

MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND SHEILA KUEHL

July 9, 2019

Supporting families following an in-custody death or fatal use of force

In the last three years, over 100 people have died while in the custody of the Los Angeles Sheriff’s Department (LASD) or during incidents involving a fatal use of force by LASD deputies in the field. Regardless of the cause or the circumstances surrounding these events, these incidents lead to significant trauma and pain for those that may witness the events as well as for families coping with the loss. How an agency communicates with and treats a family following a death associated with an officer / deputy-involved use of force or in-custody death impacts the family, the community, and relations with law enforcement.

Los Angeles County (County) began addressing this issue over two years ago, after hearing from community-based organizations (CBOs) like the Youth Justice Coalition and families who had received incomplete or contradictory information about the death of their loved ones and were seeking support, and policy changes, to address their trauma. In a November 2016 letter, the Inspector General (IG) requested that the newly forming Civilian Oversight Commission (COC) take on this issue in order to improve County practices.

The COC formed a Family Assistance and Communication Ad Hoc Committee (Committee) tasked with identifying and addressing systemic issues within LASD that may have prevented clear, timely and trauma-informed communication and interactions

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with families. The Committee members met with families, LASD leadership, other County departments and CBOs, and heard a range of concerning stories from families, including: receiving notification that their loved one was deceased through the media rather than LASD; experiencing confusion concerning the location of the body and if and when they were allowed to see the body; and having their family member portrayed as a criminal.

To address these issues, Committee members examined model programs, including Los Angeles Police Department's Family Liaison Section, tasked with communicating with families following a death, and the County's Department of Health Services emerging "communication and resolution program," designed to work with families in a trauma-informed way and address systemic deficiencies following a patient death. Committee members also learned from and built upon the Youth Justice Coalition's Family Bill of Rights. The COC approved its report on this topic in September 2018, making a series of recommendations aimed at creating clear and empathetic communication, compassionate responses and direct services for grieving families.

On October 9, 2018, the Board of Supervisors (Board) unanimously approved a motion that directed the Chief Executive Officer (CEO), in consultation with the COC and relevant County department directors, to report back with an implementation plan for the COC recommendations, including establishing any necessary County infrastructure, staffing, training, protocols and services, and, if relevant, identifying costs and funding sources. On June 19, 2019, the CEO submitted her report to the Board on establishing a Family Assistance Program (FAP), including, among other things, recommendations that the Director of the Department of Mental Health (DMH) hire family liaison staff to work with impacted families in a trauma-informed manner and be their primary point of contact for both communication and access to needed resources. The report also recommended supporting families with burial costs, increasing training for Sheriff and Medical Examiner – Coroner personnel, and seeking changes in current state laws regarding access to victim resources.

Establishing an FAP is a humane and long overdue step, and is smart policy-making. An FAP will address family and community trauma, contributing to healing and

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violence prevention for the community as a whole. Additionally, respectful and compassionate communication inherent in an FAP can improve police - community relations and lead to safer communities. Moreover, approaches that recognize the harm that has been caused, and that take steps to address it, can also be cost-effective.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Establish a Family Assistance Program (FAP) aimed at improving compassionate communication with and providing trauma-informed support to families who lose a loved one through a Los Angeles County (County) Sheriff's Department's (LASD) deputy's fatal use of force or in-custody death, as outlined in the June 19, 2019 Chief Executive Officer (CEO) report "Supporting Families Impacted by the Sheriff's Department," with a 30-day progress report back by the Director of Mental Health, including the following steps:

1. Instruct the Director of the Department of Mental Health (DMH) to hire Family Assistance Advocates (FAAs) that will be the primary point of contact for grieving families and will communicate timely updates to families, help families navigate the County's process, identify resources that may be available to them, including funds to assist with burial costs, and provide crisis intervention, stabilization and grief counseling. The FAA's work should be informed by and aligned with the Department of Public Health's (DPH's) violence prevention and trauma-informed work and the Department of Health Services' "communication and resolution program."
2. Instruct the Medical Examiner – Coroner, Registrar-Recorder, and the Directors of the DMH and DPH, and request the Sheriff and the District Attorney, to identify staff at a leadership level, well-versed in addressing the needs of families, to be part of a multi-disciplinary team (MDT) where they will serve as departmental liaisons to the FAA staff and ensure families are given timely, coordinated and respectful information, including information about the investigative process, with a goal to communicate with families as soon as possible.

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3. Instruct the Director of the DMH, in collaboration with the Civilian Oversight Commission (COC), the Inspector General (IG), and the Auditor-Controller, to establish policies and procedures to assist families with paying burial costs.
4. Instruct the Director of the DPH and leadership at the DPH's Office of Violence Prevention, in consultation with the Director of the DMH, the IG, and the COC, to develop policies and protocols as part of the FAP to provide trauma-informed responses and services to the larger community following an LASD fatal use of force, including support and counseling for any witnesses to the incident.
5. Instruct the Directors of the DMH and DPH, in collaboration with the COC, IG, Sheriff, Medical Examiner - Coroner, and community stakeholders, to develop and implement a curriculum that will provide traumatic grief-informed in-service training for Sheriff and Medical Examiner – Coroner personnel, and to identify opportunities to insert traumatic grief principles into current Sheriff and Medical Examiner – Coroner core training.
6. Instruct the Director of the DMH, in collaboration with the CEO, the Chief Information Officer, the Director of the DPH, the COC, and the IG, to engage the Internal Services Department for web portal development services in order to create a website that outlines related protocols and roles of the FAA and MDT, and serves as a comprehensive collection of available resources.
7. Instruct the CEO to work with the Directors of the DMH and DPH, the Medical Examiner - Coroner, the Sheriff, and other relevant partners to develop a funding plan for the FAP as detailed in the above directives and outlined in the June 19, 2019 CEO report "Supporting Families Impacted by the Sheriff's Department", including funding of FAAs and relevant services and burial costs, and to work with the Center for Strategic Partnerships to explore philanthropic partnerships that may assist with additional costs to support families that the County cannot cover.
8. Instruct the IG, in collaboration with the Directors of the DMH and DPH, the COC, and the CEO and in consultation with other relevant departments and stakeholders, to report back quarterly in the first year and semi-annually thereafter,

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on the implementation of the FAP, including operational objectives, metrics, successes and areas for improvement, an assessment of the funding plan, and potential areas of expansion for the program, if recommended.

WE FURTHER MOVE THAT THE BOARD OF SUPERVISORS:

Direct the CEO, Legislative Affairs Division and the Sacramento Advocates to include a position in the County's State Legislative Agenda to allow the County to support or pursue legislation that would expand eligibility of State-funded victim resources to family members of victims of fatal use of force by law enforcement and in-custody deaths.

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