

RESOLUTION OF THE SHERIFF CIVILIAN OVERSIGHT COMMISSION

RESOLUTION IN SUPPORT OF SHERIFF JIM MCDONNELL PROVIDING SHERIFF DEPUTIES' MISCONDUCT LIST TO THE DISTRICT ATTORNEY'S OFFICE

The Los Angeles County Sheriff Civilian Oversight Commission (Commission) of the County of Los Angeles, California, hereby resolves as follows:

WHEREAS, in 2016, the County of Los Angeles Board of Supervisors (BOS) enacted legislation for the creation of this Sheriff Civilian Oversight Commission to improve public transparency and accountability with respect to the Los Angeles County Sheriff's Department (LASD);

WHEREAS, the Commission believes that the foundation of our criminal justice system must be based upon the integrity, honesty, and fairness of those who are sworn to uphold our system of justice;

WHEREAS, the Commission believes that the overwhelming majority of persons who work for the LASD are fair, honest and credible. The Commission also believes that the County of Los Angeles, and in particular the LASD and the District Attorney's Office, have a duty under the due process clause of the United States Constitution to provide defendants in criminal cases with evidence within their possession that is favorable to such defendants, including evidence that affects the credibility of witnesses called by the prosecution. Because such evidence may impact the prosecutorial decisions of the District Attorney's Office, i.e., whether to file a case that may result in the arrest of a person, this information should be provided to the District Attorney's Office at the earliest possible time;

WHEREAS, it is critical for transparency and accountability that the LASD be supported in its initiative to ensure its and the District Attorney's Office's duty to comply with the due process requirements found in *Brady v. Maryland* (1963) 373 U.S. 83; *Giglio v. United States* (1972) 405 U.S. 150; and *Kyles v. Whitley* (1995) 514 U.S. 419.

NOW, THEREFORE, BE IT RESOLVED that the Commission supports the action of Sheriff Jim McDonnell and the LASD in their efforts to identify deputies whose proven misconduct must be produced to defendants in any criminal action at the earliest possible juncture, so that the District Attorney's Office can comply with its due process obligations in criminal prosecutions.

Brian K. Williams, Executive Director, Sheriff Civilian Oversight Commission, does hereby certify that the above is true and correct copy of the Resolution duly adopted by the Commission at its meeting held on March 23, 2017, and as same appears of record in the official Statement of Proceedings of said Commission.

Dated

Brian K. Williams, Executive Director