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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11
12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 THE COUNTY OF LOS ANGELES
AND THE LOS ANGELES COUNTY
16 SHERIFF'S DEPARTMENT,

17 Defendants.
18

CASE NO. 2:15-CV-03174-JFW-FFM

**SUBMISSION OF MONITORS'
SECOND SIX MONTH REPORT**

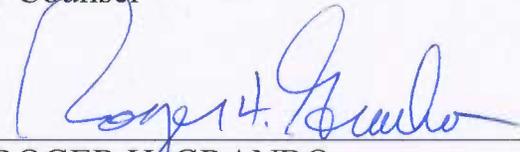
19 On May 1, 2015, the Court approved and entered the parties' Settlement
20 Agreement ("Agreement") to resolve the United States' claims against the County of
21 Los Angeles and the Los Angeles County Sheriff's Department pursuant to
22 42 U.S.C. 14141 and the Fair Housing Act, 42 U.S.C. 3601 *et seq.*

23 Paragraph 171 of the Agreement requires the Monitors to publically issue a
24 report every six months that details the Parties' progress in implementing the
25 Agreement and achieving compliance with the Agreement. The initial six month
26 report was originally due on November 2, 2015, but that date was extended by
27 stipulation and Court order to December 22, 2015, on which date the initial six
28

1 month report was filed. The parties hereby submit the Monitors' second six month
2 report.

3 DATED: June 22, 2016

MARY C. WICKHAM
County Counsel

By 
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Senior Assistant Counsel Counsel

8 Attorneys for the County of Los Angeles and
9 the Los Angeles County Sheriff's Department

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ATTACHMENT

Antelope Valley Monitoring Team Second Semi-Annual Report



June 2016

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I. INTRODUCTION

This is the second semi-annual report issued by the Monitors, which covers the monitoring activities that have taken place during this reporting period and describes our observations as to the progress of Los Angeles County and the Los Angeles County Sheriff's Department (LASD) in meeting the requirements of the Settlement Agreement (SA) for the Antelope Valley (AV). This report is primarily focused on work undertaken between December 2015 and June 2016.

Following the approval and concurrence of the Parties regarding the final composition of Monitoring Team members, the team members were brought together in the Antelope Valley during the first quarter of this year and introduced to the Parties and various community representatives. Subsequent to that initial orientation meeting, members of the Monitoring Team have been conducting site visits, been engaged in various meetings, and continue to work on their respective areas of responsibility, which correspond to the sections of the Settlement Agreement (see Sections II and III of this report).

This report provides an overview of the activities the team has been engaged in and issues the Monitors have been focused on, both administrative and operational. As is typical in this stage of monitoring work, considerable attention has been devoted over the past six months to reviewing policy documents, the development of work plans relating to each of the major topics in the Settlement Agreement, and addressing the development of important community engagement efforts by both the Monitoring Team and the LASD. The progress achieved in those areas will be covered in more depth here, along with identification and discussion as to some future needs and priorities the Monitors have identified.

The Monitors want to acknowledge and express our appreciation to the LASD—especially the Compliance Unit staff—and the Office of County Counsel for Los Angeles County for their continued cooperation and efforts to meet the requirements of the Settlement Agreement.¹ The Monitors also thank the community members in the Antelope Valley for their candid participation in meetings facilitated by the Monitoring Team and for their willingness to include Monitoring Team members in their own respective meetings and functions. Finally, the Monitors continue to enjoy an open and effective working relationship with the representatives of the US Department of Justice (DOJ), to whom we also extend our appreciation.

II. SUMMARY OF WORK TO DATE

This section provides an overview of the primary tasks undertaken and key policy documents that the Monitoring Team has been addressing over the previous six months. In particular, this overview summarizes Monitoring Team activities and provides brief updates on changes to LASD policies, unit orders, and training. In Section III, many of these same activities are described in more detail and situated in the context of LASD's broader work toward implementation of the Settlement Agreement and related efforts by the Monitoring Team.

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

A. Monitoring Team

The court-appointed Monitors, Dr. Angie Wolf and Joseph Brann, have assembled an experienced group of team members with credentials and skills uniquely suited to this project. The current membership of the Monitoring Team 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, the majority of team members have served in law enforcement or continue to have distinguished careers in this field. Several of these team members have served in leadership positions in departments during the implementation of the compliance period of a settlement agreement or consent decree, and therefore understand the unique challenges that large organizations face in those circumstances. Team members also have particular expertise in dealing with the diverse issues addressed in the Settlement Agreement, such as those related to use of force, training, the Fair Housing Act, and the complexities of community engagement.

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

B. Antelope Valley Monitoring Website

The Monitoring Team has created a website where AV community members can learn more about the Settlement Agreement, the backgrounds of the Monitoring Team members, and the monitoring activities; access documents related to the monitoring work; follow links to LASD's homepage and other relevant websites; and—most importantly—submit questions and comments directly to the Monitoring Team. The website's URL is antelopevalleysettlementmonitoring.info.

C. Monitoring Work Plan

In alignment with the Monitors' values and desire to utilize a collaborative reform approach, the Monitoring Team submitted for review by the Parties sample "template" work plans addressing several SA requirements. These were tentatively approved by the Parties. After discussion of these samples, a plan for developing the final work plans was adopted that initially focuses on the development of the expected outcomes and monitoring activities related to each paragraph or provision of the Settlement Agreement. Detailed compliance measures for each provision will then be developed at later time, just prior to beginning work on that particular provision. This approach ensures that the Parties have a common understanding of (1) the Monitors' expectations regarding LASD's policies, training, and responsibilities and accountability of LASD deputies, supervisors, and managers; and (2) the scope and specific types of activities, information, and analysis that the Monitoring Team will require to assess compliance with each provision. Using this approach, reaching consensus on the work plans will take more time, but once in place, the work that stems from them will proceed with greater efficiency and speed.

The Monitoring Team has completed detailed work plans for SA paragraphs 102 through 110, the first paragraphs in the Settlement Agreement that relate to the use of force. This first set of work plans is being reviewed by the Parties. The remaining work plans are under development and scheduled for submission to the Parties for their review and input in the next reporting period.

D. Multiple Onsite Meetings and Events

Over the past six months, the Monitoring Team has facilitated, participated in, or observed multiple meetings at various locations in Antelope Valley, as well as at LASD facilities in downtown Los Angeles. The Monitoring Team held an onsite meeting in Antelope Valley with representatives from all Parties for the purposes of meeting one another in person as a group for the first time and building a common understanding of the history of the Settlement Agreement and how the monitoring process could best move forward. LASD also gave several presentations on various data systems and departmental processes, including the processing of citizen complaints. The Monitoring Team also participated in several LASD and community meetings: a semi-annual LASD risk management meeting and an LASD Executive Force Review Committee meeting, which allowed the Monitoring Team to observe important SA-related departmental processes firsthand; several one-on-one meetings with the captains of both AV stations; multiple onsite meetings with LASD's Compliance Unit, usually regarding specific issues such as policy review, data system briefings, and patrol and supervision characteristics at each AV station; and several small- and larger-group community meetings in Palmdale and Lancaster to discuss various topics such as the scope of the Settlement Agreement, community attitudes toward LASD and its approach to policing, and the Community Advisory Committees (CAC). Most of these meetings and events are described in greater detail, along with Monitoring Team observations, in Section III, Detailed Work to Date. In addition to in-person meetings, the Monitoring Team has had several telephone calls per month and nearly daily email communication with representatives of DOJ, the County of Los Angeles, and LASD, either jointly or individually. The Monitoring Team also facilitates a monthly telephone conference call with the Parties to discuss workflow, future events and meetings, and other salient topics.

E. Overview of Progress on Policies, Unit Orders, and Training Curricula

Four policies or unit orders have now been formally approved by DOJ, while 11 others are currently under review by either the Monitoring Team or DOJ, with several of those very close to approval. Similarly, in this reporting period, the Monitoring Team began reviewing training curricula.

Policies and unit orders are similar in that they both set out the goals, procedures, and requirements of LASD; they both contain the rules, duties, and responsibilities that guide the work of all LASD staff. However, "policies" apply to LASD countywide, while unit orders apply only to specific units—in this case, the LASD stations in Antelope Valley (LASD-AV). Policies and unit orders are compiled in the various chapters of the LASD Policy Manual. Besides policies, the manual also contains or refers to various other documents that dictate and clarify departmental policy and procedure, such as directives, newsletters, and training curricula.

The Monitoring Team recognizes and appreciates the many complexities encountered and the challenges involved when a large organization undertakes policy changes and related steps to implement them. The Monitors also recognize that there are many considerations LASD management has to account for when dealing with matters of this nature, such as whether the changes will be confined to the AV stations or whether they might potentially affect the entire organization; the possibility or likelihood that other existing policies could be affected and therefore would also have to be updated/revised; that evolving "best practices" and legal considerations also influence policies related to such things as use of force, video recordings, and so on; and the need/requirement in many instances to recognize and consult with labor groups as well as legal resources before such policy

changes can be effected. In the course of the work that has been undertaken to date, the Monitors have found the Parties to be strongly committed to ensuring that the requirements of the Settlement Agreement will not be weakened or overlooked because of these considerations and, based on the ongoing collaboration that has been displayed by the Parties, we believe the objectives agreed to in the Settlement Agreement can be achieved in a timely manner.

This section provides an overview of progress concerning additions and changes to policies, unit orders, and training to date. See Section III, Detailed Work to Date, for a more thorough description of each of these, how they relate to SA provisions, related work completed to date, and work expected to be completed during the next reporting period. Those policies indicating "Pending Final Approval" have been reviewed by the Monitors and DOJ and will be approved pending a final discussion of a few matters; final approval is anticipated early in the next reporting period.

1. Status of Unit Orders

- a. Approved: Unit Order #68, on **Supplemental Patrol Procedures**, covering investigatory stops and detentions, searches, and bias-free policing. Related to SA paragraphs 42, 44f, 44g, 44j, 45, 49, 52, 53, 55, and 66b.
- b. Approved: Unit Order #69, on **Supplemental Supervisory Responsibilities**, related to investigatory stops and detentions, searches, supervisory review, bias-free policing, community engagement, general use of force reporting policy, use of force supervisory investigations, complaint intake, complaint classification, and investigations. Related to SA paragraphs 45, 49, 52, 58, 59, 60, 61, 62, 63, 66b, 67, 87, 88, 109, 115, 116, 117, 118, 125, 126, 128, 130, 131, 134, 133, and 136.
- c. Approved: Unit Order #72, on **Community Advisory Committees**, regarding AV CAC composition, duties, meetings, and reporting procedures. Related to SA paragraphs 53, 95, 96, 97, 98, 99, 145, and 182.

2. Status of Policy Reviews

- a. Pending Final Changes: The policy on **Limited English Proficiency** (3-09/004.00), which requires LASD staff to take various steps to ensure that a person's lack of proficiency in English will not be a barrier to effective communication with deputies or fair and equal treatment in the context of searches, bias-free policing, and complaint intake. Related to SA paragraphs 52, 66, and 125. This policy has been approved by all Parties pending a few final changes.
- b. Under Review by the Monitoring Team: The policy on **Photography, Audio, and Videotaping By the Public and Members of the Press** (3-01/080.16), which establishes a prohibition against discouraging members of the public from documenting police activities. Related to SA paragraph 106.
- c. Under Review by the Monitoring Team: The policy on **Seizure of Photographic Video or Audio Evidence From a Private Citizen or Member of the Press** (5-04/110.12)

which limits the seizure of visual or audio recordings without a warrant and establishes procedures to follow when specific law enforcement-related exceptions apply. Related to SA paragraph 106.

- d. Pending Final Approval: The policy on **Constitutional Policing** (5-09/520.00), regarding the right of members of the public to receive equal protection under the law, without bias as to race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation. The related SA paragraph (§ 64) also prohibits stops from being initiated because of an individual's actual or perceived immigration status. This policy also includes language on consensual encounters, in which members of the public voluntarily interact with deputies and are free to leave at any time (5-09/520.15). Related to SA paragraph 64.
- e. Pending Final Approval: The policy on **Stops, Seizures, and Searches** (5-09/520.05), which establishes that investigatory stops and detentions shall be initiated and carried out based on the tenets of constitutional policing and bias-free policing, as in item 2d., above. Related to SA paragraphs 41, 43, 50, 51, 52, 56, and 64.
- f. Pending Final Approval: A policy on **Backseat Detentions** (5-09/520.10), addressing when and by what rationale backseat detentions can be used and how to handle citizen complaints about such detention. Related to SA paragraphs 48 and 49.
- g. Pending Final Approval: The policy on **Logging Public Contacts** (5-09/520.20). Related to SA paragraph 44.
- h. Pending Final Approval: The policy on **Logging Field Activities** (5-09/520.25). Related to SA paragraph 20.
- i. Pending Final Approval: The policy on **Statistical Codes For Traffic, Pedestrian, And Bicycle Stops** (5-09/520.30). Related to SA paragraph 44.
- j. Under Review by the Monitoring Team: The Field Operations Directive describing LASD policy on **Housing Authority Non-Criminal Investigations/Inspections** (FOD 12-02), regarding searches; accompaniment on Section 8 compliance checks; and the **Housing Non-Discrimination** policy, which addresses fair housing issues. Related to SA paragraphs 54, 76, 77, 78, 79, and 80.
- k. Under Review by the Monitoring Team and DOJ, with discussions scheduled for June or July 2016: A revised policy on **Use of Force** (3-10/000.00-140.00), to address general use of force policy principles, the use of force reporting policy, and use of force supervisory investigations. Related to SA paragraphs 103, 105, 109, 110, 111a, 111b, 111e, 112a, 112d, 113, 116, 117, and 118.

3. Status of Training Curricula

Pending conference of Parties to review: LASD developed their **Bias-Free Policing training curriculum** and their **Constitutional Policing training curriculum**, which were submitted it to the Monitoring Team, who have reviewed the materials, made comments and suggested changes, and submitted it to DOJ. The Parties will meet in June or July 2016 to review and finalize.

III. DETAILED WORK TO DATE

The nearly 200 substantive provisions of the Settlement Agreement are each represented by a numbered paragraph and laid out in eight sections.

- Stops, Seizures, and Searches
- Bias-Free Policing
- Enforcement of Section 8 Compliance
- Data Collection and Analysis
- Community Engagement
- Use of Force
- Personnel Complaint Review
- Accountability

While there is a large amount of overlap in the objectives and specific requirements of these sections, they broadly represent the areas of focus of the Monitoring Team's work. This part of the report presents the progress to date—with an emphasis on the past six months—of LASD's efforts to reach compliance with the Settlement Agreement in each of those eight sections. It is too early at this stage of the process for the Monitoring Team to provide a detailed assessment of LASD's compliance with every provision of the Settlement Agreement. However, as a result of the monitoring activities over the past six months, reflections and observations are included below on the work that LASD has done in the Antelope Valley to comply with the Settlement Agreement.

Critical to the successful implementation and sustainability of the reforms outlined throughout the Settlement Agreement is a commitment and adherence to constitutional policing principles. LASD's ability to meet these responsibilities is affected by actions such as establishing clear policies and providing effective training to ensure that deputies honor these constitutional standards and possess a clear understanding of what the organization's expectations are of them during the course of their community interactions. This is also affected by having sufficient accountability systems and mechanisms in place to monitor and evaluate both employee performance and management oversight practices so as to ensure adherence to constitutional standards, as well as the terms and conditions of the Settlement Agreement.

A. Stops, Seizures, and Searches

The Settlement Agreement sets out the guiding principles pertaining to constitutionally based stops, seizures, and searches:

LASD agrees to ensure that all investigatory stops, seizures, and searches are conducted in accordance with the rights, privileges, or immunities secured or protected by the Constitution or laws of the United States. LASD [further agrees to] ensure that investigatory stops and searches are part of an effective overall crime prevention strategy, do not contribute to counterproductive divisions between LASD and the community, and are adequately documented for tracking and supervision purposes. (SA, page 7, lines 10–15)

The changes and revisions to LASD policies related to stops, searches, and seizures that have been addressed thus far are contained within several broader sets of policies and unit orders referred to as Constitutional Policing, Supplemental Patrol Procedures, Supplemental Supervisory Responsibilities, and the Limited English Proficiency and Language Assistance Plan. (Progress toward compliance on these and other policies was briefly summarized in Section II.) The goal of the SA paragraphs pertaining to deputy and community interaction during law enforcement-related encounters is to establish policies and related training and procedures to: ensure that the rights of community members are respected; measure the quality of deputy decision making; enhance LASD's ability to capture relevant data points; and, ultimately, improve rather than reduce LASD's level of trust among community members and its level of transparency with regard to these important constitutional policing principles. These requirements are detailed in paragraphs 41–56 of the SA.

1. Constitutional Policing

The specific LASD policy provisions pertaining to constitutional policing and investigatory stops include the following:

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

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

2. Supplemental Patrol Procedures

Policies pertaining to LASD deputies' interactions with community members (including investigatory stops), and reporting and data collection requirements following such interactions, have been approved by the Monitoring Team and DOJ. These policies address:

- Investigatory stops and detentions (SA paragraph 42);
- Data and narrative reporting required subsequent to an investigatory stop or detention (SA paragraph 44);
- Reporting of reasons for seeking consent from a subject (SA paragraph 44j);

- Accurate, specific descriptive language required when completing an investigatory stop and detention report (SA paragraph 45);
- The individualized reasonable suspicion that would justify a backseat detention (SA paragraph 47);
- The handling of complaints arising from backseat detentions (SA paragraph 49);
- Required recording of consensual searches using the issued body-worn camera systems (SA paragraph 52); and
- A series of other provisions that are specific to Section 8 housing investigations and parole/probation compliance checks (SA paragraphs 53–56).

3. Supplementary Supervisory Responsibilities

With regard to effectively overseeing compliance with the provisions of the Settlement Agreement that pertain to stops, searches, and seizures, the following supplementary supervisory responsibility unit orders have been approved by the Monitoring Team and DOJ:

- The reporting requirements pertaining to investigatory stops and detentions (SA paragraph 45);
- The handling of complaints arising from backseat detentions (SA paragraph 49);
- The use of body-worn cameras during consent searches (SA paragraph 52);
- The implementation of additional accountability and supervision practices regarding stops, searches, and seizures (SA paragraph 58);
- The review of reports and logs pertaining to investigatory stops and detentions (SA paragraph 60); and
- The remedial steps to be taken regarding violations of policy and deficiencies in stops, searches, and seizures (SA paragraphs 61–63).

B. Bias-Free Policing

Section IV of the Settlement Agreement, Bias-Free Policing, requires LASD to deliver police services that are equitable, respectful, and bias-free, and delivered in a manner that promotes broad community engagement and confidence in the Department. The SA also requires LASD to continue to conduct regular training for deputies, supervisors, and command staff regarding discriminatory policing. (These requirements are detailed in paragraphs 64–72 of the SA.)

In an effort to be proactive, and prior to the signing of the Settlement Agreement and the assignment of the Monitoring Team, LASD implemented a policy on constitutional policing that includes a

prohibition against bias-based policing. The policy incorporated the language from paragraphs 43 and 64 of the SA: "LASD-AV deputies shall not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation as a factor, to any extent or degree, in establishing reasonable suspicion or probable cause, except as part of actual and credible description(s) of a specific suspect or suspects in any criminal investigation. ... Deputies shall not initiate stops or other field contacts because of an individual's actual or perceived immigration status."

LASD's quick action on this change was an indication of their commitment to following through on the SA requirements affecting deputy performance in the Antelope Valley. LASD understands that this, and any other SA-related policies put into place before the Monitoring Team was assigned, must still undergo a formal review process before a determination is made as to whether the policy is in compliance with the SA. (As described in the previous section, the Monitoring Team has forwarded its comments on the Constitutional Policing policy to DOJ, and discussions with all Parties on those changes are scheduled for June 2016.)

1. Bias-Free Policing and Constitutional Policing Training

LASD has also worked to develop a training curriculum for this new policy. It may be altered pending final approval of the policy, but in the meantime, the Monitoring Team has reviewed the curriculum.

In addition to having effective policies and accountability systems in place that meet the expectations of the Settlement Agreement, the quality of training and the manner in which such training is carried out provides a foundation for establishing SA compliance in the field. During the previous monitoring period, members of the Monitoring Team reviewed the existing training materials pertaining to constitutional and bias-free policing. As a result of that review, the Monitors made a number of recommendations to augment the existing curriculum in order to provide training that is both effective and consistent with the terms and conditions of the Settlement Agreement.

LASD has contracted with the law firm Thomas & Means, LLP, for their assistance in developing and providing constitutional policing and bias-free policing training to LASD-AV staff. This training will address a wide array of topics and issues that influence actual bias as well as public perceptions of bias. Topics include procedural justice, police legitimacy, implicit bias, racial profiling, cultural competence, community engagement, problem-oriented policing, and strategies to prevent implicit bias/racial profiling. This training is intended to provide employees with a clear understanding of organizational expectations related to ensuring that constitutional and bias-free policing is carried out in the field.

LASD submitted these bias-free training documents for review and the Monitoring Team raised several questions related to defining key terms, methods used to effectively train adult learners, and testing to ensure the material will be retained by learners. If the material is not retained by personnel, institutionalization will be hampered or not occur at all. The Monitoring Team will continue to work with all Parties to finalize the training materials. DOJ has reviewed those materials and requested a meeting with all Parties to discuss. Final approval is anticipated early in the next reporting period.

The Monitoring Team will assess the impact of this training and work with LASD to ensure it is consistent with contemporary practices and the provisions of the Settlement Agreement. The Monitoring Team will observe the training sessions and provide implementation feedback to the

Parties if deemed necessary. As with all training courses, the material will not take hold unless it is reinforced in practice and supervisors hold employees accountable for knowing and applying it. Training is ineffective unless it positively impacts the day-to-day interactions between deputies and the community members they serve in real and tangible ways. Therefore, in addition to auditing the training sessions, the Monitoring Team will assess whether both the letter and the spirit of the related policies are reflected as deputies carry out their duties in the field.

A crucial consideration in the Monitoring Team's feedback to LASD on the training was that it did not adequately incorporate the requirements related to Section 8 housing inspections (see Section III-E, below). Once the new LASD housing policies are formally approved, they must be incorporated into this training. LASD is also required to conduct quarterly training in bias-free policing (see SA paragraph 71), and the Monitoring Team will review those training materials once they have been submitted.

The Monitoring Team has offered feedback to LASD on process-related elements of the training in order to facilitate the Monitoring Team's future review of training materials related to other SA provisions. For instance, we found it was difficult to navigate the documents provided and to make connections between the lesson plan, PowerPoint, and test questions. Subsequent discussion took place to allow the Monitoring Team to gain a better understanding of LASD's processes for developing curriculum, training, and testing materials. As a result, we offered recommendations on the types of documents needed to facilitate a speedy review. The Monitoring Team has suggested the lesson plan serve as the base document from which all other training materials are developed to ensure consistency across all documents. Using a base document for training is particularly critical for full or multi-day courses. This change will provide clarity and consistency for both the Monitoring Team's review of trainings and LASD's internal work. The Compliance Unit expressed willingness to meet these recommendations as the Monitoring Team's review of training curricula continues.

2. Limited English Proficiency

Another policy related to bias-free policing addresses LASD interactions with members of the public who speak little or no English. The Limited English Proficiency and Language Assistance Plan (LEP) has been tentatively approved, pending certain changes. This policy requires LASD staff to take various steps to safeguard against a person's lack of proficiency in English becoming a barrier to receiving fair and equal treatment. It should serve to improve communication between deputies and individuals who do not speak English, or who have limited English-language proficiency. The policy mandates that the public be provided with ready access to essential forms that have been translated.

Deputies are also required to use bilingual personnel or translation services as needed during the course of field contacts, and translation services must be available to members of the public when they are in custody facilities, when they are making personnel complaints, and during community engagement and outreach efforts.

The Compliance Unit has gone beyond what was required in the Settlement Agreement in order to create a comprehensive policy. The Monitoring Team will assess and evaluate ongoing compliance with the policy in the future. Ensuring that members of the public have access in alternate languages is critical for providing equitable public safety services to all communities.

3. Organizational Climate and Culture Study

To date, there has not been a formal study of the “organizational climate and culture” (see SA paragraph 69) at the LASD-AV stations. According to the Settlement Agreement, LASD must utilize experts to assist in its study efforts. The Monitoring Team believes that assessments should be conducted on a regular basis and may serve as excellent indicators of areas for growth and improvement.

These types of reviews or assessments typically include surveys, review of organizational communications (external and internal), interviews, document review, and community surveys. Such studies can be very useful in helping establish priorities, as well as in determining the most effective means for bringing about organizational change. For example, they can assist in understanding the perceptions of, and levels of acceptance or resistance to, the reforms being implemented. They can also provide an opportunity to test collective feelings about various crime reduction strategies and identify foundational beliefs that must be addressed within the organization.

Evidence suggests that employees’ feelings about their work and their value to the organization affect how they treat people within the community. This critical point is discussed in the Final Report of the President’s Task Force on 21st Century Policing. Effective assessments regularly look inward and outward, and the Monitoring Team looks forward to discussing possible next steps in this area with the Parties.

4. Volume of Calls for Service

In concert with various ride-alongs undertaken with LASD deputies, Monitoring Team members observed LASD-AV roll calls and deputies during the course of their work in the field.

Monitoring Team Direct Observation

Roll calls and ride-alongs provide opportunities for direct observation of deputies who are providing services in the field. The events they deal with can be unpredictable and provide opportunities to see the SA provisions applied under a wide array of circumstances. Specifically, ride-alongs provide the following advantages.

- Observing the tone and tenor of police/community interactions in numerous settings and circumstances.
- Discussing the effectiveness of the practices and gaining valuable feedback from line staff responsible for practicing key provisions of the Settlement Agreement.
- As long as police response or safety is not compromised, the ability to interact directly with community members.
- Viewing firsthand how supervisors/commanders provide direction to deputies regarding priorities and expectations.
- Allowing Monitoring Team members to observe how well the SA requirements blend and whether they meet the intended expectations of the Parties and the community. Audits typically look at specific items to ensure technical compliance, but actually viewing how the requirements flow together and related business is carried out is critical for a complete assessment. For example, a deputy might stop a driver (need to record data), have a reason to conduct a backseat detention (requiring documentation of the circumstances and justification for the detention) of a person with limited English proficiency (requiring translation services or forms in alternate languages), and this might possibly result in a complaint (accurate intake and competent investigation). The Settlement Agreement is not a set of individual requirements; rather, it is a document built on principles designed to protect the constitutional rights of all people in a variety of circumstances. Ride-alongs are simply one of the tools that can assist in assessing how all the provisions work together and whether the requirements are being practiced by deputies.
- Making direct field observations by way of ride-alongs complements other data-gathering techniques and sources that will be used to evaluate compliance with the terms and conditions of the Settlement Agreement. This particular mode of observation allows the Monitoring Team to periodically observe field activities and evaluate subtle influences and nuances that may affect deputies' performance as they carry out their duties.

Ride-alongs offer a unique and direct opportunity to view deputies' interactions with the public, and they can also assist with evaluation of community members' views through immediate interviews or post-interaction reviews.

During certain shifts, Monitoring Team members observed LASD-AV staff facing challenges with both the number of calls and the sheer magnitude of land area to cover. Most notably, LASD-AV patrol deputies were focused on clearing the calls (or "tags") on the screen so that requests for service from the community did not go unanswered for extended periods of time. In fact, on one day, there were so many calls that a roll call was cut short so deputies could respond to the numerous requests for

assistance. There is no question that law enforcement must respond to emergency calls for service, but we look forward to future community policing plans that will provide for specific time to be dedicated to community interactions and community policing activities. Ensuring patrol officers have time to engage in meaningful community engagement is often difficult, but it is a staple of effective community policing.

5. Data Collection on Stops

The Monitoring Team received a copy of LASD-issued instructions directing officers to collect statistical codes for traffic, pedestrian, or bicycle stops. The data are collected in the Computer-Aided Dispatch System. The Monitoring Team observed a log for one officer that showed the data fields captured for the observed stops during a ride-along. These were encouraging observations, and the Monitoring Team acknowledges LASD's efforts to jump-start the data collection. The Monitoring Team will begin a thorough review of data collection procedures and LASD's overall compliance with this provision.

Over the next six months, the Monitoring Team anticipates conducting additional field observations; interacting with the AV community; observing implementation of the LEP policy; moving forward with a cultural assessment; giving final approval to the housing policies for inclusion in training sessions; performing initial reviews of enforcement data available in LASD databases; making site visits to LASD training facilities; and recommending any further modifications to, and then approving, the Bias-Free and Constitutional Policing training materials.

C. Community Engagement

The Settlement Agreement states that "LASD agrees to promote and strengthen partnerships within the community, to engage constructively with the community to ensure collaborative problem-solving and bias-free policing, and to increase community confidence in the Department." (SA, page 20, lines 1-5.) The Monitoring Team's role in this process is to observe and assess LASD's efforts to improve its relations with the AV community as per the goals of the Settlement Agreement. The Monitoring Team may also provide advice and technical assistance as appropriate and necessary.

"Community engagement" thus primarily refers to LASD's efforts to engage the community. However, the Monitoring Team also needs its own process of community engagement with AV community members in order to understand and assess the nature of LASD's relationship to the community and, in particular, the community's attitudes and perceptions regarding LASD. Therefore, the objectives for the Monitoring Team over the past six months with regard to community engagement were twofold: (1) to develop relationships, promote trust, and establish open lines of communication between the Monitoring Team and the community; and (2) to gain a better understanding of LASD's approach to community engagement and to begin to assess the Department's progress in meeting the requirements of the SA's community engagement provisions. This section first describes the Monitoring Team's own engagement efforts and then discusses LASD's community engagement work.

1. Monitoring Team Community Engagement Activities

During this reporting period (December 2015 through May 2016), the Monitoring Team's community engagement activities have included meeting with a broad cross-section of community members, as well as interviewing various community representatives and leaders; participating in a number of community events; meeting with LASD's CACs; meeting with the captains and key staff responsible for community outreach activities at the AV stations; participating in ride-alongs and interacting with deputies as they go about their work; reviewing LASD community engagement reports and LASD policies regarding community engagement; and fielding many calls and emails from community members who desired to express their opinions regarding the quality of policing services in the Antelope Valley.

The Monitoring Team has made five site visits during this period, each of which has contributed to team members developing a better understanding of and greater familiarity with the Antelope Valley; the various community interests and needs that exist; LASD operations; and the dynamics, challenges, and successes stemming from the relationships between the community and AV station personnel.

In January 2016, the Monitoring Team's primary representative on matters related to community engagement, David Muhammad, participated in the annual AV Martin Luther King Jr. celebration and community forum. During the course of this important community event, David met with numerous community members as well as the newly appointed captain of the Palmdale Station, Dennis Kneer. In addition, David was honored to give the keynote address and provide those in attendance with an update on the progress of the Settlement Agreement.

In March 2016, members of the Monitoring Team again met with Captain Kneer and members of his station. During this site visit, the Monitoring Team hosted a meeting with community members, which afforded an opportunity for those in attendance to meet with team members and learn about the work that has been done since the inception of the Settlement Agreement, and for the Monitoring Team to hear from the community about their concerns and input. Approximately 25 members of the community, along with LASD representatives, participated in this meeting. The nearly three-hour discussion touched on a number of salient issues; community members shared their perspective on LASD's progress and improvements, as well as their concerns about the manner in which policing services are carried out in their community and neighborhoods. These concerns are described below. The Monitoring Team continues to document these concerns and track LASD's efforts to respond and work collaboratively with the various stakeholders to ensure these matters are addressed in accordance with the requirements and expectations established by the Settlement Agreement.

The Monitoring Team will also continue to work to educate and assist the AV community in distinguishing between community concerns that do and do not fall within the scope of the Settlement Agreement and the Monitoring Team's role in it. The Monitoring Team has found that some issues or complaints raised by community members do not necessarily fall within the scope of the monitoring role. There have been several occasions where the Monitoring Team found it necessary to redirect people to other resources in the county's governmental structure (such as the Los Angeles County Office of the Inspector General, the Board of Supervisors, or other county agencies). Similarly, community members with complaints about LASD staff members' conduct or performance who have not filed their complaint with the Department are being directed to use the established complaint system. The Monitoring Team may follow up to see that the complaint is appropriately handled, but it is generally not the role of the Monitoring Team to process such complaints.

During an April site visit, the Monitoring Team again conferred with community leaders, including the president of the AV National Association for the Advancement of Colored People (NAACP), the president of the AV League of United Latin American Citizens (LULAC), leaders of The Community Action League (TCAL), and other community members who provided valuable input representing various constituencies. This information helps the Monitoring Team understand the nature of the relationships among community members and between various community groups and LASD. This in turn allows the Monitoring Team to assess how well LASD engages with all of the various AV community groups, what obstacles may inhibit successful engagement and compliance with the Settlement Agreement, and how we can better assist LASD in improving lines of communication and overcoming obstacles.

During this visit, the Monitoring Team also met with the Palmdale CAC. The members of the CAC provided a wide range of perspectives as well as personal experience working with LASD. They shared stories that exhibited the progress made in Palmdale while also expressing some of their remaining concerns. The CAC members will continue to be a conduit for constructive criticism—and, in some cases, complaints—from the broader community.

The Monitoring Team has received several calls and emails from community members bringing specific concerns to our attention. As previously noted, some of the concerns were related to matters outside of our purview and were referred to the appropriate investigatory resources, consistent with the terms and conditions of the Settlement Agreement.

2. LASD Community Engagement Activities

LASD has increased its engagement in community events and outreach efforts in the past six months. Additionally, LASD had previously instituted CACs in Lancaster and Palmdale, which comprise a cross-section of members from the community who meet monthly with the leadership of the stations that serve the Antelope Valley. LASD has drafted a policy codifying the duties and responsibilities of the CAC; this policy has been reviewed and approved by the Monitoring Team and DOJ.

3. CAC Community Meeting

The Settlement Agreement requires LASD to facilitate quarterly public meetings of the CAC to discuss the Monitoring Team's report and receive community feedback about LASD's progress and compliance with the Agreement. During the May site visit, members of the Monitoring Team attended the Palmdale CAC's first such meeting. LASD had broadly publicized the event using a variety of communication methods: the LASD website; Facebook; Nixel (a social networking tool); flyers in English and Spanish that were disseminated in the Palmdale station and local apartment complexes; and automated phone calls that were conducted in the neighborhoods within walking distance of the meeting location. Additionally, the CAC members disseminated the meeting notice to their respective constituents. Approximately 45 to 60 community members attended the meeting. The meeting was structured to provide detailed introductions of the CAC members, list the sections of the SA, provide an overview and discuss the relevance of some of those sections, and review the "Challenges" section of the Monitoring Team's first six-month report.

The CAC members in attendance appeared to be invested in carrying out their charge of representing the community; each of them indicated their desire to be supportive of the community and LASD. However, there were questions raised regarding the composition of the Palmdale CAC; some in attendance recommended that greater outreach be made to non-traditional community leaders. The Monitoring Team will work with LASD to examine this particular issue during the next phase of our work.

4. LASD Community Engagement Report

In April, the Monitoring Team reviewed, provided detailed feedback, and recommended various edits to an LASD report on community engagement. The publishing of this report meets a compliance mandate in the Settlement Agreement. Overall, the report was easy to read and documented the meetings, events, and other activities that LASD has participated in or facilitated. The Monitoring Team has encouraged LASD to create a document that communicates a clear, concise, and appropriate message to the residents of Antelope Valley—one that genuinely seeks to improve relationships and restore public trust. Acknowledging the challenges of the future and admitting the mistakes of the past will be a substantial step toward reform, building social capital, and restoring trust and communication between LASD and those whom they serve in the Antelope Valley. This should include but not be limited to a focus on those positive community programs that allow deputies and community members to build positive and sustainable relationships.

5. Community Meetings and Events

The Settlement Agreement requires LASD deputies assigned to AV stations to participate regularly in community meetings. In an effort to effectively monitor this particular requirement, LASD keeps a monthly log of all such meetings attended by deputies and officials (the April 2016 report is included in the appendix). While there are often many meetings listed on the monthly logs, the station captain, a lieutenant, or the community relations deputies most often attend these meetings. It remains important for the head of each AV station to attend community meetings and be available to community members. But in order to improve relationships between the deputies and the community, it is also critical, as laid out in the Settlement Agreement, that all deputies regularly attend community meetings. LASD still has much progress to make in this area, and the Monitoring Team looks forward to working with LASD in accomplishing this important task. As recommended below, a wider range of community meetings should be attended by deputies, and genuine engagement with community members should occur at these meetings.

6. Progress in LASD's Community Engagement and Concerns Expressed by the Community

It appears that in the past few years, since the completion of the DOJ investigation that resulted in the Settlement Agreement, increased efforts have been underway to improve relations between LASD and the community. In fact, both LASD and community members have acknowledged that greater efforts have been undertaken and improvements have been made, particularly with regard to Section 8 compliance checks.

LASD has fully implemented CACs in Lancaster and Palmdale, is making the effort to consistently engage the community and have deputies regularly attend community meetings, and is actively engaged in addressing the provisions of the Settlement Agreement.

The Monitoring Team has learned much based on the community input received. The March 9 meeting appears to be emblematic of the many complicated dynamics that exist in the Antelope Valley. For example, both station captains have expressed their desire to have community representatives serve on their CAC who have been outspoken and constructive critics of LASD in the past. Each station's liaison is working closely with their CAC to provide a significant amount of training to the CAC members. (The CAC Unit Order requires a total of 24 hours of training, which is provided to members during the course of their time on the committee.) So far, the training seems to have contributed to the members having more knowledge and a better understanding of LASD operations. While it appears CAC members feel valued and included by LASD and are proud of the work they are doing with respect to community engagement, certain members of the broader community continue to express feelings of being marginalized and are often critical of LASD and the CAC's composition. In particular, it seems that the monolingual Spanish-speaking community and the LGBT community express frustration about being disenfranchised or ignored.

There are several other ongoing community concerns that should be noted in this report. Community perceptions strongly influence the quality of the relationship between the community and law enforcement agencies. However, not all perceptions are based on established facts that all Parties can or will agree upon. The fact that some community members believe their perceptions to be true should be viewed by LASD as an opportunity to engage in dialogue; examine their own perspectives (e.g., a law enforcement reason for their tactics); hear from the community about the real and/or perceived impact of their policies and tactics; and discuss how legitimate law enforcement objectives can be effectively achieved and responsibilities carried out with no, or minimal, alienation occurring in the community.

- There is the perception by some in the community that LASD is engaging in biased "stop-and-frisk" practices as a systematic effort to target communities of color. There are specific paragraphs within the Settlement Agreement that address this issue, and it will be aggressively monitored during the course of the Settlement Agreement.
- There is also the perception that the Latino community in Antelope Valley, especially those who live in or visit Lancaster, have been treated unfairly or targeted disproportionately by deputies through the placement of DUI checkpoints, as well as traffic enforcement efforts that result in vehicles being impounded. Community members claim that the majority of vehicle impounds are for lack of identification, not for DUIs.
- Many of the community leaders interviewed by members of the Monitoring Team expressed concern that both the Lancaster and Palmdale CACs were not adequate representations of those communities, were made up solely of LASD supporters, and did not provide any necessary criticism of Lancaster deputies. Community leaders suggested that members of the community who live on the east side of Lancaster, and perhaps others who may have had negative experiences with LASD, be allowed to serve on the CACs. With limited space on each CAC, both LASD and the community have to work together and understand that it may not be possible to represent all

perspectives in the CACs, but that an earnest effort should be made to make the composition of the CACs broadly representative of the community, especially those communities that experience more police contact.

- There seems to be a perception by some that the purpose of the CACs is to teach the community how to behave and interact with the police. This sentiment was repeated in the LASD Community Engagement draft report. The purpose of the CACs is to provide community feedback and perspective to LASD, as well as to help with community education and outreach.

7. Monitoring Team Suggestions Regarding Community Engagement

The Monitoring Team has begun discussions with LASD about improving community relations, and has made the following suggestions. LASD should see community engagement as a process of working to establish long-term relationships with communities and community members, especially in communities of color and with youth (as specified by the Settlement Agreement), by having sincere community dialogues, implementing a comprehensive community policing strategy, participating in meaningful and relevant community meetings and events, and receiving and responding to community input.

The Monitoring Team has the following suggestions on how LASD-AV can improve community engagement.

- Participate in meetings being held in the community where deputies attend, and engage in the meetings, not just stand up in the back or sit without saying anything. Attend open NAACP meetings, LULAC meetings, church meetings, neighborhood meetings, etc.
- Host quarterly town hall meetings for the purpose of hearing from the community, not just talking at the community or giving reports. LASD should have more than just the captains of each station and a few others in leadership. Deputies should attend these meetings and sit among and engage with community members.
- LASD should continue attending special events and engaging with those groups and populations that could be considered to be disenfranchised or harder to reach.
- One of the community members suggested that each station hold a community event or series of town-hall-type meetings in Spanish—not a meeting held in English that offers translation, but a meeting conducted in Spanish that provides translation into English for those that need it. It was also suggested that LASD make it clear that the undocumented community is invited to the meeting and will be safe to attend.

In particular, the view that there could be a disproportionate focus on traffic enforcement appears to be hurting perceptions within the Latino community of the legitimacy of the LASD-AV stations. This issue must be addressed through a focused and ongoing engagement with the community so it does not erode trust in the police. If the practice is based in a law enforcement necessity, then station leadership must make sure the practice does not contain bias or result in disparate treatment. The

Monitoring Team recommends engagement with Latino community leaders to co-design a way forward that both maintains safety and addresses these concerns.

D. Data Collection and Analysis

One of the foundational elements in implementation of the Settlement Agreement is LASD's ability to collect, manage, and analyze data. Data will be used to "identify shortcomings, assess improvement, and increase community confidence in LASD's law enforcement activity in the Antelope Valley ... LASD will develop and implement a protocol for the collection and regular analysis of data to assess whether there are trends and patterns that indicate bias or practices that otherwise run counter to constitutional and effective policing." (SA, page 17, lines 23–28.)

The need for appropriate and timely collection of data underscores much of the Settlement Agreement. In March 2016, members of the Monitoring Team met with LASD supervisory staff, command personnel, and members of the Compliance Unit. During the course of that meeting, we became oriented to the collection and management of the current data pertaining to investigatory stops, searches, and seizures; the Personnel Performance Index System; and the complaint review and internal investigations tracking process.

The Settlement Agreement sets out very specific and objective information that is to be captured during the course of an investigatory stop and detention (see paragraph 44). The Settlement Agreement also outlines the type of analysis that will be used to examine the potential disparate impact of policing practices. Whether or not the current data collection and management is the most robust, comprehensive, efficient, and effective management and accountability mechanism will be the subject of further discussion between the Monitoring Team and the Parties as this important process continues into the next phase of work. In order for the terms and conditions of the Settlement Agreement to be effectively assessed, it is imperative that the data systems capture the comprehensive data and information necessary for LASD and the Monitoring Team to ensure compliance with policy, law, and the terms and conditions of the Settlement Agreement.

In order to accomplish this critical task, it is imperative that LASD have in place proper systems to capture and analyze information pertaining to the requirements set out in the Settlement Agreement. A good part of the Monitoring Team's work in the months ahead will be focused on continuing collaborative work with LASD to examine the manner in which current data are captured, the system or systems in which the data are captured, and the manner and frequency in which they are reviewed. In reality, true sustainable reform and substantial compliance with the terms and conditions of the Settlement Agreement will be best demonstrated—and ultimately achieved—by the manner in which the organizational policies are strictly adhered to by LASD deputies, and carefully monitored by comprehensive and robust accountability systems that are routinely examined by LASD supervisors and command personnel, and openly, effectively, and frequently communicated to the citizens of Antelope Valley.

Specifically, in the months ahead, the Monitoring Team will work with LASD in the analysis of data pertaining to investigatory stops, searches, and seizures, as well as data pertaining to citizen complaints arising from alleged improper investigatory stops, searches, and seizures. An important part of that review will concentrate on what accountability and management tools LASD has in place to ensure the collection of accurate data; how LASD assesses the quality of the decision making that

contributed to these constitutional intrusions; and what is being done to effectively monitor compliance with LASD policy, law, and the conditions required by the Settlement Agreement.

E. Enforcement of Section 8 Compliance

The Settlement Agreement requires LASD to develop and implement a housing non-discrimination policy that reflects its commitment to the Fair Housing Act (FHA), and which must also explain how to file a complaint of discrimination in housing. The policy is to be disseminated to all sworn LASD-AV deputies. Further, the Settlement Agreement states that LASD must add additional information to its policies regarding deputy accompaniment of Housing Authority workers when they conduct administrative investigations/inspections for compliance in the Section 8 Program and regarding LASD's own independent investigations upon referral by the Housing Authority of allegations of fraud in the Section 8 program. The Housing Non-Discrimination and Enforcement of Section 8 compliance provisions have a direct relationship to the SA provisions addressing unlawful searches and seizures, use of unreasonable force, and Title VI violations.

During this six-month review period, the Monitoring Team's focus with regard to housing-related requirements of the Settlement Agreement was on the revision of LASD's policies on accompaniment of Housing Authority workers during administrative investigations/inspections. As part of a separate settlement in 2012, after the cities of Palmdale and Lancaster were sued by the NAACP and The Community Action League (TCAL) for alleged violations of the Fair Housing Act, LASD issued Field Office Directive 12-02, Housing Authority Non-Criminal Investigations/Inspections (FOD 12-02). The purpose of FOD 12-02 is to address the issue of deputy accompaniment of Housing Authority workers during investigations/inspections. The Monitoring Team believes reaching agreement on revisions to FOD 12-02 is integral to LASD achieving compliance on all of the Housing Non-Discrimination and Enforcement of Section 8 compliance provisions of the SA.

In April 2016, the Monitoring Team met with the LASD Compliance Unit and County Attorney Roger Granbo to discuss FOD 12-02. The LASD representatives made it clear during the meeting that there have not been any LASD accompaniments of Housing Authority workers during Section 8 investigations/inspections since FOD 12-02 was issued, and they believed that agreed-upon revisions to this directive could be implemented with relative ease. We also held meetings with the Palmdale and Lancaster LASD station captains, the attorneys who represented the NAACP and TCAL in the 2012 Fair Housing litigation, and representatives from the NAACP and LULAC, all of whom confirmed that no LASD-assisted Housing Authority investigations/inspections had been reported to them since the settlement of the 2012 litigation.

It should be noted that LASD's consistent reminder that deputies have not been conducting accompaniment of Housing Authority workers during investigations/inspections does not lessen the importance of the SA's accompaniment provisions. The Housing Authority is required by its Administrative Plan to conduct certain Section 8 investigations/inspections. Therefore, the prospect of LASD accompaniment under appropriate circumstances continues to exist.

The Monitoring Team has had discussions regarding revisions to FOD 12-02 with the DOJ Housing Section attorneys who were instrumental in drafting the Housing Non-Discrimination provisions of the SA. It is anticipated that the Monitoring Team will present proposed revisions to FOD 12-02 to LASD for its consideration during June 2016.

The Settlement Agreement also requires that LASD provide certain training related to Section 8 and the Fair Housing Act. Paragraph 57 states that all AV deputies shall be provided training that "... ensure[s] officers understand Fourth Amendment and related legal restrictions on searches and seizures, . . . and Section 8 related activity..." Also, paragraph 70, on training to promote bias-free policing, provides: "LASD will continue to conduct regular training for deputies, training deputies, supervisors, and command staff regarding discriminatory policing . . . This training shall further include the requirements of the FHA, with specific emphasis on discrimination on the basis of race."

The search and seizure training materials related to Section 8 will have to be revised after FOD 12-02 is finalized, and at this point nothing in the Bias-Free Policing training materials provided to the Monitoring Team addresses the FHA.

F. Use of Force and Personnel Complaint Review

Regarding the use of force, the Settlement Agreement specifically provides that:

LASD agrees to revise its force policies and practices to reflect its commitment to upholding the rights secured or protected by the Constitution of the United States, protecting human life and the dignity of every individual, and maintaining public safety. LASD agrees to ensure that its accountability measures are implemented appropriately so that Antelope Valley deputies use force only when objectively reasonable, and in a manner that avoids unnecessary injury to deputies and civilians; and to use force as a last resort and de-escalate the use of force at the earliest possible moment. Deputies and staff shall endeavor to use only that level of force necessary for the situation. (SA, page 24, lines 4–13.)

The Settlement Agreement goes on to describe in detail how these objectives will be met through policies governing deputy conduct, supervisory responsibilities, accountability mechanisms, and data collection and analysis.

With regard to personnel complaints, the Settlement Agreement specifically requires LASD to "...ensure that all allegations of personnel misconduct are received and are fully and fairly investigated, and that all personnel who commit misconduct are held accountable pursuant to a disciplinary system that is fair and consistent." (SA, page 29, lines 26–28.)

The Monitoring Team evaluated several sets of policies related to use of force and review of complaints, as described in Section II above. The use of force policy will be a critical focus in the upcoming six-month reporting period.

In May 2016, members of the Monitoring Team carried out site visits at the Lancaster and Palmdale stations. Management personnel from both stations were interviewed individually to determine how each station actually processes personnel and service complaints. The system components that were examined included intake, investigation, disposition, retention, and destruction. As each station also has a jail for the temporary housing of pre-arraigned arrestees, the Monitoring Team inquiry also included the manner in which the stations handle complaints from prisoners. (Each station treats prisoner complaints similarly to complaints made by the general public.) The Monitoring Team also viewed the logs and forms used for recording personnel and service complaints and reviewed some examples of the different types of investigations.

During these interviews, the Monitoring Team found the staff at both stations to be well aware of the requirements of the Settlement Agreement and committed to its full implementation. Staff members were very helpful and informative.

The site visit raised some questions about the documentation of use of force complaints that require further discussion and attention by the Monitoring Team to achieve a thorough understanding of how such complaints are handled. We will look at this moving forward. Also, while at the two stations, Monitoring Team members inspected the lobbies to ascertain whether complaint forms and informational material were available (SA paragraph 124). Both stations had current English-language complaint forms available at the front desk, but the Spanish-language complaint forms were out of date. Although the Spanish-language complaint form was out of date because it contained the previous sheriff's name, it did contain sufficient information on how to file a complaint. This was brought to the attention of station management, who stated it would be immediately corrected.

IV. FUTURE ACTIVITIES

Immediate Priorities:

- Finalize work plan;
- Use of Force policy; and
- Bias-Free Policing policies and training.

Additional Priorities for the Next Reporting Period:

- Data collection and audits;
- Community survey; and
- Review additional new and revised policies.

V. CONCLUSION

LASD has made a commitment to ensure that the Department will function and perform at an exceptional level, one that represents the highest standards of excellence in law enforcement (SA, page 2, line 27). Implied in that commitment is the recognition that effective, efficient, and constitutionally based law enforcement service delivery requires actively engaging the community in meaningful ways so that those who are most affected by law enforcement strategies and decision making may have a voice and a role in determining how those services are delivered.

Although the Monitors recognize the commitment LASD has made and the resources committed to this endeavor, we have noted and expressed concerns to the Department regarding adequately staffing the Compliance Unit. Due to the amount of work to be completed and the aggressive timelines involved, the Monitors feel the current staffing level of four personnel working on the Settlement Agreement needs to be increased. The Compliance Unit has worked extremely diligently on this project; however, their unit is not adequately staffed to execute all of the needed tasks, including policy planning and revision, training development and coordination, data collection and analysis, creating public reports, ensuring community engagement, adopting and implementing new

performance metrics, changing organizational systems, and other organizational issues that will likely extend beyond the Antelope Valley.

The terms and conditions of the Settlement Agreement, coupled with LASD's commitment to those terms, have established the framework for a journey that, if fully implemented, will withstand time, embrace community-oriented and 21st-century policing principles, restore relationship and trust where it has been compromised, and make LASD a model for law enforcement agencies across America.

The Settlement Agreement has provided LASD with an opportunity to evaluate its policies and practices; enhance its training in the area of constitutional policing; and develop supervision and accountability systems that will ensure that policing services in the Antelope Valley are carried out in a manner that respects our Constitution and honors the terms and conditions of the Agreement.

Over the past six months, LASD has made a purposeful effort to revise its policies and practices pertaining to constitutional policing principles, specifically those pertaining to stops, searches, seizures, bias-free policing, use of force, and citizen engagement. These policy revisions, coupled with the other activities described throughout this report, constitute critical initial steps in establishing a culture within LASD that will ensure all employees display an understanding of, and a commitment to upholding, the constitutional principles that govern the duties and responsibilities of each and every member of the Department.

In the next reporting period, the Monitoring Team will continue working with LASD in their efforts to build the community-oriented, 21st-century law enforcement agency that is contemplated by the Settlement Agreement, expected by the community, and exemplified by the commitment of the men and women of LASD. In doing so, we will continue to focus on completing necessary policy revision and development, training curriculum and delivery, ensuring adequate supervision and accountability, and the implementation of the SA requirements related to deputy and citizen interactions that result in investigatory stops, searches, and seizures; guidelines affecting use of force incidents and investigations; the citizen and administrative complaint processes; Section 8 compliance; data collection; and the manner in which LASD members proactively engage in and collaborate with the community they serve.

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