG first brought the request to the Sheriff's Department's attention. The audits are one year behind to allow all updates from the individual units to be completed. If CSSB finds any discrepancies, they notify the units of the corrections needed. Once the corrections are complete, a memorandum is sent to the Discovery Unit to make the changes and a copy of the memorandum and emails to the Discovery Unit are forwarded to CSSB. While CSSB did, understandably, fall behind during the onset of the COVID-19 pandemic, CSSB has now caught up and will begin working on the 2022 data reconciliation after the first of the year.

2

The Risk Management Bureau should conduct quality control checks of all updates to PRMS files to ensure that force packages are updated in PRMS with the most current information.

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3

CSS should conduct a thorough reconciliation of the e-LOTS and PRMS systems to ensure the overall use-of-force totals and individual categories of force are identical in both systems. This is important as PRMS is the Sheriff's Department's official repository of personnel performance information and must reflect the most current information.

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INMATE ASSAULT TRACKING RECOMMENDATIONS:

Recommendation

LASD Response

1

The Sheriff's Department should develop an automated Los Angeles Regional Crime Information System (LARCIS) exception report that identifies all crime reports that do not have a Custody Division Crime Analysis Form (CSDCAF) attached. Currently, Custody Investigative Services (CIS) staff must identify reports without CSDCAFs by visually scanning through a query result on a computer monitor that is NOT printable or downloadable thereby increasing the possibility of user error.

2

The Sheriff's Department should expand LARCIS reporting to capture and report the total number of victims, broken down by type of assault for incidents involving multiple victims.

3

The Sheriff's Department should continue its LARCIS and crime report trainings as outlined in Informational Bulletin #2017-11 and CIS Training Bulletin dated February 7, 2018.

ENSURING THE LONG-TERM VIABILITY OF THE FAMILY ASSISTANCE PROGRAM

Recommendation

LASD Response

2

The Sheriff's Department and the Coroner should coordinate their efforts in order to facilitate the prompt transportation of the deceased. When possible, the Sheriff's Department should prioritize evidence collection and scene processing in a manner that allows for the prompt transportation, such as first processing the area immediately around the deceased and allowing the Coroner to start its investigation once that is done.

ANALYSIS OF THE CRIMINAL INVESTIGATION OF THE ALLEGED ASSAULT BY BANDITOS

Recommendation

LASD Response

1

The Sheriff's Department should thoroughly investigate internal criminal allegations. A thorough investigation includes investigating possible motives of the suspects as well asking questions that would elicit information as to a witness's potential bias. Investigators should follow all LASD policies and procedures and should apply the same investigative practices to investigations relating to alleged gang behavior of deputies as would be employed in the investigation of a serious crime by a suspect who is not an employee of the Sheriff's Department.

2

The Sheriff's Department should compel statements from all witness deputies who do not invoke their right against self-incrimination. In cases in which a witness employee invokes the Fifth Amendment but is not a subject of the criminal investigation the Sheriff's Department should compel a statement when appropriate.

USE OF FORCE REPORTING IN PATROL STATIONS AND CURRENT USE OF FORCE ISSUES

Recommendation

LASD Response

2

The Sheriff's Department should track and publish data on the number of times deputies unholster and point their firearm at a person and under what circumstances.

REPORT BACK TO THE CIVILIAN OVERSIGHT COMMISSION ON ALLEGATIONS OF HARASSMENT OF FAMILIES BY LASD PATROL OPERATIONS STAFF FOLLOWING A FATAL USE OF FORCE BY LASD

Recommendation

LASD Response

1

It is the recommendation of the Office of Inspector General that the Sheriff's Department adopt a policy in order to ensure sensitivity toward those grieving at a memorial site and to build community trust following a fatal use of force.

2

To increase public trust the Sheriff's Department should ensure that the investigations of complaints are thorough, including seeking out any available video evidence of the conduct described in the complaint.

3

The Sheriff's Department should adopt policies and training to ensure that all complaints are classified properly

REFORM AND OVERSIGHT EFFORTS: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT OCTOBER TO DECEMBER 2020

Recommendation

LASD Response

1

The Sheriff's Department should implement similar policies as the LAPD for consent searches. In November 2020, LAPD modified their policy to include obtaining written or verbal consent during consensual searches to search a person, their personal property, premise, or vehicle. The policy requires the consent be in written form or if verbal to be recorded on the officer's body-worn camera (BWC).

MPP 3-06\200.08 specifically states Department members shall activate their BWCs for a search.

2

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 Inspector General for comment prior to its adoption.

FOURTH REPORT BACK ON IMPLEMENTING BODY-WORN CAMERAS IN LOS ANGELES COUNTY

Recommendation

LASD Response

1

There should be provisions in the Service Audit Policy for random audits to ensure that deputies are not engaging in inaccurate reporting or biased policing.

2

The MPP policy prohibiting random checks for policy violations should be modified to allow random audits and searches for policy violations.

3

Misconduct appearing on video recordings should be investigated and appropriate action taken. The policy should be modified to incorporate accountability and a range of consequences for misconduct.

4

The Sheriff's Department policy should incorporate and include that the Office of Inspector General has the right to audit body-worn camera videos and that any requested body-worn camera video be provided.

5

The Sheriff's Department should implement audits regarding compliance with activation policies and should implement policies for discipline for the failure to activate cameras.

6

The Office of Inspector General recommends that training address the culture among some in the Sheriff's Department that suggests a reluctance to allow the public to film deputies in the performance of their duties.

REFORM AND OVERSIGHT EFFORTS: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT JANUARY TO MARCH 2021

Recommendation

LASD Response

1

Ensure compliance with Penal Code section 830.10.

2

The Sheriff's Department should enroll in Active Bystander Law Enforcement Training (ABLE).

REPORT BACK ON PROTECTING SURVIVING FAMILIES FROM LAW ENFORCEMENT HARASSMENT AND RETALIATION

Recommendation

LASD Response

1

Provide the Office of Inspector General with independent access to PRMS.

2

Provide the Office of Inspector General access to body-worn camera video.

6

All complaints of harassment should be forwarded to the Office of Inspector General to monitor and investigate.

7

Implement the Office of Inspector General's Previous recommendations from its November 17, 2020, report that the Sheriff's Department adopt a policy regarding memorial vigils; ensure thorough investigations of complaints, and ensure complaints are properly classified.

REFORM AND OVERSIGHT EFFORTS: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT APRIL TO JUNE 2021

Recommendation

LASD Response

1

The Sheriff's Department should update policies to reflect the order of the court and because the court order reflects best practices even if the preliminary injunction does not become permanent.

2

The Sheriff's Department should update its Guidelines for Discipline to set for the range of punishment for failure to comply with use of projectiles policies against peaceful protesters.

3

The Sheriff's Department Homicide investigators should treat Death Reviews as confidential discussions and disclose all facts and details necessary to support a thorough critical incident analysis and provide CHS executives with the same information as CSD executives prior to each Death Review.

Homicide Bureau only limits information disclosed in the collaborative death review process when the incident is being investigated as a murder. This is done to preserve/protect information that may be utilized for a criminal prosecution. Even then, this only done under the most compelling of circumstances and limited as much as practically possible.

REVIEW OF AUGUST 7, 2020, SANTA CLARITA INCIDENT

Recommendation

LASD Response

1

The Sheriff's Department should revise its policy to make the unholstering and pointing of a firearm a reportable use of force, with requirement for routine monitoring and auditing consistent with the monitoring and auditing of other uses of force.

3

The Sheriff's Department should diligently document and investigate citizen complaints. A report that is critical of deputy conduct or suggests that conduct fell below the reporting party's expectations should be considered a complaint regardless of whether the reporting party designates it as a complaint. Treating all such service reports as complaints ensures that there will be a record of the conduct and an investigation.

4

Allegations of racial bias should be investigated when race is mentioned.

5

The Sheriff's Department must ensure that personnel receiving complaints do not dissuade complainants or comment in a way that might be interpreted as minimizing the comments or discouraging the making of the complaint.

6

The Sheriff's Department should insist upon compliance with its Manual of Policy and Procedures; personnel directly involved in an incident should not conduct any subsequent inquiry or investigation about that incident.

7

Efforts should be made to document favorable comments and unfavorable comments about the Sheriff's Department to provide an impartial assessment of facts and evidence.

8

The Sheriff's Department should audio and/or video record all interviews, including interviews of Sheriff's Department personnel.

9

When documenting an investigation, the background of the involved parties should include only relevant information. If a deputy was unaware of a party's background during an incident, it generally has no bearing on a deputy's conduct.

10

Labeling the parties to an incident as a suspect or a witness should not be done until the completion of the investigation.

FIFTH REPORT BACK ON IMPLEMENTING BODY-WORN CAMERAS IN LOS ANGELES COUNTY

Recommendation

LASD Response

1

Deputies should not view video that captured a use of force regardless of the category of force used, prior to authoring their reports on the incident.

In May 2021, LASD BWCU conducted a study for body-worn camera review. It detailed the BWC video review policies for BWC deployed agencies, as well as surrounding counties and nationwide agencies. LASD's video review policy reflects policy which is most prevalent. For Los Angeles and Orange County agencies, 100% are allowed to view video prior to authoring a criminal or use of force report. For nationwide agencies, this percentage was 95.6%. Regarding video review prior to providing a statement regarding critical incidents, 97% of Los Angeles County agencies, 100% of Orange County agencies, and 80% of nationwide agencies allow for reviewing of video prior to making a statement.

2

The Office of Inspector General should have unfettered viewing access to all BWC video through Evidence.com

3

The Sheriff's Department should have a blanket policy that BWCs should be turned on for any contact with a civilian, not only for investigative or enforcement contacts.

LASD policy is comparable to BWC policies established by most BWC deployed agencies.

4

The Sheriff's Department should change its policy on deputies' discretion in activating the camera as stated in the Manual of Policies and Procedures section 3-06/200.08. Instead, the Department should require deputies to activate the cameras when responding to any call for service or at the initiation of any civilian contacts or other law enforcement duties, and require the cameras not be de-activated until the termination of the call for service or contact.

The Department has held numerous personnel accountable for BWC activation failures. This is specifically noted in the OIG "7th Reportback" regarding BWCs. Discipline ranged from written reprimands to five days off. At the time of the indicated report, BWCs had only been partially deployed for about 11 months. This was not enough time for the administrative investigation process to complete.

REFORM AND OVERSIGHT EFFORTS: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT JULY TO SEPTEMBER 2021

Recommendation

LASD Response

1

The Sheriff's Department should consider enacting a policy prohibiting employees who meet or interact with members of the public on-duty, or in uniform, from initiating or cultivating personal relationships including but not limited to romantic, sexual, business, financial, or political relationships. This policy should include all members of the public including, but not limited to, victims, witnesses, and suspects.

2

The Sheriff's Department should enact a policy prohibiting engaging in on-duty sexual activity.

3

The Sheriff's Department should reduce its population to 12,404, which is the jail system capacity rated by the Board of State and Community Corrections and work with the County justice partners to conduct an analysis of the current jail population based on charges, criminal procedural status, and other categories as appropriate to determine which people in the custody the Sheriff possesses the legal authority to release unilaterally.

County Counsel has previously performed reviews of existing laws and case decisions to find additional laws or decisions that could allow the Sheriff's Department to release additional individuals. No new or additional authority not already known or used by the Sheriff's Department has been discovered.

The Sheriff's Department continues to work with CHS and ODR to identify individuals suitable for community placement. Unfortunately, ODR has continued to face a shortage of suitable placement beds and individuals with court orders to an ODR program have remained in custody for extended periods of time pending the availability of a community bed.

The Sheriff's Department already uses the extraordinary authority granted under the Rutherford settlement to release individuals when the jail population exceeds the conditions outlined in Rutherford. Unfortunately, absent a court order, the Sheriff's Department generally lacks the legal authority to release individuals lawfully remanded to the custody of the Sheriff.

REFORM AND OVERSIGHT EFFORTS: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT OCTOBER TO DECEMBER 2021

Recommendation

LASD Response

1

The Sheriff's Department should determine its authority to release people in custody, specifically pregnant people given the barriers in meeting the nutritional and exercise needs of incarcerated pregnant people.

This should be marked as complete. The recommendation was the Department "should determine its authority to release people in custody..." As discussed previously, the Sheriff's authority is generally limited. This issue has been explored and studied by the Sheriff's

Regarding pregnant individuals, there are several issues with the representation in this report. CHS and the Sheriff's Department met and created an enhanced medically prescribed diet for pregnant individuals that exceeds Title 15 regulations. Regarding exercise, exercise is provided as clinically appropriate. A review of every pregnant person in the custody of the Sheriff is conducted at regular intervals by the Population Management Bureau with the goal of diverting or releasing as many as possible. Unfortunately, most of the individuals remaining in the custody of the Sheriff are in custody for serious or violent felonies, have custody holds from other jurisdictions, or cannot otherwise be released due to a lack of legal authority.

2

The Sheriff's Department should hold personnel accountable through its progressive discipline system when personnel fail to comply with leadership directives for out of cell time for incarcerated pregnant people.

The Sheriff's Department does hold individuals accountable when they fail to comply with policies and directives. There are written policies regarding pregnant individuals and CRDF personnel are held accountable to those policies.

3

If failures to comply with directives regarding out of cell time for incarcerated pregnant people are due to systemic or operational deficiencies, the Sheriff's Department should identify and remedy such deficiencies.

There are several physical plant issues with providing proper outdoor exercise time. Classroom and outdoor recreation space is limited at CRDF. Additionally, there is only one funded item for monitoring pregnant individuals. Continued personnel curtailments by the Board of Supervisors make this a challenge.

REVIEW OF A DEPUTY-INVOLVED SHOOTING WITHOUT AN ADMINISTRATIVE INVESTIGATION

Recommendation

LASD Response

The Sheriff's Department should conduct concurrent investigations, by the Homicide Bureau (criminally) and by the Internal Affairs Bureau (administratively) after a deputy-involved shooting has occurred.

2

The Executive Force Review Committee and the Case Review proceedings should be held only after both the Homicide Bureau and Internal Affairs Bureau investigations are completed so that the committees have the benefit of making decisions based upon all available information gathered.

3

The Sheriff's Department executive staff should consult with County Counsel in order to fully understand the practical application of the Gates-Johnson agreement which would serve to expedite Internal Affairs Bureau investigations.

4

The Sheriff's Department should re-negotiate the Gates-Johnson agreement.

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

Recommendation

LASD Response

1

The Gang Surveillance Unit (GSU) should receive BWCs.

An MOU between the US Marshall's Office and LASD regarding BWC use during task force operations has been agreed upon and approved.

2

Undercover surveillance operations should have an appropriate tactical plan that includes having some deputies equipped with BWCs available in the event an encounter with the suspect occurs.

3

The Sheriff's Department should simplify its BWC policy to abrogate the use of exceptions for employing BWCs when contacting suspects or other members of the public.

The exceptions noted in 3-06/200.18 - Body Worn Camera Recording Exceptions, are explicit in which situations it would be appropriate to deactivate the BWC due to the sensitivity of the situation. Each situation is unique, and blanket policies for not allowing de-activation could lead to the inappropriate recording of sensitive information such as victims of sexual assault, victim/witness refuses to provide a recorded statement, confidential informants, and patient-care areas. Department members shall document the reason for deactivation.

THE SHERIFF'S DEPARTMENT'S UNDERREPORTING OF CIVILIAN STOP DATA TO THE CALIFORNIA ATTORNEY GENERAL

Recommendation

LASD Response

1

A comprehensive audit of the Computer Aided Dispatch System (CAD) and the Sheriff's Automated Contact Reporting System (SACR) systems from July 2018 to the present identifying all errors within the prior reports should be conducted by a qualified third-party entity. That entity should prepare a report to be submitted to the California Department of Justice noting the errors and documenting accurate data.

AAB is conducting a comprehensive audit of SACR data.

2

To promote transparency and oversight, the Sheriff's Department should make all CAD system data available upon request to the Office of Inspector General.

3

The Sheriff's Department should develop internal controls that ensure deputies are entering appropriate stop data in both the CAD and SACR systems.

The Department has created internal controls which cross-indexes CAD and SACR data. This system creates an automated workflow and on-going feedback on SACR compliance is provided to supervisors and managers.

4

For future reports, the Sheriff's Department Audits and Accountability Bureau should conduct regular audits to reconcile any data discrepancies between the CAD system and the SACR system and take immediate action to correct any observed discrepancies BEFORE submitting the information to the State of California.

AAB has been identified as the business owner of the SACR system and the corresponding veracity of its data. AAB is conducting an audit of SACR data.

5

The Sheriff's Department should conduct annual trainings at each station on the requirements of RIPA, which should include training on the requirements of Field Operations Directive 18-004 and MPP 5-09/520.25, which provide guidance on the data to be entered into SACR and the trainings should stress the importance of entering the required stop data in both the CAD and SACR systems, with possible discipline for any failures.

AAB is now the business owner of the SACR system. AAB is coordinating with various entities with ongoing training related to SACR.

6

The Sheriff's Department should establish a RIPA Compliance Help Desk where deputies in the field can call in to ask questions on what to enter into the databases.

There is a help desk to assist deputies within AAB and DSB.

7

The Sheriff's Department should develop a concrete fiscal plan to replace the CAD system with a single system for logging civilian contacts to avoid redundant data entry and underreporting of data.

TSD is finalizing an RFP which provides specifications and a bid process for a CAD/RMS replacement. Specifications for the new CAD/RMS will require a SACR integration with CAD.

The Department is coordinating with the County Chief Information Officer to pursue IT Legacy Funding. The CIO's office understands the RFP effort is in progress and has "set aside" legacy funding for CAD.

ALLEGATION OF RACIAL DISPARITIES IN CONTACTS WITH HIGH SCHOOL STUDENTS BY THE SHERIFF'S DEPARTMENT'S LANCASTER STATION

Recommendation

LASD Response

1

The Sheriff's Department should comply with Government Code section 25303.7 and Penal Code section 13510.8(8) and provide unimpeded access to government records and personnel to permit the Office of Inspector General office to discharge its monitoring and investigative duties.

2

The Sheriff's Department should provide the Office of Inspector General with viewing access to all body-worn camera videos and amend its audit policy to provide the Office of Inspector General with unrestricted viewing access.

3

The Sheriff's Department should engage in with the County's efforts to shift the paradigm of the youth criminal justice system from a punitive approach to an evidence-based rehabilitative model as set forth in the Board of Supervisor's June 8, 2021, motion entitled "Strengthening Oversight of School Law Enforcement Services."

4

The June 8, 2021, "Strengthening Oversight of School Law Enforcement Services Motion also requires a report back by the Chief Executive Officer and the Director of Office of Diversion and Reentry propose a set of quarterly data points. The Sheriff's Department should publish CAD system data on all deputy contacts with students including data points listed in the June 8, 2021, "Strengthening Oversight of School Law Enforcement Services Motion with appropriate privacy redactions. conduct a quarterly comprehensive audit of data points relating to School Resource Deputy contacts with youth in the CAD system and reconcile those totals with the data reflected in the SACR system to verify SACR system accuracy.

5

The Sheriff's Department's Youth Services Unit (YSU) oversees the School Resource Deputy Program.

YSU staffing should be increased to expand the Sheriff's Department's ability to coordinate, cooperate, and collaborate with the Board, Civilian Oversight Commission, CBOs, school districts, other County partners, and individual families within the community.

In addition to the School Resource Officer program, the YSU oversees all Youth Activity Leagues, the Stop Hate and Respect Everyone (SHARE) Tolerance program, Sheriff Explorer programs, and Vital Interventions and the Directional Alternatives program, throughout Los Angeles County. The Sheriff's Department should strongly consider allocating a higher percentage of its funding to these programs to maximize their scope and impact.