



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE SHERIFF CIVILIAN
OVERSIGHT COMMISSION MEETING HELD
ONLINE AT: <https://bit.ly/3Cy2gp5>
coc.lacounty.gov**



Thursday, September 23, 2021

Attachment: [Video](#)

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

1. ADMINISTRATIVE MATTERS & CONSENT CALENDAR

- **Call to Order**

Chair Ocen called the meeting to order at 9:00 a.m. and thanked Commissioner Rubin for her contribution as previous Chair. Ocen called on staff to take roll and advised the public to submit written public comments for the official public record by visiting the link at coc.lacounty.gov. Following the announcement Ocen moved to the Consent.

- **Approval of Consent Calendar**

No members of the public commented on this item. Commissioner Bonner requested an overview of Senate Bill 2 (SB2), and Executive Director Brian Williams provided a brief summary. Commissioner Harris requested the [Resolution in support of SB2](#) have further discussion. Chair Ocen moved the resolution off the consent calendar to later in the agenda. There being no objection, the [July 15, 2021 meeting minutes](#) were approved.

Chair Ocen moved on to item 2a.

2. DISCUSSION AND POSSIBLE ACTION

2a. Family Impact Remarks

Chair Ocen reported three Family Impact Remark requests were received and due to the number of items on the agenda, the time for each family would be reduced to five minutes. Helen Jones, mother of John Horton; Stephanie Luna and Valerie Vargas, aunts of Anthony Vargas; and Jacqueline Venters, mother of Tennell Billups each shared remarks. Chair Ocen thanked the families for their comments, and requested staff schedule a meeting regarding harassment complaints and contact the Office of Inspector General (OIG) to meet with the Vargas family. Chair Ocen stated that the Commission is committed to and working toward independent investigations outside of LASD on deputy misconduct.

Chair Ocen noted public comments on this item will be heard during general public comment. She announced that item 2.e.i. RAND Report would take place immediately following item 2c, and then she moved to item 2b.

2b. COVID-19 in Los Angeles County Jails

Chair Ocen welcomed the following guest speakers: Sybil Brand Commissioner Dr. Sheryl Grills, Assistant Inspector General Cathleen Beltz and Los Angeles County Sheriff's Department (LASD) Assistant Sheriff of Custody Operations Brendan Corbett to address COVID-19 conditions in the jails. Ocen then called on the COVID-19 in the Jails Ad Hoc Committee Chair, Commissioner Rubin to provide an update. Commissioner Rubin acknowledged staff member Daniel Delgadillo for his assistance and reported that on August 21, 2021 the committee was notified by OIG about allegations of overcrowding in the Inmate Reception Center (IRC), including inmates being tethered to benches for several hours. Commissioner Rubin reported a meeting on September 2, 2021 with Assistant Sheriff Corbett, who confirmed things were out of order. Commissioner Rubin then asked the speakers to provide their updates on the situation.

Ms. Beltz advised that she was notified on August 21, 2021, by an unspecified individual about overcrowding, sanitation and heating issues in the IRC. Beltz reported that upon her arrival to the facility, she witnessed about 200 inmates housed in the clinic. Beltz went on to report that patients and medical staff expressed concern over the conditions of the facility. Ms. Beltz noted upon her arrival with Inspector General Max Huntsman the following day, significant progress had been made with sanitation and the number of patients was reduced from 200 to 50. Beltz went on to share a [PowerPoint presentation](#) outlining the longest inmate wait times for inmates dealing with mental health.

Ms. Beltz expressed concerns about the ongoing housing crisis for people with mental illness and COVID-19 in the jails. Beltz stated that the Department of Health Services, Correctional Health Services has reported that the "main central jail is unsafe for patients because the physical plant doesn't allow for adequate supervision or treatment." Ms. Beltz thanked LASD for allowing OIG access to the jails and reiterated the importance for OIG to have "the same level of access to information, communication and transparency throughout the department that is being provided by the Custody Division, and how it would enhance the working relationship between the Commission, OIG and LASD." Beltz reported the jail living conditions are grossly inadequate and recommended reducing the number of inmates and focusing on alternatives to incarceration. Following Ms. Beltz comments, Commissioner Rubin called on Assistant Sheriff Corbett.

Assistant Sheriff Corbett confirmed the information shared by Ms. Beltz was correct, and he shared LASD efforts to improve housing conditions and care for inmates. Mr. Corbett advised a plumbing problem, which created a safety issue, and the delay of inmates being transferred to State prison contributed to overcrowding. He reported many areas are lacking due to

staffing shortages and budget cuts. Following his comments, Commissioner Rubin called on Dr. Grills to share her comments.

Dr. Grills shared her observations related to COVID-19 in the L.A. County jail facilities and advised that she will provide a written report “based on six inspections that took place between August 17 and September 14, 2021. Dr. Grills reported that at the Century Regional Detention Center (CRDF), the women’s facility, consistently follows COVID-19 prevent measures. In the men’s facilities, masks are used when moving throughout the facility but are “nonexistent in the dorms.” Dr. Grills further reported LASD staff was inconsistent in their use of masks in offices with others and during movement around the facility. Grills reported identifying the installation of a new temperature system during IRC inspections.

Dr. Grills acknowledged the continued efforts to reduce inmate population, including inmates being transferred to State prisons; she reported no knowledge of a backlog of transfers. Dr. Grills also noted that weekly reports are submitted to Board of Supervisor’s Justice Deputies by Correctional Health Services Medical Director Dr. Sean Henderson. Following Ms. Grills comments, Chair Ocen opened the floor for Commissioner questions and comments.

Commissioner James Harris shared his observations about his facility visit and questioned the delay in issuing pin numbers to the inmates and soap dispenser maintenance. Assistant Sheriff Corbett reported pin numbers are available to inmates at any time by any correctional officer and noted that signage would be posted to inform inmates to ask for a pin number. Corbett noted the soap dispensers maintenance issue is due to lack of staffing and advised that LASD is working with the CEO and professional cleaning vendors to correct the issue.

Vice Chair Tolentino expressed concern over the notification by confidential sources and if OIG has a timetable for addressing the incident. Ms. Beltz reported this was not the norm and that ordinarily communication with LASD in this area is consistent. Mr. Huntsman stated this issue was reported in November 2019 and is an ongoing problem and that, investigations are conducted whenever OIG is notified of an incident.

Chair Ocen inquired if LASD will adopt the suggestions made to reduce intake to control inmate population issues. Assistant Sheriff Corbett shared the efforts to reduce the jail population, which include the possibility of incorporating ankle monitors for pre-trial inmates and inmates with a sentence of 120 days or more.

Commissioner Giggans expressed her approval for the step-down program and questioned the delay of meals and medication. Corbett reported this problem is ongoing due to staffing shortages and agreed to work on it. Ms. Beltz noted oftentimes patients refuse their medication, however, it should be administered consistently.

Following Commissioner questions, Chair Ocen advised that Mr. Williams was asked to invite the Jail Population Reduction Council to present at the next COC meeting. Ocen also requested Assistant Sheriff Corbett include the COC in the pre-trial population committee.

Chair Ocen then announced that due to the number of items on the agenda, speakers were granted one minute for public comment.

There were 7 members of the public who commented on item 2b. Chair Ocen then moved to item 2c.

2c. Update: LASD Intimidation and Harassment of Oversight Officials

Chair Ocen recalled the discussion of [Commissioner Kennedy's memorandum](#) at the July 15, 2021 Commission meeting and the subsequent [subpoena](#) requiring Sheriff to appear at today's meeting, which he [failed to honor](#). Chair Ocen highlighted the [draft motion to request that County Counsel Forward Potential Illegal Activity by the L.A. County Sheriff to the California Attorney General for Investigation](#) as well as review all legal remedies including a writ with the Superior Court to determine if the Sheriff Villanueva should be held in contempt for failure to honor the subpoena. Vice Chair Tolentino moved the recommendations, and Commissioner Bonner seconded it.

Commissioner Kennedy stated, "It's important for this Commission to take this process seriously and do everything under the law that we can to compel the Sheriff to appear and answer questions about his investigations of anyone who opposes his agenda or tries to conduct oversight." Commissioner Bonner also expressed concern over the Sheriff's defiance of the subpoena and noted the Sheriff actions to investigate those who have oversight responsibilities of his Administration is improper and unethical. Commissioner Rubin agreed that the Sheriff's intimidation tactics must cease.

Chair Ocen reported that the Sheriff sent a letter stating he will voluntarily attend the next Commission meeting for one hour. Ocen reported that Sheriff Villanueva is not complying with the subpoena and recommended moving forward with the subpoena. Commissioner Giggans said the Sheriff's investigation tactics have damaged public trust and it must stop. Commissioner Bonner agreed the Sheriff's letter volunteering his appearance is unacceptable and requested the Commission subpoena the Sheriff to appear at the next meeting to answer questions about Deputy Cliques. Bonner also called for a motion to have Undersheriff Timothy Murakami appear before the Commission to speak on the special investigative unit that he oversees. Chair Ocen called on staff to take a roll call vote on the amendment to the motion.

Chair Ocen noted the motion would be amended to also subpoena Undersheriff Murakami to appear at the October 21, 2021 Commission meeting to answer questions about investigations of oversight officials. Commissioner Bonner requested the subpoena be drafted by staff, not OIG. Vice Chair Tolentino seconded the motion. Chair Ocen called for a voice vote on the amendment, there being no objections, the motion carried. Following the vote to amend the motion, Chair Ocen moved to public comment.

There were 16 members of the public who commented on item 2c.

Chair Ocen summarized the [final motion](#) and called for a vote, which was unanimously approved.

Following item 2c, Chair Ocen called for a 10-minute recess. The meeting recessed at 11:40 am. and open session reconvened at 11:50 am. Present were Chair Priscilla Ocen, Vice Chair Casimiro Tolentino, Robert Bonner, Patti Giggans, James P. Harris, Sean Kennedy, and Executive Director Brian K. Williams. Chair Ocen continued with item 2.e.i.: RAND Report on LASD Gangs/Cliques.

2e.i. RAND Report on LASD Gangs/Cliques

Chair Ocen advised that the [RAND Corporation report on Understanding Subgroups Within the Los Angeles County Sheriff's Department](#) has been released and called on Commissioner Rubin, chair of the Deputy Subgroups ad hoc committee to provide an update. Commissioner Rubin acknowledged the RAND report and recognized RAND's Policy Researcher Samuel Peterson who spearheaded the research. She referenced an [L.A. Times article](#) and noted a County Counsel legal opinion on deputy gangs in LASD and called on Alexandra Zuiderweg of County Counsel to share her comments. Ms. Zuiderweg stated, "the disclosure of the confidential legal opinions was unauthorized, the attorney client privilege and work product doctrine have not been waived because the attorney client communications around these issues remain private." She asked that the Commission not discuss any work product or confidential advice, other than what has been made public. Chair Rubin stated the ad hoc committee will meet with three LASD station captains to discuss efforts to enforce the Deputy Cliques policy at their respective stations.

Commissioner Bonner expressed disappointment over the RAND recommendations and noted the Sheriff's refusal to adopt the [Commission's recommended Policy on Deputy Cliques](#) is based on the prior opinion of County Counsel from 2014. Commissioner Bonner called for a [motion to subpoena the Sheriff Villanueva](#), seconded by Commissioner Kennedy, to make a personal appearance to address his refusal to adopt the Commission's recommendations with regards to Deputy Cliques.

Commissioner Rubin advised that the County Counsel opinion can be accessed thru a link in the L.A. times article. Chair Ocen advised that she and Vice Chair Tolentino wrote a letter to the Supervisor Solis requesting the Board of Supervisors waive their attorney client privilege so the opinion can be discussed openly. Chair Ocen asked Ms. Zuiderweg to clarify what can or cannot be discussed with regards to the contents of the opinion. Ms. Zuiderweg advised that the opinion was disclosed to the public in an unauthorized manner, and it can be discussed without going into any legal advice provided by County Counsel.

Commissioner Kennedy inquired if those who are subpoenaed are required to provide sworn testimony. Commissioner Bonner stated the Commission has the authority to place witnesses under oath and recommended making it a standard practice. Chair Ocen called on County Counsel to respond to the question raised by Commissioner Kennedy. Ms. Zuiderweg referenced Government Code section 25303.7 and confirmed that the Chair has the authority

to place those who respond to subpoenas and testify before the Commission under oath. Chair Ocen inquired if the same applies when an ad hoc committee issues a subpoena, and Ms. Zuiderweg requested to research that question further. Chair Ocen recalled that previously Sheriff Villanueva has appeared voluntarily before the Commission and has not been sworn in as a witness. Following Commissioner comments, Chair Ocen moved to public comment.

There were 16 members of the public who commented on item 2e.i.

Following public comments, Chair Ocen asked for a roll call vote on the [motion to subpoena the Sheriff Villanueva](#) to personally appearance to address deputy cliques. The motion passed unanimously, with Commissioners Kennedy and Thompson being unavailable.

Following the vote, Chair Ocen returned to the resolution to support SB2 that was moved from the consent calendar and repeated the overview. Commissioner Harris noted his agreement with part of the resolution but expressed concern over the decertification portion. Commissioner Rubin agreed with the concerns on decertification. Commissioner Bonner requested discussing it at the next Commission meeting and suggested not having policy resolutions included on the consent calendar in the future.

Chair Ocen express concern with delaying the issue and called on the Executive Director, who explained that SB2 is currently sitting on the "Governor's desk." After further discussion, Chair Ocen advised the item would be continued. Following commissioner comments, Chair Ocen moved to public comment.

There were two members of the public who commented on this item.

2d. Examining the Presence of LASD Personnel in County Health Facilities

Chair Ocen introduced the [motion](#) to request further information from LASD and the Department of Health Services on the presence of LASD personnel in County hospitals. Ocen acknowledged the issue was discussed during the July 2021 Commission meeting. After Commissioner discussion, Chair Ocen advised that informational requests will not be agenized in the future as staff will make the requests under the direction of the Executive Director. Ocen then moved to public comment.

There were five members of the public who commented on this item, and no action was taken on this item.

Chair Ocen then moved to item 2e.ii.

2e.ii. Measure R: [Unmet Needs Letter for YS 2021-2022 from Supervisorial District 1](#)

Chair Ocen advised that in accordance with Measure R, the Commission was tasked with producing a reinvestment and feasibility report also noting that Measure R was placed on the agenda to request a response from the Board of Supervisors and the Chief Executive Office regarding the Commission's request for funding.

Commissioner Bonner suggested having the Executive Director follow up regarding a response to the funding request. Chair Ocen agreed and tasked staff to follow up and request a meeting to discuss funding for the Measure R Comprehensive Public Safety Reinvestment Plan and Feasibility Study to reduce L.A. County's jail population.

3. REPORTS & POSSIBLE ACTION

Due to time constraints, the following items were not discussed: 3a. Chair's Report, 3b. Executive Director's Report, 3c. Commissioner Comments/Ad Hoc Committee Update, and 3d. Los Angeles County Sheriff's Department Update.

3c. Inspector General's Report

Inspector General Max Huntsman highlighted a [letter OIG submitted to the Commission regarding a fact check of statements](#) made by the Sheriff in a recent L.A. Times podcast as well as submission of the [Reform and Oversight Efforts report for April-June 2021](#). Mr. Huntsman also [reported on an August 7, 2020 Santa Clarita incident](#) where LASD deputies drew their weapons on African American teens. He advised that a recommendation was made to LASD to develop better policies on drawing deadly weapons as a reportable incident, and he advised these incidents should be tracked more closely. Mr. Huntsman stated that LASD reported they are working on updating the weapons drawing policy but have not responded to any of the other recommendations. Mr. Huntsman also stated he had issued a subpoena to Undersheriff Timothy Murakami for documents related to accusations in Commissioner Kennedy's memorandum.

4. PUBLIC COMMENTS

There were four members of the public who provided general comments. View the [written public comments for the September 23, 2021 meeting](#).

5. ADJOURNMENT

Chair Ocen announced next COC meeting would be held on October 21, 2021, and the meeting was adjourned at 1:04 p.m.