



Office of Inspector General County of Los Angeles

Reform and Oversight Efforts: Los Angeles County Sheriff's Department

January to March
2020

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INTRODUCTION

This report describes a portion of the Office of Inspector General’s monitoring, auditing, and review activities related to the Los Angeles County Sheriff’s Department (LASD) that occurred from January 1, 2020, through March 31, 2020.¹

The Office of Inspector General continues to work to increase the amount of data provided in each *Quarterly Report*. By providing quarterly updates, the Office of Inspector General’s goal is to keep the public, the Board of Supervisors, and the Civilian Oversight Commission aware of recent trends and changes in LASD policies, procedures, and practices.

MONITORING LASD OPERATIONS

Service Comment Reports

In accordance with LASD policies, the Department accepts and reviews all comments from members of the public about Departmental service or employee performance.² LASD categorizes these comments into three categories:

- External Commendation: an external communication of appreciation for and/or approval of service provided by LASD members;
- Service Complaint: an external communication of dissatisfaction with LASD service, procedure or practice, not involving employee misconduct; and
- Personnel Complaint: an external allegation of misconduct, either a violation of law or LASD policy, against any member of LASD.³

The following chart lists the number and types of comments reported to the Office of Inspector General by the Department about each station or unit. It is important to note that some of these service comments may have originated prior to this quarter. If the comments are based on conduct that occurred in previous quarters, they may still show up as active in the LASD’s database as the Department

¹ The report will note if the data reflects something other than what was gathered between January 1, 2020 and March 31, 2020.

² See Los Angeles County Sheriff’s Department, *Manual of Policies and Procedures*, 3-04/10.00, “Department Service Reviews.”

³ It is possible for an employee to get a Service Complaint and Personnel Complaint based on the same incident in question.

continues to work towards investigating/resolving the issues raised in the complaints. Also, there may be comments that do not yet appear on the chart below as they have still not been entered into the Department's automated system as of the date this information was provided to the Office of Inspector General.⁴

INVESTIGATING BUREAU/STATION/FACILITY	COMMENDATIONS	PERSONNEL COMPLAINTS	SERVICE COMPLAINTS
ADM : CENTRAL PATROL ADM HQ	0	1	1
ADM : NORTH PATROL ADM HQ	1	1	1
ADM : TECH & SUPPORT ADM HQ	2	0	0
ALD : ALTADENA STN	3	1	2
ASH : OFFICE OF THE ASST SHF I	1	0	0
AVA : AVALON STN	2	1	0
CCS : COMMUNITY COLLEGE BUREAU	2	1	0
CEN : CENTURY STN	6	15	2
CER : CERRITOS STN	2	4	2
CLP : COMM LAW ENFORCE PARTNER PROG	1	0	0
CMB : CIVIL MANAGEMENT BUREAU	17	4	2
CNT : COURT SERVICES CENTRAL	3	3	0
COM : COMPTON STN	7	8	0
CPB : COMMUNITY PARTNERSHIP BUREAU	4	1	1
CRD : CENTURY REG DETEN FAC	2	1	0
CRV : CRESCENTA VALLEY STN	3	4	1
CSB : COUNTY SERVICES BUREAU	0	8	2
CSN : CARSON STN	8	9	2
CST : COURT SERVICES TRANSPORTATION	2	0	0
DSB : DATA SYSTEMS BUREAU	1	0	0
ELA : EAST LA STN	5	6	1
EST : COURT SERVICES EAST	4	2	1
FCC : FRAUD & CYBER CRIMES BUREAU	0	1	0
HDQ : OH SECURITY HQ	1	0	0
HOM : HOMICIDE BUREAU	2	2	0
HTB : HUMAN TRAFFICKING BUREAU	2	0	0

⁴ This data was obtained from LASD's Performance Recording and Monitoring System on March 31, 2020 and reflects the data provided as of that date.

INVESTIGATING BUREAU/STATION/FACILITY	COMMENDATIONS	PERSONNEL COMPLAINTS	SERVICE COMPLAINTS
IAB : INTERNAL AFFAIRS BUREAU	0	1	0
IND : INDUSTRY STN	4	6	1
IRC : INMATE RECEPTION CENTER	0	2	1
ISB : INMATE SERVICES BUREAU	0	1	0
LCS : LANCASTER STN	9	16	6
LKD : LAKEWOOD STN	12	8	3
LMT : LOMITA STN	9	2	1
MAR : MARINA DEL REY STN	1	8	0
MCB : MAJOR CRIMES BUREAU	2	0	0
MCJ : MEN'S CENTRAL JAIL	1	0	2
MLH : MALIBU/LOST HILLS STN	11	8	7
MTL : METROLINK	1	4	0
NAR : NARCOTICS BUREAU	2	1	0
NCF : NORTH CO. CORRECTL FAC	0	1	1
NWK : NORWALK REGIONAL STN	7	4	1
OSS : OPERATION SAFE STREETS BUREAU	0	3	2
OTH : OTHER	0	1	0
PER : PERSONNEL ADMIN	2	0	0
PKB : PARKS BUREAU	2	3	0
PLM : PALMDALE STN	16	24	3
PRV : PICO RIVERA STN	7	1	2
RMB : RISK MANAGEMENT BUREAU	2	0	0
RTB : TRAINING BUREAU	0	1	0
SCV : SANTA CLARITA VALLEY STN	25	9	2
SDM : SAN DIMAS STN	3	2	0
SLA : SOUTH LOS ANGELES STATION	2	13	7
SVB : SPECIAL VICTIMS BUREAU	2	4	1
TEM : TEMPLE CITY STN	8	5	1
TSB : TRANSIT SERVICES BUREAU	4	3	0
TT : TWIN TOWERS	2	0	1
UNK : UNKNOWN	0	0	1
USR : OFFICE OF THE UNDERSHF	0	0	1
WAL : WALNUT/SAN DIMAS STN	12	7	1
WHD : WEST HOLLYWOOD STN	7	6	4

INVESTIGATING BUREAU/STATION/FACILITY	COMMENDATIONS	PERSONNEL COMPLAINTS	SERVICE COMPLAINTS
WST : COURT SERVICES WEST	5	4	0
Total :	239	221	67

Comments and Complaints Received by the Office of Inspector General

The OIG received twenty-seven new complaints in the first two months of the first quarter of 2020 from members of the public, prisoners, prisoners' family members and friends, community organizations, and County agencies.⁵ Each complaint was reviewed by OIG staff.

Conditions of Confinement

Thirteen of these complaints were related to conditions of confinement within the Department's custody facilities, as shown below:

Complaint/ Incident Classification	Totals
Personnel Issue	
Use of Force	1
Medical/Dental Issue	2
Other Service Issue	10
Total	13

Field Encounters with the Los Angeles County Sheriff's Department

Thirteen complaints were related to civilian contacts with Department personnel by persons who were not in custody.

Complaint/ Incident Classification	Totals
Personnel Issue	
Rude/Abusive Behavior	2
Discrimination	2
Unlawful Search	2
Unlawful Detention	2
No Discernable subject	3
Other Service Issue	2
Total	13

⁵ When complaints raise multiple issues, the OIG tracks and monitors the Department's response to each issue. As such, a single complaint may receive more than one classification as reflected in the referenced tables.

Two complaints were not about the Department or Department personnel and were referred to the appropriate agency or the complainant was directed to seek legal advice.

Taser Use in Custody

The Office of Inspector General has compiled the number of times LASD has deployed a Taser in custodial settings from January 2018, through December 2019. The numbers below were gathered from the LASD's *Monthly Force Synopsis*, which LASD produces and provides to the Office of Inspector General each month.⁶

Month	Number of Taser Deployments
January 2018	5
February 2018	2
March 2018	7
April 2018	7
May 2018	0
June 2018	4
July 2018	6
August 2018	7
September 2018	3
October 2018	5
November 2018	3
December 2018	1
January 2019	9
February 2019	9
March 2019	5
April 2019	4
May 2019	1
June 2019	2
July 2019	6
August 2019	9
September 2019	6
October 2019	3
November 2019	6
December 2019	5
January 2020	5
February 2020	3
March 2020	3

⁶ The OIG is not opining on whether the use of the Taser in each of these incidents was permissible under LASD's policies and/or if the Taser was deployed lawfully.

Use-of-Force Incidents in Custody Division

The Office of Inspector General monitors uses of force by LASD staff on prisoners, prisoner-on-prisoner violence, and assaults by prisoners on LASD personnel. LASD is still verifying the accuracy of the information for incidents which occurred after September 2019.

Prisoner-on-staff Assaults:

1 st Quarter of 2018	144
2 nd Quarter of 2018	173
3 rd Quarter of 2018	131
4 th Quarter of 2018	115
1 st Quarter of 2019	122
2 nd Quarter of 2019	132
3 rd Quarter or 2019	164

Prisoner-on-prisoner Assaults:

1 st Quarter of 2018	871
2 nd Quarter of 2018	905
3 rd Quarter of 2018	988
4 th Quarter of 2018	881
1 st Quarter of 2019	769
2 nd Quarter of 2019	794
3 rd Quarter of 2019	858

Use-of-force Incidents:

1 st Quarter of 2018	546
2 nd Quarter of 2018	592
3 rd Quarter of 2018	530
4 th Quarter of 2018	452
1 st Quarter of 2019	501
2 nd Quarter of 2019	478
3 rd Quarter of 2019	525

LASD Use of Unmanned Aircraft Systems

LASD reports that it deployed the Unmanned Aircraft System one time between January 1, 2020, and March 31, 2020. On February 14, 2020, LASD deployed the system to conduct a search of a missing person in Latigo Canyon in Malibu. The

system was able to search areas that rescuers had a hard time reaching, and areas that were not visible by aircraft. Unfortunately, even with the use of the system, the person was not found.

DATA REVIEW

Deputy-Involved Shootings

LASD categorizes deputy-involved shootings by the tactical circumstances of the shooting, not the outcome. The definitions of each of these categories can be found in the *Manual of Policies and Procedures (MPP)*, section 3-10/300.00. LASD defines "hit shooting" as one in which a deputy fired his/her weapon intentionally and hit one or more people. A "non-hit shooting" is defined as an event where a deputy fired a deputy's weapon intentionally but did not hit anyone. If a person was unintentionally struck by gunfire, the shooting is categorized by LASD as an accidental shooting (for example, if a shot was intentionally fired at an animal and struck a bystander, the shooting would be categorized by LASD as accidental).

The Office of Inspector General reports all deputy-involved shootings in which a deputy intentionally fired a firearm at a human being or intentionally or unintentionally fired a firearm and another human being was injured or killed as a result, unless the injury is self-inflicted. From January 1, 2020, through March 26, 2020, there were two incidents in which people were shot or shot at by LASD personnel. Office of Inspector General staff responded to each of these deputy-involved shootings. In these incidents two people were struck by deputies' gunfire, one of them fatally.

LASD provides some data regarding these shootings on its public data website at: <https://lasd.org/data/deputyinvolvedshootingsstats/>, and is working on its web-site to implement previous recommendations by the Office of Inspector General that summaries of each shooting be provided. As of March 31, 2020, that feature has not been completed, so we have included a summary of information initially relayed by LASD.

Santa Clarita: LASD reported that on March 1, 2020, at approximately 2:30 p.m., a deputy was driving a patrol vehicle in the employee parking lot of the Santa Clarita Valley Station when a male hispanic exited a parked car and walked into the deputy's path of travel, stopping directly in front of the deputy's vehicle. The deputy saw that the male was armed with what appeared to be a semi-automatic handgun. The deputy exited the patrol vehicle, drew his firearm and ordered the male to drop his gun several times. Instead of complying with the deputy's command, the male raised the firearm towards the deputy at which time the deputy

fired two rounds at the suspect striking him in the lower torso. The weapon in the suspect's possession was recovered and determined to be an airsoft pistol designed to look like a Taurus semi-automatic pistol.

The male was transported to the hospital, where he was pronounced dead. Family Assistance Program representatives from the County Department of Mental Health assisted the Homicide Bureau with the notification to the next of kin and county services were offered to the family of the suspect.

Palmdale/Sylmar: LASD reported that on March 5, 2020, at approximately 9:30 p.m., two deputies in a patrol car attempted to conduct a traffic stop of the driver of an Audi because the driving pattern of the vehicle suggested that the driver was impaired. After the Audi failed to yield, the deputies initiated a reckless DUI pursuit. During the pursuit the Aero Bureau took over, pursuing the Audi from the air. Once the Aero Bureau took command of the pursuit the patrol deputies switched from pursuit mode to surveillance mode. While being pursued by the Aero Bureau, the Audi rammed through a gate at United States Airforce Plant 42 in Palmdale and the suspects shot at the deputies who were in the surveillance vehicle. The Audi continued through the base, crashed through another gate, and reentered the highway. At that time, the patrol deputies resumed their pursuit of the vehicle, with the Aero Bureau continuing to pursue the Audi as well. During the pursuit, the occupants of the Audi fired shots at the airship overhead. Spike strips were successfully deployed and the Audi came to a stop at a guardrail at the interchange of the 5 and 210 freeway. The driver of the vehicle, a white male, exited the car and fired at the deputies. At the same time, the passenger, also a white male, shot at the deputies through the rear window of the Audi. Seven deputies on the scene returned fire, shooting a total of 29 rounds at the driver and passenger.

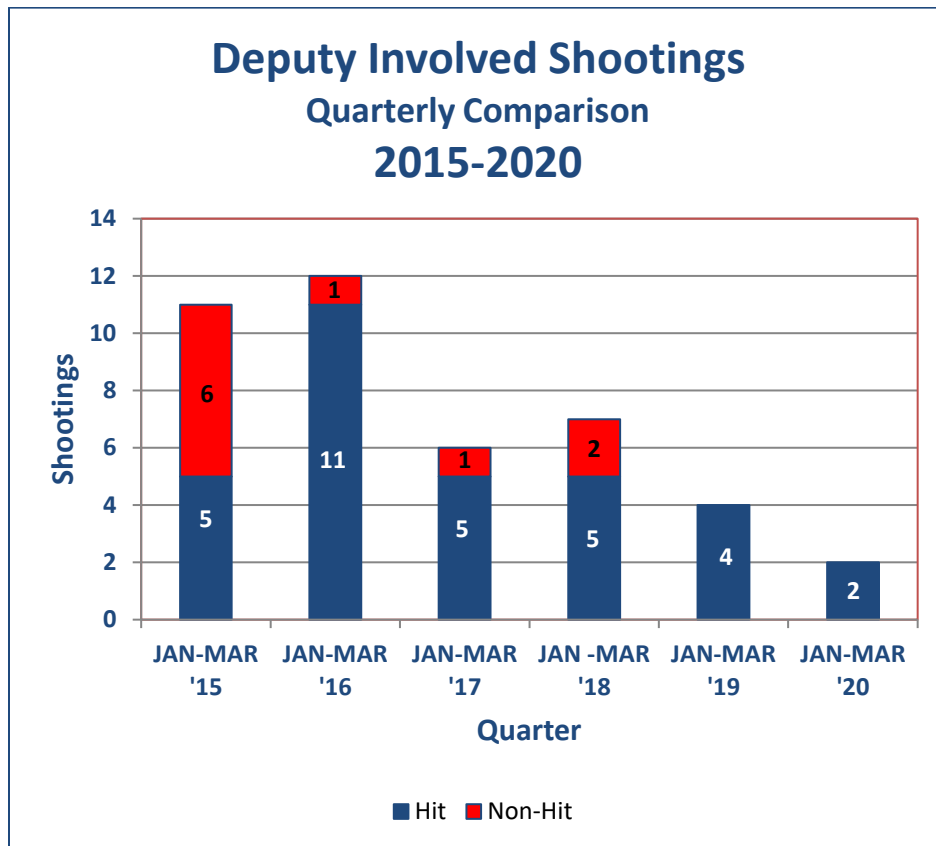
The driver eventually dropped his gun and fled and was apprehended as he attempted to carjack a motorist. The driver sustained one gunshot wound to his thigh, was transported to the hospital, treated, and released into custody. The passenger of the Audi suffered no injuries and was taken into custody as he exited the car.

During this incident, a deputy was struck by a passing car, resulting in minor injuries. He was treated and released from the hospital.

From the scene, deputies recovered a Tec-9 handgun, a stainless-steel revolver with seven expended shell casings, bags of substances suspected to be methamphetamine and heroin, and \$5,000 in cash. During the pursuit, the suspects

tossed what appeared to be four one-gallon sized plastic bags of white powder (suspected to be illegal narcotics) from the car, striking the pursuing radio cars.

Comparison to Prior Years



Homicide Bureau's Investigation of Deputy-Involved Shootings

The Homicide Bureau is responsible for conducting the investigation of all deputy-involved shootings, regardless of category, in which a person is injured or killed. After completing its investigation, the Homicide Bureau submits its investigation to the Los Angeles County District Attorney (LADA) for consideration of filing criminal charges.

If the LADA declines to file the case, LASD's Internal Affairs Bureau (IAB) completes a force review to determine whether Department personnel violated any Departmental policies during the incident.

For the present quarter, the Homicide Bureau reports 13 shooting cases involving LASD personnel that are currently open and under investigation. The oldest case is

a June 6, 2019 shooting in South Los Angeles. This shooting is described briefly in the Office of Inspector General's *June 2019 Reform and Oversight Efforts: Los Angeles County Sheriff's Department* report.

District Attorney Review of Deputy-Involved Shootings

This quarter, LASD reports it has sent five cases involving a deputy-involved shooting to the LADA for filing consideration.

Between January 1, 2020, and March 31, 2020, the LADA issued findings in eight deputy-involved shooting cases involving LASD employees.

- In the September 24, 2018, non-fatal shooting of Halcyon Johnson, the District Attorney opined in a memorandum dated [January 13, 2020](#), the deputies acted lawfully in self-defense and in defense of others.
- In the June 28, 2018, non-fatal shooting of Pedro Garcia, the District Attorney opined in a memorandum dated [January 29, 2020](#), the deputy acted lawfully in self-defense.
- In the February 11, 2016, fatal shooting of Matthew Quinn, the District Attorney opined in a memorandum dated [February 4, 2020](#), the deputies acted lawfully in self-defense and defense of others.
- In the July 4, 2017, non-fatal shooting of Jeremias Lopez, the District Attorney opined in a memorandum dated [February 5, 2020](#), the deputy acted lawfully in self-defense.
- In the December 1, 2016, non-fatal shooting of Rodolfo Martinez, the District Attorney opined in a memorandum dated [February 18, 2020](#), that the "shooting was a result of an accident during a justified use of force." The LADA closed the case declining to file charges based on this analysis.
- In the November 1, 2018, non-fatal shooting of Rashaad Franco, the District Attorney opined in a memorandum dated [February 25, 2020](#), the deputy acted lawfully in self-defense.
- In the August 12, 2018, fatal shooting of Anthony Vargas, the District Attorney opined in a memorandum dated [February 26, 2020](#), the deputies acted lawfully in self-defense and in defense of others.
- In the December 24, 2016, fatal shooting of Zhonghua Li, the District Attorney opined in a memorandum dated [February 27, 2020](#), the deputies acted in lawful self-defense and in defense of others.

The District Attorney's formal findings and the facts surrounding each of the above cases may be found in the District Attorney's website at:

<http://da.lacounty.gov/reports/ois>.

Internal Criminal Investigations Bureau

LASD's Internal Criminal Investigations Bureau (ICIB) now reports to the Chief, Professional Standards Division. ICIB is responsible for investigating most allegations of criminal misconduct by members of LASD which occurred in the policing jurisdiction of the Sheriff's Department.

As of March 31, 2020, LASD reports ICIB has 76 active cases. LASD reports sending eight cases this quarter to the LADA for filing considerations. The oldest open case ICIB has on its books is from 2011. In that case, the District Attorney filed criminal charges on April 16, 2014, but a judgment has not yet been entered.⁷

Internal Affairs Bureau

The IAB is responsible for conducting administrative investigations of policy violations by LASD members and for responding to and reviewing deputy-involved shootings and significant use-of-force cases. Administrative investigations may alternatively be conducted at the unit level. The subject's unit command and the IAB command determine whether an investigation is investigated by IAB or remains a unit-level investigation.

During the first quarter of 2020, LASD reports opening 89 new administrative investigations. Of these 89 cases, 36 were assigned to IAB, 36 were designated as unit-level investigations, and 17 were entered as criminal monitors. In the same period, IAB reports that 75 cases were closed by IAB or at the unit level. There are 315 pending administrative investigations. Of those 315 pending investigations, 202 are assigned to IAB and the remaining 113 are pending unit-level investigations.

⁷*People v. Anthony Manuel Paez and Julio Cesar Martinez BA423669*, opened by LASD on December 14, 2011, presented to District Attorney on June 26, 2013, filed by the District Attorney on April 16, 2014, with sentencing of defendant Martinez set for April 16, 2021. The District Attorney requested dismissal as to Anthony Paez on April 18, 2019.

Civil Service Commission Dispositions

From December 18, 2019,⁸ to March 31, 2020, the Civil Service Commission issued a final decision in six LASD cases. In one of the cases, the Civil Service Commission reduced the Department's imposed discipline while in all others the Commission sustained the Department's findings and discipline.

CUSTODY DIVISION

Handling of Prisoner Grievances

LASD is still in the process of installing iPads in all jail facilities to capture information related to prisoner requests and, eventually, prisoner grievances. There are now a total of 187 installed iPads, a decrease of four iPads since the last quarter. There are 57 iPads at Century Regional Detention Facility (CRDF), 48 iPads at Men's Central Jail (MCJ), and 86 iPads at Twin Towers Correctional Facility (TTCF). As previously reported, LASD completed the Wi-Fi upgrades to operate the iPads at TTCF and CRDF. LASD reports that Wi-Fi connection issues at MCJ required LASD to take the iPads off-line until the Wi-Fi upgrades are completed. The implementation plan for iPads at Pitchess Detention Center North (PDC North) is still in development.

LASD reports that prisoners have accessed the iPads to obtain information on 819,672 occasions between January 1, 2020, and March 31, 2020. As previously reported, LASD continues to expand the types of information that can be accessed from the iPads and will continue to add information as feasible.

As reported in the Office of Inspector General's January 2018 *Reform and Oversight Efforts: Los Angeles County Sheriff's Department* report, LASD implemented a policy restricting the filing of duplicate and excessive prisoner grievances.⁹ LASD reports that between January 1, 2020, and March 31, 2020, 13 prisoners were restricted from filing 41 grievances under this policy.

⁸ The minutes for the Civil Service Commission meetings held after December 17, 2019, were not released until this quarter; hence, the reason why December 2019 information is included in this first quarter report of 2020.

⁹ See Los Angeles County Sheriff's Department, *Custody Division Manual*, 8-04/050.00, Duplicate or Excessive Filings of Grievances and Appeals, and Restrictions of Filing Privileges.

In-Custody Deaths

Between January 1, 2020, and March 31, 2020, ten individuals died while under the care and custody of LASD. Of these ten decedents, one died at CRDF, one died at MCJ, one died at TTCF's Correctional Treatment Center, and seven died in the hospitals to which they had been transported.

Office of Inspector General staff responded to the scene of each death that occurred at CRDF and MCJ. Office of Inspector General staff also attended the Custody Services Division Administrative Death Reviews for each of the ten in-custody deaths.

The following summaries, arranged in chronological order, provide brief descriptions of each in-custody death:

On January 14, 2020, an individual at MCJ was reportedly discovered unresponsive during a Title-15 safety check. Deputies and medical personnel rendered emergency aid until paramedics arrived and transported the individual to Los Angeles County/USC Medical Center (LCMC). The individual died on January 16, 2020.

On January 22, 2020, an individual died at LCMC after being transported from TTCF's Correctional Treatment Center on January 14, 2020, for a higher level of care.

On January 30, 2020, an individual died at LCMC after being transported from MCJ on January 15, 2020, for a higher level of care.

On February 16, 2020, an individual died at LCMC after being transported from TTCF's Correctional Treatment Center on January 13, 2020, for a higher level of care.

On February 19, 2020, an individual at CRDF was reportedly discovered unresponsive during a Title-15 safety check. Emergency aid was rendered, paramedics were called, but the individual was pronounced dead at the scene.

On February 20, 2020, an individual died at LCMC after being transported from TTCF's Urgent Care on January 23, 2020, for a higher level of care.

On March 4, 2020, an individual died at LCMC after being transported from MCJ on March 2, 2020, for a higher level of care.

On March 11, 2020, an individual at MCJ was reportedly discovered unresponsive in a cell during a Title-15 safety check. Emergency aid was rendered, paramedics were called, but the individual was pronounced dead at the scene.

On March 20, 2020, an individual died at LCMC after being transported from MCJ on March 17, 2020, for a higher level of care.

On March 23, 2020, an individual at TTCF's Correctional Treatment Center was reportedly discovered unresponsive in a cell. Emergency aid was rendered, paramedics were called, but the individual was pronounced dead at the scene.

Other Deaths

Between January 1, 2020, and March 31, 2020, three individuals died under circumstances which do not fit within the current categorical definition of an in-custody death but were under the care and custody of LASD when the condition which resulted in their deaths first became apparent.

The following summaries provide a brief description of the circumstances surrounding these deaths:

On February 13, 2020, deputies responded to multiple calls for service and subsequently arrested an individual at the location following a use of force. The individual began to experience a medical emergency. Deputies rendered lifesaving measures until paramedics arrived and transported the individual to Coast Plaza Hospital. The individual died less than one hour after being transported. Office of Inspector General staff was present at the Critical Incident Review for this incident.

On February 24, 2020, deputies responded to a call for service and subsequently arrested an individual at the location. The individual began to experience a medical emergency. Deputies rendered lifesaving measures until paramedics arrived. Paramedics pronounced the individual dead at the scene. Office Of Inspector General staff was present at the Critical Incident Review for this incident.

On March 16, 2020, deputies responded to a call for service and subsequently arrested an individual at the location following a use of force. The individual began to experience a medical emergency. Deputies rendered lifesaving measures until paramedics arrived and transported the individual to Saint Francis Medical Center. The individual died less than one hour after being transported. Office of Inspector General staff was present at the Critical Incident Review for this incident.

Office of Inspector General Site Visits

Office of Inspector General staff regularly conduct site visits and inspections at LASD's custodial facilities to identify matters requiring attention. All site visits result in follow up. In the first quarter of 2020, Office of Inspector General personnel completed 22 site visits and logged 59 monitoring hours inside six of LASD's jail and lockup facilities. During those visits, Office of Inspector General personnel spoke with prisoners and met with LASD personnel of all ranks, including custody assistants, civilian staff, clergy, and volunteers. As part of the Office of Inspector General's jail monitoring, Office of Inspector General staff attended 66 Custody Services Division executive and administrative meetings and met with division executives for 64 monitoring hours.

Office of Inspector General personnel also continued to meet with prisoners housed in general population modules, administrative segregation units, disciplinary units, and medical and mental health units. The Office of Inspector General Monitors met with and received input from individuals at cell front, during recreation and treatment group time, and in private interview rooms when necessary to ensure confidentiality. The following chart represents LASD facilities visited from January 1, 2020, through March 31, 2020:

Facility	Site Visits
Century Regional Detention Facility (CRDF)	2
Inmate Reception Center (IRC)	2
Men's Central Jail (MCJ)	10
North County Correctional Facility (NCCF)	1
Pitchess Detention Center North (PDC North)	1
Twin Towers Correctional Facility (TTCF)	6
Total	22

LASD'S COOPERATION WITH ICE

Gonzalez v. Immigration and Customs Enforcement (ICE)

On September 27, 2019, the United States District Court for the Central District of California found that, although ICE does not rely on one single database to determine an individual's citizenship and immigration status, the utilized databases often contain incomplete data, significant errors, or are not designed to provide information that would serve as the basis for determining a person's removability, and therefore are insufficient to provide indicia of probable cause for the issuance of an immigration detainer. The Court found that "reliance on inaccurate, incomplete,

and error-filled databases [to establish probable cause for detainers] violates the Fourth Amendment.”¹⁰

On February 5, 2020, the same court issued its final judgement barring ICE from issuing a detainer to state and local law enforcement agencies based solely on searches of databases the court found lacked sufficient indicia of reliability for a probable cause determination of removal.

On November 7, 2020, the LASD had changed its detainers practices in response to the September 27, 2019 court decision. On December 18, 2019, LASD reported to the Office of Inspector General that the practice had been changed and that the applicable Inmate Reception Center Unit Order was being formally revised to make detainers based upon biometric identification invalid. The revised Unit Order was issued December 30, 2019. Specifically, under the heading Processing In-Custody Transfers to ICE, the Unit Order now states:

*NOTE: A detainer issued solely on the basis of biometrics is not valid and shall not be honored.*¹¹

ICE after *Gonzalez v. Immigration and Customs Enforcement*

On March 26, 2020, LASD implemented a new practice and stopped “mak[ing] notifications about, or permit[ing] transfers of, persons convicted of non-violent or non-serious felonies or misdemeanors.”¹² In March 2020, LASD transferred a total of six inmates to ICE. Four of the inmates were for non-serious and non-violent felonies. The Office of Inspector General was able to confirm that one of the four transfers occurred on March 25, 2020, the day *before* LASD implemented its new practice. LASD has also reported that none of the inmates who were transferred to ICE were given early release because they were in a “vulnerable group.”

Since the end of the first quarter, ICE transfers have been additionally restricted, resulting in a report of the transfers of only three persons with serious or violent felonies. With the COVID19 pandemic the status of transfers is uncertain.

¹⁰ https://oig.lacounty.gov/Portals/OIG/Reports/Gonzalez-v-ICE_20190927_decision.pdf?ver=2020-05-21-112702-723.

¹¹ Inmate Reception Center, Unit Order 5-22/001.10.

¹² The Department did not notify the Office of Inspector General of this change in practice until April 14, 2020.

New I-247G Form Issued by ICE

On Friday, March 20, 2020, the Office of Inspector General was provided information from a stakeholder that ICE was issuing a new I-247G form to LASD entitled *Request for Advanced Notification of Release*.

On March 31, 2020, LASD reported that they had received 69 of the I-247G forms. LASD reported that they were not acting on these forms, only tracking them for statistical purposes. According to LASD, as of that time ICE had not provided any information about or explanation of how they would like LASD to respond to, the new form.

LASD has also reported that the I-247A form (detainer) has not been revised by ICE. The current version of the I-247A is dated March 2017.

CITIZENS' COMMISSION ON JAIL VIOLENCE UPDATES

CCJV Recommendation 3.12: The Department should purchase additional body scanners

LASD continues to operate body scanners at CRDF, PDC North, PDC South, NCCF, and IRC. The final body scanner assigned to MCJ is fully installed and operational, but is not currently in regular use.

According to LASD records, from January 1, 2020, to March 31, 2020, 184 prisoners refused to go through the body scanners across all applicable facilities. As previously reported, LASD reported that it no longer records the reasons for such refusals because the data did not contribute significant feedback towards the goal of reducing strip searches since the primary reason for refusals is jail politics.

CCJV Recommendation 7.15: The use of lapel cameras as an investigative tool should be broadened

As previously reported, LASD opted for an alternative implementation of this recommendation and embarked on a five-year program to install fixed cameras in the jail facilities. All identified cameras are now installed at PDC South and the facility reports that it is in the process of having the vocational shop's cameras connected to the LASD network. LASD reports that it is unable to provide an accurate date of completion at this time. Efforts to implement body worn cameras in patrol are ongoing.