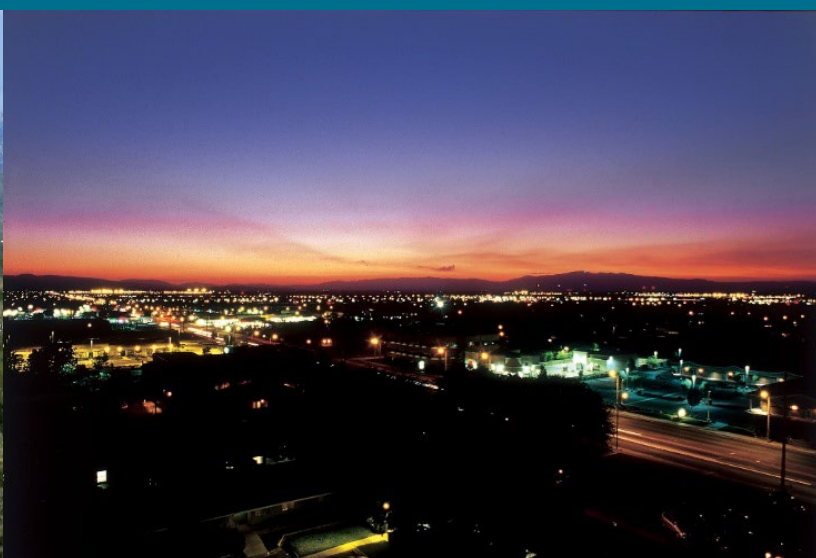


Antelope Valley Monitoring Team 17th Semi-Annual Report



December 2023

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I. INTRODUCTION

Overall, during the course of this reporting period (July to December 2023), the Los Angeles County Sheriff's Department (LASD or the Department) has dedicated more resources in their efforts to achieve compliance with the goals and expectations established under the Settlement Agreement (SA) and has taken tangible steps that will help them in reaching compliance in several areas. Although there have not been substantial advancements in the number of provisions in compliance during this period, the Department is finally laying the groundwork that should have been in place many years ago. The Monitoring Team (MT) believes the maintenance of these efforts, coupled with the ongoing reinforcement of expectations by LASD managers, should result in marked improvements in compliance findings in the future.

Sheriff Robert Luna has been actively engaged, is providing strong leadership, and has made it clear that he is invested in constitutional policing not only in the Antelope Valley (AV) but across Los Angeles County. This is the strategy that the MT has stressed for years as being essential for bringing about organization-wide improvements, rather than limiting attention and reform efforts to only the two AV stations. Relying upon piecemeal or "band-aid" fixes to achieve lasting progress in just one geographic region served by the LASD cannot succeed when most of the policies, training, and performance issues require broader organizational attention, structural improvements, and cultural transformation. The position and approach taken by previous administrations was ineffective and untenable because it resulted in the LASD-AV deputies and managers being asked to conduct daily operations in a different manner than what was being done at the dozens of other stations throughout the county. That approach lacked a genuine and sufficient commitment from Department executives, and there was clearly an absence of strong and consistent messaging at the executive and management levels. As a result, the necessary changes at the AV stations proved to be largely unsuccessful.

In this reporting period, the sheriff has personally attended community meetings in the AV and has participated in policing discussions and activities with AV deputies. He has been available for meetings with the Monitors, is clearly invested in the reforms and improvements being overseen by his Office of Constitutional Policing (OCP), and has included the executive leadership team into site visits relating to the SA. LASD has committed to updating its data systems and is currently evaluating vendors who can help them do this. While progress is not yet demonstrable in all areas of the SA, the MT does recognize the considerable work that LASD has productively engaged in during this reporting period. A shift has clearly occurred in the upper levels of management, and progress is being made despite the many challenges that have been evident.

The capacity of the AV stations to move the SA work forward has greatly increased during this reporting period. In June, LASD had only acting captains in place at both AV stations. Since that time, the Department began piloting a two-captain-per-station approach in the AV stations and at one other LASD station. At these stations, one captain is responsible for patrol operations while the other has primary responsibility for overseeing risk management issues. In several meetings with these new captains, the MT noted there is evidence they are prioritizing SA compliance—especially the importance of constitutional policing, accountability, and community engagement; and they are demonstrating a level of proactive leadership that has not been evident in the AV in some time. For example, the newly appointed Palmdale station captain participated in the October site visit during which time the MT reviewed the findings of our recent UOF audit. He was very attentive and engaged and, following the

site visit, worked with his station personnel to quickly develop corrective actions to address findings and issues from the audit via new roll call trainings. The stations have also sought out the MT for assistance and technical support with the quarterly reports, policing strategies, and other issues. The MT is pleased to see the station captains displaying such initiative. Community members in attendance at meetings with the new captains have also expressed their appreciation for their candor and openness to community concerns.

The quality and consistency of communication between the MT and LASD has also improved. We have received timely alerts regarding events that the SA requires the MT be made aware of but that the Department only sporadically provided in the past. We are also regularly kept apprised of LASD progress on SA provisions.

One particular issue the MT has consistently emphasized in our previous semi-annual reports is the need for improvement in the use of data by Department managers to inform and improve policing practices and thereby meet SA requirements. In this reporting period, LASD has made strides in their efforts to provide useful data to the public through a series of stops data dashboards that will be available online. The Department is also near implementation of similar dashboards to be used by station managers to improve their ability to assess the impact of their policing practices as well as the performance and conduct of their deputies. Of particular importance, the Department has established a committee to research and choose a sorely needed new records management system that can replace the current hodgepodge and outdated series of data systems currently used, including the computer-aided dispatch (CAD) system, which the MT audit found to be unreliable.

The MT and the US Department of Justice (DOJ) have often stressed the importance of and opportunity for the Department to turn to external experts and models that can help guide them as they work to meet SA requirements and adopt 21st-century best practices in policing. The Luna administration has shown an increased openness to consulting and collaborating with outside subject matter experts and calling upon professional organizations to assist in developing and providing training in areas such as executive development, problem-oriented policing, and decision making related to the use of force. The Department also received a grant for technical assistance from the US DOJ Office of Community Oriented Policing Services (COPS). And, as mentioned above, instead of continuing to rely upon data systems developed in house, they are now considering adopting products developed by outside vendors that have already been proven effective.

We want to acknowledge that this reporting period has been a particularly difficult time for LASD as a whole, and the deputies and community members in the AV in particular. Deputy Ryan Clinkunbroomer was murdered while on patrol and stopped at an intersection just outside the Palmdale station on September 16, 2023. On October 13, two deputies suffered significant injuries as a result of a fire inside a mobile firing range at the Pitchess Detention Center. In early November, three active-duty personnel and one retired deputy died by suicide in a 24-hour period.

The AV community and LASD are also grappling with three highly publicized uses of force by AV deputies. Videos of two incidents were made public during the time frame in which our last semi-annual report was being finalized. The first incident occurred on June 24, 2023, and involved a Lancaster station deputy who used force on a non-aggressive woman suspected of being involved in a robbery. The second occurred on July 14, 2022, and the video showed a deputy punching a woman in the face as she

refused to release her baby during the course of her arrest. This deputy was subsequently fired by LASD. During this reporting period, another very troubling event took place on December 4, 2023, when a 27-year-old Black mother was fatally shot by a sheriff's deputy during a call for service regarding domestic violence. This shooting became a primary focus of public comments and concerns that were expressed during two community meetings that had been previously scheduled. Department staff provided preliminary information during those meetings and also promised more transparency and dialogue upon the release of the deputies' body-worn camera (BWC) videos. (This video footage was released to the public on December 29.)

Much work has yet to be done in terms of increased efforts to develop and sustain the trusting and collaborative community–Department relationship that is envisioned by the SA and in reaching compliance with policy, training, data analysis, management review, and accountability practices. The community and deputies alike have been rightfully frustrated by the length of time that has passed since the initiation of the SA and are concerned greater progress has not been made to date. The MT shares those concerns; yet we are finding, for the first time, that the current executive staff and most of the North Patrol Division (NPD) and AV station managers are displaying the leadership qualities and building the momentum that is required to move this work forward and achieve the level of compliance required by the SA.

II. WORK TO DATE

A. Monitoring Activities in this Reporting Period

To inform our compliance assessments of all areas of the SA, the Monitoring Team continued to conduct a variety of work activities in this reporting period, including regular meetings with the Parties (LA County, LASD, and DOJ), the Community Advisory Committees (CACs), and community members; site visits; ongoing telephone and electronic communications with community members; and direct observations of management performance in such things as the Crime Management Forums (CMFs) and the Risk Management Forum (RMF), including review of accompanying materials.¹ Examples of the specific activities undertaken for sections of the SA are provided below.

1. General

- Held a series of meetings with the new AV captains. The discussions included the MT's recent stops and use-of-force (UOF) audits, crime prevention strategies and problem-oriented policing, community engagement and the CACs; our review of quarterly reports; and our review of personnel complaints. The discussions were robust and all four captains conveyed a sincere desire to bring their stations into compliance with the SA and improve the delivery of constitutional law enforcement services to their communities as well as support deputies' professional growth.
- Met with Sheriff Luna, participated in two major site visits with Parties, several smaller in-person

¹ See [15 Semi-Annual Report, Appendix D Only.pdf](#), under Documents and Reports at our website www.antelopevalleysettlementmonitoring.info for more detailed information about the work history for each SA paragraph.

meetings, and regular virtual meetings with additional meetings occurring as needed.

2. Stops and Bias-Free Policing

- Completed MT stops and bias-free policing audit work, including iterative data requests, case reviews, and report preparation, and provided several updates to the Parties.
- Shared MT audit findings and report with Parties, and published report on the MT's website for public availability.
- Met with the LASD Audit and Accountability Bureau (AAB) regarding future stops audits and supervisory review using BWC videos.
- Conducted verifications of attendance at roll call trainings.
- Regularly met with designated LASD staff to provide feedback and advise on the new publicly accessible stops dashboard and development of a new internal risk management dashboard.
- Evaluated current and proposed training documents and courses, and provided feedback to LASD:
 - » Constitutional Policing and Bias-Free Policing;
 - » Why'd You Stop Me? (offered by external trainers);
 - » Roll Call Training Sessions (in response to MT use-of-force audit); and
 - » De-Escalation Course (ROAR).
- Met with and provided LASD with recommendations to establish crime prevention strategies/crime reduction plans and evaluate the impacts (positive or negative) of crime reduction efforts in the AV community.
- Engaged in multiple Zoom calls and regular email correspondence.

3. Community Engagement

- Maintained consistent contact with CAC members and other community members.
- Observed presentations by the OCP on community engagement activities and plans.
- Discussed the next (2023) LASD Community Engagement Report with DOJ and the Compliance Unit.
- Attended CAC, town hall, and Days of Dialog meetings.
- Met with members of the community and the CACs of each station.
- Met with LASD leadership regarding the CACs and community engagement activities.
- Attended and provided feedback to the Department on Crime Management Forums.
- Attended and provided feedback to the Department on Risk Management Forums.
- Reviewed documentation, observed presentation, and provided feedback on LASD's plan to revamp the CMF and RMF.

4. Use of Force

- Reviewed and assessed investigation reports, attended the Executive Force Review Committee (EFRC) meetings as well as pre-EFRC meetings for five Category 3 uses of force.
- Met with the North Patrol division chief and commander and debriefed EFRCs and Critical Incident Review (CIR) meetings.
- Met several times with representatives of LASD's OCP and their Constitutional Policing Training Advisor to discuss the Critical Incident Review Panel (CIRP) and EFRC process.
- Completed a use-of-force audit of the AV stations; presented case reviews, including BWC footage at an on-site meeting; prepared the full audit report; received feedback from the Parties; and published the report.
- Monitored the Department's efforts to update and improve its use-of-force training.
- Attended site visit meetings at the Hall of Justice and LASD training center, and met with Sheriff Luna, the director of the Department's Office of Constitutional Policing, and that office's training expert.
- Assessed, provided feedback, discussed with Parties, and ultimately approved the Department's revised use-of-force policy and conducted energy weapon (CEW) / Taser policies.
- Met with the four newly appointed AV captains and discussed SA-related issues associated with the use of force and complaints processes.

5. Complaints

- Reviewed, provided feedback, discussed on multiple occasions, and provisionally approved the Administrative Investigations Handbook for publishing and implementation.
- Monitored LASD's processing of several community complaints, which were brought to our attention by community members.
- Reviewed the adjudication of a complaint that we had been monitoring and returned it with questions to the Compliance Unit and North Patrol Division.

6. Accountability

- Reviewed the fourth-quarter 2022 reports and provided the Parties with our analysis along with a summary of our findings for 2022.
- Responded to the Department's review of our report on the 2022 quarterly reports.
- Reviewed the first and second quarter 2023 reports and provided the Parties with our analysis.
- Observed several updates and provided feedback on the Department's planned revamp of the Performance Mentoring Program (PMP).

B. Stops, Seizures, and Searches

In this reporting period, the Department's efforts regarding stops-related SA provisions focused on the following.

- Continue to provide full-day constitutional policing training.
- Continue to provide roll call trainings.
- Review and, as necessary, revise training for LASD-AV deputies on SA-related topics, such as procedural justice, bias-free policing, and constitutional policing principles.
- Continue work toward procuring a modern data management system, developing an early warning system, and advancing the ways and extent to which data are used to inform practice at the AV stations.
- Continue work with the Center for Policing Equity for stops and disparity analysis.
- Provide an AAB-revised stops audit plan, conduct that audit, and provide revised plan for incorporating BWC footage into regular AV supervisor review.
- Follow through with the application and utilization of the SARA (Scanning, Analysis, Response, and Assessment) problem-solving model at the AV stations and in the CMF.

1. Training

a. *Constitutional Policing Training*

- The Department is in compliance with the delivery of the approved full-day constitutional policing training.

The constitutional policing training was provided during this period on August 23, 2023, for LASD-AV deputies and embedded units. The training attendance information provided by LASD placed the Department above the 95% needed to reach compliance with this provision.²

b. *Quarterly Refresher Roll Call Training*

- The Department remains in partial compliance with the roll call trainings.

The Department is required to provide AV deputies with quarterly refresher roll call training that addresses constitutional policing, bias-free policing, and housing requirements (SA Paragraph 71). Roll call training delivery and attendance is reported quarterly, but compliance is assessed on an annual basis. The Department has provided deputies with the approved sessions in accordance with the approved training plan in the first, second, and third quarters of 2023. If the stations meet the

² In the past, the MT cross checked training attendance rosters to station rosters in order to verify deputy training attendance, but the MT has found the LASD tracking methods to be reliable for that purpose. The MT will no longer conduct its own verification processes on the constitutional policing training unless there are indications that further review is needed.

requirement for the 4th quarter of 2023 (to be assessed in the next reporting period), they will be in compliance for 2023.

c. LASD Review of Existing Trainings and Planned Training Enhancements

In the last two semi-annual reports, the MT reported on indications that the content, delivery, and effectiveness of the full-day and roll call trainings needed improvement. The full-day trainings address crucial subject matter, including the manner in which deputies conduct stops, detentions, and searches and the documentation of and supervisor and manager review of those activities. The need for review of these trainings arose from several MT and DOJ assessments, including the DOJ UOF case reviews presented in November 2022, findings of the MT's stops audit presented to the Parties in April 2023, and MT and DOJ observation of the full-day trainings. Case reviews presented in October 2023 as part of the MT use-of-force audit provided further evidence of this need. In short, with approved trainings having been delivered to personnel now for six years, audits and case reviews should find that deputy conduct generally reflects the principles and methods those trainings are meant to impart; however, that is not consistently the case. (See detailed discussion of the MT stops audit below. Issues related to UOF training and the MT UOF audit are discussed in the Use of Force section. All MT audit reports can be found at our website.)³

The purpose of ongoing roll call trainings is to refresh and reinforce the full-day trainings that deputies receive when they commence their assignment in the AV. LASD has continued to use the same roll call training scenarios since January 31, 2019. The Parties and MT have been in agreement for some time that the scenarios have become stale and in need of revision, so efforts should be made to add additional scenarios. In the past, with MT and DOJ input, the Department proposed additional scenarios, but these were not implemented. Updated roll call training sessions would provide LASD with an opportunity to address more recent events or emerging areas where deputies need additional training.

As reported in the last semi-annual report, LASD's Office of Constitutional Policing reported they would conduct a full review of all SA-related training provided to AV deputies. That review continues, and is being led by a training expert employed by the OCP. LASD now reports that it will be implementing a variety of changes to the training for LASD-AV deputies in the next reporting period. These changes will include updates to current training, new training altogether for some topics, and ensuring all the trainers are teaching the same core concepts. The OCP also plans to implement the trainings departmentwide. LASD is proposing updating and/or replacing the current constitutional and bias-free policing trainings. These will likely be taught by qualified internal trainers, some of whom are in the OCP and some who are in the Office of the County Counsel.

Regarding the roll call trainings, LASD reports they will continue to use the current scenarios in the meantime but will be working on new scenarios to submit to the DOJ and MT for review and approval. They report that the new scenarios will be in line with new training and concepts being developed to

³ <http://www.antelopevalleysettlementmonitoring.info/>

address identified deficiencies in how staff are performing in the field as identified in case reviews and audits.

LASD has a specific Training Bureau that coordinates training for the Academy and for continued professional training required by the California Commission on Peace Officers Standards and Training (POST). In its training review, the Office of Constitutional Policing learned that the Training Bureau was not in charge of coordinating and approving all training for the Department, which creates problems with the consistency of training. Since the same topics are often addressed in more than one course, deputies may receive different or even conflicting instructions on critical topics. LASD has shared in meetings with the MT and DOJ that they have begun efforts to improve coordination among the various training groups to provide more consistent and uniform training throughout the Department.

Changes to approved trainings and any new trainings that are intended for compliance with the SA will need review and approval by the Monitors and DOJ.

d. New Trainings LASD Is Considering for Implementation

As part of the Department's training coordination effort, the LASD is reviewing the method of current training related to the Fourth Amendment and to bias-free policing. The current method is focused only on deputies working in the AV, and LASD wants to take a broader-based approach to serve the entire Department. As a result, the Office of County Counsel, in partnership with the Office of Constitutional Policing, is building a curriculum to provide updated constitutional policing training to LASD deputies in the AV and, subsequently, throughout the Department. The planned new training, which will likely use a combination of internal and external trainers, is intended to replace the current constitutional policing full-day course. Additionally, LASD applied for and was approved to receive Collaborative Reform Initiative Technical Assistance Center (CRI-TAC) training and technical assistance through the US DOJ Office of Community Oriented Policing Services (COPS). This will assist the Department in developing necessary updates to the training for bias-free policing and procedural justice.

There are also other approaches that the Constitutional Policing Office is exploring for the delivery of SA-required trainings in new ways that are more effective and a more efficient use of Department resources. For instance, there are courses deputies must take for their required Continued Professional Training that could incorporate the concepts of procedural justice as a way to reinforce respectful treatment for all persons in the community. This could augment the procedural justice training included in the full-day trainings. Also, the Department has an additional group of trainers in its Professional Development Group who are separately in charge of certifying instructors to teach in the department. This group has received significant amounts of training in adult learning concepts, but generally only provides certification training for instructors. The OCP is exploring ways to use the Professional Development Group to work with trainers to review their training to help ensure the training uses teaching methods which will help students be more actively engaged in the training sessions rather than just sitting through a lecture. This involvement will help to ensure that adult learning principles are consistently integrated into all trainings.

Specific to Palmdale, LASD submitted curriculum documents for 12 one-time AV roll call briefings related to use of force and professionalism during stops and calls for service. The briefings were

developed by the newly appointed Palmdale station captain in response to MT's review of our UOF audit, which indicated that AV stations are deficient in issues related to state law and policy regarding stops. The Department's current plan is to offer these roll call training sessions to AV staff once as a reminder about LASD policy and state law related to use of force. Deputies may be assigned to retake any of the 12 as deemed necessary by their supervisor or station managers. The MT has reviewed the documents and provided specific comments about the proposed trainings. The MT views this effort by the Palmdale station captain as a positive, proactive step to address LASD deputy activity in the AV. We will discuss with the Department the possibility of developing additional roll call trainings as that need is indicated.

The MT also reviewed additional training materials created by the Palmdale station leadership to begin providing training for staff based on feedback from the MT and DOJ case reviews. The training proposed is a full-day training on the topics of 21st-century policing strategies and a review of the concepts for seeking approval for warrants. This is an eight-hour course about conducting searches, which is different than the 12 roll call briefings mentioned above, which offer reminders of use-of-force policy and law.

The Department is also adopting or considering adopting various established trainings offered through external vendors. These are another way the Department is showing an increased openness to consulting and collaborating with outside subject area experts, as the MT and DOJ have encouraged them to do. This includes the ICAT training described in the Use of Force section of the report. Another example is the "Why'd You Stop Me?" training, which may serve as a supplement to the procedural justice training. The MT and DOJ observed a version of this training during this reporting period. The training was presented by the creators of the training, who have expertise in teaching the curriculum in other agencies in California. The MT and DOJ team provided feedback, and LASD is deciding what the next steps will be for implementation.

In the next reporting period, the MT will observe how LASD uses the existing and new training and other interventions such as supervision and mentoring to address the shortfalls in how deputies provide policing services in the AV community that have been identified through MT and DOJ case reviews and audits (see also the Bias-Free Policing, UOF, and Accountability sections) and which will likely be identified through the additional BWC reviews being conducted by station supervisors on a routine basis. Timely corrective training for staff is a sign of one way that professional organizations address problematic or counterproductive behaviors.

e. Role of Supervision and Leadership in Training

The MT stresses that none of the renewed training efforts matter if supervisors and commanders fail to hold staff accountable for substandard performance that is not consistent with LASD training. The MT's recent stop audit indicates that some AV personnel who have received the required training did not conduct themselves accordingly in the field. Importantly, when supervisors and commanders knew of the substandard performance, we have noted failures in holding those individuals accountable for their actions. The MT expects that the additional captains who have recently been assigned to each station, and who will now be responsible for focusing on risk management and administrative issues, will improve accountability and compliance on the part of deputies and, importantly, their supervisors. For

any training program to influence an organization, there must be a commitment from supervisors and unit and divisional managers to reinforce the training through consistent messaging, providing the resources and leadership to institutionalize the principles and procedures delivered in the training, and holding staff accountable to those standards.

2. Use of Data and Modernizing LASD's Stops Data Management Systems

- The Department is not in compliance with the SA's data analysis and assessment requirements of Paragraphs 46 and 51, or with the preface to the Stops section, which states: "LASD shall ensure that investigatory stops and searches are part of an effective overall crime prevention strategy, do not contribute to counter-productive divisions between LASD and the community, and are adequately documented for tracking and supervision purposes" (p. 7).

The Department remains out of compliance with data analysis and crime prevention strategy requirements, but progress continued in this reporting period. The last three semi-annual reports described LASD's efforts to expand its use of data and increase reliance on data analysis necessary to meet SA objectives. During this reporting period, LASD continued to rely on a crime analyst to produce stops reports but, to date, the MT has not seen evidence of meaningful use of that data by the stations' leadership. However, in this reporting period, the Department made progress toward enhancing the way data are made available to Department personnel and to the public through a new data management system discussed below. Data analysis to be conducted by the external consultants at the Center for Policing Equity (CPE) also progressed.

a. New Data Management System

LASD has created an internal working committee to research a potential proprietary data system to replace its current outdated system(s) and invited the MT to participate. This committee is working quickly toward selecting a vendor for that purpose. In parallel with that process, LASD has taken steps toward improving the existing systems to better meet the demands of modern policing and the SA. These steps include the development of online data presentation and analysis tools, called dashboards, which can be used by Department managers as well as the public to gain detailed understanding of key aspects of LASD law enforcement activities in the AV. These dashboards will be the basis of an early warning system and will also help automate the current laborious process for the stations' quarterly reports. (The dashboards are described below, and the early warning system and quarterly reports are described in the Accountability section.) The Department has also taken steps to utilize their Sheriff's Automated Contact Reporting System (SACRS) data system to not only report to the California Department of Justice but as an internal system. SACRS is a system built to collect information on stops and contacts by LASD deputies that is required to be reported to the state in accordance with the Racial and Identity Profiling Act (RIPA). The MT supports this move for several reasons, including that SACRS includes more details on important aspects of stops and has fewer limitations on the length of narratives entered by deputies, which are essential for accurately assessing stops and compliance with SA requirements. This was one of the MT recommendations in our stops audit (see below). In the next reporting period, the MT will meet with LASD to discuss the shift to using SACRS and whether SACRS

can be used to track all the required SA data or if the SA data will be tracked using a combination of SACRS and CAD.

b. Public and Internal Data Dashboards

In an important step toward facilitating community-oriented policing and continuing to build trust with the community, LASD has launched an [interactive online display of AV stops data](#) for the public. LASD assigned staff to create a dashboard that shows stop and enforcement data from SACRS. The public dashboard is an excellent effort to increase the transparency of enforcement and stops activity conducted by LASD. The MT has offered technical assistance to LASD related to determining the data that should be included in the dashboard, and the Department has been receptive to the feedback. The dashboards are automatically updated once a day and present such information as number of contacts, number of stops, justifications for stops, deputy actions, traffic violations, and stop outcomes. The public dashboard was launched in October 2023 and provides the community with virtually real-time reporting about LASD activity in their communities. Community members and the general public are able to find their city or area and filter by categories of data depending on their topic of interest. There is also a mapping capability to view the concentration of stops in an area.

The public dashboard can also be used by LASD leadership to assess stops in the AV in ways the previously prepared reports have not been able to provide. For example, the dashboard can be set to look at specific dates and specific areas. This will allow LASD to assess efforts with more precision than in the past. Using data in this way will represent a significant improvement over the efforts in the past. In the next reporting period, LASD will implement an enhanced version of the dashboards for internal Department use. The internal-only dashboard will contain additional stops information, including the name of the deputy and other confidential information, to better help managers assess the impacts of enforcement efforts and potential disparities. The enhancement will provide station leadership with confidential information for stops, such as the name of the person stopped, the location, the name of the deputy who stopped the person, and other information not available to the public. The MT views the new internal dashboard as an important tool for LASD as they institute a new process wherein the CMF will include more analysis of stops and the impacts of the stops on the community. This process will be discussed further in the discussion of the Crime Management Forum and Risk Management Forum in the Community Engagement section (SA Paragraph 89). The Department is also developing training that will help managers make better use of the data tools and develop the expertise needed to effectively use the information to inform police practices. It is important to note that the success of these tools will depend on how division and station managers use them.

c. Analysis of Data and Application to Practice

Over the last several years, the MT has emphasized the need for LASD captains to examine and analyze available data and use it in their deployment decisions and enforcement directions provided to staff. Station managers must routinely engage with available data not only to make decisions about such things as where and how to deploy resources but to also assess the success of those strategies and activities, including their intended and possible unintended negative impacts. It is also important that station managers document the analyses conducted, subsequent action taken based on those analyses,

and the outcomes of those actions. This will allow divisional managers to monitor crime reduction efforts and hold unit commanders accountable for incorporating data-driven decision making into routine practice.

These types of assessments would be ideal applications of the SARA (scanning, analysis, response, and assessment) problem-solving process at several levels. Station managers can apply SARA to enforcement actions and strategies to track their impact, improve or revamp them as needed, and determine whether those tactics and strategies are ones that should be continued, refined, or replaced. This is an important part of proactively addressing problems while avoiding harming the Department's relationship with the community in the process. For example, if the decision is made for deputies to spend a significant amount of time in one neighborhood to address speeding vehicles, the station commanders should take extra care to consider whether their efforts are unfairly targeting one group of people in a disparate way and how enforcement activities might be adjusted to avoid or minimize that outcome.⁴ The station commanders should consider whether additional methods beyond enforcement tactics might be effective in addressing the speeding vehicles, such as through increased public education efforts or better traffic engineering—which could involve such things as a physical redesign of the street where the speeding is occurring. Additionally, the station commanders should engage with the community in the area to ensure they understand the purpose of the additional enforcement in the area and have an avenue to address any concerns with the Department.⁵ This type of assessment on the part of station commanders is critical to ensure regular awareness of enforcement efforts in the community and provides them the ability to address potential disparity of enforcement in the community.⁶ The data tools that the Department is bringing online can play an important role in these efforts. In addition to review of specific stops data, such as probation and parole searches and other types of searches (SA Paragraphs 46 and 51) and, more broadly, the effectiveness of crime reduction strategies (preface to SA Stops section, p. 7), this type of assessment also applies to potential disparity (Paragraph 68), the Data Collection and Analysis section (Paragraphs 82–86), and use of force (Paragraphs 110–123). Divisional managers can also use the SARA process to track and assess progress on these issues at the stations.

d. LASD Consultation With the Center for Policing Equity

LASD has a contract and a scope of work with the Center for Policing Equity to provide analysis of stops conducted in the AV. CPE has produced a report for another LASD station, so they are familiar with

⁴ Not all disparity that may arise in analysis of enforcement data means there is disparate treatment, but there must be an analysis of why the disparity exists and what can be done to address it. When disparities do arise, LASD must then initiate the development and implementation of strategies and corrective action plans, which, in turn, need to be tracked over time and assessed for effectiveness and refinement.

⁵ It is important to note that community policing and problem-solving efforts provide complementary strategies to support the assessment of disparities, since they require the collection and analysis of data to determine the effectiveness of the efforts to address specific problems.

⁶ See the Crime Prevention Strategies box in this section, which says, "It is incumbent on LASD to use the data to identify disparities and address the findings. In some circumstances, there may be a reason for a disparity, but LASD must be able to clearly explain the reasons for the disparity and their efforts to ensure its decision making and/or enforcement direction is free of bias or disparate impacts."

some of the Department's data systems and practices. It is the MT's understanding that CPE will help the Department with the analysis and interpretation of data required by multiple SA paragraphs,⁷ including stop and call for service data captured in CAD as well as use-of-force data.⁸ The CPE and the Department are in the data discovery phase of the project; we expect a data analysis plan to be submitted for MT and DOJ review in the next reporting period. The MT has asked to be included in future meetings with the CPE for this project and for key documents to be submitted to MT and DOJ for review, including scope of work, analysis plans, findings reports, and next steps documentation. Although it will always be helpful for the Department to maintain partnerships with outside professional organizations, the goal should be for the Department to build strong internal capacity to institutionalize the training and expertise to assess their programs, initiatives, and activities.

e. Body-Worn Camera Review

The MT reviewed BWC footage in conjunction with the stops audit and found the documentation related to the stop often differed from what was observed in the video (see below). The MT suggested that LASD formalize a process to regularly review BWC footage in conjunction with documentation to check for adherence to LASD policy and training practices. LASD is in the process of revising their body-worn camera policies and practices. Besides for force or complaints investigations, at the time the audit was published, the LASD station supervisors were only conducting limited audits of BWC footage, mainly for the purpose of evaluating proper camera activation and deactivation. LASD has submitted an update to their BWC policy. The MT and DOJ are reviewing it to assess whether, among other changes, it will allow for more comprehensive supervisory review and audits. The station captains report that supervisors are now more routinely reviewing BWC footage for compliance with LASD policies, training, and Department expectations, and that supervisors are also sitting with deputies to review footage of their activities. In addition to the new policy, LASD has revised their proposed BWC review form for supervisors and asked the MT for feedback or recommendations. LASD advised us that the formal implementation of regular supervisory auditing of BWC footage will need to go through the meet-and-confer process. LASD anticipates this will occur in the next reporting period.

⁷ While SA Paragraphs 44 and 81 describe the basic data collection requirements, Department data systems experts need to be aware that the data collected needs to be sufficiently thorough and reliable to facilitate managerial tracking of multiple areas of the SA, such as searches (Paragraphs 46, 50–56), supervisory review of stops (Paragraphs 58–63), bias-free policing and potential disparities (Paragraphs 64, 67, 68), stops data analysis (Paragraphs 82–86), UOF data analysis (Paragraphs 120–123), and overall compliance assessment (Paragraphs 153). Because of the SA requirements, the accuracy of stops data is critical for SA compliance.

⁸ As reported in the last two semi-annual reports, interpreting and assessing the data findings refers to the process by which the Department determines what the data results show about law enforcement practices in the AV and how those results can help the Department understand and evaluate the effects of AV station enforcement decisions, not only on enforcement objectives and public safety but also on such related issues as community engagement and trust and any potential negative impacts like disparities or "counter-productive divisions between the LASD and the community" (SA p. 7). A key aim of this assessment is to establish whether adjustments may be necessary to better align stops and calls for service activity with the stations' enforcement strategies and SA requirements.

f. Crime Prevention Strategies/Crime Reduction Plans

At the request of the Palmdale station captains, the MT met with them on December 4, 2023, to discuss recommendations and expectations for the development of crime prevention strategies (aka crime reduction plans). This is a positive development, and the MT looks forward to reviewing the first draft of the Palmdale crime reduction plan. The MT discussed the need to clearly outline the station priorities for deputies so they can work toward unified goals. This will also allow LASD station leaders to better assess the efforts and effectiveness of the strategies being used to address the crime problems in the AV. The plan should use the SARA problem solving process to guide any of their efforts to address crime. The Lancaster captains have expressed interest in meeting with the MT on the same topic in the next reporting period.

Crime Prevention Strategies

The Settlement Agreement states:

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

Crime prevention strategies, also referred to as crime reduction plans, facilitate an organized and consistent approach to crime intervention and prevention based on manager-driven priorities and tactics, data-guided decision making, effective and efficient allocation of resources, and accountability. They also provide a framework for gathering and incorporating community input so that community members are co-producers of public safety.

Although there are a variety of approaches to crime prevention strategies, at a minimum, effective strategic plans include common elements such as goals, objectives, directed activities, data collection and analysis, and designation of staff assignments and timelines for completing specific tasks. They also incorporate community perceptions and input regarding enforcement priorities and crime prevention activities. Implementing the plan requires the support of divisional managers but is directed and conducted at the station level.

Input from AV community members can be gathered through numerous avenues, including the CACs, the annual Community Survey, community engagement events, one-on-one engagement with community members (recorded as stat code 755 in the AV), and designated meetings to discuss specific issues or areas. The SARA problem-solving model and LASD’s policy for Community Policing and Engagement (MPP 301-110-00) are tools the Department already has in place that can help in providing a framework as well as documentation procedures for these efforts.

Crime prevention strategies can serve as a structure as management begins to actively assess where bias may be present in station-directed enforcement efforts in the AV (SA Paragraph 68). This involves many of the reviews already underway, such as Deputy Daily Work Sheet (DDWS) reviews, reviews of reports, and supervisory observations of deputies in the field. Stops and call-for-service data and other enforcement information need to play a key role. This involves more than analyzing deputies' individual actions; it includes an analysis of the impact of larger enforcement efforts in the AV, including potential disparities.

For example, the overreliance on vehicle stops in an area to address traffic safety issues or criminal behavior could have a disparate impact on a specific community. It is incumbent on LASD to use the data to identify disparities and address the findings. In some circumstances, there may be a reason for a disparity, but LASD must be able to clearly explain the reasons for the disparity and their efforts to ensure its decision-making and/or enforcement direction is free of bias or disparate impacts. Compliance with the SA requires clear evidence that LASD management both holds deputies accountable for engaging in bias-based practices and identifies and addresses any LASD enforcement strategies that result in bias or disparate impacts in the community.

3. MT's Stops and Bias-Free Policing Audit

The MT conducted an audit of stops, searches, and other contacts in the AV during the third quarter of 2021 (July, August, September).⁹ The audit was performed to determine whether LASD is adhering to certain provisions of the SA, including most paragraphs in the SA Stops section and one from Bias-Free Policing. The MT provided the stops audit plan to the Parties in October 2021; the audit began in December of 2021. The audit plan did not include review of BWC footage for every case, but footage was reviewed in order to augment written documentation for numerous cases. This practice offered significant advantages to better understand and assess the stops. Prior to publication, a draft of the audit report was submitted to the Parties for review and feedback. The MT considered the comments from the Parties, and the final audit report was posted on the MT's website on October 18, 2023.¹⁰

a. MT Stops Audit Findings

The MT stops audit encompassed 11 objectives; the MT identified the audit population, methodology, and compliance measures for each one. Audit findings included the following.

⁹ In addition to deputies assigned to one of the LASD-AV stations, the audit included actions taken by Operation Safe Streets (OSS); Community Oriented Policing Services (COPS); and Parks, Narcotics, and County Services Bureau personnel while they were working in the AV.

¹⁰ [www.antelopevalleysettlementmonitoring.info/content/documents/audits and analysis/MT Stops Audit 2023.pdf](http://www.antelopevalleysettlementmonitoring.info/content/documents/audits%20and%20analysis/MT%20Stops%20Audit%202023.pdf)

i. Rationale for the Stop

The Department was in compliance for requirements that stops only be conducted when there is reasonable suspicion of a crime and that reasonable suspicion and probable cause are not inappropriately based on race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation (Paragraphs 41 and 43).

ii. Documentation of Stops and Rationale for Actions

The Department was in compliance for the documentation of some basic information about each stop, including time, location, deputy name, race/ethnicity of the person(s) stopped, the reason for and disposition of the stop, and if the vehicle was towed and why (Paragraphs 44 a–f, k).

The Department was not in compliance for proper documentation of probation and parole searches: When the deputy asked about probation or parole status, the person’s response was properly recorded, but the moment during the stop at which this knowledge of a search condition was established was not properly documented (Paragraphs 44g, 56).

The Department was in compliance for not using boilerplate language in descriptions of actions taken during stops (Paragraph 45). Another aspect of Paragraph 45 pertaining to the accuracy of the information in CAD was not fully assessed for compliance but was brought into question in BWC footage reviews (see Accuracy of CAD Data, below).

The Department was not in compliance for describing why a consent search was requested or for recording on BWC the request for consent and the response (Paragraphs 44j, 52.1).

iii. Backseat Detentions

Regarding backseat detentions (BSDs), the Department was:

- In partial compliance for establishing policy and training to ensure deputies only require a person be detained in the backseat when the deputy reasonably believes the person poses a threat or escape risk and can articulate that justification (Paragraph 47);
- Not in compliance for documenting—and explaining to the person—the reason for each BSD (Paragraph 48); and
- Not in compliance for documenting the duration of each BSD (Paragraph 44i).

iv. Supervisory and Management Review of Stops

Regarding supervisory and management review of stops, the Department was:

- Not in compliance for establishing accountability and supervision practices to ensure unlawful stops

- are identified and addressed (Paragraph 58);
- Not in compliance for the quantity or thoroughness of reviews of stop logs (Paragraph 59);
 - In compliance for the quantity and thoroughness of reviews of arrest reports (Paragraph 59);
 - Not in compliance for further supervisory review when indicated (Paragraph 59);
 - Not in compliance for reviewing the legality of stops with the deputy when indicated or for taking corrective action on deficiencies or errors in stop documentation (Paragraphs 60, 61);
 - Not in compliance for tracking repeated violations of stops provisions or errors in documentation (Paragraph 62); and
 - Not in compliance for overall supervisory or management review of stops (Paragraph 63).

v. Equal Protection and Immigration Status

The Department was in partial compliance for providing equal protection of the law to all individuals without bias (Paragraph 64.1). A full assessment of this provision was not within the scope of the audit.

The Department was in compliance for not using immigration status as a reason to initiate stops (Paragraph 64.2).

vi. Documentation of Stops

There were several provisions that the MT was unable to assess due to insufficient data available. These included Paragraph 48 regarding BSDs occurring in domestic violence situations, Paragraph 49 regarding responding to complaints about BSDs, and Paragraphs 50, 51.1, 52.2, 52.4, 53, and 55 regarding constitutional searches. The MT will confer with the Department on improving their data collection for these factors.

b. Additional Observations and Themes From MT Stops Audit

Several additional observations and themes arose in the audit. These were not specifically part of the audit plan but related to the supervisor and management accountability provisions in several SA sections. These findings were presented to LASD and DOJ at an onsite meeting on April 26, 2023, and are described in detail in the audit report.

i. BWC Activation

The MT reviewed BWC video for a total of 60 stops (often with multiple videos per stop). Over 70% of BWC videos reviewed included late activation or early deactivation of the BWC. This violates LASD policy and SA Paragraph 52. It also limited both the MT's ability to fully assess compliance and the Department's ability to use the BWC footage in their investigations and audit.

ii. Accuracy of CAD Data

Comparing BWC footage to information documented in the CAD data often revealed a lack of alignment that could be the result of the shortcomings associated with the Department's antiquated CAD system or the result of deputy errors when entering the data. These issues included CAD documentation where listed reasons for a consent search or BSD were not supported by the BWC footage, where CAD documentation indicated a search was based on consent but the BWC footage did not show consent being requested or provided, or where CAD documentation did not convey aspects of the stop that would be important for supervisors to understand.

iii. Procedural Justice

The stops reviewed by the MT consistently fell short of compliance with the required SA paragraphs related to procedural justice (SA Paragraphs 42 and 57). For the 60 stops for which BWC footage was reviewed, no deputies introduced themselves at the start of the stop and, in many cases, the reasons for the stops were not explained at the beginning of the encounter when they should have been. Also, several videos included unprofessional, disrespectful, and/or confrontational (escalating rather than de-escalating) language or tone.

iv. Rationale for Expanding the Scope of the Stop

Several cases were out of alignment with the training associated with SA Paragraph 57, which refers to the factors that should be considered in "initiating, conducting, terminating, and expanding a stop or search" and using good judgment and considering alternatives to initiating or expanding a stop. While the audit cases were consistently in compliance with Paragraph 41, which requires LASD to have a lawful reason to initiate a stop, each subsequent action in a stop also requires specific legal justification as well as consideration for the impact of patterns of actions during stops that may damage Department-community relations and trust.

v. Community Engagement and Potential Disparity

Several SA provisions require the Department to avoid activities and conduct that harm community trust and to assess activities for such potential (see the preface to Stops section on SA p. 7 and Paragraphs 64, 65, 67, 68, 70, 91). At the site visit, the MT reminded the Department that stops and calls for service are the primary community engagement activities conducted by deputies and become the narratives that shape community perceptions. This highlights the need to stress procedural justice and to work to eliminate the perception in some communities that BSDs, searches, and other actions during stops are conducted arbitrarily or—as borne out in stops data analysis—upon certain demographics more than others.

vi. Deputy Intervention

In the majority of stops reviewed where a deputy spoke or took actions likely to harm community trust or violate the SA, the MT noted the presence of other deputies on the scene who were in a position to say something to the other deputies or step in to calm down the situation. Law enforcement professionals owe it to the community and each other, ethically and professionally, to step in when other members are acting against legal or policy requirements or in ways that may damage the Department–community relationship. Duty to intervene is a topic addressed in the constitutional and bias-free policing trainings, in Department policy (MPP 3-01/030.14 – Duty to Intervene), and in the UOF policy.

vii. Additional Findings

Additionally, the stops audit report discusses the need for the Department to document, track, and evaluate deputies' routine use of curbside detentions, detentions of vehicle passengers, "quick" searches that result in a release without a citation or arrest, and the conduct of supervisors and field training officers during stops.

Finally, as with all MT audits and reviews, we also identified cases involving exemplary deputy conduct in order to illustrate the types of behavior that Department managers and supervisors can use as demonstrations of high-quality field work. In the stops audit, we highlighted a domestic violence call where deputies responded to the scene, met with the complainant to gather the facts, interacted with the suspect in the case in a compassionate way, and took the person into custody without incident.

c. MT Stops Audit Recommendations

In addition to the expectation that corrective action will be taken to address the findings of non-compliance described above, the MT provided the following general recommendations.

i. Modify the Existing SACRS System as an Alternative to CAD

The cases reviewed reinforced doubts that the current CAD system is capable of providing accurate and thorough data for all the critical supervisory, accountability, risk management, and data analysis processes for which it is relied upon. As discussed above, LASD has stated their intention to replace the current CAD with a new system that can address the failures of the current CAD, but this is several years from implementation. In the meantime, the MT encourages LASD to explore modifying the current SACRS system used to collect required data for the State of California, as the method of collection for departmental data until the new CAD is built.

ii. Include BWC Footage in Regular Supervisory Reviews

Given concerns about the accuracy and completeness of CAD and other written documentation, the MT

recommended LASD include regular and meaningful review of BWC footage along with written documentation to provide an adequate review of stops and deputy decision-making and actions. The MT is encouraged to hear of LASD's plans for regular supervisory audits of BWC. and looks forward to further discussions related to the proposed BWC policy that is currently under development.

iii. Review Training

Deputies have been trained in most of these requirements for more than six years. The case review also called into question the effectiveness of the training offered to date. As described in the training section above, LASD is engaged in determining what types of additional training are required to meet the SA requirements, including addressing the topics of use of force, procedural justice, and constitutional law. The MT is encouraged to see the steps LASD is taking to consider revised and additional training.

iv. Review Supervision and Management Accountability

While the training in several areas requires improvement, it is clear that the principles delivered in the training are not being consistently supported through supervisory reviews, supervisory and managerial oversight, informal or formal mentoring, reinforcement, and example-setting by supervisors and managers, or organizational culture and other accountability systems. The MT's review revealed that LASD needs to augment management and supervision processes and practices to identify and respond to the types of issues and trends discussed.

4. LASD Audit and Accountability Bureau (AAB) Audits

LASD's AAB has revised their audit methodologies to incorporate the use of body-worn camera footage into audit reviews and to include assessment of the professionalism and procedural justice used by LASD deputies during stops. Further, the AAB reported that they conducted a limited audit of stops from the second quarter of 2023 with the purpose of determining whether there was improvement from the findings of the MT's stops audit, which reviewed cases from two years earlier. The AAB reported they found some improvement but that more improvement was needed to reach SA compliance. Prior to AAB conducting the audit, the MT reviewed their audit plan and provided recommendations to LASD. LASD was very receptive to the feedback, which represented a distinct change from LASD responses the MT has experienced in the past. The MT will provide feedback on the Department's audit report once it has been submitted and reviewed by the MT. This represents important work for the AAB because stops in the AV have a significant impact on the community. The MT recommends that future audits also test the validity or accuracy of the data used in the audits.

5. Obstacles and Successes

The MT stops audit identified serious issues with several aspects of stops and with the supervisory and managerial review of stops. We acknowledge the work already undertaken by the OCP, NPD, and the AV stations to respond to some of those findings, and we urge that this work be continued and

expanded. A few areas of particular concern are discussed further here.

The MT again emphasizes the need to routinely assess whether training provided is having the intended effect and constructively influencing the behaviors of staff in the field. To date, there have been numerous case examples identified by the MT and DOJ, and provided to the LASD, that show LASD-AV deputies have acted contrary to LASD training and policies. To reach and maintain compliance with training requirements, LASD must ensure that actual performance in the field is reflecting and consistent with training. We acknowledge the recent efforts by the AV station captains to quickly develop trainings intended to provide corrective action related to some of these findings. We also appreciate the OCP's ongoing review of all current training and their progress in identifying new trainings needed as well as enhancements required for some of the existing training. We concur with the OCP's view that, given the complexity of modern policing, the most realistic and effective method for delivering many of the principles and skills required by the SA is via a set of interrelated trainings rather than through single-subject trainings. This makes it all the more important that individual subjects and Department priorities—such as procedural justice, de-escalation, bias-free policing, and accountability—are taught and emphasized in a consistent manner across all the various trainings and refreshers as well as being provided to all ranks, from executives to line deputies. Additionally, to effectively incorporate training principles into daily operations and culture, they need to be refreshed and supported in a variety of ways, including repetition and reinforcement of expectations being provided through instructions and daily messaging delivered to deputies by NPD and station managers, routine supervision and mentoring provided by sergeants to deputies, and by the work of field training officers. Finally, we want to acknowledge the increased emphasis that the OCP has placed on executive- and manager-level training. This is crucial since managers are responsible for establishing departmental priorities, for ensuring consistent messaging moves down the chain of command, and for allotting sufficient resources for station implementation.

The MT has also recommended that LASD develop and implement a plan for conducting regular assessments of AV deputies' knowledge of LASD policies and training related to the SA, including search and seizure law, bias-free policing concepts, and procedural justice concepts (see SA Paragraphs 164 and 166). These types of assessments will help identify learning gaps and establish the training topics and schedules for AV deputies and units.

The MT acknowledges and applauds the AV station captains for initiating an enhanced process for regular review of BWC footage of stops and calls for service conducted by AV deputies. Our stops audit emphasized that leadership at the AV stations must conduct regular reviews of stops that include all available documentation, both written and recorded, such as body-worn camera footage, to ensure proper practices and policies are being consistently followed by LASD-AV deputies. This work is already a regular part of supervisors' responsibilities as per SA Paragraph 59 but does not formally include review of BWC videos. This is important at two levels: for supervising and mentoring individual deputies, and for managerial monitoring of unit-level performance and trends. Supervisors reviewing and discussing BWC footage individually—face-to-face—with deputies can be a particularly effective method for reinforcing positive work and offering corrective action when appropriate. The MT understands that the BWC policy is under revision and also that the Department must engage in a meet-and-confer process with union representatives on this matter. The MT strongly encourages the OCP and NPD leadership to ensure that structured review of BWC footage is made a formalized aspect of supervisory oversight of stops practices at the stations as soon as possible.

6. Next Steps

a. *LASD*

- Proceed with its training plan, keep DOJ and MT updated on progress, and, when appropriate, submit documentation for feedback and compliance assessment.
- Provide the MT and DOJ with analysis plans, updates to progress, and any reports completed by the Center for Policing Equity.
- Discuss feedback on BWC policy with the MT and DOJ, and work to further develop and finalize the policy.
- Have the AAB provide the MT with their completed stops audit report, their plans for any upcoming audits, and their plan for regular BWC reviews at the stations.
- Continue its work to incorporate data into daily processes, including modernizing data systems, implementing data dashboards and early warning systems, and follow through with the application and utilization of the SARA problem-solving model at the AV stations and in the CMF.

b. *The Parties and MT*

Continue to attend monthly meetings where the Department provides the MT and DOJ with updates of tasks and activities.

c. *The MT*

- Conduct a focused review of the work of embedded units who conduct stops and enforcement in the AV and provisions not addressed in the MT stops audit.
- Provide reviews and feedback on documents submitted by the Department to the MT.
- Along with DOJ, review any new training curricula and observe sessions.
- Participate in meetings and provide technical assistance on data systems, dashboards, data analysis, and application to practice.
- Conduct station observations and ride-alongs in the AV to observe activity in the field.

7. Stops Compliance Status Table

Table 1 provides the compliance status for each paragraph in the Stops section.

TABLE 1

STOPS, SEIZURES, AND SEARCHES COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
41	Stops and detentions are based on reasonable suspicion.	Yes 05/15/17	Partial	Yes 09/01/23	No
	Notes: The MT stops audit showed the Department is in compliance with this provision. The delivery of the training is measured in SA Paragraphs 57, 70, and 71.				
42	Elements of procedural justice are incorporated into training.	NA	Partial	Partial	No
	Notes: The principles of procedural justice are incorporated in the eight-hour bias-free policing training. The delivery of the training is measured in Paragraph 70. DOJ and MT case reviews have indicated that the principles of procedural justice are not regularly followed in the field. LASD has recognized the need to consider revising or enhancing this training; the Department has developed a draft plan for this assessment.				
43	LASD-AV does not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation as a factor in establishing reasonable suspicion or probable cause, except as part of actual and credible description(s) of a specific suspect or suspects.	Yes 05/15/17	Partial	Yes 09/01/23	No
	Notes: See Paragraph 41.				
44	Stops are accurately and thoroughly documented in MDC patrol logs.	Yes 05/17/17	Yes 08/16/18	Partial	No
	Notes: The MT stops audit showed the Department is in partial compliance with this paragraph (in compliance with subsections a, b, c, d, e, f, g, and k; and not in compliance with subsections h, i, and j). The delivery of the training is measured in SA Paragraphs 57 and 70.				
45	Accurate and specific descriptive language (non-boilerplate) is used in reports.	Yes 05/03/16	Yes 08/16/18	Yes 09/01/23	No
	Notes: The MT stops audit showed the Department is in compliance with this provision. The delivery of the training is measured in Paragraphs 57 and 70. See also Paragraph 41.				
46	Efficacy and impact on the community of searches based on probation and parole are assessed.	NA	NA	Partial	No
	Notes: LASD has periodically produced tabulations of statistics related to the number of parole and probation searches. The Department has made progress in this reporting period by engaging with an outside research group to conduct this provision's required analysis and by creating internal reports/processes to reach compliance.				
47	Backseat detentions require reasonable suspicion and reasonable safety concerns.	Yes 05/15/17	Yes 08/16/18	Partial	No
	Notes: The MT stops audit showed the Department is in partial compliance with this provision with regard to policy and training. Related outcomes are addressed in Paragraphs 48 and 49.				

TABLE 1

STOPS, SEIZURES, AND SEARCHES COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
48	Backseat detentions are not conducted as a matter of course.	Yes 05/17/17	Yes 08/16/18	No	No
	Notes: The MT stops audit showed the Department is not in compliance with this provision. The Department was not in compliance with BSDs in traffic stops, and the MT was unable to assess BSDs related to domestic violence calls due to insufficient data.				
49	Deputies respond to complaints about backseat detentions by calling supervisor.	Yes 05/15/17	Yes 08/16/18	Unable to Assess	No
	Notes: The MT was unable to assess this provision in its stops audit due to the Department's insufficient data.				
50	Deputies do not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation in exercising discretion to conduct a search, except as part of an actual and credible description of specific suspect(s).	Yes 05/17/17	Partial	Partial	No
	Notes: The MT stops audit showed the Department is in partial compliance with this provision. This provision refers to discretionary searches, which include consent searches and other types of searches. The findings show the Department had 100% compliance for consent searches as related to this paragraph; however, the MT was unable to assess other types of searches (e.g., home-based probation or parole searches) due to insufficient data. The delivery of the training is measured in SA Paragraphs 57, 70, and 71.				
51	Deputies do not conduct arbitrary searches.	Yes 05/17/17	Yes 08/16/18	No	No
	Notes: The MT stops audit showed the Department was not in compliance with the requirement that deputies articulate a valid reason for a consent search. The MT was unable to assess the full provision with regard to all discretionary searches due to insufficient data. The delivery of the training is measured in SA Paragraph 57.				
52a	Deputies equipped with BWCs record requests for consent to search.	Yes 05/03/16	Yes 08/16/18	No	No
	Notes: The MT stops audit showed the Department was not in compliance with the requirement that deputies record the request for a consent search and the response. The delivery of the training is measured in Paragraph 57.				
52b	Individuals with limited English proficiency (LEP) are informed in an appropriate non-English language.	Yes 04/08/18	Yes 08/17/18	Partial	No
	Notes: LASD implemented the SA-compliant LEP plan on April 8, 2018. The MT was unable to further assess this portion of SA Paragraph 52 in its stops audit since a full sample was not assessed. The Department was found in partial compliance based on previous complaint reviews, ride-alongs, and community input. The delivery of the training is measured in SA Paragraph 70.				

TABLE 1

STOPS, SEIZURES, AND SEARCHES COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
52c	Outreach is conducted about the right to refuse or revoke consent.	NA	NA	Yes 02/19/19	Yes 02/19/20
	Notes: This requirement was completed with the CACs' assistance and a brochure that is written in English and Spanish.				
52d	Supervisors are notified before home-based search.	Yes 05/15/17	Yes 08/16/18	Partial	No
	Notes: With regard to Section 8 housing-related searches, the Department is in compliance with this provision. With regard to other types of home-based searches, the MT was unable to assess this provision in its stops audit due to insufficient data. The delivery of the training is measured in SA Paragraph 57.				
53	A reasonable number of deputies are present at a search.	Yes 05/03/16	Yes 08/16/18	Partial	No
	Notes: With regard to Section 8 housing-related searches, the Department is in compliance with this provision. With regard to other types of home-based searches, the MT was unable to assess this provision in its stops audit due to insufficient data. The delivery of the training is measured in Paragraphs 57 and 70.				
54	Section 8 compliance checks require articulated safety concerns.	Yes 03/14/18	Yes 08/16/18	Yes 05/31/19	Yes 02/28/22
	Notes: LASD-AV included this requirement in policy and training and continues to be in implementation compliance based on the lack of any indication of housing-related enforcement activity. See the Housing section for more information. The delivery of the training is measured in Paragraphs 57 and 70.				
55	During home searches, individualized suspicion or probable cause determines who, besides subject of search, is subject to detention or search and for how long they are detained.	Yes 05/03/16	Yes 08/16/18	Unable to Assess	No
	Notes: In previous ad hoc reviews of stops data, ride-alongs, community input, and BWC video, the MT did not observe violations of this provision but was unable to assess this provision in its stops audit due to insufficient data. The delivery of the training is measured in Paragraphs 57 and 70.				
56	Probation and parole searches are carried out only when search conditions are established and in accordance with the Stops section.	Yes 05/15/17	Yes 08/16/18	No	No
	Notes: The MT stops audit found that CAD data consistently failed to articulate how the deputy established the subject's search condition or that the search condition was established prior to the search. The delivery of the training is measured in Paragraph 57.				

TABLE 1

STOPS, SEIZURES, AND SEARCHES COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
57	Constitutional policing training is provided.	NA	Yes 06/14/17	Yes 06/14/22	No
	Notes: The Department has been in compliance with delivery of this training since August 16, 2018, for deputies assigned to the AV stations, and since June 14, 2022, for embedded deputies from specialized units. The outcome of this training is measured through the practice provisions of this section of the SA. Due to issues apparent in recent audits, case reviews, and training observation, the Department is conducting an assessment and may implement revisions to how the constitutional policing principles will be delivered to staff as per the compliance metrics.				
58	Additional accountability and supervision to ensure unlawful stops and searches are detected and addressed.	Yes 05/03/16	Partial	No	No
	Notes: Outcomes for the policy required under this paragraph are addressed in SA Paragraphs 59–63, most of which the MT stops audit found to be out of compliance.				
59	Supervisors review CAD logs.	Yes 05/03/16	Partial	No	No
	Notes: The MT stops audit found that LASD-AV supervisors did not provide the required number of reviews required and the reviews that were conducted were insufficiently thorough.				
60	Supervisors review justification for stops and searches.	Yes 05/03/16	Partial	No	No
	Notes: The MT stops audit found no evidence that supervisors reviewed legal sufficiency with the deputies on any of the three stops for which supervisors found a narrative justifying an action was insufficient.				
61	Supervisors and station commanders address all violations and deficiencies in stops and searches.	Yes 05/03/16	Partial	No	No
	Notes: The MT stops audit found that appropriate corrective action was taken in 32 (91%) of 35 cases where supervisors identified errors, which is below the approved 95% compliance metric.				
62	Supervisors and station commanders track repeated violations of this SA and take corrective action.	Yes 05/03/16	Partial	No	No
	Notes: The MT stops audit found that the Department has various processes in place to track repeated violations, but those processes are not thorough or effective. There is not a singular tracker or process for this purpose.				
63	AV supervisors and commanders are held accountable for reviewing reports and requiring deputies to articulate sufficient rationale for stops and searches under law and LASD policy.	Yes 05/03/16	Partial	No	No
	Notes: The MT stops audit found the Department has failed to institute thorough and reliable practices whereby divisional managers hold unit commanders accountable and station managers hold supervisors accountable.				

C. Bias-Free Policing

In this reporting period, the Department's efforts regarding the SA provisions on bias-free policing focused on the following.

- Continue to provide the required full-day bias-free policing training.
- Continue to provide regular quarterly roll call training.
- Implement the Department's plan for assessment of and improvements to the training related to stops, bias-free policing, procedural justice, problem-oriented policing, and other areas.
- Continue working with the Center for Policing Equity and provide updates, analysis plans, and reports to the MT and DOJ for review and discussion.
- Continuing work to improve data systems and the use and application of data at the stations, in particular to assess Department activities for potential disparities and respond as appropriate.

1. Training

a. *Bias-Free Policing Training*

- The Department is in compliance with the full-day bias-free policing training.

During this reporting period, the full-day bias-free policing training was offered on August 24, 2023. The training attendance information provided by LASD placed the Department above the 95% needed to reach compliance with this provision.¹¹

b. *Quarterly Refresher Roll Call Training*

- The Department remains in partial compliance with roll call trainings.

The Department met this training requirement in the first, second, and third quarters of 2023. Annual 2023 compliance will be assessed in the next reporting period.

See the Stops section for discussion of LASD's review of existing trainings and the steps the Department is taking to revise and upgrade various trainings, including the bias-free policing and roll call trainings.

¹¹ Until recently, the MT cross-checked training attendance rosters to station rosters in order to verify deputy training attendance, but the MT has since found the LASD tracking methods to be reliable for that purpose. The MT will no longer conduct its own verification processes on the full-day trainings unless there are indications that further review is needed.

2. Improved Use of Data and Assessment for Disparities

- The Department is not in compliance for the disparity review of their programs, initiatives, or activities for possible disparities (SA Paragraph 68).

As elaborated on in greater detail in the Stops section, the Department made progress in a number of areas involving the collection, analysis, assessment of findings, and application of AV stops and calls for service data but has not reviewed policing strategies for possible disparities. LASD has finalized a scope of work with the Center for Policing Equity to provide analysis of stops conducted in the AV. CPE has previously produced a report for another LASD station, so they are familiar with the Department. It is the MT's understanding that CPE will assist the Department with the analysis and interpretation of data required by several SA paragraphs, including SA Paragraph 68 and other provisions related to potential disparities and any unintended consequences of law enforcement activities that may be an obstacle to building a trusting and collaborative relationship with the AV community.¹² Any data findings of disparities will need to be further assessed by Department managers to identify such things as public sentiments regarding the related law enforcement activity(ies), the level of impact on the community, the efficacy of the related activity in terms of crime reduction, the public's role or collaboration in the Department's related crime reduction strategy and its efficacy in that regard, how the activity may be revised to reduce or eliminate disparities, and the availability of alternative strategies or tactics with less impact. Community input will be important in this assessment phase and in developing any corrective action plan. CPE will also help the Department with community engagement strategies, beginning with identifying and building partnerships with community groups who can work with the Department in understanding and responding to policing activities that may inhibit community trust and collaboration.

3. Use of SACRS Data Instead of CAD for Stops Analysis and Evaluation of Potential Bias

The MT has recommended that LASD shift to using Sheriff's Automated Contact Reporting System (SACRS) data, which have been shown to be more reliable than CAD data. (As reported in the Stops section, SACRS holds the stops and detentions information that is submitted to California DOJ to meet Racial and Identity Profiling Act requirements.) Currently, the new LASD public stops dashboard is populated with SACRS data. CAD collects required data fields needed for SA compliance. In the following reporting period, the MT will discuss next steps with the Parties to determine if all the required data elements for the SA can be captured in the more reliable SACRS system.

The LASD's new dashboards for SACRS data to display and examine stops data in the AV can be used by LASD leaders to determine the presence or absence of bias in practices or enforcement in the AV. This is a significant step and cannot be understated. There is no way to conduct the analysis required by

¹² As reported in the last two semi-annual reports, interpreting and assessing the data findings refers to the process by which the Department determines what the data results show about law enforcement practices in the AV and how those results can help the Department understand and evaluate the effects of AV station enforcement decisions, not only on enforcement objectives and public safety but also on such related issues as community engagement and trust and any potential negative impacts like disparities or "counter-productive divisions between the LASD and the community" (SA p. 7). A key aim of this assessment is to establish whether adjustments may be necessary to better align stops and calls for service activity with the stations' enforcement strategies and SA requirements.

the SA without accurate, relevant, timely, and accessible data. Notably, LASD, through its Office of Constitutional Policing, advised DOJ and the MT of its plan to move away from the use of CAD to document stops and instead use the more reliable SACRS system (see discussion in the Stops section). Again, this is an important move that the MT supports, but SA compliance will require the use of this data in meaningful assessments of LASD activity in the AV including the potential for the presence of bias.

4. Incorporation of Bias-Free Policing Requirements into Personnel Evaluations

- The Department is not yet in compliance for the incorporation of bias-free policing and equal protection requirements into the personnel performance evaluation process (SA Paragraph 67).

Since 2016, the Department has reported that language had been added to the employee annual performance evaluations that indicated whether the deputy under review had demonstrated the capacity to effectively practice bias-free policing and meet equal protection requirements of the SA and the law. LASD has yet to develop associated procedures for supervisors to use when evaluating staff members for that capacity.

5. Obstacles and Successes

The new leadership at the AV stations has been receptive to discussions about the potential of bias being evident in LASD activities in the AV. They need to examine enforcement patterns and activities in the AV because these may reflect potential bias at the individual, shift, or station level. Recently, the Department, DOJ, and the MT have had meaningful discussions during site visits and other meetings with LASD outlining the desire to implement regular practices to ensure meaningful assessments take place. In the past, the MT did not observe this level of interest and openness at the AV station level. The MT has provided technical assistance to help the stations realize the necessary steps they must undertake to reach compliance with these requirements of the SA. In the last reporting period, this level of commitment was evident with the leadership of the Office of Constitutional Policing. In this reporting period, the new AV station leaders have echoed the commitment of the OCP. It is now crucial for other levels of management and supervision at the stations—lieutenants and sergeants—and all those involved in training and orienting deputies to understand the importance of and display a strong commitment to this practice. Importantly, in addition to assessing unit-level law enforcement activities as part of Paragraph 68, part of supervisory evaluations of individual deputy performance must include the “individual’s ability to effectively practice bias-free policing” (SA Paragraph 67).

The restructured CMF, modern data systems, data dashboards, and early warning system will be important steps forward in the ways the Department incorporates data analysis and data-driven decision making into routine station operations. However, how managers scrutinize and make use of the data and information that is provided through these mechanisms is the more important, and more difficult, step. This is followed by a still more important step that has also not been common at NPD or the AV stations, that is, the ability and willingness of managers to make the inquiries to uncover instances of misconduct or concerning patterns in the data for individual or groups of deputies, supervisors, and units and to then take the appropriate corrective action necessary.

Finally, the provision of law enforcement services in the AV in an effective and equitable manner is dependent on the broader efforts to ensure staff are trained in and can carry out problem-oriented policing, community policing, and procedural justice expectations as laid out in the community engagement training required by SA Paragraph 89. These principles and techniques ensure staff have the tools to implement fair and effective policing strategies with communities as co-producers of public safety. As discussed in the Stops section, LASD is implementing a comprehensive training plan that includes these elements (see the Community Engagement section for more discussion).

6. Next Steps

a. *LASD*

- Continue to provide the required full-day bias-free policing training and provide the quarterly roll call training.
- Implement its training plan for assessment of and carrying out improvements in the training related to stops, bias-free policing, problem-oriented policing, and other areas. The Department will institute changes to the roll call training sessions based on the training assessment. The Department will keep the MT and DOJ advised of progress and confer as appropriate in the training development process. For all trainings related to the SA, the Department will provide course materials for DOJ and MT review and receive approval prior to implementation.
- Continue working with the Center for Policing Equity to meet the objectives identified in the scope of work. The Department will provide updates, analysis plans, and reports to the MT and DOJ for review and discussion.
- Provide documentation to the MT and DOJ showing how data will be used to evaluate and inform practice and to respond to any identified disparities in enforcement when warranted.
- Implement the new internal dashboards for stops and train the Department's managers and supervisors in how to use the new dashboards. The Department will remain committed to improving their processes for reviewing the information with their staff and making any appropriate changes to enforcement practices, community engagement activities, or other efforts.
- Provide the MT with any plans or documentation of efforts to identify and address any potential disparities in LASD enforcement in the AV.

b. *The MT*

- Provide feedback on data-related activities, including analysis plans and data reports created internally by the Department, the new internal and external stops dashboards, and any work plans and reports created through the Department's partnership with the Center for Policing Equity.
- Continue to provide feedback regarding the application of problem-oriented policing principles and the CMF.

7. Bias-Free Policing Compliance Status Table

Table 2 provides the compliance status for each paragraph in the Bias-Free Policing section.

TABLE 2

BIAS-FREE POLICING COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
64	Members of the public receive equal protection of the law, without bias based on race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation, and in accordance with the rights secured or protected by the Constitution or laws of the United States. Deputies do not initiate stops or other field contacts because of an individual's actual or perceived immigration status.	Yes 05/15/17	Partial	Partial	No
	Notes: The MT stops and bias-free policing audit found the Department is in partial compliance with this provision. Previously and in the audit, the MT saw no indication of recurring or systematic violations of this provision in its informal case-by-case reviews or in its stops audit. However, full compliance assessment for this provision requires additional assessment beyond the audit, including quantitative and qualitative reviews of stops measured across all of the MT's work and in LASD's required disparity analyses in SA Paragraphs 68, 81–86, 120–123, and elsewhere. Also, the audit found the Department to be in compliance for not using immigration status as a reason to initiate stops. The delivery of the training is measured in SA Paragraphs 57, 70, and 71.				
65	Museum of Tolerance and other experts are consulted on prohibited conduct, bias-free policing, implicit bias, and stereotype threat.	NA	NA	Partial	No
	Notes: LASD and the Museum of Tolerance had a working relationship previously, but since March 2023, LASD is now working with the Center for Policing Equity (CPE). The MT awaits documentation from the LASD detailing the results of the consultation and possible changes/enhancements to the current training. LASD is also working with other external organizations for training and consultation purposes, including the US DOJ COPS Office and training experts.				
66	Effective communication and access to police services is provided to all AV members, including those with limited English proficiency (LEP).	Yes 04/08/18	Yes 08/16/18	Partial	No
	Notes: LASD implemented the SA-compliant LEP plan on April 8, 2018. The MT currently assesses this provision through complaint reviews, ride-alongs, and community input and has found the Department in partial compliance pending a formal review.				
67	Bias-free policing and equal protection requirements are incorporated into the personnel performance evaluation process.	Yes 05/03/16	NA	No	No
	Notes: In previous semi-annual reports, the Department was found in partial compliance with this paragraph. However, the MT and Parties continue to discuss how LASD will use enforcement statistics for stops as a part of their performance evaluation process. LASD has indicated it may be more appropriate to address this provision in other types of reviews rather than the annual performance evaluations. The Parties and MT need to create a method for establishing an appropriate sample that the MT can use to assess compliance.				

TABLE 2

BIAS-FREE POLICING COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
68	All LASD-AV programs, initiatives, and activities are analyzed annually for disparities.	NA	NA	No	No
	Notes: The Department expects to work in partnership with the CPE to address the requirements of this provision.				
70	Bias-free policing training is provided.	NA	Yes 08/16/18	Yes 06/15/22	No
	Notes: The Department has been in compliance with the delivery of this training since June 15, 2022, for deputies assigned to the AV stations and for embedded deputies from specialized units. The outcome of this training is measured through the practice provisions of this section of the SA. Based on recent audits, case reviews, and training observations, the Department has made revisions and is currently reviewing the training and considering further revisions or replacement.				
71	Quarterly roll call briefings on preventing discriminatory policing are provided.	NA	Yes 02/01/19	Partial	No
	Notes: Approved briefings began February 1, 2019, but were not delivered consistently until 2023. The Department met the requirements for providing this training in the first, second, and third quarters of 2023; however, compliance is measured annually, so it will be assessed after the fourth quarter of 2023. Also, the Department has developed a draft plan to assess and potentially change this training in response to recent DOJ and MT case reviews and MT audits.				

D. Enforcement of Section 8 Compliance

In February of 2022, the Department was deemed to have achieved sustained compliance with the SA housing provisions and, absent evidence to the contrary, the MT will no longer monitor SA Paragraphs 73–80 (and Paragraph 164 as it pertains to housing-related training) moving forward.¹³

1. Housing Compliance Status Table

Table 3 provides the compliance status for each paragraph in the Housing section.

¹³ Pursuant to the DOJ and LASD approval of MT SA Paragraph 150 Recommendation re. Housing Paragraphs 73–80 and 164 v2-28-22.

TABLE 3						
ENFORCEMENT OF SECTION 8 COMPLIANCE STATUS						
SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE				
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED	PARAGRAPH 150
73	New housing non-discrimination (HND) policy is implemented.	Yes 2/23/18	Partial	Yes 05/31/18	Yes 05/31/19	Yes 02/28/22
74	All current deputies acknowledge receipt and understanding of HND policy.	Yes 2/23/18	Partial	Yes 5/31/18	Yes 05/31/19	Yes 02/28/22
75	All newly assigned deputies acknowledge receipt and understanding of HND policy within 15 days.	Yes 2/23/18	Partial	Yes 5/31/18	Yes 09/14/20	Yes 02/28/22
76	Policies regarding the review of requests from a housing authority for deputy accompaniment are revised.	Yes 03/14/18	Partial	Yes 5/31/18	Yes 05/31/19	Yes 02/28/22
77	Accompaniment policy regarding LASD housing investigations is implemented.	Yes 03/14/18	Partial	Yes 05/15/18	Yes 05/31/19	Yes 02/28/22
78	Deputies document all voucher holder compliance checks using Stat Code 787.	Yes 03/14/18	Partial	Yes 05/31/18	Yes 05/31/19	Yes 02/28/22
	Notes: The Parties and MT agreed that if there was no indication that LASD participated in housing-related enforcement actions, including Section 8 compliance checks, they would be found in compliance with Paragraphs 78, 79, and 80. On this basis, the MT found the Department in compliance after review of several years of community input and Department documentation of stops, arrests, and other actions indicated no such actions occurred.					
79	Deputies document each independent investigation for fraud based on voucher holder compliance with the voucher holder contract using Stat Code 787.	Yes 03/14/18	Partial	Yes 5/31/18	Yes 5/31/19	Yes 02/28/22
80	Deputies document housing-related activity using Stat Code 787 and do not inquire into an individual's Section 8 status.	Yes 03/14/18	Partial	Yes 05/31/18	Yes 5/31/19	Yes 02/28/22

Table Notes:

- The MT submitted a memo dated February 28, 2022, subsequently approved by the Parties, invoking Paragraph 150 for Paragraphs 73–80.
- The SA-mandated training related to housing is monitored in the bias-free policing training (Paragraph 70, in compliance) and the quarterly roll call trainings, Preventing Discriminatory Policing Parts A–G (Paragraph 71, not in compliance).

E. Data Collection and Analysis

1. Progress on Data Collection and Analysis provisions

- With the exception of some aspects of the data collection required by Paragraph 81, the Department remains out of compliance for SA Paragraphs 81–86.

In many regards, the requirements of the Data Collection and Analysis section run parallel to the data-related activities required to meet compliance with other SA sections, including Stops, Bias-Free Policing, Community Engagement, and Accountability (see those sections). The related activities that the Department focused on in this reporting period included the following.

- Continue partnership with CPE, including preparing for the types of data analysis required by SA Paragraphs 82–85.
- Continue work to modernize and standardize the data systems used to document and track stops, use of force, complaints, training, and other SA-related activities.
- Develop and implement data dashboards for public and internal use.
- Further develop use of stop data in CMF and RMF.

2. Obstacles and Successes

The obstacles and successes related to data collection and analysis are discussed in detail in other SA sections. Despite the progress, it remains concerning that eight years into the monitoring period, the data analyses required in this section are not yet a routine part of station operations. The Department is currently strengthening its data infrastructure—modernizing data systems, building platforms for accessing and exploring the various types of data, and developing managers’ familiarity with those tools. This is crucial work, but it is just the start of bringing the use of data to the level envisioned by the SA. Developing managers’ skills at data queries, interpreting results, and applying the findings to practice will take time. Developing a culture where data-driven decision making is a prioritized and routine part of daily operations will take even longer. Nevertheless, the MT acknowledges the progress made in the last year.

3. Next Steps

- LASD will continue the data analysis work through the CPE partnership and provide work plans and reports for MT and DOJ review and compliance assessment.
- LASD will continue the other activities related to data collection, data analysis, and the use of data to inform practice as part of other SA sections.
- The MT will provide feedback and technical assistance as appropriate.

4. Data Collection and Analysis Compliance Status Table

Table 4 provides the compliance status for each paragraph in this section.

TABLE 4

DATA COLLECTION AND ANALYSIS COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
81	LASD collects data related to bicycle stops, backseat detentions, probation and parole stops and searches, consent searches, and vehicle impoundments.	NA	NA	Partial	No
	Notes: LASD has been collecting the required data for several years and is in partial compliance pending completion of an ongoing formal assessment of the accuracy and thoroughness of the data collection.				
82	LASD conducts semi-annual analysis of various data documenting stops, searches, seizures, backseat detentions, arrests, vehicle impoundments, uses of force, civilian complaints, and Section 8 voucher compliance checks.	NA	NA	No	No
	Notes: LASD has contracted with an external consultant on conducting stops data analysis. The MT will review analysis plans and reports, including ways in which the stations use the findings to inform practice, to assess whether they address SA Paragraphs 82–86.				
83	LASD’s semi-annual data analysis includes regressions, including appropriate controls, to determine whether law enforcement activity has a disparate impact on any racial or ethnic group.	NA	NA	No	No
84	From the analysis, LASD identifies any trends or issues that compromise constitutional policing and respond accordingly by, for instance, reviewing and revising as necessary policy, training, or practice.	NA	NA	No	No
	Notes: LASD should also examine, publicly respond to, and potentially use to inform practice the analysis provided by the Monitors and the reports presented by the Office of the LA County Office of Inspector General (OIG), local universities, and ProPublica.				
85	LASD’s analysis identifies any problematic trends among reporting districts or deputies and takes appropriate corrective action. LASD’s analysis is incorporated into routine operational decisions.	NA	NA	No	No
86	LASD produces a semi-annual report summarizing the results of the analysis and steps taken to correct problems and build on successes. The report is publicly available in English and Spanish and posted on LASD’s website.	NA	NA	No	No

F. Community Engagement

The Monitors have seen Sheriff Luna’s administration taking several positive steps toward incorporating community engagement into routine policing practices. That said, it should be noted that the current administration is starting with a deficit as community engagement and relationships have been increasingly strained over the last several years, particularly with the Black community. Tensions in the AV were further exacerbated by two high-profile uses of force in the AV in the summer; and then by the more recent death of a woman who was killed in a deputy-involved shooting after she called LASD to report the assault of her young child. While these incidents of course do not represent all interactions that occur between deputies and members of the public they engage with, they do undermine other positive steps the Department has taken. As we reported in the last semi-annual report, the new administration acknowledged serious issues with LASD’s openness to community input and collaboration, the diversity and effectiveness of the CACs, and, generally, the Department-community relationship. In this section, we will discuss the steps the Department has taken during this reporting period to address ongoing community concerns. At the same time, we acknowledge that these steps may ring hollow for many community members who are disenchanted and upset with the lack of progress in reducing incidents of unnecessary and questionable uses of deadly force.

In this reporting period, the Department’s efforts regarding community engagement–related SA provisions focused on the following.

- Development of a strategy to enhance relationships with Black, Latinx, and youth populations.
- Engage youth members with the CACs or an alternative committee.
- Enhance the CACs to include membership from the broader community.
- Ensure CAC members understand their roles and responsibilities; ensure station personnel understand the roles and responsibilities of the CACs; ensure CACs present community complaints and concerns at meetings; ensure CACs understand the Settlement Agreement.
- Develop a tracker to document (1) community concerns, issues, and problems; (2) the Department’s response to that input; (3) any collaboration undertaken between the Department and community to address the issues; and (4) outcomes of any corrective action taken.
- Utilize Community Survey data to improve community engagement.
- Develop a plan to conduct a Deputy Survey (aka organizational climate study).
- Develop and implement community engagement training.
- Improve department complaint process.
- Develop advisory groups and hold a hate crimes summit.
- Review the CMF and RMF processes for possible revisions.
- Continue deputy engagement with the community through events and/or individual contacts (755s).

While there has been little change in compliance status for each of the community engagement provisions, the MT notes the following progress on those items.

1. Developing Strategies to Enhance Relationships With Black, Latinx, and Youth Populations

- The Department remains out of compliance for enhancing relationships with particular groups, including youth and communities of color (SA Paragraph 88).

Despite there being little change in compliance, the MT has found progress being made as a result of the OCP Compliance Unit and stations having undertaken greater efforts to enhance relationships between the Department and community members. As described in more detail below, these include advance planning of meetings and events, collecting information on participants' impressions of meetings and events, better tracking of the community concerns that are voiced by community members at various meetings, and new outreach efforts. For compliance assessment, the MT will continue to track and assess whether these and other activities are successfully implemented and maintained.

- Improving event planning fundamentals such as maintaining a calendar of community events with dates scheduled six months in advance and making that available to deputies and community members.
- Integrating LASD community engagement activities with national calendar events such as MLK Day, Juneteenth, Indigenous Peoples Day, National Night Out, and National Hotdog Day to provide additional opportunities for both fun interactions between the community and deputies and mutual learning and relationship building.
- Implementing a QR code system that will be available at all community meetings so that LASD can better collect and track community feedback and satisfaction regarding community events and to evaluate the department success at engaging the meeting participants. Questions such as "I feel motivated to stay engaged in addressing important community issues," and "I gained a greater understanding of people with different personal experiences, views, or opinions" will be routinely asked in a brief online survey. Early in 2024, LASD will include this data in a publicly available dashboard.
- Developing youth-focused events, including working with high schools on a youth program called "Roll'n with a Deputy" where deputies pass out cinnamon rolls and interact with students before school. Palmdale also had a well-attended event called "Trunk or Treat" where they passed out Halloween candy from the trunks of squad calls at a local park.

LASD has shown more willingness and displayed greater efforts in recent months to improve transparency with the community and to improve communications with the community about their concerns. To that end, LASD has reinstated an approach to hosting community meetings called Days of Dialogue. This approach was used in three AV meetings in this reporting period: in Palmdale on August 16, which Sheriff Luna attended, and in Lancaster on November 6 and December 4. In the Days of Dialogue model of community meetings, attendees are assigned to smaller discussion groups, and a professional facilitator introduces discussion questions that are intended to elicit candid discussion between community members and deputies. A primary goal of this approach is to break down the "us and them" attitudes that are often evident during community-law enforcement encounters and to promote increased mutual understanding and recognition of the humanity in one another. According to reports from both community members and deputies in attendance, this model seems to be viewed as being more successful. MT members have been present at both meetings and were impressed with the

quality of discussion. Community members were actively engaged, shared their experiences, and were open to the deputies' experiences as well. Department leadership and, in particular, the newly assigned station captains modeled good leadership with grace and without defensiveness. Some of the deputies that participated were exemplary in these meetings, also demonstrating strong listening skills, openness, and ownership of LASD's responsibility for improving the relationship between the community and law enforcement. At the August meeting, the MT noted that most of the 12 deputies in attendance were not line patrol deputies but rather from support roles. In response, the Department ensured that line deputies and school resource officers attended the next meeting. The MT will monitor continued participation of line deputies at future meetings. We hope that productive community meetings of this nature will become the norm as the station captains set the tone and reinforce the expectation that such engagement is expected in an on-going basis from all deputies as is consistent with the cultural competency and procedural justice training they have been receiving.

The LASD held two community meetings following the December 4, 2023, shooting of the young woman who had reported the assault of her child. Both meetings had been scheduled prior to that incident but, as one would expect, the major focus of each meeting became the shooting. The first meeting was held on December 5, a Lancaster CAC townhall meeting. For many of the community members, the news of the fatal shooting took understandable precedence over the originally planned agenda, which was an update on progress related to the SA. Meeting attendees broke into two groups, one to address the shooting and one to address other pressing community needs. In the MT's assessment, the station captains facilitated the discussion with the community without defensiveness, assured the community that the BWC footage would be released within 30 days,¹⁴ and stressed accountability and transparency.

Another meeting was held in Palmdale on December 13, 2023, to introduce all four new station captains and have them meet with an invited group of community stakeholders, including members of some of the Department's more ardent critics, such as the Cancel the Contract group. The discussion was facilitated by the OCP community engagement lieutenant. In addition to the December 4 shooting, Department leadership talked about some of the outreach strategies and events that are planned and intend to improve relations between AV deputies and underrepresented communities including youth and communities of color. Department leadership also explained the two-captain model that is being piloted in the AV stations and one other LASD station. The two-captain model allows for one captain to focus on patrol functions and community engagement while the other captain is focused on improving administrative and accountability functions such as reviews of UOF incidents and complaints.

The community members shared with the new station leaders their feelings and concerns. One community member said, "We don't see people caring for us as Black people." Another said, "As long as you keep killing us, there will be no relationship." A third said, "Don't look to us to repair your relationship with the community because we cannot carry that burden and care for our community." The Department was criticized for the lack of provision of outreach services to residents of the apartment complex where the most recent shooting occurred, for not having a SA-compliant use-of-force policy, and for insufficient Mental Evaluation Team (MET) coverage. In the MT's assessment, LASD's new set of leaders responded without defensiveness to these concerns. They spent some time

¹⁴ The BWC footage for this incident was released on December 29, 2023—within the 30-day window as promised.

explaining their process for reviewing critical incidents. Acknowledging the need for change, the new captains asked for a chance to improve accountability and culture and described some of the steps they were already taking. One of these steps includes more extensive review of BWC footage to improve the thoroughness and quality of the investigations into incidents where force is used and to evaluate the way the community is being talked to and treated during various encounters, and setting new norms of conduct with the deputies. Toward the conclusion of the meeting, one of the participants said it was the best meeting they had been to and another commented “We will have highs and lows in our relationship, but we still gotta be in a relationship.”

2. Engaging Youth Members With the CACs or Another Committee

- The Department remains in partial compliance for including youth on the CACs or some other advisory group (SA Paragraph 94).

The CACs in both Lancaster and Palmdale have added two youth members ranging in age from 17 to 19. These four youth members have participated in recent community meetings. The stations report they intend to expand the youth representation to include separate youth leadership committees. Current CAC members are playing key roles in recruiting and orienting these new youth members. Maintaining consistent youth membership has proven to be difficult in the past. The MT will monitor the participation of these youth at CAC meetings in the next reporting period.

3. Enhance the CACs to Include Membership From Broader Community

- LASD remains in partial compliance with the CAC requirement that “membership is representative of the diverse communities in the Antelope Valley, including members from each station, faith communities, minority, ethnic, and other community organizations” (Paragraph 94).

LASD is currently recruiting and interviewing additional members for the CACs. Several of those that were asked to leave the CACs by previous leadership have remained productive contributors at community meetings. The MT has encouraged the stations to reengage some of those individuals as CAC members and/or invite them to meet directly with the station captains. LASD has also created a flyer to help publicize the role of the CAC and is distributing it to the community during events to encourage interest in the CAC and to provide a realistic sense of the time commitment and responsibilities involved in being a CAC member. In addition to specifically inviting groups like Cancel the Contract to events, LASD is conducting individual outreach to some of the most vocal critics of the Department and encouraging them to join or engage with the CACs.

4. Ensure CAC Members Understand Their Roles and Responsibilities; Ensure Station Personnel Understand Roles and Responsibilities of the CACs; Ensure CACs Understand the Settlement Agreement

- LASD is in compliance with the various provisions for facilitating the CACs (Paragraphs 87a, 87c, 93, 96, 97).

Despite general compliance with these provisions, the Department recognized the need to take further steps to ensure the CACs can function as intended by the SA. In addition to the flyer that was created to explain to the community what the CAC does and to provide basic orientation to the CAC members themselves, LASD is working with representatives from the US Department of Justice Community Relations Service (CRS) to train CAC members on the Days of Dialogue model for meetings. New CAC members will attend the Citizen's Academy which will provide them an in-depth orientation to daily LASD operations including recruitment, dispatch, stops, use-of-force shoot—don't shoot simulator training, investigations, and detention. LASD is also developing a guidebook that will provide consistency and direction for CAC members regardless of any natural turnover that may occur. LASD is also exploring funding for community events and CAC activities, such as micro grants, to help with providing snacks and drinks at meetings.

The MT emphasizes that the role of the CACs must be recognized by the stations as involving far more responsibilities than merely serving as a conduit for relaying information between the community and Department. SA Paragraph 93 clearly establishes broader expectations and states:

The panel 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. The civilian panel shall be authorized to: (a) advise the Sheriff and the station commanders on strategies and training to improve community relations, bias-free policing, and access to the civilian complaint system; (b) work with the Sheriff and station commanders to establish and carry out community public safety priorities; (c) provide the community with information on the Agreement and its implementation; and (d) receive and convey to LASD public comments and concerns.

5. Ensure CACs Present Community Complaints and Concerns at Meetings; Develop a Tracker to Document Community Concerns, Issues, and Problems; and Include Solutions to Address Those Items

- LASD remains out of compliance with Paragraph 87b, regarding being available for community feedback, but steps have been taken to achieve this objective.

The Department needs to develop ways for systematizing the documentation of community concerns, collaborating with community members on solutions (when appropriate), and providing follow-up on any steps taken and their outcomes, which is a crucial element and indicator of successful community engagement. In previous reports, the MT criticized the AV stations and in some cases the CACs for lack of follow-up on issues that surfaced in community meetings or were transmitted to the Department in other ways. To address this issue, the OCP has created a system to document community concerns and will start presenting actions taken to address those concerns during subsequent meetings. It is the MT's expectation that this process will also include tracking the ways in which the Department and community members collaborate on solutions to those concerns. The OCP and the new station captains have begun outreach to outside agencies to learn how police departments across the country are incorporating community feedback into their policing strategies. The Palmdale and Lancaster station captains are considering adopting approaches such as the micro policing strategies used in Seattle, San Diego, and New Orleans which emphasize more localized or neighborhood-based community policing.

6. Utilize Community Survey Data to Improve Community Engagement and Establish a New Community Survey Partner

- The Department is in compliance for assisting in the administration of the Community Survey (SA Paragraphs 98–101).
- The Department remains out of compliance for using the Community Survey to inform practice (SA Paragraphs 69, 72, 88).

Data collection for the fourth annual Community Survey concluded during this reporting period. The survey was launched in mid-November 2022 and closed in June 2023. Data collection was conducted virtually through an online link and through a limited number of paper surveys made available to community members attending community meetings or upon request. LASD, both CACs, and a handful of community-based organizations and individual community members distributed the survey to their online networks. LASD's efforts to promote the survey through the Department's online network and social media channels, including a personal message from the sheriff, helped generate a significant increase in survey participation.

The most significant change in Year 4 was discontinuing survey administration at AV high schools due to low response rates in the past. As an alternative, the survey was modified to ensure the perspectives of younger AV residents were still captured in the general survey. Some additional minor revisions were made to the survey questions in order to improve the quality of the data being collected.

The total number of survey respondents in Year 4 was just under 1,200, 70% of whom indicated it was their first time completing the survey. Overall, Black people and people of color were underrepresented in the survey sample. Over four years, the adult proportion of Hispanic/Latinx respondents decreased from 44% in Year 1 to 29% in Year 4. The percentage of respondents who identify as Black/Black Multiracial has fallen from about 18% in Years 1 and 2 to 10% in Year 4. Another noteworthy trend has been an increasingly older group of respondents, with 40% of respondents indicating they are 55 years old or older in Years 3 and 4. Less representativeness reduces the reliability of the overall survey findings; but the survey still provides important data on each demographic group analyzed separately. The Parties and MT will discuss changes to promotion and distribution methods for the next survey that can increase representativeness.

A report discussing and summarizing survey findings as well as online data visualizations will be published early in the next reporting period. The online visualizations will include data from all four years of the survey and allow the public to choose how the data tables are populated in order to do independent analyses and comparisons. The Parties and MT will also discuss ways in which the information from the survey should be used by the Department to inform its community engagement, problem-oriented policing, and bias-free policing activities.

After the first three community surveys, the MT found that the stations did not sufficiently utilize the findings of the survey to inform their community engagement or law enforcement practices. During a November site visit, the research group presented an update on the survey and a preview of the results. Only one of the new station captains was in place for that meeting, but his interest, questions, and openness to the Community Survey data was refreshing. The Department also reports that their revisions to the CMF and RMF (see below) will now begin including incorporation of community

feedback. The MT will assess whether community survey findings are also considered in these and other LASD activities.

A fifth annual Community Survey will launch in 2024. The Department has indicated it intends to replace the current survey with a new countywide survey. The DOJ and MT are open to this change and look forward to reviewing documentation of that instrument and methodologies.

The Department also reported that it continued to explore options for conducting a countywide community survey.

7. Develop Plan to Conduct a Deputy Survey (Organizational Climate Study)

- The Department remains in partial compliance with the Deputy Survey, pending their planned revisions to the instrument (SA Paragraphs 69, 72).

To date, the Department has conducted two deputy surveys and remains in partial compliance with this requirement. The MT has given the Department leeway to explore a new Deputy Survey that the Department feels will be more useful to the managers. LASD reported that they are working with outside vendors to develop this plan. The MT looks forward to reviewing their plans.

8. Community Engagement Training

- The Department remains out of compliance with the required community engagement training (SA Paragraph 89).

LASD has not submitted a revised version of the community engagement training since the MT and DOJ provided our last comments on the training in June 2022. LASD reports that they have revised the draft and are circulating the curriculum to outside experts for feedback as well as assessing other training modules on national best practices for community engagement. LASD expects to submit an updated training curriculum to the MT and DOJ by the end of January 2024.

9. Improve Department Complaint Process

While the MT's assessment of the Department's processes for intake and investigation of public complaints is addressed in the Complaint section, an issue of particular importance to the community is their ability to submit complaints in a variety of ways, including by telephone at night or on weekends. In this reporting period, the OCP reported that the Department's 1-800 telephone line for receiving complaints was now being answered at all times, correcting a finding of the MT's earlier stops audits. (See Complaints section for more details.)

10. Develop Advisory Groups and Hate Crimes Summit

LASD held a countywide hate crimes summit in September 2023. While not specifically required by the SA, the summit represents an important type of community engagement. Also, LASD reports that it recently created an LGBT hate crime task force, working with community-based groups and the Major Crimes Unit, that investigates hate crimes.

11. Deputy Community Engagement

- The Department is in compliance for deputy involvement in community engagement activities (SA Paragraph 88).

Compliance with the requirement that deputies participate in community engagement events is measured via their community interactions, which are logged as 755s (SA Paragraph 88), and this is measured annually. The MT found the Department in compliance for 2022; 2023 compliance will be assessed early in 2024. We understand that the Compliance Unit has been working closely with each station's community engagement sergeants to stress the role of deputy-initiated community engagement in the sheriff's vision of policing and the importance of capturing the critical details of those interactions.

12. Crime Management Forum

- The Department remains in partial compliance with Paragraph 90 regarding CMF meetings.

The MT has continued to attend the monthly NPD Crime Management Forums (CMF) and has provided LASD with two memorandums this reporting period with feedback and suggestions to improve the forums. Those memos, submitted in July and October, were intended to assist the Department with its continuing efforts to achieve compliance with the SA, with particular emphasis on the agency's policy objectives of implementing community policing and problem-solving strategies, as stated in the SA Paragraph 90 and in the Manual of Policies and Procedures (MPP) Section 3-01/110.00 "Community Policing and Engagement." In addition to recommending the Department conduct a systematic review of current CMF meetings to identify ways they can be improved and that OCP content-area experts should involve themselves in that process, the MT provided the following recommendations.

- Prioritize the creation and implementation of trainings that provide the basis of CMF analysis, discussions, and corrective action.
- Develop and implement formalized crime prevention strategies/crime reduction plans for the AV stations.
- Increase efforts to network with other law enforcement agencies and/or experts.
- Develop staff through their participation in the CMF presentations.
- Create a standard slide deck as a template for each CMF meeting.
- Specifically include discussion about community priorities.

- Rotate problems addressed so that appropriate time can be given to key topics.

Although progress has been slow and significant work remains for the Department, the MT has seen signs of improvement in the CMFs over this last reporting period. The station captains are beginning to spend more time discussing problems in their area, but they must make this a consistent practice. Although still insufficient, there has been some mention of the application of the Scanning, Analysis, Response, and Assessment (SARA) problem-solving principles in the field or SARA being addressed in the CMFs. In the stations' presentations during the CMFs, they occasionally describe the use of the SARA steps individually to describe an issue, but they do not yet apply the principles in a consistent or holistic manner.

LASD is now working on a new format for the CMF meetings. They have dedicated two staff members to follow up on the feedback from the MT and to conduct a survey of national best practices to create a new guidebook for CMFs. This new process will also include the presentation and discussion of key information to better understand how deputies are conducting enforcement in the community and the potential impacts this might have on the Department's relationship with the community in those areas.

The new format is an important step for the monthly CMF meetings and should set the stage for improved assessments of the efficacy of various law enforcement strategies and activities, the efficient allocation of resources, community input and collaboration in crime prevention efforts, and identifying the intended and unintended impacts of law enforcement activities on the community. As the new format is planned and implemented, the MT continues to stress lessons learned from our observation of CMF meetings for the past several years as expressed in our memos and in numerous meetings on the topic, including the following.

1. An upgraded CMF format alone cannot produce the outcomes required by the SA and of best practice in law enforcement; nor, for that matter, can the upgraded data systems. The success of the process will depend on management being held accountable for its efforts to identify and effect change of concerning patterns and of employees with documented risk behaviors.
2. Managers must be willing to routinely engage staff through the use of thoughtful and probing questions about their practices and discuss root causes of the issues, the reasonings behind the law enforcement response(s) selected, and the ongoing assessment of results to determine whether modifications or refinements are required.
3. Managers need to assess the various data and information provided to look for patterns and trends across units as well as among the individual deputies and supervisors. In the meetings we have attended, we have noticed a hesitancy to discuss problematic employees and the lack of effectiveness of managerial efforts to effect change, such as through additional supervision or training, or the PMP program. NPD managers need to hold station managers accountable just as station managers need to hold the deputies and their supervisors accountable.
4. It is a staple of effective law enforcement agencies to proactively and regularly identify practices that have a negative impact on the community and to implement steps to mitigate or eliminate the activity.
5. The success of the CMF will depend on several trainings and knowledge bases that are referenced in the new guidebook but have not been fully developed or implemented, such as the community policing and problem-solving policing training required by SA Paragraph 89 and a better

understanding of the SARA model and its application at the stations among deputies and managers.

With the MT's support, the LASD canceled the November and December 2023 CMF meetings to have additional time to prepare for kickoff to the new format. The MT will continue to observe and provide feedback on the CMF meetings as this new process is initiated. (See further discussion of the CMF in the Stops and Accountability sections.)

13. Risk Management Forum

- The Department remains in partial compliance with Paragraph 90 regarding the RMF.¹⁵

On October 19, 2023, the Department held their most recent semi-annual Risk Management Forum for North Patrol Division. Undersheriff Tardy led the review with the division deputy chief and commanders from NPD and the Professional Standards Division (PSD) in attendance. Both AV station acting captains and their key staff were present.

The review period for this forum was August 2022 through July 2023. The forum provided more than 100 slides containing data for the usual subject areas, such as administrative investigations, public complaints, and uses of force. It provided a comparison of NPD stations to others in the division and NPD to other patrol divisions in the department. Throughout the meeting, we noted the undersheriff raised relevant and helpful questions while providing specific suggestions and recommendations to the captains on a variety of issues that are based on time-tested experiences and research in the policing industry.

The Department recognizes that PRMS is incapable of supporting the early intervention system required by SA Paragraphs 141, 142, and 143. It is now working on developing a "front end" program that can be used to access and integrate myriad databases in order to identify deputies who are engaged in patterns of at-risk behavior. The Risk Management Bureau representative was asked how long it will take to have this in place, and it was estimated to take about six months. Until then, the Department's "early intervention" efforts will continue to flow from the Sheriff's 11 report, which draws its information from the Discovery Unit's entry of completed complaint and use-of-force investigations.

It is important to note that the AV stations reported significantly more deputies being on PMP than the other NPD commands. Lancaster reported having 20 deputies on PMP, and Palmdale reported having 25. In contrast, the other three NPD commands—Santa Clarita, Malibu, and West Hollywood—reported having only one or two deputies on PMP.

Both AV captains presented a trend analysis that is intended to comply with the requirements of SA Paragraph 90. The acting Lancaster captain recognized the need for deputies to build better relations with the entire Lancaster community, and the problem analysis focused on significant increases in uses of force (+11%) and personnel complaints (+28%), identifying five deputies who made

¹⁵ The topics addressed in the RMF span the Community Engagement as well as Accountability sections of the SA. They are listed in the SA and are addressed in this report under Community Engagement.

a significant number of obstruction arrests. But the presentation offered little in the way of concrete action steps. When the MT was asked for our input, we pointed out that the five deputies who were identified have also been on every Lancaster quarterly report for at least the last two years, and most of them are on performance mentoring. There was no analysis or solutions offered for the obstruction arrest patterns or the significant increases in complaints or uses of force.

The Palmdale captain had only been in place a month, so much of his analysis relied on his predecessor. He also identified significant increases in uses of force (+13%) and complaints (+16%) as areas needing to be addressed. However, the slides provided little in the way of substantive solutions. Despite that, his verbal presentation acknowledged the problems, and he made a firm commitment to bring about improvements in this area. He has implemented a weekly review of uses of force where a sergeant sits with the deputy and reviews BWC examples to identify ways de-escalation could have been used more effectively. Based on recent changes in the leadership here, we believe it is fair and appropriate to give the new captain time to settle in and withhold our compliance assessment until the 2024 RMF meetings are held.

Neither station thoroughly analyzed complaints or use-of-force patterns, and neither offered any substantive solutions to the substantial increase that both stations experienced in those areas. Both stations have assigned a sergeant as a full-time PMP coordinator, and we hope that will show some better results in correcting behavior.

In November, the Department presented an outline of their plan to change the formats of the RMF and CMF, and to possibly merge the two. The MT was supportive of the Department's efforts to develop a more efficient and effective structure for the two meetings, but have noted that, regardless of the formats, the key is that the Department works to correct the shortcomings of the CMF and RMF that we have highlighted in nearly every semi-annual report and to meet the SA objectives for these important review processes.

14. Annual Community Engagement Report

- The Department remains in compliance with publishing an annual Community Engagement Report (SA Paragraph 91).

LASD's 2023 annual report of community engagement activities will be submitted for MT and DOJ review during the next reporting period. At an on-site meeting, the MT, DOJ, and Compliance Unit discussed the purpose of the community engagement report and how it can be improved. All agreed the report should include a catalog of the Department's engagement activities but that a high level of detail was not needed for every type of activity. The MT and DOJ stressed that each report should include follow-up on the issues, activities, and plans described in the previous report, such as Department efforts to broaden its outreach to harder-to-reach community members and the need for a diverse set of voices to be represented among the CAC membership. We also stressed that the report should reflect the documentation of community input that the Department receives from the CACs and other sources and any ensuing collaboration, action steps, and outcomes (as described above).

15. Obstacles and Successes

While many of the issues and concerns reflected in earlier semi-annual reports are still present today, the MT notes that we are now seeing signs of improvement due for the most part to the engagement and direction of current leadership. Along with the OCP, the Compliance Unit has members clearly dedicated to the hard work of promoting genuine community engagement and ensuring compliance with the letter and spirit of the SA. The new station captains have shown a willingness to listen to feedback and critiques and build a relationship even with ardent critics, and they are prioritizing transparency and accountability. The work takes time, and much of the new energy in this area has yet to be reflected in the field. But the MT has greater optimism than at any time during the eight years of monitoring that the Department and community will reach the sought-for levels of trust and cooperation.

While there hasn't yet been marked improvement in terms of the diversity found among the CAC membership, the Department has undertaken several steps to achieve that objective through direct outreach to potential members as well as by promoting greater awareness of the CACs and community meetings. The new station captains have shown an appreciation and understanding for the importance of having better lines of communication with the community, including the need to improve efforts to reach out to and engage with those groups that have historically been critical and/or untrusting of the Department. They have shown an interest in establishing more reliable systems and techniques to ensure community input is acknowledged and acted upon. There appears to be a growing recognition of the importance of meaningfully engaging with the community in the development of crime reduction and prevention strategies, recognizing how these impact the community, and then assessing their direct and indirect effects. Sources for information regarding both community and employee perceptions include the community and deputy surveys as well as listening to the comments and concerns expressed at community events and CAC meetings. Since stops are the most common community engagement activity that deputies participate in, it is also vitally important to consider the results of stops audits that are conducted, as well as the stops data analysis that CPE will carry out. Ultimately, the stations should strive to institutionalize their COP and POP practices, which will include the integration of the eventual community engagement training, the stations' articulated crime prevention strategies, SARA activities, collaboration with the community, and the results of stops data analysis, surveys, and other reviews into daily practice.

The Luna administration has displayed a commitment to embracing and carrying out the development and implementation of community engagement training (SA Paragraph 89), which will help with the furtherance of problem-oriented policing and community policing practices, in establishing and maintaining Department-community partnerships, and with improving communication skills. The MT stresses the importance of this training; progress toward compliance on the Community Engagement section of the SA has been inhibited by a lack of understanding of the principles underlying problem-oriented and community policing and what that work requires and by a failure to promote the development of the essential skills required to effectively engage with the community at the level of the station commanders and on down through the deputy level. Before the AV stations can hope to integrate problem-oriented policing into regular operations, all staff, from managers to new recruits, need to have a better understanding and grasp of the principles and skills that training will impart. The stations will further need the consistent support of NPD managers so that the resources and

accountability structures are in place to ensure that genuine collaborative engagement with the community is facilitated and prioritized.

16. Next Steps

a. *LASD*

- Continue to hold and expand community engagement events and outreach.
- Ensure that ongoing meaningful engagement with the community remains a priority and that timely follow-up occurs in the wake of critical incidents or other matters of community concern.
- Ensure that there is broad representation and participation in the CAC membership by striving to engage with hard-to-reach or historically critical groups.
- Improve processes to track community input, including the nature and source of the comments, collaboration with community members toward solutions, actions taken by the Department and/or community members, outcomes, and information learned through feedback loops about the process.
- Develop the training required in SA Paragraph 89.
- Continue to hold CMF and RMF meetings and continue developing the improvements described in this and the Accountability section. Ensure that the RMF trend analysis addresses the concerns in the Monitors' memo pertaining to Paragraph 90 compliance.
- Use the results of the fourth Community Survey to inform law enforcement and community engagement activities.
- Conduct further work to develop an alternative community survey and a deputy survey.

b. *The MT*

- Continue to observe and provide feedback on LASD community engagement activities and the CACs.
- Continue to actively engage with the CACs and community to better understand their concerns, perceptions, and expectations related to the progress in achieving the outcomes intended by the SA.
- Continue to actively engage with the CACs and community to better understand their concerns, perceptions, and expectations related to the progress in achieving the outcomes intended by the SA.
- Provide the finalized Community Survey data to the community and LASD, and work with the Department on ways these data can be used to inform practice.
- Review any submitted documentation such as CPE work plans and reports, the 2023 Community Engagement Report, a new Deputy Survey methodology and instrument, a new Community Survey methodology and instrument, and community engagement training.
- Continue to observe and provide feedback on the CMF and RMF.

17. Community Engagement Compliance Status Table

Table 5 provides the compliance status for each paragraph in the Community Engagement section.

TABLE 5

COMMUNITY ENGAGEMENT COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
69 (in Bias-Free section)	Annual organizational culture and climate study, including using experts and the Community Survey to study organizational climate and culture in the AV stations to aid in developing the requirements in the section. Personnel will be allowed to confidentially provide information for the study.	NA	NA	Partial	No
	Notes: The Community Survey has been administered four times (the fourth report will be released in the next reporting period), but the Department has not informed the MT or provided documentation of how it uses the survey results to inform community engagement activities (see Paragraph 88). The Deputy Survey has been administered twice. LASD has reported it intends to revamp the Deputy Survey to make it more useful. MT will review their proposed changes when submitted.				
72 (in Bias-Free section)	LASD agrees to use experts and a survey to study organizational climate and culture in the AV stations to aid in developing bias-free policing training requirements.	NA	NA	Partial	No
	Notes: See Paragraph 69.				
87a	Actively participate in community engagement efforts, including community meetings.	Yes 12/11/19	NA	Yes 09/21	No
	Notes: The mechanisms for deputy participation in community engagement efforts are in place; the extent and quality of that participation are measured in Paragraph 88.				
87b	Be available for community feedback.	Yes 12/11/19	Partial	No	No
	Notes: As described in this section, the MT has observed indications that Department managers may not be open to all feedback. The MT has provided guidance on how to better document feedback received and responded to. The eventual community engagement training (Paragraph 89) will address productive Department–community interactions.				
87c	Develop CACs.	Yes 12/11/19	NA	Yes 06/16	Yes
	Notes: The CACs existed before the SA but were implemented in accordance with the SA in 2016 and have been maintained ever since.				
87d	Work with the community to develop diversion programs.	Yes 12/11/19	NA	Yes 09/21	No
	Notes: The MT found the Department in compliance with the diversion program provision through the review of LASD documentation, direct observation, and discussion with community members.				

TABLE 5

COMMUNITY ENGAGEMENT COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
88	Ensure all sworn personnel attend community meetings and events, and take into account the need to enhance relationships with particular groups within the community including, but not limited to, youth and communities of color.	Yes 1/10/19	Partial	Partial	No
	<p>Notes:</p> <ul style="list-style-type: none"> LASD published an approved Attendance Work Plan (January 10, 2019; revised April 1, 2020). In compliance for deputy participation in community events and/or independent engagement with community members (755s) for 2022; compliance will be assessed again at the end of 2023. Not in compliance with the qualitative requirements to account for the need to enhance relationships with particular groups. Not in compliance with using the annual Community Survey to inform changes to the attendance plan, if needed. 				
89	In-service training on community policing and problem-oriented policing is provided to all AV personnel.	NA	No	No	No
	<p>Notes: The Department continues to work on the full-day training. After full implementation of the training, outcomes related to each aspect of the community engagement training will be measured in other provisions.</p>				
90	Revise content of CMF and RMF to include discussion and analysis of trends in misconduct complaints and community priorities to identify areas of concern, and to better develop interventions to address them using techniques to better support and measure community and problem-solving policing efforts.	NA	NA	Partial	No
	<p>Notes: The MT observes every RMF and CMF and found that the meetings have shown progress with the usage of data, examination of trends, probing of responses, and expectations for follow-up to be conducted. Each of those activities needs to be further developed to reach compliance. LASD also needs to improve how the meetings address community input and outcomes assessment.</p>				
91	Complete annual reports on the impact of community engagement efforts, identifying successes, obstacles, and recommendations for future improvement in order to continually improve police-community partnerships.	NA	NA	Yes	No
	<p>Notes: The MT and DOJ provided feedback on drafts of the 2022 LASD Community Engagement Report.</p>				
92	Seek community assistance in disseminating SA.	NA	NA	Yes	Yes

TABLE 5					
COMMUNITY ENGAGEMENT COMPLIANCE STATUS					
SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
93	Support and work with CACs to help them meet their mission to 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 to promote greater transparency and public understanding of LASD.	Yes 9/27/14 2/11/15	NA	Yes	No
	Notes: The Department continues to support and work with the CACs but must make improvements to remain in compliance and to ensure the CACs effectively function in the manner envisioned by the SA. Particular emphasis needs to be placed on the number and representativeness of CAC members, meeting attendance, and documentation and follow-up on community input.				
94	Memorialize CACs and facilitate quarterly meetings.	Yes 02/11/15	NA	Partial	No
	Notes: LASD is in compliance with Paragraph 94, except for youth representation on the CACs and still needs to maintain an ongoing investment in broadening representation. See also the discussion for Paragraph 93 regarding receipt of community feedback.				
95	Post CAC reports on LASD-AV website and respond to recommendations.	NA	NA	Partial	No
	Notes: The MT has posted most CAC reports on their website, but in past reporting periods, the Department's responses to those reports were not posted.				
96	Provide administrative support and meeting space for CACs.	Yes	NA	Yes	Yes
97	Ensure CACs have no access to non-public information.	Yes	NA	Yes	Yes
95	Assist the Monitors in annual Community Survey.	NA	NA	Yes	Yes
	Notes: See Paragraph 69.				
99	Cooperate with independent researcher in conducting annual Community Survey and Deputy Survey.	NA	NA	Yes	Yes
100	Cooperate with administration of the annual Community Survey and focus groups.	NA	NA	Yes	Yes
101	Post annual Community Survey report on LASD-AV website.	NA	NA	Yes	Yes

Table Note:

- Training is monitored in Paragraph 89.

G. Use of Force

In this reporting period, the Department's efforts regarding SA provisions related to use of force focused on the following.

- SA-compliant UOF and conducted energy weapons (CEW)/Taser policies.
- Revise UOF training.
- UOF data analysis.
- Continued managerial review of uses of force (EFRCs, CIRPs, etc.).
- Monitoring Team audit of Palmdale and Lancaster stations uses of force.

1. SA-Compliant UOF and CEW/Taser Policies

The Department is in partial compliance with its UOF and CEW/Taser policies.

- The Department does not have an in-compliance policy addressing the conduct, reporting, investigation, and adjudication of force. The existing policy addresses some of the SA requirements but falls short in significant areas.
- The Parties and MT have approved a new version of the UOF policy and the CEW/Taser policy; these have undergone review by the LA County Civilian Oversight Commission and the LA County Office of the Inspector General, and are now being addressed in the meet and confer process with LASD labor representatives.
- Final compliance will be determined once the policy has been reviewed and approved by the MT and DOJ, which will take place following the completion of the meet and confer process.

For nearly four years, the Parties and MT have participated in ongoing and lengthy discussions concerning the LASD's UOF and CEW/Taser policies.¹⁶ On June 20, 2023, the parties and MT reached agreement with the updated draft UOF and CEW/Taser policies.

For several years, the MT and DOJ have devoted significant attention and effort toward documenting our concerns through various reports, memos, and letters, as well as in the semi-annual reports. Sadly for LASD deputies and the communities they serve, until Sheriff Luna's appointment and the creation of the Constitutional Policing Unit under the leadership of Eileen Decker, those previous efforts were consistently met with indifference, resistance, and unnecessary delays in addressing this very critical element of the SA. However, over the past year, we have experienced a significant and welcome shift in LASD's responsiveness and collaboration surrounding the development of these policies and other work products. That said, LASD deputies have been working with inadequate use-of-force policies for several years now, and that is entirely unacceptable. The final remaining step in the approval process of the

¹⁶ It should be noted that a policy was approved by the Monitors and DOJ in 2020, but that policy was never implemented.

revised UOF policies is the “meet and confer” process with employee unions. This process has taken several months already and must be completed with an increased sense of urgency.

2. Use-of-Force Training

- The Department remains out of compliance with its UOF training (SA Paragraphs 119a–e).

As we reported in our last six-month report, when the UOF policies are brought into compliance and implemented, LASD will need to dramatically improve and update its UOF training to reinforce and ensure the updated policy is adhered to. As noted in other sections, representatives of the OCP have taken on a strong, active leadership role in the oversight of the LASD’s use-of-force training, collaborating and regularly meeting with MT members to discuss the development of LASD training goals and requirements. During this reporting period, they have worked diligently with the Training Bureau and others in the Department to address the training requirements related to UOF. They have achieved several notable training objectives, including but not limited to the following.

- Partnered with the Police Executive Research Forum (PERF) to co-facilitate and provide Integrating Communications, Assessment and Tactics Training (ICAT) for the Department, which is increasingly being acknowledged as an evolving best practice in the de-escalation of tense and evolving incidents.
- Provided the Collaborative Reform Initiative Technical Assistance Center (CRI-TAC) team from the US DOJ Office of Community Oriented Policing Services (COPS) with the Department’s training documents and presentations for their review and feedback.
- Authorized an increase in the staff of the Training Bureau by five positions.
- Engaged in further work on the legal standards portion of the updated Perishable Skills Program (PSP), which is required by the Peace Officers Standards and Training (POST) Commission.
- Participated in several meet and confer sessions with employees’ unions associated with the approved use-of-force and taser policies and training.

Also in this reporting period, the MT and DOJ observed a modified version of the Department’s de-escalation training called Respond Observe Assess React (ROAR) training. We provided our feedback and look forward to observing the full training to be provided to deputies. We appreciate LASD’s efforts to ensure deputies will receive high quality training in this important area and that the Department’s policies and priorities regarding de-escalation and other aspects of force are taught uniformly across the various courses deputies attend.

3. Use-of-Force Data Analysis

LASD has been working to consolidate information from their disparate data tracking systems to create a dashboard for station leadership to observe the status of use-of-force investigations. This will enable leadership to better understand and document whether deadlines are met for the completion and review of use-of-force reports on incidents involving AV deputies. This new dashboard will also track

complaint information and other key indicators associated with those uses of force. Additionally, LASD is looking to move away from reliance on their current paper-driven system to a new electronic reporting system. This should further enhance their ability to track uses of force in the AV in a timely manner. Also, MT members have recently met with the newly appointed AV captains and discussed methodologies currently available to them for assessing use-of-force investigations and data analysis tracked via the quarterly reports. All four AV captains enthusiastically shared their insights and desire to develop and analyze use-of-force related data.

4. Executive Force Review Committee (EFRC) and Critical Incident Review Panel (CIRP) Reviews

The more serious uses of force (Category 3) cases and subsequent investigations are examined through a series of departmental reviews. Such investigations begin immediately, starting with an investigation conducted by the Homicide Bureau for the criminal aspects and then by Internal Affairs (IA) for the administrative aspects. The Critical Incident Review Panel (CIRP) also reviews these incidents within a week or two of occurrence in order to determine whether there are any substantive risk-management issues requiring immediate attention.¹⁷ Once the Homicide and IA investigations are complete, the Executive Force Review Committee (EFRC) reviews the incident in its entirety to determine whether the tactics and force used were consistent with Department policy and to identify any other issues needing to be addressed. If the EFRC determines a deputy's actions violated Department policy, it is also charged with determining the corrective action and level of discipline to be imposed.

a. Management Reviews

There were five EFRC reviews in this reporting period.¹⁸ In three cases, the MT found that the EFRC's findings adequately addressed SA Paragraph 115's requirements. In two of those three cases, the MT appreciates the Department's prudence in holding an EFRC even though there was significant evidence that the injury sustained by the subject was not caused by the force that was used.

In two cases, we found the adjudication was not consistent with Paragraph 115's requirements. In the first case, the EFRC classified a shooting as in policy even though the deputy fired a rifle shot into the second story window of an apartment building with its drapes completely drawn and no indication someone had repositioned themselves to that location. They did find the deputy's tactics out of policy because he failed to activate his body-worn camera in a timely manner and because he fired through a window without target acquisition or a reasonable belief that suppressive fire was necessary.

In the second case, we concurred with the EFRC's finding that the shooting by two deputies at a subject who repeatedly threatened to shoot them and simulated having a handgun was in policy. We also concurred with the EFRC's finding that the involved deputies used tactics that were inconsistent with Department policy. However, the EFRC did not address the senior handling deputy's failure to take

¹⁷ The CIRP for the Lancaster deputy-involved shooting on December 3, 2023, is scheduled for a month after the incident, on January 3, 2024.

¹⁸ Three EFRCs for incidents in Lancaster; two for Palmdale.

charge of the scene and to provide direction to the responding units as required by MPP Section 3-01/010.35. Also, based on LASD's policies, we did not concur with the EFRC's determination that training was the appropriate corrective action for all seven deputies. The Department's Guide to Discipline requires an increased penalty the second time someone violates Department policy in a short period of time, but this was the second time the EFRC found at least one of those deputies actions to have been out of policy in 2023.

b. Lengthy Delays

A continuing concern for the Monitors is the lengthy delays we have noted from the time an event occurs and when the EFRC review ultimately takes place. That delay is caused in large part by the practice of holding the administrative review in abeyance until the criminal investigation is completed and by a trend of deputies refusing to waive their Miranda rights and thereby not making a statement until ordered to do so by the IA investigators. These delays mean the Department often does not fully explore or understand the reasons why a deputy fired a shot until three or four years later. Meanwhile, decisions need to be made on whether to return the deputy to the field or to have them remain on restricted duty. This is an untenable situation, made worse by ongoing staffing shortages.

However, we were pleased to see several cases during this reporting period where the sheriff directed that the criminal and administrative investigation be conducted concurrently. We also noted a case where the sheriff directed the EFRC to convene and adjudicate a case even though he could have delayed doing so while the civil suit resolved itself. We acknowledge and support this effort to adjudicate these cases in a timelier manner. The latest draft of the new Administrative Investigations (AI) handbook formalizes this approach (see Complaints section).

c. Monitor Access to Pre-EFRC Meetings

SA Paragraph 181 gives the Monitor access to all meetings and reviews, such as critical incident reviews, EFRC meetings, and disciplinary hearings. While the MT has monitored EFRC meetings since the beginning of the SA, we had long suspected that EFRC panels were holding meetings before convening the EFRC. After much discussion and holding the Department out of compliance for this reason, in late 2019 the Department acknowledged that a pre-EFRC meeting was being held and, subsequently, allowed the MT to attend. However, we continued to observe that at every meeting with a policy, tactics, or training issue, the chair would announce the corrective measure(s) being recommended by the EFRC despite there having been no discussion of this topic during either the pre-EFRC or EFRC meetings. Therefore, we continued to hold the Department out of compliance and submitted a written request to be notified of all meetings between EFRC members and/or supporting staff that were held prior to the scheduled EFRC meeting. We were subsequently assured that no formal meetings were taking place beyond the two we were allowed to attend. In our feedback to the Department following an EFRC held on September 6, 2023, we again noted that the corrective action recommended at that meeting clearly had been decided before the committee convened. Within a day, we received a request from the Professional Standards Division to meet and discuss the issue. It was explained that two informal pre-EFRC meetings have been occurring for about eight years. One is held the day before the EFRC meeting and was started at the request of the OIG so they could openly discuss their concerns

with the committee members. The second pre-meeting is held about an hour before the EFRC so that panel members can identify and reach consensus on any policy violations and/or training recommendations. We were also told that, should new information arise during the EFRC, the panel can meet separately to refine its recommendations.

We now believe we are allowed to attend all of the meetings being held to make decisions on Category 3 uses of force so, moving forward, we should have a more complete understanding of cases when we conduct compliance assessments. We appreciate Sheriff Luna's direction to provide the Monitors access to these critical discussions.

d. Returning a Deputy to Field Duty

As discussed in our last six-month report, in early 2022 we began noting inconsistencies in the way deputies were returned to field duty following a deputy-involved shooting. Over the following year, we met with Department representatives and exchanged drafts of a document that described the process so that the Parties and MT would all have the same understanding of the process. On May 31, 2023, the Department concurred that the draft accurately reflected the current process. They also concurred that the process for returning a deputy to the field following a shooting or other critical incident needed to be more clearly articulated in the Department Manual and that managers needed to document those decisions. At that time, the Department said it was discussing this issue, but we have seen no evidence of any steps taken to make those changes.

5. MT Use-of-Force Audit

During this reporting period, MT auditors completed a comprehensive audit of deputies' use of force at the Palmdale and Lancaster stations. The audit was initiated at the Department's request, with DOJ's approval, that the MT conduct a use-of-force audit focused on cases where the Department could improve its organizational governance involving the use, investigation, review, and adjudication of deputies' uses of force. To increase the audit's ability to identify areas requiring the Department's immediate attention, the parties agreed that the sampling methodology would not randomly select cases for a statistically representative sample but would instead specifically focus the audit on deputies identified in the Department's risk management processes.¹⁹ The auditors selected 26 cases drawn from the 167 UOF incidents during the third quarter of 2022.²⁰ The parties agreed to using our established compliance metrics.

a. Use-of-Force Sample: Source of Activity and Subjects' Demographic Data

Most of the uses of force stemmed from calls for service, although three occurred after a traffic stop. In

¹⁹ This approach is called judgmental sampling and is an acceptable auditing methodology, with certain caveats. See Sawyer, L. B., Dittenhofer M. A., & Scheiner, J. H. (2003). *Sawyer's internal auditing: The practice of modern internal auditing* (5th ed.). Institute of Internal Auditors, p. 470.

²⁰ The sample focused on the deputies who accounted for the most use of force and who repeatedly appeared on the stations' quarterly reports.

Lancaster, of the 11 subjects of deputies' uses of force, seven (64%) were Black, three (27%) were Hispanic, and one (9%) was White; five (45%) were female; two (18%) were homeless; three (27%) had either a history or indicators of mental illness; and five (45%) were under the influence of drugs and/or alcohol. In Palmdale, 16 subjects of deputies' force were involved in the 15 UOF cases. Of the 16 subjects, six (38%) were Black, six (38%) were Hispanic, and four (25%) were White; six (38%) were female; four (25%) were homeless; seven (44%) had either a history or indicators of mental illness; and five (31%) were under the influence of drugs and/or alcohol.

b. Summary of Audit Findings

i. The Use of Force

For the 26 cases included in the audit sample, the Department found each of the uses of force was in policy. The MT auditors concluded, on the other hand, that 10 of the 26 cases (38%) involved a use of force that was unnecessary and inconsistent with the Settlement Agreement and Department policy.

In its Findings Letter dated June 29, 2013, the United States Department of Justice wrote: "[W]e found that deputies used force against handcuffed individuals that, based on LASD's own reports, appeared unreasonable." Ten years later, five of the 26 cases (19%) reviewed for this audit involved the unnecessary use of force against handcuffed individuals, including three uses of oleo resin capsicum (OC) force on handcuffed individuals who were secured in the back seat of a patrol vehicle.

Other findings included, but were not limited to, cases in which subjects were tased unnecessarily and/or without appropriate warning and a case where a handcuffed subject was unnecessarily slammed to the pavement.

ii. Tactics and De-escalation

Auditors concluded that the tactics used or not used (such as the failure to utilize de-escalation techniques) in 12 of the 26 cases (46%) were inconsistent with the SA and Department policy. All 12 of these cases involved missed opportunities to use de-escalation techniques, and in at least one case, deputy actions clearly escalated the situation. Some of the 12 also involved improper tactics such as failing to give the subject time to respond to commands before being tased.

iii. Reporting Use of Force

Auditors also found material and unaddressed inconsistencies in the deputies' reports in eight of the 26 cases (31%), which is inconsistent with the SA and Department policy. Our findings included evidence of reports that used boilerplate language inappropriately, reports that included incorrect statements, reports in which deputy statements conflicted with one another, and reports with statements that were not in alignment with BWC footage.

iv. Supervisory Investigation

Ten of the 26 cases (38%) were assessed as having critical or non-critical deficiencies that made the investigation unreliable. This includes seven cases in which the unaddressed inaccuracies, conflicting statements, or boilerplate language in deputy reports were not identified or corrected by the supervisor. Four cases included allegations of deputy misconduct that were not appropriately addressed through the initiation of a Service Comment Report (SCR). Two cases included deputies using an unprofessional tone and language that was not noted or addressed in the investigation.

v. Management Review

The management review process was assessed as critically deficient, unreliable, and in violation of the SA and Department policy in 20 of the 26 cases (77%), including 11 of 11 (100%) of Lancaster's cases and nine of 15 (60%) of Palmdale's cases. These included five cases in Palmdale for which more than four months passed between the use of force and the former unit commander's approval of the investigation—unacceptable lapses that greatly reduce the possibility of an effective risk management response to these high-risk law enforcement activities. Other cases included failure to address unnecessary force, failure to address retaliatory force, failure to address inappropriate tactics such as improper use of Tasers, failure to address reporting inconsistencies, poor interview methods, and failure to employ procedural justice principles such as using professional communication skills or answering subjects' questions.

vi. Cases Where Deputies Demonstrated Commendable Actions

The auditors identified four cases in which deputies demonstrated commendable actions and application of de-escalation tactics. These included a case in which a deputy located a gunshot victim and quickly administered emergency first aid, and cases in which sergeants and deputies used excellent de-escalation techniques in their interactions with subjects in mental health distress and in which appropriate force was methodically and calmly applied to bring the subjects into custody without injury.

vii. Audit Recommendations

The audit findings generated the following recommendations to the Department, which will be reported on in our next six-month report.

1. The parties need to establish a UOF compliance metric to measure compliance with the SA requirements for deputy reporting of uses of force (Paragraphs 108, 110).²¹
2. The Department should review the non-compliant audit findings and take appropriate and documented corrective actions including, but not limited to, comprehensive training for deputies,

²¹ There are established compliance metrics for supervisors' reporting, but not deputies' reporting.

supervisors, and managers for the reporting, investigation, review, and adjudication of the use of force.

3. North Patrol Division should establish a comprehensive UOF tracking system and hold AV unit commanders accountable for conducting adequate and timely UOF reviews.
4. The Department should expedite the approval of its pending UOF policy and develop and provide updated UOF policy training (approved by DOJ and the MT) for the Department.
5. The deputies who demonstrated commendable actions in the cases described above should be formally recognized by the Department. The cases should also be used as examples for supervision and training purposes.

6. Successes and Obstacles

Our audit found that seven (27%) of the 26 cases, all in Palmdale, did not have serious issues either in the use of force or the way that force was investigated and adjudicated. However, we found that 19 (73%) of the remaining 26 cases had at least one significant issue that placed them out of policy and SA compliance.

A new development in this audit was the fact that body-worn camera footage was available and reviewed for every case in the audit. While in previous audits, the MT found that deputy uses of force in the field were typically conducted in ways that were in policy and in compliance with the SA, this audit found otherwise. The availability of BWC footage allowed for greater scrutiny of both the actions in the field and of deputy reporting of those events. In particular, we were able to more clearly understand the events and actions leading up to the use of force. This revealed, among other issues, that de-escalation tactics were often insufficiently applied, and, in fact, deputy conduct sometimes served to unnecessarily escalate situations; that written reports did not always reflect BWC footage evidence; and that the use of Tasers and OC spray were often conducted outside of Department policy.

As is also stressed in the Stops audit findings (see Stops section), a general takeaway is that the Department should embrace the use of BWC footage in not only the review and investigation of force but in the routine training and supervision of deputies. The AV station should formalize their regular use of BWC recordings by supervisors to provide immediate and iterative feedback, instruction, and mentoring to deputies.

Our review of LASD supervisory investigation and of management evaluation of those investigations found areas of significant concern similar to previous audits. In addition to our new audit in this reporting period, the MT has provided three formal force audits and large amounts of feedback on these practices in almost nine years of monitoring; yet this audit finds many of the same issues occurring. We hope that the response to this audit is more productive than in the past; the current administration's efforts with regard to embracing the SA and to improving LASD supervisory and management review processes is promising in this regard.

The MT will be tracking any corrective action taken by the Department in response to the many issues identified in our audit. We also stress the importance of the Department finally implementing the UOF policy approved by the MT and DOJ in June 2023 and currently under review by representatives of the

deputy unions. Work to further revise the UOF trainings should then be given great emphasis so that AV deputies can have appropriate guidance for the conduct of force and so supervisors can follow best practices in their investigation of that force. Strong policy and effective training serve to protect deputies and the public alike.

7. UOF Compliance Status Table

Table 6 provides the compliance status for each paragraph in the UOF section.

TABLE 6

USE-OF-FORCE COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
102, 104, 105	LASD to revise use-of-force policy.	Partial	No	Cat 1 and 2: No Cat 3: No	No
	Notes: The MT’s fourth audit found that LASD is not in compliance with several UOF provisions. A new UOF policy was approved by DOJ and MT but is pending approval following any changes made after review by labor representatives.				
103	Use de-escalation techniques before resorting to force and reduce force as resistance decreases.	Partial	No	Cat 1 and 2: No Cat 3: No	No
106g	Prohibit using force on a person legally recording an incident.	Partial	No	Cat 1 and 2: Yes Cat 3: Yes	No
107	Prohibit head strike with impact weapon unless deadly force is justified, and report unintentional head strikes.	Partial	No	Cat 1 and 2: Yes Cat 3: Yes	Yes
	Notes: The Department is in sustained compliance with 107 because there have been no cases in any of the four UOF audits (beginning October 2018) where a deputy delivered a head strike with an impact weapon to a person’s head.				
108a	Deputies will report force incidents.	Partial	No	Cat 1 and 2: Yes Cat 3: Yes	Yes
	Notes: The Department is in sustained compliance with 108a because there have been no indications of unreported force in any of the four UOF audits (beginning October 2018).				
108b	Deputy reports will completely and accurately describe the force used or observed.	Partial	No	Cat 1 and 2: No Cat 3: Yes	No
109	UOF reports will be without boilerplate language, and deputies held accountable for omissions or inaccuracies.	Partial	No	Cat 1 and 2: No Cat 3: No	No
110a	Deputies will notify supervisors immediately of the use of force.	Partial	No	Cat 1 and 2: Yes Cat 3: Yes	Yes
	Notes: The Department is in sustained compliance with 110a because in every audit case in the four UOF audits (beginning October 2018), the force was immediately reported to a supervisor.				
110b	Deputies will notify supervisors immediately of any allegations of excessive force.	Partial	No	Cat 1 and 2: Yes Cat 3: Yes	No
	Notes: 110b will be assessed in the next MT complaints audit.				
111a–d	Perform thorough UOF investigations.	Partial	No	Cat 1 and 2: No Cat 3: Yes	No
111e	Supervisors will thoroughly review deputies’ UOF reports.	Partial	No	Cat 1 and 2: No Cat 3: No	No

TABLE 6

USE-OF-FORCE COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
112a	Independent supervisory use-of-force investigations.	Partial	No	Cat 1 and 2: Yes Cat 3: Yes	No
112b–e	Supervisor’s UOF investigation reports will be complete.	Partial	No	Cat 1 and 2: No Cat 3: Yes	No
113	Management will review thoroughness of UOF investigations.	No	No	Cat 1 and 2: No Cat 3: No	No
114	Executive Force Review Board will thoroughly review Category 3 force.	Yes	Yes	Cat 1 and 2: NA Cat 3: No	No
	Notes: LASD has policies in place for the EFRC review process. Ongoing reviews of EFRC processes have shown an improvement, but the Department remains out of compliance. (Paragraph 114 does not apply to Category 1 or 2 uses of force.)				
115	Deputies held accountable for force that violates policy.	Partial	No	Cat 1 and 2: No Cat 3: No	No
116	Supervisors held accountable for inadequate investigation.	Partial	No	Cat 1 and 2: No Cat 3: No	No
117	AV commanders identify and curb problematic UOF trends.	NA	UTD	Cat 1 and 2: No Cat 3: No	No
	Notes: NPD’s RMF and the AV stations’ quarterly reports track uses of force, but insufficiently for compliance. The Parties and MT need to establish a compliance metric for Paragraph 117.				
118	LASD and AV unit commanders will regularly review and track “training and tactical reviews.”	Yes	No	Cat 1 and 2: No Cat 3: No	No
	Notes: The MT has not found any indication that informal supervisory feedback was replacing the need for formal discipline, but the first three audits found that LASD data systems were not able to store the training and tactical review section of UOF reports. This item was not assessed in the fourth audit. The Parties and the MT need to establish a compliance metric for Paragraph 118.				
119	Updated UOF training is provided.	Partial	No	No	No
	Notes: Since early 2021, LASD has been working to revise the UOF training, but it still falls short of SA Paragraph 119a–e mandates. The Department’s new leadership team reports that they are in the process of completely overhauling its UOF-related training to incorporate ICAT principles and to achieve national best practices in this area.				

TABLE 6					
USE-OF-FORCE COMPLIANCE STATUS					
SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
120-123	LASD to produce annual management analysis and public report on UOF data and trends.	NA	NA	No	No
	Notes: The Department did not meet its goal to submit its first UOF analysis report by November 2022 or its subsequent goal to provide the initial report in June 2023. The Department has indicated the UOF analysis will be included in the scope of work for CPE; the MT looks forward to reviewing a UOF analysis work plan when it is provided.				

Table Notes:

- The MT has done three audits of the lesser uses of force (Categories 1 and 2) and one audit specifically examining the most serious use of force (Category 3).²²
 - » Category 1 and 2 Audits: October 2018, July 2021, November 2023
 - » Category 3 Audit: November 2019
- In 2018, Category 1 force was split into two categories: non-categorized force incidents (NCIs) and Category 1; the definition of Category 1 remained the same except that the lowest levels of force were now categorized as NCI. The MT's first Categories 1 and 2 audit (2018) was conducted before this change. The second MT Categories 1 and 2 audit (2021) addresses NCIs and Category 1 separately but combines them in determinations of compliance.
- Any reference to Category 1 in this semi-annual report includes NCI unless otherwise indicated.
- The existing UOF policy addresses many of the SA requirements, but policy compliance is based on the Department having an MT and DOJ approved policy in place.
- The notes regarding policy and training for Paragraphs 102, 104, and 105 apply to most of the other paragraphs. Training related to use of force is monitored in Paragraph 119.

²² Our first use-of-force audit included the available Category 3 uses of force during the audit sample period. During that audit we learned that an entirely different audit process would have to be used to evaluate the Department's Category 3 cases. Since that time, we have evaluated Category 3 cases as they are adjudicated by an Executive Force Review Committee.

H. Personnel Complaint Review

In this reporting period, the Department's efforts regarding complaints-related SA provisions focused on finalizing their revised complaints policies.

1. LASD Complaints Policies

- The Parties and MT have agreed to publish updated versions of the three major documents addressing complaints: the Service Comment Review (SCR) Handbook, the MPP sections on complaints, and the Administrative Investigations (AI) handbook.

In prior reporting periods, the SCR Handbook and the Complaints chapter of the Manual of Policies and Procedures (MPP) were both approved by the Monitors and DOJ. During this reporting period, the MT continued working with the Parties on finalizing the Administrative Investigations (AI) Handbook. In October, we reviewed the latest draft and approved it with one exception. The exception was quickly addressed by the Department, and the AI Handbook was provisionally approved by the MT and DOJ.

In order to move the revised complaint process along, DOJ and the MT agreed to allow the Department to move forward with publishing these three documents. However, there remain three issues that will need to be settled before the Department reaches compliance with the Complaints section of the SA, which may require revisiting these policies in the future.

1. The MT continues to share DOJ's concern that nearly every complaint is handled as a "service comment" for which only non-disciplinary dispositions are available. The Parties agreed to revisit this structural concern and to revise these policies should future Monitor or AAB audits reveal that LASD is out of compliance with provisions of Paragraphs 127–132. During a recent site visit, the MT and DOJ noted that our review of use-of-force cases and our stops audit are not alleviating this concern and flagged this issue for the Office of Constitutional Policing.
2. The MT continues to share DOJ's concern with Pre-Disposition Settlement Agreements (PDSAs), which are a type of abbreviated investigation that can be used as "an alternative to conducting a comprehensive administrative investigation" (IA Handbook 2023, p. 21). Our concern is that allowing a complaint to be resolved without conducting a comprehensive administrative investigation may not identify all the critical information needed to make a reliable adjudication. We have been informed that PDSAs are used primarily in discipline arising from relatively minor criminal cases, such as driving while intoxicated, when all material evidence has already been gathered, so further investigation is not necessary. This may require additional discussions as the work continues. In the meantime, our future audits will assess this process by focusing on any PDSA used to adjudicate a public complaint to ensure that all allegations were addressed, all material evidence was collected, and the matter was adjudicated using a preponderance of evidence.
3. None of the three documents codifying LASD complaints policies that we have reviewed so far—the WCSCR Handbook, the MPP, and now the AI Handbook—address SA Paragraph 129, which requires that the Department, in consultation with the Monitors and subject to DOJ approval, revise its policies to clarify and strengthen its requirements related to:

- a. Which allegations of inappropriate behavior by LASD personnel, if true, would require imposition of discipline, as opposed to non-disciplinary action, to address the misconduct;
- b. What types of personnel complaints must be investigated as administrative investigations rather than handled exclusively as Service Comment Reviews; and
- c. What types of administrative investigations must be handled by IAB rather than at the unit level.

The MT has the expectation that these requirements will be addressed during our discussion of the final complaint document: *Guidelines for Discipline and Education-Based Alternatives*. We have been clear that the Department is required to comply with SA Paragraph 129 and, in so doing, may need to further revise one or all of these four documents. The revised AI Handbook addresses some but not all of the requirements of Paragraph 129. Hence, the approval with caveats.

2. Status of Other Complaints-Related Work

a. *LASD AAB Audits of Complaints*

- The Department remains out of compliance with the SA requirement that it complete semi-annual audits of complaints (SA Paragraph 140).

The Department has yet to complete a fully compliant audit of complaint intake, classification, investigation, and adjudication practices as required by SA Paragraph 140. A work plan for AAB to conduct a complaints audit was approved in May 2023, but the Department has not submitted an audit report. Our review of the audit report when it is submitted will include assessing the audit for compliance with Paragraph 140 as well as assessing whether the AAB audits are on track to eventually serve to replace the need for separate MT audits.

Recently, the Department submitted a work plan for AAB to conduct a follow-up audit of complaints to satisfy the Paragraph 140 requirement that it conduct these audits semi-annually. The MT and DOJ have reviewed the work plan for the follow-up audit and approved the methodology.

b. *Improve Department Complaint Process*

The OCP worked with the Sheriff's Information Bureau to address concerns raised by the MT's audits of complaints in 2018 and again in 2020, which found that during non-business hours the 1-800 line for complaints was never answered. LASD reports that they have addressed this issue and that there is a person answering the 1-800 line at all times. MT will audit this in our next audit of complaints and expects that the AAB will also audit this to ensure the process is working as intended.

c. *Complaints-Related Training*

- The Department is out of compliance for provision of complaints-related training (SA Paragraphs 138–139).

The Department has submitted a training plan that includes, among many other topics, a “placeholder” for eventual development of a training that managers will receive once the new complaint policies are published. The curriculum and training delivery, once developed, will require MT and DOJ review and approval before full implementation.

d. MT Monitoring of Public Complaints

Several community members contacted the MT through the Monitors’ website during this reporting period to express their concern about the conduct of AV deputies. In every instance, a member of the MT contacted the person and interviewed them regarding their concern. In each case, it turned out that the person who expressed their concern wanted to file a complaint regarding an incident that had been reported in the news but about which they had no personal knowledge. The MT verified that the Department had already initiated a complaint investigation into each of those matters.

A prior case the MT had been monitoring was adjudicated during this period. The MT reviewed the completed investigation for SA compliance and found several issues, including incomplete review of the deputies’ work histories, lack of consideration of state reporting implications, and lack of documentation of the corrective action imposed or of notification of the complainant regarding the disposition of the case. We provided our feedback to the Compliance Unit, which then forwarded it to North Patrol Division for their action. We await their response.

3. Obstacles and Successes

With the approval of the Department’s third policy document governing the handling of personnel complaints, we expect that the Department will not delay implementation of the new process for handling public complaints. Once implemented, MT and AAB audits will become all the more important to assess whether the new policies are reflected in the intake, investigation, and adjudication of complaints moving forward. While historically not the case, we appreciate that the AAB has recently shown a commitment to meeting SA requirements and an openness to MT and DOJ feedback. We look forward to assessing whether their work meets the intended objectives, which include:

- Every significant allegation of misconduct within a complaint is identified, investigated, and adjudicated, whether or not the complainant articulated it as an allegation;
- Investigations are thorough enough to support a reliable adjudication;
- Management reviews are thorough, identify all the issues involved, and are based on a preponderance of evidence;
- Serious complaints are elevated to an Administrative Investigation, allowing the imposition of discipline; and,
- Deputies are held accountable when they are found to have committed misconduct.

4. Next Steps

a. *LASD*

- Publish the MPP chapter on complaints, Administrative Investigations Handbook, and SCR Handbook.
- Submit a training plan and curricula for MT/DOJ approval.
- Train personnel responsible for implementation of the revised complaint process.
- Monitor implementation to quickly identify any issues that may arise. This will be especially challenging given the Department's de-centralized approach to public complaints; for example, the vast majority of complaints are handled as SCRs, which are never seen by IAB.
- Complete the two complaint audits initiated by AAB.

b. *The MT*

- Review and provide feedback on the training plan.
- Monitor the implementation of the policy and training plan.
- After the revised directives have been published, training has been provided. and sufficient time has passed for the new processes to take hold, discuss with the Parties the initiation of a third audit of public complaints.
- Review AAB's audit of public complaints and determine whether it can be used to assess Department compliance with the SA's complaint requirements (Paragraph 149).

5. Personnel Complaints Compliance Status

Table 7 provides the compliance status for each paragraph in the Complaints section.

TABLE 7

PERSONNEL COMPLAINT REVIEW COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENT	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
Preface	Complaints are fully and fairly investigated and personnel are held accountable.	Partial	Partial	No	No
	Notes: The preface was not in compliance on either audit.				
124	Public has access to complaint forms and information.	Partial	Partial	Partial	No
	Notes: LASD was not in compliance for the first audit, and the MT was unable to assess compliance in the second audit due to COVID-19 restrictions. During a site visit this reporting period, the MT documented that complaint forms were available in six of seven locations. We look forward to AAB's assessment of this requirement in their audit.				
125	Accept all complaints.	Partial	Partial	No	No
	LEP language assistance.	Partial	Partial	Partial	No
	Notes: LASD was not in compliance with regard to accepting all complaints in either audit. The requirement for providing language assistance was not in compliance for the first audit but was in compliance for the second audit.				
126	Impeding the filing of a complaint is grounds for discipline.	Partial	Partial	UTD	No
	Notes: The Department was not in compliance for the first audit. In the second audit, the MT identified no complaints that alleged a complainant was impeded, and we were unable to determine compliance. Should no such cases arise in the next audit, the Parties and MT will discuss how to proceed with compliance assessment. Training for this area is monitored in Paragraphs 138–139.				
127	Revise MPP, SCR, and IAB manuals so they are complete, clear, and consistent.*	No	No	No	No
	Notes: The Monitors and DOJ authorized the Department to move forward with publishing and implementing the MPP, SCR Handbook, and IA Handbook. A revised <i>Guide to Discipline</i> remains to be approved.				
128	Ensure personnel complaints are not misclassified as service complaints.	Partial	Partial	No	No
	Notes: LASD was found to be in compliance for the first audit but not in compliance for the second audit.				
129	Revise policies for allegations requiring IAB investigation and behavior requiring formal discipline.	No	No	No	No
	Notes: This will be addressed during our discussions on the <i>Guide to Discipline</i> .				

TABLE 7

PERSONNEL COMPLAINT REVIEW COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENT	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
130	Ensure each complaint is appropriately classified at outset and review.	Partial	Partial	No	No
	Investigate every allegation even if the complainant did not specifically articulate it.	Partial	Partial	No	No
Notes: Not in compliance for either audit.					
131	Investigations are as thorough as necessary to reach reliable and complete findings.	Partial	Partial	No	No
	Notes: Not in compliance for either audit.				
132	Refer appropriate cases to IAB or Internal Criminal Investigations Bureau (ICIB).	Partial	Partial	No	No
	Notes: Compliance could not be determined in the first audit because there were no relevant cases in the audit population. There were two such cases in the second audit, and neither one was referred as required. Training is monitored in Paragraphs 138–139.				
133	Investigation conducted by uninvolved supervisor.	Partial	Partial	Yes 12/15/20	No
	Notes: Not in compliance in the first audit but in compliance in the second audit.				
134	Identify all persons at scene.	Partial	Partial	Yes 12/15/20	No
	Notes: In compliance for both audits. Training is monitored in Paragraphs 138–139.				
135	Obtain a full statement from all persons at scene.	Partial	Partial	No	No
	Notes: In compliance in the first audit but not in compliance in the second audit.				
136	Investigator interviews complainant in person or gives justification.	UTD	UTD	UTD	No
	Notes: In our second audit, we were unable to determine compliance, and a discussion is pending with the Parties about our recommendation that the investigator be allowed to rely on the intake interview, providing it addresses the key issues.				
137	Interview witnesses separately.	Partial	Partial	No	No
	Use uninvolved interpreter for people with LEP.	No	No	Yes 12/15/20	No
	Notes: Not in compliance in either audit with regard to interviewing witnesses separately. Also, the Department was not in compliance for the first audit but was in compliance for the second audit with regard to using an uninvolved interpreter.				
138	Provide supervisor and deputy training on intake and investigations.	NA	Partial	Partial	No
	Notes: Directives were issued in 2018, and watch commanders have been trained in those directives. New training will be required after publishing the SCR Handbook, the MPP section, and the Administrative Investigation Handbook.				

TABLE 7					
PERSONNEL COMPLAINT REVIEW COMPLIANCE STATUS					
SA PARAGRAPH	SUMMARY OF SA REQUIREMENT	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
139	Provide supervisor training on misconduct investigations.	NA	Partial	Partial	No
	Notes: See Paragraph 138.				
140	Conduct semi-annual audit of public complaints.	NA	NA	No	No
	Notes: The Department is conducting a complaints audit that appears to be focused on assessing compliance with the SA's complaints requirements. We look forward to reviewing it when it is completed.				

Table Notes:

- Complaints-related training is monitored in Paragraphs 138–139.

*On November 3, 2021, DOJ stated: "DOJ is willing to agree to not withhold approval of the SCR Handbook pursuant to Paragraphs 160–163 with the understanding that the Parties will revisit these structural concerns and revise SCR policies and the SCR Handbook should future Monitor audits (i.e., those after the Handbook goes into effect) reveal that LASD is out of compliance with provisions of Paragraphs 127–132." In December 2021, LASD agreed to this compromise.

I. Accountability

In this reporting period, the Department's efforts regarding provisions in the Accountability section of the SA focused on the following.²³

- Continue the use of the quarterly reports.
- Revise the Performance Mentoring Program.

1. Quarterly Reports

- The Department remains in partial compliance with SA Paragraphs 141, 142, and 143.

The quality of the information in the Department's quarterly reports continues to improve, but the analysis and use of that information by managers to identify and, most importantly, address at-risk behavior remains lacking. With the appointment of two permanent captains for each station in late November, we expect greater attention to be devoted to the quarterly reports and to see dramatic improvements in the next reporting period.

The MT highlighted several positive findings in our review. The latest quarterly reports provided to the MT were consolidated and utilized a standardized format, with both stations in one file. The MT appreciated these changes, as they improve the consistency and usability of the reports as well as expedite the review by the NPD managers, the MT, and DOJ. The use-of-force information contained in both stations' reports was more thorough and provided a better accounting of force that had been used by deputies. It also included helpful charts identifying where the use of force had spiked based on shifts, type of force, and involved deputies. Every incident that resulted in training or verbal counseling was explained in the comments. Negative Performance Log entries as well as obstruction arrests were likewise thoroughly described in the reports.

Based on the current approved thresholds, these reports continue to capture a large number of deputies: 53% of Lancaster's deputies (81 of 154 deputies) and 31% of Palmdale's deputies (52 of 180 deputies) are currently listed. We continue to encourage the Parties to discuss this issue and see whether the thresholds can be tightened, at least in the short term, in order to identify those deputies whose actions are most in need of closer scrutiny and improve the frequency and quality of supervision provided.

Some of the concerning findings in our review of the quarterly reports are as follows.

- We continue to see a large number of deputies working in specialized assignments who are on the quarterly reports. Most concerning are the deputies we note who are in various phases of training, as well as the Field Training Officers who train those new patrol deputies. To help track this

²³ Other accountability requirements arise in other SA sections and are addressed in those parts of this report, such as modernizing data systems and supervisory review in Stops, disparity assessment in Bias-Free Policing, the Risk Management Forum discussed in Community Engagement, and investigation and adjudication in UOF and Complaints.

phenomenon, we have recommended that each trainee on these reports should always have the name of their primary FTO added to the supervisor column of the report to better track individual performance and assess whether the supervision being provided is meeting expectations.

- We noted several areas in the report where data are either inconsistent with data provided elsewhere in the report or inconsistent with data provided in earlier reports. Such errors should have been identified and challenged during the management review. Managers cannot thoughtfully assess issues with their deputies or trends across their stations without being provided accurate information, and they and their staff should be reviewing the reports more closely. That includes the following.
 - » *Performance Mentoring*. The quarterly reports are supposed to clearly identify deputies who are on the Performance Mentoring Program (PMP), how long they have been and will be on it, who is providing the mentoring, and an assessment of progress. But there were clear inconsistencies in the PMP information provided in these reports for several deputies who had high levels of at-risk behavior.
 - » *Personnel Complaints*. Like the PMP information, inadequate and/or conflicting information was provided on personnel complaints for several deputies who had significant complaint patterns.
- The station captains' analysis was too often superficial and offered little in the way of problem identification or concrete solutions. Both stations had acting captains at the time, so this was not unexpected. However, now that permanent captains have been assigned, we are expecting to see dramatic improvement in this area.

Both the NPD commander and chief provided reviews of the station's reports that recognized some of the important patterns we had also seen. They both noted, as did we, that field supervisors seem to be more diligent in their review of UOF incidents and that they are frequently documenting their training or debriefing of deputies. Both reviews also recognized that there is a core group of deputies, some of whom are FTOs, who chronically appear on these reports.

Recognizing those sorts of issues in the NPD reviews represents an improvement that was not apparent in the earlier quarterly reports. This is certainly a step in the right direction, but recognizing the problem is one thing, while taking action to address it is quite another. Those issues and others have been present in these reports for some time, but the MT has yet to find consistent and sufficient corrective action being taken to ameliorate those issues.

A case arose from the MT's review that demonstrated how the Department can be using the quarterly reports to better gain an understanding of potentially problematic situations. The MT identified a problematic case in which a deputy was promoted to Field Training Officer despite the EFRC finding his conduct out of policy in two 2023 cases and despite the second quarter report for 2023 reporting he had a "concerning increase" in the use of force, with 10 incidents in that quarter. To justify the promotion, the Department cited an agreement with the deputy's union about how discipline can and cannot impact promotions and the fact that the deputy was on PMP and receiving extra monitoring and mentoring from his superiors. The MT has recommended that the Department reconsider ever allowing such a high-risk deputy to be the primary trainer and mentor for a new patrol deputy. Additionally,

state law mandates that a deputy cannot serve as a training officer for at least three years after their force-related conduct was found to be out of policy.²⁴

The Department has long recognized that PRMS is incapable of supporting the early intervention system required by SA Paragraphs 141, 142, and 143. The quarterly report system was created as an interim solution (although it was recognized and acknowledged to be highly labor-intensive). Under the current administration, LASD is now investing in an automated, departmentwide system to address this and other needs. The MT supports this shift and has been working with the Department to ensure that any new data management system complies with the SA. The Department reports that such a system could potentially be up and running in as little as six months. While we are hopeful that could happen, we believe a longer time frame is more realistic given past experiences and internal obstacles they have encountered.

Meanwhile, the Department must do the best it can with the information it has available—primarily, the quarterly reports—while waiting for a reliable early warning system to come online. And the fact is that those deputies in need of focused attention are already apparent. Even without a multimillion-dollar computer system, one can easily identify those deputies on the quarterly reports who use force and receive complaints far more frequently than their peers. Further, current and former AV captains have informed us that, with or without the quarterly reports or other early warning mechanisms, they are aware of the deputies who require more attention. Through that internal understanding along with the quarterly reports and MT reviews, the Department has been made aware of deputies who have amassed substantial numbers of uses of force, public complaints, lawsuits, obstruction arrests, and negative PLEs. It is now the Department's responsibility to do something about it and redirect these deputies' behavior. We recognize the Department is conducting a major overhaul of PMP, and that each station has now assigned a full-time PMP coordinator. This can be of help but should be considered as only one element required in a broader shift toward stronger accountability practices as laid out in every section of the SA. We will look for results in subsequent quarterly reports.

2. Performance Mentoring Program

- The Department is out of compliance with SA Paragraphs 144 and 145.

The MT's recent audit of the Performance Mentoring Program showed it to be in disarray, with no formalized procedures at the stations and inconsistency in its delivery and outcomes. In response, the Department has undertaken a complete revamp of PMP at both the unit and department level. We look forward to reviewing the new PMP plan.

The SA requirements for PMP include:

LASD will continue to provide mentorship to deputies in the North Patrol Division's locally based Performance Mentoring Program (PMP), as well as through LASD's departmentwide PMP, based

²⁴ California Government Code, Section 7286 (b) (18).

upon 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 supervising deputies whose performance fails to improve subsequent to mentoring (SA Paragraph 144); and,

LASD will ensure that the Department-wide PMP and the North Patrol Division's PMP coordinate as appropriate with each other and share information about deputies and their individual mentoring programs (SA Paragraph 145).

The SA also requires that the Monitors conduct both quantitative and qualitative assessments of LASD's accountability systems, "including initial identification of deputy violations and performance problems by supervisors (including sergeants, lieutenants, captains, and region commanders), and effectiveness of supervisory response" (SA Paragraph 153f) and that the Department, "provide personnel with the support, mentoring, and direction necessary to consistently police constitutionally" (SA Accountability preface, p. 34).

The MT review of the AV Stations' third quarter 2022 quarterly reports showed that 44 of the 116 deputies on the third quarter 2022 reports have been on nearly every quarterly report for the past two years. Twenty-five of those 44 deputies have also been on Performance Mentoring much if not all of that time (21 unit level and 4 department Level). Given that the stated purpose of Performance Mentoring is to "achieve the leadership objective of guiding, assisting, and supporting employees who appear to be in need of more focused attention,"²⁵ PMP does not appear to have affected the behavior of these 25 employees.

After reviewing the findings of the MT's quarterly report assessment and recognizing that neither station had the required PMP plan, the Department asked for time to conduct a complete reevaluation of its Performance Mentoring Program. They have assigned the Risk Management Bureau captain to conduct that review, including a review of comparable programs being used by other agencies. We will continue to monitor their progress and report on it in our six-month reports.

3. Obstacles and Successes

The information provided in the quarterly reports has shown improvement. Nonetheless, the analysis of that information and the undertaking of necessary actions to address any troubling trends needs to improve. Station captains and especially North Patrol Division managers need to review each station's reports more critically. Important information is currently being overlooked or missing from those reports. Additionally, trends are not being identified, such as deputies who have been on quarterly reports and on performance mentoring for years with no noticeable improvement in their performance. As we noted earlier, there is also a high concentration of force incidents found among a small group of deputies, and there is no indication this trend is being scrutinized.

²⁵ Unit Performance Mentoring Procedures, March 2016.

4. Next Steps

a. *LASD*

- Critically review quarterly reports to ensure that essential information is included, significant trends are identified, and needed remedial actions are undertaken.
- Continue its effort to revamp the Performance Mentoring Program, including revising the PMP handbooks.
- Continue its effort to develop a “front end” system to capture and analyze critical risk-management information.

b. *The Parties and MT*

Determine whether and how the quarterly report thresholds can be refined to better focus on those deputies who are most in need of direction and improvement.

c. *The MT*

- Review quarterly reports as they are submitted.
- Review the revised PMP process when it is submitted.
- Re-initiate the PMP audit when appropriate.

5. Accountability Compliance Status Table

Table 8 provides the compliance status for each paragraph in the Accountability section.

TABLE 8

ACCOUNTABILITY COMPLIANCE STATUS

SA PARAGRAPH	SUMMARY OF SA REQUIREMENTS	COMPLIANCE			
		POLICY	TRAINING	IMPLEMENTATION	SUSTAINED
141	<ul style="list-style-type: none"> Establish PRMS as LASD-wide decision support system. Modify system to allow peer-to-peer comparisons of deputies and units. AV commanders will conduct periodic reviews of all personnel to identify trends. 	Partial	Partial	Partial	No
	Notes: North Patrol Division published an order in 2019 requiring each AV unit commander to prepare a quarterly report designed to satisfy the elements of Paragraphs 141–143 not provided for by PRMS. The MT reviews of the reports have found them in partial compliance.				
142	<ul style="list-style-type: none"> Modify PRMS to access additional info. Maintain PLEs in electronic format. Ensure PRMS is accurate and that there is accountability for errors. 	Partial	Partial	Partial	No
	Notes: See Paragraph 141.				
143	LASD will establish a plan for periodic review of trends at stations.	Partial	TBD	Partial	No
	Notes: The quarterly reports are one element of this plan, as are performance evaluations, RMF, UOF and complaint reviews, EFRC, AAB audits, etc. The MT’s ongoing compliance review assesses the level of accountability across all these tools and processes. Results thus far indicate partial compliance.				
144	Make modifications to Performance Mentoring Program (PMP); ensure 30-day turnaround.	No	No	No	No
	Notes: The Department is in the process of completely revamping its PMP process, including rewriting the PMP handbook.				
145	Coordinate between Department-wide and Division PMP.	No	No	No	No
	Notes: See Paragraph 144.				

III. CONCLUSION

While institutional change takes time, particularly in organizations as large and as historically insular as LASD, the Luna administration has made considerable progress toward implementation of the SA during this sheriff's first year of tenure. The MT expects that this progress will translate into improvements in compliance status in 2024. For example, we anticipate that the SA-compliant UOF policy will be implemented in the next reporting period. We appreciate that Sheriff Luna has tackled topics that his predecessors were resistant to attempting, including the much-needed update of data systems and embracing the concepts of 21st-century policing countywide.

Appendix A
Results of the Four MT Audits of Category 1 And 2 Uses of Force

SA PARAGRAPH	SA REQUIREMENTS BY AUDIT OBJECTIVE	IN COMPLIANCE?			
		FIRST AUDIT	SECOND AUDIT	THIRD AUDIT	FOURTH AUDIT
The Use of Force					
102, 104, 105	The reasonableness of the use of force	Yes	Yes	No	No
106g	Inhibiting using force on person legally recording incident	Yes	Yes	Yes	Yes
107	Head strike with impact weapon	Yes	Yes	Yes	Yes
Tactics, Avoiding Force, and De-Escalation					
103	Use force as a last resort and de-escalation	Yes	Yes	No	No
Reporting Uses of Force					
108	Deputies reporting force incidents	Yes	Yes	Partial	Partial
109	Accurate UOF reports without boilerplate language	Yes	Yes	No	No
110	Immediate supervisory notification of the use of force	Yes	Yes	Yes	Yes
Supervisory Use-of-Force Investigations					
111 a–d	Thorough UOF investigations	Yes	No on critical; yes on non-critical deficiency	No	No
111 e	Review deputies' use-of-force reports for completeness	Yes		No	No
112 a	Independent supervisory use-of-force investigations	Yes		Yes	Yes
112 b–e	Completeness of use-of-force investigations	Yes		No	No
Management Review of Use-of-Force Investigations					
113	Management review of use-of-force investigations	Yes	No	No	No
114	Thorough review by Executive Force Review Board	NA	NA	NA	NA
115	Hold deputies accountable for force that violates policy	No	No	No	No
	Refer cases that violate the law or prohibited force policy to IAB or ICIB	UTD	UTD	No	No
116	Supervisors held accountable for inadequate investigation	UTD	No	No	No
130	SCR initiated for allegation of misconduct arising during investigation	No	No	No	No
142	Accurate data entered into PRMS	Yes	Yes	NA	NA

SA PARAGRAPH	SA REQUIREMENTS BY AUDIT OBJECTIVE	IN COMPLIANCE?			
		FIRST AUDIT	SECOND AUDIT	THIRD AUDIT	FOURTH AUDIT
Management Analysis of Use-of-Force Data					
117	AV commanders identify and curb problematic use-of-force trends	No	Pending evaluation	NA	No
118	AV commanders ensure informal supervisory feedback does not replace formal discipline and that the training and tactical review portion of a use-of-force report is captured in PRMS.	No	No	NA	NA
LASD Audits of Uses of Force					
82, 120–123	Annual analysis and public report on use-of-force data and trends	No	No	NA	NA
Use-of-Force Training					
119	Development and delivery of use-of-force training	No	No	NA	No

Appendix B

Monitoring Team and Website

Monitoring Team

The Court-appointed Monitors—Dr. Angie Wolf and Joseph Brann—have assembled an experienced team with credentials and skills uniquely suited to the SA work. The membership of the MT was finalized in March 2016. The two Monitors and seven team members have extensive expertise and experience in monitoring and evaluation work in policing and corrections.

Additionally, most of the MT members have served in law enforcement or continue to have distinguished careers in this field, several in the Los Angeles area. Several have served in leadership positions in law enforcement or corrections agencies during the implementation of the compliance period of a settlement agreement or consent decree and therefore understand the unique challenges that large organizations face in those circumstances. The MT members also have expertise in dealing with the diverse issues addressed in the SA, such as those related to UOF, training, the Fair Housing Act, data collection and analysis, survey methods, and the complexities of community engagement.

Antelope Valley Monitoring Website

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

The website's URL is www.antelopevalleysettlementmonitoring.info

Appendix C

How the Parties and Monitoring Team Work

To complete the work of the SA, the Parties (US DOJ, LASD, and the County of Los Angeles) and the MT communicate daily through a variety of means. In each six-month period, the Parties and the MT hold multiple meetings at LASD headquarters; the offices of the Compliance Unit; other administrative offices; Palmdale and Lancaster stations; and various community centers, schools, and places of worship in the AV. The MT periodically meets in person with the captains of both AV stations and their staff, and participates in multiple onsite meetings with LASD's Compliance Unit, usually regarding specific issues such as policy or protocol review or data system discussion.

The MT also holds meetings with units or leadership from other operations that are critical to this reform work, such as the AAB or the commander in charge of training. The MT typically observes the semi-annual LASD risk management meeting and the CMF. Although some of these meetings and events are general in scope and pertain to several sections of the SA, most are related to specific sections or provisions of the SA. The Parties and the MT also participate in several small- and larger-group community meetings in Palmdale and Lancaster—often with the CACs—where various topics are discussed, such as the MT semi-annual reports, LASD and CAC Community Engagement Reports, community perceptions about LASD and its approach to policing, and other topics.

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

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

Appendix D

Settlement Agreement Compliance

Much of the SA involves developing or revising policies, procedures, and training; putting into place various processes (such as a plan for ensuring all new AV deputies receive training mandated by the SA or additional accountability mechanisms to facilitate peer comparisons); assessing data and information to guide the implementation of required reforms and to determine their effects; and striving to more effectively engage with community organizations and entities, such as the Community Advisory Committees (CACs). This work is usually done collaboratively among the Parties and the MT, with documentation of the change (new policy, revised training, etc.) eventually being formally submitted to the MT and DOJ for approval.

For most provisions, several steps are involved before the Department can reach full **implementation** (SA Paragraph 20) and thus achieve the status of being in full compliance. Paragraph 149 states, "Compliance with, or implementation of, a material requirement of this Agreement means that LASD has: (a) incorporated the requirement into policy; (b) trained all relevant personnel as necessary to fulfill their responsibilities pursuant to the requirement; and (c) ensured that the requirement is being carried out in practice."

Any approved policies related to the SA must be distributed to every deputy according to SA-required procedures and, as necessary, incorporated into training curricula. An approved training curriculum will require documentation that appropriate personnel received the training. New procedures and processes must be successfully instituted. Most importantly, each of the established improvements must be proven effective and practical in the real world—that is, they are assessed through MT activities such as reviews, audits, interviews, observation, and data analysis to establish whether they are successfully reflected in law enforcement practices and achieve the intended qualitative and quantitative impacts on the AV community. Paragraph 153 lays out several qualitative and quantitative outcome assessments the MT will do "to measure whether LASD's implementation of this Agreement has eliminated practices that resulted in DOJ's finding a pattern and practice of constitutional violations."

Changes to policy and practice also must be incorporated into LASD-AV's accountability practices. The reviews, analyses, studies, and audits that the SA requires LASD to conduct must use appropriate methodologies, and, in turn, their findings must be used effectively to inform policies and practices.²⁶ Finally, this level of performance must be sustained for one year to achieve **full and effective compliance** and to satisfy the terms of the SA (Paragraph 205). In some cases, the SA requires ongoing improvement in the delivery of services (Paragraph 15).

²⁶ Paragraph 171b gives a summary of the stepwise process by which the Monitors assess compliance and document their findings. Each provision of the SA needs to be "(1) incorporated into policy; (2) the subject of sufficient training for all relevant LASD deputies and employees; (3) reviewed or audited by the Monitor to determine whether they have been fully implemented in actual practice, including the date of the review or audit; and (4) found by the Monitor to have been fully implemented in practice."

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

- In Paragraph 20, implementation is defined as “the development or putting into place of a policy or procedure, including the appropriate training of all relevant personnel, and the consistent and verified performance of that policy or procedure in actual practice.” What is meant by “consistent and verified performance” is to be laid out in compliance metrics for each provision.
- According to Paragraph 205, the terms of the SA will have been met when “the County has achieved full and effective compliance with the Agreement and maintained such compliance for no less than one year.”
- In Paragraph 15, full and effective compliance is defined as “achieving both sustained compliance with all material requirements of this Agreement and sustained and continuing improvement in constitutional policing and public trust, as demonstrated pursuant to the Agreement’s outcome measures.”

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

It is important to note that the SA was not written in a “check the box” fashion that would require or allow each provision to stand separately such that it would then be evaluated based on a single, straightforward compliance metric for each provision. The assessment work that is required to evaluate the intended outcome for one provision is sometimes dependent upon the activities of and relationship to other provisions, and therefore they are interconnected. For example, the Department cannot draw conclusions about the potential disparity in its programs and activities (SA Paragraph 68) without completing the assessments required of deputy performance, stops, community input, uses of force, and complaints (SA Paragraphs 67, 82–86, 88, 120–123, 140). Similarly, the MT’s compliance assessment for one provision may partially depend on the compliance assessment for another. In short, in some cases, as long as the Department is not in compliance with one provision, it necessarily will be out of compliance on one or more other provisions.