



**STATEMENT OF PROCEEDINGS FOR THE  
REGULAR MEETING OF THE  
SHERIFF CIVILIAN OVERSIGHT COMMISSION  
MEETING HELD ONLINE AT THE LINK BELOW:**

**<https://bit.ly/38gSbjU>**

**[coc.lacounty.gov](https://coc.lacounty.gov)**



**Thursday, January 21, 2021**

Attachment: [Video](#)

Present: Chair Lael Rubin, Robert Bonner, Patti Giggans, James P. Harris, Sean Kennedy, Priscilla Ocen, Casimiro Tolentino, Xavier Thompson and Executive Director Brian K. Williams.

## **1. ADMINISTRATIVE MATTERS & CONSENT CALENDAR**

- **Call to Order**

Chair Lael Rubin called the meeting to order at 9:00 am and announced February 18, 2021 as the next Civilian Oversight Commission (COC) meeting date. Chair Rubin requested staff member Ingrid Williams to take roll, and Vice-Chair Casimiro Tolentino to lead the Pledge of Allegiance.

Chair Rubin noted that those interested in submitting their comments online can access the link at [coc.lacounty.gov](https://coc.lacounty.gov) and that all public comments will be part of the official record. Following the announcement, Chair Rubin moved to the Consent Calendar.

- **Approval of Consent Calendar**

No members of the public commented on this item.

There being no objection, the consent calendar was approved.

Chair Rubin moved on to item 2, and due to the delay of Sheriff Villanueva, Chair Rubin began with item 2b.

## **2. DISCUSSION AND POSSIBLE ACTION**

### **2b. Civilian Oversight Commission's Family Impact Remarks Procedure**

Chair Rubin recapped that staff was tasked to create a procedure to allow families who lost loved ones as a result of actions by the Los Angeles County Sheriff's Department (LASD) or while in their custody, time to speak at the Commission meeting and requested Executive Director Brian Williams to provide an update.

Mr. Williams provided an overview of the [draft Family Impact Remarks \(FIR\) procedure](#) and thanked staff members Tracy Jordan-Johnson and Frederick Chung for developing the draft. Mr. Williams recognized no amount of time would be adequate for grieving families and stated family members would be allowed six minutes to make a statement, aside from public comment. He noted that requests must be made 72 hours in advance

of the meeting and the final decision to speak will be at the discretion of the Chair. Following Mr. Williams comments, the floor was opened for questions and comments.

Commissioner Ocen recommended extending the FIR list beyond family.

Commissioner Giggans suggested inviting a traumatic grief subject matter expert to speak at a future meeting.

There were ten members of the public who commented on item 2b.

Following public comment, Chair Rubin postponed discussion of item 2b until later in the meeting and moved to item 2a.

## **2a. COVID-19 in L.A. County Jails**

Chair Rubin introduced Sheriff Villanueva and informed the Sheriff that as the leader of the Sheriff's department, it is important for him to update the Commission on his efforts to prevent COVID-19 in the jails.

Sheriff Villanueva reported efforts to combat COVID-19 in the jails, when compared to other facilities. Sheriff Villanueva reported 14,885 inmates are in custody to date, with more than 3,000 awaiting transfer to State Prison. He noted there are 39 symptomatic and 17 asymptomatic positive inmates, and he reported 12 deaths and noted three were due to other serious health issues. He shared concerns about space needed to quarantine and isolate inmates and will work with the CDC to improve the problem. The Sheriff concluded and directed questions to Assistant Sheriff Bruce Chase, who he introduced as the person most knowledgeable of the subject.

Chair Rubin expressed concern over the increased inmate population and referenced Orange County's Sheriff who was ordered to reduce the inmate population by half. She advised the Sheriff that as head of the Sheriff's department he should be more proactive in reducing the inmate population. She then asked for Commissioner questions.

Commissioner Ocen requested the number of pre-trial inmates, and Assistant Sheriff Chase reported 40% of the inmate population is pre-trial.

Commissioner Bonner inquired about the number of COVID-19 related deaths compared to the general population of L.A. County. Assistant Sheriff Chase responded with the daily positivity rate in the jails compared to L.A. County's general population.

Chair Giggans inquired about the efforts to keep the infection rate down with regards to the issue of space. Assistant Sheriff Chase acknowledged that in March space was allocated for isolation and treatment purposes and there is still ample space available.

Commissioner Thompson inquired about how often inmate testing is administered. Assistant Sheriff Chase the stated all inmates are tested at intake and isolated if they show symptoms, and Correctional Health Services monitors vulnerable inmates.

Commissioner Tolentino asked if inmates are tested prior to release and if vaccinations are administered. Assistant Sheriff Chase stated inmates are not tested prior to release unless required by a program or ordered by the courts. He advised that vaccines are administered to custody staff and inmates in correctional treatment areas and the next group will be inmates who are 65 or older, based on L.A. County guidelines.

Commissioner Harris inquired about efforts to prevent the virus from entering the jails. Assistant Sheriff Chase responded that preventive measures are in place, including mandated self-monitoring and the recent installation of temperature scanners. He reported deputies are temperature screened before and after their shift.

Chair Rubin asked about reducing the inmate population. Sheriff Villanueva stated he is anticipating approval from the State to release individuals under AB109. Assistant Sheriff Chase added they are communicating with partners for early release and waiting for approvals from superior courts to release those within 30 days of their release date.

Commissioner Ocen expressed concern for medically vulnerable inmates and asked if early release is considered. The Sheriff reported medically vulnerable inmates are taken into consideration, however, it is predicated on their illness and the crime committed.

Chair Rubin asked if efforts have been made to reduce the number of inmates transported to and from court by implementing video conferencing. Assistant Sheriff Chase advised that quarantined or isolated inmates are not allowed to attend video court appearances. Sheriff Villanueva reported that video arraignments took place at the onset of the pandemic but ended when the courts reopened. He stated limited resources and Public Defender's Office's lack of cooperation prevent their efforts.

Chair Rubin questioned if efforts were made to meet with all parties. Assistant Sheriff Chase then reported 13 stations were equipped to conduct video conferencing, and when the courts reopened, staff assigned to those stations returned to the courts. He noted funding and support from the justice partners is needed to resume video court appearances. Sheriff Villanueva requested the Commission send a letter to the Chair of the Board of Supervisors requesting funds to restart video arraignments.

Sheriff Villanueva requested the COC and the Office of the Inspector General (OIG) acknowledge receipt of reports received by LASD. He said the Deputy Cliques video has been watched and 78% of the department completed an attestation form. Following Sheriff Villanueva's comments, Chair Rubin moved to public comment.

There were seventeen members of the public who commented on item 2a.

The meeting recessed at 11:10 am.

Open session reconvened at 11:25 am. Present were Chair Lael Rubin, James P. Harris, Sean Kennedy, Priscilla Ocen, Xavier Thompson, Vice-Chair Casimiro Tolentino and Executive Director Brian K. Williams. Following the recess, Chair Rubin returned to item 2b for Commissioner comments.

## **2b. Civilian Oversight Commission's Family Impact Remarks Procedure (continued)**

Commissioner Ocen again recommended expanding the list to include extended family.

Commissioner Harris suggested extending the time from six to ten minutes.

Chair Rubin agreed and asked Mr. Williams to report back. He proposed adjusting the verbiage with an amendment and approve the procedure, and Chair Rubin agreed. A motion was made by Commissioner Ocen, seconded by Commissioner Thompson to amend the procedure to state "Family member or Family Representative" and extend the time from six to ten minutes. Chair Rubin called on Ingrid Williams to take the roll call vote on the [final Family Impact Remarks procedures](#), which was unanimously approved with Commissioners Bonner and Giggans absent during the vote.

Chair Rubin tasked Mr. Williams and staff to explore what is involved in posting comments on the COC website. Mr. Williams indicated he has been working on the idea but has experienced IT challenges. He said he will report back.

Following item 2b, Chair Rubin moved to item 2c.

## **2c. Medical Examiner-Coroner Update**

Chair Rubin introduced Medical Examiner Dr. Jonathan Lucas.

Dr. Lucas summarized the Coroner security hold policy that was updated in August 2020, and he reported use of force security holds for all law enforcement agencies for the region is currently at zero. He noted a Coroner's toxicology report is not released until it's completion, which takes approximately sixty days. Dr. Lucas advised that since the policy was revised, security holds generally fall into the sixty-day time frame.

Dr. Lucas stated the inquest into the death of Andres Guardado as the first in forty years and noted an inquiry is scheduled in Fred Williams III's death. He explained an inquiry is not to determine guilt or innocence, but to inquire into the cause and manner of death.

Chair Rubin thanked Dr. Lucas and opened the floor for Commissioner questions.

Commissioner Giggans inquired about how a decision is made to complete an inquest. Dr. Lucas responded there's currently no criteria for conducting an inquest, but they will evaluate if a policy is necessary. He reported that an inquest can be done on any case because it's an extension of their investigation.

Commissioner Ocen inquired about the Sheriff deputies who exercised their 5<sup>th</sup> Amendment right during the recent inquest, and she recommended the Coroner's office develop a blanket policy regarding inquests. Dr. Lucas commented that it is not uncommon for the deputies to assert their 5<sup>th</sup> Amendment right. He stated he is not opposed to conducting an inquest on every fatal use of force case, but he advised it is labor intense and a lack of resources is a major factor.

County Counsel representative Brian Chu reaffirmed Dr. Lucas' comments with regards to the deputies and Justice Candace Cooper's findings of the Guardado case.

There were twelve members of the public who commented on item 2c.

Following item 2c, Chair Rubin moved to item 3.

### **3. REPORTS**

- **Executive Director's Report**

Executive Director Brian K. Williams announced that staff will host a virtual conference open to the public titled "Enhancing Accountability: Improving the Law Enforcement Officer Disciplinary Process." The conference will be on February 25, 2021 from 9:00 to 10:30 a.m., and more information will be provided as the date approaches.

- **Inspector General's Report**

Inspector General Max Huntsman stated this is the first meeting the Commission has had with subpoena power under AB1185, and he expressed concern over several issues discussed in today's meeting that may warrant exercising subpoena power. He reminded the Commission that the Sheriff requested the COC and OIG to review and respond to a video that LASD developed on deputy gangs. Mr. Huntsman stated that after reviewing the video, possible inconsistencies were identified based on the Sheriff's comments at the last meeting. He reported he will request an interview with the Sheriff and if he declines a subpoena will be issued.

- **Commissioner Comments/Ad Hoc Committee Update**

Due to time constraints this item was not discussed.

- **Los Angeles County Sheriff's Department Update**

Due to time constraints this item was not discussed.

### **4. PUBLIC COMMENTS**

There were 8 members of the public who commented on item 4.

View the [written public comments for the January 21, 2021 meeting.](#)

### **5. MISCELLANEOUS**

- **Adjournment**

Chair Rubin adjourned the COC meeting at 1:31 p.m.