



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



<https://bit.ly/2N2NgLH>

coc.lacounty.gov

Thursday, March 18, 2021

Attachment: [Video](#)

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

1. ADMINISTRATIVE MATTERS & CONSENT CALENDAR

- **Call to Order**

Chair Lael Rubin welcomed everyone and called the meeting to order at 9:01 a.m. and announced April 15, 2021 as the next Civilian Oversight Commission (COC) meeting date. Chair Rubin requested staff take roll and Commissioner Giggans lead the Pledge of Allegiance. Chair Rubin advised the public may submit written public comments by visiting the link at coc.lacounty.gov and all submissions 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 this included the [February 18, 2021](#) meeting minutes.

2. DISCUSSION AND POSSIBLE ACTION

2a. Ad hoc committee on Los Angeles Sheriff Department (LASD) Budget

Chair Rubin acknowledged the presence of LASD Executives Captain John McBride, Administrative Services Division Director Conrad Meredith, Assistant Division Director Richard Martinez, Assistant Division Director Glen Joe and Lieutenant John Gannon.

Vice-Chair Tolentino recognized Budget Ad Hoc Committee member Commissioner Harris and staff members Tracy Jordan-Johnson and Frederick Chung. He reported meeting in December 2020 with Chief Executive Office (CEO) and LASD subject matter experts to discuss budget priorities, and he advised that in February LASD provided a budget presentation on their Fiscal Year (FY) 2021-22 to the committee.

LASD Captain John McBride shared a [presentation on LASD's proposed budget and priorities](#), and he highlighted areas of concern and identified several programs that may be eliminated or reduced, which included Mental Evaluation Teams (MET). McBride

shared that “Measure J is supported and will be enforced by LASD” and advised LASD is working with the CEO to enact Measure J and identify services that may be affected.

Following Captain McBride’s comments, Chair Rubin opened the floor for Commissioner questions and comments.

Chair Rubin questioned whether legal payouts by the County for settlements related to LASD come from the LASD budget or from some other County budget. Captain McBride advised LASD related settlements are taken from the LASD budget, and he stated \$70 million is expected this year and reported \$22 million year-to-date.

Vice-Chair Tolentino reported the committee reviewed LASD budget priorities, and they recommend moving five items up on the priority list to be more beneficial to community needs. Those items include prioritizing Body Worn Cameras (BWC), MET, Integrated Response and Crisis Intervention Bureau, Veterans MET and Public Records Act.

Commissioner Harris expressed that moving the priorities identified by the committee to a higher level will better serve the residents of L.A. County.

Captain McBride stated his agreeance with the recommendations identified by the committee and noted a lack of funding and personnel prevents fruition of the priorities.

Commissioner Kennedy requested clarification if settlement payouts come from LASD annual budget or from general County funds. Captain McBride confirmed a portion of settlement payouts come from the LASD’s allocated budget generated from the County.

Commissioner Ocen requested the dollar amount allocated to LASD for liability costs, as well as the total annual budget amount for FY 2021-22. Mr. Martinez confirmed approximately \$20 million was allocated for judgements, and he noted costs fluctuate and costs exceeding the allocated amount comes from County general funds. Mr. Martinez stated the overall LASD budget is 3.4 billion and the County provides \$1.7 to \$1.8 billion to offset costs.

Commissioner Ocen inquired if Measure J will directly take funding from the LASD budget. Captain McBride felt that question should be directed to the CEO. Commissioner Ocen provided an overview of Measure J. She also inquired about the homicide clearance rate, and Captain McBride requested to report back on that issue.

Commissioner Bonner inquired about how LASD budget cuts will affect the BWC rollout, and he requested the number or percentage of patrol deputies who have BWC. Captain McBride advised budget cuts reduce the rollout number, and he reported approximately three out of 23 stations have received BWCs. Commissioner Bonner expressed grave concern over the limited distribution of BWC to the deputies.

Chair Rubin advised that District Attorney (DA) George Gascón is expected and an interruption of the current item may take place.

Commissioner Harris made a motion, seconded by Vice Chair Tolentino recommending the full COC send a letter to the CEO requesting the five items identified by the Budget Ad Hoc Committee be prioritized.

There were eleven members of the public who commented on item 2a. Following public comment, Chair Rubin moved to item 2b.

2b. Discussion with District Attorney George Gascón

Chair Lael Rubin introduced and welcomed DA Gascón.

Mr. Gascón thanked the COC for his invitation and shared some of his goals which include “beginning the process of holding law enforcement accountable” and developing a community-based Victims Advisory Board. He advised that he is awaiting BOS approval to appoint Lawrence Middleton as a special prosecutor to handle law enforcement shootings. He also discussed the development of a community-based Advisory Board and bringing in Civil Rights Attorney’s to review police shooting cases as far back as 2012. Mr. Gascón advised his office is being reorganized and he plans to hire an individual to investigate police shootings and criminal conduct. He shared his long-term goal is to work with State legislators to create a separate office to prosecute cases that involve police shootings and police on duty criminal behavior.

Mr. Gascón reported that a letter was sent to all law enforcement agencies informing them of their obligation to provide the Brady list as required by law. He noted receiving responses from Los Angeles Police Department and California Highway Patrol who agreed to provide the information.

Chair Rubin inquired about a response from Sheriff Villanueva regarding the request to provide the Brady list. Mr. Gascón reported he had not received any communication from Sheriff Villanueva. Chair Rubin questioned if the special prosecutor will handle fatal Use of Force cases or continue the current practice of relying on LASD to conduct investigations. Mr. Gascón noted the size of the county and lack of resources prevents an independent investigation for each case. He noted some cases will result in independent investigations and will be determined on a case-by-case basis.

Commissioner Ocen asked if investigations of new cases involving deaths at the hands of LASD will continue to be investigated by LASD. Mr. Gascón reported the investigative practice is still in place, however, his goal is to change that practice by creating more independence around investigations. He noted considerable resources would be required to achieve that goal. Commissioner Ocen made a motion, seconded by Commissioner Kennedy recommending the COC write a letter to the BOS requesting additional funding for the DA to form an independent investigations unit.

Commissioner Giggans voiced concern over the treatment of families who have lost loved ones at the hands of LASD, and she highlighted the need to change the law to include them as victims of crime. Mr. Gascón reported seeking additional funding from the BOS to provide victim services to victims of police violence. He also noted there is legislation on the issue to include compensation to victims of police violence.

Commissioner Bonner inquired about the best model for independent investigations with regards to Use of Force and who should conduct investigations. Mr. Gascón provided three suggestions, which included a separate agency – an independent body with no connection to the DA’s office or any law enforcement agency, the Attorney General’s Office and finally, the San Francisco model, which is an independent bureau.

Commissioner Kennedy thanked Mr. Gascón for his openness and transparency, and he asked if Mr. Middleton will review the report submitted by the Office of Inspector General. Mr. Gascón advised Mr. Middleton will initially review four specific cases but will not be restricted on cases to investigate.

Chair Rubin thanked Mr. Gascón for his comments and moved to public comment.

There were 12 members of the public who commented on item 2b.

Commissioner Harris reminded the COC that Mr. Gascón and the COC suggested an investigative body separate from the DA's office.

Commissioner Bonner suggested the Use of Force Ad Hoc Committee research and determine the best model for the COC to support.

Commissioner Harris and Commissioner Ocen both withdrew their motions.

Commissioner Ocen made a motion requesting the Use of Force Ad Hoc Committee draft recommendations to investigate police misconduct, particularly serious and deadly Use of Force incidents.

Chair Rubin advised a second to the motion is not required and confirmed that both Use of Force and Budget matters will be on the April COC Meeting agenda.

Following Commissioner comments, Chair Rubin returned item 2a public comments.

The meeting recessed at 11:50 am.

Open session reconvened at 12:05 pm. Present were Chair Lael Rubin, Robert Bonner, Patti Giggans, James P. Harris, Sean Kennedy, Priscilla Ocen, Xavier Thompson, Vice Chair Casimiro Tolentino, and Executive Director Brian K. Williams.

Following the recess, Chair Rubin moved to item 2c.

2c. Discussion regarding Available State Funding to Lower Jail Population

Chair Rubin welcomed Peter Eliasberg from American Civil Liberties Union of Southern California (ACLU So Cal) as well as L.A. County Department of Health Services, Office of Diversion and Reentry (ODR) leadership Judge Peter Espinoza and Dr. Kristen Ochoa.

Mr. Eliasberg discussed the benefits of receiving state funding and how it will lower the jail population of Felons Incompetent to Stand Trial (FIST) while awaiting transfer to a mental hospital. He referenced the [ACLU letter sent to the COC](#) and noted the funding would allow more FIST to receive treatment through ODR instead of being in jail. Mr. Eliasberg reported ODR has an 80% retention rate, and he called on the COC to write a letter to the BOS in support of state funding.

Dr. Kristen Ochoa, ODR Medical Director, [presented an overview of ODR and how the program assists FIST](#), and she reported the mental health inmate population is more than six thousand inmates. Dr. Ochoa reported since opening, ODR has removed almost six thousand inmates from jail and placed them into community services. She

explained the steps taken to have inmates diverted to community service and noted the ODR population is 40% African American and 30% Hispanic. She reported available funding from two separate entities, the first identified as Little FIST which will extend ODR services and the second one which is part of the Governor's budget will support Community Care Demonstration Project (CCDP).

Judge Peter Espinoza explained the FIST program and the funding available by the State.

Chair Rubin expressed concern over the lack of support from the BOS.

Commissioner Ocen questioned why the County has not supported receiving State funding for a program that is less expensive and beneficial. Judge Espinoza reported one of the concerns is community safety, which is attributed to lack of information for the program and the sufficiency of funding being offered to care for the population.

Commissioner Bonner was concerned with how inmates who have serious charges would be handled. Dr. Ochoa reported only taking inmates who are "readily divertible to a residential setting," which is determined by judges and justice partners. Judge Espinoza reported that ODR completes the clinical assessment of the inmates, but the decision of who gets diverted to ODR care is decided by the judges and attorneys.

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

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

3. REMARKS & REPORTS

3a. Family Impact Remarks

Chair Rubin reported two requests were received for Family Impact Remarks from the families of Anthony Vargas and Paul Rhea. Ms. Lisa Vargas, mother of Anthony Vargas, shared her remarks followed by the remarks of Lea Garcia and Julie Diaz-Martinez, mother and grandmother of Paul Rhea. Chair Rubin thanked Ms. Vargas and Ms. Garcia for their remarks and moved to 3b.

3b. Executive Director's Report

Mr. Williams advised his report on upcoming events will be sent out via email and posted on the COC website.

3c. Inspector General's Report

Due to time constraints this item was not discussed.

3d. Commissioner Comments/Ad Hoc Committee Update

Due to time constraints this item was not discussed.

3e. Los Angeles County Sheriff's Department Update

Due to time constraints this item was not discussed.

4. PUBLIC COMMENTS

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

View the [written public comments for the March 18, 2021 meeting](#).

5. ADJOURNMENT

Chair Rubin announced the next COC meeting is scheduled for Thursday, April 15, 2021 and encouraged everyone to register. The meeting adjourned at 1:29 p.m.