



# Los Angeles County Sheriff Civilian Oversight Commission

*Independent | Credible | Respectful | Neutral*

## 2021 Annual Report

Visit: <https://coc.lacounty.gov>

Email: [cocnotify@coc.lacounty.gov](mailto:cocnotify@coc.lacounty.gov)

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Follow us on social media: @LACountyCOC

Address: World Trade Center, 350 S. Figueroa St. Suite 288, Los Angeles, CA 90071

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## Introduction

### **Foreword from Commission Leadership**

There is an old proverb which says that everyone and everything around us is a teacher. This past year has taught us a great deal about ourselves and our community. We learned these lessons and used what we learned to formulate more comprehensive plans to better our communities. That is what we spent much of 2021 working on. As we work to improve outcomes for all, we have a unique awareness through our continued communication with various stakeholders to work toward a more just future. As it did in 2020, the COVID-19 pandemic continued to affect our lives in 2021. As precautions continued, the Commission maintained connection with the residents of Los Angeles County by hosting virtual Commission meetings and town halls. Exchanging ideas provides those of us who do this type of work the opportunity to renew our commitment, recharge our spirits and learn from one another.

The Commission hosted several virtual conferences to provide education to the public surrounding law enforcement's corrective action; qualified immunity and its impacts on the community; public safety budgets; and the law enforcement officer discipline process. At community listening sessions and town hall meetings, the Commission heard more than one hundred comments and had many more individual conversations with the hundreds of people who attended. Some of the topics focused on use of force; law enforcement interactions with people who have mental health conditions or developmental disabilities; reflections on the criminal justice system; community crime rates; mental health and homelessness response from law enforcement; and the Family Assistance Program. We also hosted sessions at the annual National Association for the Civilian Oversight of Law Enforcement (NACOLE) conference. As we continue our community outreach, I am pleased to inform you that we have surpassed more than 3,000 followers on social media and participated in information booths at the Juneteenth celebration and Resource Fairs at the jail.

In response to public concerns, the Commission continued to inquire about COVID-19 in the jails to protect some of our most vulnerable neighbors. Additional Commission actions included creating a preamble and proposing a policy prohibiting deputy cliques; recommendations regarding certain Budget Priorities for Fiscal Year 2021-2022; and requesting that County Counsel forward potential illegal activity by the Sheriff's Department to the California Attorney General. We continue to monitor previously identified priorities including the Family Assistance Program, Mental Evaluation Teams, immigration policy adherence, consent decrees, litigation costs, the progress of body worn cameras, the Prison Rape Elimination Act, and deputy gangs.

Although we have made progress in elevating areas of community concern, we will persevere to improve police-community relations by engaging with the Sheriff's Department, the Inspector General, community partners, elected officials, and others. The public's feedback continues to drive the work of the Commission.

I would like to thank the Executive Office, the Office of Inspector General, and the Sheriff's Department for their work in this collective effort. For their ongoing dedication, I would like to recognize Commission staff - Starlet Atkins, Frederick Chung, Daniel Delgadillo, Erick Montalbán-Lara, Tracy Jordan-Johnson, Jennifer Wicks, and Ingrid Williams. And I must extend our deepest appreciation to each person who reached out to the Commission. Thank you for trusting the Commission to hear your ideas and perspectives as we work toward a more just future.



Executive Director Brian K. Williams, Esq.



## **Board of Supervisors**

The Los Angeles County Sheriff Civilian Oversight Commission (Commission) was implemented by the Board of Supervisors (Board) on January 12, 2016. Even before the Commission's inception, the Board was an advocate of transparency and accountability with respect to the Los Angeles County Sheriff's Department (Sheriff's Department). The Board took action to ensure public safety and provide resources to the community, including incarcerated people, through several motions:

- [Fiscal Responsibility: Comprehensive Review & Audit of the Inmate Welfare Fund & Understanding the Needs of People Who are Incarcerated in the Los Angeles County Jails](#) (Supervisor Solis, 11.2.2021)
- [Permanent Support for Families Affected by LA County Sheriff's Department: Identifying Sustainable Funding for & Streamlining the Family Assistance Program](#) (Supervisor Solis, 10.19.2021)
- [Accelerating Efforts to Ensure Free Phone Calls & At-Cost Commissary Items in Los Angeles County Jails & Probation Facilities](#) (revised by Supervisors Solis & Mitchell, 10.5.2021, [original motion](#) by Supervisor Solis, 10.5.2021)
- [Measures to Eradicate Deputy Gangs & Create Stronger Civilian Oversight & Checks & Balances over the Sheriff & Sheriff's Department](#) (Supervisors Solis & Mitchell, 9.28.2021)
- [Ensuring a Transparent & Independent Investigation into Deputy-Involved Fatal Uses of Force](#) (Supervisors Mitchell & Solis) & [Amendment](#) (Supervisor Kuehl 9.28.2021)
- [Support for Senate Bill \(SB\) 2 – Kenneth Ross Jr. Police Decertification Act of 2021](#) (Supervisor Solis, 9.28.2021)
- [Assembly Bill 958 \(Gipson\): Supporting the Prohibition Against Law Enforcement Gangs](#) (Supervisors Solis & Mitchell, 7.13.2021)
- [Taking Action: Further Protections for Surviving Families from Law Enforcement Harassment & Retaliation](#) (Supervisors Solis & Mitchell, 7.27.2021) & [original motion](#)
- [Assembly Bill 958 \(Gipson\): Opposing Law Enforcement Cliques & Gangs](#) (Supervisors Solis & Mitchell, 6.22.2021)
- [Jail Population Review Council's Data Dashboard](#) (Supervisors Hahn & Mitchell, 5.18.2021)
- [Increasing Transparency Through Access to Peace Officer Records](#) (Supervisors Mitchell & Solis, 5.18.2021)
- [Removing Financial Burdens for Families: Providing Free Phone Calls & Eliminating Profits & Mark-Ups on Commissary Items in the L.A. County Jails & Juvenile Camps & Halls](#) (Supervisor Solis, May 18, 2021)
- [Protecting Surviving Families from Law Enforcement Harassment & Retaliation](#) (Supervisors Solis & Mitchell, 5.4.2021)

*Los Angeles County Board of Supervisors. Left to right: Janice Hahn, Hilda Solis, Holly Mitchell, Sheila Kuehl, and Kathryn Barger.*



## **A Year in Review**

The Commission discussed and made recommendations regarding deputy gangs, conditions of confinement in jails, use of force, the Sheriff's Department's budget, and more. Below is a brief overview of the Commission's work this year.

### **2021 by the Numbers**

#### *Commission Meetings*

- 11 meetings
- 526 public comments made by speakers at Commission meetings
- 2,689 people attended the Commission meetings

#### *Conferences*

- 5 Conferences
- 583 people attended the Conferences

#### *Topics:*

- Corrective Action: Learning from our Mistakes
- Qualified Immunity: When Protecting Officers Leaves the Community Vulnerable
- Public Safety Budgets Part 1: Money: How is L.A. County's Public Safety Budget Prioritized?
- Public Safety Budgets Part 2: Money: Community Voices on L.A. County Public Safety Spending
- Enhancing Accountability: Improving the Law Enforcement Officer Discipline Process

#### *Community Listening Sessions and Town Hall meetings*

- 6 events
- 128 speakers at Community Listening Sessions and Town Hall meetings
- 615 people attended Community Listening Sessions and Town Hall meetings

#### *Topics:*

- Use of Force
- Law Enforcement Interactions with People Who Have Mental Health Conditions or Developmental Disabilities
- Reflections on the Criminal Justice System
- Community Crime Rates and Public Safety
- Mental Health and Homelessness Response from Law Enforcement
- Family Assistance Program

#### *Additional Community Engagement*

- 2 sessions hosted at NACOLE conference
- 3,180+ followers on Twitter, Instagram, and Facebook
- 3 Resource Fairs: Commission staff hosted information booths at the Juneteenth celebration and the two Men's Central Jail Vaccine and Resource Fairs

#### *5 reports, recommendations, letters, or motions made regarding:*

- Measure R
- Sheriff's Department Budget Priorities
- Proposed Policy Prohibiting Deputy Cliques
- Office of Inspector General (OIG) to investigate all deputy fatal use of force
- County Counsel to forward potential illegal activity by Sheriff's Department to the California Attorney General

#### **Additional topic areas regularly monitored by staff**

- Immigration
- Mental Evaluation Teams
- Consent decrees
- Litigation costs
- Internal Administrative Investigations



*2021 Juneteenth celebration attendee signs in at the Commission's informational table*



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## The Commission

### Commission Members

The Commission is composed of nine members who are appointed by the Board. Five members are direct Board appointments, one from each Supervisorial District, and four members are nominated by the Commission for Board approval. The members' diverse backgrounds include a nonprofit executive, a retired law enforcement professional, a former federal judge, and attorneys with a broad range of experiences, including former prosecutors, public defenders, and law professors.

Commissioners during 2021:

- Robert C. Bonner - attorney and former U.S. Attorney and DEA Administrator
- Patti Giggans - Peace Over Violence Executive Director
- James P. Harris - former LASD lieutenant
- Sean Kennedy - Executive Director of the Center for Juvenile Law & Policy at Loyola Law School
- Priscilla Ocen - Loyola Law School Associate Professor
- Lael Rubin - former Deputy District Attorney
- Xavier Thompson - Southern Missionary Baptist Church Senior Pastor, end of term 12-10-2021
- Casimiro U. Tolentino - former State of California Administrative Law Judge, end of term 11-30-2021

### Mission and Values

#### **Mission**

The Commission works to facilitate public transparency and accountability with respect to the Sheriff's Department and provides ongoing review, analysis, and oversight of the Sheriff Department's policies, practices, and procedures. The Commission strives to build bridges between the Sheriff's Department and the public by making recommendations to the Sheriff's Department and the Board. The Commission's work cannot be completed without the public's involvement, which is why the Commission provides several opportunities for robust community engagement.

#### **Duties and Responsibilities**

- Boost transparency and reclaim accountability
- Discover gaps and patterns of misconduct
- Recommend solutions for real change
- Build bridges among various stakeholders
- Give the community a stronger voice

#### **Values**

**Independent:** Housed under the Executive Office of the Board, the civilian team of volunteers who make up the Commission are positioned to remain autonomous and independent in their oversight efforts.

**Credible:** The Commission works to remain respectful, knowledgeable, and transparent while striving to perform duties in a thorough manner that demonstrates honesty.

**Respectful:** Aiming to treat all stakeholders in a sincere manner, the Commission encourages public involvement through robust community engagement opportunities.

**Neutral:** The Commission promotes fairness, equality, and justice and creates opportunities for community members from diverse backgrounds to voice their thoughts.

#### **Structure**

Staff provides support to Commissioners and the Board by coordinating meetings with the OIG, the Sheriff's Department, and other agencies. After reviewing the Sheriff's Department policies and practices, listening to community feedback, and conducting research, staff works with ad hoc committee members to prepare reports with recommendations. Once approved by the full Commission, the reports are delivered to the Board and the Sheriff's Department. Commission staff also create opportunities for community interaction through Commission meetings, conferences, town halls, and social media engagement.

The Commission's authority is granted by Chapter 3.79 of the L.A. County Code. The Board approved the ordinance that created the Commission on September 27, 2016.

#### ***Jurisdiction***

The Commission provides oversight of the nation's largest sheriff's department with nearly 18,000 employees. The Sheriff's Department provides service to 42 incorporated cities, 141 unincorporated communities, courthouse security for the L.A. County Superior Court, security at community colleges, and houses and transports incarcerated people within the County jails.

Los Angeles County is the nation's largest county by population. A subdivision of the State of California, the County of Los Angeles is charged with providing numerous services that affect the lives of 10 million residents who live throughout a sprawling 4,084 square miles of land.

## Review and Actions

### Deputy Gangs

The Commission discussed Loyola Law School's [Report on 50 Years of Deputy Gangs in the Sheriff's Department](#) at its April 15 meeting. The comprehensive report documents how deputy gangs have negatively impacted policing in L.A. County and the fairness of legal proceedings in the court system. Attorneys and students at Loyola Law School's Center for Juvenile Law and Policy spent more than a year researching and drafting the report. Drawing on an exhaustive array of sources, including transcripts of Sheriff's Department Internal Affairs Bureau interviews with law enforcement officers, internal memos, and more, the report outlines a long history of Sheriff's Department deputies forming secret gangs at stations in minority communities. The report also identified at least 18 deputy gangs within the Sheriff's Department. Some members of these deputy gangs have matching tattoos, display hand signs, and perform rituals that resemble a criminal street gang. A great concern with deputy gangs is that they foster a culture that resists police reform, such as community policing and constitutional policing, by encouraging and even celebrating aggressive tactics and excessive use of force against minority communities. The report concludes by encouraging reform within the Sheriff's Department.

The Commission has repeatedly expressed concerns about gangs within the Sheriff's Department and considers them a significant problem. The Sheriff's Department adopted a policy addressing deputy gangs on February 14, 2020, but the policy does not explicitly prohibit deputies from joining or participating in deputy gang activity. To date, no deputy has been disciplined for violations of the policy. Also, the adopted policy does not require Sheriff's Department investigators to inquiry into deputy gang membership and does not require deputy cooperation with outside investigators, such as the OIG or the CA Attorney General.

The Commission recommended that the Sheriff's Department replace their current policy with the [preamble and proposed policy prohibiting deputy cliques](#), which forbids employees from participating in, joining, or soliciting other personnel to join a deputy gang and provides provisions for employee discipline, including

termination. The Commission also authorized the ad hoc committee to engage outside counsel on the constitutionality of the proposed policy.

At the May 20 Commission meeting, Sheriff Alex Villanueva appeared to answer questions about deputy gangs in the Sheriff's Department. The Commission then formally requested that County Counsel issue a new opinion on the Constitutionality of the proposed policy recommendations and draft an ordinance banning deputy cliques. Commissioner Robert Bonner also mentioned his legal memorandum regarding the constitutionality of the proposed policy banning deputy cliques.

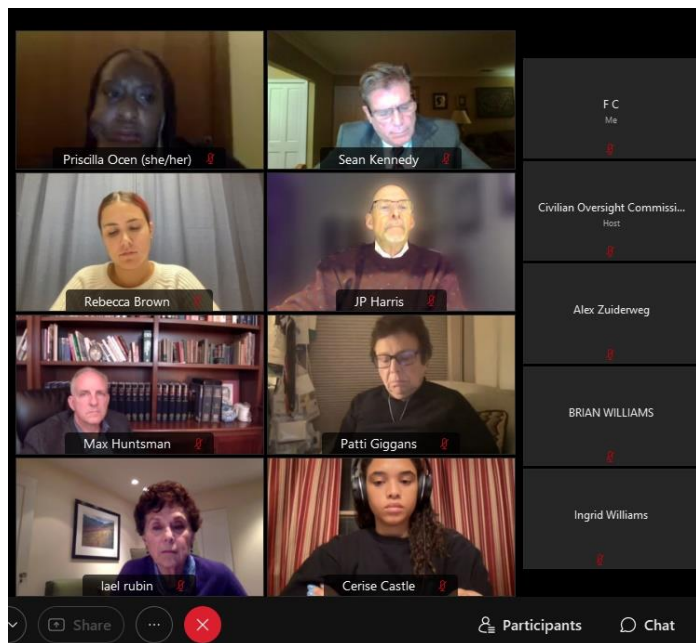
The RAND Corporation (RAND) submitted their final report to the Board on September 10 and made a presentation at the September 28 Board meeting. The Board approved a motion entitled "Measures to Eradicate Deputy Gangs and Create Stronger Civilian Oversight and Checks and Balances over the Sheriff and the Sheriff Department," which directs the Commission to review reports related to deputy gangs, solicit public input, and develop a tangible implementation plan.



*At the April 15 Commission meeting, a report on deputy gangs was discussed.*

In addition to providing evidence of the existence of deputy gangs, the RAND report offered insight into their

impact within and outside of the Sheriff's Department and the institutional hurdles that prevent the Sheriff's Department from addressing deputy gangs. RAND's research found that several deputy gangs were still actively adding members at the time of their interviews with Sheriff's Department personnel and that 37 percent of deputies support prohibiting them. The RAND report discovered that some deputies believe that deputy gang membership glorified and rewarded unnecessary violence, including getting involved in physical fights with individuals in custody rather than deescalating situations.



*At the December 9 Commission Meeting, Deputy Gangs within the Sheriff's Department was discussed.*

The RAND report found that challenges associated with subgroups sit within a broader organizational context that involves general challenges with supervision, training, discipline, and other department characteristics, such as fragmentation and the traditions that surround subgroups. This is particularly challenging in an organization as large and complex as the Sheriff's Department. The RAND report also recognized the need to address more general misconduct extending beyond activities that can be directly attributed to deputy gangs. There is an urgent need for more significant structural change to address the underlying issues that have created the conditions that allowed deputy gangs to flourish unchecked for decades.

At the November 18 Commission meeting, several guest speakers discussed deputy gangs, including John Sweeney

from the Sweeney Law Firm; Samuel Peterson, Ph.D., and Dionne Barnes-Proby from RAND; and American Civil Liberties Union (ACLU) of Southern California Staff Attorney Melanie Ochoa. Commissioner Kennedy requested the Board direct its lawyer to stop seeking protective orders and non-disclosure agreements that prohibit victims of deputy misconduct from sharing their experiences. Ms. Ochoa highlighted recommendations in a [letter from the Check the Sheriff Coalition](#), which included placing a proposed charter amendment on the ballot that would give the Board authority to remove the Sheriff and appoint an interim in cases of serious violations of public trust, criminal conduct, obstruction of oversight, or a pattern of unconstitutional conduct.

The Commission then authorized its leadership to enter into an agreement with a consultant to investigate deputy gangs; advise the Commission regarding its use of subpoena power; aid in the investigation; present and examine witnesses; and draft a report with the findings and recommendations to eradicate deputy gangs.

The Commission held a special meeting on December 9 to hear from guest speakers and the public about their experiences with Sheriff's Department deputy gangs. The purpose of the special meeting was to provide a platform, outside of the regular Commission meetings, for community members to share their experiences and provide solutions regarding deputy gangs. Cerise Castle, the journalist who authored the [Knock LA series](#) on Sheriff's Department gangs; Sean Kennedy, Executive Director at Loyola Center on Juvenile Law and Policy; Vince Miller, Civil Rights Attorney representing deputies alleging retaliation and discrimination; and Rebecca Brown, Staff Attorney at the National Lawyers Guild of Los Angeles provided their expertise. The Commission heard from

more than 100 community members who shared their experiences with harassment and intimidation by deputies. A common theme of the comments was that the department perpetrate an *us versus them* mentality. The community elaborated on how several deputy gangs are still actively recruiting members and engage in hazing, covering up deputy misconduct, harassing residents of certain communities, and using excessive force. The public's input will be considered when drafting the report addressing deputy gangs.



## Use of Force

### Independent Investigations

By law and policy, the Sheriff's Department has been responsible for investigating and disciplining deputies for their actions with little to no oversight. The existing practice for administrative and criminal investigations has resulted in uneven discipline, causing distrust between the Sheriff's Department and the public, and destroys deputy morale. This concern has been highlighted by the public through incidents across the nation and within the Sheriff's Department, demonstrating the urgent need for independent investigations of deputy misconduct.



*The Commission heard from community members about the Sheriff's Department Use of Force at the March 4 town hall.*

At the March 18 Commission meeting, L.A. County District Attorney George Gascón shared his goal of holding law enforcement officers accountable by appointing a special prosecutor to handle uses of force, including law enforcement shootings. He also discussed developing a community-based advisory board and bringing in civil rights attorneys to review police shooting cases. Mr. Gascón shared his plan to work with legislators to create a separate office to prosecute cases involving law enforcement shootings and on duty criminal behavior. Subsequently, the Use of Force Ad Hoc Committee was tasked with researching and determining the best model for independent investigations of fatal uses of force and nonfatal uses of force where there is great bodily injury.

At the April 15 meeting, the Commission [recommended](#) [OIG be the primary investigative agency](#) for all deputy uses of force that result in death or great bodily injury.

### Sheriff's Department Discipline Process

Internal Sheriff's Department personnel manage deputies misconduct investigations and apply the discipline they determine to be appropriate, which leaves little room for an objective evaluation. Deputies under investigation are shielded by the unions and the lengthy investigatory process works in the deputy's favor.

At the February 18 Commission meeting, Inspector General Max Huntsman stated the Sheriff's Department discipline process is non-functional and needs to be overhauled, citing examples of investigation delays and inconsistencies. The Use of Force Ad Hoc Committee reported they are exploring ways to achieve greater discipline and accountability within the Sheriff's Department, which will include the recommendations identified by the OIG.

On February 25, the Commission hosted a conference on the law enforcement officer discipline process and highlighted systemic and policy issues that allow for discrepancies in accountability. Conference panelist identified that reformation of the law enforcement discipline process can be strengthened with continued review and revision of the Sheriff's Department policies, County ordinances, civil service procedures, collective bargaining agreements, and State legislation including the "Public Safety Officers Procedural Bill of Rights Act."

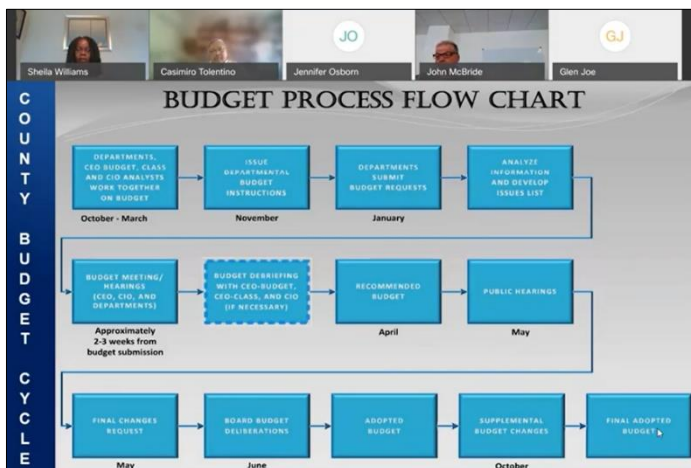


*Subject matter experts discussed ways to improve the law enforcement officer discipline process at the February 25 conference.*

## Body Worn Cameras

The deployment of body worn cameras to all Sheriff's Department Patrol Stations has been underway since 2019. Due to training and budgetary constraints, Sheriff's Department phased its implementation and is aiming to complete its rollout in 2022.

At the May 20 Commission meeting, OIG Chief Deputy Dara Williams discussed the [Fourth Report Back on Body Worn Cameras](#), stating that 11 stations had cameras and noted the goal is full distribution by August 2021. OIG identified concerns in their report, including when the deputy should start recording; the policy allows deputies to review recordings prior to writing reports; and the policy does not allow OIG to view and audit recordings.



On April 1, the Commission discussed public safety budgets and the budget process.

## Sheriff's Department Budget

In response to the Board's concerns about the Sheriff's Department's net deficit in Fiscal Year 2018-2019 and to public outcry about public spending on law enforcement, the Commission formed the Budget Ad Hoc Committee.

In 2020, the Budget Ad Hoc Committee requested budget documents and met with the Chief Executive Office and Sheriff's Department to discuss the budget prioritization process. The committee considered public comments about reappropriating funds, reinvesting into other public service departments, understaffing, and alternatives to crisis response while working through the budget calendar constraints. Sheriff's Department representatives agreed to attend Commission meetings once a year to provide a greater understanding of the Sheriff's Department budget priorities, fiscal prudence, and budgetary concerns.

At the March 18 meeting, the committee recommended prioritizing body worn cameras, Mental Evaluation Teams (MET), Integrated Response and Crisis Intervention Bureau, Veterans MET, and Public Records Act compliance.

At the April 15 meeting, the Commission [recommended Sheriff's Department Budget priorities for Fiscal Year 2021-2022](#) and sent [the Chief Executive Office a letter of support](#). Three out of the five recommended budget items received partial funding in the final budget. Tracking and discussing the annual budget process with the Sheriff's Department will increase community understanding of public safety spending.

On December 13, the committee heard from Blue Ribbon Commission on Homelessness Executive Director Mary Wickham along with the Department of Mental Health's Administrative Deputy Cynthia Duong and Emergency Outreach and Triage Deputy Director Miriam Brown who explained the County's need for Homeless Outreach Services Teams and Mental Evaluation Teams. Sheriff's Department officials then discussed upcoming budget priorities and unmet needs for Fiscal Year 2022-2023.

## County Jails

### COVID-19 in the Jails

The COVID-19 in the Jails Ad Hoc Committee published their [report in September 2020](#) and continued to monitor jails conditions. At the January 21 Commission meeting, Sheriff Villanueva provided the number of people in custody and COVID-19 positive incarcerated people.

At the May 20 Commission meeting, L.A. County Department of Health Services Correctional Health Services and Sheriff's Department officials discussed COVID-19 vaccine distributions in the jails and reopening jail visitations. They also reported that 20,700 vaccines were offered; 11,124 had been issued; and 5,721 incarcerated people had been fully vaccinated.

On August 21, the committee was notified by OIG about allegations of overcrowding in the Inmate Reception Center and met with Sheriff's Department on September 2 to confirm the allegations. At the September 23 Commission meeting, OIG and Sheriff's Department officials reported progress toward improving the situation. Sybil Brand Commissioner Dr. Sheryl Grills shared her observations from six jail inspections that took place between August 17 and September 14, 2021.

### Efforts to Reduce the Jail Population

Jail population reduction is a continued commitment of the Commission. Staff had been tracking the Mira Loma Women's Detention Center Project and resolved that the project be rejected in 2019.

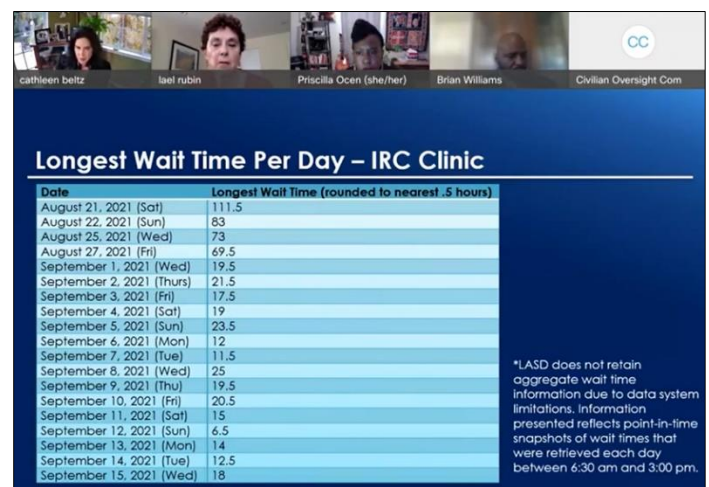
At the March 18 Commission meeting, ACLU and Department of Health Services' Office of Diversion and Reentry officials discussed [benefit of State funding](#) to

lower the jail population of Felons Incompetent to Stand Trial while awaiting transfers to a mental hospital.

At the October 21 meeting, the Office of Diversion and Re-Entry, Dignity and Power Now, and Million Dollar Hoods representatives explained the Jail Population Review Council, Gender Responsive Advisory Committee and Million Dollar Hood data collection efforts. The Commission heard about reallocating funds and investing resources in low-income communities; requirements of pre-trial electronic monitoring; and the number of people who could be released pending trial.

### Additional Efforts to Improve Jail Conditions

Staff continues to monitor the Inmate Welfare Fund and the Sheriff's Department's progress toward compliance with the Prison Rape Elimination Act, hearing regular updates from the Sheriff's Department and OIG.



At the September 23 meeting, the Commission discussed jail wait times.

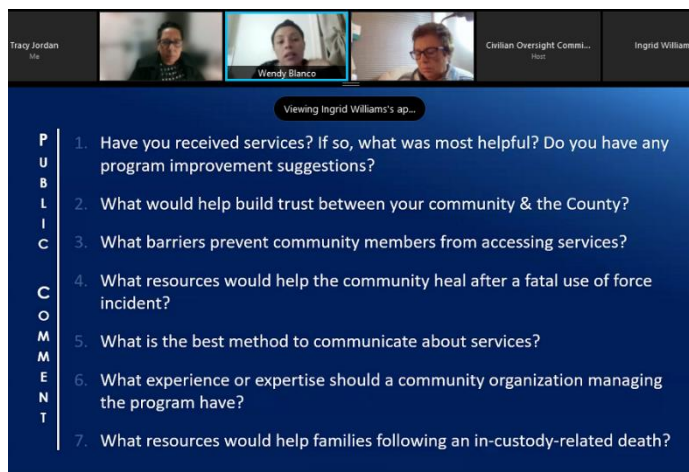
## **Families Impacted by the Sheriff's Department**

### **Family Impact Remarks**

In January, the Commission approved the [Family Impact Remarks Procedure](#), allowing families whose loved one was killed by or died in the custody of Sheriff's Department personnel 10 minutes to speak at Commission meetings. At the February 18 Commission meeting, a Peace Over Violence representative discussed the benefits of crisis response from a trauma informed approach and highlighted community programs. In 2021, families shared their experiences 12 times during Family Impact Remarks.

### **Autopsy Security Hold Policy**

In November 2019, L.A. County Medical Examiner-Coroner Dr. Jonathan Lucas discussed the role of the Medical Examiner-Coroner in autopsy reports and disclosures of deaths, including those involving the Sheriff's Department, as required by State and County health and safety policies. He also discussed the issuance of security holds placed by the Sheriff's Department on certain autopsy reports and the delay in the family receiving information about the cause of death of their loved one. Dr. Lucas agreed to review that policy. As a follow-up at the January 21 meeting, Dr. Lucas shared that the coroner security hold policy was updated in August 2020 and security holds for all law enforcement agencies for the region was currently at zero. He also discussed the public inquests into the deaths of Andres Guardado and Fred Williams III.



*The November 30 Town Hall facilitated conversation to improve the Family Assistance Program.*

### **Family Assistance Program**

The L.A. County Family Assistance Program was created to provide compassionate communication and trauma-informed support to families whose loved ones were killed by or died in the custody of Sheriff's Department personnel. Many families shared that their experience of navigating the County system following the traumatic death of their loved one was both challenging and re-traumatizing. Since August 2019, more than 40 affected families have received support from the Department of Mental Health's staff and program services, including communication assistance with County Departments and funds for burial costs.

The [October 19 Board motion](#) instructed the OIG, the Commission, and the Department of Public Health's Office of Violence Prevention to gather community input on improving the program and to develop an implementation plan for a permanent program. On November 30, the Commission hosted a community listening session with the Office of Violence Prevention, where public feedback was gathered to assist with program improvement as it transitions from the Department of Mental Health to the Office of Violence Prevention.

### **Harassment of Families**

At Commission meetings, some members of the public who have lost loved ones at the hands of the Sheriff's Department or who have reported deputy misconduct stated that they continue to be harassed by Sheriff's Department personnel. The harassment ranged from being followed by a Sheriff's Department vehicle, deputies knocking on residences without reason, and deputies interfering with public gatherings. In 2020, the Commission's Executive Director met with some families and the ACLU regarding harassment complaints against the Sheriff's East Los Angeles station. OIG also published their report on the [Harassment of Families by Sheriff's Department Staff Following a Fatal Use of Force](#).

On July 7, 2021, Inspector General Huntsman discussed [Protecting Surviving Families from Law Enforcement Harassment and Retaliation](#), and Commission staff continue to listen to feedback from affected families.



## **Measure R**

In March 2020, Los Angeles County voters passed Measure R, which amended Title 3 of the Los Angeles County Code and required the Commission to develop a Comprehensive Public Safety Reinvestment Plan (Plan), and a Feasibility Study (Study) for its implementation. Both the Plan and the Study were to be completed within seven months of the passage of the Measure; however, there was no allocation of funds or resources attached to Measure R, nor was there any analysis of resources to determine the ability of the Commission to complete the required task within the stated timeframe.

In line with the mandate of Measure R, the Commission established the Measure R Ad Hoc Committee to examine the issues regarding depopulation of the jails and diversion approaches to mental illness and substance use disorder. The committee, however, cannot complete the enormous task of meeting the requirements of Measure R. Still, the Commission is committed to developing a thorough Plan and Study within a reasonable amount of time and with the needed resources.

On January 22, the Commission provided a [letter to the Board regarding Measure R](#), which acknowledged the Board's investment of time and resources to reform the criminal justice system. The Commission reported its intention to partner with the County's justice reinvestment initiatives to analyze their reports and monitor their progress to help bring the requirements of Measure R to fruition.

At the February 18 meeting, the Commission's Measure R Ad Hoc Committee reported that a consultant was necessary to assist with the Measure R mandate and that it evaluated several proposals. A consultant was selected, however, the funds to hire a consultant have not been approved by the Board. Besides hiring a paid consultant, the committee is also seeking pro bono services.

At the May 20 meeting, the Commission approved sending a letter to the Board requesting Measure R funding to hire a consultant to assist in developing the Plan and Study. After not receiving a response, the Commission sent a second letter to the Board requesting funding for a consultant. The Measure R Ad Hoc Committee then met

with several of the Board's justice deputies to explain the urgent need to hire a consultant.

At the September 23 Commission meeting, the committee discussed [Supervisory District 1's Unmet Needs Letter for Fiscal Year 2021-2022](#), which included a request to grant funds for a Measure R consultant. The Commission has been unable to fulfill this voter mandate because it lacks the funding necessary to hire a consultant. To date, funding has not been approved, but staff continues to seek alternative sources of funds.

## **Subpoenas**

The Commission received its subpoena power from various sources. The Board delegated its subpoena power to the Commission. Then in March of 2020, Measure R was passed, which granted subpoena power to the Commission. Lastly, the Commission received subpoena power when the California legislature passed Assembly Bill (AB) 1185, which the governor approved in September 2020 and became California law on January 1, 2021.

On July 9, the Subpoena Ad Hoc Committee met to discuss the Commission's approach and process for issuing subpoenas to the Sheriff's Department. Subpoenas discussed during the 2021 Commission meetings include:

July 15:

- The Commission voted to issue a subpoena requiring Sheriff Villanueva to appear at the September Commission meeting to answer questions raised by Commissioner Kennedy's [memorandum regarding the administration's investigation of oversight officials](#).

September 23:

- Sheriff Villanueva defied the [subpoena for his appearance](#), and the Commission asked County Counsel to consider all legal remedies to hold Sheriff Villanueva accountable for his failure to honor the subpoena.
- The Commission voted to issue a subpoena to appear at the October meeting to Sheriff Villanueva to discuss deputy gangs and Undersheriff Timothy Murakami to discuss the Sheriff's Department Civil Rights and Public Integrity Detail.



October 21:

- Sheriff Villanueva signed into the meeting an hour earlier than scheduled but then left without notice prior to the time he was subpoenaed to appear. The Commission again asked County Counsel to enforce [the subpoena](#) and consider all legal remedies to hold the Sheriff accountable for his failure to honor the subpoena.
- Undersheriff Murakami's office sent a letter stating he was unavailable to appear at the October meeting and all future Commission meetings. The Commission asked County Counsel to meet and confer with the Undersheriff regarding his defiance of [the subpoena](#) and to consider all legal remedies for his failure to honor the subpoena.
- The Commission then voted to issue a subpoena to appear at the November meeting to Sheriff Villanueva to discuss deputy gangs and to Detective Mark Lillienfeld to answer questions about the Sheriff's Department Civil Rights and Public Integrity Detail.

November 18:

- [Sheriff Villanueva](#) and [Detective Lillienfeld](#) defied their subpoenas. The Commission asked County Counsel to enforce the subpoenas and consider all legal remedies to hold them accountable for their failures to honor the subpoenas.

### **Sheriff's Department Intimidation and Harassment of Oversight Officials**

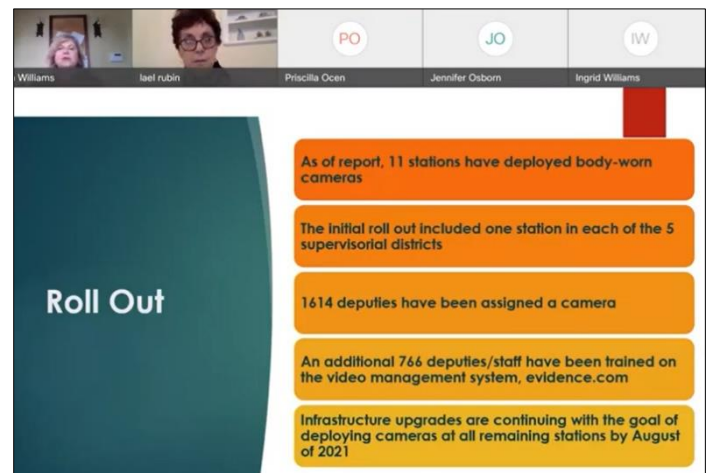
On May 27, Commissioner Kennedy wrote a [memorandum regarding the Villanueva administration's investigation of oversight officials](#). At the July 15 meeting, Commissioner Kennedy discussed his concern over Sheriff Villanueva's decision to launch and publicly announce investigations against officials tasked with overseeing the Sheriff's Department and other public officials who disagree with the Sheriff's Department's actions.

At the September 23 meeting, the Commission [requested County Counsel](#) to determine if the Sheriff's Department actions outlined in the memorandum violate any laws and to forward potentially illegal Sheriff's Department activity to the California Attorney General for investigation.

The Commission subpoenaed the Sheriff, the Undersheriff, and the involved detective; however, the Commission has been unable to study this issue further because none of these subpoenas were honored.

### **Office of Inspector General Reporting**

At the June 17 Commission meeting, Inspector General Huntsman reported that numerous requests made to the Sheriff have gone unanswered and highlighted 30 requests regarding investigations of possible civil rights violations that have been denied or ignored.



*OIG reported on the Sheriff's Department body worn camera roll out at the May 21 Commission meeting.*

At the September 23 meeting, Inspector General Huntsman provided a fact check of the Sheriff's statements that were made during a podcast. He also discussed highlights from their April-June 2021 Reform and Oversight Efforts report and described a Santa Clarita incident where deputies drew their weapons on Black teens. OIG recommended that the Sheriff's Department develop better policies on drawing deadly weapons and make drawing a deadly weapon a reportable incident.

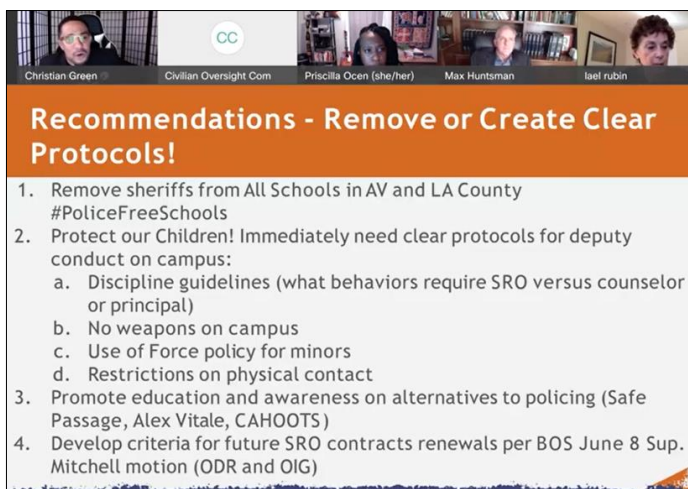
At the October 21 meeting, Inspector General Huntsman discussed the [letter to the City of West Hollywood](#) regarding fraud allegations and stated that the City of Compton also sent complaints of fraud involving contract city billing. OIG requested to review records; however, OIG is unable to determine if fraud was committed because the Sheriff's Department denied OIG access.

## Additional Areas of Discussion

### Deputy Presence in Antelope Valley Schools

At the October 21 Commission meeting, Sheriff's Department officials advised they were requested to join the Antelope Valley School District Administration through a private entity contract to guarantee immediate law enforcement services using School Resource Officers. Cancel the Contract Antelope Valley coalition advised they are calling on cities and schools to cancel their contracts with law enforcement and instead reinvest those dollars in community services. He expressed concern over law enforcement's treatment of Black and brown students and called for school districts to develop policies addressing who should authorize the removal of a student from campus and when students should be arrested.

The Office of Diversion and Reentry is collaborating with various agencies to fulfill the directives of the [June 8 Board motion](#) to strengthen the oversight of law enforcement services in schools. Staff continue to monitor the issue.



**Recommendations - Remove or Create Clear Protocols!**

1. Remove sheriffs from All Schools in AV and LA County #PoliceFreeSchools
2. Protect our Children! Immediately need clear protocols for deputy conduct on campus:
  - a. Discipline guidelines (what behaviors require SRO versus counselor or principal)
  - b. No weapons on campus
  - c. Use of Force policy for minors
  - d. Restrictions on physical contact
3. Promote education and awareness on alternatives to policing (Safe Passage, Alex Vitale, CAHOOTS)
4. Develop criteria for future SRO contracts renewals per BOS June 8 Sup. Mitchell motion (ODR and OIG)

At the October 21 meeting, commissioners heard from stakeholders about deputies in schools.

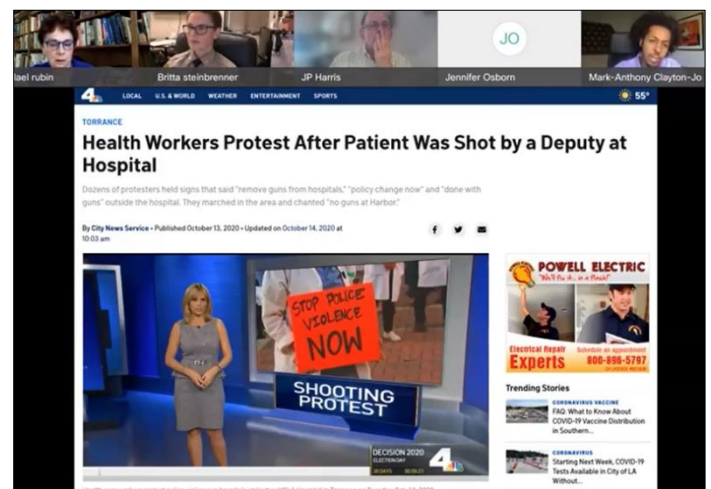
### Electronic Data Collection

At the February 18 meeting, the Commission developed the Surveillance and Data Collection Ad Hoc Committee to explore the devices used by the Sheriff's Department;

ensure surveillance related policies are sufficient; and evaluate practices around surveillance. Commission staff is taking inventory on various Sheriff's Department technologies, reviewing reports, and requesting data collection methods and policies.

### Deputies in Hospitals

At the June 17 Commission meeting, a Sheriff's Department representative shared historical incidents that prompted the need for security in hospitals and discussed the Sheriff's Department services provided to six County hospitals and 40 clinics. Frontline Wellness Executive Director Mark-Anthony Clayton-Johnson and Department of Health Services Olive-View Medical Center Dr. Hannah Janeway discussed the negative impact and the need to restructure Sheriff's Department security services in healthcare settings.



The Commission discussed incidents with Sheriff's Department deputies at County hospitals at the June 17 Commission meeting.

At the September 23 meeting, the Commission [directed staff to request hospital security information](#) from the Sheriff's Department and the Department of Health Services. Staff gathered policies and continue to monitor related incidents in County health facilities.

## Policy and Response to Large Protests

The Commission has heard public concerns regarding Sheriff's Department policy and use of force practices in response to large protests. At the June 17 meeting, Sheriff's Department officials advised they are highly trained to handle large groups during protests. A National Lawyers Guild of Los Angeles representative expressed concern over the Sheriff Department's ongoing policing of protest activities and Sheriff Villanueva's consent for deputies to cover their name and badge number during protests, which denies constituents the right to file complaints.



At the June 17 Commission meeting, the Sheriff's Department response to protests was discussed.

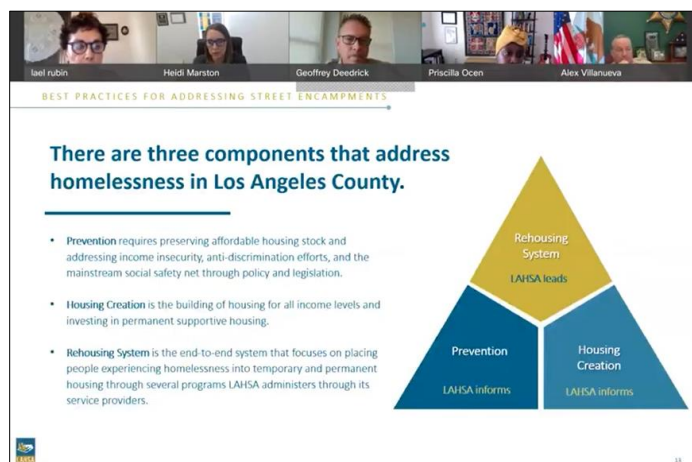
## Brady List

At the March 18 Commission meeting, District Attorney Gascón advised he sent a letter all law enforcement agencies informing them of their legal obligation to provide a Brady list. The term *Brady* comes from the 1963 U.S. Supreme Court case *Brady v. Maryland*, and the Brady list would include deputies whose personnel files contain findings of serious misconduct that may impeach their credibility as a prosecution witness at trial.

The District Attorney received a response from the Los Angeles Police Department and the California Highway Patrol who agreed to provide the information, but he had not received any communication from Sheriff Villanueva.

## Addressing the Unhoused Population

In response to public inquiries and media reports about Sheriff's Department actions to address the homelessness crisis, the Commission sent a letter on June 30 to the Sheriff's Department inquiring about their activities regarding the unhoused population in Venice Beach and other areas. At the July 15 Commission meeting, Sheriff Villanueva highlighted the Sheriff's Department Homeless Outreach Service Team (HOST) and their efforts to regulate public space. A Los Angeles County Homeless Services Authority official also provided information on efforts to address the issue.



Homelessness in Los Angeles County was discussed at the July 15 Commission Meeting.

## Community Engagement and Outreach

### Commission Meetings

Commission meetings provide an opportunity for the public to comment on items before the Commission as well as any item that is within the Commission's jurisdiction. Due to the ongoing COVID-19 pandemic, all public meetings were held virtually through Webex Events virtual platform, and staff continued to refine the process to allow for live public comment and guest presentations. The meetings continued to be streamed on Facebook Live and available to listen through a telephone line.

Commission meetings were publicized through email notifications, social media posts, and on the website. The public is encouraged to sign up to receive email notifications of upcoming meetings by subscribing at the Commission's website: [coc.lacounty.gov](https://coc.lacounty.gov).

The public is encouraged to attend Commission meetings. To boost transparency and accountability, community input is vital to the ongoing analysis of the Sheriff's Department policies, practices, and procedures. Community feedback may provide direction on additional issues the Commission evaluates.

Regular Commission meetings for 2022 will be held from 9:00 a.m. - 1:00 p.m. on the third Thursday of each month, except for August. As the COVID-19 pandemic continues, meetings will be held virtually for the foreseeable future.

### Town Halls

Additional meetings and town halls were held to ensure that Commissioners and the public could hear community voices. Town halls provide a public forum where residents are encouraged to take the microphone to address Commissioners and local leaders. The public is encouraged to share their experiences, thoughts, compliments, concerns, and solutions.

The focus of virtual town halls is to hear from members of the public on a particular subject. Six virtual town halls were held in 2021:

#### *Sheriff Department's Use of Force*

On March 4, the Commission held a town hall meeting to hear from residents about their experience with deputies and how they feel about their local public safety.

Speakers included Commission Chair Lael Rubin; Vice Chair Casimiro Tolentino; Commissioner Patti Giggans; Human Rights Watch Senior Researcher John Raphling; and The Way Center of Truth Senior Pastor V. Jesse Smith.

#### *Law Enforcement Interactions with People Who Have Mental Health Conditions or Developmental Disabilities*

On April 22, the Commission held a town hall for leaders and community members to provide feedback about law enforcement crisis response to incidents involving people who have mental health conditions or developmental disabilities; law enforcement efforts to serve these community members and their families; and ideas to improve outcomes of these exchanges.

Speakers included Commission Chair Lael Rubin; Sheriff's Department Psychological Services Bureau Clinical Psychologist Pietro D'Ingillo; L.A. County Department of Mental Health Director Dr. Jonathan Sherin; National Alliance on Mental Illness (NAMI) Greater L.A. County Criminal Justice Chair Mark Gale; Disability Voices United President Judy Mark; Vice Chair Casimiro Tolentino; and Executive Director Brian K. Williams.



*The April 22 Town Hall focused on interactions between law enforcement and people who have mental health conditions or developmental disabilities.*





*Trauma and community violence was discussed at the community listening session on April 27.*

### Reflections on the Criminal Justice System

On April 27, the Commission hosted a community listening session where the public reflected on events involving our criminal justice system, thoughts on improving the system, and strategies for addressing the trauma and stress often associated with law enforcement interactions. The death of George Floyd, amongst others, and subsequent conviction of Derek Chauvin have highlighted the struggles many have with our nation's criminal justice system. The session helped support the community by providing a space to express concerns, discover ways to collectively heal, and make constructive recommendations.

Speakers included Chair Lael Rubin; Peace Over Violence Counseling Services and Trauma Recovery Director Wendy Blanco; Human Relations Commission Executive Director Robin Toma; Human Relations Commission Senior Consultant Pierre Arreola; and The Way Center of Truth Pastor V. Jesse Smith.

### Crime Rates and Public Safety

On June 8, the Commission hosted a town hall to address changes in community crime rates and public safety, law enforcement crisis response, response time, patrolling in neighborhoods, and other public safety issues.

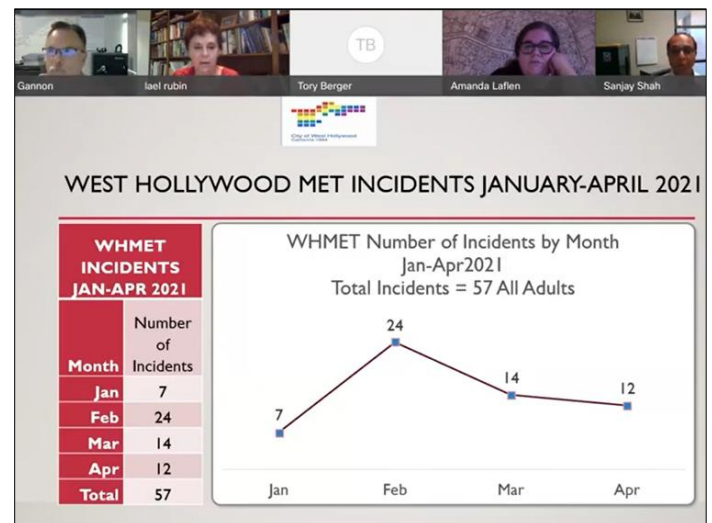
Speakers included Chair Lael Rubin; Sheriff's Department Central Patrol Division Chief April Tardy; Sheriff's Department Operation Safe Streets Captain Rob Jones;

Department of Health Services Harbor-UCLA Medical Center Trauma Division Chief Dr. Brant A. Putnam; Office of Violence Prevention Director Andrea Welsing; Greater Zion Church Family Pastor Dr. Michael J.T. Fisher; and Vice Chair Casimiro Tolentino.

### Mental Health and Homelessness response from Law Enforcement

On June 14, local leaders shared their expertise and heard from the community about law enforcement response to mental health situations and homelessness at the community listening session hosted with the City of West Hollywood.

Speakers included Chair Lael Rubin; Sheriff's Department Captain John Gannon; Sheriff's Department Sergeant Annadennise Briz; Sheriff's Department Lieutenant Ryan Vienna; Department of Mental Health Clinical Program Manager Sanjay Shah; Los Angeles LGBT Center's Transgender Economic Empowerment Project Program Manager Eden Anai Luna; Step Up on Second Lead Service Coordinator Clifford Roberts; Vice Chair Casimiro Tolentino; Commissioner James Harris; and City of West Hollywood Public Safety Commission Chair Amanda Laflen and Vice Chair Tory Berger.



*At the June 14 community listening session, Mental Evaluation Teams data was highlighted.*



### *Family Assistance Program*

On November 30, community members joined a virtual community listening session hosted with the Office of Violence Prevention regarding the Family Assistance Program, which supports families following a fatal use of force or death while in the custody of the Sheriff's Department. Community feedback was voluntary and assisted in program improvement.

Speakers included Commissioner Patti Giggans; Office of Violence Prevention Director Andrea Welsing; and Peace Over Violence Counseling Services and Trauma Recovery Director Wendy Blanco.

### **Virtual Conferences**

The Commission welcomes public involvement and works to provide opportunities for community engagement. Five conferences were hosted in 2021 to bring expert speakers to educate and inform the community.

### *Enhancing Accountability: Improving the Law Enforcement Officer Discipline Process*

On February 25, the Commission hosted a conference that brought together community partners, elected officials, law enforcement professionals and members of the public to discuss law enforcement misconduct, discipline, and the potential for accountability reform.

Speakers included Chair Lael Rubin, Commissioner Robert Bonner; California State Assembly member Sydney Kamlager; Los Angeles Police Protective League Independent Counsel Gary Ingemunson; and ACLU Police Practices Director Peter Bibring.

### *How is L.A. County's Public Safety Budget Prioritized?*

On April 1, the Commission held part 1 of the conference on public safety budgets where subject matter experts described the budget process, their department's public safety budget priorities, and highlighted opportunities for community feedback.

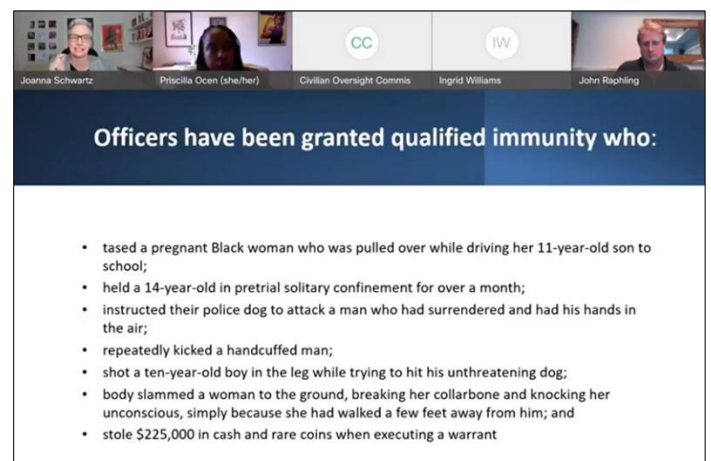
Speakers included Chair Lael Rubin; Vice Chair Casimiro Tolentino; and L.A. County representatives: Chief Executive Office Senior Manager Sheila Williams; Sheriff's Department Administrative Services Division Director

Conrad Meredith; Sheriff's Department Personnel Division Commander John McBride; Mental Health's Director Jonathan Sherin; and Probation's Administrative Deputy Robert Smythe.

### *Money: Community Voices on Public Safety Spending*

The Commission held part 2 of the conference on public safety budgets on April 8, and it brought together community and County leaders, academics, law enforcement professionals and members of the public to highlight community members' thoughts on the budget process and public safety budget priorities.

Speakers included Chair Lael Rubin; Commissioner James Harris; Auditor-Controller Office of County Investigations' Greg Hellmold; University of Southern California Law Professor Jody David Armour; Crescenta Valley Town Council President Harry Leon; and Dignity and Power Now's Ivette Alé.



Joanna Schwartz Priscilla Ocen (she/her) Civilian Oversight Commis Ingrid Williams John Rapping

**Officers have been granted qualified immunity who:**

- tased a pregnant Black woman who was pulled over while driving her 11-year-old son to school;
- held a 14-year-old in pretrial solitary confinement for over a month;
- instructed their police dog to attack a man who had surrendered and had his hands in the air;
- repeatedly kicked a handcuffed man;
- shot a ten-year-old boy in the leg while trying to hit his unthreatening dog;
- body slammed a woman to the ground, breaking her collarbone and knocking her unconscious, simply because she had walked a few feet away from him; and
- stole \$225,000 in cash and rare coins when executing a warrant

*On July 29, experts discussed when qualified immunity protects officers and when it leaves the community vulnerable.*

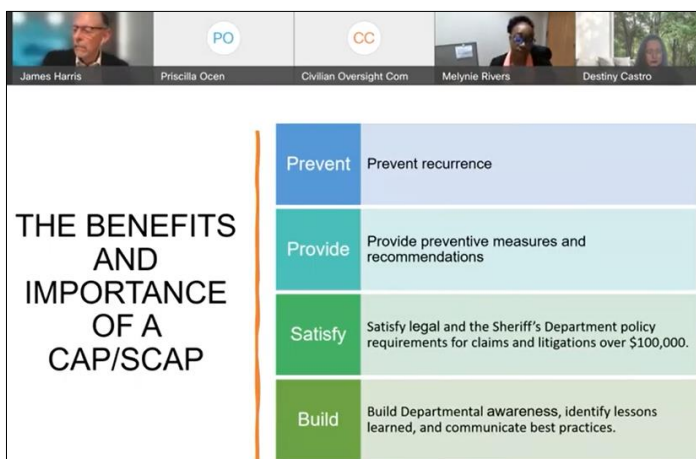
### *Qualified Immunity: When Protecting Officers Leaves the Community Vulnerable*

On July 29, the Commission hosted a conference to educate the public about qualified immunity protections afforded to law enforcement officers. Across the United States, law enforcement officers have been accused of committing numerous bad acts. When private citizens attempted to take the officers to court, their cases are

most often dismissed. In most instances, this is because of the court-made doctrine of qualified immunity.

In this conference, panelists explained what qualified immunity is and how it functions. They highlighted concerns about holding law enforcement officers accountable for violating people’s civil rights. Panelists provided an update on what is being done at the state and federal level to eliminate qualified immunity, and they offered solutions to oversight bodies to assist in holding law enforcement officers accountable.

The event was moderated by Commission Chair Priscilla Ocen and Executive Director Brian K. Williams. Speakers included UCLA Law Professor Joanna Schwartz; Association for Los Angeles Deputy Sheriffs (ALADS) President James Wheeler; Human Rights Watch Senior Researcher John Raphling; and attorney Timothy K. Talbot.



*On October 28, the Commission hosted a virtual conference to discuss corrective action.*

### ***Corrective Action: Learning from our Mistakes***

On October 28, the Commission hosted a conference to educate the community on how L.A. County monitors Department operations, investigates each incident to determine the root cause, and develops recommendations to prevent similar events from recurring. Speakers explained the accountability measures to monitor, correct, and prevent failures to conform to departmental policies.

Commission Chair Priscilla Ocen provided opening remarks, and Commissioner James Harris moderated the

event. Speakers included Chief Executive Office Risk Management Branch Inspector General Destiny Castro; Sheriff’s Department Risk Management Bureau Sgt. Melynie Rivers; Inspector General Huntsman; and Loyola Law School Professor Eric Miller.

### **NACOLE Conference**

For the past 26 years, the National Association for Civilian Oversight of Law Enforcement (NACOLE) has held annual conferences that bring together civilian oversight practitioners, community members, law enforcement officials, academics, journalists, and others to meet and exchange information and ideas about issues facing civilian oversight and law enforcement.

With COVID-19 restrictions varying across the country, NACOLE held both online and in person components to their 2021 conference. The Commission developed and presented two webinars that provided a space for oversight professionals and other stakeholders to discuss:

- Infiltration of White Supremacy in Law Enforcement. *(August 20, 2021)*
- Money, Money, Money: Where Does All the Police Funding Go? *(October 4, 2021)*

Four Commission staff attended the five-day conference in December 2021 at the JW Marriott Starr Pass Resort in Tucson, Arizona.

### **Complaints and Commendations**

Members of the public make complaints concerning the Sheriff’s Department to the Commission through email, by telephone, in person, or by mail. The Commission also hears complaints and commendations during the monthly meetings and town halls.

Complaints received by the Commission are forwarded to the OIG, who then forwards them to the Sheriff’s Department for investigation.

The OIG can investigate specific instances only in special circumstances, and they have the authority to undertake an inquiry and audit or monitor the situation. Anonymous complaints are not usually able to be investigated.

## Looking forward

Although 2021 provided challenges due to the COVID-19 pandemic, the Commission continued to focus on improving transparency and accountability within the Sheriff's Department. Through ad hoc committees, the Commission makes recommendations to the Board, the Sheriff's Department, and the public. Staff track the progress of recommendations and analyze information provided by the Sheriff's Department.

The Commission works to build bridges and increase stakeholder engagement. Encouraging respectful dialogue and community inclusion, the Commission continues to offer opportunities through meetings, conferences, and town halls.

The values and needs of the public are at the core of the Commission's work. Effective oversight begins with listening to the community and understanding their expectations of local law enforcement, especially in a County with such diverse populations. As we continue to support public safety in our neighborhoods, we strive to balance that with protecting the civil rights of the most vulnerable populations.

## **Acknowledgements**

In closing, we are thankful for the support of the Board of Supervisors, the Executive Office, and many County departments. Most importantly, as we work to bring effective oversight to the Sheriff's Department, none of this would be possible without the continued engagement from the dedicated residents of Los Angeles County.

A special thank you to Los Angeles County Supervisors Hilda L. Solis, Holly J. Mitchell, Sheila Kuehl, Janice Hahn, and Kathryn Barger. Thank you to Executive Officer Celia Zavala and the Executive Office staff for their assistance. We appreciate your ongoing support



COUNTY OF LOS ANGELES SHERIFF  
CIVILIAN OVERSIGHT COMMISSION

Web: [coc.lacounty.gov](http://coc.lacounty.gov)

Email: [cocnotify@coc.lacounty.gov](mailto:cocnotify@coc.lacounty.gov)

Call: (213) 253-5678

Follow us on Twitter, Facebook, Instagram & YouTube: @LACountyCOC



Address: World Trade Center  
350 S. Figueroa St. Suite 288  
Los Angeles, CA 90071