

CHECK THE SHERIFF

March 17, 2022

Re: SHERIFF VILLANUEVA'S & LASD'S CONTINUED INTIMIDATION OF CRITICS

A hallmark of Los Angeles County Sheriff Alex Villanueva and the Los Angeles County Sheriff's Department (LASD) is the lengths they go to try to intimidate and discredit anyone who dares to speak out critically and hold them accountable. In recent weeks, Villanueva has twice publicly named and targeted family members who have openly protested deputy killings of their loved ones in an attempt to bolster his own political agenda, denigrate the character of these families and their loved ones, and deny the well-documented reality of impacted families facing constant harassment by deputies. In addition, the Los Angeles County Office of the Inspector General (OIG) released a report condemning LASD's response to a press conference held by the National Lawyers Guild - Los Angeles where individuals spoke to the media about the violence they experienced from LASD at protests in September 2020. The Check the Sheriff Coalition is deeply concerned about these developments, as Villanueva and his department have continued to put the safety of impacted families at risk, shared false information with the media, even falsifying facts in police reports, and violated state law all in an effort to silence voices of dissent. The coalition urges both the Civilian Oversight Commission (COC) and the Los Angeles County Board of Supervisors (Board) to take immediate actions.

I. Sheriff Villanueva's February 23 Press Conference and February 16 Letter to the Board of Supervisors

On February 23, 2022, Sheriff Villanueva hosted a press conference where he devoted half of the event to speaking about how claims of deputy harassment of family members of people killed by LASD personnel are purportedly false and simply a political attack from the Board.¹ He went so far as to attempt to counter a claim of harassment made by the family of Paul Rea by showing footage from the aftermath of the harassment incident. Villanueva, however, conveniently did not show any footage of LASD deputy Hector Saavedra-Soto, who killed Paul, approaching Paul's mother and fourteen-year old sister, shoving his plate of food towards them, asking if they wanted some tacos, and smirking at them.

Furthermore, Villanueva claimed that "almost all" claims of harassment have come only from the families of Paul Rea and Anthony Vargas, who were both killed by East Los Angeles LASD

¹ Sheriff Alex Villanueva press conference, Feb. 23, 2022, 10:53-end, https://www.instagram.com/tv/CaVP-cul8vM/?utm_medium=copy_link.

Station deputies. Yet, contrary to Villanueva’s claims, there is overwhelming evidence that LASD deputies regularly harass family members of people they have killed, especially family members who publicly advocate for justice for their loved ones.² Many families across the county have been harassed by LASD deputies after they have publicly spoken out against the killing of their loved one.³ For example, family members of Ryan Twyman, who was killed by deputies from the Century LASD Station, and of AJ Weber, who was killed by deputies from the South Los Angeles LASD Station, have also reported that deputies regularly harass them at their homes, jobs, and even at memorial services.⁴

Similarly, on February 16, 2022, Villanueva wrote a letter to the Board entitled “Open Challenge for Elected Leaders to Identify Deputy Clique Members who you can Show are ‘Gang Members.’”⁵ In this letter, besides criticizing Check the Sheriff and Supervisors Holly Mitchell and Hilda Solis, Villanueva singled out and named Valerie Vargas, the aunt of Anthony Vargas. Valerie Vargas is the only non-politician Villanueva criticized in this letter.

Publicly calling out the families of Paul Rea and Anthony Vargas and villainizing them for speaking out about family harassment is not only morally disturbing, but also incredibly dangerous. Villanueva is opening the door for his supporters to dox, harass, and potentially physically harm these families. This is a clear attempt to punish the Rea and Vargas families for speaking out. It is also an attempt to send a message to other impacted family members that they should be afraid to speak out.

II. March 1 Office of the Inspector General Report

The OIG released a report on March 1, 2022, titled “Review of the Los Angeles County Sheriff’s Department Response to the National Lawyers Guild Press Conference for Community Members Injured by Sheriff’s Deputies.”⁶ Towards the conclusion of a press conference hosted by the

² See, e.g., Check the Sheriff, *No Justice, No Peace: The Los Angeles County Sheriff’s Department’s Targeted Harassment of Grieving Families* (May 2021), <https://static1.squarespace.com/static/608642aec0f6531f1411b0a8/t/609077012af19a6b8d378156/1620080386223/FINAL+LASD+Family+Harassment+Report.pdf> (chronicling the harassment the families of Paul Rea and Anthony Vargas have been experiencing for years); Black Lives Matter - Los Angeles, Stop LA Sheriff Attacks: Family Forum (Mar. 27, 2021), <https://www.facebook.com/799880030084316/videos/347471413335304> (bearing witness to the shared experiences of multiple impacted families of deputy harassment).

³ Sahra Sulaiman, *Families of Those Killed by LASD Describe Ongoing Harassment by Deputies as Part of a “Triple Assault”*, StreetsblogLA (Apr. 13, 2021), <https://la.streetsblog.org/2021/04/13/families-of-those-killed-by-lasd-describe-ongoing-harassment-by-deputies-as-part-of-a-triple-assault/> (1:19:30-1:26:45, 1:26:45-1:31:00).

⁴ *Id.*

⁵ Letter available at https://lasd.org/wp-content/uploads/2022/02/Transparency_Sheriff_Response_BOS_Gangs_Letter_021622.pdf.

⁶ Report available at <https://oig.lacounty.gov/Portals/OIG/Reports/2022/Review%20of%20the%20Los%20Angeles%20County%20Sherif>

National Lawyers Guild - Los Angeles about LASD violence during Dijon Kizzee protests in the previous week, LASD deputies in riot gear who were a part of the Special Response Team closed in on the crowd of people assembled at the press conference and attempted to move the crowd.

The OIG, through its investigation, found that LASD's justification for their response was not supported by evidence and was contradictory. The OIG aptly observed: "Statements made to the press that cannot be substantiated create distrust in the community and call into question the intentions of the Sheriff's Department in dispersing the crowd."⁷ According to the OIG, it appears that LASD did not make any attempts to mitigate the situation and that LASD deputies were not displaying their badge numbers or name plates, in violation of state law.

LASD lied, escalated a peaceful situation, and removed identifying information in what was a clear attempt to shut down the press conference and make attendees feel unsafe. LASD's unwarranted and likely unlawful response to the press conference exemplifies the department's response when anyone who has been traumatized by their violence seeks to hold them accountable and call for justice. Just as Villanueva and the East Los Angeles deputies have attempted to do with the brave families of Anthony Vargas and Paul Rea, at the September 2020 press conference, LASD decided to make a public statement that it is not safe to speak out.

III. The COC and the Board Must Take Immediate Actions

We cannot allow LASD to act with impunity and seek to silence voices calling for greater transparency and accountability. While Sheriff Villanueva certainly engages in and encourages this dangerous response to criticism, this is a department-wide practice, as shown by the LASD's actions at the National Lawyers Guild - Los Angeles press conference. Los Angeles County needs stronger accountability measures to be able to protect the safety of the public and hold this department accountable.

Therefore, the Check the Sheriff coalition urges the COC to both fully investigate these incidents and promptly advance priority recommendations to the Board.⁸ Most importantly, the COC should recommend the Board place on the ballot a charter amendment that would create an impeachment and removal process to provide common sense checks and balances over the sheriff, reinforce its policy-making authority over LASD, and strengthen civilian oversight. The threat of removal would provide the Board with a direct mechanism to protect the public from

[f%E2%80%99s%20Department%20Response%20to%20the%20National%20Lawyers%20Guild%20Press%20Conference%20for%20Community%20Members%20Injured%20by%20Sheriff%E2%80%99s%20Deputies.pdf?ver=-eUo7jDeLz67lzONuvS7Vg%3d%3d](https://static1.squarespace.com/static/608642aec0f6531f1411b0a8/t/6196947360a99b3ef490e7f6/1637258358853/1.18.21+CTS+Recommendations+on+Sheriff+%26+LASD.pdf?ver=-eUo7jDeLz67lzONuvS7Vg%3d%3d).

⁷ *Id.*

⁸ For a more comprehensive set of priority recommendations, see Check the Sheriff, *Check the Sheriff Coalition Letter Regarding the Sheriff and the Los Angeles County Sheriff's Department* (Nov. 18, 2021), <https://static1.squarespace.com/static/608642aec0f6531f1411b0a8/t/6196947360a99b3ef490e7f6/1637258358853/1.18.21+CTS+Recommendations+on+Sheriff+%26+LASD.pdf>.

serious violations of the public trust, including serious crimes, unconstitutional conduct, and abuse of power. The Board's supervision of LASD policies would ensure sheriffs faithfully perform their duties and functions required by law, including compliance with laws relating to transparency, use of force, and law enforcement gangs, among other areas. Incorporating the COC and the OIG into the L.A. County Charter would ensure that future Boards cannot undermine these critical oversight bodies.

Furthermore, the COC should recommend that the Board create systems of accountability external to LASD. The Board should pursue any necessary actions to create a County system outside of LASD that will: receive, monitor, and investigate all allegations and complaints of misconduct, including policy violations and incidents of deputy harassment and retaliation of surviving family members, advocates, and protestors; independently investigate use of force incidents ending in death or great bodily injury; and adjudicate disciplinary determinations.⁹ It is long overdue for the Board to overhaul LASD's disciplinary system, which has suffered from significant structural and cultural impediments to effective discipline and meaningful accountability. The truth is that the police can't police itself; LASD simply cannot be trusted to adequately investigate complaints filed with the department or appropriately impose discipline.

Finally, in addition to creating an external mechanism for reporting incidents of deputy harassment and retaliation of surviving family members, as discussed above, the COC should recommend that the Board ensure the adoption and adherence to policies to prevent the harassment of families. The Board should also restructure, expand, and permanently establish the Family Assistance Program, which should include funding for community-based organizations that provide life-giving support and services to meet families' human needs, including vital mental health resources.

⁹ See L.A. Cnty. Off. Inspector Gen., Los Angeles County Sheriff's Department: Review and Analysis of Misconduct Investigations and Disciplinary Process (Feb. 2021), https://oig.lacounty.gov/Portals/OIG/Reports/IIPublicReport_Body2.pdf?ver=qMyIxZkcy_EwrtHn0JWrOw%3d%3d.