



COUNTY OF LOS ANGELES OFFICE OF INSPECTOR GENERAL

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March 22, 2021

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

FROM: Max Huntsman
Inspector General

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

Purpose of Memorandum:

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

Body-Worn Camera Equipment Procurement and Deployment

On August 11, 2020, the Sheriff's Department contracted with Axon Enterprise, Inc. for a Body-Worn Camera and Digital Evidence Management System. On September 1, 2020, the Board of Supervisors directed the Chief Executive Office to transfer \$12.3 million in ongoing and \$13.2 million in one-time funding from the PFU budget unit to the Los Angeles County Sheriff's Department for fiscal year 2020-21 body-worn camera costs. According to the Sheriff's Department, it began deploying body-worn cameras in

October 2020 at the five stations where the infrastructure upgrades had been completed. The first five stations were chosen based on the infrastructure readiness of the facility to accommodate the upgrade, risk assessment (based on calls for service, use of force, complaints, and crime data), and the location of the station, with one station in each of the five supervisorial districts included in the first phase in an attempt to deploy across the county. The five stations that received body-worn cameras in October are:

- Century
- Lakewood
- City of Industry
- West Hollywood
- Lancaster

Six additional stations have since deployed body-worn cameras, for a total of eleven stations. The chart below details the stations to date at which body-worn cameras are deployed as reported by the Sheriff's Department:

| Station | Month Deployed |
|-------------------|-----------------------|
| Century | October 2020 |
| City of Industry | October 2020 |
| Lakewood | October 2020 |
| Lancaster | October 2020 |
| West Hollywood | October 2020 |
| Compton | November 2020 |
| East Los Angeles | November 2020 |
| Crescenta Valley | January 2021 |
| Lomita | January 2021 |
| Malibu/Lost Hills | January 2021 |
| South Los Angeles | January 2021 |

According to the Sheriff's Department, 1,614 deputies have been issued body-worn cameras. The Sheriff's Department reports that all 1,614 deputies received training prior to being issued a camera. The eight-hour training includes the use of the camera and the associated mobile phone, the mounting system, and the Digital Evidence Management System (DEMs), known as Evidence.com, as well as Sheriff's Department policy on use and accountability. At the conclusion of training each deputy is assigned a specific camera along with a mobile phone device; the deputy is directed to begin use of the body-worn camera on his or her next shift. In addition to the assigned cameras, there are spare cameras at each station in the event that cameras become damaged or

inoperable. An additional 766 personnel have been trained on Evidence.com but were not assigned cameras because they are not assigned to a patrol assignment.

According to the Sheriff's Department, cameras have not yet been deployed at the remaining stations because the necessary infrastructure upgrades are not yet complete. Additionally, the Sheriff's Department reports that its network currently does not have the necessary bandwidth to handle the uploading and storage of the video from the body-worn cameras. It is anticipated that the infrastructure and network issues will be resolved allowing the following stations to deploy cameras in March or April:

| Station | Anticipated Deployment |
|----------------|-------------------------------|
| Marina Del Rey | March/April 2021 |
| Altadena | March/April 2021 |
| Temple | March/April 2021 |
| Carson | April 2021 |
| Cerritos | April 2021 |
| Norwalk | April 2021 |
| Palmdale | April 2021 |
| Pico Rivera | April 2021 |
| San Dimas | April 2021 |

According to the Sheriff's Department the plan is for cameras to be provided to the remaining stations by the end of **August 2021**.

After the implementation of the cameras at these stations there are plans to phase in body-worn camera capabilities at these Phase II Supporting Units/Bureaus, each of which are undergoing infrastructure upgrades according to the Sheriff's Department:

1. Body Worn Camera Unit
2. Fraud and Cyber Crimes Bureau
3. Hall of Justice
4. Major Crimes Bureau
5. Narcotics Bureau
6. Operation Safe Streets Bureau
7. Special Victims Bureau
8. Homicide Bureau
9. Internal Affairs Bureau
10. Internal Criminal Investigations Bureau

There is no plan for these units to receive body-worn cameras, rather computer and network upgrades will be implemented and the investigators at these units will

become qualified to use Axon's Capture phone application used for capturing digital evidence.

Revisions to Sheriff's Department Policies to Incorporate Body-Worn Cameras

The current general policy on body-worn cameras has been made public on the Sheriff's Department website.¹ The Sheriff's Department represents that it continues to implement policy changes to existing policies, including revisions to its policies on body-worn cameras, which have been incorporated into the Sheriff's Department Manual of Policy and Procedure. Sheriff's Department representatives have stated that IT and other policies will have to incorporate policies specific to body-worn cameras and that the Guidelines for Discipline will be updated to incorporate discipline for body-worn camera policy violations. To date, the Sheriff's Department has not provided the Office of Inspector General with any proposed modifications to its Guidelines for Discipline or to its IT policy. Because there are no specific sections in the Guidelines for Discipline pertaining to body-worn cameras, deputies may only be disciplined for generally failing to perform to standards if there is a violation of any of the body-worn camera policies.

The Sheriff's Department has drafted a proposed Service Audit Policy, which covers auditing for compliance with body-worn camera policies. The Office of Inspector General was provided with a draft of the Sheriff's Department proposed Service Audit policy. The audit policy does not provide for any independent audits or access by the Office of Inspector General as required by California state law.

As to the proposed Service Audit policy, the Office of Inspector General makes the following recommendations:

- 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. The Civilian Oversight Commission raised this in its recommendations issued on April 16, 2020 as well.
- The draft of the Service Audit Policy presented includes establishing a mechanism for the station lieutenant assigned to the Service Audit Program to randomly select tags, phone calls, reports, etc. for audit each month and for the Station's Detective Lieutenant to randomly select active investigative cases for audit. These audits seem at odds with the policy for Body-Worn

¹ [Manual of Policy and Procedures 3-06/200.00 – Body Worn Cameras](#)

cameras as set forth in MPP 3-06/200.53, which is already in place. MPP 3-06/200.53 states that: "Recordings shall not be routinely or randomly viewed solely for the purpose of searching for policy violations where no independent allegation or evidence of a policy violation exists." Given that the stated purpose of these audits include that they are being conducted to "measure the quality of [the Sheriff's Department] total service to the community" and to "provide an additional means for identifying and documenting personnel performance, including the use of body-worn cameras," the MPP should be reconciled with the proposed audit policy. The existing policy suggests that there will **not** be random audits for policy violations while the audit policy provides a mandate **for** random audits to include the discovery of personnel performance issues, which undoubtedly will raise policy violations. The MPP policy prohibiting random checks for policy violations should be modified to allow random audits and searches for policy violations. Ensuring that supervision is consistent and fair should be accomplished through appropriate Guidelines for Discipline and independent access, not by institutionalizing the concealment of misconduct.

- The reference in the Service Audit Policy, as mirrored in MPP 3-06/200.58, provides for limiting the disciplinary consequences of misconduct discovered in a review of body-worn camera footage. "If supervisory and management personnel discover activity that may constitute misconduct, the Department member's actions in the [body-worn camera] recordings alone should not result in the initiation of an administrative investigation. Rather, the member should receive counseling, training, or a performance log entry to alert them and correct their behavior. However, the forgoing does not apply where the activity discovered would likely result in suspension or termination (Refer to MPP 3-06/200.58)." This policy leaves broad discretion to management personnel given the vagueness of what is meant by "where the activity discovered would likely result in suspension or termination," especially because this would be the trigger for the initiation of an investigation as opposed to a determination after an investigation. Without an investigation, it is impossible to determine whether a suspension or termination is warranted. As mentioned in the Civilian Oversight Commission recommendations of April 16th regarding the Sheriff's Body Worn Camera policy, "it should be made clear that deputies will be appropriately held accountable for engaging in misconduct. It is critical that LASD actively follows up on any actual wrongdoing by deputies that is discovered in body-

worn camera recordings. Accordingly, [the COC] recommends that misconduct appearing on video recordings be investigated and appropriate action taken, be this counselling, discipline or changes in the way deputies are trained.” The Office of Inspector General agrees with these statements by the Civilian Oversight Commission and recommends that the policy be modified to incorporate accountability and the range of consequences for misconduct.

- There is no provision for Office of Inspector General access or monitoring. Given recent events and legal issues, a component for independent review by the Office of Inspector General is critical. Los Angeles County Code section 6.44.190 and Government Code sections 25303 and 25303.7, requires the Sheriff’s Department to provide information, documents, and other items upon a request or the issuance of a subpoena by the Office of Inspector General. Consistent with the Los Angeles County and California state law, 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 to the Office of Inspector General upon request under Los Angeles County Code section 6.44.190 and/or in response to a subpoena issued pursuant to Government Code section 25303.7.
- Finally, the Service Audit Policy does not address audits regarding compliance with rules for activating cameras or the consequences for repeated failures by a deputy to activate the camera in violation of Sheriff’s Department policy. It is imperative that the Sheriff’s Department implement audits regarding compliance with activation policies and to implement policies for discipline for the failure to activate cameras.

To effectively implement body-worn cameras deputies must be encouraged, through training, to embrace the transparency that the cameras bring by contemporaneously recording deputies’ interactions with the public.

In addition to the above recommendations regarding the Service Audit Policy, 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. Creating a culture of transparency is essential for the meaningful deployment of the body-worn camera program.

MH:dw

c: Alex Villanueva, Sheriff
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