

Antelope Valley Monitoring Team Third Semi-Annual Report



December 2016

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I. INTRODUCTION

This is the third Semi-Annual Report issued by the Monitoring Team (MT). It covers the monitoring activities that have taken place during this reporting period and describes our observations as to the progress of Los Angeles County and the Los Angeles County Sheriff's Department (LASD) in meeting the requirements of the Settlement Agreement (SA)¹ for the Antelope Valley (AV). This report is primarily focused on work undertaken between July 2016 and December 2016.

Throughout these recent months, the MT has been engaged in ongoing discussions and meetings with LASD command and management staff concerning policy refinements and implementation matters, conducting site visits in the Antelope Valley, and participating in a wide array of meetings with the Parties and community members.

This report provides an overview of the activities the team has been engaged in and recent issues the MT has focused on, both administrative and operational. As is typical in this stage of monitoring work, considerable attention continues to be devoted to reviewing and revising policy documents, to developing work plans and specific compliance measures that relate to each of the major topics in the SA, and to addressing important community engagement efforts by both the MT and LASD. The progress achieved in those areas will be covered in more depth in this report, along with discussion as to where this work fits in the broader context of the SA and the sequence of activities that will ultimately lead to achieving full SA compliance. This includes treatment of relevant short- and long-term needs and priorities the MT has identified.

The Monitors are appreciative of the efforts undertaken by LASD and the Office of County Counsel for their continued efforts in this endeavor and the cooperative spirit they have displayed and demonstrated. The staff of the Compliance Unit is particularly talented, organized, and flexible; they set a strong example for the Department. The spirit of collaboration evident in recent meetings among the Parties makes it clear the Department has a commitment to meeting the SA requirements and improving the quality of law enforcement services in the Antelope Valley. The Monitors also want to acknowledge and express thanks to the community members in the Antelope Valley for their candid participation in meetings with the MT, their understanding of the sometimes incremental but necessary deliberative processes that have to be undertaken, and their suggestions for improving the MT's interaction with them and with the Department. The MT continues to enjoy an open and effective working relationship with the representatives of the US Department of Justice (DOJ), to whom the Monitors also extend appreciation.

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

The Antelope Valley Settlement Agreement - Summary

The Antelope Valley Settlement Agreement (SA) was established between the US Department of Justice (DOJ), Civil Rights Division; the Los Angeles County Sheriff's Department (LASD); and the County of Los Angeles and was filed with the US District Court for the Central District of California in April 2015. The purpose of the SA is to ensure that the residents of the Antelope Valley are provided with police services that are lawful and fully consistent with the Constitution of the United States and contemporary policing practices. The SA specifically identifies, as individual sections, a variety of reforms and objectives to be met by LASD in the Antelope Valley related to: Stops, Seizures, and Searches; Bias-Free Policing; Enforcement of Section 8 Compliance; Data Collection and Analysis; Community Engagement; Use of Force; Personnel Complaint Review; and Accountability. The SA also stipulates that a professional monitor be selected to track and assess LASD's progress in implementing and achieving compliance with the SA, work with the Parties to address obstacles to achieving compliance, and report on the status of implementation to the Parties and the Court. As per paragraph 171 of the SA between the Parties, the MT submits a Semi-Annual Report (every six months); the first of these was issued in December 2015.

Monitoring Team

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

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

Antelope Valley Monitoring Website

This website allows AV community members to learn more about the SA, the backgrounds of the MT members, and the monitoring activities; access documents related to the monitoring work, including the Semi-Annual Reports; follow links to LASD's homepage and other relevant websites; and—most importantly—submit questions and comments directly to the MT. The website's URL is antelopevalleysettlementmonitoring.info

II. WORK TO DATE

This section of the report describes the work performed to date towards fulfilling the requirements of the SA, concentrating primarily on the activities undertaken over the past six months (July–December 2016). Following a summary of the many interactions with the Parties and the AV community that the MT has had in the past six months, this section describes the crucial task of developing detailed work plans and then discusses the substantive sections of the SA.

Work related to one section of the SA—Data Collection and Analysis—is not addressed individually. The concepts and work for data collection and analysis have significant overlap with the other sections of the SA. The work on data collection and analysis done thus far is best understood within the context of the other sections to which it also pertains; therefore, related discussions are embedded as appropriate in those other sections.

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

Critical to successfully implementing and sustaining the SA reforms is a commitment and adherence to Constitutional policing principles. LASD’s ability to meet these responsibilities is dependent on adopting clear policies and providing effective training. Only by doing so can deputies clearly understand what the Department expects from them in their community interactions and have the ability to honor Constitutional standards of policing. Department capacity is also affected by the need to have sufficient accountability systems and mechanisms in place to monitor and evaluate both employee performance and management oversight practices. Policies, training, and accountability systems are required to ensure adherence to Constitutional standards and to the terms and conditions of the SA.

A. Multiple Onsite Meetings and Events

During this reporting period, the MT facilitated, participated in, or observed multiple meetings at LASD headquarters, other administrative offices, and elsewhere in the Antelope Valley. The MT periodically met with the captains of both AV stations and their staff; participated in multiple onsite meetings with LASD’s Compliance Unit, usually regarding specific issues such as policy review and data system discussions; and held meetings with particular units or leadership from other operations that are critical to this reform work, such as the Audit and Accountability Bureau (AAB) and the commander in charge of training; observed a semi-annual LASD risk management meeting; and participated in several small- and larger-group community meetings in Palmdale and Lancaster to discuss various topics such as the scope of the SA, the Second Semi-Annual Report, community perceptions about LASD and its approach to policing, and the Community Advisory Committees (CAC). Although some of these meetings and events were general in scope and pertained to many sections of the SA, most were related to specific sections or provisions of the SA and are described in greater detail in Section III, below.

In addition to in-person meetings, the MT conducts a variety of conference calls each month and has nearly daily email communication with representatives of DOJ, the County of Los Angeles, and LASD. The MT also facilitates a bimonthly call with DOJ and a monthly telephone conference call with the Parties to discuss workflow, future events and meetings, and other salient topics.

B. Monitoring Work Plans

Development of work plans that address each of the nearly 200 substantive SA provisions (each represented by a numbered paragraph and laid out in eight sections of the SA) is an important and time-consuming activity that adheres to the Monitors' collaborative-reform approach to this monitoring work. The work plan for each SA provision is only finalized after careful consideration and discussion among the Parties and the MT as to what the monitoring work entails, the scope of that work, and the details of how ultimate compliance with the SA will be reviewed and measured. Using this approach, reaching consensus on each of the work plans typically requires weeks of review and discussion, but once the plans are in place, the work that stems from them tends to proceed with greater clarity, efficiency, and speed.

To that end, in the first part of this six-month monitoring period, the MT submitted for review by the Parties various work plans that address the substantive SA paragraphs or provisions. By an agreement reached between the Parties and described in the Second Semi-Annual Report, these initial work plans included two sections for each provision. The "Targeted Outcomes" section describes the MT's expectations surrounding the intended results that should take place as a result of LASD's enhancements to their policies and training, as well as the responsibilities and accountability of LASD deputies, supervisors, and managers, which make clear how each part of the SA will be manifested in policing activity and how it will enhance the relationship between the Department and the AV community, once successfully implemented. The "Monitoring Activities" section describes the information the MT requires from the Department and how that information will be used to assess compliance.

The third and final section of the work plans is "Compliance Measures." This section lays out the specifics of which criteria will be used in the assessment of SA compliance and how these criteria will be defined and measured; that is, what the threshold will be in order to establish that LASD has achieved a successful, or "compliant," outcome. These criteria balance the requirements of the SA with on-the-ground reality and, importantly, take into consideration how Department leadership identifies and responds to situations that fall outside of strict SA compliance. The goal of the Department will be to have every deputy follow policy perfectly in each situation; however, in reality, this is a difficult, if not impossible, standard to reach in every circumstance. Therefore, the Department will be deemed in compliance with a particular provision of the SA when (1) all or the vast majority of the time the provision is followed; and (2), when a provision is not followed, the Department expeditiously recognizes that a problem occurred, reviews the circumstances to assess why it occurred, and takes all appropriate action to remedy the situation and avoid a recurrence.

Prior to the November onsite visit, the MT submitted to DOJ and LASD a set of compliance measures—the third section of each provision's work plan—addressing provisions of the Personnel Complaint Review section of the SA. At the onsite meeting, the Parties discussed these draft compliance measures and came to agreement on their format and the bulk of their content. Following further discussion of the criteria for assessing a few elements of the SA provisions, it is expected these

drafts will be approved and will then serve as the templates for developing compliance measures for the other sections of the SA. The remaining work plan compliance measures are under development now and—pending the final approval of the template—will be submitted and discussed among the Parties during the next reporting period.

C. Stops, Seizures, and Searches

The current LASD leadership has consistently voiced a commitment to safe, effective, and Constitutional policing. Reestablishing the trust of the disenfranchised members of the community will require interactions between deputies and citizens to be safe, professional, fair, respectful, and consistent with generally accepted law enforcement practices, Department policy, and the terms and conditions of the SA.

Accomplishing Constitutional policing requires the continuing commitment of Department leadership and the adoption of policing strategies that are aimed at rebuilding and sustaining public trust and confidence. The Department has agreed to provide clear and unequivocal guidance to all personnel to ensure that the goals of fair, impartial, and Constitutional policing are carried out in everything they do; to increase transparency and accountability at every level of the organization; and to provide deputies with the technical support, training, and equipment necessary to carry out their important work.

Specifically, SA paragraphs 41–63 address policies, practices, training, and principles of supervision and accountability regarding the stops, searches, and seizures of persons and property. In summary, these paragraphs state that LASD has agreed to conduct all investigatory stops, seizures, and searches in a Constitutional manner; to ensure that these processes are part of an overall crime-prevention strategy; and that investigatory procedures do not contribute to division between LASD and the community. As part of successful implementation, LASD must adequately document relevant activities for tracking and supervision processes.

1. Current LASD Policy and Practice

The LASD Manual of Policy and Procedures (MPP) contains the policies and practices that guide the work of deputies who serve the Antelope Valley and describes the duties and responsibilities of the various parts of the Department. Chapter Nine, Volume Five of the manual addresses—among other operational matters—Constitutional policing and investigative stops (5-09/520.00), including:

- Stops, Searches, and Seizures (520.05)
- Backseat Detentions (520.10)
- Consensual Contacts (520.15)
- Logging Public Contacts (520.20)
- Logging Field Contacts (520.25)
- Statistical Codes for Stops (520.30)

Each of these substantive LASD policies is specifically addressed within the SA (paragraphs 41–63).

2. Stops, Seizures, and Searches Policies

Much has been accomplished by way of policy and training development, as well as ongoing monitoring activities, in an effort to establish Constitutionally sound practices with regard to investigatory stops, detentions, searches, and arrests in the AV. A grouping of those policies addressing the provisions of the Stops, Searches and Seizures section of the SA is sometimes referred to as the “Constitutional Policing” policies. The process leading to approval of new or revised policies is as follows: the Department writes and submits to the MT and DOJ new or revised policies; the MT conducts a thorough review and submits proposed changes and comments to DOJ; DOJ conducts its own review and replies to the MT’s review; these joint comments and proposed changes are submitted back to LASD; LASD reviews the joint comments and proposed changes and produces a new version reflecting those changes to which it agrees; the Parties then discuss as a group the pending issues and come to resolution on a final version.

Several policies related to Stops, Searches, and Seizures were approved during the previous reporting period: Supplemental Patrol Procedures, Supplemental Supervisory Responsibilities, and Community Advisory Committees. Some that were described in detail in the last report were approved during the current reporting period, including Constitutional Policing; Stops, Searches, and Seizures; Backseat Detentions; Logging Public Contacts; Logging Field Activities; and Statistical Codes for Traffic, Pedestrian, and Bicycle Stops. As a group, these policies are critical to the Department’s ability to effectively ensure that the corresponding SA provisions have been incorporated into the daily operations of a deputy’s work and consistently and effectively supervised and reviewed through the chain of command. They include a series of requirements regarding how AV deputies interact with community members, how deputies report on those encounters, and how those encounters are reviewed and assessed by supervisors. Examples include:

- Training deputies to incorporate elements of procedural justice, including treating civilians with courtesy, respect, and transparency during investigatory stops and detentions (SA paragraph 42).
- Ensuring that individualized reasonable suspicion justifies backseat detentions (SA paragraph 47).
- Responding appropriately to civilian complaints arising from backseat detentions (SA paragraph 49).
- A series of other provisions that are specific to Section 8 and parole and probation compliance checks (SA paragraphs 53–56).
- A series of data points to be collected during an investigative stop or detention (SA paragraph 44).
- The required recording when equipped with body-worn camera or audio systems of requests for consent to search (SA paragraph 52).
- The narrative reporting required incident to an investigative stop and detention (SA paragraph 44f).

- Reporting the reasons for seeking consent from a subject (SA paragraph 44j)
- The type of language required when completing an investigative stop and detention report (SA paragraph 45).
- The implementation of additional accountability and supervision practices regarding stops, searches, and seizures (SA paragraph 58).
- The review of reporting investigative stops and detentions (SA paragraph 60).
- The remedial steps to be taken regarding violations of policy and deficiencies in stops, searches, and seizures (SA paragraphs 61–63).

With these provisions firmly established in policy, the MT began to work with LASD and DOJ to ensure that LASD regularly scrutinizes and collects the essential data required to assess policy compliance in a way that is consistent with the SA. LASD understands that compliance will also require the Department to comprehensively and regularly review data and take timely and appropriate action when the review process reveals departure from the SA requirements and the expectations of the Parties. The requirements spelled out in the specific paragraphs of the SA that pertain to deputy and community interaction will certainly assist the Department in measuring the quality of decision-making processes, enhance the Department's ability to capture relevant data points, and ultimately improve the Department's level of transparency and accountability.

The MT stresses that a review of quantitative statistical data is crucial to identifying trends and/or revealing potential disparities. It is also crucial that statistical analysis be augmented by qualitative analysis, to ensure the Department's ability to effectively monitor the full context of the decisions that a deputy may make that lead to an investigative detention, search, or arrest. Thus, ensuring that deputies are completing such narratives properly is extremely important. Equally important is a frequent and comprehensive review of those narratives to ensure that (1) the narratives themselves are accurate, thorough, and appropriately detailed; and (2) the decisions that deputies make are Constitutional and in full compliance with LASD policy and the requirements of the SA.

During an onsite in AV, including time in the AV stations and ride-alongs with deputies, the MT was able to observe whether and how some of these requirements are being reflected in practice. AV staff members periodically compile and examine data pertaining to stops, detentions, searches, citations, and arrests. This information is gleaned from the daily worksheets (or duty logs) and sent to the LASD Compliance Unit for review. The MT recently reviewed some of this material and offered feedback that warrants timely follow-up and corrective action.

1. Human error resulting from inconsistent interpretation or standards can result in the miscoding or improper classification of incidents.
2. Limitations in the amount of text that deputies can enter into the mobile computer data system should be addressed to ensure that adequate information is provided.

The MT members acknowledge that, in a perfect environment, the mobile data system components used to capture data in the field, the daily reviews undertaken to ensure that data are complete and accurate, and a periodic review by the Compliance Unit (or other reviewing bodies) of the

spreadsheets provided by the districts may well provide a reasonable way to audit the relevant data and determine whether the enforcement activities in the field comply with the SA. However, the MT has found that the current data system often stands in the way of compliance.

First, if an investigatory stop or resulting search is not properly coded in the CAD system—and thus does not reflect the proper code on the deputy's worksheet—the incident may not be evaluated with the same rigor that is intended in the SA and expected by the community. Moreover, it will not be captured on the spreadsheet that the Compliance Unit compiles for review. However, first-line LASD supervisors are required to review deputies' complete logs for accuracy and sufficiency, which should help mitigate these identified shortcomings when done properly.

Second, the limited ability of the current mobile data system to accommodate an expanded narrative prevents deputies from fully describing the facts and circumstances that may have led to an investigative stop, detention, or search. Stops, detentions, and searches are obvious and often perceived as significant Constitutional intrusions on individual liberties. The facts and circumstances leading to those intrusions must be fully and unambiguously described, as laid out in paragraphs 44 and 45 of the SA, so that they may be scrutinized and rigorously reviewed by first-line supervision and command-level personnel, as laid out in SA paragraphs 58–63. A limited data field forces the deputy to be too concise; more detailed and descriptive language is often necessary to fully articulate the basis for the deputy's actions. Similarly, the limited data field—especially when combined with possible coding errors—makes it very difficult for a supervisor to properly evaluate the information on the deputy's worksheet.

To its credit, the Department was already aware of these potential shortcomings and is taking affirmative steps to remedy them, including the recent addition of data fields for backseat detention length, parole/probation contacts, and vehicle storages/impounds. LASD has also expressed a commitment to improving this process and developing compliance mechanisms that are consistent with Department obligations. LASD has begun the hard work of securing a new CAD system, and it is imperative that the new system provide adequate flexibility and capabilities to address these issues. Such a system must ensure that the Department captures a multitude of incident types with the specificity needed to best describe incidents and to allow for a fully unlimited narrative that describes the deputy's actions—especially if those actions relate to stops, investigatory detentions, and searches.

Meanwhile, pursuant to the approved Supplemental Supervisory Responsibilities Unit Order, the Department must take immediate steps to ensure that first-line supervisors are auditing deputies' worksheets to ensure that there is proper justification for stops, investigatory detentions, and searches—and that the correct incident codes are being assigned. This will allow LASD to best comply with the SA and improve the quality, accuracy, and reliability of the data they collect.

3. Stops, Seizures, and Searches Training

The training requirements regarding stops, searches, and seizures laid out in the SA are encapsulated in the Department's Constitutional Policing training curriculum. Briefly, paragraph 57 of the SA states that LASD will train all of its deputies on stops, searches, and detentions using a qualified legal instructor who has Fourth Amendment experience. The training must teach officers about the Amendment's legal restrictions, as well as the Department's own restrictions, related to stops, searches, and detentions. It will distinguish the various types of police contacts (defined by scope and

level of intrusions; the difference between probable cause, reasonable suspicion, and speculation; and true voluntary consent). The training will also guide officers on what they should consider when initiating, carrying out, or expanding a search—including legal and policy considerations. It will also address procedural justice considerations, alternatives to conducting the stops, and the potentially negative impact on civilians when taking such actions. “Best practice” training methods will be used, including role-playing and other techniques that have proven effective for adult learners. The goal is to ensure that all deputies exercise good judgment that is based on knowledge of the law.

The development and implementation of policies that are Constitutionally sound and consistent with the terms of the SA and best law enforcement practices requires effective, comprehensive, and consistently reinforced training. The SA makes clear the basic elements that are needed in that training (in particular, in paragraph 57), but it remains LASD’s responsibility to develop such training and ensure that it is properly delivered to LASD personnel in the Antelope Valley. Certain provisions of the SA require the MT to review the adequacy of training, training needs, and documentation of training (SA paragraphs 160–172). These particular provisions require the Department to submit the training curriculum and lesson plans for review prior to publication; the MT is required to provide feedback and set out a timeline for implementation once the Parties have agreed on the content.

To develop both this training and that required for Bias-Free Policing (see next section), LASD partnered with two independent contractors who have significant experience and expertise in constitutional law and law enforcement practices. Lesson plans were developed in accordance with the SA and, during the second monitoring period, were submitted to DOJ and the MT for review.

The MT is encouraged by the progress of the last several months and looks forward to seeing the training implemented and to monitoring that training as it proceeds. The materials submitted for evaluation provided a good overview of fundamental principles, many of which the deputies should clearly understand, as those principles already guide their work in the field. LASD clearly made strong efforts to comply with the SA when developing the lesson plans. As also described in the Second Semi-Annual Report, the MT noted some deficiencies—the most significant of which are elaborated upon below—and has brought these to the attention of LASD. LASD and its training consultants were responsive and recently submitted an expanded curriculum for review.

The SA addresses the right of persons to photograph or record the actions of deputies in public places, in which a citizen’s presence does not impede or otherwise obstruct a deputy from performing lawful duties. The MT requested, and the Department has agreed to incorporate into the training materials, information on basic citizen protections that are covered under the First Amendment. In addition, the MT provided the Department with an adult learning model that can illustrate these important principles.

The MT requested, and the Department has agreed to incorporate, information on what the law enforcement literature has labeled “Contempt of Cop.” Contempt of Cop refers to enforcement actions that a deputy might employ solely because a person has challenged the deputy’s authority or has willfully disregarded an order that was not within the deputy’s legal authority to give. The MT specifically recommended that the materials include the US Supreme Court decision that addresses this issue,² and suggested various articles that discuss the context of a deputy’s discretionary decision-making.

² *City of Houston v. Hill*, 482 U.S. 451 (1987).

The MT and DOJ made several recommendations aimed at ensuring that the various terms and concepts presented in the training will be clearly understood by personnel and easy to apply in on-the-job circumstances. These included the use of less complicated language, reduced ambiguity in describing what is expected in certain situations such as consent searches, and the inclusion of real-world examples demonstrating the various concepts and practices.

Lastly, the MT requested, and the Department has agreed to include, additional information on how the US Constitution deals with a law enforcement officer's use of force against a citizen,³ how the Constitution's Equal Protection Clause relates to what the courts have referred to as "pretextual stops,"⁴ and how a decision to stop an individual is affected by that individual's presence in a high-crime area.⁵

There are a few more points being discussed among the Parties regarding this training curriculum, but it is expected that it will be finalized and approved in the early weeks of the next reporting period.

4. The Monitoring Team's Comments Regarding the Department's Analysis of Stops and Use-of-Force Data

LASD submitted a report to the MT and DOJ that analyzed LASD data on stops, citations, searches, arrests, and use of force by race and ethnicity in Lancaster and Palmdale Stations in 2015. The MT reviewed the report, entitled *Analysis of LASD Stop and Use of Force Data for Antelope Valley*, during this reporting period. The report addressed parts of several paragraphs in the SA that require the Department to perform a semi-annual analysis of data to identify patterns and trends and determine whether there are disparities by race or ethnicity—or other issues related to Constitutional policing—related to stops, searches, seizures, certain citations, arrests, uses of force and related investigations, backseat detentions, consent searches, vehicle impoundments, citizen complaints, and Section 8 compliance checks involving deputies (see SA paragraphs 82–83 and 120–121).

The report concludes that there was no pattern of racial or ethnic disparity. Although LASD has made significant strides to improve data collection and analysis since DOJ's investigation, the MT believes there are significant deficiencies in the draft report and is recommending that it not be approved.

To provide guidance to the Department, the MT presented a summary of its review along with various requests for clarification. In summary, the MT concluded the report and its analysis as it stood did not reliably show whether or not law enforcement activity in the Antelope Valley has a disparate impact on any racial or ethnic group, and thus did not meet the requirements of the SA.

The most crucial concerns were related to:

- In some areas, a lack of clarity regarding which statistical analysis was used, which variables were included, and what statistical assumptions or choices guided the analysis.

³ *Graham v. Connor*, 490 U.S. 386 (1989).

⁴ *Whren v. United States*, 517 U.S. 806 (1996).

⁵ *Illinois v. Wardlow*, 528 U.S. 119 (2000).

- Questions regarding the choice of control variables in the regression models.
- Questions regarding the coding and analysis of discretionary stops, searches, and arrests, including the inclusion of misdemeanor arrests in the reported crime and crime rate calculations.
- Omission of an assessment of potential racial or ethnic disparities in stops, searches, and arrests of people of color in reporting districts where they are not the predominant group.
- Inclusion of vehicle seizures in the hit rate analysis, which the SA states should focus on stops that lead to the discovery of contraband.
- Questions regarding potential inaccuracies in how use-of-force incidents were categorized.
- Insufficient discussion/further development of those analyses that indicated statistically significant disparities.

The MT also noted the absence of a thorough, qualitative analysis of stop, citation, search, and arrest decision-making, including a review of the application of the legal thresholds of reasonable suspicion and probable cause. Such an analysis would add context and give a more complete understanding of the quantitative findings.

In the start of the next reporting period, the MT and DOJ will be discussing the report with the researchers who performed the analysis and determining next steps for clarifying and improving the analysis and report, and for completing the analyses not addressed thus far.

5. The Monitoring Team's Next Steps

The revised Constitutional Policing curriculum was submitted to the MT in December 2016, and the MT has begun its review. The MT is optimistic that the revised curriculum will be piloted with a selection of deputies from the AV in the next reporting period. The pilot will be observed and assessed by DOJ and the MT for content and delivery, instructor expertise, adherence to principles of adult learning, and participants' understanding.

During the next monitoring period, the MT intends to work closely with LASD to better understand how it currently reviews and evaluates deputy decision-making, especially the discretionary decision-making related to investigation and enforcement of the actions addressed by the SA. If and when deficiencies are noted, the MT will work with LASD and DOJ to identify and incorporate best practices into the daily operation, as well as the regular audits and inspections, of the Lancaster and Palmdale stations. Progress in this regard will be a major topic of future reports throughout the entire monitoring process.

In addition to working closely with LASD and DOJ to ensure proper data collection and analysis, the MT will periodically accompany deputies on patrol, making observations and conducting informal interviews to determine current operational practices in the field pertaining to investigatory stops,

detentions, and searches. Central to the MT's observations and inquiries will be the consideration of the myriad factors that influence a deputy's decision-making and resulting actions, and whether and how those actions are documented, tracked, and evaluated.

The MT will also be reviewing LASD-generated statistical data, as well as conducting qualitative reviews of report narratives that pertain to investigatory stops, detentions, searches, and arrests. This work will include a review of any supervisor-initiated or citizen-based complaints that involve possible or alleged Constitutional intrusions.

D. Bias-Free Policing

As described in the SA, LASD has agreed to "deliver police services that are equitable, respectful, and bias-free, in a manner that promotes broad community engagement and confidence in the department." The SA requires the Department to prohibit the undue consideration of certain traits and characteristics, such as race, gender, religion, sexual orientation, or immigration status, in making decisions about law enforcement actions. The SA requires that deputies receive clear guidance—through policy, training, and supervision—as to prohibited conduct, which includes making enforcement and tactical decisions based on stereotypes or bias. The SA stipulates that the Department seek consultation as necessary from such organizations as the Museum of Tolerance (with whom the Department already works) to ensure that the guidance—and the manner in which the guidance is given—takes implicit bias and stereotyping into consideration.

Other provisions establish that bias-free policing must be included in the criteria used to assess deputy performance and that the Department must perform a review of all of its policies and practices, as well as its organizational climate, to determine if there are any discriminatory practices or practices that have disparate impact (summary of SA paragraphs 64–72). Quickly after the SA was signed, the Department incorporated a prohibition against bias-based policing into its policies, based on paragraphs 43 and 64 of the SA. The prohibition states:

LASD-AV deputies shall not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation as a factor, to any extent or degree, in establishing reasonable suspicion or probable cause, except as part of actual and credible description(s) of a specific suspect or suspects in any criminal investigations. Deputies shall not initiate stops or other field contacts because of an individual's actual or perceived immigration status.

The Department also developed a policy addressing Limited English Proficiency, the details of which are currently being finalized. The bulk of the remaining activity regarding bias-free policing has been related to development of the Bias-Free Policing training curriculum.

1. Bias-Free Policing Training

In conjunction with the development of the Constitutional Policing training curriculum described in the previous section, the Department has developed and submitted for review a Bias-Free Policing training curriculum. This lesson plan and its supplemental materials provide a good overview of the important principles of bias-free policing and procedural justice, which have a prominent place in the

President's Twenty-First Century Policing Task Force Report⁶ and which will serve as a training priority for law enforcement agencies across the country. Bias-free policing training is a burgeoning issue across the country, and the law enforcement community has only begun to identify promising practices and standards. For that reason, the development of a Bias-Free Policing training curriculum that is compliant with the SA is likely to require significant effort and time. The MT and DOJ have reviewed the curriculum and corresponding lesson plan on bias-free policing that the Department submitted and are currently reviewing another curriculum that was developed externally. The MT and DOJ will provide feedback to the Department and discuss next steps during the next reporting period.

The MT has requested that this particular training module begin with a strong message from the Sheriff to underscore the importance of this training, and it has stressed the importance of embedding the principles of bias-free policing, procedural justice, and legitimacy in the organizational culture of LASD. The MT also recommended that greater emphasis be placed on effective and engaged supervision as a critical part of the accountability systems detailed in the SA (discussed below in the Accountability section). It is anticipated that additional supplemental materials will need to be developed to address issues specifically related to the SA and to Antelope Valley. The training curriculum will also address Section 8 Housing investigations.

2. Stops, Seizures, and Searches: Next Steps

The MT will conduct a review of the final training curriculum on Constitutional Law and Bias-Free Policing, and at least one team member will attend and assess the training itself to ensure compliance with the SA. Thereafter, the MT will review critiques and feedback provided by LASD and develop a mechanism by which to share that feedback with LASD training staff and the Sheriff.

E. Enforcement of Section 8 Compliance

1. Settlement Agreement

The DOJ investigation that led to the SA found that LASD participated in investigations by the Housing Authority of the County of Los Angeles (HACoLA) of the homes of AV Section 8 voucher holders at disproportionate rates compared to the remaining parts of the County in which HACoLA's and LASD's jurisdictions overlap. The DOJ investigation concluded that some of these activities violated the Fair Housing Act (FHA). Following the settlement of separate litigation brought by Community Action League and other plaintiffs in 2012, LASD has not accompanied HACoLA workers during investigations or inspections of the homes of AV Section 8 voucher holders.

Pursuant to the SA, LASD has developed a housing non-discrimination policy that reflects its commitment to the Fair Housing Act. The MT is working with LASD on a revision that provides examples of FHA violations and better explains how a complaint of housing discrimination is filed. The policy is to be disseminated to all sworn LASD-AV deputies (SA paragraphs 73–75).

The SA also requires that Field Operations Directive 12-02 (FOD 12-02) be revised to address the following provisions on Enforcement of Section 8 Compliance. LASD must:

⁶ President's Task Force on 21st Century Policing. (2015). *Final report of the President's task force on 21st century policing*. Washington, DC: Office of Community-Oriented Policing Services. Available at <https://cops.usdoj.gov/policingtaskforce>

- Revise its policies contained in FOD 12-02 regarding when and how deputies accompany Housing Authority workers during administrative investigations or inspections for Section 8 compliance. Policies should specifically outline factors to be considered when assessing the need for deputy accompaniment and the number of deputies necessary (SA paragraph 76).
- Institute policies that deal with investigations upon referral by HACoLA of allegations of fraud in the Section 8 Program (SA paragraph 77).
- Institute policies regarding its own independent investigations of alleged fraud in the Section 8 Program (SA paragraph 77).
- Revise its policies to include guidance on referral of cases for criminal fraud prosecution based solely on compliance with the Section 8 contract (SA paragraph 77).
- Revise its policies to include guidance on the proper procedures for sharing information with a Housing Authority worker (SA paragraph 77).
- Have deputies document all voucher holder compliance checks; each independent investigation for criminal fraud based on the voucher holder's compliance with the voucher contract; and all calls, observations, or incidents involving voucher holders, using stat code 787 (SA paragraphs 78–80).

SA paragraphs 53–55 also address how LASD-AV should conduct searches related to Section 8 compliance checks.

2. Monitoring Team Activities

During this six-month reporting period, the MT worked with representatives from the DOJ Housing Section to review and revise LASD's drafts of its Housing Non-Discrimination Policy and FOD 12-02; the resulting revisions were submitted to LASD. A series of discussions were held with LASD representatives in an effort to arrive at final approved Housing Non-Discrimination and Enforcement of Section 8 Compliance policies. MT members also accompanied LASD deputies assigned to Palmdale's Partners Against Crime Program on ride-alongs to gain an understanding of the deputies' role in the PAC program.

3. Housing Non-Discrimination Policy

In March 2016, LASD submitted for the MT's review a draft Housing Non-Discrimination Policy, which stated its commitment not to violate the specific provisions of the FHA that are referenced in the SA. The SA requires, however, that LASD "implement a Housing Non-Discrimination Policy which reflects LASD's commitment to the requirements of the FHA . . ." The FHA is not a statute that law enforcement agencies typically have to interpret or apply. However, the particular outcomes of the

⁷ Settlement Agreement, paragraph 73.

DOJ investigation that resulted in the specific SA provisions on Enforcement of Section 8 Compliance required more than a commitment *not* to violate the language of the statute. To accomplish this goal, the commitment has to be part of a policy statement that ensures deputies fully understand how and when their actions have FHA implications, so that they can avoid violations. To provide context and understanding of FHA implications for deputies within the policy, the MT—in consultation with DOJ Housing Section attorneys—revised the LASD March 2016 draft policy. They added concrete examples of deputy actions that can result in FHA violations and provided it to LASD on September 5, 2016.

There was a brief discussion of the revised Housing Non-Discrimination Policy during the MT's September 2016 site visit. During two follow-up calls in November 2016, the MT and the Parties thoroughly discussed the language and format of the policy. These calls resulted in substantial progress on the policy's language. A decision was also made to consider placing the policy in a Field Operations Directive format so that the Parties can consider both options, which LASD has now done. LASD submitted the revised Housing Non-Discrimination Policy to the Monitor in November 2016, and it is currently under review. The LASD Housing Non-Discrimination Policy will likely be finalized during the next reporting period.

Aside from the Housing Non-Discrimination Policy, all of LASD's Enforcement of Section 8 Compliance policies are contained in FOD 12-02. During this six-month review period, the MT followed up on its April 2016 discussion with LASD regarding revisions to FOD 12-02. The MT—with input from DOJ Housing Section attorneys—revised the language in FOD 12-02 to address the policies on Accompaniment of Section 8 Compliance Checks, Independent Investigations of Compliance with Section 8, and Fair Housing Reporting and Analysis that were submitted by LASD in July 2016.

During its September site visit, the MT—with DOJ Housing Section representatives participating via conference call—met with members of the LASD Compliance Unit to review the proposed revisions. The participants reached agreement on all of the proposed revisions to FOD 12-02, with two exceptions. One exception concerned changes related to independent investigations of compliance with Section 8—more specifically, investigations of fraud on the voucher program. Newly revised language addressing investigations of fraud on the voucher program was presented to LASD, and the Parties reached an agreement on this language during a November 2016 conference call. The second exception was related to the MT's proposal to delete language stating that the policy would not apply to LASD personnel working under a Memorandum of Understanding or Interdepartmental Agreement with HACoLA; the only remaining issue is whether this language will be removed from FOD 12-02, which the Department is considering.

Based on the attention and level of collaboration LASD has shown in addressing the Enforcement of Section 8 Compliance provisions, the MT expects to accomplish revisions to FOD 12-02 that meet the requirements of the SA early in the next reporting period.

4. Section 8 and FHA Training

The Stops, Seizures, and Searches section of the SA (SA III) requires LASD to provide training that includes "... guidance on the facts and circumstances[,] in addition to legal and policy limitations, that should be considered in initiating [or] conducting . . . Section 8-related activities."⁸ This training must be based on the final, relevant Enforcement of Section 8 Compliance policies in FOD 12-02.

⁸ Settlement Agreement, paragraph 57c.

Appropriate training material has to await finalization of FOD 12-02, to ensure that the training reflects the finalized policy.

The Bias-Free Policing section of the SA (SA IV) requires LASD to provide training that addresses “the requirements of the FHA, with specific emphasis on discrimination on the basis of race.”⁹ Appropriate training material has to await finalization of the Housing Non-Discrimination Policy.

5. Palmdale Partners Against Crime Program and Lancaster Community Appreciation Program

Special operation units of LASD deputies team with both Palmdale and Lancaster in their respective programs addressing illegal activity and quality-of-life issues at multi-family property sites: Palmdale’s Partners Against Crime (PAC) program and Lancaster’s Community Appreciation Program (LAN-CAP). The deputies work with rental property owners, managers, and residents to address their particular law enforcement– and safety-related issues. These programs are of interest to the MT due to both the Section 8 housing and the community engagement provisions of the SA.

The following is a list of program requirements that a property manager or owner must complete to receive a PAC certification. These are listed on the City of Palmdale’s PAC website:¹⁰

- A landlord training program that provides “an in-depth look at managing rental properties, keeping illegal activities off properties and the current laws and practices involved with landlords and their tenants.”
- Crime prevention through environmental design (CPTED) inspections that provide instruction to property owners on CPTED modifications that “address physical design of a property ... to deter criminal activity.”
- The Partners Against Crime Apartment Watch training, in which “residents [of houses, apartments, or mobile homes] receive crime prevention training.”

LAN-CAP, which also teams with the Los Angeles County District Attorney’s office, requires owners of larger apartment complexes to obtain a certification that they have completed training consisting of a “landlord training class, implementation of crime prevention through environmental design (CPTED) strategies, and a rental community crime prevention training session for the residents of the property.”¹¹ LAN-CAP’s website also states that classes focus on, among other things, “such areas as screening of tenancy applicants and crime prevention.” Property managers and staff can also attend the landlord classes.

Both of these special operation units within LASD-AV provide services to private apartment complexes and take on special assignments, but do not usually respond to radio calls. The MT was specifically interested in conducting ride-alongs with these specialized units to observe the public’s interaction

⁹ *Id.*, paragraph 70e.

¹⁰ <http://www.cityofpalmdale.org/Residents/Neighborhood-Services/Partners-Against-Crime>

¹¹ <http://www.cityoflancasterca.org/about-us/departments-services/public-safety/contract-services-emergency-response/l-a-county-sheriff-s-department/special-teams/lancaster-community-app>

with the teams that are the most likely to make arrests and have direct interaction with residents of apartment complexes.

During the September 2016 site visit, MT members accompanied LASD Palmdale PAC team members on ride-alongs and learned that the unit is composed of ten deputies and three supervisors. The deputies' primary responsibility is crime prevention at their assigned PAC-certified properties. It is important to note that, although it was principally the activities of LASD related to the Section 8 voucher program that resulted in the FHA violations addressed in the SA, the broad commitment not to violate the FHA and to implement a Housing Non-Discrimination Policy requires LASD to recognize the implications of the FHA in all of LASD's work related to housing, including the work and activities undertaken by the Palmdale and Lancaster special operation units.

The MT anticipates further engagement with the PAC and LAN-CAP teams related to enforcement of the Section 8 and FHA compliance provisions of the SA, as well as the community engagement provisions.

6. Enforcement of Section 8: Next Steps

It is expected that in the first months of the next reporting period, the Parties will approve final versions of the two Section 8-related policies.

During the next reporting period, the MT will review and assess LASD's capacity to effectively track and respond to housing-related complaints.

The MT will review the training curricula that are currently being developed by LASD (with DOJ and MT consultation) to address the Section 8-related provisions of the SA.

The MT will further engage the PAC and LAN-CAP teams in their activities, the community response to their activities, and the resulting outcomes.

F. Community Engagement

The prologue to the Community Engagement section of the SA states that "LASD agrees to promote and strengthen partnerships within the community, to engage constructively with the community to ensure collaborative problem-solving and bias-free policing, and to increase community confidence in the Department."¹²

As described in the last six-month report, the term "community engagement" primarily refers to the Department's efforts to engage the community and thus build and maintain trust and confidence in the Department among all of the community members, as per the goals of the SA. The MT's role in the community-engagement process is to observe and assess LASD's efforts to interact with and improve its relations with the AV community. To complete its role, the MT also has its own process of engagement with AV community members, which it must undertake in order to understand and assess the nature of LASD's relationship to the community and, in particular, the community's

¹² Settlement Agreement, prologue to Section VII (page 20, lines 2-4).

attitudes and perceptions regarding LASD. As with other sections of the SA, the MT may also provide advice and technical assistance as appropriate and necessary.

1. Monitoring Team Activities

The MT made three site visits during this monitoring period (September 7–9, November 16–17, and December 1) to further engage with the community, to learn about their current experiences with and observations of LASD, and to be able to directly observe engagement and interactions between LASD and the community. Members of the MT continue to be involved in activities such as:

- Individual and group meetings/discussion with community members
- Hosting community meetings
- Interviewing community leaders
- Meeting with LASD Community Advisory Committees (CACs)
- Participating in ride-alongs with sheriff's deputies
- Reviewing LASD community engagement reports
- Reviewing drafts of LASD community relations material
- Receiving and following up on community members' calls, emails, and other inquiries informing the MT of complaints they have lodged with the AV stations or providing feedback to the team.

2. Site Visits

The MT conducted three consecutive days of onsite monitoring in the Antelope Valley in September 2016. The purpose of this visit was to monitor certain aspects of the SA, to meet with LASD officials and community members, and (for newer team members) to become better acquainted with the Antelope Valley).

On September 7, MT members met with the Lancaster Community Advisory Committee (Lancaster CAC), along with the captain of the Lancaster Station and other LASD personnel. The team discussed the previous six-month monitoring report, how they perceive their roles and responsibilities, and the Palmdale and Lancaster Stations' draft brochure, *What to Do If You Are Stopped by a Deputy Sheriff in the Antelope Valley*, which the MT has reviewed. (There is a Department-wide version of this brochure that has been in public circulation for a number of years. The AV stations intend to have a different brochure that is AV-specific; this draft has been submitted to the MT, DOJ, and the CACs for comment, but not yet distributed to the public.) The MT also responded to questions and concerns raised by the Lancaster CAC and LASD personnel regarding the monitoring process.

In conversations with the MT, AV community members had raised concerns regarding the independence of the CACs and whether they properly represented the full AV community. There was also concern regarding LASD's Department-wide brochure *What to Do When Stopped by a Deputy Sheriff* in that it was perceived as not so much an explanation of individual rights during a police stop, but instructions on how to comply with a deputy's commands. At the CAC meeting, the CAC members discussed their role and what will be required to serve as an effective liaison between the community and LASD. The CAC also explained to and assured the MT that they would express to the broader community that this Department-wide brochure has been in development for well over a year and is not meant as a response to the SA mandate that LASD develop "Know Your Rights" material for the community.

The MT also conducted three ride-alongs with the Palmdale and Lancaster special units. The MT accompanied deputies as they patrolled Lancaster and Palmdale, observing their interactions with the public during calls for service and whether they were conducting stops in accordance with the SA. These ride-alongs also involved deputies assigned to the cities' special operations units focusing on residential complexes, which were described above in the Enforcement of Section 8 Compliance section of this report.

On September 8, the MT hosted a community meeting at Living Stone Cathedral in Littlerock, an unincorporated city adjacent to Palmdale that is within LASD's purview in the Antelope Valley.

The following comments and concerns were raised by community members during this meeting. The MT is working to incorporate the community's comments into its own efforts and has forwarded them to the Department.

- At a meeting held by an alliance of pastors (Black Churches Together), Lancaster deputies had presented the Department-wide brochure *What to Do When Stopped by a Deputy Sheriff* and a related "training video." These community members found the brochure to be too detailed and technical, and generally unhelpful. They felt the video was inappropriate—and, in fact, counterproductive—in that it showed "what not to do" at a traffic stop, and the scene depicted as an example was of a Black person who walks up to a police car and shoots the deputy.
- There needs to be better information provided to the community on how to contact the MT and the CACs. Information should be made available on local TV and radio.
- The community needs to be given advance notice of upcoming meetings and events, including those held by the MT.
- It would be helpful if forms for community members to make complaints were available at more locations, such as churches, civic organizations, schools, social service offices, and the DMV. Spanish-language forms and signs should be more plentiful, more prominent, and readily available. (The Department currently makes forms available online, in County buildings, and upon request via email, fax, in person, and telephone.)

- Community members find the staff at the front desk of the AV Stations rude, unhelpful, and unprofessional, and have the perception that these personnel want to deter public access to the Department.
- School police need to introduce themselves to students and parents, build relationships, and be a true “resource.”
- Meeting participants said that they need “neighborhood cops”—deputies who walk beats and don’t just stay in their cars.
- There needs to be more diversity among the ranks of the deputies in the AV; more black and Latino deputies are especially needed.

3. LASD Community Engagement Activity

The LASD AV stations maintain a monthly Community Engagement Tracking Report, which lists the various meetings and events that LASD personnel have attended. It is clear that LASD is participating in numerous community events and has been making a concerted effort to reach out to the various AV communities, and to track these outreach efforts. With regard to tracking, on September 25, the MT submitted a memo to LASD that provided detailed feedback and recommended edits to LASD’s Community Engagement Tracking Report. The MT recommended that more information be added about what happened at each event, as well as a complete list of the deputies who attended each event and whether any follow-up is needed. This information is important for the MT and LASD in assessing SA compliance, and will assist the Department in allocating internal resources.

On December 1, the MT met with staff from the AV Stations and the LASD Compliance Unit to review a new Community Tracker report that was developed by the Palmdale Station. This new report is much more detailed than the previous version and includes a tab that tracks all the deputies at the station who have attended community events. The report also features links within the description of each event to photos and other related documents. The new report and its corresponding documents satisfy the MT’s requested modifications to the Community Engagement Tracking Report. The Lancaster Station will also begin using the new Community Tracker report; beginning in January 2017, LASD will provide monthly updates to the MT on its implementation and reception.

On November 16, the Palmdale CAC held its quarterly community town hall meeting at Guidance Charter School in East Palmdale. After CAC members summarized the MT’s Second Semi-Annual Report, the participants broke into small groups for discussion. Members of the community—including several youth who are students at Guidance Charter School—sat with deputies from the Palmdale Station and had a detailed discussion about police–community relations. This direct dialogue between community members and a number of deputies (not just leadership or spokespersons) is the type of engagement that the MT is encouraged to see.

On December 15, 2016, the Lancaster CAC held its quarterly community public meeting at the Growing Valley Baptist Church in Lancaster. Each member of the CAC addressed a section of the MT’s Second Semi-Annual Report, and members of the audience were encouraged to ask questions. LASD reported that throughout the meeting, there was a good amount of audience participation.

Information regarding the Settlement Agreement, updated policies, and upcoming training for sheriff's personnel appeared to be well-received.

4. Monitoring Team Recommendations

LASD recognizes the value of community engagement as a means of working to establish long-term relationships with communities and community members, especially in communities of color and with youth (as specified by the SA). The MT has discussed with LASD personnel that they can achieve these objectives by embracing the importance of the community's role as direct participant in and co-producer of community safety. Strategies for achieving this include sincere community dialogues, participating in community meetings and events, receiving and responding to community input, and recognizing the community's role in problem-oriented policing strategies. The MT continues to emphasize the following specific suggestions on how LASD-AV can improve community engagement:

- Participate in meetings held in the community, where deputies attend and engage in the meetings and don't merely stand up in the back and stay silent. Attend open NAACP meetings (as the Lancaster station often does), League of United Latin American Citizens (LULAC) meetings, church meetings, neighborhood meetings, etc.
- Beyond the CAC meetings, LASD could host quarterly town hall meetings for the purpose of hearing from the community, not just "talking at" the community or giving reports. At these meetings, LASD should be represented by more than just the captains of each station and a few others in leadership. Deputies should attend these meetings and sit with and engage community members.
- Each station should hold a community event (or a series of town hall-style meetings) in Spanish—not a meeting held in English and translated into Spanish, but a meeting held in Spanish that is translated into English for those who need it. It was also suggested that LASD make it clear that undocumented members of the community are invited to the meeting, and guarantee that it will be safe for them to attend.

As mentioned above, the MT has reviewed the Lancaster and Palmdale Stations' traffic stop brochure *What to Do If You Are Stopped By a Deputy Sheriff in the Antelope Valley* to determine whether it meets the requirements of SA paragraph 52, which requires the Department to produce a one-page explanation of a citizen's right to refuse or revoke consent to a law enforcement search at any time. The MT reported certain concerns to the Department regarding the brochure's content, clarity, and tone. The MT will work with the Department and the CACs in the next reporting period to produce a document that most effectively meets the SA mandate.

5. Recommendations for the Lancaster and Palmdale Community Advisory Committees

Paragraph 93 of the SA provides the following description of the responsibilities of the CACs.

LASD will continue to support Lancaster and Palmdale's CACs to advise and provide feedback to the LASD's Antelope Valley stations. [The CACs] will leverage the insights and expertise of the community to address policing concerns, including, but not

limited to, racial or ethnic profiling and access to law enforcement services, and promote greater transparency and public understanding of LASD.¹³

The CACs' authorized duties include:

- Advising the Sheriff and the station commanders on strategies and training to improve community relations, bias-free policing, and access to the civilian complaint system.
- Working with the Sheriff and station commanders to establish and carry out community public safety priorities.
- Informing the community about the SA and its implementation.
- Receive and convey to LASD public comments and concerns.¹⁴

After engaging in a series of meetings with the CACs, hearing from community members about the CACs, and observing CAC town hall meetings, the MT makes the following recommendations:

- At every meeting with LASD, the CACs should have a standing agenda item consisting of sharing with LASD the concerns and complaints that community members have raised. This will also mean that CAC members must make themselves available to hear from community members regarding their concerns about LASD.
- The CACs should keep minutes of their meetings, or at least document the specific concerns or issues brought to LASD and how they were resolved.
- Although the CACs are currently made up of a diverse group of respected community leaders, each CAC should consider adding to its ranks additional members of the community who are particularly critical of LASD. The MT has also recommended that each CAC add a formerly incarcerated person; this proposal was discussed among the Parties and it was agreed that it would not be mandatory for the CACs to include a formerly incarcerated person, but that former incarceration would not be an excluding factor.
- The Palmdale CAC should add a youth member.

6. Community Engagement: Next Steps

In the first part of the next reporting period, the MT will submit to the Parties, for review and approval, compliance measures for the Community Engagement section of the SA. These will operationalize the SA in regard to what constitutes effective community engagement, how often and in what ways deputies will be required to participate in community engagement activities, how the Department will

¹³ Settlement Agreement, paragraph 93.

¹⁴ *Id.*

ensure that all members of the AV community have the opportunity to become engaged, and how Departmental and community efforts will be tracked and assessed.

The Community Survey (SA paragraphs 98–101) will be a prime focus for the MT’s community engagement work in the next six months. The survey will use qualitative and quantitative methodologies, and will place a special emphasis on obtaining responses from hard-to-reach populations. From a broader search, the MT has identified two independent contractors with the capacity to do the multi-approach survey the MT feels is necessary to ensure all voices within the AV community are included. At this point the MT is comparing proposals and will make a final recommendation to the Parties.

The MT will continue to support the CACs in defining their roles, hearing and conveying to the Department diverse voices from their communities, and tracking their efforts.

G. Use of Force

Section VIII of the SA governs LASD policies, procedures, and culture associated with use of force (UOF) by department members. It states that LASD “agrees to revise its force policies and practices to reflect its commitment to upholding the rights secured or protected by the Constitution of the United States, protecting human life and the dignity of every individual, and maintaining public safety.”¹⁵ In particular, LASD has agreed “to ensure that its accountability measures are implemented appropriately”¹⁶ so that AV deputies:

- Use force only when objectively reasonable, and in a manner that avoids unnecessary injury to deputies and civilians;
- Use force as a last resort and de-escalate the use of force at the earliest possible moment; and
- Endeavor to use only that level of force necessary for the situation.¹⁷

To achieve these outcomes, LASD agreed to revise its policies and associated training materials to abide by paragraphs 102–123 of the SA, which govern the following:

- The use of force and the use of advisements, warnings, threat assessments, de-escalation, and proportionality; and the prohibition of retaliatory force (SA paragraphs 102–105).
- The prohibition or discouragement of a member of the public who lawfully takes photographs or video of police activities (SA paragraph 106).

¹⁵ Settlement Agreement, prologue to Section VIII (page 24, lines 4–7).

¹⁶ *Id.*, lines 7–8.

¹⁷ *Id.*, lines 8–12.

- Training and reporting requirements associated with impact weapon head strikes (SA paragraph 107).
- Use of force reporting requirements, including the use of unreasonable force or canned or boilerplate language by AV deputies (SA paragraphs 108–110).
- Expectations and requirements of supervisors to respond to the scene of any use of force incident involving an AV deputy, to conduct a thorough and complete investigation, and to submit the investigation through the chain of command (SA paragraphs 111–113, 116).
- The management review of use of force investigations for completeness; trends including issuing or revising policies, directives, and training bulletins, or providing additional mentoring and supervision to individual deputies; the identification of policy deviations and training or tactical concerns, along with the expectations associated with the Executive Force Review Committee’s review of use of force incidents and the response by the IAB Force/Shooting Response Team (SA paragraphs 113–115, 117).
- AV unit commanders’ reviewing and tracking of “training and tactical review”–related findings, recommendations, and comments, to ensure that informal supervisory feedback is not used in place of formal discipline, in the event that formal discipline is more appropriate. LASD will ensure that the supervisory feedback, including feedback documented in the “training and tactical review” portion of a Supervisor’s Report on use of force, is documented in the Personnel Performance Index (SA paragraph 118).
- The requirements and contents of annual or biennial training for AV deputies in the use of force (SA paragraph 119).
- The requirement that, within one year of the effective date of the SA¹⁸ and at least annually thereafter, LASD will analyze the AV stations’ force data—including force-related outcome data—to identify significant trends, identify and correct deficiencies, and include an assessment of the frequency and nature of uses of force that:
 - » Are referred to IAB for investigation;
 - » Are the subject of misconduct complaints;
 - » Are the subject of civil suits;
 - » Relate to criminal-obstruction or resisting-arrest types of charges that are dismissed or declined by the prosecutor; or
 - » Involve repeat deputies or units.

¹⁸ The effective date of the Settlement Agreement was April 28, 2015.

- As a result of its analysis, LASD will determine whether policy or training curricula must change and will document the results of the analysis in a public report (SA paragraphs 120–123).

1. Monitoring Team Activities

During this six-month period, the MT conducted a comprehensive assessment of the policies, procedures, and culture associated with the use of force by Department staff. Additionally, extensive research was conducted into national best practices associated with de-escalation policies, and an outline was submitted to assist LASD in its development of such a policy.

To assess LASD's current procedures and requirements for force-related incidents, the MT interviewed AV command and supervisory staff and attended a presentation at the Compliance Unit. These activities dealt with LASD's Personnel Performance Index (see the Personnel Complaint Review and Accountability sections below), an electronic database tracking UOF information, and, in particular, LASD's ability to produce data that will support monitoring efforts associated with the use, investigation, and adjudication of force.

Two policies related to the public's right to record police activities are near approval: "Photography, Audio, and Videotaping by the Public and Members of the Press" and "Seizure of Photographic Video or Audio Evidence From a Private Citizen or Member of the Press." Both policies have been reviewed by the MT and DOJ, and proposed changes have been submitted to LASD; several discussions have been held since then, and the MT is confident that one outstanding issue will be resolved in the beginning of the next reporting period. Photography and digital recording is a particularly salient issue affecting policing across the county; given the hard work of LASD's Compliance Unit, the MT is confident that the final policy will be exemplary.

The MT completed additional activities related to its assessment of LASD's progress on its SA commitments associated with use of force investigations and adjudications, including:

- Work plans for the SA's force-related requirements (SA paragraphs 102–123); and
- Site visits to ascertain the way in which AV use-of-force incidents, including off-duty incidents, are reported, investigated, documented, and adjudicated.

The MT's review of LASD's use of force policies has found they are deficient in several areas, including the following:

- While the LASD policy does contain language addressing de-escalation, it is not sufficiently emphasized and reinforced. This is absolutely necessary to convey executive management's expectations on minimizing the need for Department members to resort to the use of force, and it is key to establishing the Department's use-of-force culture.
- The requirement on when a use-of-force incident must be reported can be interpreted differently by individual deputies and supervisors. Although senior LASD executives

have discretion associated with use-of-force investigations and outcomes, there should be no ambiguity or uncertainty at the line and supervisory levels as to what constitutes a reportable use-of-force event.

- There is no provision that explicitly states a requirement for off-duty deputies to report a UOF incident. This poses an unnecessary risk-management exposure, and LASD has a right and a duty to thoroughly investigate and review any off-duty UOF incident. LASD's policy states that its "members" are required to report force, but does not specifically provide that this also applies to off-duty personnel.
- The policy does not include a specific list of the factors that command staff should consider when determining whether the force used by a Department employee was reasonable (although the MT understands that command staff do consider a number of different factors that are not listed in policy). A clear identification of the factors that will be considered by management in its evaluation of UOF incidents will establish the guidelines for consistency.
- The policy contains several non-UOF provisions, such as tactical incident management, specific tactical considerations, the Department psychologist's response to critical incidents, rumor control, and statistical compilation. Cumulatively, those extraneous sections make the policy excessively long and burdensome; they should be removed from the UOF-policy section of LASD's manual of policy and procedures.

As a result of its review of the UOF policy, the MT prepared an outline of what an improved and comprehensive UOF policy would contain and how it might be structured. That document was the subject of discussion among the MT, LASD, and DOJ at the November 14–16 onsite visit. A very productive series of discussions about the outline and the original UOF policy took place. Those discussions resolved several significant issues, including the definitions of key elements such as reportable UOF incidents and the specific language to be used regarding the de-escalation of incidents to avoid the use of force. The Department will now work to develop a revised UOF policy that incorporates the new language and organizational elements.

2. Auditing and Accountability

The Institute of Internal Auditing (IIA) defines internal auditing as "an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes."¹⁹ Internal audits of high-risk activities—like the use of force—are critically important. They provide an independent assessment of the Department's expectations and the statutory mandates associated with the use, investigation, and adjudication of UOF incidents by Department members. If LASD management's oversight of the use, investigation, and adjudication of force cannot be trusted, then LASD management will not be trusted. Effective audit programs hold management accountable. LASD should clearly invest sufficient resources into an ongoing, Department-wide audit program to allow this program to produce regular and periodic, professional, transparent, and independent audits of high-risk activities—well after the termination of the SA.

¹⁹ <http://www.theiia.org/guidance/standards-and-guidance/ippf/definition-of-internal-auditing/?search%C2%BCdefinition>

The MT met with LASD's Audit and Accountability command staff to assess their operational independence, leadership, direction, and procedural guidelines and to open a dialogue regarding LASD's auditing efforts. The initial assessment was very positive regarding LASD leadership's commitment to the ongoing development of an independent, objective, risk-based auditing program.

3. Use of Force: Next Steps

The MT is in communication with LASD and is coordinating dates to interview LASD use-of-force training subject-matter experts and to attend UOF training—including academy training, Continuing Proficiency Training (CPT), training in firearms and defensive tactics, UOF and supervisory investigative training, and specific training required by the SA that is being developed for the AV. LASD has been extremely cooperative in coordinating MT members' attendance at all related UOF trainings, including those that are not specifically required by the SA.

In 2017, the MT will develop and provide specific recommendations related to an auditing work plan that will support the evaluation of LASD's use-of-force, reporting, investigation, and adjudication processes, and refinements to those processes that are consistent with contemporary and promising practices now evolving in this field.

H. Personnel Complaint Review

1. Settlement Agreement

Section IX of the Settlement Agreement, which governs personnel complaints, states that LASD agrees to ensure that all allegations of personnel misconduct are received; that they are fully and fairly investigated; and that personnel who commit misconduct are held accountable (SA paragraphs 124–140). A law enforcement agency's policy on the intake and classification of community complaints is a threshold to its entire disciplinary process. Complaints that are classified or categorized at a lower level than they merit may not receive the level of scrutiny they deserve, thus causing the Department to miss an opportunity to identify and fix serious problems. Those classified at an inappropriately high level may unnecessarily overextend Department resources. The SA specifically addresses the way personnel complaints are to be classified and requires the Department to distinguish them from non-disciplinary service complaints. Specifically, LASD has agreed to do the following:

- Revise its complaint investigation policies to ensure that all personnel allegations are classified accurately so that each allegation receives the appropriate level of review (SA paragraph 127);
- Ensure that personnel complaints are not misclassified as service complaints (SA paragraph 128); and
- Revise its policies regarding allegations that may require discipline and need to be investigated as administrative investigations, rather than as service complaints (SA paragraph 129).

2. Monitoring Team Activities

During this reporting period, the MT focused its efforts on the way community complaints are classified (1) at intake; (2) during investigation; and (3) during adjudication by management.

The MT also continued its review of the policies, practices, and procedures that govern the way AV units handle community complaints. The team has completed drafts of the work plans for the SA paragraphs governing personnel complaints (paragraphs 124–140).

Additionally, the MT:

- Completed its meetings with personnel from the Lancaster and Palmdale Stations and LASD's Compliance Unit to determine the precise manner in which community complaints are handled in the AV.
- Prepared a detailed report describing the process used to initiate, investigate, and adjudicate community complaints. The MT has submitted that document to LASD and DOJ for their review and comment.
- Identified the categories into which LASD classifies allegations that may arise from community complaints.

In preparation for an audit, the MT has been working with LASD staff to obtain data on the way the AV units classified community complaints during the first two quarters of 2015. Each response was slightly different than the preceding response, raising serious questions regarding the reliability and accuracy of the Department's databases. (This issue is discussed further in the PPI section of this report, below.) Once reliable data are obtained, the MT will use these to develop an audit plan and matrix to evaluate the way the Department classifies community complaints.

3. Personnel Performance Index (see box below)

The primary data and information system that LASD uses to record and assess personnel complaints (as well as other Department functions) is their Personnel Performance Index (PPI). Complaints are one important way the Department identifies problems that need to be addressed; thus, complaints are one element of the Department's accountability systems, along with audits, service reviews, UOF investigations, and several others. (The PPI is used for complaints and several other accountability mechanisms, and is therefore discussed not only in the Accountability section, but in several other sections of the MT's Semi-Annual Reports.)

During this reporting period, several MT members attended a presentation by the LASD Compliance Unit on LASD's PPI system and, in particular, on the PPI system's ability to produce data to support the monitoring effort. Although the PPI system itself appears able to produce the data the MT will require, there seems to be some concern regarding the reliability of PPI data. For example, the data collection template for a UOF investigation is six to eight pages long, depending on the complexity of the incident. That voluminous amount of data must then be hand-entered into the PPI, a process that is susceptible to human error. In the future, LASD should consider the use of automated and drop-down menu options whenever appropriate. Furthermore, data entry at the Discovery Unit is backlogged at

least three months, although preliminary data is entered within days of an UOF incident or public complaint. This means that after a PPI incident is investigated, reviewed at the unit level, reviewed at the division level, and finally forwarded to Discovery, several months may pass until the incident is fully recorded in PPI. The MT will examine the actual time the process takes, from occurrence to data entry, in upcoming audits.

It is also significant that vehicular pursuits are not included in PPI. Vehicular pursuits present a high risk of injury or death to the involved deputies and bystanders, so most agencies track their employees' compliance with their vehicular pursuit policy. Additionally, PPI does not capture community complaints of unnecessary or excessive force unless the complaint results in an Administrative Investigation, which seldom occurs. Consequently, the Department cannot identify employees who are the subject of frequent community complaints of unnecessary or excessive force. The Department may be able to find a way to begin capturing force-related complaints, but populating PPI with historical data will likely be impossible.

Personnel Performance Index (PPI)

The PPI data system was designed to help LASD managers and executives manage their personnel effectively; to document, review, and respond to any individual or systemic issues that arise; and to facilitate the identification of and intervention in issues of law enforcement civil liability. Specifically, PPI can be used to identify employees and work units whose involvement in risk activities—e.g., use of force, community complaints, or lawsuits—exceed in number, type, or degree the activities of their peers. Supervisors and managers are then expected to investigate those patterns, identify any causal factors, and take whatever corrective action is deemed appropriate. These responses to issues are also recorded in PPI so that they, too, can be tracked and analyzed.

When initially launched in the 1990s, PPI consisted of three application modules that automated the business processes of the Internal Affairs Bureau, Civil Litigation, and Pitchess Motions.²⁰ Over the following few years, the system was expanded to include the automation of the business processes for Service Comment Reports, Use of Force, and Officer-Involved Shootings. In December 1999, the PPI's capabilities were expanded again to provide systematic recording of data relevant to incidents involving use of force, shootings, and commendations or complaints regarding Sheriff's Department personnel. In addition, the PPI tracks the progress of administrative investigations, civil claims and lawsuits, as well as discovery motions that are handled by the Department. The PPI efficiently consolidated each of these previously independent systems into an integrated database that serves as a Department-wide decision-support system. The system has several ways to query the data and produce reports, including Select By Example (SBE) modules, a Custom Report Module and an Ad Hoc Queries Module. It also includes a system to flag patterns that meet predefined criteria and thresholds. The original reports and associated files such as audio and video recordings are easily retrievable through PPI.

4. Auditing and Accountability

During this reporting period, MT members met with LASD's Audit and Accountability Bureau (AAB) command staff to discuss LASD's auditing efforts and better understand that operation and their role. The MT's initial assessment was very positive regarding the Bureau's audit expertise and commitment to an objective review of critical systems. It is noteworthy that Audit and Accountability staff report directly to Sheriff McDonnell. That degree of unfettered access will assist the Department greatly in identifying and correcting deficiencies.

²⁰ A Pitchess motion is a request made by a criminal defendant for access to the arresting officer's personnel file, including any prior personnel complaints.

On August 30, 2016, AAB published a Public Comments audit, which was actually an audit of Service Comment Reports (SCR) completed by AV personnel during the first quarter of 2015. The SCR process is the Department's primary method of reporting, investigating, and adjudicating community complaints. This means that the AAB analysis of that process, in conjunction with the MT's own audit of SCRs, is an important component in the MT's evaluation of Departmental compliance with the SA provisions. The MT is reviewing this audit and will submit a written report of its findings.

5. Complaints: Next Steps

In the next reporting period, the MT will:

- Finalize the work plans and compliance measures for the Complaint paragraphs in the SA.
- Complete its review of the Department's Public Comments audit.
- Complete its review of the Department's Obstruction Arrest audit.
- Complete its own audit of the SCR process.
- Work with the Department to ensure that the policies outlined in MPP Volume 3, Chapter 4, entitled "Service Reviews, Public Complaint Process, and Personnel Investigations," are consistent with the SA.

I. Accountability

The prologue to Section X of the SA, which deals with Accountability, states that "LASD will strengthen its accountability mechanisms to provide personnel with the support, mentoring, and direction necessary to consistently police constitutionally."²¹ The provisions of this section of the SA focus on two elements of the policies, procedures, practices, and tools the Department uses to hold its personnel accountable: specifically, the Personnel Performance Index (PPI) and the Performance Mentoring Program (PMP). This section will broadly discuss the role of accountability across the Department and then briefly highlight work in these two particular areas.

It is important to recognize that a variety of issues related to improving accountability are addressed under other sections of the SA, not only under the Accountability section. Because effective accountability systems and practices are embedded throughout various organizational policies and are addressed through training endeavors, the majority of LASD's and the MT's work on accountability to date has involved, and will continue to be reflected in, activities that are undertaken and discussed in other categories or sections of the SA.

²¹ Settlement Agreement, prologue to Section X (page 34, lines 4–5).

1. The Role of Accountability in LASD

Accountability is an integral part of full implementation of the SA, and a critical part of ensuring Constitutional policing is taking place and that effective and lasting change is achieved. Accountability must be built into the fabric of line operations, supervisory oversight, and management culture, and it must transcend all ranks, levels, and operations within a law enforcement organization.

Adequate accountability systems must be established to monitor and evaluate employee performance and ensure that effective supervisory and management oversight of day-to-day operations is being carried out. These accountability systems must perform two important functions.

1. Enable the agency's command structure (which, by extension, will include the members of the Monitoring Team in the course of carrying out their SA responsibilities) to verify that all operations are being carried out in a manner that is fully consistent with all policy guidelines, including those agreed to by the Parties in the SA.
2. Provide management with the tools and mechanisms to routinely review and evaluate operations and performance in real time to ensure and verify that the agreed-upon behaviors and expectations are being met.

For effective Departmental oversight, it is essential that the organization has the ability to capture, track, and evaluate information and data that provides an accurate and thorough picture of what occurs in the course of interactions in the field. Data collection therefore becomes a critical piece of this responsibility. However, it is not enough to merely capture and provide data. LASD must continue to improve its procedures for reviewing and using the data and information available, to ensure that performance expectations are met at the level of the individual as well as within each work unit.

It is not necessary here to reiterate each of the ways accountability is being addressed in the other sections of the SA, but an example will help illuminate the work. As has been described in the Use of Force section above, the MT has met with command staff to review and discuss the Department's processes for conducting UOF reviews. There are some parts of this process that are already in place and well-functioning; and there are others—such as recording, tracking, and responding to certain types of allegations that arise during investigations—that will be revised and improved. Unless management has a standardized process for reviewing these investigations to ensure that each element of the investigation is conducted properly, it is unlikely that deviations will be identified, accounted for, and remedied, and accountability will not be achieved. In preliminary discussions, the MT has expressed the importance of incorporating a review process that ensures standardization and consistency, such as the recently developed process that the LASD Custody Division uses for reviewing force investigations. The MT will work with the Department as it standardizes its UOF review process.

2. Revisions to the Personnel Performance Index

LASD has been involved in revising its automated system, the Personnel Performance Index (PPI), which is used to record and assess deputy performance and other Department processes. As described earlier in this report (see the box titled "Personnel Performance Index"), PPI is already used

as a tool to strengthen accountability, and it will continue to serve as an LASD-wide decision-support system for risk management and service reviews.

As part of compliance with the SA, LASD will modify the PPI in various ways, which will include: enabling peer comparisons among deputies and across work units so that AV supervisors and commanders can conduct periodic reviews of all deputies and units under their command; changing the procedure for Performance Log Entries so that all entries are maintained in an electronic format and noted in PPI; taking steps to ensure that PPI data are accurate and holding AV personnel accountable for inaccuracies in any data entered; and enabling access to and reporting on additional data relevant to determining compliance with the SA.

The completion of these and other modifications to the PPI is estimated to take three years. This long-term work is underway. As part of the SA, LASD has also committed to identifying and developing an alternative process for making some of these capacities available in the meantime. The MT will be consulting with the Department as appropriate on these changes. Timelines for their completion will also be established as compliance measures associated with the MT work plans are finalized in the coming reporting period.

Additionally, LASD has committed to developing a plan to periodically review how each AV station customizes the PPI to respond to concerns unique to itself, such as trends identified through civilian complaints, the CACs, the Community Survey, or through other means. Members of the Compliance Unit and the MT have had preliminary discussions stressing that this plan will be critical to establishing management accountability for proactively responding to identified trends, and that the plan should include reviews conducted in a manner that documents trends, identifies possible issues, and tracks and records steps taken to investigate the issues and address any identified deficiencies. To establish transparency and independence, the Department has recently reported to the MT that the AAB will be conducting these audits, which the MT believes is appropriate. The MT will review these audits when they are released.

3. Performance Mentoring Program

As described in the SA (paragraphs 144–145), LASD will continue to mentor deputies in the North Patrol Division's locally-based Performance Mentoring Program (PMP), as well as through LASD's department-wide PMP, based upon an appropriate determination of eligibility. To increase the effectiveness of the remedies and corrective action used to address a deputy's behavior, LASD will support and implement a plan to ensure that the LASD-wide PMP program provides mentoring of AV personnel within 30 days after the need for mentoring is identified, and that appropriate procedures are in place for the supervision of deputies whose performance fails to improve subsequent to mentoring. LASD will also ensure, as part of the SA, that the Department-wide PMP and the North Patrol Division's PMP are coordinating with each other as appropriate to share information about deputies and their individual mentoring programs.

As this work moves forward, the MT will emphasize that specific processes for command personnel to monitor and manage the PMP should be identified and developed. Such processes should require criteria for placement into the PMP, with goals or desired outcomes specifically identified for the involved personnel. A standardized process will also be necessary for supervisors to document the impacts of the PMP program on individual performance. The MT will consult with the Department in the development of a standardized approach for managing and documenting the PMP.

4. Accountability: Next Steps

In the first part of the next reporting period, the MT will submit to the Parties, for review and approval, compliance measures for the Accountability section of the SA. This will be a key step to operationalizing the SA in terms of what constitutes personnel oversight and accountability, in this and all other areas of the SA. As mentioned above, much of the MT's accountability-related work also relates to other sections of the SA and will be reported there. Also, many of the accountability-related provisions in the SA, including those in the Accountability section itself, involve long-term data projects. The MT's work with LASD on those projects in the next six months will focus on establishing timelines for the various PPI and PMP revisions and undertaking the interim modification of data entry and review procedures.

III. CONCLUSION

Over the past six months, LASD has made a purposeful effort to revise its policies and practices pertaining to Constitutional policing principles, specifically those pertaining to stops, searches, seizures, bias-free policing, use of force, Section 8 housing, personnel complaint review, and citizen engagement. These policy revisions, coupled with the other activities described throughout this report, constitute the initial steps toward establishing a culture within LASD that will ensure that deputy–community interactions of all types reflect the Constitutional principles that govern the duties and responsibilities of each and every member of the Department. For some areas, especially bias-free policing and stops, searches, and seizures, the work is shifting focus to the next crucial step—training. At the same time, the MT has gained a solid understanding of the intricacies surrounding LASD's data collection systems and is now examining the means and processes by which supervisors and managers use that data and other information to hold deputies and all Department personnel accountable. This includes assessing the Department's internal auditing process and setting the groundwork for the MT's own independent audits of Department systems and practices.

The personnel in the Compliance Unit are talented, diligent, and conscientious in each of their roles, and thanks to them, progress continues. However, the staffing level and breadth of responsibilities remain an issue, as the Monitors have noted in each report. The aggressive timelines involved; the increasing amount of coordination necessary with other Department units; changes in leadership positions among personnel managing the SA work; and the increasing number of simultaneous documents being reviewed and activities occurring as the monitoring work moves from a focus on policy revision to training, implementation, and audits, will create still more pressure on the small Compliance Unit staff.

The spirit of collaboration and compromise among the Parties that the Monitors have acknowledged since the beginning of the monitoring work has grown still stronger and more encouraging. The Department, DOJ, and the MT—with the Compliance Unit playing a central and crucial coordinating role—have worked particularly well together in the past six months, as evidenced in a number of ways, perhaps most strikingly by the progress on the complex but critical Use of Force policy.

As stated previously, the terms and conditions of the SA, coupled with LASD's commitment to those terms, have established the framework for the Department to embrace community-oriented and 21st-century policing principles, restore trust where it has been compromised, and improve relationships so that LASD's example might serve as a model for law enforcement agencies across the United States.

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