

**Preservation and Timely Release of Evidence on Los Angeles County Sheriff's Department Involved Shootings**

LA County has been facing an epidemic for years—systemic violence, brutality and racism at the hands of law enforcement.

We have seen members of our community, loved ones shot and killed by law enforcement and the investigations conducted by the same agency. As the recent civil unrest across the country and here in Los Angeles County have shown, the public has a deep-seeded distrust and lack of confidence in the police.

This distrust of law enforcement is largely exacerbated by the handling of investigations. The lack of information, the attacks on the victims' credibility, and in the age of technology, the failure to release video and other evidence, when appropriate or mandated by law; the lack of transparency compounds the public sentiment of a lack of accountability in these investigations.

Almost one year ago in East Los Angeles, Paul Rea was shot multiple times and killed by sheriff's deputies on June 27, 2019. He was only 18-years old. When his family mourned the death of their loved one at a makeshift memorial, they felt harassed and intimidated by LA Sheriff's Department deputies who continuously patrolled and surveilled the area. To make matters worse for the family, through their attorney, they sought to get access to surveillance videos seized during the investigation. They still do not have access to the video, nor was information shared on the Sheriff's Department public website as required by law.

**MOTION**

SOLIS \_\_\_\_\_

RIDLEY-THOMAS \_\_\_\_\_

KUEHL \_\_\_\_\_

HAHN \_\_\_\_\_

BARGER \_\_\_\_\_

Almost two years ago, on August 12, 2018, sheriff's deputies shot 21-year old Anthony Vargas 13 times in the back, including shots to the back of his head in the Maravilla housing projects in East Los Angeles. His mother, Lisa, and grandmother utilized the Civilian Oversight Commission meeting to express their pain and hurt, including their inability to get access to video evidence of their family member's killing from the Sheriff's Department. To this day, like Paul Rea's family, they still do not have access to the video and information has been posted on the LA Sheriff's Department's website.

These are not outlier cases where family members are unable to get access to information, including video evidence. This is, unfortunately, another obstacle that the surviving families of police violence must face in their attempts to find out the truth behind their loved ones' killing.

In 2014, this Board established the Office of Inspector General (OIG) to supervise and provide oversight over the Los Angeles Sheriff's Department. In 2016, the same Board created the Civilian Oversight Commission (COC) that would work hand-in-hand with the OIG on oversight over the Sheriff's Department as well as ensure the Department would be held to account for misconduct endured by members of the community. Earlier this year, the powers of both bodies were expanded to increase their ability to effectively oversee the Department. And in March of this year, LA voters overwhelmingly supported Measure R that granted the COC subpoena power.

The reason why these bodies were created was for the Board to come up with tangible solutions and mechanisms to hold the largest Sheriff's Department in the country accountable and ensure transparency in its operations, especially in its engagement with the community. Unfortunately, the Sheriff and the Department has continued to defy recommendations and requests made by the COC and the OIG.

Concerningly, the Sheriff has also not been in compliance with California Penal Code 832.7 which states that the Department must release video evidence of all uses of force within 60 days to the public, required by law. Should the Department believe by releasing evidence it will obstruct the investigation, it must notify the public as to the reasons why every 180 days.

In order for the community to feel safe and trust law enforcement, especially in use of force investigations, it must be transparent in all of its operations. Above all, families must be able to have access to the truth of their loved ones' deaths. This is not what is occurring in LA County.

**I, THEREFORE, MOVE** that the Board of Supervisors:

- 1) Request that the Sheriff report back in 30 days, in consultation with County Counsel, with a plan to comply with Penal Code section 832.7 transparency requirements in police shooting investigations, including:
  - a) the posting of all available video online at the earliest possible time;
  - b) the posting of the specific need to delay the release of video in cases where LA Sheriff's Department elects to do so, updated regularly as required by PC 832.7,
  - c) ensuring that no 'holds' are placed on autopsy results without specific written justification as required by PC 832.7,
  - d) the timely posting of all other investigative information in order to comply with PC 832.7 or the specific written explanation for why such information being made public would actually interfere with an investigation, and
  - e) repurposing the Sheriff's Information Bureau to comply with legal transparency requirements.
- 2) Request that the Sheriff give full immediate access to the Inspector General in all shooting investigations, including providing all reports immediately, allowing immediate review of all video, and allowing active monitoring of the investigation in order to provide third party oversight to enhance public confidence in the final outcome of the investigation.

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