

REVISED MOTION BY SUPERVISORS HILDA L. SOLIS

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AND HOLLY MITCHELL

Protecting Surviving Families from Law Enforcement Harassment and Retaliation

As the country processes the harm and trauma caused by law enforcement involved shootings of Black, Indigenous, and People of Color (BIPOC) communities, nationwide Americans continue to call and push for more accountability and transparency into the actions, inactions, and misconduct of law enforcement.

Unfortunately, for many families in Los Angeles County (County), the healing that should occur after the tragic killing of their loved one is often hampered and delayed by the continued harassment and retaliation by the LA Sheriff's Department (LASD), which countless families face for speaking up on behalf of their loved ones.

Families deserve the right to grieve and mourn without fear of retribution. Often, they have found solace in mourning at memorials, lifting up their experiences and the lives of their loved ones, despite how painful it must be, through public comment at the Sheriff Civilian Oversight (COC) and LA County Board of Supervisors (Board) meetings, and sharing testimonies with the media. Unfortunately, and unacceptably, these acts

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have sometimes made them vulnerable targets to harassment from the very deputies who were involved in the shooting of their family member.

On an almost daily basis, LASD deputies try to intimidate family members who speak out by slowly driving by or parking in front of their homes; slowly driving by memorial sites; damaging items at memorial sites; taunting family members with rude comments, gestures, smirks, and laughter; following family members while they are driving; parking outside family members' workplaces; and taking pictures of or recording family members. Deputies have also engaged in more serious and often illegal forms of harassment on a number of occasions, including targeting family members for arrest and detention without probable cause, frequently pulling over family members and searching their vehicles, and harassing family members of minor age.

The ongoing harassment has had a profound impact on the lives of surviving family members. The psychological harm and toll of the harassment includes fear for their own and their loved ones' safety, fear of facing future harassment, traumatization, re-traumatization, and disruption of the grieving process. The harassment has also deterred other families who have lost loved ones at the hands of LASD from speaking out for fear of similar retaliation. In fact, some of these families have fled the county for fear of harassment from LASD.

In 2019, in response to the numerous complaints made by impacted families of law enforcement violence, the COC requested the Office of Inspector General (OIG) to conduct a formal inquiry and assessment of the concerns shared by families. In 2020, the OIG issued a report back, which provided examples of families who continue to experience harassment by LASD deputies. However, this report back only examined

complaints of harassment filed with LASD. Understandably, families do not feel comfortable filing complaints of harassment by LASD deputies with the Department, rendering the scope of the report back limited.

LASD must take the complaints of intimidation and harassment seriously. This means making the necessary changes to policies, including enforce a zero-tolerance stance on their deputies conduct in this regard. Moreover, LASD has a responsibility to hold deputies who do not follow these policies accountable. Additionally, victims and survivors of harassment and retaliation by LASD deputies need an external reporting mechanism in place to be able to share grievances, complaints, and concerns about their respective incidents. The families need the space to process, heal, and seek justice for their loved ones. Being in a constant state of fear of harassment and intimidation by LASD deputies only exacerbates the trauma, hurt, and pain. These families deserve justice and peace – we have a responsibility to ensure that.

WE, THEREFORE, MOVE that the Board of Supervisors direct:

1. The Los Angeles County's Office of Inspector General, consulting with impacted families, to update its 2020 report back to the Sheriff Civilian Oversight Commission regarding incidents of harassment and intimidation experienced by surviving families of sheriff's deputy use of force, shootings, killings, and misconduct; conduct an in-depth investigation that is not limited to complaints filed with the Los Angeles Sheriff's Department; and report back to the Board of Supervisors within 60 days with robust recommendations for supporting families and forbidding any harassment of them.

2. County Counsel, in collaboration with the Los Angeles County's Office of Inspector General, to pursue legal options should there be any barriers to cooperation, collaboration or compliance that would prohibit the OIG's ability to fulfill its directive to report.
3. The Los Angeles County's Office of Inspector General, consulting with impacted families, the Los Angeles District Attorney, relevant stakeholders to report back to the Board of Supervisors in 60 days on alternate mechanisms for receiving, investigating, and retaining community complaints of deputy harassment, intimidation, and other misconduct, including mechanisms that would work in coordination with the District Attorney's Office or Office of Inspector General.

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