



# OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



August 3, 2021

Chief Judy A. Gerhardt  
System, Security, and Law Enforcement  
Metropolitan Transportation Authority  
One Gateway Plaza  
Los Angeles, California 90012

Dear Chief Gerhardt:

On June 18, 2020, The Metro Board of Directors adopted Board Motion Agenda Item 35. This item, in part, includes a review of Campaign Zero's "8 Can't Wait" initiative, and how your law enforcement partner, meets the 8 policies noted by the campaign. Your office has been providing the Metro Board with updates regarding our status. The policy reforms noted in the agenda item include:

- 1) Requiring officers to de-escalate situations, when possible, before using force
- 2) Using a Force Continuum or Matrix that defines and limits the types of force that can be used to respond to specific types of resistance
- 3) Restricting, or prohibiting, the use of chokeholds, strangleholds, and carotid restraints
- 4) Requiring officers to give a verbal warning before using deadly force
- 5) Prohibiting officers from shooting at people in moving vehicles unless the person poses a deadly threat
- 6) Requiring officers to exhaust all other reasonable alternatives before resorting to using deadly force
- 7) Requiring officers to intervene to stop another officer from using excessive force
- 8) Requiring comprehensive reporting that includes both uses of force and threats of force

Upon my arrival in May, you briefed me on the importance of this request. My staff and I have spent time reviewing this initiative and working with Campaign Zero. We are pleased to provide you with an update regarding our status.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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At the time of my assignment, LASD had met the initiative in six out of eight areas, per Campaign Zero's website. Items 1-3 & 5-7 were noted as having met the requirement. As of July 1, 2021, LASD revised its use of force policy in regards to item four, providing a warning before using deadly force. This policy was provided to Campaign Zero staff and after discussions, they concurred and marked this item as meeting the initiative.

The one remaining initiative per their website is item eight, "Require comprehensive reporting that includes both uses of force and threats of force." My staff and I met with Campaign Zero staff to discuss this item. LASD believes that we substantially meet this initiative and we have requested Campaign Zero to update their website to reflect this. At the time, their website incorrectly noted that LASD does not document instances where a firearm is pointed at an individual. We provided Campaign Zero with documentation that we do, in fact, require documentation and report this to the State of California on an annual basis. As such, we provide comprehensive reporting on instances where a firearm is pointed at an individual, requiring both staff to document this and reporting to the State of California in addition to availability for public requests.

Upon further discussions, Campaign Zero staff stated the initiative requires the pointing of a firearm to be documented as a *use of force*. Note this was not listed on their campaign website nor was it a part of the Board Motion. LASD documents and reports pointing of firearms comprehensively as noted above, but does not require a *use of force* packet unless force is used.

Although Campaign Zero did update their website relating to LASD by removing the incorrect information, they added a notation that we do not consider pointing of firearms as a use of force and continue to mark us as not meeting this initiative.

Their website does not require pointing a firearm as a use of force in their general literature. It is also important to highlight that use of force documentation and oversight is agency specific – LASD requires significant documentation related to uses of force. Further, agencies such as LAPD are reflected as being compliant with item eight, yet similar to LASD, they do not require a complete use of force packet for pointing a firearm.

We ask that Metro considers LASD compliant with Agenda Item 35. Although Campaign Zero will not revise item 8 to show as being compliant, based upon the above, we believe we are fully compliant with Agenda Item 35's listed policy reforms.

Should you have any questions or require additional information, please do not hesitate to call me at (323) 563-5082.

Sincerely,

ALEX VILLANUEVA, SHERIFF

A handwritten signature in black ink, appearing to read "Shawn R. Kehoe". The signature is written in a cursive style with a large initial 'S' and 'K'.

Shawn R. Kehoe, Acting Captain  
Transit Services Bureau