

CITY OF LOS ANGELES
LAPD CONSENT DECREE – STATUS REPORT TO THE COURT

August 1, 2002

SECTION 1 EXECUTIVE SUMMARY

Overview

This report summarizes the City's Consent Decree implementation activities, focusing on actions taken since the City's February 1, 2002, report to the Court. Efforts since February 1, 2002 have included: 1) continued hiring of staff; 2) completion of lease negotiations for required additional space; 3) development of Fiscal Year 02-03 budget needs; 4) executing contracts and preparing request for proposals (RFP) for outside consultant services as appropriate; 5) review and refinement of changes to LAPD policies and procedures to both implement and monitor the provisions of the Consent Decree; 6) training and implementation of required policies and procedures; 7) monitoring compliance and implementation activities; and 8) initiating corrective actions when compliance and/or implementation issues are identified.

Several implementation issues and concerns have been identified and are expected to continue to be encountered over the next year. Therefore, the City has established a cyclical process for identifying compliance issues, remedying such issues, subsequently monitoring compliance, and initiating the cycle again as necessary.

The overall compliance schedule established in the Consent Decree recognizes that change in processes and procedures in an organization as large as the Los Angeles Police Department (LAPD) will take time. Therefore, early identification of compliance issues is important to the City's ability to achieve successful compliance with the Consent Decree. In recognition of the need for early identification of compliance issues, LAPD initiated an internal Periodic Progress Report (PPR) program in April 2002 to monitor Consent Decree compliance issues on a regular basis. This process will provide for regular review of various Consent Decree provisions. In addition, the PPR program will be a training tool and continual reminder to LAPD management regarding the various Consent Decree requirements. The PPR is intended to be dynamic and change over time as necessary and appropriate to focus on areas of concern and ensure maintenance of compliance once achieved.

Measurement Criteria

This quarter the Independent Monitor began monitoring based upon the monitoring criteria published April 15, 2002. The City has notified the Independent Monitor that, consistent with the City's comments to the Independent Monitor on the draft versions of monitoring criteria, the City disagrees with several of the standards and measures included in the monitoring criteria published April 15, 2002, and in some instances the criteria established exceed the requirements of the Consent Decree. The City will continue to track the impacts of such monitoring criteria on the Independent Monitor's findings of compliance/non-compliance and forward a recommended course of action to the Police Commission, City Council, and the Mayor for consideration as appropriate.

Implementation Status Summary

Attached is a summary of implementation status focusing on activities taken since February 1, 2002. The City is currently in compliance with the following Consent Decree paragraphs: 8 (meet and confer), 11 (allocation of resources), 39-53 (TEAMS II related provisions), 55-61 (Categorical Use of Force (CUOF) review procedures), 65-66 (UOF reporting), 67 (CUOF Police Commission review), 74-78 (complaint filing procedures/requirements), 82 (reporting collateral misconduct), 84 (witness credibility standards), 85 (complaint adjudication), 86 (anonymous complaint investigation), 87 (5-month complaint investigative goal), 88-89 (Quarterly Discipline Report), 90 (complaint related training issues), 91 (complainant notification), 92 (anti-retaliation policy), 93-95 (transition of complaint investigations to IAG), 97 (Integrity Audits), 98-100 (IAG personnel eligibility requirements), 101 (criminal referrals), 102-103 (Non-Discrimination Policy), 107 (Special Enforcement Unit (SEU) personnel eligibility requirements), 110 (Confidential Informant Manual), 111-112 (mental illness policy and procedures review), 114-116 (Field Training Officer (FTO) personnel eligibility requirements), 117-120 (training), 122-123 (training), 125-127 (audits), 130 (annual Discipline Report), 139 (complaints accepted by Office of the Inspector General (OIG)), 140 (Police Commission authority to require audits), 142-146 (Police Commission reviews), 147 (OIG review of CUOF), 148-149 (OIG access provisions), 150 (OIG acceptance of complaints), 152 (7-day complaint processing from IAG to OIG), 153 (OIG communication with Police Commission), 155 (Community Outreach Meetings), 157 (Community/media advisory groups), 158-160 (Independent Monitor selection and payment), 161-171 (Independent Monitor access provisions), 175 (semi-annual City status report to the Court), 176 (records retention), 177 (DOJ access provision).

The City is currently in partial compliance with the following Consent Decree paragraphs: 62 (CUOF/search warrant supervisor presence review), 63 (CUOF Behavioral Sciences Section referral), 64 (CUOF non-disciplinary action review procedures), 68-69 (non-categorical use of force (NUOF) review procedures), 70 (arrest/booking procedures), 71-72 (search warrant procedures), 73 (arrestee inspection procedures), 79 (10-day complaint face sheet processing), 80-81 (administrative investigative procedures), 104-105 (pedestrian and motor vehicle stop data collection), 106 (SEU Management), 108-109 (confidential informant requirements), 121 (supervisory training for promoted staff), 124 (Audit Division), 128-129 (LAPD Audit Division Audits), 131 (SEU Audits), 135 (OIG review of LAPD Audits), 136 (OIG audits), 143 (LAPD procedures considered by Police Commission within 14-days), 156 (web posting requirements), 172 (transmittal of specified documents to the Independent Monitor within 10-days of completion). Details of compliance and actions being taken by the City to remedy compliance issues is presented in Section 3, a paragraph by paragraph review of compliance.

The City currently has policies and procedures in place (i.e. primary compliance) for all Consent Decree provisions scheduled for implementation prior to July 15, 2002. The City experienced delayed primary compliance with paragraph 110 regarding the requirement to publish a Confidential Informant Manual by December 15, 2001. A draft Confidential Informant Manual was provided to the District Attorney's Office in December. LAPD received comments from the

District Attorney's Office and incorporated those comments into the manual as appropriate. The manual was approved by the Police Commission on February 26, 2002, and subsequently distributed to appropriate LAPD entities.

Several Consent Decree provisions have future implementation dates: 39-53 (TEAMS II related provisions), 54 (annual personnel performance evaluations, June 2003), 113 (audit of mental illness policies and procedures, February 2004), 133 (Training Audit, December 2002), 134 (Skeletal Fracture Audit, December 2002), 137-138 (OIG use of TEAMS II). The City has initiated and/or planned implementation activities as appropriate, and currently anticipates such Consent Decree provisions will be implemented on schedule, with the exception of paragraph 133. The City anticipates delayed compliance with Consent Decree paragraph 133 regarding an outside independent consultant review of LAPD training programs. The Police Commission approved the selection of RAND to perform the independent audit of LAPD training programs pursuant to Consent Decree paragraph 133. The RAND contract was executed on July 3, 2002, and work on the project has been initiated. The Consent Decree implementation schedule contemplated that the training audit report would be completed by December 15, 2002. Due to LAPD training course schedules and the time needed to complete the study, the contract includes the submittal of a preliminary findings report by that date, however the draft final report will not be submitted until March 31, 2003.

SECTION 2 STATUS OF IMPLEMENTATION OF MAJOR PROVISIONS

TEAMS II Development Activities

Risk Management Information System (RMIS) Development

As previously reported to the Court, the City submitted the Risk Management Information System (RMIS) data elements on September 17, 2001, and the RMIS Requirements/Design document on October 1, 2001, to the U. S. Department of Justice (DOJ) and the Independent Monitor. DOJ provided comments on the document to the City on November 7, 2001. The City submitted a global response to DOJ's comments on December 13, 2001. Response to the approximately 140 data element requests was submitted to DOJ on January 15, 2002.

On February 11, 2002, the DOJ responded to the City's December 13, 2001, and January 15, 2002, responses to DOJ comments. The week of February 11, 2002, the City and DOJ met over a three-day period to discuss issues. Several subsequent dialogs and informal exchanges of information between the City and DOJ occurred in February and early March. In consideration of the discussions with DOJ, the City again reviewed each of the 140 data element items included in DOJ's November 7, 2001, RMIS Requirements/Design Document comment letter and previously responded to by the City on January 15, 2002. City staff informally shared draft written information with DOJ staff on February 26, 2002, and March 11, 2002, in an effort to further resolution of issues. The City and DOJ met over a three-day period the week of March 15, 2002, in an effort to resolve outstanding issues.

The City prepared a comprehensive written response to DOJ detailing the City's position with regard to each requested item, as well as supporting information. On May 8, 2002, the City submitted that draft response to DOJ allowing for further discussion between DOJ and the City. The City and DOJ met to discuss outstanding issues on May 9, 2002, and follow-up conference calls were held May 23, and May 29, 2002. Several additional informal conversations were held, as well as the monthly monitoring TEAMS II meeting in June. On July 11, 2002, the City provided DOJ with a discussion draft of the revised RMIS Requirements/Design Document which incorporates the agreed upon changes. The DOJ provided comments on some aspects of the draft document on July 22, 2002. Additional comments are anticipated. The City and DOJ continue to work to resolve issues and document resolutions in the RMIS Design/Requirements Document.

Although DOJ approval of the RMIS Requirements/Design Document has been delayed, the City has proceeded with RMIS related development activities. Such activities are further detailed below. DOJ and the Independent Monitor have participated in some of these activities, such as review of the technical architecture document. In addition, the City has begun to draft a request for proposal (RFP) for the design and development of the RMIS.

Management Systems Reengineering Project (MSRP)

As previously reported to the Court, on December 16, 2001, the City acted to establish the Management Systems Reengineering Project (MSRP). The MSRP is a unique structure within the City, which combines LAPD and ITA resources to ensure close coordination and communication between these essential TEAMS II development entities. The MSRP has primary responsibility for the development and implementation of the TEAMS II Development Program, including but not limited to the Risk Management Information System (RMIS), Complaint Management System (CMS), Use of Force System (UOFS), central access control module, personnel tracking system, and interfaces with existing systems.

Staffing of the MSRP is a significant effort and will take some time to accomplish, however, the hiring process has been initiated and is in process. Of the 32 MSRP positions authorized, 17 positions have been filled to date. Lease space has been identified and tenant improvements at the facility are underway. It is currently anticipated that the facility will be available in fall 2002. In the interim, the MSRP staff is being housed in the pre-existing TEAMS II unit in Figueroa Plaza.

The MSRP is currently working on resolving RMIS Design/Requirements Document with DOJ, drafting RFP's for RMIS, CMS, UOFS, and access control, and reviewing existing LAPD systems, systems architecture issues, and infrastructure. MSRP developed a preliminary TEAMS II schedule and provided DOJ and the Independent Monitor with copies for review and comment on June 13, 2002.

Technical Architect

As previously reported to the Court, the City contracted with IBM Global Services in December to provide expert technical architect services for the TEAMS II Development Program. The MSRP has completed its review of the TEAMS II Development Program tool options and developed a set of preferred tools for review by the City. The City is reviewing the preferred tools to ensure informed decisions regarding TEAMS II technology and tool option selections, as such decisions may have long-term citywide implications. Potential system development contractors will be provided the opportunity to suggest other tool options for City consideration and evaluation via the RFP process. The City will continue to exercise due diligence and keep the long term success of the project in mind to ensure that the decisions made early in the project establish a firm footing for the long term success and operation of the RMIS and all other TEAMS II Development Program systems.

Complaint Management System

The City investigated development of CMS screen prototypes as an option to continue with CMS development in light of design information gaps, to ensure forward movement with system development. In working with Information Builders, Inc., the contractor hired for CMS design, to ensure a high percentage of re-usability of the proposed screen prototype, several significant technical issues arose. In light of the complex and interrelated information disclosed during the definition of CMS screen prototype requirements and the potential CMS development cost implications, the City has decided to release CMS development for competitive bid.

It is currently anticipated that IBI will complete the CMS design, based upon current information, in fall, 2002. The CMS design document will be the base of the CMS RFP.

Use of Force System

As previously reported to the Court, due to the complexities of concurrent systems development, work on the UOFS was delayed. With implementation and staffing of the MSRP, work once again has been initiated on the UOFS. The UOFS requirements and workflow have been validated and an RFP for final system design and development is being drafted.

Access Control Systems

The Position Tracking System, part of the Training Management System (TMS), was originally planned to be used to provide chain-of-command information to the RMIS, providing the foundation for systems access and control. However, with implementation of the flexible work schedule, there was concern that the TMS would be inadequate to reflect the revised chain-of-command structure associated with the flexible work schedule. The MSRP has been working to define access control requirements necessary to assess the most appropriate manner of addressing the chain-of-command hierarchy and access control needs of the RMIS. Once completed, the requirements will be evaluated within the context of TMS revisions required to address the requirements and new system development options.

Current Database Review

The MSRP has initiated the process of reviewing existing data base systems and prioritizing required source system enhancements.

APRIS/ICARS

On April 30, 2002, the City executed a \$2.4 million contract with KPMG Consulting, Inc. for stabilization and enhancement of the LAPD Automated Personnel Records Imaging System (APRIS) and Integrated Crime and Arrest Records System (ICARS). The APRIS and ICARS upgrade project includes architectural changes to the existing APRIS/ICARS system to stabilize the system, improve both APRIS and ICARS systems performance, and further enhance the systems, including but not limited to remote access and scanning capabilities. Although not considered part of the TEAMS II Development Program, this project is essential to meeting the City's commitments regarding access to arrest and priority one crime reports. The project is scheduled to be completed in 33 weeks. A 50% design walkthrough was conducted the week of July 22, 2002.

TEAMS 1.5

As previously reported to the Court, the City is implementing TEAMS 1.5, which is designed to provide greater access to TEAMS I information department wide. TEAMS 1.5 has now been implemented in the 4 Geographic Bureaus, 18 geographic Areas, and several specialty divisions. Implementation of TEAMS 1.5 remains pending at LAPD's 4th and Spring Street and Parker Center facilities until technical issues at those facilities can be resolved.

The implementation of TEAMS 1.5 has resulted in increased use of TEAMS department wide. In June 2001, approximately 3,500 transaction requests were logged by the TEAMS server. In June 2002 approximately 6,200 transaction requests were logged by the TEAMS server and the TEAMS 1.5 web based application combined.

Categorical Uses of Force Investigations and Review

The Critical Incident Investigation Division (CIID) is functioning appropriately and consistent with the requirements of the Consent Decree. CIID is being notified of categorical use of force incidents and rolling-out to investigate such incidents on a 24-hour basis. Review of in-progress investigations indicate that appropriate investigative activities, consistent with the requirements of Consent Decree paragraph 80, are being employed. Additional refinements and clarifications were made to LAPD procedures regarding criminal investigations associated with categorical uses of force during this quarter.

The Inspector General and the Police Commission continue to review all Categorical Uses of Force. Process enhancements to ensure timely reporting of Categorical Use of Force investigations to the Police Commission, consistent with the provisions of paragraph 67, have been implemented over the last quarter.

Compliance issues associated with the Behavioral Sciences Section (BSS) referral requirements have been identified. Although all officers who should have been referred to BSS were seen by BSS, several of those officers were allowed to work in the field prior to their appointment with BSS. In addition, unacceptable delays in BSS seeing involved officers have been experienced. Finally, conflicting directives regarding the BSS referral procedure and gaps in specifically identifying the parties responsible for required actions have been identified, resulting in compliance concerns.

Special Order 15 was issued on April 10, 2002, to address the conflicting directives regarding the BSS referral procedure and to clearly fix responsibilities with Bureau Commanding Officers for referring officers to BSS in compliance with the established procedures. The Chief of Police met with Commanding Officers and discussed this important requirement on June 11, 2002.

Non-Categorical Use of Force Investigations

As reported in the City's February 1, 2002, status report to the Court, approximately 30% of non-categorical use of force investigations were completed within a 14-day period, however the circumstances surrounding the 70% of investigations which exceeded the 14-days was unknown. In response to that finding, LAPD implemented additional training, placed additional emphasis on processing of non-categorical use of force investigations, and worked to identify methods to streamline the non-categorical use of force investigation process. The rate of non-categorical use of force investigations completed to the Division level within a the 14-day period increased to 52% in Deployment Period 4 (April 7 - May 4, 2002).

Special Order 18, revising the non-categorical use of force investigative process, consolidating the reporting process, establishing a form to better document investigative dates and reasons for longer

duration investigations, and making the 14-day investigative timeframe more directly track the requirements of the Consent Decree (i.e. reviewed by Division level management), was published April 23, 2002. Further modifications and enhancements to the non-categorical use of force investigative process are anticipated to be proposed by LAPD in fall, 2002.

Although not a Consent Decree requirement, implementation and maintenance of Use of Force Summary Logs have been of assistance in monitoring non-categorical use of force investigations. Notable improvements have been made by LAPD in tracking uses of force on the monthly LAPD summary logs over the last quarter. All Use of Force Summary Logs were submitted on time in Deployment Period 5 (May 5 through June 1, 2002), and Deployment Period 6 (June 2 through July 1, 2002). In addition, the LAPD has added an audit component to the summary log intake process to identify errors in the log, if any, and initiate corrective action.

Although not required by the Consent Decree, LAPD revised non-categorical use of force review procedures to require review of all such incidents by the Risk Management Group. This ensures consistency of review, and provides for overall review of policies and procedures in consideration of incidents department wide. In addition, such consistent review provides for additional quality control assurance for non-categorical investigations.

In the City's February 1, 2002, status report to the Court, the City reported that the Inspector General would audit non-categorical use of force investigations in the third quarter of FY 01-02 (January – March). That audit was delayed in light of the findings and concerns identified regarding LAPD audits (see Audit discussion below). The audit was initiated in June, 2002 and is anticipated to be completed in the first quarter of FY 02-03 (July-September).

Complaint Investigations and Processing

The City continues to make progress with filling the authorized Internal Affairs Group (IAG) staff positions and in transitioning chain-of-command complaint investigations to IAG as required by paragraphs 93, 94, and 95. The final transition of complaint investigations is currently planned for October 1, 2002, and would include complaints regarding theft (paragraph 93(b)(ix)), dishonesty (paragraph 93(b)(v)), and complaints generated by civil suits or claims for damages (93(a)). Prior to implementation, the planned October 1, 2002, transition will be evaluated based upon IAG staffing levels and compliance with paragraph 87 regarding complaint investigative timelines.

Beginning in January 2002, LAPD began documenting chain-of-command complaint investigation duration utilizing a newly established Active Case Tracking System. Information collected to date indicates that of the complaints received in January, February, and March of 2002, 60%, 51%, and 58% of chain-of-command complaint investigations were completed within 5 months or less, respectively. The majority of IAG compliant investigations have also consistently been completed within the 5-month investigate goal established in paragraph 87.

On June 18, 2002, the Police Commission approved conceptual changes to the misconduct complaint investigation and adjudication process. Implementing orders and procedures are currently being drafted and are expected to be considered by the Police Commission in fall 2002.

These changes are anticipated to further streamline the complaint investigation process.

The Office of the Inspector General (OIG) reviews LAPD misconduct complaint investigations, with the exceptions of failure to appear, failure to qualify, and preventable traffic collisions, for quality, completeness, and appropriateness of findings. A summary of complaint investigation and adjudication reviews is provided in the Office of the Inspector General's monthly activity report to the Police Commission. These reports outline concerns relating to specific investigations and/or adjudications. The cases highlighted in the reviews are maintained in an OIG tracking system for reference. The OIG is in the process of enhancing this tracking system to document in greater detail compliance with the various Consent Decree requirements relating to complaint investigations and adjudication Consent Decree requirements, to assist in early identification of compliance issues. An LAPD audit of complaint investigations is currently in progress and is anticipated to be completed in this quarter.

The City continues to make improvements in processing of complaints. Although compliance with the 10-processing time frame has not been achieved (paragraph 79), significant improvements in processing time have been achieved. A 99% compliance rate with the 7-day time frame for processing complaints from IAG to the OIG (paragraph 152) is being maintained.

Quarterly Discipline Report

In the Independent Monitor's Third Quarterly Status Report, the Independent Monitor concluded that the LAPD was not in compliance with the Consent Decree requirements relating to the Quarterly Discipline Report. The City notified the Independent Monitor that it disagreed with the Monitor's conclusions regarding compliance with the provisions of Consent Decree paragraph 88 and a meeting was held on June 12, 2002, to discuss the Independent Monitor's concerns with the LAPD's Quarterly Discipline Reports. DOJ participated in that meeting and followed up with a written letter to the City detailing DOJ's concerns with the Quarterly Discipline Report.

One of the Independent Monitor's concerns was the timeliness of the information included in the Discipline Report. As previously reported, the LAPD has addressed the data entry back-log of closed complaint cases and has made substantial progress in addressing the investigative backlog. The data entry backlog was reduced from approximately 3,000 in September 2001, to 500 in January 2002, and now consists of the normal turnover of closed cases. With the resolution of the data entry backlog, the information timeliness concerns of the Independent Monitor have been resolved.

The Independent Monitor also expressed concerns regarding the manner in which discipline is summarized in the report. In consideration of the concerns discussed with the Independent Monitor, the City investigated different manners in which to present the data that would assist in addressing the concerns expressed. The City submitted a revised Quarterly Discipline Report format to the Independent Monitor and DOJ for discussion on Monday, July 15, 2002. The Independent Monitor's staff preliminary feedback has been positive.

The next Quarterly Discipline Report is due August 15, 2002. That report will be presented in a revised format for Police Commission review and consideration, as the Police Commission previously acted to maintain the report format presented by LAPD. The City will continue to work with the Independent Monitor and DOJ to address concerns as appropriate, however the August 15, 2002, report will be released on time.

The LAPD, Police Commission, Inspector General, and Consent Decree Workgroup will continue to review the Quarterly Discipline Reports and make modifications as appropriate to facilitate the Police Commission's review of the Chief of Police's performance as it relates to discipline issues.

Pedestrian and Traffic Stop Data Collection

As previously reported to the Court, pedestrian and motor vehicle stop data collection was initiated November 1, 2001, using paper forms. The volume of forms being collected is consistent with the volume anticipated by LAPD, based upon citation and field interview card volumes.

A contract for paper form scanning and data extraction services was executed on November 19, 2001. Scanning of pedestrian and traffic stop forms began January 11, 2002. The City has established the following scanning priorities: 1) the currently collected forms, and; 2) backlog forms. The contractor has experienced substantial difficulties in scanning, and although pedestrian and traffic stop form scanning and data extraction rates have improved over time, they continue to be of concern. As of July 25, 2002, a total of 326,175 forms had been entered into the data collection database, of the approximately 526,999 forms collected by officers. A total of 195,999 forms collected since March 11, 2002, have been entered into the data collection system.

On July 16, 2002, the City Council and the Police Commission acted to approve a contract with Scantron Corporation for pedestrian and traffic stop form scanning and data extraction. The contract was executed on July 19, 2002. The contract provides the services necessary to ensure a three day turn-around time for data extraction from stop forms collected by LAPD, with the ability to process up to 4,000 forms a day. The contract includes a pricing incentive to better ensure timely contractor performance. Scantron will require approximately 20 working days to develop and verify the scanning and data extraction processes with the City prior to initiation of daily processing of forms. The transition between contractors and the need for U.S. Data Source to complete work on the forms collected through August 2002 will be accommodated.

The LAPD has undertaken substantial efforts to reduce officer error rates on pedestrian and traffic stop forms (Field Data Reports). These efforts include development and publishing LAPD training bulletin, video tape, Chief of Police Notices, and weekly workgroup meetings. In addition, the LAPD Management Services Division conducts weekly audits of two to four Divisions to ensure accuracy and completeness of Field Data Reports and that errors are being expeditiously corrected in the STOP application. Due to these efforts, Field Data Reports completed since March 11, 2002, have a current aggregate error rate of 2%, a significant improvement over early error rates of 37% and greater. The current overall aggregate error rate

(including all forms in the database) is approximately 29%. The current overall aggregate corrected error rate is 10%, indicating that officers are using the STOP application effectively.

The LAPD has initiated an audit to review the accuracy of the data in the system. In addition, the City is working with the contractor to get data for a defined period in-put into the STOP system. The City will evaluate its ability to post pedestrian and traffic stop data at the September web posting period based upon the results of these efforts.

As reported to the Court previously, an RFP was released for automated collection of pedestrian and motor vehicle stop data on October 23, 2001. The RFP process was terminated in December, as a majority of the proposals received by the City did not comply with the City's standard contracting and RFP procedures. A revised RFP was released on May 20, 2002. A pre-proposal conference was held June 5, 2002. Proposals in response to the automated data collection RFP were due July 17, 2002. Eleven proposals were received. The proposals are currently being reviewed for compliance with all standard City contract provisions.

An RFP for data analyses is in the process of being drafted. This RFP has been delayed due to the need to resolve issues regarding form scanning and the automated data collection RFP.

Management of Gang Units

A relatively high number of officers are due for transition out of Special Enforcement Units (SEU) in the summer of 2003. This has the potential to impact SEU officer experience levels and training needs. The LAPD has developed a draft SEU staffing plan, which is currently being reviewed internally. The draft plan includes consideration of the flexibility provided in Consent Decree paragraph 106(d), which provides for the extension of SEU tours of assignment. The LAPD will report to the Police Commission on this issue.

The LAPD eligibility criteria for selection of a SEU non-supervisory and supervisory officers, consistent with the requirements of paragraph 106, are in place. As the SEU staffing plan is implemented, care will taken to ensure officers new to SEU conform to the eligibility requirements.

The Inspector General's Office, in its review of the March 29, 2002, SEU Arrest, Booking, and Charging Audit, identified four arrest reports that raised potential concerns regarding SEU supervision, as required by paragraph 106(f). The LAPD is currently investigating those concerns.

Confidential Informants

The Independent Monitor identified several concerns regarding confidential informant files at the June and July 2002 monthly monitoring meetings. LAPD met with the Independent Monitor regarding their findings, is reviewing the concerns identified by the Independent Monitor, and has initiated actions to correct errors and/or omissions in individual confidential informant files. Errors and omissions are largely related to documentation issues and file processing to ensure

appropriate data entry into the confidential informant system. Additional training regarding confidential informant procedures is being planned.

The Administrative Order implementing the Confidential Informant database and associated procedures was distributed September 17, 2001. Concerns regarding the functionality of that confidential informant database have been largely resolved. The LAPD Information Technology Division (ITD) has completed several requested database modifications, with two new modifications being addressed currently. It is anticipated that as the database is used additional modifications will be requested.

The undesirable confidential informant review process currently requires manual searches. Although not required by the Consent Decree, LAPD has installed a computer to maintain undesirable confidential informant information, which has the same functionality as the confidential informant database. Data in-put has been initiated.

Review of Procedures for Dealing with Potentially Mentally Ill Persons

Although not required to engage outside professional services for the evaluation of other law enforcement programs and LAPD policies and procedures for dealing with persons who may be mentally ill required pursuant to paragraph 111, the City engaged the services of Lodestar to assist in the review. The contract with Lodestar was executed December 10, 2001, with work on the project initiated on December 11, 2001. The five law enforcement programs reviewed as part of the study were San Diego, California; Memphis, Tennessee; Seattle, Washington; New York, New York; and Portland, Oregon.

Lodestar submitted its final report to LAPD on May 28, 2002. The LAPD evaluated that report and submitted its recommendations to the Police Commission on July 15, 2002, consistent with the requirements of Consent Decree paragraph 112. The Police Commission has scheduled consideration of the LAPD's recommendations for its July 30, 2002, meeting. The Consent Decree provides the Police Commission with time necessary to thoroughly review the recommendations, and therefore the Commission may continue its review and consideration of the issue as it deems necessary and appropriate.

Training

General

The LAPD has integrated the various Consent Decree requirements into Basic Supervisor, Watch Commander, Detective Supervisor, and Command Development Schools. In addition, Continuing Education Programs have been developed to address various aspects of the Consent Decree. Roll-call training has also been used to train employees regarding new policies and procedures established to implement various Consent Decree provisions.

Memorandums and meetings have been used as appropriate to alert officers to compliance issues, such as the most common pedestrian and traffic stop data collection errors and non-categorical use of force investigation concerns. As discussed in Section 1, the Periodic Progress Reports (PPR) program has also recently been implemented, and has regular training value.

The LAPD continues to review methods of providing the training necessary to ensure Consent Decree compliance and to provide officers the tools necessary to efficiently perform their duties. As compliance issues arise, training needs are continually evaluated.

Consent Decree Source Document Training

Approximately 33 new Orders or Notices changing policies and procedures to implement the Consent Decree were released in less than a 12-month period. Training regarding each of these Orders/Notices was provided consistent with existing LAPD procedures at the time of their release. Although not mandated by the Consent Decree, LAPD initiated Consent Decree Source Document Training to further facilitate employee familiarity with the various new policies and procedures, and to provide a comprehensive overview of the Orders and Notices within context of one another and LAPD operations.

At the April 11, 2002, monthly monitoring meeting, the Independent Monitor indicated that the Consent Decree Source Document Training methodology and presentation was inappropriate and negatively impacted reform efforts. DOJ representatives attended the training and shared the Independent Monitor's concerns. It should be noted that all parties indicated that the source book of all implementing Orders included in the training was beneficial and helpful.

In response to the concerns expressed, the Consent Decree Source Document Training was temporarily suspended by LAPD on April 15, 2002. The Inspector General, Chief Legislative Analyst and Mayor's Offices, LAPD Consent Decree Task Force, LAPD Training Group, and Independent Monitor representatives participated in the training revision process, and DOJ observed the revised training. All parties concurred that the training had been greatly improved and it was reinstated on July 1, 2002.

At the July 11, 2002, monthly monitoring meeting the Independent Monitor reported that the training environment negatively impacted the training. Training participants were unable to hear the presentation and the dynamics of the instructors were constrained by the sound equipment. New sound equipment, including corded and cordless microphones are now being used. Training will be completed the week of July 22, 2002.

Supervisory Training

A number of Detectives have been identified as not having received training prior to being upgraded to Detective II or Detective III. The LAPD is reviewing how training for such upgrade positions could be achieved prior to Detective II and III's assuming the upgrade position. This may pose substantial issues, as these upgrades are not subject to established promotional eligibility lists, which provide an advanced opportunity to identify staff for training.

In summer, 2001, the LAPD undertook a review to identify all personnel who had been promoted prior to the June 15, 2001, the Consent Decree effective date, and had not received supervisory training. The LAPD has continually worked to provide training to those individuals, while maintaining compliance with supervisory training requirements for new promotions. As of July 26, 2002, a backlog of only 57 Detective supervisors, who occupied supervisory positions prior to June 15, 2001, remains to be trained. Training sessions are scheduled for August and

October, 2002. This training schedule is anticipated to accommodate the remaining backlog and any new upgrades that may occur during that same period.

The Independent Monitor also identified 21 officers who did receive the appropriate training prior to being promoted, however such training was received prior to the year 2000. LAPD is reviewing this issue.

Audits

As previously reported to the Court, the LAPD Audit Unit was first initiated in the summer of 2001. The first audits undertaken by the LAPD were completed June 1, 2001, prior to entry of the Consent Decree and deployment of full auditing resources. The LAPD auditing methodology continues to be improved over time. Training of LAPD audit staff is on-going and includes training provided by the Institute of Internal Auditors.

In the Independent Monitor's Third Quarterly Report to the Court, the Independent Monitor noted that additional improvements were needed in an expeditious fashion to ensure that the audits are of a high quality and adequately reflect the quality of the files reviewed, to ensure problems are appropriately identified and remedied. The Independent Monitor and LAPD Audit Division staff have met to discuss the specifics of the Independent Monitor's review of the audits and the issues and areas of concerns identified.

In response to the concerns expressed by the Independent Monitor, the City investigated methods of expeditiously hiring staff or contracting with firms with auditing expertise. It was decided that hiring staff would be most beneficial, as expertise would be maintained "in-house" and training efforts would be maximized. The new audit personnel would be partnered with sworn personnel to integrate police practices expertise with auditing expertise.

The nine Audit Division positions and two Inspector General positions, which were authorized in FY 01-02, but remained unfilled were modified to accommodate hiring personnel with auditing experience. Interviews for these positions are currently being conducted or have been scheduled. In addition, LAPD Sergeant II and Detective II and III pay grades were granted for currently filled Audit Division positions. This pay grade increase will assist in maintaining staff within the Audit Division, as upgrade opportunities are now available within the Division. Maintenance of staff within the Audit Division that have been trained and gained experience in auditing will assist in the continued operation and success of the Division.

SEU audits, completed by LAPD's Detective Support Division, are being completed behind the schedule originally established in the June 1, 2001, Audit Plan. The delay in the SEU audits is partly attributable to the Audit Division's review of the audits, which resulted in additional audit work being required. The Audit Division's review is important to the quality control of SEU audits and is supported by the City, even if it results in audit delays. The City is investigating methods of improving SEU audit quality.

Although additional improvements in the audits conducted by the LAPD Audit Division are necessary, it must be recognized that the audits conducted to date have identified deficiencies in

LAPD procedures and processes, resulting in actions being taken to address those deficiencies. Therefore, the benefits and importance of the Audit Division has been established and realized to a certain degree. The City is committed to improving Audit Division operations and performance and strives to implement appropriate auditing procedures.

Several audits are in progress, and therefore complete remedy of all issues raised to date will not necessarily be realized in those audits. The reconfiguration of the Audit Division and improvement of auditing techniques will be a continuum over time. The LAPD is working with Independent Monitor staff to review audit methodology and protocols for currently planned audits.

The FY 02-03 Annual Audit Plan was approved by the Police Commission on July 16, 2002.

Training Audit

The Police Commission approved the selection of RAND to perform the independent audit of LAPD training programs pursuant to Consent Decree paragraph 133. The RAND contract was executed on July 3, 2002, and work on the project has been initiated.

The Consent Decree implementation schedule contemplated that the training audit report will be completed by December 15, 2002. As previously indicated, the contract includes the submittal of a preliminary findings report on December 10, 2002, with the draft final report being submitted on March 31, 2003.

Community Outreach

At the April 11, 2002, monthly monitoring meeting, the Independent Monitor reported that derogatory remarks regarding the Consent Decree, its reforms, and the monitoring process had been made in some of the community outreach meetings held in February, March, and April, with three meetings of concern specifically identified. Although limited to a few officers, concerns were expressed regarding the potential impacts of such statements. It should be noted that community members reported concerns regarding such remarks to the Independent Monitor.

After the Independent Monitor's disclosure of his concerns regarding the community outreach meetings to the City on April 11, 2002, the LAPD took immediate actions to prevent such occurrences in the future. A single purpose meeting was held with Consent Decree Task Force staff for the purpose of training staff on how to appropriately and positively present information to the community, how to respond to questions from the community, and public perception issues and concerns. Since that time, seventeen community outreach meetings have been held. Reports regarding those meetings from Independent Monitor staff and City staff monitoring community outreach meetings are positive.

In FY 02-03, the frequency of community outreach meetings mandated by the Consent Decree decreases to once a year. LAPD currently plans to initiate those meetings in January, 2003. In addition to the annual meeting, the LAPD is planning to hold community outreach meetings in August or September in the three specific communities identified by the Independent Monitor as

of concern (Wilshire, Van Nuys, and West Valley). The August and September time frame was selected so as to return to those communities in the near term to illustrate the LAPD's commitment to improvement of LAPD policies and procedures and implementation of the Consent Decree, with the ability to update the community regarding Consent Decree implementation efforts based upon the City's August 1, 2002, status report to the Court.

The LAPD continues to work to enhance its community outreach to notice the meetings. Recent meetings have been noticed on PBS.

SECTION 3
PARAGRAPH BY PARAGRAPH REVIEW

This Section details compliance status and actions being taken by the City to remedy compliance issues for each non-administrative Consent Decree paragraph.