

MOTION BY SUPERVISORS MARK RIDLEY-THOMAS

OCTOBER 27, 2020

Ensuring A Transparent And Reliable Investigation Into The Shooting Death Of Fred Williams

A concerning number of recent deputy-involved shootings have highlighted a disturbing trend within the Los Angeles County (County) Sheriff’s Department (LASD) towards shrouding deputy-involved use of force incidents in secrecy. Community safety relies upon public confidence in all public safety agencies, including LASD. Without transparency and accountability, public confidence cannot be maintained.

On Friday, October 16, 2020, an LASD deputy fatally shot and killed 25-year-old Fred Williams in the unincorporated area of Willowbrook. LASD leadership has alleged that the Deputy drew and fired his weapon only after Mr. Williams brandished a gun towards him. Publicly available, unofficial footage of the incident shows Mr. Williams running behind a home and the involved Deputy can be seen chasing after him. After Mr. Williams ran around a corner of the home and out of camera-range on the unofficial footage, the Deputy stopped, aimed and fired several shots. At the time of the fatal shooting, the Deputy involved was wearing a department-issued body-worn camera (BWC).

The Board of Supervisors (Board), through a series of motions, has taken thoughtful and proactive steps to advance the implementation of BWCs to increase transparency and accountability in use of force incidents by law enforcement, including approval of motions that: advanced a Citizen’s Commission on Jail Violence recommendation on BWCs (Ridley-Thomas motion, October 16, 2012); requested an implementation plan for the BWC program (Kuehl–Solis, July 12, 2016); and requested recommendations on

- MORE -

MOTION

SOLIS _____

RIDLEY-THOMAS _____

KUEHL _____

HAHN _____

BARGER _____

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program policies and procedures for BWCs (Ridley-Thomas–Solis - August 7, 2018). On September 24, 2019, the Board approved a Ridley-Thomas–Solis motion which authorized the Sheriff to implement the BWC program and directed the Office of Inspector General (OIG) to monitor implementation. At that time, the Board requested that LASD provide a policy to help ensure accountability for the program's implementation. The Board's commitment to enhancing transparency and accountability through the implementation of BWCs is well-documented and established, and it is critical that LASD fulfill its responsibility to ensure that the BWCs are used for their intended purpose.

Compliance with accountability and transparency from the County's law enforcement agency is crucial. The County must remain vigilant in preserving evidence for a full, thorough, and independent review of this incident and LASD's investigation. Following the Deputy-involved shooting death of Andres Guardado in June of this year, LASD investigators waited a full month to take statements from the involved Deputy, and only did so after concluding that there was no video recording of the incident.

While at the scene of the fatal shooting, the OIG discovered that the Deputy involved in the killing of Mr. Williams wore a County-issued BWC with footage of the final moments of Mr. Williams' life which were not captured in unofficial video recordings of the incident that have been circulated in the media. Legally-required disclosure to the Board-approved oversight entity is vital to the integrity of the investigation intended to identify the circumstances of Mr. Williams' death.

On October 20th, 2020, the OIG formally requested that LASD provide access to the BWC footage from the involved Deputies for purposes of securing preservation of evidence. Government Code Section 25303 provides that the Board shall supervise all County officers and ensure that they faithfully perform their duties, which includes the right of inspection of BWC footage related to LASD deputy-involved use of force deaths. Despite these legal obligations, LASD has refused to provide the OIG with access to the involved Deputy's body-worn camera footage.

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While there can be no determinations of culpability at this stage, the Board must preempt and resist any efforts that may prevent the OIG from fulfilling its role in actively monitoring LASD deputy-involved shootings. Without effective oversight, the County and its residents cannot have confidence in the County's primary law enforcement agency.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Instruct the Sheriff to provide the Inspector General immediate and full access to all evidence related to the fatal shooting death of Mr. Fred Williams, including, but not limited to, body-worn camera footage of the incident;
2. Direct County Counsel, in consultation with the Inspector General, the Civilian Oversight Commission, and the Chief Medical-Examiner-Coroner, to report back to the Board of Supervisors (Board) in writing in 20 days with alternative plans to ensure an independent investigation in this case, including the use of Government Code Section 27490 and the involvement of the Attorney General to oversee the investigation;
3. Direct the Chief Medical Examiner-Coroner, pursuant to Government Code Section 27491, to conduct an inquest into the circumstance, manner, and cause of the death of Mr. Williams, or provide an explanation to the Board why such an action is not warranted. Such an inquest should employ the Chief Medical Examiner-Coroner's subpoena power to preserve a reliable record of the investigative steps taken by the Los Angeles County Sheriff's Department (LASD) as to the circumstance, manner, and cause of the death, even if LASD requires those documents to be kept secret pursuant to Government Code section 27498(b) which may be invoked "when such inquest pertains to a death caused by a police officer."

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(JB/CAS/DBV)