



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE SHERIFF CIVILIAN
OVERSIGHT COMMISSION MEETING HELD AT
BOB HOPE PATRIOTIC HALL
Thursday, September 21, 2023**



Attachment: [Video](#)

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

1. ADMINISTRATIVE MATTERS & CONSENT CALENDAR

Call to Order: Chair Kennedy called the Civilian Oversight Commission (Commission) meeting to order at 9:12 a.m. Chair Kennedy gave an overview of the agenda and expressed condolences on behalf of the Commission to LASD and the family of Deputy Ryan Clinkunbroomer who was killed in Palmdale while on duty. Chair Kennedy then called on staff to take roll.

Following roll call, Chair Kennedy moved to the consent calendar. There were no comments from the Commissioners so Chair Kennedy called for public comment.

No members of the public signed up to comment on this item.

Approval of Consent Calendar: Chair Kennedy called for approval of the consent calendar. Hearing no objections, the July 20, 2023, minutes were adopted.

Family Impact Remarks: Chair Kennedy advised there were no requests for family impact remarks.

2. REPORTS & POSSIBLE ACTION

2a. Chair's Report

Chair Kennedy advised he had nothing to report and moved to item 2b.

2b. Executive Director's Report

Interim Executive Director Danielle Butler Vappie reported that the Commission has been monitoring the LASD School Resource Deputy (SRD) program and advised that a series of virtual conferences were held by the Commission in July and August, which included participation from the public. Ms. Vappie reported that staff has met with various stakeholders to get their input on the SRD program to help guide the recommendations to the Board of Supervisors and LASD. The report is currently being drafted by the Quality-of-Life ad hoc committee. Ms. Vappie advised that more information on the subject will be available at the October Commission meeting and that information related to the virtual conferences can be found on the Commission's website.

Ms. Vappie also reported that the Commission in collaboration with various County partners will be hosting its 3rd annual Community Policing Conference and anyone interested in

attending can register by visiting our website. In closing, Ms. Vappie announced that this will be her last meeting with the Commission, as she has accepted a position with the Department of Youth Development. Ms. Vappie thanked the Commission, Commission Staff, and Max Huntsman for their support during her time as Interim Executive Director and advised that the selection process for the new Executive Director is near completion.

Chair Kennedy thanked Ms. Vappie for her time with the Commission and wished her well in her future endeavors.

Following Interim Executive Director Butler Vappie's report, Chair Kennedy moved to item 2c.

2c. Office of Inspector General (OIG) Report

Inspector General Max Huntsman expressed condolences to the family of Deputy Ryan Clinkunbroomer and announced that donations can be made to the family through ALADS C.A.R.E.S. Mr. Huntsman then thanked Ms. Vappie for her time and wished her well in new position. Mr. Huntsman reported that the OIG is currently working on a deputy gangs report regarding law enforcement gangs and that the OIG is fact checking and communicating with LASD regarding the details of the report and the next steps. Mr. Huntsman hopes to complete the report within the next 2–3 weeks.

2d. Commissioner Comments/Ad Hoc Committee Update

Commissioner Johnson reminded the Commission that the Technology ad hoc committee presented a report on LASD's unmanned aircraft systems (UAS or drones) program back in May of 2023 and was tasked with looking further into the issue. Commissioner Johnson reported that LASD submitted a detailed presentation on UAS pilot program for the stations of Malibu/Lost Hills, West Hollywood, and Lancaster and that the ad hoc committee supports implementation of the pilot program in Malibu/Lost Hills and West Hollywood only. He expressed concern with the use of UAS in Lancaster due to the lack of oversight. Commissioner Johnson made a motion seconded by Commissioner Harris to approve the pilot program for use by LASD's Malibu/Lost Hills and West Hollywood stations only and for LASD to report back to the full Commission 90 days after the program is launched.

Commissioner Johnson stated that during LASD's meeting with the ad hoc committee, the Lancaster station staff who requested the drone program did not provide a sufficient justification for its use, unlike the Malibu/Lost Hills and West Hollywood stations who satisfied the questions raised during the discussion. For that reason, he requested a temporary hold on the implementation of the pilot program in Lancaster.

Commissioner Bonner questioned if drones had been used in Lancaster as a pilot program, and if so, was it within policy or outside of policy.

Mr. Huntsman advised that a policy was put in place by previous Sheriff Jim McDonnell that the Commission agreed to and that the OIG would monitor. Mr. Huntsman advised that drones have been used by LASD in emergency situations and not for gathering evidence by LASD Special Enforcement Bureau (SEB). Mr. Huntsman advised that the OIG continues to monitor LASD's use of drones.

Chair Kennedy questioned why LASD needs to contract with the City of Lancaster for drones and whether LASD has their own drones. Commissioner Johnson stated he did not have a clear understanding for their reasoning and expressed concern over the bandwidth constraint for the single drone available to LASD stations that is being operated out of the East Los Angeles Sheriff station and the lack of sufficient oversight.

Mr. Huntsman stated that there is a concern with LASD using drones for evidence purposes and noted in the process of conducting law enforcement goals, this may endanger freedoms and protections for citizens. Mr. Huntsman suggested reviewing the policy and requesting an overview of how the pilot program will be conducted.

Commissioner Cooper inquired if LASD has reached out to the community regarding the program and the policy. Commissioner Johnson advised that there was no outreach to the community, and therefore, requested LASD provide a status report within 90 days from today.

Following Commissioner comments, Chair Kennedy moved to public comment. There was one member of the public who commented on this item.

LASD Assistant Sheriff Holly Francisco agreed that additional information is needed for the Lancaster area and stated that LASD will work on that issue.

Commissioner Johnson made a motion, which was seconded by Commissioner Harris, to approve the extension of the single UAS that operates out of East Los Angeles SEB currently to extend a pilot program to two additional stations, Malibu/Lost Hills and West Hollywood, and that a report back to the full Commission be submitted on the pilot program 90 days after it's launched. Commissioner Bonner requested a friendly amendment to the motion to request a report back from LASD within 90 days with an overview of the policies, guidelines, funding, and needs of the use of drones in Lancaster to evaluate whether the unmanned aircraft system should be approved for the Lancaster station.

Commissioner Johnson raised the issue of Lancaster contracting out and expressed the need for the Commission to monitor actions by stations, specifically, those areas where there's such fast-moving demands for outside systems or tools.

Following the motion Chair Kennedy called on staff to take a roll call vote. The vote was unanimous and the motion carries.

Following the vote, Chair Kennedy asked if there were other ad hoc updates.

Commissioner Bonner reported on deputy gangs, cliques, and sub-groups and advised that there has been no action from LASD on the recommendations made by the Commission based on special counsel's report, nor has there been any action on recommendations made by this Commission prohibiting joining, deputy gangs, cliques, or sub-groups.

Commissioner Bonner then discussed the interviewing process for the Commission's Executive Director position and expressed concern with the Board of Supervisor's restrictions to only allow Board-appointed Commissioners to participate in the selection process.

Chair Kennedy asked County Counsel about the ruling for the previous Sheriff and Undersheriff to comply with the Commission's subpoena to testify at the deputy gang hearings. County Counsel, Steven Edwards, advised there had been a ruling on the writs previously sought and that County Counsel had received the ruling but has not had an opportunity to review it and that an update will be provided to the Commission soon. Mr. Edwards advised that a copy of the writ was sent to Chair Kennedy. Commissioner Bonner requested the writ be circulated to the Commission and requested that County Counsel report on the ruling. County Counsel advised that the writ was denied because according to the court, the two-step contempt process was not followed. Interim Executive Director Vappie advised she will forward a copy of the writ to the Commissioners.

Following Commissioner comments and ad hoc updates, Chair Kennedy moved to item 2e.

2e. Sybil Brand Commission

There was no one present to provide an update.

2f. Los Angeles County Sheriff's Department Update

Assistant Sheriff Holly Francisco acknowledged the passing of Sheriff Deputy Ryan Clinkunbroomer and reported that there was an enormous amount of support received from the community and other County partners.

Following the reports and updates, Chair Kennedy called for public comment. There were no members of the public who signed up to comment on this item. Chair Kennedy then moved to item 3.

DISCUSSION & POSSIBLE ACTION

3. Tasers – Ad Hoc Report

Chair Kennedy introduced the next item and turned it over to Commissioner Johnson, who thanked the ad hoc committee members, Commissioners Harris and Garcia, for their input on the [Taser Report](#). He highlighted previous discussions held on the use of tasers at the July Commission meeting and called on the Commission to adopt the ad hoc committee's recommendations on LASD's use of tasers. Commissioner Johnson reported that many of the Commissioners attended a demonstration of the Taser 10 device coordinated by LASD at the Hall of Justice. He provided an overview of the recommendations and advised that [LASD's response to the report](#) is also attached to the agenda. He reported that LASD is agreeable to the Taser Report's recommendations and is revising the policy to incorporate the suggestions by the Antelope Valley monitoring team and this Commission. He also stated that LASD supports the report's transparency request related to the use of tasers and are researching ways to publicly post the taser-use reports on the LASD website. Commissioner Johnson

stated that LASD agreed to provide a written report to the Commission at the conclusion of the Taser 10 pilot program.

Commissioner Johnson called for a motion, which was seconded by Commissioner Bonner, to adopt the technology ad hoc committee's report on tasers, and forward the report and recommendations to LASD, the Board of Supervisors and the Chief Executive Office.

Following Commissioner Johnson's report, Chair Kennedy called for Commissioner questions and public comment. Four members of the public commented on this item.

Commissioner Cooper advised that the Commission requested LASD to provide the results of people who were tased and how it impacted them, and she questioned who would be collecting that data.

Commissioner Johnson advised that LASD currently collects information on people who are tased by deputies and that the information is difficult to locate on the LASD website. The recommendations ask LASD to revise their policy to allow information to be shared on individuals who were tased and to make that information easily accessible to the public.

Commissioner Cooper expressed concern with people being tased near the heart and stated that area should be avoided.

Commissioner Hicks questioned if a recommendation is in place to avoid tasing individuals who are having a mental health crisis.

Commissioner Bonner stated that LASD needs to have clear policies with serious consequences for those who violate the policy and that penalties should include termination. Commissioner Bonner suggested LASD review and revise their policies with input from OIG and, upon completion, return to this Commission for review.

Chair Kennedy shared his concern with the impact of taking away tasers and the possibility of more deputy shootings occurring.

Mr. Huntsman agreed with Commissioners and stated this is a complex issue. He advised that the current policy is insufficient to prevent misuse in situations where a less lethal, but still potentially lethal device, should not be used under the law. Mr. Huntsman referenced the term "assault of high risk," which is used frequently in LASD's use of force policy. Mr. Huntsman stated that we have to be very careful that we provided appropriate tools and guidance to deputies so that they can use it to save lives, including their own.

Chair Kennedy inquired about the timeline for LASD to return with a revised policy to present to the Commission. Commissioner Johnson advised that LASD has agreed to report back to the Commission in 90 days.

Chair Kennedy called for a vote on the motion to adopt the technology ad hoc committee's report on tasers, and forward the report and recommendations to LASD, the Board of Supervisors and the Chief Executive Office.

After a roll call vote, the motion carries with a vote of 7 yeas, 0 nays, and 1 abstention.

Following the vote, Chair Kennedy called for a 15-minute recess at 10:20 a.m. The meeting reconvened at 10:35 a.m. Present were Chair Sean Kennedy, Vice Chair Jamon R. Hicks, Robert Bonner, Irma Hagans Cooper, Luis S. Garcia, Patti Giggans, James P. Harris, Hans Johnson, and Interim Executive Director Danielle Butler Vappie. Following the break, Chair Kennedy moved to item 4.

4. Senate Bill (SB) 1421

Chair Kennedy introduced the item and gave a brief overview of SB1421 also known as the Police Officers: Release of Records that makes police records related to officer uses of force incidents, sexual misconduct, and findings regarding deputies that have made false statements or perjured themselves in filing false reports. Chair Kennedy advised that he along with the public have made numerous SB1421 requests that have gone unanswered by LASD, which make it difficult for this body to achieve meaningful oversight. Chair Kennedy then turned it over to Inspector General Max Huntsman to discuss the item.

Mr. Huntsman expressed disappointment with his SB1421 requests and LASD's failure to respond. He went on to report that LASD has failed to comply with Penal Code 832.7 in shooting cases, which requires them to provide a substantive response. In addition, Mr. Huntsman reported that LASD has failed to provide required factual representation regarding shootings on their website and that County Counsel has not implemented compliance with that. Mr. Huntsman noted that nonconfidential information is also being withheld by LASD, including information regarding the Andres Guardado case, and that LASD has not provided a legal justification for withholding the information. Mr. Huntsman advised that this is a countywide problem and noted that County Counsel is also experiencing a problem with being denied access to the LASD computer system and that he is hopeful the new LASD constitutional policing unit will help make a difference.

Chair Kennedy also mentioned the Andres Guardado case and inquired about the allegations that the shooter and his partner are prospects for that deputy gang, the Executioners, and that a memorandum of understanding (MOU) between this Commission and LASD is needed. Chair Kennedy questioned if the MOU was ever obtained to allow this Commission to review information that was publicly discussed by Undersheriff April Tardy to confirm the investigation into the Guardado case was thorough.

County Counsel, Steven Edwards, acknowledged the concerns and advised that some of the information requested is still protected by the peace officer confidentiality rule and that he does not believe there is an MOU in place. Mr. Edwards reported that County Counsel is working to provide the information that the Commission requested.

Commissioner Bonner advised that he was informed that County Counsel was drafting a proposed agreement between LASD and the Commission that would allow the ad hoc committee to receive confidential information. Commissioner Bonner went on to express his displeasure with County Counsel and questioned when a draft of the MOU would be available.

Mr. Edwards advised he would share the concerns with his superiors and that County Counsel would do their best to assist, but that he cannot provide a date.

Commissioner Bonner requested to see the draft within a week and requested the Chair to make it an agenda item for the next meeting. In addition, Commissioner Bonner suggested requesting special counsel to draft the MOU and model it after the OIG's MOU in case County Counsel does not comply and to request a County Counsel representative to appear before the Commission at the next meeting.

Chair Kennedy inquired if Mr. Huntsman has access to LASD's system.

Chair Kennedy called for a motion, seconded by Commissioner Bonner, for County Counsel to appear at the next regularly scheduled meeting to address concerns about SB1421 and that County Counsel provide the Commission any current draft MOU between LASD and the Commission within a week, so that the Commission can have access to confidential information.

Commissioner Bonner recommended creating an ad hoc committee to draft the MOU between the Commission and LASD. Commissioners Robert Bonner, Irma Cooper, and Jamon Hicks volunteered to be members of that ad hoc committee.

Following the motion, Chair Kennedy moved to public comment. Seven members of the public signed up to make comment on item 4.

Chair Kennedy called for a vote on the motion to have County Counsel appear at the next regularly scheduled meeting to address concerns about SB1421 and to provide the Commission any current draft MOU between LASD and the Commission within a week, so that the Commission can have access to confidential information.

After a roll call vote, the motion carries with a unanimous vote.

5. GENERAL PUBLIC COMMENTS

Four members of the public signed up to make comment on item 5. View written public comments by clicking [here](#).

6. ADJOURNMENT

Chair Kennedy announced that the Commission and other County partners will be hosting a Policing Conference and advised the next Commission meeting will be held in person on October 19, 2023, at St. Anne's Conference Center. The meeting adjourned at 12:13 p.m.