

**MOTION BY SUPERVISOR MARK RIDLEY-THOMAS**

**June 23, 2020**

**Ensuring a Timely and Independent Investigation of the Death of Andres Guardado**

On Thursday June 18, 2020 at approximately 6 p.m., 18-year old Andres Guardado was fatally shot six to seven times by Los Angeles County (County) Sheriff’s Department (LASD) deputies outside of the auto body shop where he is said to have worked in an unincorporated part of the County near the city of Gardena. The community and family have been grieving and rightly seeking answers. Given the many questions and concerns that have arisen in this shooting, the Board of Supervisors (Board) must make sure that there is a robust and independent investigation to ensure the truth is uncovered and justice is served.

Earlier this year, the Board expanded the duties and powers of the Office of Inspector General (OIG) as well as the Civilian Oversight Commission (COC), including the granting of subpoena power, in order to increase objective oversight after troubling reports of high level and department-wide misconduct within LASD. This action was meant to better equip the OIG to independently gather facts and provide the oversight that the public demands and deserves. Additionally, in March, two-thirds of the County voters approved Measure R, further granting subpoena power to the COC.

Despite these efforts, LASD has a track record of not fully complying with the OIG and COC requests – as well as even subpoenas – for reports, information and testimony to help them complete their reviews, even requiring, the filing of an order to show cause

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MOTION

SOLIS	_____
RIDLEY-THOMAS	_____
KUEHL	_____
HAHN	_____
BARGER	_____

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on Friday afternoon June 19<sup>th</sup>, for the Sheriff to explain his failure to comply with a subpoena to testify before the Civilian Oversight Commission regarding jail safety and Covid-19. This is a disturbing trend that cannot be tolerated and that raises questions into whether the OIG will be able to fulfill its mandated role in overseeing investigations. In the case of the fatal shooting of Andres Guardado as well as in other cases, the public has a right to be assured that County government is doing all it can to monitor law enforcement, to insist upon transparency, to embrace accountability, and to promote a culture of reform-minded 21<sup>st</sup> century constitutional policing.

**I THEREFORE MOVE THAT BOARD OF SUPERVISORS:**

Determine that, based upon the foregoing facts, and pursuant to Government Code Section 54954.2(b)(2) that:

- 1) There is a need to take immediate action to preserve the integrity of evidence that the Los Angeles County Sheriff's Department may be collecting for the Andres Guardado fatal shooting investigation;
- 2) The need to take this action came to the attention of the Board of Supervisors (Board) subsequent to the posting of the agenda for today's meeting;
- 3) Request the Sheriff give the Inspector General immediate and full access to all evidence requested in order to provide independent oversight; and
- 4) Direct County Counsel, in consultation with the Inspector General, the Civilian Oversight Commission, Public Defender, and the Coroner/Medical-Examiner, to report back to the Board with alternative plans to ensure an independent investigation in this case, including the use of Government Code 27490 to initiate inquests in and the involvement of the Attorney General to oversee the investigation.

(MN/CG)