



# Office of Inspector General County of Los Angeles

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

July to September  
2021

## Table of Contents

<b>INTRODUCTION.....</b>	<b>1</b>
<b>MONITORING SHERIFF’S DEPARTMENT’S OPERATIONS.....</b>	<b>1</b>
Service Comment Reports .....	1
Handling of Comments Regarding Department Operations and Jails .....	4
The Sheriff’s Department’s Use of Unmanned Aircraft Systems .....	5
Deputy-Involved Shootings .....	5
Comparison to Prior Years.....	15
District Attorney Review of Deputy-Involved Shootings .....	16
Homicide Bureau’s Investigation of Deputy-Involved Shootings .....	16
Internal Criminal Investigations Bureau .....	16
Internal Affairs Bureau .....	17
Civil Service Commission Dispositions .....	17
Policies on Forming Relationships Arising from Public Contacts While On-Duty or In Uniform.....	17
Failure to Open An Investigation: A Case Study .....	22
<b>CUSTODY DIVISION.....</b>	<b>26</b>
Taser Use in Custody .....	26
Use-of-Force Incidents in Custody Division.....	28
Handling of Grievances Filed by People in Custody .....	29
In-Custody Deaths .....	30
Other Deaths .....	31
Office of Inspector General Site Visits .....	33
Release of Pregnant People in Custody .....	33
<b>CITIZENS’ COMMISSION ON JAIL VIOLENCE UPDATES .....</b>	<b>34</b>

## INTRODUCTION

This report provides an overview of the Office of Inspector General’s regular monitoring, auditing, and review of activities related to the Los Angeles County Sheriff’s Department that occurred from July 1, 2021, through September 30, 2021.<sup>1</sup>

## MONITORING SHERIFF’S DEPARTMENT’S OPERATIONS

### Service Comment Reports

Under Sheriff’s Department policies, the Sheriff’s Department accepts and reviews comments from members of the public about departmental service or employee performance.<sup>2</sup> The Sheriff’s Department 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.<sup>3</sup>

The following chart lists the number and types of comments reported for each station or unit.<sup>4</sup>

---

<sup>1</sup> The report will note if the data reflects something other than what was gathered between July 1, 2021, and September 30, 2021.

<sup>2</sup> See [Los Angeles County Sheriff’s Department, Manual of Policy and Procedures, 3-04/010.00, “Department Service Reviews.”](#)

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

<sup>4</sup> This data was provided by the Sheriff’s Department from its Performance Recording and Monitoring System on October 5, 2021, and reflects the data provided as of that date.

<b>INVESTIGATING BUREAU/STATION/FACILITY</b>	<b>COMMENDATIONS</b>	<b>PERSONNEL COMPLAINTS</b>	<b>SERVICE COMPLAINTS</b>
ADM: CENTRAL PATROL ADM HQ	1	0	1
ADM: NORTH PATROL ADM HQ	1	2	0
ADM: SOUTH PATROL ADM HQ	1	0	0
ADM: TECH & SUPPORT ADM HQ	1	0	0
AER: AERO BUREAU	1	0	0
ALD: ALTADENA STN	5	1	0
AVA: AVALON STN	0	1	0
CCS: COMMUNITY COLLEGE BUREAU	2	1	0
CEN: CENTURY STN	6	6	0
CER: CERRITOS STN	7	2	0
CIS: CUSTODY INVESTIGATIVE SERVICES	1	0	0
CMB: CIVIL MANAGEMENT BUREAU	7	3	2
CNT: COURT SERVICES CENTRAL	1	1	0
COM: COMPTON STN	2	4	1
CRD: CENTURY REG DETEN FAC	0	0	1
CRV: CRESCENTA VALLEY STN	2	2	1
CSB: COUNTY SERVICES BUREAU	2	8	1
CSN: CARSON STN	8	4	2
ELA: EAST LA STN	2	3	2
EOB: EMERGENCY OPER BUREAU	2	0	0
EST: COURT SERVICES EAST	1	2	0
FCC: FRAUD & CYBER CRIMES BUREAU	1	0	0
HOM: HOMICIDE BUREAU	2	1	0
IAB: INTERNAL AFFAIRS BUREAU	0	1	0
IND: INDUSTRY STN	1	5	3
ISB: INMATE SERVICES BUREAU	3	0	0
LCS: LANCASTER STN	13	20	4
LKO: LAKEWOOD STN	9	2	2
LMT: LOMITA STN	8	2	0
MAR: MARINA DEL REY STN	7	3	1
MCB: MAJOR CRJMES BUREAU	1	0	0

<b>INVESTIGATING BUREAU/STATION/FACILITY</b>	<b>COMMENDATIONS</b>	<b>PERSONNEL COMPLAINTS</b>	<b>SERVICE COMPLAINTS</b>
MCJ: MEN'S CENTRAL JAIL	0	2	0
MLH: MAUBU/LOST HILLS STN	8	7	4
MTL: METROUNK	2	0	0
NAR: NARCOTICS BUREAU	1	0	0
NCF: NORTH CO. CORRECTL FAC	0	1	1
NWK: NORWALK REGIONAL STN	7	3	3
OSS: OPERATION SAFE STREETS BUREAU	0	1	1
PKB: PARKS BUREAU	6	0	0
PLM: PALMDALE STN	12	17	6
PRV: PICO RIVERA STN	2	3	4
RIB: RECORDS & IDENTIFICATION	1	0	0
SCV: SANTA CLARITA VALLEY STN	25	12	4
SDM: SAN DIMAS STN	10	5	1
SEB: SPECIAL ENFORCEMENT BUR	0	1	1
SHR: OFFICE OF THE SHERIFF	0	1	0
SLA: SOUTH LOS ANGELES STATION	2	2	4
SO: PITCHESS SOUTH FACILITY	0	2	1
SSB: SCIENTIFIC SERV BUREAU	2	0	0
SVB: SPECIAL VICTIMS BUREAU	7	0	0
TB: TRAINING BUREAU	2	0	0
TEM: TEMPLE CITY STN	12	5	2
TRP: TARP	0	1	1
TSB: TRANSIT SERVICES BUREAU	1	2	0
TT: TWIN TOWERS	1	1	0
WAL: WALNUT/SAN DIMAS	7	6	4
WHO WEST HOLLYWOOD STN	11	8	3
WST: COURT SERVICES WEST	3	5	2
<b>Total:</b>	<b>220</b>	<b>159</b>	<b>63</b>

## Handling of Comments Regarding Department Operations and Jails

The Office of Inspector General received seventy-two complaints in the third quarter of 2021 from members of the public, prisoners, prisoners' family members and friends, community organizations and County agencies. Each complaint was reviewed by Office of Inspector General staff. Twenty-five of these complaints were related to conditions of confinement within the Sheriff's Department's custody facilities, as shown below:

Complaint/ Incident Classification	Totals
Personnel Issue	5
Living Condition	4
Mental	3
Medical	3
Showers	3
Classification	1
Commissary	1
Indecipherable	1
Other	4
<b>Total</b>	<b>25</b>

Thirty-six complaints were related to civilian contacts with Sheriff's Department personnel by persons who were not in custody.

Complaint/ Incident Classification	Totals
Criminal Conduct	6
Improper Tactics	6
Discourtesy	4
Harassment	4
Service	4
Off Duty Conduct	2
Neglect of Duty	2
Improper Search, Detention, Arrest	2
Discrimination	1
Force	1
Operation of Vehicles	1
Other	3
<b>Total</b>	<b>36</b>

Eleven complaints were not about the Sheriff's Department or Sheriff's Department personnel and were referred to the appropriate agency or the complainant was directed to other resources.

### **The Sheriff's Department's Use of Unmanned Aircraft Systems**

The Sheriff's Department reports it deployed its Unmanned Aircraft Systems (UAS) four times between July 1, 2021, and September 30, 2021. The UAS was deployed on July 15, 2021, to assist with a search and rescue operation to locate a missing person in the Angeles National Forest. The person's vehicle had been found on the side of the road on July 5, 2021. The UAS searched the remote terrain within a 2500-mile radius of the vehicle. The missing person was not located.

On July 20, 2021, the Sheriff's Department's Special Enforcement Bureau responded to a location in the city of Downey. There was a report of a suspicious car that possibly contained explosives. The UAS was utilized to clear the exterior and interior of the vehicle for explosive devices and booby traps. No explosives were found and the vehicle was deemed safe for investigators to conduct their investigation.

On September 8, 2021, the UAS was deployed to assist Lakewood Station with an armed barricaded suspect wanted for assault with a deadly weapon. The UAS was utilized to fly into the location and maintain a visual of the suspect, which allowed the entry team to make a safe approach through the front door. With the assistance of the UAS, the suspect was taken into custody without further incident.

On September 15, 2021, the UAS was deployed to assist Century Station with a search for an armed carjacking suspect. The location of the search was a large trucking yard with approximately 50 large trucks on site. The UAS was utilized to check inside the cabs of the trucks and look for the suspect prior to the investigative teams approaching each vehicle. The suspect was not located.

### **Deputy-Involved Shootings**

The Office of Inspector General reports on all deputy-involved shootings in which a deputy intentionally fired a firearm at a human or intentionally or unintentionally fired a firearm and a human was injured or killed as a result. This quarter there were ten incidents in which people were shot or shot at by Sheriff's Department personnel. Office of Inspector General staff responded to each of these deputy-involved shootings. Six people were struck by deputies' gunfire, two fatally.



The information in the following shooting summaries is based on information provided by the Sheriff's Department and is preliminary in nature. While the Office of Inspector General receives information at the walk-through at the scene of the shooting, preliminary memoranda with summaries, and by attending the Sheriff's Department Critical Incident Reviews, the statements of the deputies and witnesses are not provided until the investigation is complete. The Sheriff's Department does not permit the Office of Inspector General staff to monitor the on-going investigations of deputy-involved shootings and does not comply with lawful requests for documentation of these investigations.

**Santa Clarita:** The Sheriff's Department reported that on August 11, 2021, at approximately 12:16 p.m., a deputy at Santa Clarita Sheriff's Station approached a car with expired registration on an access road off the Interstate 5 (I-5) Freeway. The deputy contacted the male Hispanic driver (the sole occupant of the car) and observed the suspect was positioned in a way in which he appeared to be concealing the center console area of the car. The deputy had the suspect exit the car and escorted the suspect back to his patrol vehicle, where he placed the suspect, unhandcuffed, in the back seat of the patrol vehicle.

Upon returning to the suspect's car, the deputy discovered a handgun on the driver's seat. The deputy returned to his patrol vehicle and attempted to handcuff the suspect who became uncooperative, at which point the deputy requested the assistance of other units. While waiting for backup units, believing that the suspect had become cooperative, the deputy re-opened the backdoor of the patrol car. The suspect pushed past the deputy and escaped on foot up a nearby embankment. The deputy followed in his patrol car and saw the suspect running back toward the suspect's vehicle, with the firearm still in the car. The deputy exited his car and chased the suspect on foot.

The suspect re-entered his vehicle and sat in the driver's seat. When the deputy got to the vehicle, he struggled with the suspect in an attempt to pull him out of the car. As the struggle continued, the suspect began to drive eastbound through a chain-link fence onto the southbound lanes of the I-5 Freeway, dragging the deputy with him for approximately 70 yards. The deputy pulled the steering wheel causing the vehicle to pull away from the interstate.

While still inside the door of the suspect vehicle, the deputy fired his Taser, striking the suspect but it had no effect. As the deputy unholstered his firearm, the suspect grabbed the barrel of the deputy's gun and a struggle for the gun ensued. The deputy fired one shot, striking the suspect's torso. The deputy's gun then malfunctioned. The suspect appeared to reach for his own firearm. The deputy was



able to clear his weapon and fired approximately seven rounds at the suspect, striking him in the upper torso.

Paramedics arrived on scene and pronounced the suspect dead. The deputy sustained abrasions and a fracture to his right ankle and complained of pain in his neck. He was transported to the hospital, treated for his injuries, and released.

The suspect's car was searched and deputies found three guns, one pound of methamphetamine, one pound of marijuana, and cash.

Santa Clarita Valley Station personnel have not yet been issued body-worn cameras; hence, there were no body-worn camera videos of this incident.

#### *Areas for Further Inquiry*

Based on the deputy's suspicion that the suspect was concealing something, should the suspect have been handcuffed when he was detained in the patrol vehicle? Should the deputy have secured the firearm found in the suspect's vehicle prior to attempting to handcuff the suspect? Should the deputy have waited for assisting units to arrive prior to re-engaging the suspect in order to handcuff him after the suspect had already resisted being handcuffed? Did the deputy violate the Department's foot pursuit policy?

**Compton:** The Sheriff's Department reported that on August 19, 2021, at approximately 4:44 p.m., two sergeants and a deputy responded to a motel on South Atlantic Avenue to further investigate a rape that was reported earlier in the day. The purpose of the follow up was to obtain the registration information about the room in which the rape occurred, check if the suspect's vehicle was still at the location and obtain the license plate number of that vehicle. According to the Sheriff's Department, the sergeants and deputy had no intention of contacting the male Hispanic suspect alleged to have committed the rape.

After parking, the deputy saw the suspect in the motel parking lot. The suspect shot at the deputy with a handgun and the deputy returned fire but did not hit the suspect. The suspect fled to a nearby alleyway, where the sergeants had parked, and fired a handgun at them. Both sergeants returned fire, also missing the suspect. The suspect discarded the handgun and ran, with the sergeants and the deputy following him.

The suspect attempted to carjack a passing vehicle by opening the door but was unsuccessful and instead jumped on the hood of the vehicle. As the driver drove the car forward, the suspect fell off the hood of the car. The suspect ignored the

deputy's orders to get on the ground at which point the deputy and another deputy, who had arrived as backup, used force to take the suspect into custody.

The shooting was only partially captured by one of the sergeant's body-worn cameras as the deputy and the other sergeant did not turn on their body-worn camera when they saw the suspect. Portions of the video were shown at the Sheriff's Department's Critical Incident Review. The Sheriff's Department has not provided the Office of Inspector General with access to its body-worn camera videos; thus, the Office of Inspector General cannot opine on whether the camera that was activated was done so as required by Sheriff's Department policy.

#### *Areas for Further Inquiry*

Did the deputy and the sergeants develop a tactical plan in the event they encountered the suspect? Did the sergeants and deputy intend to look for the suspect even though that was not their stated reason for going to the location? Did the sergeants or the deputy violate Sheriff's Department policy by failing to activate their body-worn cameras?

**East Los Angeles:** The Sheriff's Department reported that on August 26, 2021, at approximately 4:10 p.m., Operation Safe Streets Bureau – Gang Surveillance Unit (GSU) detectives were assisting Los Angeles County Homicide investigators with locating a person of interest in a murder investigation. GSU were conducting surveillance of a location when they saw the person of interest, a male Hispanic, enter the passenger side of a vehicle being driven by a Hispanic woman. After following the vehicle for a short distance, the GSU conducted a traffic stop. The suspect fled on foot, with deputies chasing after him. As the suspect fled, he turned toward the deputies several times holding what deputies believed to be a black semiautomatic handgun. The suspect pointed the object at a deputy and that deputy fired three times at the suspect.

The suspect fell and was taken into custody. The suspect sustained one gunshot wound to the right leg and a graze wound to the left leg. He was transported to the hospital, where he was treated and later cleared for booking.

A search for the suspect's handgun was conducted; however, the handgun was not located. A loaded semiautomatic handgun was recovered from inside the vehicle in which the suspect was a passenger.

The deputies did not have body-worn cameras. The incident was captured on a security camera.

The deputy who shot and wounded the suspect, has had prior shootings.

### *Areas for Further Inquiry*

Did the GSU have a tactical plan prior to arriving at the location? Did the GSU act in accordance with that plan? Was there a contingency for the tactics they would employ if the suspect entered a vehicle? Were any objects that could have been mistaken for a handgun recovered from a search of the area?

**Century:** The Sheriff's Department reported that on August 30, 2021, at approximately 7:14 p.m., deputies were traveling on Alameda Street in Lynwood, when they were flagged down by a civilian, who reported that he was robbed at gunpoint by two male Hispanics who were in a black Dodge Ram pickup truck. During their conversation, the civilian pointed in the direction where the robbery suspects' vehicle was headed. The deputies were able to locate the suspect vehicle, which made a U-turn and began traveling towards the patrol car. As the suspect vehicle approached, the suspects began shooting at the deputies' patrol vehicle. The deputies exited their vehicle and returned fire. The deputies retreated to the rear of their patrol vehicle and continued to exchange gunfire with the suspects. During the exchange of gunfire, one of the deputies was hit on the left side of his head. Despite being hit, the deputy was able to retreat and return fire. Backup units arrived and took the deputy to the hospital to be treated for non-life-threatening injuries.

A short time later, deputies at the location detained one of the suspects without further incident. During the investigation, homicide investigators learned a second suspect had fled the location in another car. Investigators discovered the location of the vehicle and coordinated assisting units to detain him. The suspect refused to stop and deputies initiated a vehicle pursuit, which terminated when the suspect crashed his car.

The suspect exited the vehicle and, as the deputies attempted to detain him, one of the deputies shot at the suspect. The suspect sustained a laceration to his head related to the traffic collision but had no gunshot wounds. He was subsequently taken into custody.

At the Critical Incident Review, the Sheriff's Department showed portions of body-worn camera video. The Sheriff's Department has not provided the Office of Inspector General with access to its body-worn camera videos; thus, the Office of Inspector General is not aware whether all body-worn cameras were properly activated as required by Sheriff's Department policy.

### *Areas for Further Inquiry*

In the second shooting, what was the reason that the deputy fired at the suspect following the crash of his vehicle? Has the Department collected all video from any news helicopters that were overhead at the time of the shooting?

**Palmdale:** The Sheriff's Department reported that on September 11, 2021, at approximately 1:00 p.m., Lancaster Sheriff Station deputies handled a call for service that a male Hispanic stole a victim's cell phone and vehicle key fob by force, and then stole the vehicle.

Several hours later, at approximately 4:48 p.m., Lancaster deputies located the suspect driving in Lancaster. Deputies unsuccessfully attempted a felony stop and initiated a vehicle pursuit that was terminated by a Watch Commander after a nine-mile chase due to dangerous driving movements by the suspect. The California Highway Patrol then assumed control of the pursuit. Aero Bureau was monitoring the pursuit from the air when the pursuit was terminated and went into surveillance mode and the airship continued to follow the suspect vehicle.

Deputies in patrol units continued to monitor the suspect vehicle. The suspect made an abrupt U-turn and drove directly at a patrol car. That driver deputy was able to evade the oncoming car to avoid a collision. The suspect then drove directly at another patrol car. The driver deputy of this patrol car fired at the suspect. The suspect collided head-on with the patrol vehicle, rendering both vehicles inoperable. The driver deputy was trapped in the patrol car but the passenger deputy was able to exit despite his injuries. The driver deputy shot again believing that the suspect was going to again ram the patrol car. The passenger deputy also fired his weapon because he too believed that the suspect was about to hit the patrol car again.

Assisting deputies detained the suspect and rendered first aid. The suspect was treated on scene by deputies and Los Angeles County Fire personnel, before being transported via ambulance to the hospital. The suspect had a graze wound on his left eyebrow as a result of the incident.

The deputies involved in the collision were injured. They were transported to the hospital and treated for non-life-threatening injuries.

At the Critical Incident Review, the Sheriff's Department showed portions of the body-worn camera video. The Sheriff's Department has not provided the Office of Inspector General with access to its body-worn camera videos; thus, the Office of Inspector General is not aware whether all body-worn cameras were properly activated as required by Sheriff's Department policy.

### *Areas for Further Inquiry*

Why was the pursuit terminated? Were Surveillance Mode tactics as set forth in Manual of Policy and Procedure 5-09/210.15 followed after the pursuit was terminated? What was the actual threat that caused the deputies to fire following the collision?

**Norwalk:** The Sheriff's Department reported that on September 19, 2021, at approximately 3:23 p.m., a deputy responded to a call for service regarding a traffic accident. Upon his arrival, the deputy observed a white Lincoln Navigator that had collided into a residential complex security gate. It was reported to the deputy that the male Hispanic suspect had intentionally rammed the gate with his vehicle nearly missing a civilian. As the deputy attempted to contact the suspect, the suspect put the vehicle in reverse and quickly accelerated nearly striking the deputy with the vehicle. At that time, the deputy requested additional units.

The suspect remained inside his parked vehicle. The on-scene supervisor and involved employees formulated a tactical plan, to include less lethal weapons, and treated the incident as a barricaded suspect. Deputies contained the suspect vehicle and attempted to gain the suspect's surrender, via verbal commands on the public announcement system, for approximately 45 minutes. Additional resources including the Special Enforcement Bureau, K-9 unit and the Mental Evaluation Team were requested. While deputies awaited these additional resources, the suspect drove his vehicle towards the deputies at which point several deputies shot at the suspect. The suspect was not struck by the gunfire. No deputies were injured and the suspect was taken into custody without further incident.

At the Critical Incident Review, the Sheriff's Department showed portions of the body-worn camera video. The Sheriff's Department has not provided the Office of Inspector General with access to its body-worn camera videos; thus, the Office of Inspector General is not aware whether all body-worn cameras were properly activated as required by Sheriff's Department policy.

### *Areas for Further Inquiry*

Did the way the roadblock was set up place the deputies or civilians in danger? Was the use of a roadblock in this situation within policy?

**Lancaster:** The Sheriff's Department reported that on September 22, 2021, at approximately 11:12 p.m., Lancaster Sheriff's Station deputies responded to a disturbance call. The call indicated that a male Black was sitting in a vehicle in front of his ex-girlfriend's residence. The ex-girlfriend had filed a criminal threats report against the suspect earlier that day. The caller also stated the suspect was known to carry a gun and made statements about "shooting it out" with law enforcement.

Deputies arrived on scene and saw the suspect sitting in a vehicle in front of the location. As they approached the vehicle, they noticed he was armed with a rifle. Deputies took positions of cover and set up a containment of the area. Deputies gave the suspect several orders to exit the vehicle without the weapon and to put his hands in the air. The suspect refused to comply and remained inside the vehicle. Deputies brought in an Armored Rescue Vehicle and used it for cover. For over an hour, they continued with callouts for the suspect to surrender while waiting for the Special Enforcement Bureau to respond.

While the suspect was still inside the vehicle, he pointed the rifle in the direction of deputies and two deputies shot three times each at the suspect. As the deputies continued with callouts, they saw that the suspect appeared to have been struck by gunfire. Deputies used the Armored Rescue Vehicle as cover and were able to remove the suspect from the vehicle and rendered medical aid to the suspect until fire personnel arrived.

The suspect sustained a gunshot wound to the upper torso. He was transported to the hospital, where he was listed in critical, but stable condition. The suspect's firearm, an AR-15 pistol, loaded with an unknown number of rounds, was recovered at the scene.

At the Critical Incident Review, the Sheriff's Department showed portions of the body-worn camera video. The Sheriff's Department has not provided the Office of Inspector General with access to its body-worn camera videos; thus, the Office of Inspector General is not aware whether all body-worn cameras were properly activated as required by Sheriff's Department policy.

In addition to the body-worn camera videos, the Sheriff's Department also showed portions of a Facebook Live Video the suspect was recording during the incident.

**Lancaster:** The Sheriff's Department reported that on September 23, 2021, at approximately 4:10 p.m., Lancaster Sheriff's Station deputies received a call regarding a man brandishing a firearm. A Los Angeles County Sheriff's Department Airship was overhead and saw the male white suspect get into a vehicle and leave the location.

The Airship followed overhead as the vehicle traversed various streets in the city of Lancaster. Patrol units arrived at the park and were unable to locate anyone who reported being a victim of the brandishing.

The Airship continued to follow overhead as the suspect vehicle drove erratically. The suspect vehicle parked in a dirt lot next to a motorhome. The Airship saw a male exit the motorhome and begin talking to the suspect and saw that the suspect was holding a firearm. The Airship advised patrol units that it appeared as if the male and the suspect were arguing.

Patrol units staged away from the location and waited for an Armored Rescue Vehicle (ARV) to make an approach. Several deputies were inside the rear portion of the ARV. As they approached, the suspect pointed his firearm at the Airship and at the ARV. Deputies were able to rescue the male and get him safely into the back of the ARV. The suspect again pointed his firearm in the direction of the ARV and a deputy shot one time at the suspect. The suspect fell to the ground and dropped the firearm.

The deputies approached the suspect and rendered medical aid until Los Angeles County Fire Department personnel arrived. The suspect sustained a gunshot wound to the head. He was transported to the hospital, where he was pronounced dead.

The suspect's firearm, a semiautomatic handgun, loaded with an unknown number of rounds, was recovered at the scene.

At the Critical Incident Review, the Sheriff's Department showed portions of the body-worn camera video. The Sheriff's Department has not provided the Office of Inspector General with access to its body-worn camera videos; thus, the Office of Inspector General is not aware whether all body-worn cameras were properly activated as required by Sheriff's Department policy.

**Temple:** The Sheriff's Department reported that on September 23, 2021, at approximately 7:30 p.m., the Sheriff's Department received a call of a male Hispanic with a gun at a 7-11 store in Temple City. A deputy driving near the area of the 7-11, saw a male who matched the description standing with a bicycle on the sidewalk. The suspect was speaking to another person in front of a motel.

The deputy pulled up to the suspect, exited his radio car, and attempted to detain the suspect at gunpoint. The suspect ran from the deputy and hid behind a nearby wall. The person with whom the suspect had been speaking, told the deputy that the suspect was armed with a handgun. The deputy heard the sound of metal rubbing against metal from where he had last seen the suspect run. Based upon the information in the call for service, the statements made by the witness that the suspect was armed, along with the sounds that he was hearing, the deputy believed the suspect was loading a handgun. The suspect came out from behind the wall and



suddenly raised his right arm towards the deputy. The deputy shot ten times at the suspect but did not hit him.

The suspect fled down the street. The deputy broadcasted that a deputy-involved shooting occurred and the suspect's direction of travel. The deputy got into his radio car and drove after the suspect. The suspect got down on the ground and was taken into custody by responding deputies without further incident.

A replica handgun was recovered at the scene near where the suspect was first seen by the deputy.

At the Critical Incident Review, the Sheriff's Department showed portions of the body-worn camera video. The Sheriff's Department has not provided the Office of Inspector General with access to its body-worn camera videos; thus, the Office of Inspector General is not aware whether all body-worn cameras were properly activated as required by Sheriff's Department policy.

#### *Areas for Further Inquiry*

Should the deputy have waited for back-up prior to approaching the suspect?

**South Los Angeles:** The Sheriff's Department reported that on September 30, 2021, at approximately 2:06 a.m., South Los Angeles Sheriff's Station deputies were on routine patrol when they drove their patrol vehicle into a motel parking lot in South Los Angeles. A male white, who was standing near the motel office, ran up the staircase to the second floor of the motel, away from the approaching deputies. One deputy exited his patrol vehicle and proceeded up the staircase. The second deputy paralleled the suspect westbound in the parking lot below. The suspect unsuccessfully attempted to force entry into a motel room. The suspect produced a firearm after reaching toward his front waistband area and pointed it at the deputy below him. The deputy shot at the suspect four times. As the deputy fired, the suspect discarded his firearm into the parking lot below.

After the deputy-involved shooting occurred, assisting deputies detained the suspect without further incident. The suspect sustained a through-and-through gunshot wound to his left leg. He was transported to the hospital where he was medically treated and cleared for booking. A loaded handgun was recovered from the parking lot where the suspect had discarded it.

#### *Areas for Further Inquiry*

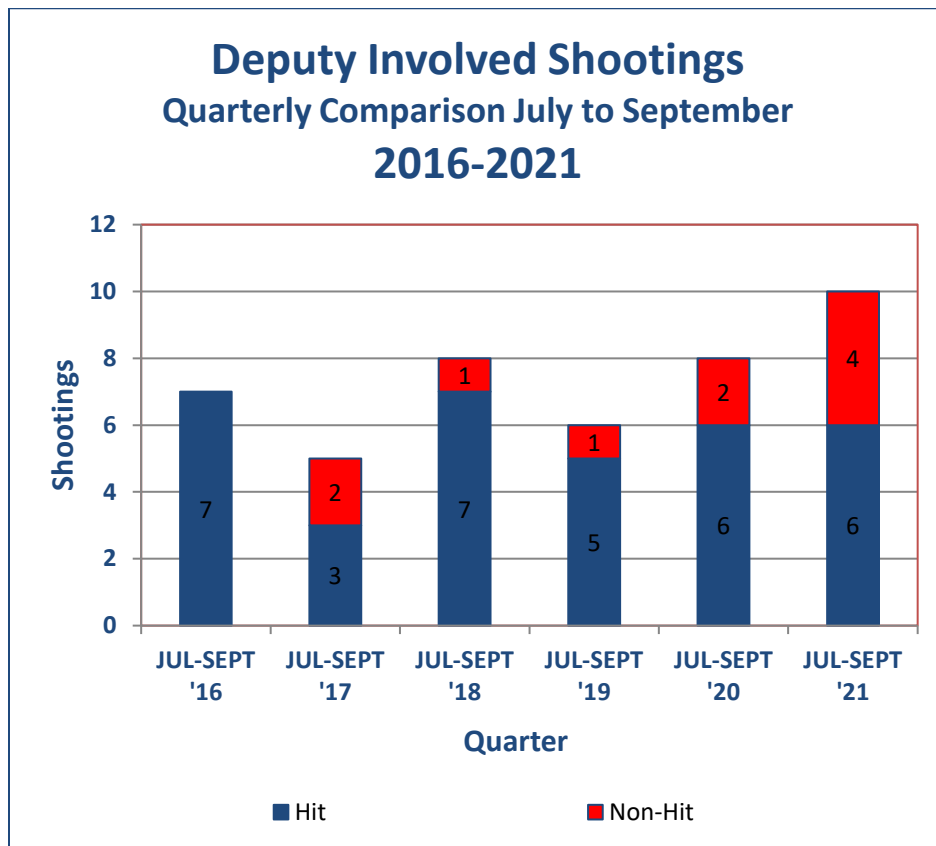
There was no record of a call for service at that location, which is outside the jurisdiction of the Sheriff's Department, and it is unclear what prompted the deputies to pull into the parking lot.

## Unintentional Discharge

The Sheriff's Department does not always notify the Office of Inspector General of unintentional discharges. This quarter, the Office of Inspector General was notified of one unintentional discharge. The following is a brief synopsis of the incident:

**Van Nuys:** The Sheriff's Department reported that on August 16, 2021, at approximately 2:33 p.m., a deputy, who was working in Department 112 at the Van Nuys Courthouse West, unintentionally discharged his duty weapon as he placed it into a gun locker located in the courtroom. The bullet hit a fellow deputy's radio holder and portable radio, which was located on the fellow deputy's gun belt. The fellow deputy sustained superficial wounds to his left hand.

## Comparison to Prior Years



## **District Attorney Review of Deputy-Involved Shootings**

The Sheriff's Department's Homicide Bureau investigates all deputy-involved shootings in which a person is hit by a bullet. The Homicide Bureau submits the completed criminal investigation of each deputy-involved shooting in which a person has been hit by a bullet and which occurred in the County of Los Angeles to the Los Angeles County District Attorney's Office (LADA) for review and possible filing of criminal charges.

Between July 1, 2021, and September 30, 2021, the LADA issued one finding on a deputy-involved shooting case involving the Sheriff's Department's employees. In the July 28, 2020, non-fatal shooting of Erik Hudson, the District Attorney opined in a memorandum dated August 11, 2021, deputy Jonathan Alvarez acted lawfully in self-defense and in defense of others.

## **Homicide Bureau's Investigation of Deputy-Involved Shootings**

For the present quarter, the Homicide Bureau reports that ten shooting cases involving Sheriff's Department personnel are open and under investigation. The oldest case the Homicide Bureau is still actively investigating is a March 14, 2021, shooting which occurred in the jurisdiction of the East Los Angeles station. For further information as to that shooting, please refer to the Office of Inspector General's *Reform and Oversight Effort: Los Angeles Sheriff's Department, January to March 2021* report.<sup>5</sup> The oldest case that the Bureau has open is a 2016 shooting in San Fernando, which has been sent to the LADA's office and awaiting a filing decision.

This quarter, the Sheriff's Department reported it sent seven cases involving deputy-involved shootings to the LADA for filing consideration.

## **Internal Criminal Investigations Bureau**

The Sheriff's Department's Internal Criminal Investigations Bureau (ICIB) reports directly to the Division Chief and the Commander of the Professional Standards Division. ICIB investigates allegations of criminal misconduct committed by Sheriff's Department personnel in Los Angeles County (misconduct alleged to have occurred in other counties is investigated by the law enforcement agencies in the jurisdictions where the crimes are alleged to have occurred).

---

<sup>5</sup> [https://oig.lacounty.gov/Portals/OIG/Reports/1stQuarter2021ReformandOversight\\_Final.pdf](https://oig.lacounty.gov/Portals/OIG/Reports/1stQuarter2021ReformandOversight_Final.pdf)

The Sheriff's Department reports ICIB has 81 active cases. This quarter, the Sheriff's Department reports sending four cases to the LADA for filing consideration. The LADA is still reviewing 44 cases for filing. The oldest open case which ICIB has submitted to the LADA for filing consideration is a 2018 case, which was presented to the LADA in 2018 and is still being reviewed.

### **Internal Affairs Bureau**

The Internal Affairs Bureau (IAB) conducts administrative investigations of Department policy violations by Sheriff's Department employees. It is also responsible for responding to and investigating deputy-involved shootings and significant use-of-force cases. If the LADA declines to file a criminal action against the deputies involved in a shooting, IAB completes a force review to determine whether Sheriff's Department personnel violated any policies during the incident.

Administrative investigations are also conducted at the unit level. The subject's unit and IAB determine whether an investigation is investigated by IAB or remains a unit-level investigation based on the severity of the alleged policy violation(s).

This quarter, the Sheriff's Department reported opening 101 new administrative investigations. Of these 101 cases, 36 were assigned to IAB, 42 were designated as unit-level investigations, and 23 were entered as criminal monitors. In the same period, IAB reports that 98 cases were closed by IAB or at the unit level. There are 384 pending administrative investigations. Of those 384 investigations, 258 are assigned to IAB and the remaining 126 are pending unit-level investigations.

### **Civil Service Commission Dispositions**

There were three final decisions issued by the Civil Service Commission this quarter. Of those three, two sustained the Sheriff's Department's discipline and the other reduced the Sheriff's Department's discipline. In addition, the Court of Appeal ruled on an appeal brought by the Sheriff's Department. In its order the appellate court overturned the Commission's reduction of discipline and reinstated the Sheriff's Department's order to discharge the employee.

### **Policies on Forming Relationships Arising from Public Contacts While On-Duty or In Uniform**

The Los Angeles County Sheriff's Department lacks a formal policy on initiating or cultivating relationships as a result of on-duty contacts with members of the public. The only written guidance provided by the Department is a Field Operations

Support Services (FOSS) Newsletter titled "Forming Relationships During Public Contacts."<sup>6</sup>

The FOSS Newsletter states:

All personnel should exercise caution when extending professional relationships developed on duty (e.g., traffic stops, investigations, etc.) to personal relationships continued off duty. What does this mean? Basically, personnel should use good judgment if a situation arises wherein a personal (dating or business) relationship could form while on duty. This applies whether the individual is in regular uniform or other on-duty apparel.

Scenario: While on duty, you stop at your local coffee shop. You notice the attractive barista making your cup of coffee. Should you ask for their personal number?

Certainly it would seem if it is obvious to the barista that the person is on an on-duty Sheriff's Department employee, such as being in uniform, the best answer in this scenario should be "no." Yet this is left to the judgment of the employees with no formal policy prohibiting it. The Newsletter goes on to state:

"[s]ome conflicts of interest are readily apparent while others are not as obvious. This could be perceived by the public as a relationship starting under the color of authority, and we must avoid even the appearance of impropriety. While that relationship may have had a consensual beginning, that perception can quickly change."

This language addresses the inherent conflict that exists when an employee attempts to initiate a relationship with a member of the public that begins with on-duty or in uniform contacts. The Office of Inspector General recommends that the Sheriff's Department consider enacting a policy to prohibit such conduct.

Data regarding the number of administrative and criminal investigations based on conduct that arose from a personal relationship developed from an on duty or in uniform contact is not available. However, the following are some examples of troubling conduct that began with a professional contact.

---

<sup>6</sup> <http://pars.lasd.org/Viewer/Manuals/15183/Content/15641?showHistorical=True>

**Case No. 1:** In December 2018, a deputy who responded to a shoplifting incident, asked for the email address of a woman employee of the business so that he could provide her with information regarding jobs in the Sheriff's Department. The woman told investigators the deputy sent her unsolicited emails and texts and made advances toward her. She stated that because she was afraid of his "police powers" she did not decline his advances. The two became involved sexually but not romantically. The deputy spent on-duty time cultivating a sexual relationship and using his Sheriff's Department email both on and off-duty to communicate with the woman by exchanging emails facilitating their relationship, including solicitating photographs of a sexual nature. At one point, the deputy also conducted a traffic stop of this woman for speeding but did not log the contact as is required by Sheriff's Department policy. The deputy admitted to partaking in sexual acts in a public place in a parked vehicle on multiple occasions with the woman. Finally, he lied to investigators by denying he had sent any sexually explicit emails to the woman using his Sheriff's Department email account. At the time of the complaint filed by the woman, the deputy had already been relieved of duty due to a pending Internal Criminal Investigations Bureau case for a similar allegation by a different woman.

The deputy was found to have violated the General Behavior,<sup>7</sup> Performance to Standards,<sup>8</sup> Use of Communications Equipment,<sup>9</sup> Obedience to Laws Regulations and Orders,<sup>10</sup> Duties of all Members,<sup>11</sup> Dishonesty/False Statements,<sup>12</sup> Honesty

---

<sup>7</sup> MPP section 3-01/030.50, General Behavior states in part: "A member shall not act or behave while on or off duty in such a manner as to bring discredit upon himself or the Department."

<sup>8</sup> MPP section 3-01/030.50, Performance to Standards states in part: "Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department... Absence without leave; and/or Unnecessary absence from an assigned area during a tour of duty."

<sup>9</sup> MPP section 3-01/100.45, Use of Communications Equipment states in part: "Members shall not use County communications equipment for personal, social, or unofficial purposes. This equipment includes, but is not limited to, the County's electronic and communications equipment."

<sup>10</sup> MPP section 3-01/030.10, Obedience to Laws, Regulations and Orders states in relevant part "(e) Members who violate any rules, regulations, or policies of the Department or the County, shall be subject to disciplinary action. The commission or omission of any other act contrary to good order and discipline shall also be the subject of disciplinary action; ... According to the nature of the offense and in conformance with the rules of the Department of Human Resources, disciplinary action may result and may include, but is not limited to, the following: a reprimand (written); suspension without pay; reduction in rank; and/or dismissal from the Department."

<sup>11</sup> MPP section 3-01/050.20, Duties of all Members states: "All Department members shall: Carry out specific duties and responsibilities assigned to them; Carry out any duty required by lawful order; and Within a reasonable time, report and/or take proper action in any situation encountered which requires police action."

<sup>12</sup> MPP section 3-01/040.70, Dishonesty/False Statements states: "Members shall not make false statements or commit any other violations of the honesty policy, section 3- 01/040.69, when questioned, interviewed, or in reports or documents submitted. Department members who violate this section are subject to discipline up to and including discharge."

Policy,<sup>13</sup> and Failure to Make Statements/Making False Statements During Departmental Internal Investigations policies.<sup>14</sup> The deputy was discharged from the Department.

**Case No. 2:** In August 2010, a deputy working as a detective in a special bureau became romantically involved with a woman informant who had an ongoing criminal case for possession of methamphetamine. The deputy initiated and engaged in an unethical and personal relationship with the informant and failed to notify his unit commander of the relationship. He requested and received nude photographs of the informant. The deputy admitted to hugging and kissing the informant on the lips, sending personal text messages, having personal phone conversations with her, and going on a dinner date while holding her hand. The informant told Sheriff's Department investigators that she felt compelled to obey the deputy's orders and direction over the three-month time frame she was involved with him out of fear he would seek to file the arrest charge against her and because he was a deputy sheriff. The deputy used his work cell phone to contact the informant 90 times. The deputy was found to have violated the Prohibited Association,<sup>15</sup> General Behavior,<sup>16</sup>

---

<sup>13</sup> MPP section 3-01/040.69, Honesty Policy states: "Department members are held to the highest standards of integrity and ethics. In particular, honesty and trustworthiness are of paramount importance to the credibility and integrity of all Department members. Honesty and maintaining the trust of those we serve depend on candor, forthrightness, sincerity, and accuracy. Dishonesty destroys trust and violates Department policy. Examples of dishonesty and violations of trust include not only false statements, but also deliberate distortions of the truth; intentional exaggerations, concealment of or failure to disclose material facts, observations, or recollections, and failure to make full, complete and truthful statements when required. Department members who violate this section are subject to discipline up to and including discharge."

<sup>14</sup> MPP section 3-01/040.75, Dishonesty/Failure to Make Statements And/Or Making False Statements During Departmental Internal Investigations states: "False statements and any other form of dishonesty during an official Department internal investigation or inquiry shall, absent extenuating circumstances, result in discharge. Failure or refusal to make statements when ordered during Department internal investigations constitutes insubordination and shall, absent extenuating circumstances, result in discharge."

<sup>15</sup> Because the woman in this case was an informant, the MPP section 3-10/050.86 Prohibited Association applies. Nevertheless, this case raises the same concerns about relationships formed through professional encounters. MPP section 3-10/050.86 states in relevant part: "Except in the performance of one's official duties, members shall not knowingly maintain a business or personal relationship or have a direct or indirect association which would be detrimental to the image of the Department. Examples of prohibited associations include, but are not limited to, associating with people who members know or reasonably should know: ...Are under criminal investigation or indictment; and/or Have pending criminal charges filed against them; and/or Are on parole or felony probation; ...and/or Are being developed as an informant unless expressly permitted by policy (see section 3-01/110.60); and/or Have been convicted of a felony crime.

<sup>16</sup> See fn. 1.



Performance to Standards,<sup>17</sup> Obedience to Laws, Regulations and Orders<sup>18</sup> and Immoral Conduct<sup>19</sup> policies, and was discharged.

**Case No. 3:** In September 2017, while assigned as a detective in a special bureau, a deputy was assigned to investigate a rape by force case. The victim of the rape was a 14-year-old girl. During his investigation, he picked up the minor victim from her residence and took her on three unauthorized ride-alongs.<sup>20</sup> The next month, he picked up the minor and drove her to his trailer where he forced her to have sexual intercourse with him. The subject was arrested for Rape Under the Color of Authority, 261(a) of the Penal Code, and Forcible Rape, 261(a)(2) of the Penal Code. He was found to have violated the General Behavior,<sup>21</sup> Immoral Conduct<sup>22</sup> and Obedience to Laws, Regulations and Orders<sup>23</sup> as it pertains to Penal Code Section 288(c)(1) Lewd Acts with a Minor, and Penal Code section 261.5(c), Unlawful Sexual Intercourse with a Minor, policies. He was sentenced to three years in state prison. He was also discharged from the Department.

## **ANALYSIS**

From the above examples, it is evident that initiating and forming relationships with members of the public while on-duty may cause the person with whom the relationship is sought to believe that there may be consequences for not complying with the Sheriff's Department employee's demands. In other words, that the deputy is acting under the color of authority in pursuing a personal relationship. As was discussed in Case No. 1 and Case No. 2 above, both women stated that because the deputies were law enforcement officers, they felt they had to comply. While Case No. 3 is an egregious example of behavior by a deputy, the likelihood that the minor was compliant due to the deputy's position of authority is very real. Yet, the Department has not created any policies that clearly state such initiation and cultivation of relationships with members of the public whom they encounter during the course of their duties are strictly prohibited.

Because there is currently no policy on point, the Department uses existing policies such as General Behavior, Immoral Conduct, Obedience to Laws, Regulations and

---

<sup>17</sup> See fn. 2.

<sup>18</sup> See fn. 4.

<sup>19</sup> MPP section 3-01/030.07 Immoral Conduct states: "Members shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Members shall not participate in any incident involving moral turpitude which tends to impair their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.

<sup>20</sup> A ride-along is an arrangement for a civilian to spend a shift in the passenger seat of an emergency vehicle, observing the workday of a police officer, firefighter, or paramedic."

<sup>21</sup> See fn. 2.

<sup>22</sup> See fn. 14.

<sup>23</sup> See fn. 5.

Orders, Performance to Standards and other similar policies, which do not always directly address the behavior that has led to misconduct, to discipline employees. As the FOSS newsletter states “[p]ersonnel shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession.” For many citizens who may be in a vulnerable state when they encounter law enforcement, there is a level of inherent trust that law enforcement officers are there to help and protect them. Using one’s status as a member of the Sheriff’s Department can reasonably be perceived as an attempt to gain influence or authority, or at the very least, give the appearance of impropriety, and the creation of a policy to prohibit initiating personal relationships from encounters on-duty or in uniform is recommended.

## **Recommendations**

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.

## **Failure to Open an Investigation: A Case Study**

A Sheriff’s deputy (Deputy) and her neighbor (Neighbor) became involved in a long-standing dispute that began over the Neighbor’s access to her driveway. The following is a summary of the Deputy’s conduct that led to a lawsuit and a substantial judgment against the Deputy. This summary is based upon testimony presented at the trial and other documents provided to the Office of Inspector General.

The Neighbor and the Deputy’s properties were separated by a fence, but the driveway to both houses had no physical barrier between them. Beginning in 2009, the Deputy and her family members parked their cars in Neighbor’s driveway, thereby impeding her access to the driveway. In December 2009, the Neighbor filed a complaint with the Sheriff’s Department. The investigation resulted in a finding that the Deputy’s conduct should have been different. On March 17, 2010, the Captain of the unit where the Deputy worked sent the Neighbor a letter stating the Sheriff’s Department had investigated the matter and found the Deputy’s conduct “should have been different,” and closed the matter. The Deputy filed a grievance,

and the matter was re-opened, which resulted in contrary finding that the Deputy should be “exonerated” from the civilian complaint. The same Captain signed off on this new recommendation. From the records provided to the Office of Inspector General and a review of the trial proceedings, it does not appear the Sheriff’s Department ever sent the Neighbor a new letter advising her that the Deputy had been exonerated.

In her trial testimony, the Neighbor recounted another incident that occurred around midnight in August 2016, when four police cars containing five deputies arrived on her property to retrieve a package belonging to the Deputy but which was accidentally delivered to the Neighbor. The Deputy admitted that she had called the station and asked for deputies to check if the package was at her Neighbor’s home but claimed she did so because her supervisors had told her to call them in order to minimize any contact with the Neighbor and in an effort to keep peace between the two parties.

While there were other conflicts between the Neighbor and the Deputy, the incident that finally caused the Neighbor to file a lawsuit occurred on February 25, 2017. On that date, the Deputy’s husband and daughter claimed the Neighbor tried to run them over with her car. Sheriff’s deputies were called out to investigate the claim. Two patrol deputies and a field supervisor arrived on scene and spoke to the parties for approximately ten minutes before the Deputy arrived at the scene. For the next thirty to forty minutes the Deputy and her family conversed with the deputies and the field supervisor. The field supervisor and the patrol deputies concluded that there was not sufficient evidence to arrest the Neighbor. Another Sheriff’s Department supervisor arrived forty minutes after the first supervisor had arrived on scene. The second supervisor testified he arrived to relieve the first supervisor due to a shift change. The Deputy spoke to the second supervisor. According to the testimony of the first and second supervisors, the Deputy was not happy that the Neighbor would not be arrested and held accountable for possibly assaulting her husband and daughter. The Deputy testified she never explicitly asked/nor directed either supervisor to arrest the Neighbor. After the second supervisor and the first supervisor had a brief conversation, the Neighbor was arrested.

The Neighbor had installed cameras on her property due to the escalating conflict with the Deputy and the Deputy’s family members. Because of her previous interactions with the Sheriff’s Department, the Neighbor did not immediately turn over the video from her camera. After retaining a lawyer, she provided the video, which clearly showed the Neighbor had not attempted to run over the Deputy’s husband or daughter. Nevertheless, a Sheriff’s Department detective presented the case and the video to the Los Angeles District Attorney’s Office for filing consideration. After viewing the video, the deputy district attorney rejected filing a

criminal case because the video did not support the Deputy's husband and daughter's allegations.

A week or so after the case was rejected, the Deputy reported to the Sheriff's Department that the Neighbor had stabbed her husband. An investigation by the Sheriff's Department revealed that the husband had a scratch on one of his fingers and that the claim he was stabbed could not be substantiated. While a report was taken, there was never any criminal filing against the Neighbor.

The Neighbor petitioned for factual innocence regarding the allegations that she had tried to run over the Deputy's husband and daughter on February 25, 2017. Penal Code section 851.8 establishes the requirements needed to obtain a finding of factual innocence by a court. The petitioner/arrestee must prove to the court that there was "*no reasonable cause*" to believe the petitioner/arrestee "committed the offense for which the arrest was made." (Emphasis added.) A court ruled in her favor on August 11, 2017. The arrest was expunged from the Neighbor's record and the report was either sealed and/or expunged.

During the trial, the Deputy admitted that she had used a law enforcement database to find the Neighbor's birthday and that she requested a copy of a sealed police report for the February 25, 2017 incident from her colleague. Yet, the Deputy denied ever using her position and/or ever asking anyone from the Sheriff's Department to arrest her Neighbor.

The jury found otherwise.

The Neighbor filed a lawsuit against the deputy and the case went to trial in July 2019. The lawsuit alleged that the Deputy used her power and position to have the Neighbor arrested. At the end of the trial, the jury was asked to decide two questions:

- Did the Deputy violate the Neighbor's Fourth Amendment right guaranteed by the United States Constitution to be free from unreasonable arrest without probable cause?
- Did the Deputy act with malice, oppression, or reckless disregard of the Neighbor's rights?

The jury found the Deputy had done each of these things and awarded the Neighbor \$2.2 million dollars in damages; the judge awarded the Neighbor attorney's fees amounting to approximately \$700,000.

The Sheriff's Department was aware of the lawsuit and the allegations made by the Neighbor regarding the Deputy's conduct. The Sheriff's Department reviewed the tape of the February 25, 2017 incident provided by the Neighbor, establishing her innocence and the Sheriff's Department knew that the case was rejected by the District Attorney's Office. The Sheriff's Department did not seek to file the case regarding the Deputy's claim that her husband was stabbed. The Sheriff's Department's Risk Management Bureau employees monitored the lawsuit as it progressed to trial. Despite this knowledge, the Sheriff's Department never opened a criminal investigation, an internal affairs investigation, or a unit level investigation into the Deputy's conduct. As a result of there never being an investigation, there was never any consideration as to whether the deputy should be disciplined. Not only was the deputy never investigated or disciplined, the Sheriff's Department ***promoted*** the Deputy to a supervisory position.

The Office of Inspector General has several concerns after reviewing this case:

1. The Sheriff's Department provided the Neighbor a letter in response to her 2010 complaint stating it had deemed the Deputy's conduct should have been better; however, it never sent the Neighbor a letter stating it had reversed its decision. Based on the letter the Neighbor received, she was under the assumption the Deputy had been disciplined or admonished in some way. She was completely unaware the Sheriff's Department had changed its mind, and the Deputy was "exonerated" for the conduct. Additionally, there was no articulated basis for re-opening the investigation. An employee complaining about an investigation's findings should not be a sufficient basis alone to re-open a complaint.
2. There was never a referral to the Sheriff's Department's Internal Criminal Investigations Bureau or to its Internal Affairs Bureau. Given the finding of the Neighbor's factual innocence and the subsequent filing of a lawsuit, of which the Sheriff's Department received notice in February of 2018, it is clear that at some point the Sheriff's Department had knowledge of possible misconduct by the Deputy. Yet, the Sheriff's Department never opened any investigation into the conduct to find out if the Deputy violated any civil or criminal laws or Sheriff's Department policies. By law, the Sheriff's Department generally has a year from the date it becomes aware of allegations of deputy misconduct to investigate the conduct and impose

discipline. By the time the judgment was rendered in the lawsuit the time limitation for imposing discipline had passed.<sup>24</sup>

3. In criminal actions by the state, the defendant is entitled to potentially exculpatory evidence including the credibility of the witness under *Brady v. Maryland*.<sup>25</sup> Because the Deputy was not disciplined, her conduct might be missed in a search of her employment history for exculpatory information. Thus, this information might not be turned over in a criminal proceeding, depriving a defendant of his constitutional right to such evidence.
4. On more than one occasion, more than two deputies responded to the Neighbor's home to mediate a dispute and in one instance to retrieve a package. It seems likely that this show of force was to intimidate the Neighbor from complaining about or engaging in disputes with the Deputy.

This case was discussed with Sheriff's Department personnel who provided the following response: *The Department continuously reviews its policies and processes to ensure a system of "check and balances." In instances where modification of those processes, are required, the Department works with the various unions to effect positive improvement. The Department has identified such a weakness in its litigation procedures and is currently working to implement procedures to avoid future incidents.*

## CUSTODY DIVISION

### Taser Use in Custody

The Office of Inspector General compiled the number of times the Sheriff's Department has employed a Taser in custodial settings from January 2018, through October 2021. The numbers below were gathered from the Sheriff's Department's *Monthly Force Synopsis*, which the Sheriff's Department produces and provides to the Office of Inspector General each month.<sup>26</sup>

---

<sup>24</sup> In cases where the investigation involves a civil lawsuit in which the deputy is named as a defendant, the one-year time period is tolled during the pendency of the civil action. See Government Code section 3304(d)(2)(F). The Office of Inspector General does not know when the Sheriff's Department learned of the potential misconduct and therefore cannot opine as to whether the tolling period would apply.

<sup>25</sup> *Brady v. Maryland* (1963) 373 U.S. 83

<sup>26</sup> The Office of Inspector General is not opining on whether the use of the Taser in each of these incidents was permissible under the Sheriff's Department's policies and/or if the Taser was employed lawfully.

<b><u>Month</u></b>	<b><u>Number of Times a Taser was Employed</u></b>
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
April 2020	4
May 2020	3
June 2020	5
July 2020	1
August 2020	3
September 2020	4
October 2020	3
November 2020	3
December 2020	6
January 2021	4
February 2021	8
March 2021	3
April 2021	5
May 2021	3
June 2021	11
July 2021	5
August 2021	4
September 2021	3



## Use-of-Force Incidents in Custody Division

The Office of Inspector General monitors the Sheriff's Department's use of force incidents, institutional violence<sup>27</sup>, and assaults on Sheriff's Department or Correctional Health Services personnel by people in custody. The Sheriff's Department reports the following numbers for the uses of force and assaultive conduct within its Custody Services Division (the Sheriff's Department is still verifying the accuracy of the reporting of incidents that occurred subsequent to March 2021):

### Use of Force Incidents:

1 <sup>st</sup> Quarter of 2018	546
2 <sup>nd</sup> Quarter of 2018	592
3 <sup>rd</sup> Quarter of 2018	530
4 <sup>th</sup> Quarter of 2018	452
1 <sup>st</sup> Quarter of 2019	501
2 <sup>nd</sup> Quarter of 2019	478
3 <sup>rd</sup> Quarter of 2019	525
4 <sup>th</sup> Quarter of 2019	431
1 <sup>st</sup> Quarter of 2020	386
2 <sup>nd</sup> Quarter of 2020	274
3 <sup>rd</sup> Quarter of 2020	333
4 <sup>th</sup> Quarter of 2020	390
1 <sup>st</sup> Quarter of 2021	373

### Assaults on Personnel:

1 <sup>st</sup> Quarter of 2018	144
2 <sup>nd</sup> Quarter of 2018	173
3 <sup>rd</sup> Quarter of 2018	131
4 <sup>th</sup> Quarter of 2018	115
1 <sup>st</sup> Quarter of 2019	122
2 <sup>nd</sup> Quarter of 2019	132
3 <sup>rd</sup> Quarter of 2019	164
4 <sup>th</sup> Quarter of 2019	136
1 <sup>st</sup> Quarter of 2020	131
2 <sup>nd</sup> Quarter of 2020	91
3 <sup>rd</sup> Quarter of 2020	111
4 <sup>th</sup> Quarter of 2020	140
1 <sup>st</sup> Quarter of 2021	143

---

<sup>27</sup> Institutional violence is defined as assaultive conduct by a person in custody upon another person in custody.

## Incidents of Institutional Violence:

1 <sup>st</sup> Quarter of 2018	871
2 <sup>nd</sup> Quarter of 2018	905
3 <sup>rd</sup> Quarter of 2018	988
4 <sup>th</sup> Quarter of 2018	881
1 <sup>st</sup> Quarter of 2019	769
2 <sup>nd</sup> Quarter of 2019	794
3 <sup>rd</sup> Quarter of 2019	858
4 <sup>th</sup> Quarter of 2019	709
1 <sup>st</sup> Quarter of 2020	717
2 <sup>nd</sup> Quarter of 2020	496
3 <sup>rd</sup> Quarter of 2020	560
4 <sup>th</sup> Quarter of 2020	753
1 <sup>st</sup> Quarter of 2021	745

## **Handling of Grievances Filed by People in Custody**

The Sheriff's Department has not fully implemented the use of tablets in its jail facilities to capture information related to requests, and eventually grievances, filed by people in custody. Currently, there are a total of 165 installed iPads. There are 31 iPads at Century Regional Detention Facility (CRDF), 49 iPads at Men's Central Jail (MCJ), and 85 iPads at Twin Towers Correctional Facility (TTCF). The Sheriff's Department is reporting that all upgrades and connectivity issues have been resolved at CRDF and MCJ and the iPads are currently available for use. The Sheriff's Department reports that moving to Windows based tablets is under consideration in order to rectify compatibility issues and other connectivity concerns. The Sheriff's Department reports that people in custody have accessed the iPads to obtain information on 296,323 occasions between July 1, 2021, and September 30, 2021. The Office of Inspector General continues to recommend that the Sheriff's Department pursue full implementation of iPads throughout the Custody Services Division.

As reported in the Office of Inspector General's January 2018 *Reform and Oversight Efforts: Los Angeles County Sheriff's Department* report, the Sheriff's Department implemented a policy restricting the filing of duplicate and excessive grievances filed by people in custody.<sup>28</sup> The Sheriff's Department reports that between July 1, 2021, and September 30, 2021, nine people in custody were restricted from

---

<sup>28</sup> [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.](#)

filing 29 grievances under this policy. The Office of Inspector General continues to raise concerns about the quality of grievance investigations and responses, which likely increases duplication and may prevent individuals from receiving adequate care while in Sheriff's Department custody.

## **In-Custody Deaths**

Between July 1, 2021, and September 30, 2021, 14 individuals died while under the care and custody of the Sheriff's Department. Of these 14 decedents, two died at CRDF, three died at MCJ, three died at TTCF, and six died in the hospitals to which they had been transported.

Office of Inspector General staff attended the Custody Services Division Administrative Death Reviews for each of the 14 in-custody deaths. The following summaries, arranged in chronological order, provide brief descriptions of each in-custody death:

On July 4, 2021, an individual died at Good Samaritan Hospital after being transported from TTCF's Correctional Treatment Center on June 25, 2021, for a higher level of care.

On July 5, 2021, an individual at TTCF 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 July 19, 2021, 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 July 22, 2021, an individual died at LAC+USC Medical Center (LACMC) after being transported from TTCF's Urgent Care Center on July 21, 2021, for a higher level of care.

On July 24, 2021, an individual at TTCF was reportedly discovered unresponsive in a cell by deputies. Emergency aid was rendered, paramedics were called, but the individual was pronounced dead at the scene.

On July 25, 2021, an individual died at LACMC after being transported from MCJ on July 19, 2021, for a higher level of care after experiencing a medical emergency.

On August 15, 2021, an individual died at Henry Mayo Newhall Hospital after being transported from NCCF on July 31, 2021, for a higher level of care after experiencing a medical emergency.

On September 5, 2021, an individual died at LACMC after being transported from TTCF's Correctional Treatment Center on September 1, 2021, for a higher level of care.

On September 7, 2021, deputies were alerted to an unresponsive individual at MCJ. Deputies and medical personnel rendered emergency aid, paramedics were called, but the individual was pronounced dead at the scene.

On September 18, 2021, an individual died at Olive View Medical Center after being transported from PDC-South on August 12, 2021, for a higher level of care after experiencing a medical emergency.

On September 22, 2021, an individual died at Henry Mayo Newhall Hospital after being transported from NCCF on September 10, 2021, for a higher level of care after experiencing a medical emergency.

On September 22, 2021, an individual at MCJ 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 September 24, 2021, an individual at CRDF was reportedly discovered unresponsive in a cell by deputies. Emergency aid was rendered, paramedics were called, but the individual was pronounced dead at the scene.

On September 29, 2021, an individual died at LACMC after being transported from MCJ on September 26, 2021, for a higher level of care after experiencing a medical emergency.

### **Other Deaths**

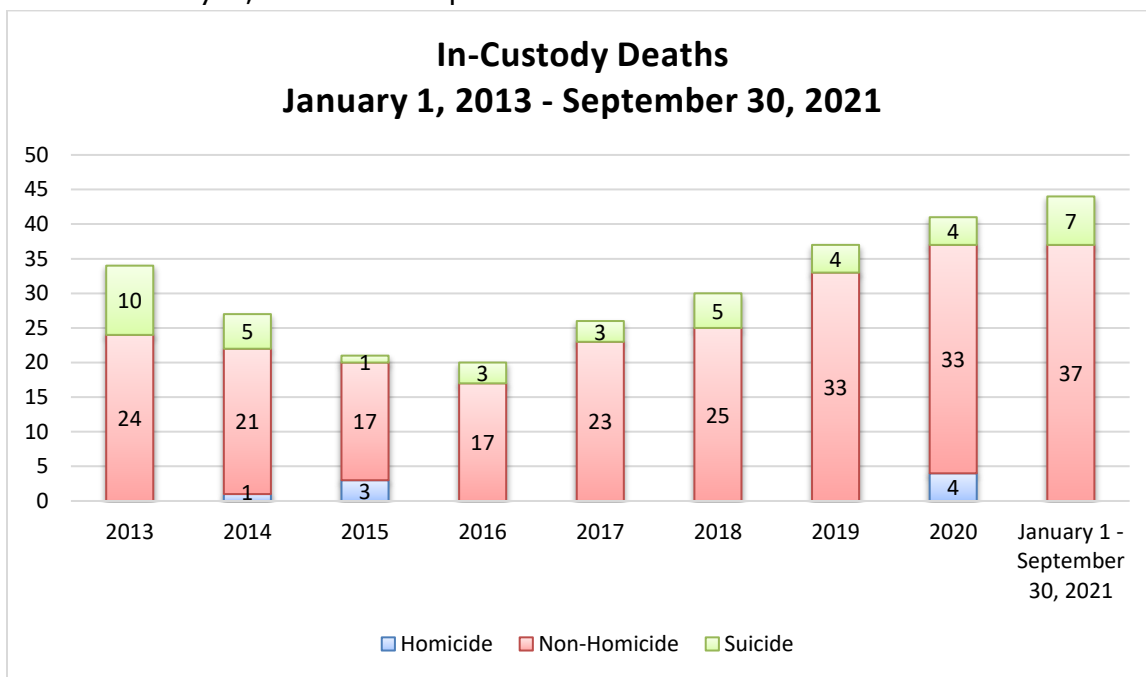
Between July 1, 2021, and September 30, 2021, one individual died under circumstances which do not fit within the current categorical definition of in-custody death but was under the care and custody of the Sheriff's Department when the condition which resulted in the person's death first became apparent.

Office of Inspector General staff attended the Critical Incident Review for this death. The following summary provides a brief description of the circumstances surrounding this death:

On August 22, 2021, deputies from Lakewood Station responded to a call for service and subsequently arrested an individual at the location following a use of force. The individual experienced a medical emergency. Deputies rendered emergency aid, paramedics were called, but the individual was pronounced dead at the scene.

### Comparison to Prior Years

The following chart provides a comparison of the number of in-custody deaths and whether the death was classified as a homicide, non-homicide or suicide for the period of January 1, 2013 to the present:



The number of in-custody deaths the Office of Inspector General reports may vary slightly from historical data provided by the Sheriff's Department because the Sheriff's Department identifies in-custody deaths by custody status and the location of an individual's death.<sup>29</sup>

<sup>29</sup> For instance, a death in the field during an arrest would be considered an in-custody death because of the person's custodial status even though the individual was not in a custodial facility.

## Office of Inspector General Site Visits

The Office of Inspector General normally conducts site visits and inspections at Sheriff's Department custodial facilities to identify matters requiring attention. Since the Los Angeles County Safer at Home Order issued on March 19, 2020, the Office of Inspector General has limited site visits. In the third quarter of 2021, Office of Inspector General personnel completed 77 site visits inside the Inmate Reception Center (IRC), CRDF, Correctional Treatment Center (CTC), LCMC, MCJ, NCCF, PDC North, and TTCF. Office of Inspector General staff have been monitoring the Sheriff's Department's and CHS's response to the COVID-19 pandemic and following up on concerns raised by the public. As part of the Office of Inspector General's jail monitoring, Office of Inspector General staff attended 80 Custody Services Division executive and administrative meetings and met with division executives for 98 monitoring hours related to COVID-19, uses of force, in-custody deaths, as well as general conditions of confinement.

## Release of Pregnant People in Custody

The Office of Inspector General monitors the Sheriff's Department's and Correctional Health Services' efforts to limit the number of pregnant people confined in its facilities and provide adequate care to those who remain in custody. Correctional Health Services reports that from January through September 2021, the number of pregnant people in custody on any given day ranged from 12 to 36. The Sheriff's Department cites various reasons related to criminal charges or the procedural status of each person's criminal case that preclude pregnant people from release. For example, on October 15, 2021, there were 31 such pregnant people in Sheriff's Department custody who were reportedly ineligible for release due to the nature of their charges or bail or case status.

Due to overcrowding, inadequate housing availability, and poor conditions of confinement, especially for those navigating severe mental illness, the Office of Inspector General continues to recommend that the Sheriff's Department immediately reduce its population to 12,404, which is the system capacity rated by the Board of State and Community Corrections.<sup>30</sup> The Office of Inspector General also recommends that County Counsel with support of County justice partners, conduct an analysis of the current jail population based on charges, criminal procedural status, and other categories as appropriate to determine which people in custody the Sheriff possesses legal authority to release unilaterally.

---

<sup>30</sup> The California Board of State and Community Corrections is an independent statutory agency that provides leadership to the adult and juvenile criminal justice systems and performs inspections to rate the capacity of detention facilities, in compliance with Title 24 Minimum Standards for Local Detention Facilities.

The Office of Inspector General continues to monitor gender responsive and reproductive justice issues. Since the Office of Inspector General's Report Back on Pregnant Prisoners<sup>31</sup> on February 2, 2018, the Office of Inspector General continues to monitor the provision of bottled water and prenatal diets, access to programs, access to unstructured out of cell time for large muscle exercise, support during labor and delivery, and visitation with newborns. The Office of Inspector General will provide an update on these and other Sheriff's Department efforts in the next quarterly report.

## **CITIZENS' COMMISSION ON JAIL VIOLENCE UPDATES**

### *CCJV Recommendation 3.12: The Department should purchase additional body scanners*

The Sheriff's Department continues to operate body scanners at MCJ, CRDF, PDC North, PDC South, NCCF, and IRC.

According to the Sheriff's Department's records, from July 1, 2021, to September 30, 2021, no persons in custody refused to go through the body scanners across all applicable facilities.

---

<sup>31</sup> [2-2-18 Office of Inspector General Report Back on Pregnant Prisoners.pdf \(lacounty.gov\)](#)