

Congress of the United States

Washington, DC 20515

December 10, 2024

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
Office of the Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Kristen Clarke
Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Garland and Assistant Attorney General Clarke,

I write to request that the Department of Justice (DOJ) investigate an incident at Men's Central Jail in Los Angeles that occurred on July 4, 2022.

In 2012, the ACLU of Southern California, the ACLU's National Prison Project, and the law firm of Paul Hastings LLP filed a class action lawsuit, *Rosas v. Luna*, against the Los Angeles Sheriff's Department (LASD) for its excessive and unnecessary use of force in the Los Angeles jail system. The lawsuit resulted in a 2014 agreement requiring the LASD to implement reforms, including policies to prevent wanton violence, mandate force prevention efforts, and enforce a "zero-tolerance" policy for dishonesty in use-of-force reporting.

In June 2023, the plaintiffs sought to modify the implementation plan after the LASD failed to meet key requirements of the *Rosas* agreement. Specifically, the plaintiffs asked the court to order the LASD to prohibit head strikes except in rare circumstances and to impose mandatory discipline for specific violations, such as striking individuals in the head outside of policy, lying in use-of-force reports, or excusing misconduct as a supervisor. In November 2023, U.S. District Court Judge Dean D. Pregerson unsealed videos showing LASD deputies using excessive force against incarcerated individuals, highlighting ongoing violations despite the consent decree.

One of these videos, posted by the ACLU on YouTube, appears to show two sheriff's deputies slamming a handcuffed individual head-first into a concrete wall, leaving him with serious injuries. In June, the Los Angeles District Attorney's Office completed its investigation of the incident and declined to prosecute the deputies. In a memo justifying its decision, the District Attorney's Office stated that it could not determine whether the deputies used force or whether the injuries resulted from the man "swinging and lunging his own body toward the wall." I believe this assessment mischaracterizes the video footage, and I ask that the DOJ investigate the incident.

The DOJ's Civil Rights Division plays a critical role in addressing misconduct within the criminal justice system, including our nation's carceral systems. This incident highlights the DOJ's responsibility to protect the rights of incarcerated individuals and to ensure accountability for potential misconduct.

Thank you for your attention to this urgent matter, and I look forward to your response.

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Sincerely,

A handwritten signature in black ink, appearing to read "Alex Padilla". The signature is fluid and cursive, with a prominent dot above the 'i' in "Padilla".

Alex Padilla
United States Senator