



CITY HALL  
LOS ANGELES, CALIFORNIA 90012

August 24, 2020

The Honorable Xavier Becerra  
Attorney General of California  
1300 I Street,  
Sacramento, CA 95814

**Review of Fatal Police Shooting of Daniel Hernandez**

Dear Mr. Becerra:

At its meeting of August 19, 2020, the Los Angeles City Council acted to request your office to conduct an independent review of the fatal shooting of Daniel Hernandez by a Los Angeles Police Department officer in the Los Angeles Police Department Newton Division on April 22, 2020 (Los Angeles Council File No. 20-0885).

Pursuant to that action we are forwarding the above referenced request to your office. Transmitted herewith is a copy of the official action of the Los Angeles City Council and its related documents. A video recording of the Council's discussion of this matter is available on line at the following address, beginning at 1 hour, 24 minutes:  
[https://lacity.granicus.com/MediaPlayer.php?view\\_id=130&clip\\_id=20141](https://lacity.granicus.com/MediaPlayer.php?view_id=130&clip_id=20141)

If we can be of any assistance in this matter please do not hesitate to contact my office at 213-473-5713.

Very truly yours,

  
SHARON M. TSO  
Chief Legislative Analyst

SMT:ak

HOLLY L. WOLCOTT  
CITY CLERK

PETTY F. SANTOS  
EXECUTIVE OFFICER

City of Los Angeles  
CALIFORNIA



Eric Garcetti  
MAYOR

OFFICE OF THE  
CITY CLERK

**Council and Public Services Division**

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LOS ANGELES, CA 90012  
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PATRICE Y. LATTIMORE  
DIVISION MANAGER

[CLERK.LACITY.ORG](http://CLERK.LACITY.ORG)

When making inquiries relative to  
this matter, please refer to the  
Council File No.: [20-0885](#)

## OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

August 19, 2020

**Council File No.:** [20-0885](#)

**Council Meeting Date:** August 19, 2020

**Agenda Item No.:** 20

**Agenda Description:** CONTINUED CONSIDERATION OF PUBLIC SAFETY COMMITTEE REPORT relative to requesting the California Attorney General to conduct an independent review of the fatal shooting of Daniel Hernandez by a Los Angeles Police Department (LAPD) officer in the Newton Division on April 22, 2020.

**Council Action:** PUBLIC SAFETY COMMITTEE REPORT ADOPTED AS AMENDED FORTHWITH BY MOTION (PRICE - CEDILLO - BONIN)

**Council Vote:**

ABSENT	BOB BLUMENFIELD
YES	MIKE BONIN
NO	JOE BUSCAINO
YES	GILBERT A. CEDILLO
YES	MARQUEECE HARRIS-DAWSON
NO	PAUL KORETZ
NO	PAUL KREKORIAN
NO	JOHN LEE
YES	NURY MARTINEZ
YES	MITCH O'FARRELL
YES	CURREN D. PRICE
YES	MONICA RODRIGUEZ
YES	DAVID RYU
ABSENT	VACANT VACANT
ABSENT	HERB WESSON

HOLLY L. WOLCOTT  
CITY CLERK

Adopted Report(s)

**Title**

Amending Motion (Price - Cedillo - Bonin)  
Report from Public Safety Committee

**Date**

08/19/2020

08/11/2020

Item 20

MOTION

I MOVE that the City Council AMEND the CONTINUED CONSIDERATION OF PUBLIC SAFETY COMMITTEE REPORT relative to requesting the California Attorney General to conduct an independent review of the fatal shooting of Daniel Hernandez by a Los Angeles Police Department (LAPD) officer in the Newton Division on April 22, 2020, Council file No. 20-0885, Item No. 20 on today's agenda, to:

INSTRUCT the Chief Legislative Analyst to request the California Attorney General to conduct an independent review of the fatal shooting of Daniel Hernandez by an LAPD Officer in the Newton Division on April 22, 2020.

PRESENTED BY \_\_\_\_\_  
CURREN D. PRICE  
Councilmember, 9th District

SECONDED BY \_\_\_\_\_  
GILBERT A. CEDILLO  
Councilmember, 1st District

SECONDED BY \_\_\_\_\_  
MIKE BONIN  
Councilmember, 11th District

August 19, 2020

CF 20-0885

PUBLIC SAFETY COMMITTEE REPORT relative to requesting the California Attorney General to conduct an independent review of the fatal shooting of Daniel Hernandez by a Los Angeles Police Department (LAPD) officer in the Newton Division on April 22, 2020.

Recommendation for Council action, pursuant to Motion (Price - Rodriguez):

INSTRUCT the LAPD to request the California Attorney General's Office to conduct an independent review of the fatal shooting of Daniel Hernandez by an LAPD Officer in the Newton Division on April 22, 2020.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On August 11, 2020, your Committee considered a Motion (Price - Rodriguez) relative to requesting the California Attorney General to conduct an independent review of the fatal shooting of Daniel Hernandez by an LAPD officer in the Newton Division on April 22, 2020. According to the Motion, on April 22, 2020 at around 5:37 pm, LAPD Officers from the Newton Division came upon a multiple vehicle traffic collision at the intersection of San Pedro Street and 32nd Street in South Los Angeles. Upon arrival, the LAPD officers were informed that a man with a knife had caused the collision, and that he was still on the scene. That man, later identified as 38-year-old Daniel Hernandez, was ordered by one of the officers to put the knife down. Mr. Hernandez did not drop the knife, and began advancing towards the officer. The officer then shot Mr. Hernandez multiple times.

As with all Officer Involved Shootings, the LAPD has launched an investigation into the incident, which will be reviewed by the Chief, the Board of Police Commissioners and the Office of the Inspector General to determine if the investigation was thorough and accurate, and if the use of deadly force met LAPD's standards. However, this case is unique, as the officer involved in this shooting is the daughter of a senior Los Angeles Police Protective League board member. In order to ensure that the investigation into this shooting is fair and impartial, it is imperative that the LAPD seek an outside entity to conduct a thorough, independent review of this matter, which can then be used for the basis of any disciplinary actions that may be warranted. After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Motion. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

PUBLIC SAFETY COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
RODRIGUEZ:	YES
O'FARRELL:	YES
BUSCAINO:	YES
RYU:	YES
LEE:	YES

ARL  
8/11/20

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**

MOTION

On April 22, 2020 at around 5:37 pm, Police Department (LAPD) Officers from the LAPD's Newson Division came upon a multiple vehicle traffic collision at the intersection of San Pedro Street and 32<sup>nd</sup> Street in South Los Angeles. Upon arrival, the LAPD officers were informed that a man with a knife had caused the collision, and that he was still on the scene. That man, later identified as 38-year-old Daniel Hernandez, was ordered by one of the officers to put the knife down. Mr. Hernandez did not drop the knife, and began advancing towards the officer. The officer then shot Mr. Hernandez multiple times.

As with all Officer Involved Shootings, the LAPD has launched an investigation into the incident, which will be reviewed by the Chief, the Board of Police Commissioners and the Office of the Inspector General to determine if the investigation was thorough and accurate, and if the use of deadly force met LAPD's standards. However, this case is unique, as the officer involved in this shooting is the daughter of a senior Los Angeles Police Protective League board member. In order to ensure that the investigation into this shooting is fair and impartial, it is imperative that the Police Department seek an outside entity to conduct a thorough, independent review of this matter, which can then be used for the basis of any disciplinary actions that may be warranted.

I THEREFORE MOVE that the Police Department (LAPD) be instructed to request the California Attorney General's Office to conduct an independent review of the fatal shooting of Daniel Hernandez by an LAPD Officer in the Newton Division on April 22, 2020.

PRESENTED BY:

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CURREN D. PRICE, JR. (verbal)  
Councilmember, 9<sup>th</sup> District

SECONDED BY:

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MONICA RODRIGUEZ (verbal)  
Councilmember, 7<sup>th</sup> District