



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE SHERIFF CIVILIAN
OVERSIGHT COMMISSION MEETING HELD
ONLINE AT: coc.lacounty.gov
Thursday, April 20, 2023**



Attachment: [Video](#) and [Audio](#)

Present: Chair Sean Kennedy, Vice Chair Jamon R. Hicks, Robert Bonner, Irma Hagans Cooper, Luis S. Garcia, Patricia Giggans, James Harris, Hans Johnson, and Interim Executive Director Danielle Butler Vappie

Absent: Lael Rubin

1. ADMINISTRATIVE MATTERS & CONSENT CALENDAR

Call to Order: Chair Kennedy called the Commission (Commission) meeting to order at 9:04 a.m., provided an overview of the agenda, requested that staff call the roll, and announce the code of conduct. Chair Kennedy then moved to the consent calendar and public comment. There was no public comment on this item.

Approval of Consent Calendar: Chair Kennedy called for approval, there being no objection, the March 3, 2023, Special Hearing minutes and March 16, 2023, Commission meeting minutes were adopted.

Family Impact Remarks: Arthur Calloway II provided family impact remarks.

Commissioner Bonner suggested the Commission request the Office of Inspector General (OIG) investigate Mr. Calloway's case and report back to the Commission. He also inquired if LASD has a policy in place related to pulling out a firearm and pointing it at a civilian.

Executive Director Danielle Butler Vappie informed Commissioner Bonner that staff is in contact with Mr. Calloway and OIG staff regarding the issue. OIG Chief Deputy Dara Williams stated that she would follow up with OIG staff and report back to the Commission.

Commissioner Bonner asked if there is a LASD policy and Eileen Decker, LASDs Head of Constitutional Policing, reported that the policy on pulling out a firearm has been amended and is in the final review process by the Department of Justice and that she will be meeting with DOJ next week. Commissioner Bonner requested that Ms. Decker update the Commission once the policy is implemented. Chair Kennedy then moved to item 2.

2. REPORTS & POSSIBLE ACTION

2a. Chair's Report

Chair Kennedy reported that the Commission held a town hall on the impact of deputy gangs in the community in East Los Angeles on Saturday, April 15, 2023. Chair Kennedy, then moved to item 2b.

2b. Executive Director's Report

Executive Director Danielle Butler Vappie announced that the Commission will be hosting a Virtual Conference on jails on May 4, 2023, and then a town hall in Palmdale on May 13, 2023 additional information can be found on our website. Chair Kennedy then moved to item 2c.

2c. Office of Inspector General (OIG) Report

Chief Deputy Inspector General Dara Williams reported on racial disparities in traffic stops and informed the Commission that Los Angeles Police Department (LAPD) conducted studies on the issue and found substantial racial disparities, prompting policies to be implemented to maintain trust in policing. Ms. Williams informed the Commission that OIG recently met with LASD and presented recommendations very similar to LAPD policies and that LASD agreed to consider the recommendations. Ms. Williams also reported that a contempt hearing was held on the Rutherford case regarding jail conditions and wait time in the Inmate Reception Center (IRC). She further advised that in person witnesses will be called in 60 days to discuss IRC conditions.

Following Ms. William's comments, Chair Kennedy called for Commissioner questions and comments and then moved to item 2d.

2d. Commissioner Comments / Ad Hoc Committee Updates

Commissioner Bonner reported that the Deputy Gangs ad hoc recently met with Sheriff Luna and is waiting for the Sheriff to adopt the recommendations submitted on March 3, 2023. Bonner noted that there were 27 recommendations to be reviewed and urged the Sherriff to promptly adopt recommendations A2 and A3, which prohibits future participation by deputies in deputy gangs and deputy cliques.

Commissioner Irma Cooper reported that the Conditions of Confinement ad hoc committee will hold a virtual conference on May 4, 2023 addressing conditions in the jails and encouraged everyone to attend. Commissioner Cooper also reported that she listened to and commented at the Sybil Brand Commission meeting regarding her concerns with the current inhumane jail conditions. Chair Kennedy then moved to item 2e.

2e. Los Angeles County Sheriff's Department Update

Undersheriff April Tardy (US Tardy) informed the Commission that Sheriff Luna is attending a conference and was unable to attend today's meeting. US Tardy stated that LASD is taking the Commission recommendations very seriously and reported that LASD is reviewing the 27 recommendations the Commission submitted and that Eileen Decker has been working on policies and messaging related to deputy gangs, deputy cliques and tattoos. US Tardy reported that new hires are being processed to assist Ms. Decker with constitutional policing. US Tardy also introduced individuals currently onboard and the units they manage: Eric Strong Community Engagement; Ed Madrano, Training on Deputy Cliques; Barney Malakian, Executive Training for Captains and above; and Steve James, Union and Labor Organizations. US Tardy reported that LASD is adopting the LAPD policy on stops which is in draft form and that Ms. Decker is working with Assistant Sheriff Bruce Chase on the issue. US Tardy discussed the law enforcement working group that she oversees and reported that the task force meets monthly and composed of over 20 people, including patrol, custody division,

training, courts, special operations, and labor. US Tardy reported that the task force is divided into sub-groups, focusing on messaging, media, training, and recurrent weekly briefings. US Tardy stated that LASD is also looking to hire a cultural consultant, to develop a train-the-trainer curriculum to prevent deputy cliques from forming, discouraging tattoos, and eradicating deputy gang behavior. US Tardy also discussed community engagement and reported that a pilot program was established two years ago with an organization called "Game Changers" that involved law enforcement and community groups meeting to discuss community concerns. US Tardy report on crime statistics and advised that there was an overall decrease in violent crime stats by 7.5% and a 1% increase in property crimes. Chair Kennedy then called for Commissioner questions and comments.

Bonner inquired about the purpose of the task force and what issues are included. US Tardy advised the focus will be on deputy sub-groups, law enforcement gangs, clique issues, tattoos, and ultimately changing the culture of the LASD. Ms. Decker stated that the goal is to "achieve the recommendations of the Commission and to have an internal system working within the department to change the culture."

Chair Kennedy inquired if an investigation was conducted by LASD to determine if former deputies Miguel Vega and Christopher Hernandez who were recently indicted in Federal court on multiple charges and who is responsible for the fatal shooting of Andres Guardado, that District Attorney declined to file charges against, is linked to the deputy gang called the "Executioners". US Tardy advised that she has not read the District Attorney's report and would need to research the case again to determine if additional charges were filled.

Following Commissioner comments, Chair Kennedy moved to public comment. There were no requests for public commented on this item. Chair Kennedy then moved to item 3a.

3. DISCUSSION & POSSIBLE ACTION

3a. LASD's Use of Tasers

Commissioner Hans Johnson introduced the topic, acknowledged ad hoc committee members, and provided an overview of the discussion on taser use. Commissioner Johnson introduced the speakers: Adrienna Wong, Senior Staff Attorney, American Civil Liberties Union; and LASD Sergeant Michael Mabee. Ms. Wong shared a PowerPoint presentation and discussed the damage caused by taser use. Ms. Wong also discussed Reuters statistics from 2017 and reported over there were 1000 deaths from taser use administered by law enforcement nationwide and that 148 incidents led to death or serious bodily injuries statewide from 2020-2021 and that 11 of the incidents were reported by LASD. Ms. Wong discussed alternatives to reliance on tasers and noted that Axon tasers have led to death and serious bodily injury. Following Ms. Wong's presentation, Commissioner Johnson thanked her, Commission staff, and the ad hoc committee members for their efforts and then called on Sergeant Michael Mabee to present.

Sergeant Mabee provided an overview of his current position with LASD and his experience with tasers. Sergeant Mabee advised that taser training was provided by Axon Enterprise. He

also discussed various types of tasers used by LASD and their affects when administered. Sergeant Mabee stated that every use of force incident including those where a taser is utilized is investigated administratively. Following Sergeant Mabee's comments, Chair Kennedy then moved to Commissioner comments.

Commissioner Bonner inquired about stats on lives that have been saved. Sergeant Mabee advised that there is no nationwide data on that issue.

Commissioner Cooper requested to see pictures of the tasers used by LASD. Sergeant Mabee provided a sample of the tasers and discussed the differences in their capability. US Tardy informed the Commission that Axon will provide a demonstration on tasers to Commissioners.

Commissioner Hicks inquired about research conducted on taser training and how it affects individuals with mental illness or on drugs. Sergeant Mabee stated that each sworn deputy receives 32 hours of general training that includes instruction on communicating with those having mental health crisis and that he is unaware of any specific training in that area.

Commissioner Giggans inquired if deputies are trained to avoid the chest area. Sergeant Mabee advised that taser training focuses on the lower extremity. Lieutenant John Haynes who is over LASD training interjected and advised that deputies are trained to focus on center area of the body when administering a firearm and the lower extremity when administering tasers.

Chair Kennedy inquired if there is a limit to the number of times a deputy can tase an individual. Sergeant Mabee advised that he does not know the answer and that the number of taser doses administered is determined by the individual's compliance with the policy and that the deputies are required to justify each time the taser is activated and noted that LASD policy prohibits tasing of handcuffed individuals.

Commissioner Garcia inquired whether a Mental Evaluation Team (MET) is dispatched and what is the criteria that warrants use of the taser. Sergeant Mabee advised that a taser is not used unless the person is hostile or violent.

Commissioner Giggans inquired if MET administers tasers. Lieutenant Haynes advised that the MET does not use tasers as a form of de-escalation.

Following Commissioner comments, Chair Kennedy moved to public comment. There were eleven members of the public who commented on this item.

Following public comment, Chair Kennedy then called for a 15-minute recess at 11:01 a.m. The meeting reconvened at 11:16 a.m. Present were Chair Sean Kennedy, Vice Chair Jamon R. Hicks, Robert Bonner, Irma Hagans Cooper, Patti Giggans, Luis S. Garcia, James P. Harris, and Executive Director Danielle Butler Vappie. Following the break, Chair Kennedy moved to item 3b and called on Dara Williams, Chief Deputy, Los Angeles Office of Inspector General to present.

3b. Deputies in Schools

Chief Deputy Inspector General Dara Williams reported that OIG was tasked by the Board of Supervisors in collaboration with other County partners to analyze School Resources Deputies

(SRD) contacts in school districts contracting with the County for SRD services to determine if racial disparities are present. Ms. Williams advised that the LASD's Computer Aided Dispatch System (CAD) and the California Department of Education for all schools in districts under contract with LASD for SRD were used to analyze data. Ms. Williams mentioned a report that compared schools located in Lancaster and outside of Lancaster. She noted that in the 2019-2020 school year, LASD provided SRD services to 16 schools and noted that SRD made 812 school contacts with students: 21 of them were with grade school students; 166 was with middle school students; and 625 was with high school students. Ms. Williams went on to report that outside of Lancaster, SRDs made more contacts with Black and Hispanic students than any other racial group and that in Lancaster, Black students were contacted disproportionately higher in comparison to their percentage of school enrollment. Ms. Williams went on to discuss recommendations to improve the system and ensure transparency. Following Ms. Williams presentation, Chair Kennedy moved to Commissioner comments.

Following Commissioner comments, Chair Kennedy moved to public comment. There were 4 people who provided public comment on this item.

3c. Autopsy Reports

Chair Kennedy provided a brief overview of the topic and introduced Los Angeles County Medical Examiner-Coroner Odey C. Ukpo. Dr. Ukpo reported that in 2020 a policy on security hold requests was developed. He noted that autopsy reports are public record and that security holds are placed on autopsies to avoid compromising an investigation. Dr. Ukpo discussed the process for requesting security holds and reported currently having security holds on 51 cases and that zero of them are due to use of force or in-custody deaths. Dr. Ukpo discussed policies and practices for attending autopsies and noted that investigating agencies can request to attend autopsies but cannot direct the process. Dr. Ukpo noted that depending on the cause of death, some reports can take 6-8 months to produce. Following Dr. Ukpo's comments, Chair Kennedy moved to Commissioner comments.

Commissioner Giggans questioned if Dr. Ukpo is familiar with the Family Assistance Program and if he is aware of the challenges impacted family members face when dealing with coroner requests. Dr. Ukpo advised that his office does communicate with families and that toxicology reports often take a long time to receive. This delay is of great concern for families.

Commissioner Cooper inquired if taser injuries are documented in the coroner's report. Dr. Ukpo advised that injuries are documented and that photographs are taken of all injuries.

Chair Kennedy inquired about family members attending the autopsy examination.

Commissioner Cooper inquired about toxicology reports and why they take so long.

Principal Deputy County Counsel Brian Chu interjected and advised that State law only allows the investigating law enforcement agency, pathologist professionals conducting scientific research, and professionals training in the subject to be present in the autopsy room. He noted that the information can be found in the Health and Safety Code.

Commissioner Cooper inquired about the process when a family hires their own pathologist. Dr. Ukpo advised that the request is allowed, and the family's pathologist can witness the autopsy.

Dara Williams reported that OIG can attend autopsies and informed the Commission of assembly bill 807, which is currently pending before the State legislature. AB807 will require the State to investigate all peace officer shootings involving a civilian regardless of whether the civilian was armed or unarmed. Ms. Williams encouraged those interested in its passage to contact their assembly member to support AB807.

UCLA Professor Terrance Keel shared a PowerPoint presentation and provided statistics on in-custody deaths. Mr. Keel noted that a public records act request for all autopsies on jail deaths from 2009-2019 was requested by Dignity and Power Now and that 59 autopsies were received. Professor Keel reported that data obtained from the Bureau of Justice statistics who gathers data on jail deaths reported 260 jail deaths reported by the County during 2009-2019 and 59 of them were publicly accessible. Professor Keel also noted that autopsies on security holds do not show up on the coroner's website. Professor Keel went on to discuss that people in jails are dying at an early age that typical for persons not incarcerated. He also noted that 78% of the people incarcerated died before their trial started. Professor Keel discussed the causes of deaths and provided recommendations to allow for more transparency.

Commissioner Cooper inquired about the cases that were not provided. Professor Keel advised that he believes the 201 cases were not provided due to security holds and that the holds have now been released and that he is in the process of requesting the additional reports.

Following Commissioner comments, Chair Kennedy moved to public comment. There were 12 people who provided public comment on this item.

4. GENERAL PUBLIC COMMENTS

Due to time constraints, general public comment was not heard.

Read the written public comment that was submitted for this meeting [here](#).

5. ADJOURNMENT

Chair Kennedy announced that the Palmdale town hall will be held on May 13, 2023 and that the next Commission meeting will be held in person on May 18, 2023. The meeting adjourned at 1:15 p.m.