

Antelope Valley Monitoring Team 10th Semi-Annual Report



June 2020

July 23, 2020

The Honorable John F. Walter
United States District Courthouse
350 W. 1st Street, Courtroom 7A
Los Angeles, CA 90012

Dear Judge Walter:

On July 8, 2020, we, the Monitors for the Settlement Agreement (SA) between the US Department of Justice and the Los Angeles County Sheriff's Department (LASD), delivered the attached letter to Sheriff Villanueva ahead of meeting with him on July 9. The letter highlights several areas that we felt needed the Sheriff's immediate attention in order to correct a reversal of the progress we had previously noted on the part of LASD in bringing about compliance with the agreement. During the July 9 meeting, we reviewed the contents of the letter with the Sheriff and discussed the disturbing lack of progress on key areas including use of force, complaints, crime prevention strategies, and community engagement practices as well as our concerns about a lack of accountability and follow-through at the highest levels of LASD administration. We also discussed our concerns and expectations regarding the Monitors' ability to review and address the actions of those deputies who are actually working in the Antelope Valley (AV) but do not serve directly under the command of AV captains, particularly when their actions involve the use of force or result in complaints from the community in the AV.

We are pleased to report that the meeting with the Sheriff was productive. Sheriff Villanueva stated his support for the values and philosophies outlined in the SA. He committed to transparency in the inclusion of non-AV commands in the scope of work of the agreement, including submitting any LASD use of force that occurs in the AV for review and assessment in our audits. The Sheriff set internal deadlines for the completion of key policies and manuals and communicated to his staff in attendance his commitment to completing the reforms outlined in the SA during his administration. We were encouraged by that meeting and hope our next semi-annual report will reflect greater progress and sustained efforts by LASD staff to overcome the frustrating and unnecessary delays we have encountered of late.

Sincerely,

Dr. Angie Wolf, Monitor
Joseph Brann, Monitor

July 6, 2020

Sheriff Alex Villanueva
211 W. Temple St.
Los Angeles, CA 90012

Dear Sheriff Villanueva:

It has been five years since the Settlement Agreement (SA) was signed and filed with the federal court. This means that we are concluding Year 5 of what was anticipated to be a four-year engagement. There has been progress. The Monitoring Team (MT) has consistently seen engagement, hard work, and willingness to improve from many deputies in the field, station leadership, the volunteer Community Advisory Committees, and certainly the Compliance Unit. However, we have found a consistent lack of prioritization from Department managers and executives, in the form of a lack of buy-in regarding the reforms' importance and a generalized resistance to thinking critically about the Department's culture. The ramifications of this deficiency became distressingly clear in the last few months; hence, the Monitors feel the need for the change of tone that is apparent in this 10th Semi-Annual Report to the court.

Yes, this reporting period has involved a series of challenges that have distracted from progress toward compliance. However, we strongly feel that had the Department made more significant process across the SA in the four and a half years preceding the COVID-19 pandemic and national protests against police brutality, the Antelope Valley (AV) stations would likely have made different choices about how to engage and support their communities in these difficult times and would have policies, training, and practices in place that would have prevented the explosion of disappointment in the Department's services that was recently observed among AV residents. Unfortunately, that is not the case, as the Los Angeles County Sheriff's Department (LASD) has yet to produce some of the most significant work required by the SA, largely because of a lack of attention and, indeed, a bottleneck of productivity at the executive level.

By all measures, the LASD has discontinued the housing accompaniment practices that were in clear and systemic violation of the Fair Housing Act. Further, the LASD has put policies in place that should prevent this kind of violation in the future. This is laudable.

There are other areas of progress. The Compliance Unit took the initiative to provide training and mentoring to the AV stations to improve computer-aided dispatch data accuracy, and progress is occurring. Policies and unit orders have been published regarding important issues like constitutional stops and searches, backseat detentions, and serving community members with limited English proficiency. The Compliance Unit has collaborated extensively with the MT and US Department of Justice (DOJ) in producing two community surveys and a deputy survey.

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The LASD worked closely with the MT and DOJ in support of creative, community-based methods to engage more Black citizens in the community survey to ensure adequate representation of people of color. Again, with Compliance Unit initiative, the stations, particularly the compliance sergeants and operations lieutenants, have engaged in the development and implementation of Quarterly Employee Reviews to provide another check on accountability. We have found these personnel to engage in thoughtful questioning, critical thinking, and diligence, displaying a genuine eagerness to improve station processes and reach compliance with the SA. These and other accomplishments and the hard work they represent are appreciated and warrant recognition.

Unfortunately, the Monitors perceive an attitude among Department managers that the SA is a station issue only; and that a Compliance Unit staffed by LTs and sergeants, however invested and effective they may be, is sufficient support for the stations to bring themselves into compliance with the SA or at least let it quietly languish. Department managers provide the minimum of support to the Compliance Unit and stations and little of the necessary leadership. There are several areas where this approach has proven deeply inadequate.

First, it is too often the case that, after the Compliance Unit works diligently with the MT and DOJ, the work stops after leaving the purview of the Compliance Unit lieutenant. In particular, this has been the case with the use of force (UOF) policy, the Service Comment Review manual, and the Manual of Policy and Procedures (MPP) and Administrative Handbook. These policies have been stagnant in the Departmental review process for a year—and almost two years in the case of the MPP. There are also ramifications down the line; for instance, the lack of a revised UOF policy defers any updating of the UOF training, which needs significant new curricula to come into SA compliance, especially with de-escalation tactics. It is noteworthy that many of the reforms that the Los Angeles County community is now demanding would have been in place had Department executives more quickly approved the SA-mandated changes. Further, while important trainings in Constitutional Policing and bias-free policing have been implemented in the AV, the training in community policing and problem-oriented policing is still unfinished.

Second, the MT is concerned that the Department is not listening to the community and the community is frustrated. Early results from the second complaints audit indicate that the Department is not responding to citizen complaints in the AV with the seriousness and urgency that the community deserves. More than two years ago, remedies for deficiencies were translated into negotiated policy changes with corresponding changes to manuals and handbooks. These have seemingly been ignored by administrators. The Monitors cannot say with confidence that complaints in the AV are received in good faith. Even outside of the formal complaint process, the Department struggles to listen to feedback from community members that counters the Department's narrative that they are a national model for best practices. The community is deeply concerned that the LASD will be "policing itself" in the investigations regarding Robert Fuller and Michael Thompson and is calling for transparency; accountability; and increased involvement from the Monitors, DOJ, and other outside oversight.

Additionally, community relations by LASD in the AV are more public relations in nature than genuine community engagement and community policing. The two stations have yet to implement the community policing model to which the Department has committed. Department personnel have also regularly responded defensively and dismissively to community complaints instead of accepting the constructive critique.

Third, the MT sees a lack of critical thinking and a lack of professional skepticism in the Department's application of the findings from the various SA-mandated reviews, audits, and analyses and in the deployment of policing and community engagement strategies. Collecting data and doing surveys is the easy part. The Department has not shown a commitment to embracing the next steps required, the far more important—and more difficult—work of applying the *results* of those efforts in critical ways. This means assessing and reconsidering their interactions with the parts of the AV community with whom they have yet to regain trust as indicated by the community survey; assessing and reconsidering enforcement practices that leave whole sections of the community feeling targeted; finalizing and implementing with training the UOF and complaints policies that have sat stagnant for months and years but, when instituted, will greatly improve both the reality and the perception of how LASD-AV deputies interact with the public; finalizing and implementing in letter and spirit the community policing training and the adoption of effective crime prevention strategies; personnel Department-wide engaging in genuine community engagement activities in the AV; and using the AV Community Advisory Committees to their full intended purpose, including as partners in crime prevention in the AV.

Lastly, the LASD must start asking their personnel, "How do we create lasting reform and culture change?" instead of "How do we get in compliance?" Achieving benchmarks and "checking the boxes" are important steps that can influence the morale of the deputies and the community alike. That said, AV station managers and administrators need to hold true to achieving larger objectives: creating a department that is trusted by the community, values transparency, and ensures accountability. These are the outcomes upon which SA compliance will ultimately be measured.

Sincerely,

Dr. Angie M. Wolf, Monitor
Mr. Joseph Brann, Monitor

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I. INTRODUCTION

This is the 10th semi-annual report issued by the Antelope Valley Monitoring Team (MT). It describes the MT's observations on progress of Los Angeles County and the Los Angeles County Sheriff's Department (LASD or the Department) in meeting the requirements of their Settlement Agreement (SA)¹ with the US Department of Justice (DOJ) for the Antelope Valley (AV). This report focuses primarily on work undertaken from January through June 2020. The report discusses MT observations related to the goals, scope, and nature of the work; issues and obstacles that have arisen during the work; MT findings; and evaluative observations that have been shared with the Department. LASD's progress toward compliance with each section of the SA is delineated, along with steps toward compliance still to be addressed.

This reporting period has been unlike any other to date. It brought an international pandemic resulting in the disruption of almost every aspect of "normal life," including severe restrictions on social and professional in-person interactions; an economic downturn producing record-breaking unemployment; and local and national protests against racial disparities in use of force in the wake of several high-profile deaths of civilians by law enforcement across the country. The MT recognizes the last six months have been painful for many community members of the AV. Despite many barriers, the community has galvanized. This report is strengthened by the tireless advocacy and information sharing from the community. The MT values the ongoing work of the members of the Palmdale and Lancaster Community Advisory Committees (CACs), who do this work on a volunteer basis in addition to other responsibilities. The time and effort they devote to this work serves as an important link in transparency between the Department and the broader AV community. Further, the MT appreciates all AV community members who participate in meetings despite their sometimes-inconvenient times and locations, or lately, the technological frustration of virtual meetings. The Monitors appreciate LASD-AV personnel and the members of the Compliance Unit; most are residents of AV or nearby communities, and each works in front-line service to the community during these trying times.

In the report, we note areas of key progress in LASD's implementation of the SA reforms made possible by the hard work of many individuals in the AV stations and the Compliance Unit. The MT appreciates their attention to detail and dedication to this effort. The continued involvement of the Office of County Counsel has also been essential for progress, particularly with all the staffing changes in the Department and continued inadequate staffing numbers and turnover in the Compliance Unit. The working relationship between the Department, DOJ team members, and the MT, while not without occasional conflict, continues to be conducive to meeting the goals of the SA and making important improvements to law enforcement services in the AV.

Specifically, the MT notes the following areas of progress. The second Community Survey was completed, and due to a significant investment in community outreach, there was a marked improvement in the representation of AV communities across the spectrum. LASD has reached compliance with all housing-related provisions and is now in its 12th month of sustained

¹Settlement Agreement, No. CV 15-03174, United States v. Los Angeles County et al. (D.C. Cal. Apr. 28, 2015).

compliance for the majority of housing-related provisions. Several audits for the SA were completed by the Audit and Accountability Bureau (AAB), and the content and comprehensiveness continue to improve. The MT completed an in-depth statistical analysis on the stops data to explore potential disparities in policing practices, which will provide a foundation for evaluation of a community policing strategy. LASD conducted two Quarterly Employee Reviews and has been earnestly engaged in discussions about the improvement and utilization of those important new accountability tools. And, the CACs, with the Department's assistance, have demonstrated remarkable leadership during a very turbulent time in the AV and the country.

The Monitors' frustrations lie with management and executive staff. While the Parties always try to minimize the burden of SA-required activities, the efforts on the part of all LASD personnel to meet and maintain SA compliance while continuing their regular daily work can be taxing. Success will require continued vigilance and encouragement from Department management and supervisors. Unfortunately, the MT is not seeing adequate evidence of continued vigilance and support for the AV personnel who are tasked with implementing and documenting these reforms. In the last year, we have witnessed stagnation on some of the most foundational and critical work required by the SA. This includes revisions to the use-of-force (UOF) policy and training (which, among other things, required de-escalation in use of force), the Service Comment Report Handbook, the Administrative Investigations Handbook, and the Manual of Policy and Procedures (MPP). This stagnation has led to backsliding and delays in LASD achieving compliance with the SA.

The Antelope Valley Settlement Agreement: Summary

The Antelope Valley Settlement Agreement (SA) was established between the US DOJ, Civil Rights Division; the Los Angeles County Sheriff's Department (LASD); and the County of Los Angeles and was filed with the US District Court for the Central District of California in April 2015. (DOJ, LASD, and the county together are referred to as the Parties.) The purpose of the SA is to ensure that residents of the AV have police services that are lawful and fully consistent with the Constitution of the United States and contemporary policing practices. The SA specifically identifies, as individual sections, a variety of reforms and objectives to be met by LASD in the AV related to: stops, seizures, and searches; bias-free policing; enforcement of Section 8 compliance; data collection and analysis; community engagement; use of force; personnel complaint review; and accountability. The SA also stipulates that a professional monitor be selected to track and assess LASD's progress in implementing and achieving compliance with the SA, work with the Parties to address obstacles to achieving compliance, and report on the status of implementation to the Parties and the Court. As per SA Paragraph 171, the Monitor submits a semi-annual report (every six months); the first of these was issued in December 2015.

The AV lies in the northeast corner of the County of Los Angeles and includes two cities—Lancaster and Palmdale—and several unincorporated communities spread across hundreds of square miles. LASD provides law enforcement services in the unincorporated areas of the AV as well as via contracts with Palmdale and Lancaster. An LASD station serves each city, with law enforcement activities for the surrounding areas roughly split between the two.

II. SETTLEMENT AGREEMENT COMPLIANCE

Much of the SA involves developing or revising policies, procedures, or training; putting into place various processes (such as a plan for ensuring new AV deputies receive training); and striving to more effectively engage community organizations and entities such as the CACs. This work is usually done collaboratively among the Parties and the MT, with documentation of the change (new policy, revised training, etc.) eventually being formally submitted to the MT and DOJ for approval. Gaining that approval would seemingly indicate that the Department is now “in compliance” with that provision. However, while it does represent a crucial step forward, the Department would be only in *partial* compliance (or “policy compliance” as the Parties have viewed it). This is because, in most cases, more steps are involved before the Department reaches full **implementation** (SA Paragraph 20, see below) and, thus, full compliance.

An approved policy must be distributed to every deputy according to SA-required procedures and, as necessary, incorporated into training curricula. An approved training curriculum will require documentation that appropriate personnel have received the training. New procedures and processes must be successfully instituted. Most importantly, each of the established improvements will need to prove effective in the real world. That is, they are then assessed through such MT activities as reviews, audits, interviews, observation, and data analysis to establish whether they are successfully reflected in law enforcement practices and achieve the intended qualitative and quantitative impacts on the AV community.

Changes to policy and practice must also be incorporated into LASD-AV’s accountability practices. The reviews, analyses, studies, and audits that the SA requires LASD to conduct must use appropriate methodologies; and, in turn, their findings must be used effectively to inform policies and practices.² Finally, this level of performance must be sustained for one year to reach **full and effective compliance** and to satisfy the terms of the SA (Paragraph 205). In some cases, the SA requires ongoing improvement in the delivery of services (SA Paragraph 15).

This process of achieving compliance is laid out in various provisions of the SA, especially through the following paragraphs.

- Paragraph 20. Implementation is defined as “the development or putting into place of a policy or procedure, including the appropriate training of all relevant personnel, and the consistent and verified performance of that policy or procedure in actual practice.” What is meant by “consistent and verified performance” is to be laid out in each SA section’s compliance metrics.

² Paragraph 171b gives a summary of the stepwise process toward compliance. Most provisions of the SA need to be “(1) incorporated into policy; (2) the subject of sufficient training for all relevant LASD deputies and employees; (3) reviewed or audited by the Monitor to determine whether they have been fully implemented in actual practice, including the date of the review or audit; and (4) found by the Monitor to have been fully implemented in practice.”

- Paragraph 205. The terms of the SA will have been met when “the County has achieved full and effective compliance with the Agreement and maintained such compliance for no less than one year.”
- Paragraph 15. **Full and effective compliance** means “achieving both sustained compliance with all material requirements of this Agreement and sustained and continuing improvement in constitutional policing and public trust, as demonstrated pursuant to the Agreement’s outcome measures.”

Compliance metrics or measures represent the specific quantitative and qualitative criteria by which the MT will assess full compliance with each SA provision. The written metrics, most of which are now finalized, mirror the language of the SA, but they also ensure the Parties and MT agree on how the SA language translates into workable and measurable standards for LASD-AV policy and practice and for assessing compliance.

This report addresses SA provisions where the MT considers the Department to be in compliance or to have made substantial progress toward compliance. Also discussed are provisions that require additional work, with emphasis on those that will likely require substantial time and resources for the Department to come into compliance or for the MT to effectively assess levels of compliance. When possible, this report also summarizes the sequence of activities and steps the Department must take to achieve full compliance.

III. WORK TO DATE

A. Stops, Seizures, and Searches

The SA provisions describe the way in which LASD-AV deputies must conduct and document investigative stops, detentions, and searches. These provisions also detail many of the ways Department supervisors and managers must document, track, review, and assess these practices. The introduction to Stops, Seizures, and Searches summarizes the overall goals of this section.

LASD agrees to ensure that all investigatory stops, seizures, and searches are conducted in accordance with the rights, privileges, or immunities secured or protected by the Constitution or laws of the United States. LASD shall ensure that investigatory stops and searches are part of an effective overall crime prevention strategy, do not contribute to counter-productive divisions between LASD and the community, and are adequately documented for tracking and supervision purposes (SA page 7).

Broadly speaking, the SA requires LASD to (1) provide direction in the form of policy to deputies, (2) train deputies on Constitutional stops, and (3) collect accurate data on their stops. Stops data

should then be used to identify deputies or practices that have potential for bias or other unintended impacts and to inform community policing strategies.

Policy changes regarding stops were developed and implemented early on during the monitoring work. Important trainings have also been developed and implemented. While not yet in compliance, the Department has improved in their collection of accurate data. However, the MT does not yet see evidence that the station leadership is relying upon or encouraging the use of these data for evaluation of disparities or community policing strategies. The MT presented an analysis of LASD-AV stops data in the last semi-annual report and in meetings with the Parties. During this reporting period, the second iteration of that stops analysis was conducted, along with a deeper analysis of disparities, as reported below. Most of this "Stops" report section focuses on the accuracy of data collection and our expectations regarding how LASD will use these data.

1. Full-Day and In-Service Training

- a. *Constitutional Policing and Bias-Free Policing Training*

The Constitutional Policing and Bias-Free Policing trainings, developed to meet SA requirements for stops, seizures, and searches and for bias-free policing, are critical to LASD efforts to establish a shared vision and understanding of the expectations and practices deputies are expected to carry out while providing law enforcement services for the AV community. The Department has put major effort into developing and implementing these two full-day training sessions; most AV deputies have attended. It is incumbent on the Department to continue to train all sworn personnel who are newly assigned to the AV stations. During this reporting period, each training was offered once. Bias-Free Policing Training was conducted on February 13, 2020, with 26 students in attendance. Constitutional Policing Training was conducted on February 14, 2020, with 28 students. Based on the MT's verification of training rosters, Palmdale was in compliance after the February 2020 trainings, with 96% of their available deputies trained. Lancaster fell below the SA requirements with 93% of their available deputies trained.³

The compliance metrics that were agreed upon require LASD to offer the trainings a minimum of twice per year, but extra sessions can be offered to ensure deputies receive the training soon after they begin work in the AV. To that end, in addition to the February training sessions, LASD scheduled additional trainings for April 9 and 10, 2020. This would have provided the opportunity to bring Lancaster Station into compliance. However, the April training sessions were cancelled due to the COVID-19 pandemic and ensuing health orders that were issued. Accounting for this emergency, the MT is unable to determine compliance for this training requirement for this period. The next training is scheduled for August 2020. At that time, the MT

³ Compliance percentages for full-day trainings are calculated by dividing the total number of currently assigned deputies who have been trained by the total number of deputies assigned to the AV and available at the time of the current training.

will review deputies trained and determine compliance for this period. If these trainings cannot be conducted due to COVID-19, the MT expects LASD to develop an alternative strategy for meeting requirements of the SA.

The MT has noted that three deputies missed the opportunity to attend both sets of training sessions offered since their assignment to AV (August 2019 and February 2020). Two of these three deputies were assigned to the Lancaster Station and one deputy was assigned to the Palmdale Station and then transferred to the Lancaster Station. As of the February 13 and 14 training dates, those deputies had been assigned to the AV for over 215 days without having attended these important trainings. The length of time between those deputy assignments and attendance at the training sessions is not consistent with the training goals or requirements of the SA. Moreover, this is something that should have been identified at the station level and represents a failure of managerial oversight.

b. Quarterly Roll Call Training for Constitutional Policing, Bias-Free Policing, and Housing

The roll call training sessions represent ongoing and regular training to reinforce the concepts covered in the full-day Constitutional Policing and Bias-Free Policing Training sessions, stressing the importance of preventing discriminatory policing. Additionally, the roll call sessions must be taught by an LASD trainer who attended the approved train-the-trainer course. To augment the already certified trainers, the LASD offered a train-the-trainer course February 12, 2020.

During the roll call sessions, deputies are presented with a real or hypothetical situation followed by a series of written questions; a facilitated discussion then takes place regarding the legality of taking action if those situations were to arise in the field. The content for each roll call session was described in the Eighth Semi-Annual Report (June 2019). The roll call sessions are offered year-round, with two sessions normally presented in each of the first three quarters of the year and one session in the fourth quarter.

While each deputy attends the full-day trainings just once, the roll call trainings are provided on an ongoing basis. Table 1 shows the MT's attendance verification of *Preventing Discriminatory Policing Exercise G* from the fourth quarter of 2019 and *Preventing Discriminatory Policing Exercises A and B* roll call trainings. Both AV stations were found to be in compliance with attendance requirements of Sessions G, A, and B.⁴⁵

⁴ Compliance percentages for roll call trainings are calculated by dividing the total number of currently assigned deputies who have been trained by the total number of deputies assigned to the AV and available at the time of the current training.

⁵ Although Session G was offered in the last quarter of 2019, the MT is not able to conduct the review until the first quarter of 2020; therefore, compliance for this session is reported in this six-month report.

Table 1			
Quarterly Roll Call Training Sessions G of 2019 and A and B of 2020			
AV Station	Session G (2019)	Session A (2020)	Session B (2020)
Lancaster	100%	98%	98%
Palmdale	99%	95%	95%

2. Crime Prevention Strategy

The changes in Stops policy, training, and data collection that the Department has put great effort into in the past five years are not ends in themselves, but are necessary steps toward reaching the outcomes upon which SA compliance will ultimately depend. At this stage, the Department is not in compliance with one of the key requirements as laid out at the start of the Stops section.

LASD shall ensure that investigatory stops and searches are part of an effective overall crime prevention strategy, do not contribute to counter-productive divisions between LASD and the community, and are adequately documented for tracking and supervision purposes (SA page 7).

This section describes the MT’s assessment that there is a lack of an effective overall crime prevention strategy in the AV, the ways in which this shortcoming is problematic, and what work has been done and needs to be done to reach compliance.

a. *Lack of Consistent Enforcement Instructions*

In observations over the last two years, the MT has seen evidence of inconsistencies in both how patrol deputies receive information regarding criminal activity and what they do with that information once they have it. LASD-AV deputies receive information regarding criminal activity in a variety of ways, including via dispatch, postings at the stations, statistical crime reports for an area, discussions or presentations during a roll call session, investigators at the stations, emails, and conversations with other deputies. These variations in communications mean that no consistent platform exists for commanders and supervisors to understand and track how and why their deputies choose to engage in particular enforcement activities in the AV or even whether those activities are undertaken at the deputies’ discretion or that of their supervisors.

Further, patrol deputies are largely left on their own to decide how and when to conduct enforcement activities based on the information they receive. This can lead to inconsistent tactics, which in turn lead to inconsistent outcomes in addressing crime. For example, in previous reporting periods, the MT observed that in areas with spikes in crime, some deputies responded by conducting extra traffic stops in those areas while others parked their cars in

crime “hot spots” while writing their reports. In an example from this reporting period, the MT noted inconsistent decision making regarding the towing of cars. In one circumstance, a deputy expressed a desire to allow time for a family member (with a valid driver’s license) to retrieve the car after the driver was cited for driving without a license. This deputy felt it was good practice for a family to retrieve a car whenever possible. The supervisor disagreed and felt that towing the car would have been a better choice in that circumstance. Another deputy reported that he towed every car he was legally allowed to tow. Except for specialized units, enforcement efforts to respond to crime trends are largely left up to the deputies and lack a larger connection to an organized crime reduction strategy or organized community policing effort.

The MT understands that deputies need to have discretion in the field and that there may be differences of opinion, for instance, on whether a particular car should be towed. But this illustrates an inconsistent application of important, impactful enforcement practices. Whether a person’s car is towed should not be a matter of luck, dependent on which deputy made the stop. It is far better for all to recognize the value and benefits that result from organized and tailored enforcement strategies that rely upon genuine community engagement in seeking solutions.

Inconsistent enforcement practices can have various potential impacts, including racial disparity in stops outcomes. Indeed, the MT disparity analysis described in the Bias-Free Policing section found deep disparities in stops and searches, especially between Black and White drivers. Also, the AV community, especially Latinos, have expressed concerns about LASD towing practices in the past. Disparate repercussions in the community and unreliable or inaccurate metrics for measuring “success” or explaining the purpose behind enforcement strategies are all counterproductive.

The lack of uniform standards and direction from management also leads to inconsistent evaluation of deputy performance if different supervisors have different standards and evaluations are based on unclear and inconsistent guidance. In short, the LASD must ensure deputies’ enforcement decisions are tied to a measurable crime reduction strategy with well-defined and desirable outcomes identified. Management needs to provide more consistent direction about the type of enforcement activity they want from their stations and deputies. No matter the knowledge, expertise, and instinct that divisional and station commanders and their staff bring to bear on enforcement decisions, it is extremely difficult to maintain a cohesive, consistent, transparent, and accountable approach to crime reduction in a large and diverse area like the AV without a formalized and measurable crime prevention strategy.

b. Efforts to Initiate Crime Prevention Strategies

As noted in this and prior reports, the MT has been encouraging LASD to document their efforts in accordance with the contemporary community policing philosophy, including past statements that the AV stations have adopted the SARA Model (Scanning, Analysis, Response, and Assessment process). While the Department has stated they are embracing these methods, no

documentation has been provided to date that establishes any meaningful efforts to do so. We have yet to see any evidence of a shift toward a community-oriented policing philosophy and away from a reactive, call-to-call approach.

As part of this effort and as required by Paragraph 89 in the SA Community Engagement section, LASD has nearly finalized a new community policing training session that can help provide a foundation for adopting robust community policing and problem-solving strategies and practices in the AV. During the last two reporting periods, LASD has worked with the Virginia Center for Policing Innovation to create a baseline for an online training module designed to provide LASD-AV deputies with an overview of Community Policing. Long in coming, this online module was approved and finalized, but it has not been implemented, partly due to technological issues. The Department is also developing the associated in-service trainings which, once approved by the Parties and MT, will be taught to station personnel during roll call. It is likely that development of those training sessions will be completed and delivery of both the online module and in-service trainings will commence in the next reporting period. It is critical that each of the principles taught in training moves forward to implementation. This is dependent on Divisional and station leadership embracing and forwarding a clearly articulated plan and holding personnel accountable to its full implementation. Effective crime prevention strategies require partnership, community voice, strategies to focus enforcement efforts, documentation of direction to staff, and evaluation of efforts. The community policing training required by Paragraph 89 will serve no meaningful purpose if not connected to and supported by a clearly articulated crime prevention strategy.

3. Station Supervisors and Watch Sergeants

Command and supervisory leadership will be an important aspect of the implementation of consistent crime prevention strategies in the AV stations, where watch sergeants are particularly important. LASD uses a watch supervisor as a key position for each shift, with a variety of responsibilities attached to that role, including reviewing reports and documents related to arrests and providing guidance and mentoring of deputies. Watch supervisors also make staffing assignments for the next patrol shift. This position is key to training, guidance, and oversight.

During the last reporting period, AV stations had many vacant sergeant positions. One sergeant described having responsibility for 21 annual evaluations of employees. This is far too many for one supervisor to complete: Quality and thoroughness suffer and the objectives of performance appraisals are compromised. Fortunately, LASD filled some of the sergeant vacancies at LASD-AV stations early in this reporting period. Given the importance of the supervisory position though, LASD can ill afford allowing supervisory staffing levels to fall so low that adequate supervision suffers.

4. MT Ride-Along

During a ride-along in February 2020, a member of the MT encountered a stop that was problematic in several ways. There was a call of a stolen car that was found in a shopping center parking lot with two occupants inside. The deputy rolled "Code 3" to the call, i.e., with lights and sirens. When the deputy arrived on the scene, three other deputies were there already with their firearms drawn and pointed toward the suspect vehicle. In the next few minutes, more than 20 deputies arrived and all had their firearms drawn, including two shotguns. Eventually two teenagers, one of whom was a mother with a baby, exited the car. The mother was detained and separated from her baby momentarily but later released. The other teenager, a boy, was taken into custody without incident. Several bystanders were filming the incident, and one of them was arrested and later charged with obstructing a police officer and resisting arrest.

The MT wants to determine if there was a violation of the LASD-AV policy, based on SA Paragraph 106, that prohibits deputies from interfering with or arresting individuals for the lawful recording of public events. The MT also wants to discuss with station leadership the potential impacts of the overwhelming nature of the deputy response to this type of situation. A review of the incident will be completed in the upcoming period, and the findings will be reported.

5. Stops Data

The collection of reliable data and their careful and consistent application to enforcement activity is an important component of an effective overall crime prevention strategy and a key requirement for reaching compliance with the outcomes laid out in both the Stops and Bias-Free sections of the SA. The Department has made strides but is not yet fully compliant with paragraphs 81–86, wherein LASD is required to improve their data collection, analysis, and reporting. In addition, those data must be used to identify issues, including the impact of enforcement practices on the community and potential disparity; assess the success of any corrective actions; and increase community confidence in AV's law enforcement activity.

a. LASD AAB Stops Data Audits

The most recent AAB audit of computer aided dispatch (CAD) data entered by Lancaster Station deputies focused on key areas of backseat detentions, clearance codes, adequate documentation of the justification for stops, and supervisor reviews.⁶ Previous audits of both stations had similar focus. As in the past, the MT found the methodology for the audit followed professional standards. The MT was encouraged to see the scope of the audit increased to include additional review of clearance codes. However, the audit did not cross-check against

⁶ LASD AAB, Detentions of Individuals and Data Collection, North Patrol Division – Lancaster Station, Project No. 2019-11-A, Audit Report.

other available data to ensure the accuracy of the data entered in CAD by the deputies. The MT asked that future audits conduct verification of the data entered in CAD. For example, if the stop involved an arrest, then the auditors should access available arrest reports to review as a verification of the data in CAD. This may not always be possible because some stops have an entry in CAD, but no accompanying paperwork; nonetheless, efforts should be made when the data are available.

Although the AAB audit found significant improvement in CAD data entry at the Lancaster Station, the percentages again fell short of compliance levels. In particular, the deputies too often failed to list an adequate justification for stop or enforcement actions and/or enter the correct clearance codes. Additionally, the audit found that supervisory reviews of each deputy's CAD logs, referred to as Deputy Daily Worksheets (DDWS), did not adequately identify and correct failures. Attention to detail in the CAD entries will only become institutionalized if LASD supervisors remain diligent in their reviews to ensure compliance.

This lack of follow through is problematic because these data are meaningful and actionable but must be reliable. Supervisors and managers must ensure accountability for the accurate collection of data in CAD. This is especially true because the LASD CAD is an antiquated system with significant limitations for entry into the narrative fields for stops. There is a slim margin for error, and leadership must ensure the system is being effectively used by the deputies. Without accurate information in this area, it is impossible to ensure constitutionally valid policing. Bad data lead to poor decisions, ineffective plans, and undesirable results.

The Importance of Stops Data

A key focus of the monitoring activity for this section of the SA is on the various types of data collected by deputies as they conduct their daily operations. They record extensive information chronicling nearly every interaction with the public, including each stop or call for service; each search, detention, citation, or arrest; the dispositions of each call; and in some circumstances, short narratives. They also now record certain community engagement activities. It is essential that these data—which serve as the foundation for all audits, analyses, and reviews conducted by both the MT and by LASD—are accurate, thorough, and reliable. When a deputy stops and detains someone, however briefly, the facts and circumstances that led to that stop and detention and any subsequent action must be rigorously documented and later reviewed in an effort to assess the deputy's decision making, the legality of the deputy's actions, and compliance with LASD policy and the terms and conditions of the SA.

Data collection for stops requires entering one or more alpha or numerical codes associated with the primary actions of the stop. Deputies can consult codebooks for these. The codes determine the other fields that appear on the screen and must be completed. Importantly, supervisors, managers, and auditors typically use these codes to retrieve information about each entry to properly supervise deputies and units, conduct risk management assessment, and monitor activities. For example, a supervisor may want to review all records from the past month for pedestrian stops, which use code 841. Such a request will retrieve only the stops recorded as pedestrian stops. Incorrectly coded stops will not appear in the search. With thousands of stops and other activities recorded in the database, it is of course very important that accurate codes are used to identify each stop type.

b. Compliance Unit Training

The Compliance Unit continues to provide informal training at the AV stations to improve the accuracy and thoroughness of CAD data entry by deputies. The Compliance Unit staff also spent time in the AV stations to provide training to the supervisors and commanders. The training is helpful for the AV stations because there is a large amount of turnover and transfers. The long-term sustainability of the SA improvements will only be successful if the AV stations are given the support to develop this same level of expertise and provide training in their respective stations without the help of the Compliance Unit.

c. Analyses

The MT conducted two types of stops data analysis. The first is called the trends analysis and is reported here. The trends analysis demonstrates the type of data review the stations can do regularly—as often as monthly—to track and adjust as necessary their enforcement activities based on what the data show. The second is called the disparity analysis and is reported in the Bias-Free Policing section. The disparity analysis is a semi-annual analysis that centers on statistical modeling to assess “whether law enforcement activity has a disparate impact on any racial or ethnic group” (SA Paragraph 83).

d. Trends Analysis

The trends analysis is an overall look at stops and the outcomes that may follow a stop, e.g., search, backseat detention, citation, arrest. The data are disaggregated by reasons justifying the enforcement decision (e.g., reason for the stop, reason for the search). It is also viewed by race/ethnicity. The findings presented here and in Appendix 1 are a snapshot of the complete data. The MT will provide more detailed data to the stations, including disaggregation by station and with more detailed breakdowns within each topic.

The trends analysis compared data from January to June 2019 and July to December 2019. (January to June 2019 was originally reported in the last semi-annual report.) Combined, the two AV stations conducted 39,232 discretionary stops (vehicle, bicycle, or pedestrian) in 2019; 20,484 in the first half of the year; and slightly less, 18,748, in the second half. The majority of individuals stopped in each six-month period were Latino (44%, 46%), followed by Black (32%, 32%), White (22%, 21%), Asian (<1%), and other (1%). The corresponding racial and ethnic proportions in the AV population for this analysis are Latino, 48%; Black, 17%; White, 29%; and Asian, 4%.⁷ Rates of stops, backseat detentions, and contraband found were fairly consistent across the two six-month periods. Small decreases were seen across each racial/ethnic group in the proportion of those stopped who were searched, asked about their parole and probation status, and cited or arrested.

Importantly, neither the MT nor the Department can effectively evaluate the trends analysis without evaluating the findings against a crime prevention strategy.

The MT will meet with AV commanders early in the next reporting period to continue the discussion of effective and equitable crime reduction strategies and stops trends data. To be useful, data should be used by the Department to assess whether specific, articulated strategies are effective; whether certain units, shifts, or supervisors seem to impact certain groups more or less; and whether a particular policing strategy has unintended consequences. If the data show disparity in enforcement, commanders should review the activity leading to the disparity, judge the efficacy of the practice, and provide direction to staff to mitigate the disparity where appropriate. Regular analysis and engagement with the trends in stops data is a core component of constitutionally valid policing. A more in-depth discussion of crime prevention strategies and enforcement and supervision at the AV stations follows.

e. Top 10 Lists and Highly Active Deputies

In the last reporting period, the MT provided LASD with a list of the top 10 deputies for stops in the key categories of (1) all people stopped, (2) backseat detentions, (3) persons searched, (4) vehicles searched, (5) any arrest, and (6) any citation. The MT will continue to provide the lists to LASD for risk management purposes. Additionally, in the disparities analysis we identified

⁷ U.S. Census Bureau, American Community Survey, 2019.

groups of deputies responsible for a large portion of the enforcement efforts. This information provides the starting point for commanders to determine if the enforcement is in line with their enforcement direction and examine the reasons for identified disparities.

6. Stops Compliance Status

Table 2 provides the current compliance status for each paragraph in the Stops section of the SA. The table does not reflect work done or progress made toward reaching compliance with each provision; it only indicates whether the Department is currently in compliance.

Table 2		
Stops Compliance Status		
SA Paragraph	Summary of SA Requirements	Compliance
41	Stops and detentions are based on reasonable suspicion.	No
42	Elements of procedural justice are incorporated into training.	Yes
43	LASD-AV does not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation as a factor in establishing reasonable suspicion or probable cause, except as part of actual and credible description(s) of a specific suspect or suspects.	No
44	Stops are documented in MDC patrol logs.	No
45	Accurate and specific descriptive language (non-boilerplate) is used in reports.	No
46	Efficacy and impact on the community of searches based on probation and parole are assessed.	No
47	Backseat detentions require reasonable suspicion and reasonable safety concerns.	No
48	Backseat detentions are not conducted as a matter of course.	No
49	Deputies respond to complaints about backseat detentions.	No
50	Deputies do not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, sexual orientation or gender identity in exercising discretion to conduct a search, except as part of an actual and credible description of specific suspect(s).	No
51	Deputies do not conduct arbitrary searches.	No
52 ⁸	Outreach is conducted about right to refuse or revoke consent; individuals with limited English proficiency are informed in appropriate non-English language; supervisors are notified before home-based search.	No
53	Reasonable number of deputies are present at a search.	Yes
54	Section 8 compliance checks require articulated safety concerns.	Yes

⁸ Partially monitored in the Bias-Free Policing section.

Table 2		
Stops Compliance Status		
SA Paragraph	Summary of SA Requirements	Compliance
55	Reasonable suspicion for detention or search of individuals present during home searches.	Yes
56	Probation and parole searches are carried out only when search conditions are established.	No
57	Constitutional training is conducted.	Unable to determine due to COVID-19
58	Additional accountability and supervision to ensure unlawful stops and searches are detected and addressed.	No
59	Supervisors review CAD logs.	No
60	Supervisors review justification for stops and searches.	No
61	Supervisors and station commanders address all violations and deficiencies in stops and searches.	No
62	Supervisors and station commanders track repeated violations of this SA and corrective action taken.	No
63	AV supervisors and commanders are held accountable for reviewing reports and requiring deputies to articulate sufficient rationale for stops and searches under law and LASD policy.	No

7. Stops, Seizures, and Searches Management Accountability

LASD has agreed to ensure that all deputy enforcement activity for stops, searches, and seizures are done in accordance with rights protected by the US Constitution (SA page 7). To reach and maintain compliance with this requirement, supervisors and commanders must remain vigilant in their efforts to provide active supervision for their staff. The supervision requires regular review of the work of deputies both through review of written reports and direct observations.

The Department has put great effort into the Constitutional Policing and Bias-Free Policing trainings and has generally maintained high compliance rates based on the 95% standard. However, the MT expects the Department to make every effort to ensure that individual AV staff who miss one of the offered trainings attend the next available training and to avoid the circumstance the MT identified where four deputies had been working in the AV for almost a year and had missed both offered trainings. An additional concern with this situation is that those deputies would not have been provided the context needed for the quarterly roll call refresher trainings. Further, this matter was brought to light by the MT. LASD-AV accountability structures and practices should have identified this issue.

Improvements need to be made in the Department's capturing of data in the CAD system. This requires that supervisors take this seriously and routinely provide training and mentoring to deputies. Over time, the MT can confirm that training works and that the extra effort made by the Compliance Unit to train deputies directly resulted in improved data quality. The MT encourages LASD-AV supervisors and managers to maintain the focus on compiling good data.

AAB audits can and should be a significant support for improved organizational accountability, and since the audits are posted publicly, detailed, independent audits can provide transparency to the community. It is then incumbent on LASD managers to use the results of the audits to track and improve personnel and station performance.

B. Bias-Free Policing

The primary goal of the Bias-Free Policing section of the SA is encapsulated in SA Paragraph 64:

In conducting its activities, LASD agrees to ensure that members of the public receive equal protection of the law, without bias based on race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation, and in accordance with the rights secured or protected by the Constitution or laws of the United States. Deputies shall not initiate stops or other field contacts because of an individual's actual or perceived immigration status.

1. Full-Day and In-Service Training

a. *Bias-Free Policing Training*

As reported in the Stops section, LASD continued to provide the full-day Bias-Free Policing Training for LASD deputies assigned to the AV stations. Palmdale Station was found to be in compliance, with 96% of personnel trained; while Lancaster Station had 93% trained, below the 95% requirement. However, LASD efforts to offer an additional training that would have provided the opportunity to bring Lancaster into compliance was cancelled due to COVID-19 restrictions. Therefore, the MT will assess compliance for this period after the next training, currently scheduled for August 2020. Also, as described in the Stops section, the MT is concerned that four deputies missed two opportunities for this training since their assignment to the AV, leaving them working in the field for almost a year without this critical training. The MT expects the Department to track individual deputies who miss trainings and to explore options for avoiding this situation in the future. At LASD's request, and as required by SA Paragraph 65, representatives of the Museum of Tolerance observed a Bias-Free Training session and gave positive feedback regarding its content and delivery. The Compliance Unit is pursuing further communication, which has been hindered by COVID-19 restrictions.

b. *Quarterly Roll Call Training*

In this reporting period, the LASD provided the approved quarterly roll call trainings for preventing discriminatory policing, constitutional policing, bias-free policing, and housing. To reiterate, in the fourth quarter of 2019 and the first quarter of 2020, Lancaster and Palmdale were found to be in compliance for each of the roll call trainings offered⁹. See the Stops section above for more details on the Roll Call Training sessions.

c. *Additional Roll Call Training Sessions*

The Parties and MT met with the outside trainer for LASD to create additional Roll Call training sessions. To ensure students remain engaged in the Roll Call training sessions, the MT encourages the regular creation of training sessions to reinforce the requirements of bias-free policing. The proposed sessions will include video as part of the exercise to add variety in the training delivery. The MT looks forward to receiving the draft training documents for review prior to use in the AV.

2. Stops Disparity Analysis

The MT conducted a review and analysis of stops data for activity occurring in the AV stations, with the focus on those provisions identified in Paragraphs 82–86 of the Settlement Agreement. The data and information gleaned also have relevance to the Bias-Free Policing sections of the SA. The descriptive and inferential analysis of the data was thorough and identified disparities that warrant deeper review and discussion by LASD.

Some statistically significant differences were found to exist when certain categories of activity were examined to assess the potential for disparate impact between racial or ethnic groups. This means the difference was greater than what would be expected to occur by chance. The specific differences are listed below.

1. Black drivers are over-represented in discretionary stops compared to their proportions in the general population; Latinos and Whites are underrepresented.
2. Traffic stops of Black drivers are more likely to be due to a registration/equipment violation than stops of Latinos and Whites.
3. Stops of Black drivers are more likely to involve a search than stops of Latinos and Whites: The differential is driven by a higher search rate for Black men.

⁹ Compliance percentages for Roll Call trainings are calculated by dividing the total number of currently assigned deputies who have been trained by the total number of deputies assigned to the AV and available at the time of the current training.

4. Black people are more likely to experience a backseat detention than Latinos and Whites.
5. Black and Latino people are more likely to be asked about their probation and parole status than Whites, slightly less likely to be on probation or parole when asked, and more likely to be both asked and not to be on probation or parole.
6. Contraband discovery rates are lower for Black people and to a lesser extent for Latinos than Whites. The differences are largest when conditioned on a search occurring.
7. Stops of Black drivers are less likely to result in a citation but more likely to result in a misdemeanor arrest than stops of Latinos and Whites.
8. Misdemeanor arrests of Black people are often for driving without a license, registration violations, or not having insurance. Misdemeanor arrests for White people tend to be for drug violations. Outstanding warrants are frequent for all groups.
9. Stops by race and ethnicity differ geographically, though there is overlap.

The analysis also noted that particular deputies undertake specific types of enforcement actions at a high rate, such as writing citations or conducting searches. This is a key finding because it potentially identifies both the activities and the deputies who are driving the disparities. It identifies a possible intervention point. This does not mean any particular enforcement actions should cease; rather, enforcement strategies must be questioned and scrutinized. It is incumbent on LASD to understand where and why disparities are occurring in these enforcement categories and to determine how to best address any disparities. Real or even perceived disparities have a significant negative impact on community trust in law enforcement. Further, LASD management should recognize that there are several indications that these negative impacts are, indeed, occurring. As described elsewhere in this and previous semi-annual reports, the Community Survey showed many community members feel certain groups are treated differently than others. Also, comments at community meetings consistently describe Black and Latino people feeling targeted.

3. Crime Prevention Strategies and Community Policing

This section is closely tied to the discussion of crime prevention strategies in the Stops section and the need for LASD to use the findings as a basis for reviewing and, as appropriate, modifying their enforcement practices. Racial disparities in these stops outcomes may be related to the inconsistent enforcement practices as described in the Stops section. And, again, the analysis results can also serve to illuminate issues discussed in the Community Engagement section regarding perceptions and distrust of law enforcement among community members.

The MT has seen examples of community policing efforts and activities at the AV stations. However, these efforts should be organized into an overarching crime prevention strategy by which the training and community policing activities are integrated into the AV stations in a measurable way. Such an articulated strategy will play a key role in determining and assessing how crime reduction efforts are organized and tracked. This strategy will also help to address several other elements of the SA. For instance, it will provide a basis for LASD to conduct a systematic review of LASD activities in the AV (Paragraph 68), to complete revisions to the Crime Management Forums (CMF) and Risk Management Forums (RMF) (Paragraph 90), and to respond to issues arising in the community surveys and other community engagement activities. This is attainable, and the MT expects a quickened pace by the LASD in this area.

4. Bias-Free Policing Compliance Status

Table 3 provides the current compliance status for each paragraph in the Bias-Free Policing section of the SA. The table does not reflect work done or progress made toward reaching compliance with each provision; it only indicates whether the Department is currently in compliance.

Table 3		
Bias-Free Policing Compliance Status		
SA Paragraph	Summary of SA Requirements	Compliance
64	Members of the public receive equal protection of the law, without bias based on race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation, and in accordance with the rights secured or protected by the Constitution or laws of the United States. Deputies do not initiate stops or other field contacts because of an individual's actual or perceived immigration status.	Partial (Policy)
65	Museum of Tolerance and other experts are consulted on prohibited conduct, bias-free policing, implicit bias, and stereotype threat.	Partial
66	Effective communication and access to police services is provided to all AV members, including LEP.	Partial (Policy)
67	Bias-free policing and equal protection requirements are incorporated into personnel performance evaluation process.	No
68	All LASD-AV programs, initiatives, and activities are analyzed annually for disparities.	No
70	Bias-Free Policing training is provided.	Unable to determine due to COVID-19
71	Quarterly Roll Call trainings on preventing discriminatory policing are provided.	Yes

C. Enforcement of Section 8 Compliance

The DOJ investigation finding that LASD-AV deputies, together with the Housing Authority of the County of Los Angeles, some residents, and city officials, engaged in a pattern and practice against primarily Black Section 8 voucher holders in Lancaster and Palmdale was foundational to the SA. As per the requirements of the SA, LASD implemented housing non-discrimination and accompaniment policies and developed and implemented deputy training on those policies. The MT assessed the Department's implementation of the policies and related outcomes, determining that the Department has successfully taken the steps required to reach sustained compliance on most of the SA housing provisions, as described in this section. MT will continue to attend to housing-related issues throughout the monitoring period to ensure that LASD reaches sustained compliance with the remaining provisions and maintains these reforms. That said, the MT acknowledges the progress LASD has shown in reaching this crucial milestone toward re-establishing constitutional policing in the AV.

1. Monitoring of Housing-Related Activities in the AV

In this reporting period, the MT continued with record reviews, onsite station observations, CAC and community meeting observations, CAC report reviews, and community member interviews to identify any housing-related activity on the part of LASD-AV deputies. These reviews found no evidence that LASD conducted any accompaniment of Section 8 compliance checks or engaged in any other Section 8-related activity in this reporting period.

2. Housing-Related Training

LASD continued to offer the required housing-related training (part of the Bias-Free Policing Training) to deputies newly assigned or returning to the AV. The Department was in compliance with Paragraph 70 regarding the housing provisions before COVID-19 restrictions forced the cancellation of a scheduled April training. The MT was thus unable to determine compliance for this reporting period, but will not penalize the Department if the training resumes in an approved methodology in the next reporting period. While most deputies have been trained, there are also concerns regarding the lack of training for a few individual deputies working in the AV for almost a year. See the Stops section of this report for full discussion of training status.

The Department offered the quarterly Roll Call trainings, including a module dedicated to fair housing. With the exception of the second quarter in Palmdale, the Department has been in compliance with Paragraph 71 as it regards the housing provisions. (See the Stops section for details.)

3. Housing Policy Receipt Verification

LASD is required to ensure that sworn personnel newly assigned to either of the AV stations read and understand the housing-related policies. This is documented by the personnel signing the Housing Non-Discrimination Policy and Accompaniment Policy acknowledgement forms. The MT then verifies that these forms were received within an allotted timeframe, which is up to 15 days from transferring into the AV for the HND Policy (SA Paragraph 75) and up to 30 days for the Accompaniment Policy (SA Paragraph 164 as it applies to Housing). The short timeframe is meant to ensure deputies begin their work in the AV knowing what is expected of them regarding housing non-discrimination and accompaniment and knowing that these are crucial elements of constitutional and bias-free policing. In this reporting period, the MT verified receipt of the forms for the fourth quarter of 2019 and the first quarter of 2020.

a. Fourth Quarter 2019

In the fourth quarter of 2019, all 13 newly assigned personnel at the Lancaster Station and all 11 at the Palmdale Station met both the 15-day requirement for the HND Policy forms and the 30-day requirement for the Accompaniment Policy forms. Both stations were thus found to be in compliance with Paragraph 75 and Paragraph 164 (as they apply to housing). Documentation indicated that no deputy had a question regarding the HND Policy.

b. First Quarter 2020

In the first quarter of 2020 at Lancaster Station, 77% (10 of 13) of the newly assigned personnel returned their HND forms within 15 days of their transfer-in dates. The three remaining personnel, all sergeants, returned their forms within 24 days. Documentation indicated that no personnel had questions regarding the HND Policy. The MT learned from the Compliance Unit that, although deputies usually have an orientation the first Monday after they are assigned during which they receive station-specific unit orders and policies, sergeants often take longer to complete that orientation because they tend to be sent directly into the field upon arrival, especially when there are sergeant vacancies, as there have been in the past year or more at the AV stations. The MT found the delay for the three sergeants to be within a reasonable amount of time, and therefore, the Lancaster Station was found to be in compliance with Paragraph 75. For the Accompaniment Policy forms, all 13 (100%) were signed within the 30-day requirement, so the station was found to be in compliance with Paragraph 164 (as it applies to housing).

In the first quarter of 2020 at Palmdale Station, the MT found the return of 16 of 17 (93%) of newly assigned deputies' HND Policy Acknowledgement Forms within 15 days and 100% within 18 days to be within a reasonable amount of time, and therefore, the Palmdale Station was found to be in compliance with Paragraph 75. For the Accompaniment Policy, all 17 (100%) met the 30-day requirement, so the station was in compliance with Paragraph 164 (as it applies to housing) as well.

4. Housing Compliance Status

Table 4 shows the Department is in sustained compliance on SA Paragraphs 73, 74, and 76–80 and on paragraph 164 as it relates to housing. “Sustained compliance” indicates that the MT found the Department to be in continuous compliance with these provisions for a period of at least 12 months. At the start of the next reporting period the MT will be verifying receipt of HND policies for the second quarter of 2020, which would be the fourth sequential quarter of compliance for paragraph 75, the minimum length of time required to reach sustained compliance.

Some provisions related to housing are reported in other SA sections. Training related to the Housing policies is measured as part of the Stops and Bias-Free Policing sections and paragraphs 53–55, which address Section 8 accompaniment activities, are measured as part of Bias-Free Policing.

Table 4			
Housing Compliance Status			
SA Paragraph	SA Requirements	Compliance	Sustained Compliance
73	New Housing Non-Discrimination Policy is implemented.	Yes	Yes
74	All current deputies acknowledge receipt and understanding of HND Policy.	Yes	Yes
75	All newly assigned deputies acknowledge receipt and understanding of HND Policy within 15 days.	Yes	No
76	Policies regarding the review of requests from a housing authority for deputy accompaniment are revised. ¹⁰	Yes	Yes
77	Accompaniment Policy regarding LASD housing investigations is implemented.	Yes	Yes
78	Deputies document all voucher holder compliance checks using stat code 787.	Yes	Yes
79	Deputies document each independent investigation for fraud based on voucher holder compliance with the voucher holder contract using stat code 787.	Yes	Yes
80	Deputies document housing-related activity using stat code 787 and do not inquire into an individual’s Section 8 status.	Yes	Yes

¹⁰ Department also in compliance concerning distributing the revised Accompaniment Policy to LASD-AV personnel as per Paragraph 164.

5. Monitoring Sustained Compliance

The MT will continue to attend to housing provisions that have reached sustained compliance via ongoing monitoring actions related to other sections of the SA, including audits, community engagement activities, stops data reviews, and accountability. In practice, this means that, when feasible, the MT will incorporate housing-related objectives into reviews for other SA sections instead of conducting reviews specifically designed for housing-related monitoring. For instance, stops data reviews as part of the Stops and Bias-Free Policing SA sections will include collection of Los Angeles Regional Crime Information System reports and CAD data for stat code 787 entries, the primary ways LASD deputies are required to record any AV community contacts that pertain to housing. Complaints audits will flag any housing-related issues that arise in investigations, and Watch Commander Logs will be scanned for the same. Also, housing-related concerns will be included in the monitoring of community engagement activities. Continued dissemination of the HND and Accompaniment policies to new deputies, continued training on the housing provisions and the federal Fair Housing Act (FHA), reporting of any housing-related community contacts, and adherence to the FHA and SA housing provisions will each be tracked by the MT in this process. Any housing-related issues will also be flagged during MT reviews of LASD's own audits, reports, reviews, assessments, and meetings¹¹; review and observation of CAC reports and meetings; review of documentation and observation of LASD community engagement activities; and other sources from broader Los Angeles County, such as the Office of the Inspector General, the Civilian Oversight Commission, and news media.

All of this information will be tracked, and any indications of incidents or activities that may not appear to comply with SA requirements will be explored further by the MT, beginning with the validation of the facts and circumstances of the situation. If the MT believes further attention is warranted after this initial review, the MT will conduct a more formal investigation to include any necessary document and data requests and interviews. Particular attention will be given to whether LASD accountability processes identified and responded to the issue. Findings will be discussed with the Parties and next steps will be determined. These could include a range of responses, including no change in compliance status, additional scrutiny applied from an accountability perspective, or a return to more intensive housing monitoring.

¹¹ The Parties-approved compliance metrics indicate that LASD is responsible for maintaining compliance with the SA. The compliance metrics state: Any issues related to these provisions, including but not limited to patterns of errors, are identified and appropriate action is taken via LASD's review and accountability processes, such as AAB audits, DDWS and CAD data review, review of crime reports, arrest reports, watch commander logs and sergeant field activity logs, annual Employee Performance Evaluations, Unit Level Performance Reviews, the Employee Quarterly Review, the Sheriff's 11, Risk Management Forums, Crime Management Forums, other supervisory and management reviews, the Community Survey, the "Deputy Survey," community engagement activities, disparate impact assessment, and independent analysis (e.g., Paragraphs 82–86).

6. Housing Accountability

The MT determination that LASD is in sustained compliance with most of the housing-related SA provisions communicates that the Department has reached and maintained compliance in most areas of housing non-discrimination and accompaniment—key elements of the original DOJ investigation that led to the SA. In the Monitor’s eighth and ninth reports we noted the Department’s inconsistency in obtaining 95% of the signed housing Policy Acknowledgement Forms within the required timeframes, particularly without providing any explanation. This is an accountability concern. Despite having found a 77% compliance rate in the return of HND Policy Acknowledgement Forms within 15 days by the Lancaster Station during the first quarter 2020, which was determined to be reasonable in this instance, the MT expects the stations to work to achieve the 95%-within-15-days benchmark on a regular basis and, most importantly, to ensure that incoming personnel read and understand these important policies and apply them in their field work.

D. Community Engagement

The Community Engagement section of the SA states that “LASD agrees to promote and strengthen partnerships within the community, to engage constructively with the community to ensure collaborative problem-solving and bias-free policing, and to increase community confidence in the Department” (page 20). The term “community engagement” primarily refers to the Department’s efforts to engage the community and thus build and maintain trust and confidence in the Department among all community members, per the goals of the SA. The MT’s role in the community-engagement process is to assess LASD’s efforts to interact with and improve its relations with the AV community. The MT may also provide advice and technical assistance to the Department, the CACs or community groups, as appropriate and requested.

The last five years of reporting regarding community engagement in the MT’s semi-annual reports could be summarized as simply as this: “The Department has made progress; yet more progress is necessary.” Unfortunately, the events of the last several months appear to have eroded or compromised some of this progress. The success of community engagement efforts is understandably dependent upon and sensitive to many factors, including policing strategies, changes in Department and station leadership, media attention, and, of course, the need for open communication between law enforcement and community.

The COVID-19 pandemic has no doubt brought unique challenges to the efforts to promote meaningful community engagement since “shelter in place” orders have been in effect for much of 2020 thus far. The resulting economic downturn is also a factor. And as has been discussed in previous semi-annual reports, national events continue to impact local perceptions of law enforcement. The killing of George Floyd and other tragic, high-profile deaths of Black people and people of color across the country before and since then contribute to the public’s perceptions of and the level of trust in local law enforcement-community relationships because

concerns and perceptions from the broader perspective naturally get turned inward, close to home. How local law enforcement responds to this reality is the important question.

While LASD was not directly involved in the incidents and deaths that initially stoked the fires and generated the national conversation regarding race relations and law enforcement, the agency still must contend with the resulting circumstances and public furor that has been evident. LASD-AV managers and deputies needed to respond appropriately. Initially, LASD-AV personnel responded well to the protests that took place in the AV, with dialogue and engagement involving the stations, the CACs, and other community leaders. Tensions grew rapidly in a situation when a few LASD-AV deputies in riot gear arrived on the scene of a demonstration, but this was quickly quieted by an immediate recall of those officers by station leaders. No arrests were made at any of the protests. LASD-AV's adoption of a low-profile law enforcement response to marches and protests was judicious and perceived favorably by most. The community also deserves credit for the modulated response to these events.

Tragedies also struck closer to home, such as the case of the death of Robert Fuller outside of Palmdale City Hall and the death of 61-year-old Michael Thomas in his Lancaster home. It would not be appropriate for the MT to comment on the ongoing investigations of those and other events at this time, but we do express concern and some disappointment with the LASD response to these events in terms of how various actions have affected community engagement and trust: too quickly favoring the suicide explanation in the Fuller case, multiple press conferences and community meetings showing too little empathy for the pain and anger felt by family and community members, and an overall lack of transparency.

The Monitor has noted for years that the stations have fallen short in several areas of reform implementation in the Community Engagement section—issues that still have not been addressed or that have been nominally addressed but not broadly embraced and internalized. The Monitors believe that if these things were implemented in the full spirit of the SA, the AV stations would have had the training, accountability, and ties to AV community groups to be more aware of and responsive to community outcries. In particular, had SA Paragraphs 89 (training in community policing, leadership and interpersonal skills, and building partnerships with the community to target problem solving and prevention), 90 (incorporating community policing and problem-solving policing efforts into Division-level management meetings and data tracking), and 93 (utilizing the CACs in a genuine effort to improve community relations, promote bias-free policing, and partnering on community public safety priorities) been more fully addressed and implemented prior to this period, then Department-community trust would have been stronger, and the Department would have been better prepared and perceived as having responded more appropriately to these events.

1. MT Observations Before and After COVID-19 and Recent Events

The unprecedented challenges to tending healthy relationships between law enforcement and the community led to a change in the MT's observations regarding community engagement

between the start and end of this reporting period. This section describes the MT's assessment of LASD-AV's community engagement strategies and the obstacles that have been encountered prior to the impacts of COVID-19 and others national and local tragic events, and then after these events occurred.

a. Observations Prior to COVID-19

The purpose of this Settlement Agreement that LASD entered with the DOJ, and in effect the AV community, is to ensure Constitutional policing takes place in the AV and to develop genuine, trusting relations between deputies and with all members of the AV community, especially youth and people of color.

Prior to the implementation of COVID-19 restrictions, the MT attended several meetings that were well attended, provided useful information, and allowed for questions of station leadership by community members. The MT has noticed an increase in the organization and professionalism of community meetings, particularly evident with the CAC town halls.

However, CAC and other community members have expressed concerns to the MT. Of particular concern is the perception of increasing use of force by deputies in the AV. At the request of the CAC, the MT reviewed and discussed LASD's UOF and complaints data posted on the Department website.¹² Between August 2016 and July 2017, there were 131 UOF incidents by Lancaster deputies. But between August 2018 and July 2019, there were 246 incidents, a 53% increase. Similarly, in Palmdale, between August 2016 and July 2017, there were 79 UOF incidents. But between August 2018 and July 2019, there were 139 incidents, a 57% increase. This is clearly an issue of note and one of which the stations should be aware, committed to examining, and discussing with the community in an effort to ensure transparency and display a commitment to being responsive to community concerns. To explore this issue further, in the next reporting period the MT will begin an analysis of long-term trends in use of force and complaints in the AV.

Additionally, CAC and community members have raised concern with the MT that not all participants are treated equally in community meetings when they raise concerns. To illustrate this perception, CAC and community members made comparisons between two events. In one, a Palmdale CAC member described a meeting at the Islamic Center for local political candidates during which several White protesters disrupted the event, causing it to shut down. The CAC member complained that when Palmdale deputies were called to the scene, they did not remove the protesters.¹³ In the second, it was alleged that during a Lancaster City Council meeting, a Black man was removed by LASD-AV deputies for shouting.

¹² <https://lasd.org/transparency/>

¹³ A formal complaint was filed and has since been investigated by LASD. The MT and DOJ are reviewing LASD's investigation into this complaint.

The MT is not attempting to adjudicate the facts in these reports; however, these narratives do underscore and provide a sense of community perceptions among various audiences, including those seen as generally being supportive of and favorable toward the LASD-AV stations. The point is that we are seeing or hearing about an increase in community perceptions of disparate practices in how LASD-AV deals with people. This is being expressed among community members at large as well as members of the CACs and others. These perceptions and expressions of concern are becoming even more pronounced in light of recent events, such as Robert Fuller's death and other critical incidents the Department has dealt with.

These are precisely the kinds of community dynamics that the SA requires the Department to attend to and that the MT has raised in discussions with the Department surrounding the Community Survey, the stops analysis by the independent researchers, the implementation of community policing at the AV stations, and genuine community engagement activities. The Department has been a cooperative participant in carrying out activities and engaging in efforts to probe and glean information that can be of help in this arena: collaborating with the MT, DOJ, and outside researchers to develop methodologies and administer surveys; providing data; developing and implementing plans for documenting community engagement activities; holding meetings and facilitating the CACs; etc. However, the Department must do more to ensure the outcomes sought through the SA are understood, embraced, and carried out beyond the life of the SA.

Greater commitment is needed if LASD is to be successful in carrying out the next steps, which include the far more important and difficult work of learning from and incorporating the results based on what has occurred to date. A willingness to reflect upon and learn from past experiences and an openness to hear and rely upon ongoing community feedback are essential if effective community engagement is the goal, and trust is one of the outcomes being sought. The Department can ill-afford to be dismissive of those segments of the community who are critical of the Department's performance. Only through constructive community engagement with those segments will the door open to an effective partnership where the entire AV community can truly become valued as co-producers of public safety.

Other key observations and feedback from our meetings with the CACs prior to COVID-19 include the following.

- There continues to be the feeling that the relationship between the community and LASD-AV has improved significantly over the past few years, but more improvement is needed.
- The Palmdale CAC has broadcast their Town Hall meetings live on Facebook. The last one had 4,670 views.
- The Bias-Free Policing Training being delivered to deputies should focus on Black and Latino people, and CAC would like to see the training curriculum. The Compliance Unit provided an overview of the training curriculum at two different

community meetings since the curriculum was approved, but the majority of CAC members have not reviewed it. One CAC member reported that it would be better if AV residents of color were involved in administering the training.

- Deputies who recently attended a play about race relations were rude and obviously upset that they were required to attend.
- Members of the Black community expressed concerns regarding the lack of Black deputies in the two stations.

b. Observations Since COVID-19 and Recent Events

A series of recent events have had a significant impact on relations between the AV community and LASD. On June 11, Lancaster deputies responded to a domestic violence call that resulted in an officer-involved shooting and the death of Michael Thomas, an unarmed 61-year-old Black man. Deputies reported that the victim reached for a deputy's gun during a struggle. On June 10, Robert Fuller, a 24-year-old Black man, was found hanging from a tree near the Palmdale City Hall. Many local residents were angered by the Department's immediate assessment that the incident was a suicide. A few days later, LASD deputies shot and killed Mr. Fuller's brother after he opened fire on deputies during their attempt to arrest him subsequent to a criminal investigation and the issuance of a felony warrant for his arrest.

These events have led to a series of protests against LASD attracting hundreds of people in the Antelope Valley.

Toward the end of June, the MT held a virtual meeting with the Lancaster CAC, who requested a discussion about the area's current events and climate. A similar meeting was held with the Palmdale CAC the following week. The main themes and concerns that came out of both meetings include the following.

- Many questions about these recent events remain unanswered, and the community is feeling frustrated. LASD is viewed as not being very transparent or forthcoming about the deputy-involved shooting or other recent events.
- LASD appeared to be too quick and eager to assume Fuller's death was a suicide, as the investigation was not complete and failed to recognize or consider the historic symbolism associated with the event and the impact this had on the Black community.
- Trust has eroded; community members do not have confidence that LASD will conduct thorough and fair investigations on these matters.
- Community members are increasingly open about expressing their fear of interactions with LASD.

- There is recognition of a need for more frequent community forums to engage and communicate with LASD.
- The CACs want to know how to help increase the accountability of the stations.
- One CAC member summed up the group's sentiment by saying: "It seems like all the work that we have done in the past five years to make improvements are going backward."

2. Community Members Visiting Stations

During a site visit to the Lancaster station prior to the COVID-19 restrictions, the MT noted issues in the lobby that have been documented in several previous Monitoring Reports. These issues include long lines for the public waiting to make a report or obtain other services and disgruntled community members unhappy with the service they were receiving or expressing frustration about being ignored because no one was present at the counter. The quality of customer service that community members receive when they visit the stations greatly impacts perceptions about the Department. LASD could improve community opinions and even community relations by improving the experience of those who visit the stations for service.

3. Review of LASD-AV Deputy Community Engagement Activities

During this reporting period, the MT completed a review of documentation of the deputy community engagement activities for 2019. Paragraph 88 of the SA states: "All sworn personnel at the Antelope Valley stations shall actively attend community meetings and events. LASD agrees to develop a plan for such attendance based on the results of annual community satisfaction surveys and feedback from the civilian panel, discussed below. The plan shall indicate the number and types of events to be attended on a regular basis and consider the need to enhance relationships with particular groups within the community, including, but not limited to, youth, and communities of color."

In developing compliance metrics for the SA, the Parties agreed to the required annual number of approved community meetings and/or self-initiated positive engagement of community members (referred to by their code, 755) for each sworn staff member based on their amount of time assigned to an AV station. For 2019, the Lancaster Station had a 97% compliance rate, and the Palmdale Station had a 92% compliance rate. However, the quality of those community interactions is more important than the quantity. The quality of self-initiated contacts with community members, both how they are conducted and how they are documented, varies enormously. Some appear to be about "checking off the box" by deputies who conducted three in one day and no more for the rest of the year. There are others that were deemed non-compliant due to a deputy reporting separate instances of community outreach to the exact same person at the same business. These types of interactions were not counted toward

compliance. Others that met the minimum for compliance were approved, but the MT encourages station leadership to require all personnel to seek out high-level interactions, especially with harder-to-reach youth and people of color. These exemplary types of 755s were also present in those the MT reviewed, such as a deputy who approached a woman and three children, talked to the youth about decision making, and gave them gift cards. Another deputy checked in with a homeless woman, making sure she had enough blankets and a shelter plan in case it rained.

Additionally, while the MT has reviewed LASD's documentation toward compliance with attendance at community events, when COVID-19 restrictions allow, the MT will continue to observe meetings in order to validate the documentation and assess the quality of the engagement.

4. Youth Diversion Program

Prior to COVID-19 restrictions, the MT met with the Lancaster detective assigned as the coordinator for the youth diversion program in the AV. Los Angeles County is launching youth diversion programs in cities throughout the county through the Division of Youth Diversion and Development. LASD has agreed to participate in this county program as part of their efforts to comply with a provision in the SA requirement to develop a diversion program.

The Lancaster Station is working with community-based organization (CBO) partner Asian Youth Center (AYC), and Palmdale is working with CBO partner Solidad Enrichment Action (SEA). Both CBOs have received funding from the county to operate the diversion programs, but they have not launched yet. The programs were ready to begin but were delayed due to the COVID-19 pandemic.

For a youth to be diverted from arrest and prosecution, the youth is released to their parents/guardians after they all agree to the voluntary conditions of diversion. The deputy uses a special stat code to document the exchange but does not cite, book, or pull a booking number for the youth. The youth is referred to AYC and SEA, which can provide anger management, drug and alcohol classes, cognitive behavioral therapy, as well as one-on-one and family counseling based on needs. The diversion program seems to have the hallmarks of a legitimate and appropriate diversion and, if implemented, could have a positive impact on the youth of the community. Having such options does contribute to building trust with youth people.

5. Community Survey

Prior to COVID-19 restrictions and recent events, the second annual Community Survey data collection was completed. CBOs, students, and individual community members collected data through February of this year. Community-led data collection efforts produced over 1,000 completed community surveys.

Conducted by an independent survey team, the purpose of the SA-mandated annual Community Survey is to assess community perceptions of the relationship between LASD and the AV community and to attempt to measure how, if at all, the SA reforms affect that relationship.

The survey was distributed widely in the AV community through several methods.

1. LASD and partner organizations sent out an online link to the survey via email and social media.
2. Members of CACs and additional CBOs were trained to do outreach and were compensated for collecting surveys in their communities.
3. A mailer that included the survey's online link was sent via USPS to 2,000 AV residents.
4. The survey was distributed at Antelope Valley College.
5. The youth survey was shared with Antelope Valley Union High School District leadership, who shared the survey with principals at all the high schools in the district.

Because Black AV residents were initially underrepresented in the first survey, and many of the DOJ investigation findings were related to the Department's treatment of Black residents, there was a concerted effort on the part of the Parties to hear from more Black AV residents in the second annual survey. This intentional effort, along with the investment in a community-led data collection process, and the tremendous effort of the AV residents who conducted data collection in their communities, Black AV residents were not underrepresented in the second annual survey. Black AV residents made up 13% (10% Black and 3% Black multiracial) of total survey respondents in the first annual survey in 2018, and 18% (16% Black and 2% Black multiracial) of total respondents in the second annual survey in 2019–2020. However, Latino adults continue to be underrepresented in the survey sample, a trend the MT would like to improve upon going forward.

The independent survey team had several discussions with Antelope Valley Union High School District leadership about administering the youth survey in as many AV high schools as possible. District leadership provided the survey link to all high school principals in the district. However, the MT only received confirmation that Highland High School participated in the survey. There was potentially a small number of youth respondents from other schools, but because the survey was anonymous, that cannot be verified. The research team and the Parties made it a priority to try to engage AV high schools in the survey distribution process. The research team and the Parties remain committed to hearing youth perspectives of policing in their communities and neighborhoods and will continue trying to work with the district and the high schools during the next annual survey.

Due to the COVID-19 pandemic, there were some unanticipated delays in the data analysis process. However, data from 2019–2020 are currently being analyzed by the research team, and a report of the findings as well as the more extensive data tables will be released to the public during the next Monitoring period. Once publicly released, the Parties would like to discuss the findings with community members as they did after the first annual survey. The format of this discussion or series of discussions is to be determined and may have to be adjusted based on public health guidelines.

As mentioned in previous semi-annual reports, the data gathered through the initial annual survey will be used as a baseline and will be compared with data from the second and future surveys to assess changes in the relationship between LASD and the community over time. The Monitor applauds the LASD for supporting additional data collection efforts focused on people of color, particularly Black residents. This willingness to listen and incorporate feedback displays the Department's desire and commitment to listening and learning from these community engagement efforts.

6. Revisions to Risk and Crime Management Forums

The Department remains out of compliance with important enhancements to the LASD's monthly CMF and semi-annual RMF. Paragraph 90 says these meetings, which are overseen by the Assistant Sheriff, "must include discussion and analysis of trends in misconduct complaints and community priorities to identify areas of concern, and to better develop interventions to address them." As reported in the last semi-annual report, the MT provided LASD with a detailed memo on October 10, 2019, regarding how the Department can come into compliance with Paragraph 90. Subsequently, the memo was re-sent two times. The MT's four-page detailed memo to LASD stressed that the most important elements of Paragraph 90 require that the CMF and/or RMF engage in actions to: 1) identify areas of concern regarding misconduct complaints and community priorities, 2) develop appropriate interventions to address these priorities, 3) utilize sound techniques that support these actions, and then 4) measure/evaluate community and problem-solving policing strategies. The MT has yet to receive a response from the Department. Not providing a substantive response to this memo after multiple reminders and more than eight months is one of many examples of the Department exhibiting lack of accountability.

7. Applying the Results of the Stops Disparity Analysis and Community Survey

The recently completed analysis of stops conducted by LASD-AV deputies found that Black drivers are stopped at disproportionate rates, especially for lower-level infractions, and they are cited at a disparate rate (see the Bias-Free Policing section). The MT's analysis of complaints also shows a large percentage of complaints were filed by Black people in Lancaster.

In addition to these troubling outcomes, although a full analysis of the most recent annual survey of the AV community will not be complete until the next reporting period, the initial data reviewed by the Parties and Monitors reveal that the Black community continues to lack trust in LASD. When asked if deputies in AV treat different groups fairly, 65% of Black respondents said “no” compared to 22% of White respondents.¹⁴ When asked if LASD does a good job serving the community, an alarmingly low 26% of Black respondents and 31% of Latino respondents agreed overall. Yet 62% of White respondents agreed with this statement.¹⁵

These data points, along with the current national state of affairs as it pertains to police and the Black community, is cause for significant concern. The MT strongly suggests that LASD not only undertake greater efforts to positively engage the Black community but to also address the results of these important studies. A major focus of the MT in the next reporting period will be to engage the Department in understanding and embracing the findings and the cumulative effects of recent events on Department-community relations toward a greater commitment to the community engagement requirements of the SA. The MT also looks forward to continuing to work with LASD as the station captains use the results of these studies to inform a community-oriented crime prevention strategy.

8. Community Engagement Compliance Status

Table 5 provides the current compliance status for each paragraph in the Community Engagement section of the SA. The table does not reflect work done or progress made toward reaching compliance with each provision; it only indicates if the Department is currently in compliance or not.

¹⁴ Of 5,592 adult and youth respondents to “Do AV deputies treat different groups fairly?” Blacks indicated 65% no, 35% yes; Whites indicated 22% no, 78% yes; and Latinos indicated 35% no, 65% yes.

¹⁵ For adult and youth respondents to “The Sheriff’s Department does a good job serving the community,” Black/Black Multiracial indicated 43% disagree, 32% neutral, 26% agree; Whites indicated 20% disagree, 18% neutral, 62% agree; and Latinos indicated 35% disagree, 34% neutral, 31% agree.

Table 5		
Community Engagement Compliance Status		
SA Paragraph	Summary of SA Requirements	In Compliance
69	Conduct organizational culture and climate survey.	Yes
72	Consult experts and the culture and climate survey to help develop training.	No
87	Actively participate in community engagement efforts, including community meetings; be available for community feedback; develop CACs and diversion programs.	Partial
88	Ensure all sworn personnel attend community meetings and events and consider the need to enhance relationships with particular groups within the community including, but not limited to, youth and communities of color.	Partial
89	Provide in-service training on community policing and problem-oriented training.	No
90	Revise content of CMFs and RMFs.	No
91	Complete community engagement assessment and reports.	Partial
92	Seek community assistance in disseminating SA.	Yes
93	Support CACs and work with CACs to establish public safety priorities.	Yes
94	Memorialize CACs and facilitate quarterly meetings.	Yes
95	Post CAC's reports on LASD-AV website and respond to recommendations.	Yes
96	Provide administrative support and meeting space for CACs.	Yes
97	CACs have no access to non-public information.	Yes
98	Assist Monitor in annual Community Survey.	Yes
99	Cooperate with independent researcher in conducting annual Community Survey and deputy survey.	Yes
100	Cooperate with administration of the annual Community Survey and focus groups.	Yes
101	Post annual Community Survey report on LASD-AV website.	Yes

As discussed in the Stops section, LASD is required to provide structured annual in-service training on community policing and problem-oriented policing methods and skills for all AV deputies, including station supervisors and unit commanders (Paragraph 89). LASD plans to provide an online training module to all deputies as an introduction to community-oriented policing. The online module was approved by the MT and DOJ, but problems with the equipment have delayed implementation. The online module will be a component of LASD's in-service training on community-oriented policing, which will need to be finalized and approved by the Parties and MT.

E. Use of Force

The SA includes numerous mandates associated with the use, investigation, and adjudication of force by LASD in the AV. Those mandates address issues such as the avoidance and de-escalation of force whenever possible, prompt reporting of UOF incidents, conducting thorough and independent investigations, and adjudication processes based on the preponderance of evidence. The LASD is not yet in compliance with most of these provisions under the Use of Force section of SA, which they agreed to undertake.

1. LASD Use-of-Force Policy

The SA contains specific requirements associated with the Department's policies and procedures regarding the use and adjudication of force by AV deputies. The Department has recently asked Monitors to temporarily table the discussions on their UOF policy because of changes the Department is now considering. This occurred subsequent to the tragic in-custody death of George Floyd in Minneapolis on May 25. Although this incident does not have a direct bearing on the SA, it has contributed to ongoing national attention on police use of force and consideration of policy modifications that can be of help.

The MT and DOJ have been engaged in prolonged discussions with the LASD on the development of an updated UOF policy, with a tentative agreement on the policy having been reached well over a year ago (April 22, 2019). Since that time the MT has been repeatedly told the draft policy was under final review by Department executives. The length of time this is taking is unacceptable. The failure of LASD command staff to complete their review and approve the policy in a timely manner reflects a lack of diligence and commitment to carrying out the SA's mandates. Some of the changes newly under consideration were already part of the draft policy agreed to by the parties. Had Department management moved more quickly to review and approve the SA policy revisions, these mandates could have already been incorporated into training and put into practice in the field.

The Department is out of compliance with the provisions of Section VIII, governing the use of force, in which *"LASD agrees to revise its force policies and practices to reflect its commitment to upholding the rights secured or protected by the Constitution of the United States, protecting human life and dignity of every individual, and maintaining public safety."*

2. Use-of-Force Training

The delay in finalizing the updated UOF policy has, in turn, delayed bringing LASD's UOF training into compliance with the SA. The SA contains several mandates that AV deputies and their supervisors receive specific UOF-related training. Addressing some of the training topics and needs is required annually, while other training requirements can be addressed biennially. Those requirements are outlined in Paragraph 119, which states the following.

LASD shall provide all Antelope Valley deputies with annual or biennial use-of-force training. The topics will include the following:

- a. Proper use-of-force decision making, including when force may be unnecessary in response to minor resistance (biennial);*
- b. Role-playing scenarios and interactive exercises that illustrate proper use-of-force decision making, including training deputies on the importance and impact of ethical decision making and peer intervention (annual);*
- c. principles of procedural justice, and avoiding the use of force in response to minor resistance (biennial);*
- d. de-escalation techniques that encourage deputies to make arrests without using force (annual);*
- e. threat assessment, including how race can impact deputies' threat assessments (biennial);*
- f. LASD-AV deputies will attend LASD's Tactics and Survival (TAS), also known as the Laser Village tactical firearms training (biennial); and,*
- g. supervisors shall receive initial and annual refresher training on conducting use-of-force investigations, how to effectively direct deputies to minimize uses of force and to intervene effectively to prevent or stop unreasonable force, using LASD's accountability and disciplinary systems after encountering a potentially unreasonable use of force, and supporting deputies who report unreasonable or unreported force, or who are retaliated against for using only reasonable force or attempting to prevent unreasonable force (annual).*

Revisions to training would typically follow finalization of a revised UOF policy, but in the absence of one, the MT began its review of the Department's UOF training. On May 7, 2020, we received the following documents:

- PDF of a PowerPoint Presentation titled "Shoot Don't Shoot/Implicit Association Tests"
- PDF Course Outline for Perishable Skills Arrest and Control Course
- PDF Tactics and Survival Training (TAS)-Tactics 1

An evaluation of those documents quickly revealed they were not in compliance with the SA, a finding that was communicated to the Department in a memorandum on May 20 and discussed with County Counsel and the Compliance Unit a week later. The MT formally requested that the Department provide Monitors with a plan to demonstrate compliance with each of the training

requirements of SA Paragraph 119. The MT anticipated that the plan would require the following three-prong approach.

1. LASD provides documentation, including expanded course outlines and instructional visual aids and handouts, for the training the Department has in place or has developed to specifically address the mandates of SA 119a-g, item by item.
2. LASD provides a training schedule so it can be audited by the MT.
3. LASD documents the methodology that the Department will use to track the delivery of the training provided to AV deputies and their supervisors, including course rosters and documentation of satisfactory completion.

The MT requested that the Department submit the plan by June 5. However, the Compliance Unit was subsequently activated as part of the Department's mobilization for the protests and civil unrest that was taking place in Los Angeles County and elsewhere across the country during that timeframe.

On May 28, the MT received the following documents in response to item 1 above.

- LASD Continued Professional Training (C.P.T.) Use-of-Force PowerPoint
- LASD Continued Professional Training Post Perishable Skills Program
- Arrest & Control/Driver Training Expanded Course Outline
- Randy Means' Bias-Free Policing Training Lesson Plan
- Randy Means' Bias-Free Policing Training PowerPoint Presentation
- POST Expanded Course Outline Tactics and Survival I (TAS) Basic Patrol Update (2018); (received June 17)

The MT and DOJ found the documents submitted by the Department to be lacking in response to the SA's requirements governing the use, investigation, and adjudication of force incidents by AV deputies; they were quite clearly not designed to respond to those requirements. Evidence of this can be found in a provided statement describing the instructional goal for the Tactics and Survival expanded course outline: "To introduce to or enhance Law Enforcement Officers tactics and survival skills." The documents submitted to the MT specifically do not address the following SA requirements related to UOF training.

- Using force to overcome passive resistance (SA 102).
- The de-escalation of the use of force:

- » Mentions effective communications without describing the elements of such.
- » States that deputies “Have the authority and responsibility to deescalate use-of-force incidents,” but lacks any specificity as to what de-escalation is or what it involves, such as the use of time, tone, staff-switching, and internal and external resources (SA 103 and 119 d).
- Definition of proportional or retaliatory force (SA 104 and 105).
- Prohibiting or using force to prevent members of the public, who are not violating any laws, from taking photographs or video recordings of police activities (SA 106).
- Intentional hard strike with an impact weapon to the head of a suspect are prohibited unless deadly force is justified (SA 107).
- The use or definition of canned or boiler plate language when reporting the use of force (SA 108).
- The use of role-playing teaching methods, particularly as it relates to Ethical Decision Making (SA 119 a, b, and c).
- Supervisory or management responsibilities associated with the response, investigation, review, and adjudication of UOF incidents (SA 110–118 and 119g).

The MT has informed the Department of its determination that the provided training documents do not meet SA requirements. The MT awaits the Department’s plan for bringing its UOF training into compliance with SA, a training schedule that will enable the MT to identify when it will be possible to observe a sample of trainings, and documentation of the Department’s method for ensuring the trainings are successfully delivered. At this time, the Department is out of compliance with SA Paragraph 119a–g.

3. SA Compliance and Non-AV Station Commands

A barrier remains to the Monitor’s ability to adequately evaluate the Department’s compliance with the SA provisions related to the use of force: The Parties have not resolved the issue of whether the SA applies to non-AV station commands that provide law enforcement services in the AV. That includes commands with personnel who are:

- Housed at either Lancaster or Palmdale stations, e.g., Gangs, Narcotics, and Community Partnerships Bureau;
- Regularly assigned at a sheriff’s facility in the AV other than Lancaster or Palmdale stations, e.g., Court Services, County Buildings, and Transit; and

- Occasionally dispatched to provide specialized services in the AV, e.g., K-9 or SWAT.

While not under the direct command of AV station captains, these units work regularly in the AV and are sometimes involved in uses of force. The Department believes uses of force that occur within the AV by those units to be outside of the scope of the SA. The Monitors categorically disagree with that position and believe the UOF audits should include all uses of force that occur in the AV, regardless of where the LASD personnel involved are assigned.

The Monitors believe that the MT, Parties, and most importantly, community members are unable to fully understand LASD's law enforcement activity in the AV when those uses of force are not included in UOF audits. When a member of the LASD engages in use of force, the community does not distinguish based on chain of command. Not including uses of force involving those units lacks transparency and will result in further distrust between the Department and AV communities. It also interferes with the ability of the MT to effectively evaluate what is occurring in terms of the use of force by LASD in the AV.

The protracted debate and inability of the Parties to resolve this matter is impeding the MT's ability to fully assess compliance with the SA. If uses of force by the non-AV station commands continue to be excluded from MT review, the Department will be found out of compliance on SA Paragraphs 102–118, regardless of the results of UOF audits. This will result in out-of-compliance findings with additional SA provisions associated with the use of force by AV deputies when examining such factors as allegations of misconduct associated with the use of force (SA Paragraphs 127, 130–133).

4. UOF Compliance Status

The Monitors have conducted two compliance audits associated with the de-escalation, use, reporting, investigation, and adjudication of force by AV deputies.¹⁶ Because the non-AV command issue described above was not settled at the time of the audits, all findings were considered tentative. Table 6 documents the Department's current compliance level notwithstanding the resolution of the non-AV command issue.

¹⁶ MT audits and reports are available at <http://www.antelopevalleysettlementmonitoring.info/>

Table 6			
UOF Compliance Status			
SA Paragraph	SA Requirements	Categories 1 and 2 Compliance ^{17, 18}	Category 3 Compliance ¹⁹
102,104, and 105	Objectively reasonable force	Yes	No
103	De-escalation of force	Yes	No
106	Using force on a person legally recording	Yes	Yes
107	Impact weapon head strikes	Yes	Yes
108	Accurate reporting of force incidents	Yes	Yes
109	UOF policy reporting requirements	Yes	No
110	Supervisory notification of the use of force	Yes	Yes
111 a-d	Thorough UOF investigations	Yes	Yes
111 e	Supervisory review of deputies' UOF reports for completeness	Yes	No
112 a	Independent supervisor UOF investigation	Yes	Yes
112 b-e	Completeness of UOF investigations	Yes	
113	Management review of UOF investigations	Yes	No
114	Completeness of the executive force review board reviews	NA	No
115	Deputies held accountable for uses of force that violate policy or law	No	No
116	Supervisors held accountable for incomplete investigations	UTD	No
117	Management's reporting of force trends ²⁰	Not Assessed	Not Assessed
118, 153, and 167	Management's recommended UOF training attended	No	No
119	UOF training ²¹	No	No
120-124	UOF data analysis ²²	No	No

¹⁷ All UOF compliance findings are considered tentative pending the resolution of the non-AV command issue described above.

¹⁸ Category 1 and 2 compliance findings begin as of October 31, 2018.

¹⁹ Category 3 compliance findings begin as of November 30, 2019.

²⁰ Management's reporting of UOF trends was beyond the scope of both audits' engagements.

²¹ The Department's compliance with the development and implementation of SA-mandated UOF training was assessed apart from the UOF audits.

²² The Department's compliance with the SA's mandates associated with conducting a UOF data analysis was assessed apart from the UOF audits.

As we reported previously, our assessments have documented that AV deputies promptly report UOF incidents to their supervisors, who promptly respond to the scene and conduct UOF investigations. That said, however, the table above documents areas of significant concern that require action by the Department. For example, our last audit revealed that the Department is out of compliance with eight SA paragraphs related to Category-3 uses of force, which are uses of force that pose the highest degree of potential or actual injury to the subjects of force and are reviewed by the Department's Executive Force Review Committee.

5. UOF Accountability

Department executive management needs to increase its oversight and improve implementation of the SA paragraphs associated with the use of force. Toward that end, the Department needs to: provide materials to the MT regarding non-AV station command units that provide law enforcement services within the AV; finalize its AV Use-of-Force Policy; develop a training plan to comply with SA Paragraph 119 a-g; deliver required training to AV deputies and supervisors; and provide documentation that the training was satisfactorily completed. Further, several provisions are out of compliance in the UOF audits that directly relate to management oversight, including paragraphs 113–117.

F. Personnel Complaint Review

Given the nature of law enforcement, it is inevitable that community members will have complaints against the Department on occasion. When this occurs, it is essential for Department management to listen to those complaints, thoroughly review complaints without prejudice, and communicate the results of the complaint to the offended parties. In the AV, this process is required by the SA's Personnel Complaint Review section, which begins (p. 29):

The County will ensure that all allegations of personnel misconduct are received and are fully and fairly investigated, and that all personnel who commit misconduct are held accountable pursuant to a disciplinary system that is fair and consistent.

To that end, LASD and the County agreed to implement certain requirements including the following.

- Ensure public access to personnel complaint forms and information (Paragraph 124).
- Accept all personnel complaints, including anonymous and third-party complaints (Paragraph 125).
- Classify complaints accurately so each allegation receives the appropriate level of review (Paragraph 127).

- Ensure that personnel complaints are not misclassified as service complaints (Paragraph 128).
- Clearly identify complaints that may require discipline or should be handled as an administrative investigation rather than as a service complaint (Paragraphs 129 and 130).
- Identify and investigate fully and fairly each allegation of misconduct in a complaint, whether or not it was specifically identified as an allegation by the complainant (Paragraph 130).
- Hold personnel accountable when they are found to have committed misconduct (Preface, p. 29).

Essentially, the SA requires that every complaint investigation be sufficiently complete to support a reliable and complete adjudication of the case; adjudications must be based on a preponderance of evidence, and deputies must be held accountable when they are found to have committed misconduct.

There are several serious structural impediments to the LASD reaching compliance with the Complaints section, beginning with extremely long delays on the part of Department managers in finalizing the policies and procedures guiding the process.

1. Policy Review: Service Comment Report Handbook

SA Paragraph 127 requires the Department to revise several key policy manuals to ensure they give complete, clear, and consistent guidance to the station and division personnel who intake, investigate, and adjudicate complaints from the public. The Service Complaint Report (SCR) Handbook and the MPP are the most critical to that aim. Progress in revising these documents seems to be at a practical standstill. We have summarized cumulative efforts outlined in previous reports here.

The MT and Department held numerous meetings in 2017 to identify and resolve issues in the SCR Handbook. On January 29, 2018, the Department provided the MT and DOJ with a draft revision to the Handbook. The MT responded with its comments on February 11, 2018, and DOJ responded on February 20, 2018. As outlined in previous MT semi-annual reports, the MT and DOJ's concerns included numerous procedural issues, but the primary concerns were that the Handbook:

- Requires Unit Commanders to evaluate each complaint and initiate a Service Review if the complaint does not appear to warrant formal discipline, but does not clarify which allegations, when sustained, require formal discipline as required by SA Paragraph 129;

- Provides no direction on how to record complex investigations involving multiple deputies with multiple allegations and multiple dispositions, yet AV commanders are responsible for the accuracy of data entered in the Performance Recording and Monitoring System (PRMS) per SA Paragraph 142;
- Provides no direction on handling complaints that do not result in the initiation of an SCR, such as an incident that is resolved by a field supervisor but still needs to be recorded so it can be reviewed by the Unit Commander per SA Paragraphs 125, 127, and 130;
- Does not address the identification of risk-management issues and the need to take appropriate corrective action such as training or equipment failures as required by SA Paragraphs 61–63;
- Does not specify that inhibiting a complaint is an allegation that can result in discipline up to and including termination per SA Paragraph 126; and
- Provides no specific direction on investigating and adjudicating racial profiling complaints.

The draft SCR Handbook and comments were critiqued and discussed extensively on February 28, 2018, at the Parties’ onsite meeting. The revision to this critical document has been dormant ever since—over two years—despite numerous MT requests to move forward. While some of the delay may have been caused by a change in the County’s elected Sheriff followed by re-assignments within the Department’s upper management team, the new administration has been in place since December 3, 2018—long enough for everyone to have settled in and addressed the changes that desperately need to occur in how the Department handles public complaints.

2. Policy Review: Manual of Policy and Procedures

Revision to the Department’s MPP has a similar history. As reported in several previous semi-annual reports, the MT and DOJ reached consensus with the Department on changes to the MPP nearly two years ago through extensive work in the second half of 2018. On November 20, 2018, the Department produced a draft revision to the MPP sections governing complaints, including agreed-upon changes. On December 2, 2018, the MT and DOJ responded to that draft. Over the next few months the draft was revised to reflect the collective views of the Department, DOJ, and Monitor. The agreed-upon draft was sent to Field Operations Support Services (FOSS), the Department entity that handles manual revisions. On June 13, 2019, FOSS sent a draft revision to Department managers for approval. However, the draft FOSS submitted unilaterally omitted two key provisions that would have:

1. Revised the Department's existing complaint classification categories²³ to make them consistent with the complaint definitions in the California Penal Code; and,
2. Required that personnel complaints or allegations arising from a use of force be recorded, investigated, adjudicated, and retained as a personnel complaint in the deputy's work history or PRMS.²⁴

On August 27, 2019, the MT formally notified the Department that these two critical omissions would prevent the Department from reaching compliance with the SA until they are corrected. We understand the draft has been withdrawn from approval circulation, however we have yet to see a revised draft. The Compliance Unit also recently informed the MT that the Department decided to change its classifications for dispositions to conform with the California Penal Code.

As this report was being finalized, the Compliance Unit provided feedback to the MT on some of the issues raised here, indicating that the Department is working to resolve some of the issues raised by the MT and disagreeing with the MT's assessment in others. The MT will discuss these issues and review documentation and implementation of any changes during the next reporting period.

3. Second MT Audit of Public Complaints

The MT's first audit of public complaints, published in January 2018, identified several deficiencies in the Department's handling of public complaints. The MT's UOF and complaints audits²⁵ documented the Department's use of antiquated complaint dispositions that are inconsistent with the dispositions codified in the California Penal Code. Also, the Department does not capture allegations of excessive or unnecessary force that flow from a UOF investigation. These practices inhibit the Department's ability to hold employees accountable and should have generated a sense of urgency to correct them, but they have not. We recognize these are Department-wide changes and, as such, require additional time to obtain broad concurrence with the new provisions. But revisions to these critical documents have lagged far beyond any reasonable timeframe and continue to keep the Department out of compliance with SA Paragraphs 125 (accepting complaints), 127 (align policies), 129 (revise policies), and 130 (investigate all allegations).

During this period, the MT began its second audit of public complaints made against Department personnel for incidents occurring in the AV. As a result of the Monitor's first audit of complaints, the AV commands have issued a Unit Order revising personnel complaint

²³ MPP Section 3-04/020.25 *Administrative Investigation Terminology* and SCR Handbook Section II H *Personnel Complaint Dispositions*.

²⁴ MPP Section 3-10/100 *Use of Force Reporting Procedures*

²⁵ MT audits and reports are available at <http://www.antelopevalleysettlementmonitoring.info/>

procedures within their commands in order to correct these deficiencies.²⁶ The MT was informed that the Unit Order was disseminated to and discussed with AV supervisors and managers regarding the new procedures. Additionally, the MT will be reviewing complaint-related training materials and processes when the second MT audit is completed, which will allow audit outcomes to inform any needed changes to the training.

This second complaints audit will determine if the Department has successfully implemented those changes and is complying with each of the SA complaints provisions in practice based on the compliance metrics finalized late last year. In accordance with SA Paragraph 159, a formal audit plan was submitted to the Parties for their review in January 2020. The plan was approved, and the MT is now in the process of auditing all public complaints made in the AV during the first quarter of 2019. That audit period was selected for two reasons: Supervisors and managers had ample time to fully implement the new procedures established in the Unit Orders, and complaints from that period will have been fully investigated and adjudicated. The MT will also review first quarter of 2019 AV public complaints initiated against non-AV command personnel to determine if any of those complaints involve AV personnel or an issue(s) falling under the SA's provisions.

In addition to first quarter of 2019 complaints, the MT is conducting a Directed and Purposeful sampling of the contiguous quarters (fourth quarter of 2018 and second quarter of 2019) and selectively reviewing complaints initiated in those quarters for indicia of significant SA issues.

The audit findings have not been finalized so the report will not be released until the next reporting period. However, certain issues arose that were deserving of early notification. As a practice, Interim Audit Reports (IARs) are initiated when the MT discovers issues we believe require immediate attention. Three of these IARs were issued regarding this second audit.

a. IAR No. 1: Delayed Entry Into PRMS

To validate the audit population (all complaints occurring in the first quarter of 2018), we reviewed UOF investigations during that same period to determine if personnel complaints arising during those investigations are being handled appropriately. One of the reviewed UOF investigations referred to initiating an SCR for a complaint of excessive force. However, that SCR was not on the PRMS printout we received for complaints generated in the audit period. Further examination disclosed that the complaint was not entered in PRMS until April 11, 2019, more than two months after the incident occurred. We have since identified several other complaints, nearly all related to a use of force, that were not entered in PRMS until several months after the incident occurred. This is problematic because delayed entry assigns the complaint a false reporting date, causing it to appear in a timeframe other than the correct one. In addition to MT audits, this impacts AAB audits as well as data gathered for the Department's RMFs. It is also a

²⁶ The Lancaster Unit Order was issued on July 10, 2018, and the Palmdale Unit Order was issued on June 21, 2018.

violation of SA Paragraph 142, which requires AV personnel to ensure the accuracy of data entered in PRMS.

b. IAR No. 2: Inaccurate Dispositions in PRMS

Part of the MT's audit requires that dispositions are accurately captured in PRMS. One of the methods utilized by the MT to assess this involves conducting a comparison of the complaint dispositions approved by the Unit and Division commanders with the dispositions documented in the PRMS. Thus far, the audit has identified three cases in which the complaint dispositions shown in PRMS did not reflect the dispositions approved by the commanders. The inability of PRMS to accurately reflect complaint dispositions violates SA Paragraph 142, which holds AV personnel responsible for inaccuracies in any data entered in PRMS. This represents a serious accountability issue, since valid and timely data are essential for AV managers to track and respond to performance issues.

c. IAR No. 3: Mishandling of Personnel Complaint Material

Another part of the audit requires an assessment of complaint adjudications to ensure those decisions are being made based on a preponderance of evidence and that appropriate corrective action is taken whenever the employee's conduct was determined to be deficient. In one case involving a disposition of "Should Have Been Different," the investigating lieutenant recommended issuing a Performance Log Entry (PLE) to the two involved deputies. There was no evidence PLEs were actually issued, so we requested a copy.²⁷ We were then informed the PLEs were unavailable because they are destroyed after one year.

The IAR explained to the Department that the destruction of personnel complaint material in that fashion is inconsistent with the California Penal Code, the SCR Handbook, and the Department's Records Retention Schedule. Those documents require a minimum five-year retention period for all complaints and "any reports or findings relating to those complaints." Specific requirements include the following.

- Penal Code section 832.5 states: (b) Complaints and any reports or findings relating to these complaints shall be retained for a period of at least five years (emphasis added).
- SCR Handbook (page 46) states: Complaints and any reports or findings relating to these complaints shall be retained for a period of at least five years (emphasis added).

²⁷ SA Paragraph 142 requires LASD to maintain PLEs in electronic format.

- PLEs are not among the documents listed for destruction on the Department's Records Retention Schedule approved by the County Board of Supervisors on June 14, 2016.²⁸

Several weeks later, following the close of this reporting period but prior to the finalization of this semi-annual report, the Department produced the requested PLEs and indicated they had made a mistake in informing the MT that they had been destroyed. The MT is reviewing the documents provided and the process by which they were produced.

Whatever the cause of the misplaced PLEs, this issue remains a serious concern relating to management accountability. The preamble to the SA section on personnel complaints (SA p. 29) requires that the Department ensure all personnel who commit misconduct are held accountable pursuant to a disciplinary system that is fair and consistent. To fulfill their responsibilities, Department managers require the ready availability of all relevant documentation. This includes PLEs issued in response to personnel complaints so that managers can review the complaint and work history of the deputy in question and ensure PLE issuance was the appropriate disposition. LASD and MT auditors require the same access to documents. Without them, the MT would have no choice but to find the disposition for any complaint where the related reports or findings were unavailable to be non-compliant with the SA.

4. Management Accountability for Handling Public Complaints

Most of our comments on management accountability for personnel complaints will be made when we finalize our second audit of public complaints. That said, some areas are worth commenting on at this time.

As described above, revisions to the SCR Handbook and the Manual of Policy and Procedures have lingered for two years and one year, respectively. The proposed changes are as fundamental as adopting the Penal Code classifications for complaint dispositions and amending the system for recording complaints related to UOF investigations so they are captured in PRMS. To frame the issue succinctly: The Department cannot accurately say with confidence how many public complaints of excessive or unnecessary force it had last year (or any other period, for that matter) because it does not capture UOF-related personnel complaints in a retrievable database. The fact that these basic corrections are still not even in the approval cycle speaks volumes about the lack of accountability for ensuring these key Department publications provide employees with the proper guidance.

Similarly, the three IARs issued by the MT during this period identified fundamental flaws in the Department's system of recording complaint information. It appears PRMS was designed to only allow one disposition per accused employee even when multiple allegations with differing dispositions are involved. Most complaints involve one or two deputies, one or two allegations,

²⁸ The records destruction process was discussed extensively in the MT's first Audit of Public Complaints.

and one disposition. But on occasion, particularly during major events such as a vehicular pursuit or protracted altercation, there can be numerous complaints from multiple sources against multiple deputies. Each allegation needs to be thoroughly investigated and thoughtfully adjudicated, and, when appropriate, corrective action must be taken. Those dispositions then populate the PRMS database and are used to assess risk-management patterns for individual deputies, work groups, and commands. When complaint dispositions are entered in PRMS incorrectly, it skews the database and severely inhibits the Department's ability to identify critical risk-management patterns. The best example, once again, is UOF complaints and allegations that arise during a force investigation. If they have not been captured for many years, they cannot be used to identify deputies, work groups, or commands generating an unusual number of excessive force complaints. The lack of flexibility in the functional specifications used to build PRMS now presents a major impediment to meeting SA requirements, specifically Paragraph 141, which requires PRMS to support Department-wide decisions in matters related to risk management and service reviews. Even if that flaw is corrected today, it will take years to populate the database with force complaints before any pattern can be discerned.

Finally, if the misplaced PLEs represent a record-keeping problem, the ability of Department managers and auditors to provide thorough oversight of investigation and adjudication processes is hindered.

Taken together, these issues call into question whether the Sheriff's Department is committed to and serious about properly processing and documenting complaints from community members. These deficiencies stem from failings at the management level and inattention or disregard for ensuring organizational systems and practices are carried out as intended by law or by agency policy. MT will have additional comments about management accountability in the second complaints audit, which is being conducted concurrently with the writing of this semi-annual report. Until the data are completely analyzed, it would be premature to make further comments.

5. Complaints Compliance Status

Table 7 provides the current compliance status for each paragraph in the Personnel Complaint Review section of the SA. The table mainly reflects compliance assessments reported in the MT's first Complaints Audit (published January 2018).²⁹

²⁹ In determining the population for MT complaints audits besides cases involving LASD-AV station personnel, the MT reviews all complaints initiated from the AV involving non-AV station commands and includes in the audit those cases involving an issue that falls within the SA's provisions.

Table 7		
Complaints Compliance Status		
SA Paragraph	Summary of SA Requirements	In Compliance
124	Public access to complaint forms	No
125	All complaints accepted; LEP language assistance available	No
126	Impeding the filing of a complaint grounds for discipline	No
127	Revision of MPP, SCR, and Internal Affairs Bureau (IAB) manual; proper classification and review of all allegations	No
128	Proper classification of personnel complaints	Yes
129	Revision of MPP (various)	No
130	Every allegation of misconduct investigated, even if not specifically articulated by complainant	No
131	All complaint investigations as thorough as necessary to reach reliable and complete findings	No
132	Appropriate cases referred to IAB or the Internal Criminal Investigations Bureau	Yes
133	Involved supervisor cannot conduct complaint investigation	No
134	All persons at scene identified	Yes
135	Statement obtained from all persons at scene	Yes
136	Complainant interviewed in person or justified if not	No
137	Witnesses interviewed separately; interviews documented	No
138	Training on intake and investigations	Not assessed
139	Training on investigations	Not assessed
Preamble and 140	Adjudications consistent with preponderance of evidence	No

G. Accountability

Accountability is a critical element that must be constantly displayed and reinforced before the community will trust and support their law enforcement services provider. Various mechanisms and systems that can help achieve this objective must be implemented and typically require ongoing refinement to promote accountability in any organization. In law enforcement, the ability to monitor and evaluate the decisions and actions of deputies who are geographically dispersed and often operating in an independent manner is but one of the challenges for management when striving to promote accountability at the level of the individual, within work units, at the shift level, or across the entire organization. Ensuring accountability at all levels of the agency is arguably the most important objective and biggest challenge of the SA.

The management accountability requirements of the SA are also far broader than just those identified in the Accountability section of that document. In fact, they permeate every aspect of

the SA. Each provision of the SA has several steps required to reach full compliance, but the constant factor in each of these areas requires improved accountability systems and behaviors so that the implementation and impact of the changes are tracked, assessed, and corrected as necessary. This includes holding stations and deputies accountable for properly incorporating changes into their practices as well as the nature of their interactions with others. It also includes holding accountable all supervisors and managers at the station, division, and departmental levels for monitoring individual and collective deputy performance. These supervisors and leaders need to evaluate whether that performance is consistent with the changing expectations, policies, and training that have been implemented. In other words, are the changes having the desired and intended effect?³⁰ Performance that merely meets a minimum bar or threshold for a particular provision is usually not adequate to achieve the desired outcome or carry out the spirit of the SA. And those outcomes are the metrics upon which full SA compliance will be measured.

Effective accountability occurs only when management displays a capacity and willingness to identify and correct existing individual or systemic deficiencies. Careful and consistent consideration of every stage of personnel performance must be built into the fabric of operations at every level of the organization, with timely and reliable information available immediately to supervisors, managers, and executive staff. This is one of the key features and needs that the SA was designed to address. The accountability provisions identified throughout the SA require the Department to have accountability measures and performance metrics in place that aid in identifying systemic deficiencies as well as any performance problems that can occur at the individual level. The MT has and will continue to focus attention on the extent to which the AV commands are utilizing the tools and systems put in place to ensure the accountability practices required for each section of the SA are carried out. Additionally, the MT's accountability compliance review will focus on SA Paragraphs 141–145 while considering accountability requirements across all SA sections.

1. LASD Data Systems

Accountability mechanisms include such things as electronic data systems and file storage as well as the policies and procedures governing their use, which then provide a means for management to routinely review and evaluate operations and performance in real time. The objectives of these systems include assessing risk exposures and ensuring and verifying that standards are being met appropriately. LASD has made several PRMS modifications to compare the activity of deputies and units, identify trends, and access relevant data to aid in determining

³⁰ Station management personnel includes the captains, operations lieutenants, and watch commanders at each AV station and the North Patrol Division (NPD) chief and commander. The sergeants are supervisors rather than managers, but they support management in review functions and in ensuring effective oversight in the field. The term "management," as used here, also includes the entire LASD chain of command, up to and including the sheriff, the AAB, and other departmental units and divisions within LASD that effectively provide oversight and support services to the NPD and station commands.

compliance with the SA. However, the MT's own data verification activities (in particular, those undertaken during the complaints audits and the first two Quarterly Employee Reviews) have found that PRMS often does not contain accurate or current information, as was noted in the Complaints section above. It has become clear that PRMS cannot be relied upon as a sole source for aggregate data for managers to make decisions and determinations for employee and operational accountability.

Other databases at the AV stations must be cross-checked with PRMS to ensure the data are complete and accurate. Where PRMS does not provide adequate information for management to provide effective oversight of all the operational elements required by the SA, LASD has developed supplemental information systems, some of which were developed as a response to the SA and others that predated the SA. Since cataloging those processes and systems and ascertaining how each one is used, the MT has worked with the Compliance Unit and AV stations to document how they are or can be integrated into a documented, reliable and effective central accountability process. As of the fourth quarter of 2019, these data systems are being used to populate the Quarterly Employee Reviews (referred to as Quarterly Reports) which are prepared each quarter by the AV stations and are intended to be one tool to enable managers to determine trends, make deputy comparisons and address performance and operational deficiencies.

2. Employee Quarterly Review

The Employee Quarterly Review Division Order was initially signed by the North Patrol Division (NPD) chief on November 13, 2019, and was implemented with the first Employee Quarterly Review (more commonly referred to as Quarterly Report) completed for the fourth quarter of 2019. The NPD chief, with the agreement of the parties, revised the Division Order on February 19, 2020, to extend the submission of each Quarterly Report from 30 days following the end of the quarter being reviewed to 45 days following the end of the quarter being reviewed.³¹

The MT has met with the compliance sergeants and operations lieutenants several times during the implementation of the Employee Quarterly Review Division Order process. They have shown a willingness to be open to feedback and have been thoughtful and engaged partners throughout this process. The MT has reviewed the databases used to track relevant information needed for the Quarterly Reports, the processes used to cross-check and validate the data and information, and the processes followed to conduct the DDWS reviews to identify coding errors, the supervisory review of deputy arrest reports, and the force incident reviews.

³¹ This extension of time for completing and submitting each quarter's report from 30 to 45 days following the end of the quarter being reviewed was necessary to allow time for UOF incidents, DDWS reviews, and complaints occurring near the close of the quarter to be reviewed and evaluated by the supervisors and managers before being included in the Quarterly Report.

The Quarterly Reports for the fourth quarter of 2019 and the first quarter of 2020 have been completed and reviewed by the MT. Based on our review of these first two Quarterly Reports, the MT made several recommendations to the Compliance Unit and station personnel to improve and strengthen future reports, including taking steps to ensure data are synced between PRMS and the Quarterly Report, tracking any corrective action through to its completion, and providing more analysis to assist command personnel in identifying trends.³² The MT requested that the stations' compliance sergeants develop written procedures for preparing and validating the Quarterly Reports. The objective is to provide for consistency in the reports from the two stations so that, as personnel change over time, there will be guidance for newly assigned sergeants when engaged in conducting this important work. Finally, the MT requested that the Quarterly Report process be formally tracked through the chain of command so that compliance with timelines in the Division Order may be determined, and the resulting management decisions can be evaluated.

3. MT Compliance Review

The Quarterly Reports address important aspects of Paragraphs 141–145 and link in some accountability factors from other SA sections; however, they do not address all of LASD's accountability processes or responsibilities. For example, the Quarterly Reports do not detail the quality of the force investigations by the supervisors/managers or the appropriateness of the conclusions, adjudications, and any corrective action. Additionally, the Quarterly Reports do not detail the factors considered by managers in adjudicating the citizens' complaints filed against the deputies. These are obvious elements of management accountability that must be assessed, but they cannot be adjudged simply by preparing and reviewing the Quarterly Reports.

Accordingly, the MT will conduct an accountability compliance review that will encompass more factors than reviewing only the data generated for the Quarterly Reports. The compliance review will validate information used in the reports; assess whether Quarterly Report-related accountability processes are thoroughly and successfully carried out according to SA requirements and LASD policy; assess whether station and division managers are using the information in the reports as intended (that is, to ensure any issues are identified and appropriately addressed); and assess whether the formatting and content of the Quarterly Reports, including the threshold for inclusion, best serve the overall objectives of management accountability and SA compliance. These reviews will assess management decisions and actions taken related to such things as force investigations and citizen complaints, as well as assess the training and discipline that may result from substandard performance. Additionally, management oversight and accountability requirements in other SA sections will continue to be assessed through separate audits and compliance reviews.

³² The MT has been advised that the Compliance Unit has coordinated with the Discovery Unit to ensure the stations can generate reports from PRMS for the exact timeframe required for the Quarterly Reports.

An important element of the MT’s work will be to determine whether evident trends and patterns are recognized and addressed whenever corrective action may be required. In particular, the MT will examine the effectiveness of management accountability measures that are undertaken and the extent to which managers are carrying out their responsibilities for ensuring the intended outcomes of the SA are realized. This requires more than simply putting the tools in place that are specified in Paragraphs 141–145 or bringing about adjustments or refinements needed in these systems and practices. It requires LASD to dedicate greater management attention to the overarching objective of improving organizational accountability by using the available tools and displaying a fervent commitment to using these tools and systems to identify underlying issues or needs. In turn, appropriate corrections should be undertaken to bring about the required change. Improving organizational performance through better accountability from management is the actual goal.

4. Accountability Compliance Status

Table 8 provides the current compliance status for each paragraph in the Accountability section of the SA. Accountability-related provisions in other sections of the SA are reported in those sections.

Table 8		
Accountability Compliance Status		
SA Paragraph	Summary of SA Requirements	In Compliance?
141	PRMS used as LASD-wide decision support system; peer-to-peer comparisons made of deputies and units; periodic review of all personnel by AV commanders to identify trends	Partial
142	PRMS modified to access additional information; electronic PLEs; PRMS accurate, with accountability for errors	Partial
143	Periodic review of trends at stations planned	Partial
144	Performance Mentoring Program (PMP) modified to 30-day turnaround	Not assessed
145	Coordination between Department-wide and Division PMP	Not assessed

a. *Employee Quarterly Review*

The revision and implementation of the Employee Quarterly Review Division Order represents a major step toward meeting the SA accountability requirements of Paragraphs 141–145. As implemented, it establishes a formalized accountability process incorporating supervisor-, unit commander-, and division-level reviews. The effectiveness of the process, and ultimately compliance, however, will depend on how the command staff, managers, and supervisors use the information to effectively respond to performance and operational issues by revising policy, practices, training, and employee discipline. The AV station captains have expressed support for

these new Quarterly Reports, appreciating that they gather important information in one place. They intend to actively track the Quarterly Reports along with the Sheriff's Eleven, PRMS, and other sources. They recognize that these reports can be an important accountability tool when used appropriately—but only one of several tools and processes that together incorporate a complete system.

b. Performance Mentoring

The Quarterly Reports include information that can be used to verify that the PMP-related SA requirements are followed and met (Paragraphs 144 and 145). This will enable management to determine if AV personnel are provided mentoring in the PMP within 30 days after the need for it is identified; that deputies who would benefit from mentoring are properly identified and placed in the program; that appropriate procedures are in place for supervising deputies in the program; and that appropriate coordination is occurring between the Department-wide PMP and the NPD PMP.³³

The MT will review the decisions made by unit commanders to either place a deputy on PMP or not to place a deputy on PMP. While managers and command staff have great latitude in making these decisions, the MT will assess patterns in deputy performance, actions taken to improve that performance, and how performance is impacted by remedial measures taken. The MT views the PMP as a tool for management to provide remedial training and supervision for substandard performance, and as such, performance and outcomes will be assessed in determining the appropriateness and effectiveness of the PMP.

IV. CONCLUSION

As noted throughout this report and the reports before it, the Department continues to make progress in many areas, despite several thematic roadblocks to compliance. Lack of investment at the highest level is the most significant roadblock. The Department's failure to provide assessment materials for non-AV station command units providing law enforcement services within the AV continues to make it impossible for the MT to fully and accurately assess the Department's compliance with the SA. Most of the other major obstacles to compliance reported six months ago remain undone today, e.g., complaints policies and accompanying manuals, UOF policies, and the incorporation of articulated crime prevention strategies. This is illustrated by the observation that language from the conclusion of the last semi-annual report still stands.

There are increasing calls from the citizens of Los Angeles County for improved accountability within LASD and investment in the relationships between the Department and all citizens. As discussed throughout this report and prior reports,

³³ These requirements will be assessed by the MT in the first compliance review to be conducted in the next 90 days.

relationships with various constituencies, the Department's community engagement efforts, and community policing strategy are among those areas requiring greater attention and sustained commitment by both the Department and the community. The Monitors look forward to the Sheriff prioritizing such needed engagement in the AV.

Similarly, as the Sheriff has promised and the SA requires, continuous improvements in both organizational transparency and accountability practices are essential if the expectations and intended outcomes of the SA are to be achieved. This will require sustained rigor in pursuing the highest professional standards and performance by Department staff in carrying out their responsibilities related to the investigation of force, the documentation and investigation of public complaints, the effective use of data to identify problematic as well as exemplary behaviors by deputies and command staff, and other areas.

Appendix A

2019 AV Stations Stops Data: Trends Analysis

Table A1		
Comparison of Stops Data Across 2019^{34 35 36}		
	January – June 2019	July – December 2019
Number of stops	20,484	18,748
Number of people stopped	22,485	20,578
Range of stops per month	2,805–4,665	2,485–3,663
Demographics of Individuals Stopped		
Latino	44%	46%
Black	32%	32%
White	22%	21%
Other	1%	1%
Asian	<1%	<1%
Male	67%	68%
Ages 20–34 years	50%	49%
Description of Stops		
Vehicle stops	89%	88%
Pedestrian stops	7%	9%
Bicycle stops	3%	4%
Lancaster stops: % Black	41%	43%

³⁴ *Limitations of the Analysis in the Stops Data Trends.* It is important to emphasize that with this review summary, the Monitors are not passing judgment regarding the implications of the stops data. In the coming months, the MT will work with the Department to evaluate the stops data in the context of the Department’s community policing and crime fighting strategies, community engagement activities, and the rigorous independent statistical analysis of stops data designed to answer questions regarding bias in policing practices. It is also important to note that some outcomes are specific to the reasoning and circumstances of the stop, while others are specific to individuals involved in the stop. Therefore, the percentages presented here may have different denominators. Additionally, where multiple people are involved in a stop, making racial comparisons of stop-based outcomes becomes nuanced because it is difficult to determine specific outcomes to specific persons in the stop.

Restrictions in the CAD data entry process result in several limitations in analyzing the data. Other key limitations include the following: (1) Only two people can be entered in any one stop record; if more people are stopped then deputies must create a new incident and link the incident using a reference tag ID, which can lead to inconsistencies between the reference tags; (2) Some outcomes that are specific to individuals are summarized across the stop when multiple people are listed in the stop, preventing direct comparisons of outcomes across race groups; (3) Assisting unit narratives and other data fields are often missing information, likely because the information is already recorded in original stop report; and 4) Contraband seizure not tied to search method.

³⁵ Totals may not add to 100% due to rounding.

³⁶ The corresponding racial and ethnic proportions in the AV population for this analysis are Latino (48%), Black (17%), White (29%), Asian/Pacific Islander (5%), Native American (<1%).³⁶

Table A1		
Comparison of Stops Data Across 2019^{34 35 36}		
	January – June 2019	July – December 2019
Palmdale stops: % Black	25%	25%
Lancaster stops: % Latino	35%	34%
Palmdale stops: % Latino	51%	53%
Maximum deputies involved in a stop	7	8
Total number of deputies in six months	369	378
<i>Reason for Stop: most common reason (%)</i>	Vehicle code (88%)	Vehicle code (87%)
<i>Reason for Stop: second and third most common reasons (%)</i>	Want/warrant on license plate and consensual encounter (3% each)	Want/warrant on license plate and consensual encounter (3% each)
<i>Reason for Stop: % reasonable suspicion</i>	1%	1%
<i>Search of Person: % of people searched after being stopped³⁷</i>	24%	26%
<i>Search of Person: most common reason among people searched (%)</i>	Incident to arrest (28%)	Incident to arrest (27%)
<i>Search of Person: % Black</i>	26%	28%
<i>Search of Person: % Latino</i>	23%	25%
<i>Search of Person: % White</i>	24%	27%
<i>Search of Vehicle: % of people searched</i>	16%	18%
<i>Search of Vehicle: most common reason among people searched (%)</i>	Condition of probation/parole (27%)	Condition of probation/parole (24%)
<i>Search of Vehicle: % Black</i>	18%	19%
<i>Search of Vehicle: % Latino</i>	15%	18%
<i>Search of Vehicle: % White</i>	14%	17%
<i>Contraband Seized Among People Searched (person and/or vehicle): % Black</i>	16%	16%
<i>Contraband Seized Among People Searched (person and/or vehicle): % Latino</i>	22%	20%
<i>Contraband Seized Among People Searched (person and/or vehicle): % White</i>	25%	27%
<i>Any search conducted (person and/or vehicle): % Black</i>	30%	32%
<i>Any search conducted (person and/or vehicle): % Latino</i>	26%	28%
<i>Any search conducted (person and/or vehicle): % White</i>	26%	30%

³⁷ Most of the following breakouts are what percentage had the outcome (e.g., percent of Whites searched after being stopped).

Table A1		
Comparison of Stops Data Across 2019^{34 35 36}		
	January – June 2019	July – December 2019
<i>Backseat Detention: % all people stopped</i>	9%	8%
<i>Backseat Detention: % Black</i>	9%	9%
<i>Backseat Detention: % Latino</i>	9%	8%
<i>Backseat Detention: % White</i>	8%	7%
<i>Probation and Parole Status: % asked, Black</i>	55%	57%
<i>Probation and Parole Status: % asked, Latino</i>	49%	53%
<i>Probation and Parole Status: % asked, White</i>	44%	51%
<i>Probation and Parole Status: % Black answered “Yes” among those asked</i>	16%	14%
<i>Probation and Parole Status: % Latino answered “Yes” among those asked</i>	14%	12%
<i>Probation and Parole Status: % White answered “Yes” among those asked</i>	16%	14%
<i>Vehicle Impoundment (single-person stops): % all people stopped</i>	3%	3%
<i>Vehicle Impoundment (single-person stops): % Black</i>	4%	4%
<i>Vehicle Impoundment (single-person stops): % Latino</i>	3%	3%
<i>Vehicle Impoundment (single-person stops): % White</i>	2%	2%
<i>Arrests and Citations: % of all stops resulting in at least one arrest</i>	26%	28%
<i>Arrests and Citations: % of all people stopped involved in a stop resulting at least one citation</i>	51%	50%
<i>Arrests and Citations (single-person stops): % Black arrested</i>	26%	30%
<i>Arrests and Citations (single-person stops): % Latino arrested</i>	21%	22%
<i>Arrests and Citations (single-person stops): % White arrested</i>	19%	21%
<i>Arrests and Citations (single-person stops): % Black cited</i>	48%	48%
<i>Arrests and Citations (single-person stops): % Latino cited</i>	57%	57%
<i>Arrests and Citations (single-person stops): % White cited</i>	59%	57%

Appendix B

The Monitoring Team

The court-appointed Monitors—Dr. Angie Wolf and Joseph Brann—have assembled an experienced team with credentials and skills uniquely suited to the SA work. The membership of the MT was finalized in March 2016. The two Monitors and seven team members have extensive expertise and experience in monitoring and evaluation work in policing and corrections. Additionally, most of the MT members have served in law enforcement or continue to have distinguished careers in this field, several in the Los Angeles area. Several have served in leadership positions in law enforcement or corrections agencies during the implementation of the compliance period of a settlement agreement or consent decree and therefore understand the unique challenges that large organizations face in those circumstances. The MT members also have expertise in dealing with the diverse issues addressed in the SA, such as those related to use of force, training, the FHA, data collection and analysis, survey methods, and the complexities of community engagement.

This constellation of team members was assembled to support the Monitors' philosophy of collaborative reform; it is using the principles of evaluation and technical assistance to provide an actionable assessment of LASD's progress toward implementation of the SA.

Appendix C

Antelope Valley Monitoring Website

This website allows AV community members to learn more about the SA, the backgrounds of MT members, and the monitoring activities; access documents related to the monitoring work, including each semi-annual report; follow links to LASD's homepage and other relevant websites; and—importantly—submit questions and comments directly to the MT.

The website's URL is antelopevalleysettlementmonitoring.info

Appendix D

How the Parties and Monitoring Team Work

To complete the work of the SA, the Parties (US DOJ, LASD, and the County of Los Angeles) and the MT are in daily communication through a variety of means. In each six-month period, the Parties and MT hold multiple meetings at LASD headquarters; the offices of the Compliance Unit; other administrative offices; Palmdale and Lancaster stations; and various community centers, schools, and places of worship in the AV. The MT periodically meets in person with the captains of both AV stations and their staff and participates in multiple onsite meetings with LASD's Compliance Unit, usually regarding specific issues such as policy or protocol review or data system discussion. The MT also holds meetings with units or leadership from other operations that are critical to this reform work, such as the AAB or the commander in charge of training. The MT typically observes the semi-annual LASD risk management meeting and the CMF. Although some of these meetings and events are general in scope and pertain to several sections of the SA, most are related to specific sections or provisions of the SA. The Parties and MT also participate in several small- and larger-group community meetings in Palmdale and Lancaster—often with the CACs—where various topics are discussed, such as the MT semi-annual reports, LASD and CAC community engagement reports, community perceptions about LASD and its approach to policing, and other topics.

In addition to in-person meetings, a variety of conference calls take place each month along with daily email or telephone communication among representatives of the Parties and the MT. The MT and DOJ participate in a bimonthly call to address substantive issues and planning; a similar bimonthly call involves the MT, DOJ, and the Compliance Unit; and the MT and Parties, including the Office of County Counsel and extended LASD command staff, participate in a monthly telephone conference call to discuss workflow, future events and meetings, and other salient topics. Several times per year, onsite meetings are held where most participants from the Parties and the MT spend several days together doing intensive work on various topics.

Videoconferencing is used whenever possible when all are not able to be physically present in meetings. Documents are shared extensively via email for the purposes of review and collaborative development of the various policies and procedures, training curricula, community engagement materials, audits, and other written elements of the SA. LASD shares departmental data in various formats with the MT via secure email and digital media.

Appendix E

Monitors' Note on the Settlement Agreement, Constitutional Policing, and Organizational Change

As noted in previous reports, the MT understands and remains mindful of the many complexities encountered when a large organization undertakes broad policy changes as well as the challenges of implementing such changes. The Monitors also appreciate the considerations of LASD management in dealing with matters of this nature, such as whether the changes will be confined to the AV stations or affect the entire organization; the likelihood that other existing policies could be affected and therefore need to be revised; that evolving “best practices” and legal considerations also influence policies related to use of force, video recordings, and so on; and the need in many instances to consult with labor groups or legal resources before such policy changes can occur. Throughout the work to date, the Monitors have found the Parties to be strongly committed to ensuring that the requirements of the SA will not be weakened or overlooked because of these considerations. Based on the ongoing collaboration among the Parties, the MT believes the SA objectives can be achieved in a timely manner.

Critical to successfully implementing and sustaining the SA reforms is a commitment to constitutional policing principles. LASD’s ability to meet these responsibilities is dependent on clear policies and effective training. Only when prepared with sufficient training and clarity about the purpose of the SA can deputies clearly understand what the Department expects from them in their community interactions. Only then can deputies honor Constitutional standards of policing. Department capacity is also affected by the need to have sufficient accountability systems in place to monitor and evaluate employee performance and management oversight practices.