

The Los Angeles County

Sheriff's Department

18th Semiannual Report

by Special Counsel Merrick J. Bobb and Staff
and Police Assessment Resource Center (PARC)

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Special Counsel and Staff

Special Counsel

Merrick J. Bobb
Police Assessment
Resource Center
(PARC)

Staff

Brian Buchner
Allyson Collins
Scott Dash
Oren Root
Tim Shugrue
Django Sibley
Norma Zamudio

Senior Advisors

Captain Ronald Davis,
Oakland Police
Department
Chief Thomas Frazier,
Baltimore Police
Department (retired)
Chief William Finney,
St. Paul
Police Department
(retired)
Chief Bernard Melekian,
Pasadena
Police Department

Consulting Psychologist

Zoltan Gross, PhD

Consultants

Julie M. Ruhlin
Julio A. Thompson

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E i g h t e e n t h S e m i a n n u a l R e p o r t

Introduction

This is the **Eighteenth Semiannual Report** of Special Counsel on the Los Angeles County Sheriff's Department (LASD). These Reports are prepared at the behest of the Board of Supervisors to keep the Board, the Sheriff, and the general public aware of problems within the Sheriff's Department that may lead to liability on the part of the County. These Reports suggest ways in which the risk of liability can be eliminated or minimized. These Reports are not, as some have suggested, a report card on the performance of the Sheriff or his Department. Rather, these Reports set forth observations and recommendations to improve the Department's ability to identify and manage the risk of negligence and reckless or willful misconduct.

For many years, these Reports tracked with approval a decline in risk-related statistics. More recently, the Reports have been concerned about an increase in instances where the County faces liability or its potential. This Report attempts to analyze these trends by looking at four key areas: the use of police dogs, the handling of major disturbances in the jails, the quality of training to minimize officer-involved shootings, and the reliability of data entered into the Department's tracking system for identifying problem officers.

Chapter One discusses the use of canines. Although, in the main, the Department's canine detail performs satisfactorily, there has been a substantial increase in the "bite ratio" — the percentage of apprehensions which result in a dog bite. The Department in the past was able to maintain bite ratios of

less than 10 percent; for the first six months of this year, the bite ratio was over 20 percent. An overwhelming percentage of the bites are of Latinos and African-Americans. Chapter One attempts to wrestle with these problems. Management may be too timid to assert strong control over canine handlers and thus may be losing sight of the goal to keep dog bites to a minimum. Although the Sheriff's Department does not practice overt bias, it has not engaged in the necessary self-examination and soul-searching to figure out why over 80 percent of the bites involve minority suspects and whether its canine deployment practices should therefore be changed.

This is not to say that the Department is engaging in racial profiling. The Sheriff's Department is an urban police force dealing with crime in the streets. The kinds of crimes the Sheriff's Department can best handle are linked to poverty, unemployment, lack of education, street drugs, gangs, and inadequate social services, all of which, in large urban settings, disproportionately impact racial and ethnic minorities. To point out the skewed percentages and, without more, conclude that a law enforcement agency is engaging in racial profiling is too simplistic.

A law enforcement agency whose practices result in a grossly disparate impact on minorities faces difficult choices. At base, the senior executives must try to balance the Department's crime-fighting strategy with its racial and ethnic impact. Where, as here, over 80 percent of the dog bites are of minorities, deployment and crime-fighting strategies should be rigorously rethought. Police executives should carefully reconsider the ongoing utility of crime-fighting measures that yield few arrests but insult and inconvenience many people of color and may lead to their death and injury — such as pretext traffic stops, consent searches, and Terry stops. Whether the differential racial and ethnic impact of these practices will be held to be unlawful is up to the courts, which have not yet defined the contours of what is lawful. Nonetheless, it would be folly on the part of any law enforcement agency to bury its head in the sand in the face of lopsided statistics about dog bites.

The day has long passed when such disparities will go unnoticed and unchallenged.

Chapter Two discusses inmate upon inmate violence in the jailhouse. There are two kinds of violence that merit substantial attention: inmates murdering and maiming other inmates to settle scores and inmate disturbances where African-American and Latino inmates square off against each other. This Report deals with the latter and not with the former. In a different context, Special Counsel is investigating five recent inmate murders to provide legal advice to the Board. Chapter Two of this Report is an update of a similar chapter in the **Seventeenth Semiannual Report**. The Sheriff's Department has made progress in addressing some of the causes of the disturbances and violence in the jails. Although praiseworthy, the advances fall short of cures.

For years, these Reports have noted a remarkable shift in the inmate population from misdemeanants to more dangerous felons. When the jails were planned and built, the shift could not have been predicted. The three strikes laws are to be blamed, at least in part. The upshot is that Los Angeles County lacks enough high security areas and one-man cells to accommodate high-risk inmates and inmates requiring special protection. The rules and protocols for classifying inmates and keeping certain inmates away from each other appear not to have kept up with the heightened levels of danger and risk. Computerized systems to keep track of inmates as they move about in the jails are incomplete, and the necessary scanners are in critically short supply. The process for selection of trusties and inmate workers appears to be flawed. It seems that the Department currently cannot consistently perform regular, well-documented safety checks, inmate counts, and frequent cell searches for contraband and cell-brewed liquor. Keeping the jails safe and secure for all inmates requires strictly enforced procedures. While many of these procedures are fine on paper, they are apparently not being consistently enforced in fact. The Sheriff's Department seems to have fallen behind.

These Reports have noted that the Department has an inadequate number of deputy guards with sufficient training to match current dangers and to perform all the necessary checks and searches. In its defense, the Department points out that its resources have diminished while the danger has risen and that other large urban jails, such as Rikers Island in New York, have more favorable guard-to-inmate ratios than does Los Angeles County. Although these assertions are factually correct and make the Sheriff's job in the jails more challenging, a lack of resources is not, taken alone, an acceptable excuse for preventable violence. If resources are limited, as they are in state and local governments everywhere, then excellent managers must prioritize and carefully match resources to risks. These Reports do not attempt to suggest how limited County resources should be prioritized and allocated either on a County-wide or Sheriff's Department-wide basis. Those hard decisions must be left to the sound discretion of the Board and Sheriff who in turn are responsible to the County electorate. These Reports are limited to identifying dangers and risks and their probable causes, be they lack of resources, inadequate rules and procedures, or failures to enforce rules or provide adequate supervision.

Chapter Three takes a hard look at the training Sheriff's deputies receive regarding when and when not to fire a gun. There can be no higher priority than avoidance of preventable shootings and other serious uses of force. To sharpen a deputy's technical skills and judgment calls concerning when to fire a gun is the job of the staff of Laser Village, the Department's tactical firearms training unit. It is no secret that Laser Village has been put on a strict regimen of fewer dollars and fewer staff.

Laser Village nonetheless provides excellent training for the small number of Sheriff's Department personnel that it can handle. The staff of Laser Village put trainees through scenario after scenario in which decisions about when and whether to shoot must be made repetitively. The role-playing exercises expose common mistakes committed by deputies that unneces-

sarily placed officers, innocent third parties, and suspects at risk. Laser Village staff must work hard to correct these errors.

Firearms skills deteriorate rapidly, and thus the need for training and retraining is constant. If that need is not met, increases in wrongful and controversial shootings cannot be far behind, and expensive judgments and settlements and deterioration of community support will follow in their wake. There are law enforcement agencies in large cities that can go as much as a year without a shooting, as the Miami and San Jose Police Departments recently demonstrated. Whether those results can be duplicated by the Sheriff's Department is unlikely, and the bar should not be set so high. In contrast, it is not too much to expect the Sheriff's Department to do its very best to prevent wrongful shootings traceable to inadequate training in firearms skills and flawed judgment.

Chapter Four considers whether the Department is doing a reasonable job identifying and dealing with problem officers. To its credit, the Department has speeded up its processing time for data entry into the PPI, a relational database that is the heart of the Department's risk management capability. To its further credit, the Sheriff's Department has improved the accuracy and completeness of the underlying data. In contrast, the Department may be undercounting complaints from the public alleging excessive force by a continuing failure to adopt bright line rules distinguishing inmate complaints from citizens' complaints. Likewise, the Department keeps failing to provide clear guidance when a use of force should generate a citizens' complaint. We urge the Department to remedy these long-standing failures.

An Appreciation

For the last 12 years, Julio Thompson has been an important participant in these Semiannual Reports. His work respecting the Sheriff's Department commenced when he was appointed deputy general counsel of the Kolts investigation. His depth of knowledge about police accountability has few equals, and his passion and admiration for good policing are remarkable. So is his high regard for the Sheriff's Department. Over the years, his research and investigative skills have permitted our knowledge of the Department to grow wider and deeper. Similarly, his perceptions and judgments have sharpened our analysis. Julio has recently decided to accept an appointment as Assistant Attorney General for the State of Vermont. In that capacity, he will have responsibility for labor and employment law issues within the State as well as oversight responsibilities for the Vermont State Police. We welcome this opportunity for Julio to continue his work on police accountability, this time on a statewide basis. At the same time, we will not only miss his deep knowledge of police practice but also his loyalty, sense of humor, moral strength, values, priorities, and friendship. Julio has never let us down. Whether consulting for the U.S. Department of Justice, investigating and appraising police accountability for the cities of Detroit and Portland, Oregon, analyzing use of force and early-warning systems in cities across the country, or keeping an eye on the Sheriff's Department, Julio's work has been uniformly excellent and his contribution to respectful and effective policing across America is notable.

Similarly, Django Sibley has made a significant contribution to respectful and effective policing. Django was a police officer in England for several years and brought a fresh and valuable perspective on the many ways the police in England manage to temper use of force, particularly lethal force, without losing effectiveness or crime-fighting prowess. His work on a

wide array of projects has been top rate. Few can match the excellence, precision, and clarity with which Django thinks, speaks, writes, and analyzes.

Django has been offered a position in the L.A. Police Commission's Office of the Inspector General with responsibility for analysis of serious force incidents involving LAPD officers. He has a new opportunity to bring about improvement in the LAPD which, along with the Sheriff's Department, is among the finest American law-enforcement agencies.

Introduction

Because police dogs have a highly developed sense of smell and the consequent ability to sense the presence of a suspect before a police officer can do so, they provide law enforcement a margin of safety as the officers search for and arrest suspects. On the other hand, police dogs can cause serious injury. It is commonly accepted that a police dog (either a German Shepherd or Belgian Malinois) exerts between 800 and 1,500 pounds per square inch when it bites — a force the Ninth Circuit recently likened to having a limb run over by an automobile. Depending on the location of the bite, the suspect's reaction to it, and the bite's duration, the suspect can suffer anything from minor abrasions to serious disfigurement. If the dog bite is found to be an unlawful use of force, the consequences to the County are costly, whether the case goes to trial or settles.

For these reasons, we periodically examine the activities of the LASD's Canine Services Detail (CSD). Currently the Detail consists of ten canines, ten active deputy canine handlers, three sergeants, and one lieutenant. It should be kept in mind that the work of canine handlers can be dangerous: CSD officers often search in the middle of the night for armed suspects hiding in labyrinthine warehouses, debris-strewn backyards, or in pitch-black wilderness areas. The potential for ambush and armed confrontation always must be factored in. We last undertook a thorough review of Canine Services Detail in connection with the July 2002 **Fifteenth Semiannual**

Report. There we reported that the CSD continued, in the main, to operate satisfactorily. The Report noted concerns with the disposition of a few cases and particular concern about an increase in the bite ratio.

This Report returns to CSD because bites are up, both in absolute numbers and as a percentage of apprehensions. Since the LASD substantially overhauled CSD's operations in the early 1990's, the detail has shown itself capable of maintaining a bite ratio (*i.e.*, the percentage of canine apprehensions that result in a bite) of 10-12 percent. For the past two years, however, CSD has seen the bite ratio climb steadily upward to over 17 percent — the highest in nearly a decade. This Report also assesses whether the Department is appropriately using tools like Clear-Out gas to minimize canine bites. On the whole, the Department is using these tools effectively, and should use them even more frequently.

I. Canine Statistics

A. Overall Bite Statistics

Table 1.1 sets forth relevant data on the Canine Services Detail since 1991. Between 1991 and 1998, the number of bites steadily declined, dropping from 58 bites in 1991 to a record low of 7 bites in 1998. The bite ratio also drifted downward, from 27 percent in 1991 to 8.3 percent.

In 1999, however, the bite ratio jumped to 17 percent, more than double the ratio from the previous year. The jump coincided with an April 1999 change in LASD policy that lifted the ban and allowed the CSD, for the first time in several years, to search for suspects wanted for Grand Theft Auto. The ban had been imposed because of concerns about numerous instances in which minority juveniles out for a "joy ride" had been bitten by LASD canines.

In 2003, the bite ratio again moved upward to 17.2 percent. Deployments dropped (falling from 680 deployments in 2001 to 625 in 2002

Table 1.1 Canine Statistics

Year	Deployments	Finds	Bites	Ratio	Ethnicity	
1991	1228	213	58	27%	African-American	23
					Latino	24
					Anglo	9
					Other	2
1992	1030	225	51	22%	African-American	13
					Latino	30
					Anglo	6
					Other	2
1993	940	179	42	23%	African-American	22
					Latino	13
					Anglo	6
					Other	1
1994	921	183	45	24%	African-American	19
					Latino	18
					Anglo	7
					Other	1
1995	840	151	31	20%	African-American	14
					Latino	12
					Anglo	3
					Other	2
1996	708	121	15	12%	African-American	5
					Latino	9
					Anglo	0
					Other	1
1997	734	115	10	8.7%	African-American	3
					Latino	6
					Anglo	1
					Other	0
1998	626	84	7	8.3%	African-American	1
					Latino	5
					Anglo	1
					Other	0
1999	539	88	15	17%	African-American	7
					Latino	8
					Anglo	0
					Other	0
2000	569	152	19	12.5%	African-American	6
					Latino	10
					Anglo	2
					Other	1
2001	680	185	22	11.9%	African-American	8
					Latino	10
					Anglo	2
					Other	2
2002	625	158	23	14.6%	African-American	8
					Latino	12
					Anglo	3
					Other	0
2003	576	174	30	17.2%	African-American	14
					Latino	11
					Anglo	4
					Other	1
<i>Jan 1 - June 30</i>						
2004	355	94	22	23.4%	African-American	4
					Latino	14
					Anglo	4
					Other	0

Source: Canine Services Detail

and 576 in 2003), as have total suspect apprehensions (falling from 185 in 2001 to 158 in 2002 and 174 in 2003). Even though CSD canines had fewer chances to bite suspects in the past two years, they have been biting more often, with the 30 bites in 2003 standing as the highest number of bites since 1995. The upward trend does not appear to be slackening off this year. Between January 1 and June 30, 2004, CSD was deployed to conduct 355 searches, resulting in 94 apprehensions, 22 bites, and a bite ratio of 23.4 percent.

This latest uptick in the bite ratios does not appear to correlate with Department policy changes. Since the LASD loosened its canine policy to permit searches for car theft suspects in April 1999, the Department has modified its policy only once: In August 2003, the LASD tightened its policy to require that, absent exigent circumstances, canines could not be deployed without approval from a Special Enforcement Bureau (SEB) supervisor. Nor could we correlate the increase in bites with a change in training. The best hypothesis is that the upward trend in dog bites has come as the result of greater discretion afforded to handlers by their supervisors in the field. We noted the beginnings of this looser management style in our **Fifteenth Semiannual Report** (July 2002):

“More recently, management’s attitudes about searches have shifted a nuance or two. Whereas three years ago [*i.e.*, in 1998] handlers apparently felt a palpable risk of being second-guessed or subject to criticism for how a search was being performed, today handlers apparently believe that their exercise of discretion about how to search will be afforded a greater presumption of correctness by management. Similarly, wider latitude and a fuller presumption of appropriateness are afforded to the exercise of handler discretion about keeping the dog in sight and judging the best distance to maintain between the handler and the dog. Although by no means exempt from meaningful scrutiny, handlers are currently afforded, or at least perceive themselves to be afforded, more respect.” *Id.* at 100.

Currently, many on the CSD supervisory staff are relatively new and lack prior canine deployment experience. It may be that these supervisors are overly deferential to the handlers and not exercising enough control. If this is the case, the Department should take the necessary steps to reassert stricter supervision with the goal of reducing the bite ratio to 10 percent or less.

B. The Issue of Institutional Bias

As Table 1.1 shows, minorities make up the great majority of suspects bitten as the result of canine searches. In 1999, African-Americans and Latinos made up 100 percent of the suspects bitten. In 2000, they made up 84 percent, and in 2001 they made up 81 percent. This trend continues to the present day. African-Americans and Latinos made up 87 percent of the bite cases in 2002, 83 percent of the bite cases in 2003, and between January 1 and June 30 of this year, they accounted for 82 percent. These statistics, taken alone, are very troubling. It is difficult, however, to establish that racial bias is the cause. It is worth noting that the CSD is a racially and ethnically diverse group of officers. That fact alone, however, does not entirely answer the question.

Thus, in connection with this Report, we monitored many hours of radio traffic to test whether CSD knew the race or ethnicity of the suspect at the time it decided to deploy canines to the scene. In most cases, the initial calls to CSD did not mention the race or ethnicity of the suspect. Rather, the radio traffic on canine deployments focused on (1) the level of threat the fugitive posed to the officer and public safety (whether the suspect was armed or had committed a serious felony) and (2) whether a containment had been established sufficiently quickly and tightly to make a canine search likely to succeed. Accordingly, it would appear that the initial CSD decision to rollout is not influenced by race and ethnicity.

However, because canine handlers must be given the suspect's description in order to conduct a search, it is much more difficult to assess whether race

or ethnicity plays any role in the decision to release the dog. While we did not see any evidence from the files we reviewed that race or ethnicity played any such role, we also recognize that such impermissible considerations will rarely be memorialized in writing.

It is similarly difficult to determine the degree to which race and ethnicity factor into a patrol station's proclivity to call CSD and request a canine. It would be worthwhile to conduct a study to determine whether patrol officers are more likely to request a canine deployment when apprehending minority suspects or, more broadly, whether officers patrolling high-crime areas, often associated with large, poor minority populations, are more likely to ask for CSD's help. We recommend that such a study be undertaken and the results examined with dispassion and care. The whole subject of racial profiling is heavily emotion-laden and analytically complex.

II. Review of Individual Cases

The statistics showing upward increases in the bite ratio are very troubling. Statistics, however, do not tell the whole story. Each canine case must be evaluated on its own merits to determine if the bite was appropriate under the circumstances. A review of individual cases from the past eighteen months demonstrated that, notwithstanding the statistics, the Canine Services Detail continues to operate satisfactorily.

A. Deployments

The rules for when an LASD canine may be deployed are set forth in Field Operations Directive 86-37, which provides in relevant part:

“Canine deployments shall be limited to:

Searches for felony suspects, or armed misdemeanor suspects, who are wanted for **SERIOUS** crimes and the circumstances of the situation

present a clear threat to deputy personnel who would otherwise conduct a search without a canine. Searches for suspects wanted for Grand Theft Auto shall be limited to those who are reasonably believed to be adults, and are reasonably believed to be the driver of the confirmed stolen vehicle. Known passengers, absent extenuating circumstances, should not be searched for with the use of a police service dog.

Special Weapons Team [SWAT] activations and other activities as may be deemed appropriate by the SEB Unit Commander.

Generally speaking, searches for known juvenile offenders shall be limited to those circumstances where the severity of the crime, the subject's age and propensity for violence, whether or not the subject is believed to be armed, or other critical factors would reasonably justify the use of a canine search team. In these situations, a field supervisor and/or a canine supervisor must first authorize the use of a canine." (Field Operations Directive 86-37 (Rev. April 20, 1999).

On August 11, 2003, this policy was amended to require that, absent exigent circumstances, each canine deployment must be authorized by an SEB supervisor.

We reviewed all 30 bites resulting from searches in 2003 and all 22 bites resulting from searches conducted between January 1 and June 30, 2004. We also reviewed all cases where a superior officer directed the handler to go after a suspect during a SWAT Operation.

Overall, the decisions to deploy canines for searches in 2003 and 2004 appear to have been justified. There were nonetheless a small number of cases at the margins where the justification was slim. One such case involved two 19 year-olds who had evidently shoplifted some blue jeans. They nonetheless were classified as "robbery" suspects because they bumped into a manager who attempted to block their exit from the store. One of the young men was

later bitten by a CSD canine. That classification, or misclassification, as a robbery allowed for the use of canines where a simple shoplifting classification would not. Cases such as this one notwithstanding, CSD searches almost invariably are for suspects who are armed or wanted for murder, assault with a deadly weapon, carjacking, armed robbery, burglary, and car theft.

B. Announcements

Department policy requires officers to make announcements, in English and Spanish, prior to deploying a canine team. The only exception is when a lieutenant or higher-ranking officer on the scene concludes that an announcement would put an officer or a member of the general public in jeopardy. The announcements are played on radio cars' public address systems or by assisting air units. The purpose of the announcement is to afford suspects an opportunity to surrender and to give innocent third parties a chance to move to safety. Experience has shown that whether or not an appropriate announcement has been made is often the deciding point in whether a bite by a police canine is deemed justified.

Sometimes, additional announcements should be made if there is a passage of time between the announcement and the apprehension of the suspect. CSD contends that if a search is likely to drag on for an extended period, CSD generally will make additional broadcasts or verbal announcements. While this often appeared to be the case, there were several instances where handlers failed to report exactly when they made the additional announcements. To better document why a given search was justified, it is important to specify when each announcement was made.

At times, the CSD does a good job in providing this level of detail. Consider, for example, this report from a bite package documenting a search for a suspect who had pointed a gun at a patrol officer earlier that evening:

“Prior to deploying [his canine], Deputy [A] made canine warnings throughout the contained area. These were done from a pre-recorded tape, in English and Spanish over the radio car P.A. system. The warnings offered the suspect an opportunity to surrender. Warnings were made at [B] Street and [C] Avenue at 2125 hours, [C] Avenue and [D] Street at 2130 hours, and [D] Street and [E] Avenue at 2135 hours. We waited for approximately twenty minutes for the suspect to surrender to no avail.”

The report then went on to detail the time of the ensuing apprehension and dog bite, leaving little doubt as to whether the suspect had received sufficient, fresh notice from the canine unit. A similar level of detail was provided by a different handler in his report of a search for an armed suspect:

“Prior to deploying my police service dog, I made a series of pre-recorded announcements. These announcements were made via [my] patrol car’s public address system and were played in both English and Spanish. These canine announcements instructed [Suspect A] to surrender peacefully to the nearest deputy. The canine announcements also informed [Suspect A] that a police dog would be used to locate him and if my police dog located him, he may be bitten.

I began my canine announcements at the intersection of [B] Street and [C] Boulevard at approximately 0205 hours. At approximately 0208 hours I played my announcement at [address omitted]. At approximately 0212 hours I played pre-recorded canine announcements at the intersection of [D] Street and [C] Boulevard. At approximately 0214 hours I played canine announcements at the alley between [E] Avenue and [C] Boulevard and continued to play the announcements [while driving] in the alley. At approximately 0217 hours I played the canine

announcements at the alley and [B] Street. I played these pre-recorded canine announcements continuously throughout the perimeter for approximately 12-14 minutes. [Suspect A] refused to surrender to the canine announcements.

I began my canine search on the west side of [C] Boulevard and searched northbound from [B] Street. After searching several yards I had not located [Suspect A]. As I approached the property at [address omitted], I made several verbal (tape-recorded) canine announcements. After waiting approximately 2 minutes . . . I deployed my police service dog into the rear yard at [address omitted].”

We look forward to a day where all CSD reports contain a similar level of detail.

C. Bite Duration

Another critical factor in assessing canine operations is whether handlers are minimizing the duration of dog bites to the extent possible. LASD policy states:

“The handler will call off the dog at the first possible moment the canine can safely be released. When deciding to call off the dog, particular attention must be given to the perceived threat or actual resistance presented by the suspect. Handlers will continue to factor into their call-off decision that the average person will struggle if being seized or confronted by a canine. This struggling, alone, will not be cause for not calling off the canine.” (Field Operations Directive 86-37, p. 3).

It is difficult to assess whether CSD handlers are commanding the dogs, as soon as it is practicable, to release the bite. For sound reasons of public safety, canine apprehensions typically occur out of the sight of civilian witnesses. Thus, in the absence of witnesses, one must scrutinize officers’

reports, consider the severity of canine bites, and appraise any allegation from suspects that officers failed to release a dog after an unequivocal surrender. We were heartened to find that, in the cases we recently reviewed, none of the suspects contended that the officer failed to call off the dog in a timely fashion.

D. Apprehension of Juveniles

An area worthy of examination is whether the Department has been doing its best to avoid bites of juveniles, which tend to be controversial and present a high litigation risk. From January 1, 2003, to June 30, 2004, five juveniles were bitten by LASD dogs. Two of the suspects were wanted for attempted murder, one of whom had fired a gun at LASD deputies. A third juvenile suspect was arrested for carjacking, a fourth for robbery, and the fifth for residential burglary. In each case, the deployment of the dogs appeared to be within policy.

E. Directed Bites

On occasion, a handler is directed by a superior officer to release the dog and let it bite. In most instances, directed bites occur in SWAT operations against armed and barricaded suspects. A canine team may accompany the SWAT Team into a building to assist in locating or disarming a suspect. Our research for this Report did not turn up instances of improperly directed bites. The following two examples illustrate how directed bites were properly used.

In one case, Safe Streets Bureau officers requested assistance in apprehending a shooting suspect believed to be hiding in his girlfriend's apartment. According to a tip from the girlfriend, the suspect was hiding inside the apartment with a 9 mm handgun waiting to shoot it out with deputies. A Crisis Negotiation Team and CSD were dispatched to assist pending the arrival of a SWAT Team. One canine handler made canine announcements from his radio car public address system for half an hour. The suspect failed to surrender, and failed to answer calls from the Crisis Negotiation Team.

The suspect then fired several shots at the officers, covered his window with a mattress, and challenged officers, “Come and get me.”

After more than five hours of failed attempts to induce the suspect to surrender, SWAT deployed a tactical robot to enter the apartment. The suspect fired additional shots and retreated upstairs. SWAT breached the front door of the apartment and cornered the suspect in a rear bedroom. The suspect then jumped out of the second story window and began running in the direction of several SWAT deputies.

In order to avoid a deadly confrontation, a canine handler was directed to release his dog to take the suspect down. The dog grabbed the suspect by the right arm and pulled him to the ground. The suspect turned his attention to the dog, giving the deputies time to subdue the man with a Taser. The injuries from the dog bite were minor. The suspect was arrested for attempted murder.

In a second case, CSD was called in to assist a SWAT Team in apprehending a man wanted for assault with a deadly weapon who had barricaded himself in his house with a sawed-off shotgun. The suspect’s girlfriend told the LASD the suspect had been smoking crack cocaine for five days without sleep and had vowed he would never surrender to the police.

After negotiations failed, SWAT was ordered to enter the residence and apprehend the suspect. By this time, the suspect had locked himself into his bedroom. When SWAT breached the front door, a CSD handler followed close behind. The dog then alerted to a closed bedroom door. The handler recalled the dog, and SWAT ordered the suspect to surrender. The suspect did not comply, and the SWAT officers broke the door open. When they entered the room, they saw that the suspect had wedged himself under the headboard of his bed and was now claiming that he was unable to move. When deputies removed the mattress, the suspect refused to put his hands up and moved toward a large knife on the floor. A SWAT officer directed the CSD handler to deploy his canine. The dog ran into the room, grabbed the

suspect by the arm, and pulled him to the ground. The suspect continued fighting with the dog, even after being shot with a Taser. The suspect required 20 stitches for his dog bite injury. While these wounds were not trivial, the use of a CSD canine very likely avoided a shooting.

III. Less Harmful Alternatives

A. Clear-Out Gas

Clear-Out is a combination of OC spray and CS gas that is typically stored in a small can resembling an insect fogger. Clear-Out can flush suspects from difficult-to-access spaces like tool sheds, crawlspaces, and attics where handlers might otherwise deploy an LASD canine. Although one CSD sergeant claimed that he had never seen a case where Clear-Out caused a suspect to surrender, other CSD officers found the gas to be effective. One canine handler put it this way: “It’s good stuff. I’ve never seen anyone fight his way through that gas. I’ve seen them [suspects] hold out on other gases used in SWAT rollouts, but never when we’ve used Clear-Out.”

There were a handful of cases where, for reasons not articulated in the LASD’s files, CSD officers elected not to use the gas but probably should have. For example, in one case, CSD officers were conducting a midnight search for an armed robbery suspect. A canine alerted to a human scent coming from a van sitting in a driveway. The handler opened the van door and sent his dog inside. The dog located and bit the suspect, who was hiding under a seat. The release of the dog was reasonable given that the officers would have exposed themselves to potential ambush if they had entered the van. Nonetheless, as the case was presented in the file, it seemed that the bite might have been avoided by tossing a can of Clear-Out inside the van. It would have been better if the case file had contained a discussion about the pros and cons of using Clear-Out, whether officers had Clear-Out available at the scene, or what factors, if any, led officers to decide Clear-Out would not be appropriate.

In another case, there should have been a discussion why Clear-Out was not used:

“I deployed my police service dog into the rear yard at [address omitted]. [He] searched the rear yard and did not locate [Suspect A]. As we were searching the rear yard I saw a crawl space entrance along the west side of the house. The crawl space entrance vent was removed and the opening was large enough for a person crawl through.

Through training and experience I know it is common for armed suspects to hide themselves underneath homes in an effort to avoid arrest. This small dark environment affords the suspects a tactical advantage. [It] also represents a very dangerous area for deputy personnel to search. I approached the crawl space entrance and made several verbal canine announcements (tape recorded). After approximately 45 seconds, [Suspect A] refused to surrender. I deployed my police service dog into the space underneath the residence. The area underneath the house was dark and very confined.”

Moments later, the handler’s dog found and bit the suspect. Although the bite wounds were relatively minor, there nonetheless should have been explicit consideration in the file why Clear-Out was not used. We recommend that the Department mandate a specific discussion in the case file concerning why Clear-Out was not used in instances similar to the examples cited above. We further suggest that the Department track all instances where Clear-Out was used and explicitly discuss in the case file whether and to what extent deploying the gas was successful.

B. Pole Cameras

The Canine Services Detail added two pole cameras in 2003. With these devices, handlers can safely view an attic or crawlspace without releasing a

canine. The Department appears to be using this new technology appropriately, and there did not appear to be instances where an officer failed to use a pole camera when it was practicable to do so and one was available. The Department has recently purchased a third pole camera so that each CSD sergeant will have one available in his vehicle. The Department should monitor whether the three pole cameras are adequate.

It must be kept in mind, however, that pole cameras do not invariably eliminate the necessity to deploy a canine. An August 2003 incident is illustrative. CSD, along with a SWAT Team, was dispatched to apprehend a suspected burglar believed to be hiding in a victim's house. After canine announcements and broadcasts by a Crisis Negotiation Team failed to yield any response from inside, SWAT and CSD entered the house to take the suspect. While the search team conducted a slow, methodical search of the home, the canine made a "high alert," indicating that the suspect might be in the attic. Officers slid a pole camera into the attic and immediately spotted the suspect in a corner. The officers then made additional announcements for the suspect to surrender. When that did not work, the SWAT Team sent tear gas into the attic. The pole camera showed that the suspect was pressed against an external air vent, allowing him to withstand the gas. The safest option for all concerned was to deploy the canine, which immediately located the suspect and bit him on the leg. The suspect surrendered, suffering only minor abrasions.

C. Flashbangs

A third less harmful alternative to deploying a canine is the so-called "flashbang," a small explosive device that emits an extremely loud sound (around 175 decibels) and a brilliant flash of light (about 2.5 million candles of light). Flashbangs are typically used by SWAT Teams to temporarily disorient suspects so that a team of officers may seize the initiative and either enter a structure or apprehend the suspect. In canine operations,

flashbangs may be used to startle suspects out of hiding places. The cases we reviewed from January 1, 2003, to June 30, 2004, presented few opportunities to use flashbangs. Accordingly, more experience and research are needed to assess the pros and cons of these devices.

D. Night Vision Technology

The CSD has not yet had the opportunity to conduct searches with the aid of night vision devices. Better night vision by canine handlers translates into an enhanced ability for officers to detect suspects and thus might obviate some canine bites. The Department should consider testing these devices. The Department is currently testing a simple device that may reduce instances of canine teams' losing track of each other during a nighttime search. The device, known as a Glo-Toob, is a tiny transmitter that emits an infrared beam easily detectable at long distances by night vision equipment or infrared monitors. Each Glo-Toob costs about \$15 and can be configured to transmit up to seven different types of signals (*e.g.*, steady beam, rapid strobe, slow strobe, etc.), allowing one to track up to seven different search teams. If they used Glo-Toobs, CSD canines and handlers could be readily spotted by LASD helicopters or assisting units equipped with either night vision devices. These small transmitters hold great promise and we will follow the Department's experience with these devices.

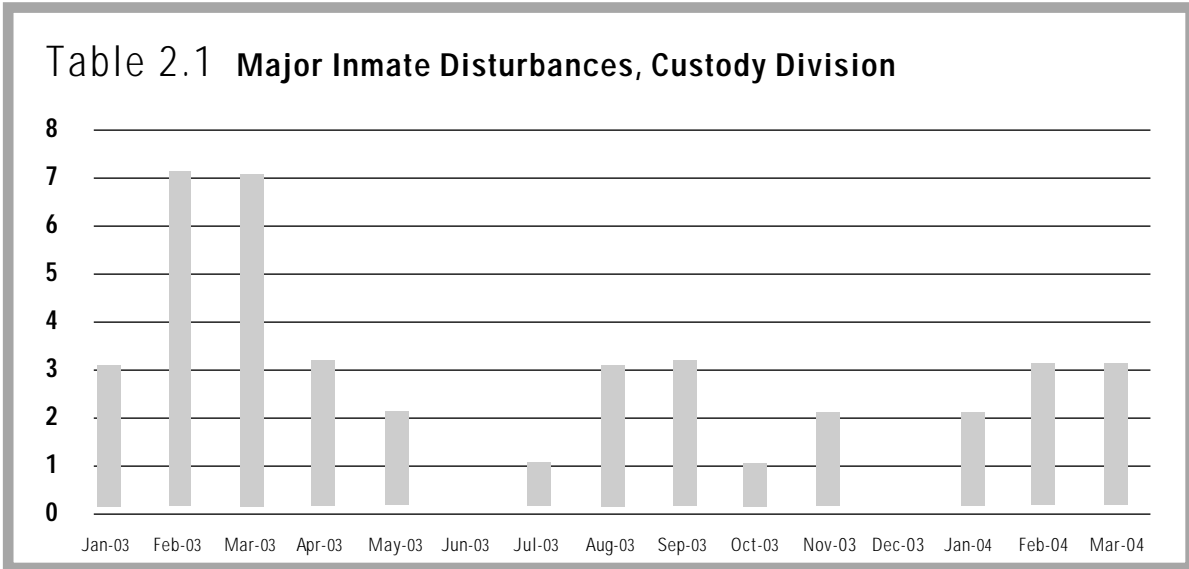
Conclusion

Overall, the Canine Services Detail continues to perform well. Nonetheless, it is incumbent upon the Department to figure out why the number of bites and the bite ratios have increased so substantially. Similarly, the Department must carefully examine why minorities are bitten and constitute such a large percentage of the dog bites. It is possible that recent changes in supervisory staff have resulted in a looser supervision of

canine handlers with a resulting increase in bites. The Department should look into this possibility and others over the coming months. The Department should figure how to reduce the bite ratios to 10 percent or less, a goal the Department was capable of achieving a few years back. The Department should continue to explore alternatives to canines, including wider use of Clear-Out and night vision technology.

Introduction

In the **Seventeenth Semiannual Report**, which reflected the status of the Department in the summer and fall of 2003, we described an increasing level of inmate violence in the jails. Of particular concern was a substantial increase since 2001 in the incidence of violent disturbances involving groups of inmates. Most LASD officials attributed the rise in violence to an increase in the concentration of serious offenders in the inmate population, combined with resource constraints that reduced staffing and led to the discontinuation of some promising anti-violence initiatives. We have since revisited the question of how effectively the Department is maintaining control over major inmate disturbances. As Table 2.1 demonstrates, the rate of disturbances we found to be troublingly high in 2003 remained so through March of 2004.



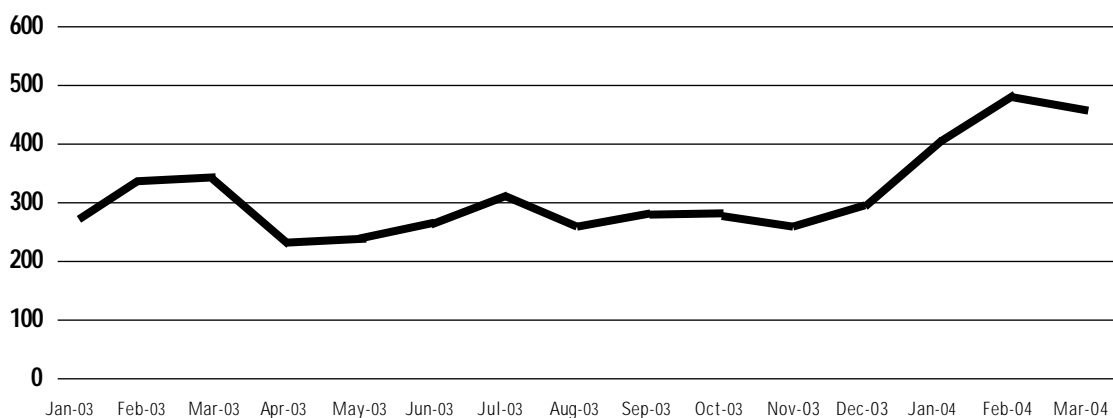
That the rate of disturbances has remained high is unsurprising when the underlying conditions still faced by the Custody Division are considered: The violent nature of the inmate population has not changed, and staffing of the facilities (and the related capacity of facility managers to engage in certain risk-management strategies) continues to be limited by severe resource constraints.

I. Recent Improvements

Despite our continued concern with the high level of violent disturbances in custody facilities, we are pleased to report some recent improvement in the rate of housing area searches. In the **Seventeenth Semiannual Report**, we expressed our concern that the rate of searches division-wide, and at Men's Central Jail in particular, had fallen markedly in recent years. As we explained in that report, searches are a valuable means of reducing the potential for inmate violence as they hinder the capacity of inmates to possess weapons and alcohol.

As Table 2.2 illustrates, the rate of housing area searches conducted division-wide rose substantially in the first three months of 2004, as compared to the monthly search rate for 2003. Although several facilities have shown some improvement, this rise is largely attributable to increases achieved at Men's Central Jail, which more than trebled its monthly search rate for these three months. We will continue to monitor the rate at which housing area searches are conducted. We urge the Custody Division to sustain recent increases and strive for further improvements.

Table 2.2 Housing Area Searches, Custody Division



A new procedure currently still in the planning stage may promise a further means of reducing inmates' access to alcohol. Pruno — the jail-made alcohol that can fuel violence in custody facilities — is typically manufactured by fermenting everyday foodstuffs in containers fashioned from trash bags. According to Chief Charles Jackson of the Correctional Services Division, the Department has plans to manufacture its own trash bags. These trash bags will be perforated in order to frustrate inmates' efforts to use them as containers for liquid. Although inmates' ingenuity will doubtlessly enable them to continue to manufacture Pruno to some degree, any initiative that promises to diminish their capacity to do so is welcome.

II. Disturbance Review: Disseminating Lessons Learned

All major inmate disturbances and riots are subject to an LASD internal review process to identify their causes and any related policy, training, and tactical issues. Our review of Disturbance Review files has confirmed that valuable lessons can arise from the review process. In a recent example from the PDC-North facility, a deputy observed that inmates lying on their bunks had kept their shoes on. He recognized this as an indication that the inmates were preparing to fight and informed the Watch Commander. The Watch Commander ordered a dorm search, which revealed a collection of improvised weapons that included a shank (a jail-made dagger). Although a disturbance did erupt later that night, no weapons were involved and no serious injuries were inflicted. As such, it appeared that the deputy's good observations and knowledge may have prevented a much more serious incident from occurring.

According to personnel involved in Disturbance Review, it is not uncommon for the review process to identify information that Custody Division staff could use to reduce the incidence or severity of future disturbances. However, we have found that the system currently in place for

managing this information does not provide for its systematic, division-wide dissemination. Rather, findings are provided to the unit commander of the facility where the disturbance occurred. This raises the likelihood that the full violence-reduction potential of the review process is not currently being realized.

We have raised this issue with Custody Support Services (CSS), which manages and collates the information gathered during disturbance reviews. CSS agrees that valuable lessons learned during the review process should be disseminated division-wide. CSS has proposed a mechanism by which this dissemination could occur, which includes a tracking capacity to ensure that all staff members are briefed.

We are encouraged by the initial responsiveness CSS has shown to this issue. We recommend that the Custody Division move quickly to implement a system of systematic, division-wide dissemination of valuable lessons learned in order to better realize the value of Disturbance Review.

III. Force Training: Recent Developments

In the **Seventeenth Semiannual Report**, we expressed a number of concerns relating to the force training provided to custody personnel. Although we remain concerned with the reductions in the amount of training that report described, as well as the potential for certain staff members to begin work in custody facilities before receiving important training, we are encouraged by several positive developments made by the Custody Training Unit (CTU) under the supervision of Lieutenant Allan Smith.

Our previous report identified a concern that the force management lessons contained in some force packages (the documents generated by the LASD's system of recording and evaluating force events) were not being systematically relayed back to the CTU for integration into the custody force training program. That report recommended that a formal system of

disseminating useful lessons from force packages be developed. In response to that recommendation, Lieutenant Smith assigned a member of his force training staff to each of the custody facilities to serve as a formal liaison on force issues. These CTU staff members are required to meet with the operations and training staff of their assigned facility on a monthly basis in order to discuss recent force events and to identify any trends or training needs revealed by those events. The content of these meetings is documented and entered into a database maintained by the CTU. This new system has enabled the CTU to identify specific training needs at facilities, which the unit has addressed by tailoring the content of the force classes it offers to those facilities' staff.

Our last report also expressed concern at the reduction in training represented by the implementation of Intensified Format Training (IFT), designed to provide two-hour training sessions in place of the eight-hour classes previously offered. We were further concerned by indications that the actual amount of training provided under the IFT system sometimes falls short of two hours. The IFT system is still in place and we have received no indications that a return to eight-hour classes is planned. However, the CTU has responded to the issue of truncated IFTs by documenting the actual amount of time each student spends in IFT training and entering this information into a database so that they can more accurately determine the amount of training students actually receive.

According to Lieutenant Smith, the CTU has exploited the shorter format of IFT to respond more flexibly to training needs by adapting classes to meet those needs as they are identified. Although our concerns about diminished training remain, the CTU deserves credit for the initiative it has shown in attempting to meet the training needs of custody staff in the face of severe resource constraints.

Another aspect of custody training that demonstrates initiative by the CTU is the provision of training materials through the LASD's intranet. The CTU has developed a series of instructive power-point presentations covering a variety of topics, including gang activities in custody facilities, jail security, and defensive tactics. Any member of LASD staff with access to a computer workstation can view these materials. Although pressures of existing duties may prevent custody staff from taking full advantage of these materials, and although viewing a computerized presentation is not a substitute for classroom training, the development and dissemination of these materials represents good work by the CTU.

A further training issue we expressed concern with in the **Seventeenth Semiannual Report** was the provision of "in-house" force training by some custody facilities. This training was insufficiently regulated, potentially exposing the County to liability and staff members and inmates to undue harm. According to the CTU and other Custody Division officials, custody facilities have stopped this problematic training practice in response to our findings. Force training is now provided exclusively by instructors with the appropriate credentials.

Introduction

The July 1992 **Kolts Report** noted that while few LASD officer-involved shootings were due to intentional misconduct, there were “many cases in which officers unnecessarily walked into or created situations which ultimately required the use of deadly force.... These incidents, and many others we reviewed, presented issues of training and judgment as well as possible misconduct.” (**Kolts Report**, p. 150). Among the cures, Judge Kolts concluded, is periodic, realistic tactical firearms training for all LASD officers. Such training puts officers in high stress role-playing scenarios to practice important skills: making split-second “Shoot / Don’t Shoot” decisions; moving to cover; sighting weapons on moving targets; and firing in a disciplined, controlled manner in order to avoid too many and too poorly aimed shots that may endanger bystanders and fellow officers. This chapter will demonstrate that although the Sheriff’s Department provides excellent refresher retraining on firearms skills, it is currently available on a severely limited basis and is not targeted with precision to deputies most likely to be involved in shootings.

Shooting bullets at stationary targets on a firing range cannot substitute for realistic role-playing scenarios. “Qualification” or “stationary range” firearms training — where officers stand stock-still, close one eye, and slowly squeeze off rounds at a well-lit, stationary paper silhouette 25 yards away — is useful in giving officers a steady hand and a sharp eye, but it does not prepare an officer to handle deadly force situations on the street where suspects can move, think, and fire back. Firearms skills are highly perishable, and even highly experienced officers sometimes get killed as a result of a tactical error, such as leaving the position of cover to take better aim at a suspect. As one nationally-recognized firearms instructor, Rob Morris, put it:

“[A]s a law enforcement officer, if you think that shooting a firearm four times a year for some qualification course makes you proficient, you are out of your mind. If anything, that only makes you dangerously scary. Firearms proficiency is a perishable skill. If you don’t use it, or have never developed it, you lose it....

Put it in these terms. How good would Michael Jordan be if he only played basketball four times a year, or Sammy Sosa if he only hit the ball four times a year? I know we are not professional athletes. [However,] you had better perform like one in a gunfight. Actually, you had better perform better than one, because there is no second place in a gunfight. Second place leaves you dead. This not only applies to firearms, but all perishable tactical skills.”

This chapter considers how well the Department’s tactical firearms training unit, Laser Village, is faring. The **Sixteenth Semiannual Report** (February 2003) reported that Laser Village instructors, although too few in number, provided excellent training, especially to officers who were rusty and error-prone. In subsequent training sessions, officers who had completed a Laser Village course consistently outperformed those who had not undergone refresher training. The Report concluded that Laser Village had insufficient staff and support to meet the Department’s training needs. As developed below, this Report reaches the same conclusion a year and a half later. The training provided remains excellent.

I. Laser Village Resources

When we last reported on Laser Village in February 2003, the unit had seven deputies and one sergeant for needs that required double that number. Shortly after our report was published, Laser Village lost its sergeant and two training deputies. While the Department is to be commended for recently

filling the vacant sergeant position last month, more support is needed.

There are now only five deputies responsible for providing tactical firearms training to thousands of LASD officers.

In addition, Laser Village's physical plant has fallen into disrepair. Indeed, some buildings have been condemned due to structural defects. Even though the cost of repairing Laser Village is modest—roughly \$175,000—the buildings have sat empty and unused for many months. While there was some minor construction work being performed in the last week of July, it remains unclear whether the buildings will be fully repaired in the near future.

In addition, Laser Village's Shooting Solutions Trailers (SSTs) are experiencing more frequent breakdowns due to age and overuse. SSTs are firing ranges set up in trailers where officers fire live, frangible ammunition at a large video screen displaying "Shoot / Don't Shoot" scenarios. SSTs are valuable because they are mobile and can be taken from patrol station to patrol station. On-site training, known as the "Roadshow," takes only an hour or so of the trainees' time, considerably less time than sending trainees to Laser Village itself. Because of the frequent breakdowns, the Roadshow was only able to go to six stations in 2003 and two stations thus far in 2004. Century Station was visited once in 2003, and Compton Station has not been visited at all by the Roadshow in the last two years. Given that Century and Compton account for approximately 75 percent of all shootings in the Department, the infrequency of Roadshow visits is troubling. Better practice would be to visit stations like Century and Compton twice or more a year.

II. Review of Current CPT Training at Laser Village

A. Overview

To maintain its POST certification, the LASD must provide its officers with 24 hours of continuing professional training (CPT) every two years,

and the current cycle runs from January 2004 to January 2006. Between January 1 and May 31 of this year, a total of 630 officers, mostly deputies, participated in the CPT training at Laser Village. We audited over a dozen Laser Village CPT classes and directly observed 244, or 39 percent, of the 630 officers participating in a one-day firearms course. Laser Village instructors are occupied two days a week teaching that course. Three hours of the class are lectures on tactics, including, for example, building entry techniques. The rest of the day is devoted to hands-on training, such as “Shoot /Don’t Shoot” scenarios in an SST and role-playing scenarios.

In role-playing scenarios, the trainees and the instructors all used Beretta 92 Fs loaded with Simunition rounds. The Simunitions used by the LASD are as close to real ammunition as safety permits. They are primer powered, brass cased, paint-ball bullet modifications to real firearms. They are loud, provide some recoil, and mark their targets with a splash of brightly-colored detergent. The Simunitions rounds also sting. With a muzzle velocity of about 200 feet per second (just over 135 miles per hour), Simunitions rounds travel fast enough not only to be fairly accurate at up to 30 yards, but also to raise a minor welt, similar to a bee sting, through normal clothing.

B. Patterns Observed During The CPT Simunitions Exercises

Students attending the one-day Laser Village CPT course are required to participate in three scenarios: (1) Felony Traffic Stop; (2) Bicycle Stop; and (3) Officer Rescue. Each of these scenarios is a thoughtful, well constructed, and interesting exercise which tests a wide range of tactical skills. Each scenario has variations that change the circumstances facing the trainees in order to create greater challenges.

During our review, we observed a number of tactical errors committed by LASD officers, and we discuss a number of the most common errors

below. The purpose of doing so is not to chastise the officers or to suggest that deputies in the Sheriff's Department are loose cannons. Given that few deputies are shot or wounded while on duty belies any suggestion that deputies in general do not perform well under pressure. Rather, the examples below demonstrate how tactical firearms skills deteriorate rapidly and must be refreshed frequently. The lesson of this chapter is that Laser Village instructors overall do an excellent job in coaching deputies and polishing up rusty skills, thereby saving lives of deputies, bystanders, and suspects and making real the Department's commitment to the sanctity of human life. The training should be available more frequently to more deputies.

1. Scenario One: The Felony Traffic Stop

Overview. In this exercise, four officers are informed that they are looking for a white male suspect driving a white Chevy Blazer who is wanted for a felony count of domestic abuse. The officers are told it was unknown whether the suspect was armed. The officers, who carry 20 Simunitions rounds each, are told to drive two patrol cars in the suspect's last known direction of travel. Unbeknownst to the officers, the suspect (played by a training officer) is waiting behind the wheel of a white SUV one hundred yards away. The suspect is accompanied by a passenger (also played by a training officer). Both the suspect and passenger are armed with Simunitions. They are instructed to stop their vehicle after a brief pursuit, exit, and either open fire or surrender, as the circumstances permit.

Variation 1: The suspect driver attempts to trick the lead patrol car into stopping too close to his Blazer by quickly accelerating and then slamming on the brakes. The suspect and passenger then leave the car and move toward the officers, spraying both patrol cars with a barrage of Simunitions rounds.

Variation 2: The suspect driver stops the SUV and runs toward the front of the vehicle to take cover. The passenger exits, hands raised over his head, running toward cover on the right. The driver and passenger then open fire upon the officers. Given the opportunity, the passenger will circle to his left, attempting an attack on the officers' right flank.

Variation 3: Prior to and during the vehicle pursuit, the passenger slumps down in the front seat, hidden from view. The driver stops the SUV and exits, opening fire as he moves toward the front of the vehicle for cover. The passenger remains in the vehicle, waiting for an opportunity to ambush any officer who approaches. If spotted by an officer, the passenger will either pretend to be an innocent bystander or hostage or attempt to shoot the officer.

Student Performance. We observed 81 officers performing this exercise, which lasted, on average, three to four minutes. Many officers committed fatal or near-fatal tactical errors, and most were “wounded” by Simunitions rounds fired by the suspects. The following are common examples of tactical errors:

- Many officers fired too many rounds too rapidly without picking up a target in their gun sights. For example, 42 percent of the officers in the lead patrol car fired a minimum of ten rounds within the first 30 seconds of the gunfight. Almost without exception, this initial barrage of rounds failed to hit the suspects, who often were able to move freely without taking cover.
- Slightly more than half of the exercises involved an officer firing rounds past one or more other officers. Although there were no cases of officers struck by friendly fire, there were six instances where an officer was nearly shot in the back of the head by an officer behind him.

- Many officers stopped their cars closer to the suspect's vehicle than the 20-30 feet recommended for a felony traffic stop. For example, in Variation 1 of the scenario (where the suspect vehicle initially accelerates and then suddenly stops), slightly more than 50 percent of the officers in the lead patrol car stopped within 3-15 feet of the suspect vehicle. In most instances, the officers who stopped too close to the suspect car were shot at least once before they could get out of the car and take adequate cover. In fact, there were five officers "killed" while they were still sitting in their car.
- In approximately 75 percent of the exercises, at least one officer left safe cover in order to take better aim at the suspect. More often than not, those who made this mistake were shot.
- Fifteen percent of the officers were so focused on the suspects firing at them that they were unaware that their gun had jammed or that they were out of ammunition.

Other tactical errors, though less frequent, were equally deadly:

- In one exercise, the lead patrol car stopped eight feet behind the suspect's car. As soon as the driver deputy left his car, he was shot in the head and chest. Later in the exercise, a second officer's gun jammed. The officer called out, "I'm jammed!" thereby alerting both his partners and the suspects that he was unable to return fire. He and a third officer turned their attention exclusively to the malfunctioning weapon, allowing one of the suspects to close in and shoot each of them in the chest.
- In another exercise, the lead patrol car stopped four feet behind the suspect vehicle. Both suspects quickly left their car and opened fire, shooting both officers before they could get out of their patrol car. Later in the exercise, an officer, seeking a better angle on a suspect, left the rela-

tive safety of an open patrol car door to run behind a light post — cutting his cover by more by more than 75 percent. Within seconds, the officer was shot once in the arm and once in the neck.

- In another exercise, two officers in the lead patrol car emptied their first ammunition magazines, each containing 10 Simunition rounds, within approximately 20 seconds. Both officers failed to pick up the suspects in their gun sights, and thus all 20 rounds missed their mark. Both officers began reloading their weapons in the open, and both were immediately shot.

2. Scenario Two: The Bicycle Stop

Overview. In this exercise, four officers receive a brief simulated radio broadcast instructing them to be on the lookout for a suspect on a bicycle who may be selling drugs. The deputies are then told to drive two patrol cars toward a park where the suspect may be located. Unbeknownst to the officers, the suspect is sitting on a bicycle roughly one hundred yards away. The suspect is carrying three handguns: one pistol that he will throw into the street (the “toss gun”) in full view of the approaching officers to signal that he is an armed threat, a second pistol that he will use to fire upon the officers if given the opportunity, and a third pistol concealed in his rear waistband (the “search gun”) to test officers’ pat-down and searching skills. Further complicating the scenario are two instructors playing the role of civilian bystanders. Although the bystanders are unarmed and will not attempt to assault the officers, they will interact with the officers and be reluctant to leave the scene. The exercise begins as the officers drive toward the suspect. Once they close within 20 yards, the suspect throws the toss gun into the street.

Student Performance. We observed 105 officers performing this exercise, which lasted 2-5 minutes.

- Most officers accurately perceived the suspect to be tossing a firearm as they drew within 20 yards. Officers in the lead patrol car saw an object thrown 100 percent of the time and discerned it to be a firearm 76 percent of the time. Officers in the backup vehicle saw an object tossed nearly 80 percent of the time, and perceived it to be a firearm nearly 60 percent of the time. In one-fourth of those latter instances, however, the trainees concluded incorrectly that the gun had been thrown by a pedestrian bystander.
- In two-thirds of the cases, the lead patrol car stopped within 15 feet of the bicyclist, thereby placing the passenger officer in a kill zone. In many of those instances, the suspect dismounted his bicycle and “killed” the passenger officer who was still sitting in the patrol car.
- Seven times out of ten, the scenario ended with at least one officer shot by the bicyclist. In 56 percent of the exercises we observed, at least two officers were shot.
- In two-thirds of the cases we observed, the trainees searching the suspect failed to detect the handgun tucked into his rear waistband.

3. *Scenario Three: Officer Down*

Overview. In this exercise, the trainees are informed that they are responding to an officer-down call: a patrol officer had been shot in the chest and is lying in the doorway of a two-story building. The four officers are then told to gather around a safe corner of the building, formulate a plan, and rescue the officer. While the students are gathered, the instructor asks the students what resources they need. Certain key resources will be unavailable: If the students ask for a SWAT Team, they are told the team is 60 minutes away. If they ask for an air unit, they are told the unit is unavailable. Meanwhile, the suspect is hiding by a second-story window and has permission to move upstairs and downstairs and to fire at will.

The scenario was the most challenging because the trainees, unlike the suspect, had little cover or opportunity for concealment and the suspect had the advantage of higher ground. In addition, the exercise was designed to test how well officers responded to stress: The scenario began with a simulated foot pursuit and the instructor regularly shouted out that the downed deputy was bleeding from the chest and the officers had to act quickly.

Student Performance. We watched 51 deputies perform this exercise, which lasted an average of just over five minutes. Officers struggled with this scenario more than any other. They were challenged by the lack of cover and concealment, the fatigue from the simulated foot pursuit, and the stress from regularly being reminded that an officer was bleeding from the chest. Because the sample size of 51 deputies was small, overall generalizations about deputy performance in this exercise cannot be made. There were, however, tactical errors that were common among the 51:

- In about 75 percent of the cases, the trainees did not formulate a detailed plan before entering the scene. Often, the trainees simply said “Cover me” as they turned the corner to reach the fallen deputy.

The trainees’ failure to formulate a plan often led to a failed rescue operation. The rescue effort frequently faltered within a few yards of the wounded deputy, when the trainees realized that they had not designated which trainee would holster his gun, run across open ground, and drag the deputy to safety. As the trainees stopped to discuss the issue, they would inadvertently reveal their location to the suspect inside, who would then open fire.

- In about one-third of the cases, the trainees did not request vital equipment, such as a ballistic shield or an AR-15 rifle.
- The officers routinely failed to take note of the second story-window, thereby leaving themselves without cover or places to conceal themselves.

The suspect routinely took advantage of this failure and was able to shoot at least one officer.

C. Quality of Instruction

The instructors at Laser Village do an excellent job. In part, the excellence and aptness of the training are related to the Department's decision in summer 2003 to require Laser Village instructors to report to the scene of all officer-involved shootings. There is now a consistent feedback loop between what is happening in the field and what should happen during training. For example, after several LASD shootings in which deputies were careless about placing other officers within their field of fire, Laser Village constructed training scenarios involving field of fire issues and emphasized them in post-scenario briefings.

The instructors were extremely knowledgeable not only in the finer points of firearms, but also the many complexities of combat and survival tactics. They were quick to identify poor habits and offer concrete suggestions for eliminating them.

The instructors also had wide knowledge of real-life shooting incidents involving not only the LASD, but also other law enforcement agencies. For example, they were able to summon up appropriate points from shootings involving the LAPD and the Burbank Police Department.

A few modest changes could make Laser Village's excellent training program even better. First, Laser Village trainees and instructors could benefit from a detailed checklist to be filled out after each trainee has gone through a scenario. By providing instructors with a uniform instrument for assessing student performance, the Department would reduce inconsistencies in the instruction given or evaluation made. The uniform checklist would also allow Laser Village to collect aggregate data which, over time, would enable Laser Village to refine the content of the instruction in harmony with the waxing and waning tactical problems presented.

Second, Laser Village would benefit by videotaping its role-playing exercises. On occasion, Laser Village instructors missed tactical errors committed by trainees in role-playing exercises. This is understandable, given that each scenario involved up to four students and one to four role-playing instructors, all of whom were moving quickly. Videotaping the scenarios and then playing back the results during the post-exercise briefing would enhance the learning experience. Students could see for themselves the mistakes they made, and instructors would have a second opportunity for comment and critique. Weapons Training has recently agreed to explore videotaping its training scenarios.

Third, some Laser Village instructors could benefit from some training in how best to make criticisms. For example, it was not uncommon for some instructors to soften their critiques unnecessarily. Other instructors, however, were able to provide excellent critiques that were both candid and tactfully presented, as the following example demonstrates:

“You two [deputies] got shot because you got too close [to the suspect] and didn’t have a chance to get out [of the patrol car] and hug some cover. I know our instinct as police officers is to rush the guy so he can’t get too much of a head start. But you have to keep those emotions in balance. You have to slow it down a notch and think, ‘This guy just tossed a gun, maybe he’s got another. Let’s keep some distance, let’s look at our cover options.’ We want to catch the bad guys, yeah. But we also want to go home to our families each night.”

We look forward to a day when all instructors at Laser Village are similarly candid and to the point.

Finally, Laser Village could offer its instructors additional tools for dealing with difficult students. In a handful of instances, Laser Village instructors had difficulty managing deputies who seemed to resist the training

provided to them. Some deputies from high-profile assignments would refuse to acknowledge their tactical blunders or dismiss the instructors' points with, "That's not the way we do it at _____." We suggest that the Laser Village staff consider ways to break down the resistance of recalcitrant trainees, perhaps by strategic use of high-ranking personnel to confront the trainee.

Conclusions and Suggestions

The Sheriff's Department suffers from a lack of adequate and timely refresher training. Firearms and tactical skills are perishable, but they can quickly be revived. The Laser Village instructors are adept at conditioning deputies to avoid the most common and serious mistakes, so that under high-stress conditions, they will instinctively make tactically sound decisions. During the training exercises, officers who had some form of Laser Village training within the past six or eight months nearly always performed much better than their classmates. Frequent tactical training makes a noticeable difference. The LASD needs to invest additional resources to help Laser Village realize its potential. Specifically, we recommend:

- Doubling the Laser Village staff to match outstanding needs for refresher training.
- Making all necessary repairs, replacements, upgrades, and improvements to the physical plant, SST trailers, and equipment used by Laser Village.
- Developing checklists for evaluating role-playing exercises that will (1) increase the consistency of training and (2) allow Laser Village to tailor its instruction to address the most common performance issues that arise.
- Providing the resources to enable Laser Village to videotape each training scenario and to discuss the footage as part of post-exercise briefings.
- Providing Laser Village instructors with additional guidance on how best to offer criticism and how to handle difficult students.

Introduction

The core mission of these Semiannual Reports is to inform the Board of Supervisors and the Sheriff's Department how better to minimize the risk of high settlements and judgments arising from misconduct by members of the Department. An early warning system that alerts the Department to actual and potential problem officers and problematic situations is the LASD's primary risk management tool. It is a computerized relational database, known as the Personnel Performance Index, or PPI, that tracks, among other things, officers' uses of force, citizens' complaints, and administrative investigations of alleged misconduct. Although it needs updating and additional fields for deeper analysis, the PPI continues to be a national model.

The PPI, however, is only as good as the information it contains. The **Sixteenth Semiannual Report** (February 2003) concluded the LASD had not provided the necessary level of support needed to keep the database populated with accurate, up-to-date information. It took an average of 5.5 months for completed reports regarding citizen complaints to be entered into the PPI — too slowly for the PPI to function as an “early warning” system. The report also found citizen complaint documentation submitted by LASD stations was unsuitable for entry into the PPI two-thirds of the time due to incompleteness and errors.

Over the last six months, the LASD has made progress in many areas of concern. Lags in data entry have been reduced, and underlying documentation is much more complete and accurate. On the other hand, the LASD has still not promulgated clarifying guidelines about what does and does not count as a citizens' complaint.

I. Citizens' Complaints and Service Comment Reports

A. Overview

LASD policy requires that all input received from civilians be recorded on a Watch Commander Service Comment Report (“SCR”) either as a (1) Commendation; (2) Service Complaint (complaints about response times, traffic citations, and LASD policies or practices); or (3) Personnel Complaint (complaints alleging officer misconduct such as excessive force, discourtesy, or false imprisonment).

Upon receiving a personnel complaint, the watch commander jots down preliminary data and begins an investigation. The results of the investigation are routed to the unit captain, who determines whether the complaint has

Table 4.1

Service Comment Reports By Year

Comments based upon actual or alleged conduct occurring within a given calendar year.

Year	SCR – Commendation	SCR — Personnel Complaint	SCR — Service Complaint	Annual Total
1992	1328	1553	685	3566
1993	2665	2659	734	6058
1994	2620	2153	732	5505
1995	2584	2556	941	6081
1996	3633	2942	1512	8087
1997	3842	2704	2239	8785
1998	3727	2496	2275	8498
1999	3294	2153	1570	7017
2000	3137	1999	1241	6377
2001	3228	2349	1323	6900
2002	3133	2184	1081	6398
2003	2817	2242	931	5985
<i>Jan 1 - April 30</i> 2004	978	709	293	1974
Total	36,986	28,699	15,557	81,231

Source: LASD Discovery Unit

**Table 4.2
Breakdown of Service Comments Alleging Officer Misconduct**

Year	SCR Personnel Complaint (Total # of SCRS Processed)	Allegations of Criminal Conduct	Allegations of Discourtesy	Allegations of Dishonesty	Allegations of Unreasonable Force	Allegations of improper Tactics	Allegations of Improper Detention, Search or Arrest	Allegations of Neglect of Duty
1992	1553	41	826	68	160 (10.3%)	288	47	218
1993	2659	66	1238	82	256 (9.6%)	411	83	258
1994	2153	54	1057	63	161 (7.5%)	312	50	196
1995	2556	74	1188	80	193 (7.6%)	311	274	237
1996	2942	74	1369	99	188 (6.4%)	290	502	251
1997	2704	43	1246	53	150 (5.5%)	240	453	235
1998	2496	60	1040	49	158 (6.3%)	222	377	201
1999	2153	52	971	69	140 (5.5%)	141	287	176
2000	1999	36	922	51	117 (6.3%)	167	302	159
2001	2349	14	1074	58	154 (6.6%)	176	337	201
2002	2184	9	989	47	166 (7.6%)	140	176	192
2003	2242	11	1050	73	156 (7.0%)	192	337	235
<i>Jan 1 - April 30</i> 2004	709	1	328	22	51 (7.2%)	35	111	64

Source: LASD Discovery Unit

any merit and, if so, what action should be taken. Once the captain decides, and the result is reviewed by the captain’s commander and chief, the investigative file, known as an SCR Package, is sent to the Discovery Unit, which reviews it for completeness and accuracy and then logs it into the PPI.

As Table 4.1 indicates, processing personnel complaints is no small task. Since the PPI was inaugurated nearly a decade ago, the LASD has received over 75,000 complaints and commendations, an average of 5,000-8,000 per year. In 2003, the Department logged 5,985 SCRs, 37 percent of which consisted of personnel complaints against LASD officers. This year the picture is similar: Between January 1 and April 30 of this year, the Department logged 1,974 SCRs, 36 percent of which were personnel complaints.

Table 4.2 breaks down personnel complaints by year, highlighting the percentage of personnel complaints alleging excessive force. Prior to 2002,

the trend was downward, stabilizing at five-to-six percent. In 2002, the percentage rose to 7.6 percent, the highest since 1993. The figure dropped slightly to 7.0 percent in 2003, but is on the rise again this year: Between January 1 and April 30, 2004, it rose again to 7.2 percent. The rise in excessive force complaints is troubling and merits serious study by the Department.

B. Progress in Addressing Problems with SCR Data Entry

1. *Timeliness of Data Entry*

The **Sixteenth Semiannual Report** noted that on average, it took 5.5 months for the Discovery Unit to enter salient information from SCR Packages into the PPI and an additional two months if the SCR Package was incomplete or contained inaccurate or inconsistent information. Since then, the LASD has substantially reduced the lag time for SCR packages to be logged into the PPI to approximately one month after their arrival. Leadership and Training Division Chief Bill McSweeney has, over the past 18 months, found a number of creative ways to assist the undermanned Discovery Unit staff. He assigned LASD officers temporarily on light duty to perform basic clerical tasks for the Discovery Unit, thus freeing up time for unit staff to reduce the PPI back log. Chief McSweeney also gave the unit an overtime allowance of 40 hours per week, enabling staffers to play catch-up on weekends and holidays.

While these efforts are commendable, they are not a permanent solution. The simple fact is that the Discovery Unit needs more full-time staff. Currently, the Discovery Unit has eight budgeted positions that remain unfilled. The Department should fill these positions to consolidate recent progress and to catch up to other law enforcement agencies, such as Miami-Dade and Tampa, that have proved capable of logging personnel complaints into their early warning systems as quickly as 10 days from receipt.

2. Reducing Errors in SCR Packages

As of February 2003 the Discovery Unit rejected as many as 70 percent of the SCR Packages it received because they were incomplete or erroneous. Today, the rate has dropped to approximately 10 percent due to a study by the Discovery Unit that identified 18 problems which accounted for nearly all of the rejections. The Discovery Unit then trained the command staff to catch these errors and correct mistakes before forwarding the SCR packages for input into the PPI. As might be expected, a telephone call from the Chief's office elicits a quicker response from a station watch commander than does a call from the Discovery Unit.

C. Lingerin g Problems

The **Sixteenth Semiannual Report** in February 2003 voiced concern that the LASD had not issued specific enough guidelines to inform watch commanders regarding what should or should not be considered a personnel complaint. Nearly 18 months later, the Department has still not done so, and personnel complaints are being recorded on an inconsistent basis by the Department's patrol stations.

1. Complaints Made by Arrestees

The LASD Manual of Policy and Procedures requires watch commanders to complete a Service Comment Report every time they receive a complaint from a member of the public. Confusion arises, however, when an arrested person alleges excessive force and the involved deputy submits a separate use of force form. Some watch commanders elect not to record the excessive force complaint on an SCR on the rationale that the use of force form, which will be reviewed by the station's captain, is an adequate vehicle to test whether the force was excessive or not. Other watch commanders will complete a personnel complaint form on the grounds that it is manda-

tory to record every complaint of excessive force from the public. Still other watch commanders believe that they have discretion whether or not to fill out the form. As of February 2003, there were no policy guidelines or protocols to help watch commanders in this situation and there are still none today, leading to inaccuracies and distortions and the undercounting of complaints from the public alleging excessive force.

A clear, bright line rule should be adopted to eliminate these problems. Best practice dictates that all complaints of excessive force be recorded regardless of whether a deputy fills out a use of force form so that the Department can distinguish between officers whose use of force tends to generate allegations of misconduct from officers whose force is generally not accompanied by a complaint of misconduct.

2. Complaints Made By Inmates

A related problem identified in the **Sixteenth Semiannual Report** was that the LASD did not provide its employees with any guidance whether to treat an arrestee's complaint as a "public complaint" to be recorded on an SCR and logged into the PPI, or an "inmate complaint," which is not tracked on the PPI. The Department has still not taken steps to provide that guidance and confusion still exists. Some in the Department contend any complaint written by an inmate is an inmate complaint. Others argue that it should be recorded as a public complaint because it alleges misconduct that occurred before the arrested person became an inmate in the Sheriff's jails. The better rule is to treat allegations of misconduct occurring after the inmate is in the jail as an inmate complaint and allegations of misconduct that occurred prior to the inmate's arrival at the jail as public complaints to be recorded on an SCR. Since February 2003, the Department has not seen fit to issue clarifying guidelines and it should do so quickly.

II. Use of Force Reports

The **Sixteenth Semiannual Report** found that various units within the Department were delinquent in transmitting use of force forms to the Discovery Unit and that the forms themselves contained inaccuracies or omissions. As of this Report, there are still some delinquent units, and there are still lingering problems with the quality of use of force reports.

A. Delays in Providing Force Packages for Entry into the PPI

Between January and May 2004, Men's Central Jail delivered 72 boxes of delinquent force packages, some of which dated back to 2001. In addition, the Court Services West Bureau recently provided the Discovery Unit with another 10 boxes of overdue force packages. There is currently no way to tell how many use of force reports are outstanding and which units are delinquent. The Discovery Unit and the Data Systems Bureau are working on a computerized solution to these problems.

B. Force Package Quality Control

1. Missing Synopses

A PPI entry for an officer's use of force must contain a brief incident synopsis that describes not only the force officers used, but also the circumstances leading up to the use of force. It is the responsibility of watch commanders to provide a synopsis for entry into the PPI. Historically, as set forth in Table 4.3, many of these synopses were missing entirely. The Department appears to have addressed that problem. Between January 1, 2003, and April 30, 2004, none of the use of force reports has lacked a synopsis.

Table 4.3
Use of Force Reports

(Reports logged within a given calendar year, regardless of date force was used)

Time Period	Total UFRs	UFRs Without Synopses	Percentage of UFRs Without Synopses
<i>Mar 27 - Dec. 31</i>			
1997	1,483	1,418	96%
1998	2,063	1,510	73%
1999	2,046	1,063	52%
2000	2,428	200	8%
2001	2,479	159	6%
2002	2,455	95	4%
2003	2,765	0	0%
<i>Jan 1 - April 30</i>			
2004	868	0	0%
Total	16,587	4,445	27%

Source: LASD Discovery Unit

2. Inadequate Synopses

A second concern noted in the **Sixteenth Semiannual Report** was that the synopses that watch commanders were providing were too brief or conclusory to be useful. That problem seems to have abated somewhat, and Compton Station, in particular, routinely provides synopses that are rich in detail, as exemplified by the following quotation:

“Deputies were responding to a Grand Theft Auto in progress. When Deputy [A] arrived he saw suspect driving the stolen vehicle. Deputy [A] attempted to detain suspect when suspect drove away. Deputy initiated a pursuit of suspect [who] continued driving. Suspect finally stopped when [he] collided with another vehicle. Suspect began running when he saw [the] deputy. Deputy [A] finally tackled the suspect to the ground. Deputy [A] held the suspect’s left wrist and pinned the suspect to the ground until other deputies arrived and handcuffed the suspect.”

Regrettably, other units, including Men’s Central Jail and Century Station, submitted synopses that were so factually threadbare as to be

useless in assessing the propriety of the use of force. What follows are examples of unhelpful synopses taken from Men's Central Jail:

- "I/M [Inmate] [B] was sprayed with OC spray."
- "I/M [C] was involved in a significant force incident."
- "Depts were involved in a significant use of force with I/M [D]."

This is not to say that Men's Central Jail is incapable of producing detailed descriptions. Here is an example:

"Deputies struck I/M [E] in the head [with fists] above his right eye during a struggle at the door of his cell. I/M [E] took a combative stance. Deputies tried to close the door but I/M [E] fought both deputies. I/M [E] tore [a] deputy's left sleeve. Dep. [F] inadvertently struck Dep. [G] in the right eye. Dep. [G] sustained a black eye. Dep. [F] broke the little finger on his right hand."

The **Sixteenth Semiannual Report** identified Century Station as particularly prone to submitting inadequate use of force synopses. Unfortunately, Century has not made much progress, as the following synopses illustrate:

- "O.C. [spray] on combative and resistive susp."
- "Deputy used O/C spray on several persons."
- "The deputy used O/C spray on two suspects that refused his order to stop kissing."
- "Deputies used control holds, personal weapons and a Taser in order to subdue a combative suspect."
- "Deputies used flashlight strikes and a takedown in order to control a resistive suspect."
- "The deputy [used a] takedown and an impact weapon in order to control and subdue a combative suspect."

In none of these entries can one determine how the incident arose, what the suspect did to warrant the use of force, and what other force options, if any, were reasonably available to the officer.

Conclusion

The LASD has made some commendable improvements in how it administers the PPI. Data entry has been streamlined; backlogs have been greatly reduced. Nonetheless, the LASD still falls short of administering and using the PPI as well as it once did. More data entry operators in the Discovery Unit are needed, standards for what counts as a citizen's complaint should be articulated, and the Department should emphasize and enforce quality control standards for Use of Force Reports.

Table1 LASD Litigation Activity, 1992-2003

	FY	FY	FY	FY	FY	FY	FY	FY	FY	FY	FY	FY July 1-Dec. 31
	92-93	93-94	94-95	95-96	96-97	97-98	98-99	99-00	00-01	01-02	02-03	2003
New Force Related Suits Served	88	55	79	83	61	54	41	54	67	78	68	31
Total Docket of Excessive Force Suits	381	222	190	132	108	84	70	93	102	71	118	114
Lawsuits Terminated												
Lawsuits Dismissed	79	90	60	42	39	27	20	24	34	21	37	20
Verdicts Won	22	9	10	6	3	6	1	1	4	3	5	5
Verdicts Against LASD	3	7	3	5	2	1	2	2	0	1	0	0
Settlements	70	81	103	82	41	45	32	12	21	23	41	12

Lawsuits Terminated, July 1-December 31, 2003

	Dismissed	Settled	Verdicts Won	Verdicts Against	Totals
Police Malpractice	58	37	8	5	108
Medical Malpractice	9	3	0	0	12
Traffic	7	14	0	0	21
General Negligence	2	1	0	0	3
Personnel	3	3	0	0	6
Writ	2	0	1	0	3
Total	81	58	9	5	153

Active Lawsuits by Category 1998-03

	7/1/98	7/1/99	7/1/00	7/1/01	7/1/02	7/1/03	12/31/03
Police Malpractice	224	247	341	299	322	313	274
Traffic	47	43	37	50	57	59	58
General Negligence	7	8	3	12	9	10	10
Personnel	19	22	16	16	13	23	21
Medical Malpractice	22	28	25	30	31	33	27
Writ	8	6	13	15	8	10	14
Total	327	354	435	422	440	448	404

**Table 2 Litigation, Department Financial Summary,
July 1-Dec. 31, 2003**

	Dept. Funded	Contract City Funded	MTA Liability Funded	Totals
Lawsuits				
Police Liability	\$2,575,450.00	\$61,519.00	\$0.00	\$2,636,969.00
<i>(Portion of Total for Alleged Excessive Force)</i>	<i>\$1,524,000.00</i>	<i>\$15,000.00</i>	<i>\$0.00</i>	<i>\$1,539,000.00</i>
Personnel Issues	\$354,000.00	\$0.00	\$0.00	\$354,000.00
Auto Liability	\$60,980.87	\$34,000.00	\$30,510.72	\$125,491.59
Medical Liability	\$946,500.00	\$0.00	\$0.00	\$946,500.00
General Liability	\$10,000.00	\$0.00	\$0.00	\$10,000.00
Writs	\$0.00	\$0.00	\$0.00	\$0.00
Lawsuit Total	\$3,946,930.87	\$95,519.00	\$30,510.72	\$4,072,960.59
Claims				
Police Liability	\$39,234.56	\$6,668.06	\$2,300.00	\$48,202.62
<i>(Portion of Total for Overdetentions)</i>	<i>\$3,800.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$3,800.00</i>
Personnel Issues	\$0.00	\$0.00	\$0.00	\$0.00
Auto Liability	\$208,955.53	\$16,337.54	\$18,485.13	\$243,778.20
Medical Liability	\$0.00	\$0.00	\$0.00	\$0.00
General Liability	\$0.00	\$0.00	\$0.00	\$0.00
Claim Total	\$248,190.09	\$23,005.60	\$20,785.13	\$291,980.82
Incurred Claims/ Lawsuits				
Liability Total	\$4,195,120.96	\$118,524.60	\$51,295.85	\$4,364,941.41

Source: Risk Management Bureau

Table 3 Litigation, Force Related Judgments and Settlements

FY 95-96	FY 96-97	FY 97-98	FY 98-99	FY 99-00
\$17 million*	\$3.72 million	\$1.62 million	\$27 million**	\$4.6 million***
FY 00-01	FY 01-02	FY 02-03	July 1-Dec. 31, 2003	
\$2.9 million	\$6.4 million	\$2.7 million	\$1.5 million	

* Includes \$7.5 million for Darren Thompson paid over three years.

** Includes approximately \$20 million for 1989 Talamavaio case.

*** Includes \$4 million for Scott and \$275,000 for Anthony Goden.

Source: Risk Management Bureau

Table 4 LASD Force

Department Wide*	2000	2001	2002	2003
Force Incidents (Total)	2233	2190	2399	2645
Total Force/100 Arrests	2.31	2.31	2.60	2.81
Significant Force:				
Hospitalization/Death/100 Arrests	0.02	0.01	0.02	0.01
Significant Force:				
Visible Injury/100 Arrests	0.52	0.52	0.63	0.68
Significant Force:				
Complaint of Pain/100 Arrests	0.30	0.37	0.37	0.38
Significant Force:				
No Complaint of Pain/Injury/100 Arrests	0.31	0.35	0.42	0.40
Less Significant Force Incidents/100 Arrests	0.45	0.43	0.75	0.88
OC Spray/100 Arrests	0.71	0.63	0.41	0.46
<hr/>				
Field Operation Regions (FOR)	2001	2002	2003	
Region I Force Incidents	349	401	406	
Per 100 Arrests	1.19	1.40	1.40	
Region II Force Incidents	584	568	589	
Per 100 Arrests	1.85	1.96	2.1	
Region III Force Incidents	353	271	356	
Per 100 Arrests	0.21	0.96	1.17	
FOR Total Force Incidents	1286	1240	1351	
Per 100 Arrests	1.43	1.45	1.55	
<hr/>				
Field Operation Regions (FOR)	2001	2002	2003	
Regions I, II & III Significant Force	739	700	699	
Per 100 Arrests	0.82	0.82	0.80	

* Includes all patrol stations and specialized units, including custody and court services.

Source: Management Information Services

Table 5
LASD Force/100 Arrests All Patrol Stations

Station	2000	2001	2002	2003
Altadena	NA	NA	1.87	1.68
Crescenta Valley	0.90	1.20	0.53	1.40
East LA	1.32	1.04	1.38	1.11
Lancaster	1.09	0.92	1.39	1.63
Lost Hills/Malibu	0.52	0.86	0.67	1.11
Palmdale	2.05	1.79	1.81	1.85
Santa Clarita	1.00	1.15	1.42	1.55
Temple	1.36	1.52	1.28	0.79
Region I Totals	1.22	1.21	1.40	1.40
Carson	1.61	1.33	1.44	1.56
Century	1.71	2.42	2.29	2.16
Compton	2.44	1.71	2.59	3.04
Community College	NA	NA	NA	7.14
Lomita	2.06	1.50	2.32	0.87
Lennox	1.29	1.31	1.41	1.80
Marina del Rey	0.81	1.42	2.17	2.12
Metrolink	NA	NA	0.87	NA
Transit Services Bureau	NA	NA	1.71	2.06
West Hollywood	2.36	2.19	2.29	2.29
Region II Totals	1.59	1.87	1.96	2.10
Avalon	0.96	2.00	1.43	2.04
Cerritos	0.73	1.20	1.65	1.16
Industry	1.34	1.16	0.71	1.06
Lakewood	1.55	1.35	1.39	1.61
Norwalk	0.85	1.16	0.90	1.20
Pico Rivera	0.96	0.97	0.67	0.81
San Dimas	0.77	1.17	0.83	1.13
Walnut	0.78	0.78	1.03	0.80
Region III Totals	1.17	1.21	0.96	1.17

Source: LASD/MIS/CARS - 7/15/04

Table 6 Los Angeles Police Department (LAPD) Shootings

Year	Total # of OISs	# of Hits	# of Suspects Injured	# of Suspects Killed
1996	122	54	27	27
1997	114	41	17	24
1998	98	23	10	13
1999	97	23	9	14
2000	79	33	22	14
2001	66	22	15	7
2002	77	35	20	15
2003	66	26	13	14

Year	Total # of Non Hits	# of Accidental Discharges	# of Animal Discharges	Other
1996	29	11	29	1
1997	23	11	35	4
1998	12	13	45	5
1999	16	16	42	1
2000	11	6	29	NA
2001	13	11	20	NA
2002	21	10	11	NA
2003	18	8	14	NA

Source: LAPD, Office of Inspector General, 7/22/04

Table 7 LASD Hit Shootings by Unit

	1997	1998	1999	2000	2001	2002	2003
Number Of Incidents	35	20	22 *	18	19	22	25
Altadena Station	NA	NA	0	1	0	0	0
Carson Station	1	0	2	1	1	2	0
Carson/Safe Streets Bureau	NA	NA	NA	NA	NA	1	0
Century Station	7	7	1	2	5	5	2 ***
Century/Norwalk/SEB	NA	NA	NA	0	1 **	1	0
Compton Station	NA	NA	NA	NA	NA	0	6 ****
Court Services Bureau	1	1	0	NA	NA	0	0
East Los Angeles Station	2	0	2	2	0	0	0
Industry Station	NA	NA	NA	0	1	1	1
Lakewood Station	2	2	2	0	2	1	1
Lancaster Station	7	2	0	1	0	1	0
Lennox Station	1	2	4	0	4	2	0
Lost Hills/Malibu	0	0	0	0	0	0	1
Major Crimes Bureau	0	0	0	0	0	0	2
Men's Central Jail	NA	NA	NA	NA	NA	NA	1 *****
Mira Loma Facility	0	1	0	NA	NA	0	0
Miscellaneous Units	0	2	0	NA	NA	0	0
Narcotics Bureau	0	0	1	1	0	0	1 *****
Norwalk Station	3	1	0	1	0	1	1
Palmdale Station	0	1	1	1	0	3	0
Pico Rivera	0	0	1	0	0	1	1
Safe Streets Bureau	1	1	0	NA	NA	1	4 ****
San Dimas	0	0	0	0	0	1	0
Santa Clarita Valley Station	NA	NA	1	1	0	0	0
Special Enforcement Bureau	2	0	2	2	2	0	3
Temple Station	6	0	2	3	1	1	1
Transit Services Bureau	0	0	0	0	0	0	1 ****
Walnut Station	1	0	0	0	1	0	0
West Hollywood Station	1	0	2	NA	NA	0	0
Number of Suspects Wounded	17	18	12	6	8 **	11	12
Number of Suspects Killed	20	11	10	12	12	11	16

* In the Temple Station shooting (11-21-99), two suspects were wounded; in the SCV Station shooting (6-13-99), no suspects were killed or wounded but one deputy was hit by friendly fire.

** In the Century Station shooting (2-18-01), two suspects were wounded.

*** In the Century Station shooting (5-1-03), one suspect was killed and one suspect was wounded.

**** One shooting (7/8/03) involved three units (Safe Streets Bureau, Compton Station, and Transit Services Bureau).

***** The Men's Central Jail shooting occurred off duty, away from the facility.

***** In the Narcotics Bureau shooting (11/11/03), two suspects were wounded.

Source: Internal Affairs Bureau

Table 8 LASD Non-Hit Shootings by Unit

	1997	1998	1999	2000	2001	2002	2003
Number Of Incidents	20	15	8	15	14	16	21
Asian Crime Task Force	NA	NA	NA	NA	NA	1	0
Carson Station	1	0	1	2	0	1	0
Century Station	7	4	0	2	6	3	4
Century/Compton Transit Services	NA	NA	NA	2	1 <i>(1 off duty)</i>	0	0
Cerritos	NA	NA	NA	NA	NA	1	0
Compton	NA	NA	NA	NA	NA	2	4
East Los Angeles Station	0	3	3	1	1	1	2
Industry Station	1	2	NA	2	6	2	2
Lakewood Station	1	1	NA	2	0	0	1
Lancaster Station	1	0	NA	NA	NA	1	1
Lennox Station	4	2	1	0	1	1	2
Marina del Rey	NA	NA	NA	0	1	0	0
Men's Central Jail	1	0	NA	0	1	0	1*
Narcotics Bureau	NA	NA	1	0	0	0	0
Norwalk Station	0	1	1	0	0	2	1
Palmdale Station	1	0	NA	0	1	0	1
Pico Rivera	0	0	0	2	0	0	0
Safe Streets Bureau	0	0	1	0	1	0	1
Santa Clarita Valley Station	NA	NA	NA	2	0	0	0
Special Enforcement Bureau	1	0	0	1	1	0	0
Temple Station	1	0	0	1	0	1	0
TRAP	NA	NA	NA	0	1 <i>(1 off duty)</i>	0	0
Twin Towers	NA	NA	NA	NA	NA	0	0
Walnut Station	0	1	NA	NA	NA	0	1

* The Men's Central Jail shooting occurred off duty, away from the facility.

Incidents Resulting in Force/Shooting Roll-Out	1997	1998	1999	2000	2001	2002	2003
	126	112	86	91	87	92	89

Source: Internal Affairs Bureau

Table 9 Total LASD Shootings

	1996			1997			1998		
	<i>On Duty</i>	<i>Off Duty</i>	<i>Total</i>	<i>On Duty</i>	<i>Off Duty</i>	<i>Total</i>	<i>On Duty</i>	<i>Off Duty</i>	<i>Total</i>
Hit ¹	22	3	25	33	2	35	15	5	20
Non-Hit ²	15	4	19	17	3	20	15	0	15
Accidental Discharge ³	24	2	26	7	1	8	11	2	13
Animal ⁴	38	0	38	31	5	36	37	1	38
Warning Shots ⁵	0	0	0	0	0	0	0	0	0
Tactical Shooting ⁶	3	0	3	1	0	1	0	0	0
Total	102	9	111	89	11	100	78	8	86

	1999			2000			2001		
	<i>On Duty</i>	<i>Off Duty</i>	<i>Total</i>	<i>On Duty</i>	<i>Off Duty</i>	<i>Total</i>	<i>On Duty</i>	<i>Off Duty</i>	<i>Total</i>
Hit	21	1	22	18	0	18	19	0	19
Non-Hit	8	0	8	15	0	15	11	3	14
Accidental Discharge	4	0	4	11	1	12	9	4	13
Animal	33	1	34	35	2	37	33	1	34
Warning Shots	1	0	1	2	0	2	0	0	0
Tactical Shooting	1	1	2	0	0	0	0	0	0
Total	68	3	71	81	3	84	72	8	80

	2002			2003		
	<i>On Duty</i>	<i>Off Duty</i>	<i>Total</i>	<i>On Duty</i>	<i>Off Duty</i>	<i>Total</i>
Hit	22	0	22	24	1	25
Non-Hit	16	0	16	20	1	21
Accidental Discharge	12	1	13	12	2	14
Animal	35	5	40	35	3	38
Warning Shots	0	0	0	0	0	0
Tactical Shooting	1	0	1	0	0	0
Total	86	6	92	91	7	98

- 1 **Hit Shooting Incident:** An event consisting of one instance or related instances of shots (excluding stunbags) fired by a deputy(s) in which one or more deputies intentionally fire at and hit one or more people (including bystanders).
- 2 **Non-Hit Shooting Incident:** An event consisting of one instance or related instances of shots (excluding stunbags) fired by a deputy(s) in which one or more deputies intentionally fire at a person(s), but hit no one.
- 3 **Accidental Discharge Incident:** An event in which a single deputy discharges a round accidentally, including instances in which someone is hit by the round. Note: If two deputies accidentally discharge rounds, each is considered a separate accidental discharge incident.
- 4 **Animal Shooting Incident:** An event in which a deputy(s) intentionally fires at an animal to protect himself/herself or the public or for humanitarian reasons, including instances in which a person is hit by the round.
- 5 **Warning Shot Incident:** An event consisting of an instance of a deputy(s) intentionally firing a warning shot(s), including instances in which someone is hit by the round. Note: If a deputy fires a warning shot and then decides to fire at a person, the incident is classified as either a hit or non hit shooting incident.
- 6 **Tactical Shooting:** An event consisting of an instance or related instances of a deputy(s) intentionally firing a firearm but not at a person, excluding warning shots (e.g., car tire, street light, etc.) Note: If a deputy fires at an object and then decides to fire at a person, the incident is classified as either a hit or non hit shooting incident.

Source: Internal Affairs Bureau