

The Los Angeles County

Sheriff's Department

10th Semiannual Report by

Special Counsel Merrick J. Bobb & Staff

February 1999



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Special Counsel appreciates and acknowledges the help and support provided by Morrison & Foerster LLP and the pro bono assistance of Munger, Tolles & Olson and Tuttle & Taylor.

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

This is the **Tenth Semiannual Report** of Special Counsel Merrick Bobb and staff discussing the Los Angeles County Sheriff's Department (LASD). These reports are prepared at the direction of the Los Angeles County Board of Supervisors pursuant to its appointment of Special Counsel for a term currently running to December 31, 1999. Concerns about police misconduct and its high cost to the County, including excessive force on the streets and in the jails, led to the **Kolts Report** and the Supervisors' subsequent orders for ongoing monitoring and critical review of the LASD's performance. At the direction of the Supervisors, Special Counsel has participated in and reported upon the Department's implementation of risk and liability management strategies. The Supervisors also asked Special Counsel to disseminate timely and accurate data about the LASD and comment upon its significance.

This Semiannual Report departs in significant ways from the reports that have preceded it and those that will follow. The **Kolts Report** and all of the prior Semiannual Reports of Special Counsel arose during the long tenure of Sherman Block as Sheriff of Los Angeles County. This Report goes to press as the first new Sheriff since 1982, Lee Baca, has recently taken the reins of the largest Sheriff's Department in the United States. It seems appropriate, therefore, to reflect on the accomplishments of Sherman Block during what turned out to be the last years of his long tenure as Sheriff, and we take as our point of departure the events leading to the Kolts investigation in the early 1990's. In so doing, we will note some of the strengths and weaknesses of the Department which Sheriff Baca now inherits.

Although we present at the end of this Report the basic statistical data regarding the Department appearing in prior Semiannual Reports, we will not discuss the numbers extensively. Rather, this Report will sketch where the Department may wish to consolidate and expand the areas in which reform and tighter management

have begun to take hold. The Report will also try to forecast the challenges and hurdles that lie ahead.

This moment of transition additionally gives us the opportunity to reflect on the difficult job of Sheriff and to assess the impact of a change in leadership in a centralized and still paramilitary organization. Finally, as the Department heads in new directions, we too have a chance to consider how best to perform our role of investigation, monitoring, and commentary.

This Report, therefore, is an appreciation of Sheriff Block, a formidable leader in twentieth-century law enforcement. In saying farewell to him, we will use this Report to bring to light some of the lessons embedded in the history of his long tenure. This Report is also a welcome to Sheriff Baca, a newly-elected leader with high ideals, admirable goals, a host of new ideas, and a markedly different management style from his predecessor.

The last years at Sherman Block's LASD

To look back over the LASD in the 1990's is to appreciate Sherman Block's deftness as a politician and police executive. He presided over a law enforcement agency that had a poor reputation for excessive force and other police misconduct, and yet he was able to hold himself above and apart from whatever scandals occurred below. He allowed, however grudgingly, rapid reform of that same law enforcement agency, and yet he deflected from himself the dissatisfactions that the reform efforts caused in the ranks and the resentments among his managerial and executive staff. Other police executives of Sherman Block's era, Daryl Gates among them, when confronted unmistakably with evidence of their officers' misconduct and their management's shortcomings, stood firm, brooked no criticism, and ultimately were uprooted and toppled like unbending, rigid trees in a storm.

Sheriff Block, too, could be stubborn and unyielding, and his first reaction to change or innovation was often a reflexive resistant stance. He was, and largely remained, a man of his place and time — hewing to patterns and attitudes shaped by his experiences in the 1940s and 50s. He nonetheless possessed unusual intelligence and independence of mind. Sherman Block was extraordinary; indeed, one of a kind. Short and rotund rather than tall and commanding as the stereotypical western Sheriff is portrayed, Jewish rather than ethnic Irish or Italian as a stereotypical 1950's cop is portrayed, Sherman Block does not come first to mind as a stand-in for Clint Eastwood. Perhaps some of being an outsider or not stereotypical was what gave him the perspective and savvy to yield, happily or not, when change was unavoidable. He had an ability to reconsider and overcome an emotional preference for the status quo. Along with his decent moral and ethical standards, these qualities permitted his long survival in office, from 1982-1998, and his victories in four consecutive primary elections.

Deciding at age 32 to become a law enforcement officer, assertedly after he was pulled over and impressed by a courteous traffic cop, Block was the oldest recruit in his academy class in the early 1950's. His early career in law enforcement is known best for his tenure working vice when he arrested Lenny Bruce. Block enjoyed telling of his early experience working undercover vice in West Hollywood in the fifties.

To those who heard Sherman Block in the 1990's tell of his police work in the 1950's, it was clear that he remained a man comfortable with the mores and assumptions of his formative years. His police work, moreover, was not as a street cop, but rather as a police officer who dealt almost exclusively with the sordid side of human nature: Block was a product of the vice, detective, and intelligence operations of the Department, all areas of the LASD known historically for their conservative, mistrustful, and anti-intellectual bent — as one former LASD official

put it, describing the intelligence operations in the 1950s and 60s, “they thought everyone was a Commie.”

Even more remarkable, then, was Block’s capacity for studied accommodation to the necessity of change. Ultimately, with the exception of his very last month or two in office, he possessed practical, hardheaded acumen and sound, even shrewd, judgment. By accurately responding to shifts in the political and social wind, he was able to preside as Sheriff over years of sharp change in the role and public perception of law enforcement. The nineties have been a very difficult period indeed for law enforcement agencies. His ability to cope effectively was tested repeatedly, and his ability to juggle his many constituencies was incredibly dexterous.

The Job of the Sheriff

The many differing stakeholders and constituents make the Sheriff’s job a difficult one. To understand the complexity of the job Lee Baca now has, and to have a framework in which to view and ultimately evaluate his performance, it is useful to set forth the many responsibilities of the position. The Sheriff first of all is responsible for the Sheriff’s Department itself — the largest sheriff’s agency in the United States. Its police functions — plus running the largest jail in the country — make the LASD America’s third or fourth largest local law enforcement agency in general, behind New York and Chicago and, from time to time, the LAPD. Within the Department, competition for personnel and resources is sharp, and executives and managers jockey endlessly for favor, promotion, and staff. The Sheriff is responsible for the large, changing pool of young deputies whose careers must be nurtured, morale be sustained, activity encouraged, and misconduct dealt with.

There are some 40 cities within the County that contract directly with the LASD for basic police service — the “contract cities” as contrasted to the “independent cities.” Accordingly, there are 40 or so sets of mayors, city councils, city managers, and city attorneys with whom of necessity the Sheriff and his top staff must negotiate changing relationships and constantly work out difficulties. As well as dealing with the contract cities separately, there are common difficult and prickly issues, such as how to deal with litigation and liability, that the Sheriff must resolve between the LASD, the County Counsel, and the contract cities as a group.

The Sheriff has additional County-wide law enforcement responsibilities, including the provision of substantial services to the independent cities. Although some of the largest independent cities — Los Angeles, Pasadena, Long Beach — are almost entirely self-sufficient with respect to policing, many other independent cities in LA County utilize the LASD’s SWAT team, rely on the LASD’s homicide bureau for investigations and detective work when a death occurs, make frequent use of the LASD’s detective division and the LASD’s vice and narcotics units, depend on the LASD for training of their police officers, use the LASD forensic laboratory, and, of course, utilize the LASD’s jails. The Sheriff’s Department is thus not just the County jailer. It is the County’s major provider of both specialized and general police services, in one way or another touching the lives of the 9 million residents of the County.

The Sheriff has responsibilities to the Board of Supervisors, which holds the purse strings and pays the bills, and to individual supervisors, who lobby, cajole, and, at times, threaten for allocation of resources or programs for their own supervisorial districts. There are the courts and individual judges to contend with, as well as the District Attorney and his staff of prosecutors; defense counsel and the Public Defender; the Probation Department; and the persons who run state prison system.

The Sheriff must deal each year with the governor and the state legislature, before whom law enforcement issues play out and where police management and police unions sometimes find themselves at odds, each attempting to enlist legislators. Sherman Block's good working relationship with Governor Wilson was valuable not only for the LASD but also for law enforcement managers in general. The Sheriff of the state's largest and most important county cannot be ignored at the state legislative and executive levels.

Then, of course, there are the County residents who look to the Sheriff for routine daily service and special protection in natural disasters, like earthquakes, or in man-made emergencies, like civil unrest or riots. The Sheriff must coordinate the LASD's response to emergencies and disasters with other law enforcement agencies. The Department must be ready at all times for unanticipated and unpredictable events, and must maintain elaborate systems to keep essential people in touch with each other during such times.

Finally, there are those who come into contact with the Sheriff's Department as the victims of crime, witnesses to crime, or as subjects of casual or serious interest to law enforcement — the irate citizen, the abused spouse, the carjacking or robbery victim, the young Latino who is pulled over repeatedly, the weekend drunk, the untreated delusional schizophrenic, the drug dealer, the hardcore criminal. The Sheriff also owes duties to arrested suspects and inmates. And among these are individuals suffering from medical and mental diseases who, having fallen under the Sheriff's care, must be provided for in a reasonable, humane, and constitutional way.

These last responsibilities — to the general public, to those who are the witnesses, victims, or perpetrators of crimes, to suspects, and to inmates — involve wide discretion and require constant vigilance. For the Sheriff of as large and populous a County as Los Angeles, the setting of law enforcement priorities and the establishment of a style of policing are enormous tasks. Contemporary police agencies

have awesome discretion with respect to whom to stop; which laws to emphasize or de-emphasize; whether to make an arrest; how to apportion resources between crime prevention before the fact or investigation after a crime; and whether to adopt a community-based, problem-solving model or a more traditional “hook and book” policing style.

The Sheriff must see to it that police work is done with adequate care and attention to detail. Legitimate cases can be successfully prosecuted only if the underlying investigative and scientific work stands up to scrutiny and second-guessing by defense counsel and the court. The Sheriff must safeguard and protect the credibility of the agency and its officers before the entire criminal justice community, whether it be the judges hearing testimony from deputy sheriffs, the assistant DAs relying on the credibility and professionalism of sheriff’s personnel in the preparation and presentation of cases, or other police departments coordinating and working along side the LASD. Ultimately, the Sheriff must set the direction in these areas, commandeering, training, and deploying the personnel and resources of the LASD.

In running the largest urban jail in the United States with an average daily population of approximately 20,000 (number two is Rikers Island in New York City with an average daily population of approximately 16,000), the Sheriff must provide round-the-clock care to each of those persons 365 days a year. Since over the course of a year as many as 200,000 people flow in and out of the jails and between the jails and the courts, the Sheriff has responsibility for the lives of as many people as inhabit a good-sized city. But it is not simply a general responsibility: The Sheriff must see to it that each is clothed, fed, and bathed; kept in constitutionally appropriate safe, secure, and clean surroundings; and given constitutionally appropriate medical and mental health care. The Sheriff must not keep an inmate in jail longer than the sentenced term, yet not let an inmate escape

or be released when wanted by another jurisdiction. The Sheriff has to divide resources between the jail operations and the patrol operations and strike a proper balance.

Similarly, the Sheriff has responsibilities for the lives of the 13,000 employees of the LASD 365 days a year. Their welfare and safety, too, are the Sheriff's concern. The Sheriff must ultimately set standards for recruiting, selecting, and retaining members of the sworn and civilian force. The Sheriff must see to it that they are properly equipped and trained, counseled, advised, supervised, rewarded, punished, promoted, demoted, fired, assigned, and transferred.

The Sheriff must run a fair and credible disciplinary system. The Sheriff is often the court of last resort on imposition of discipline, deciding ultimately what conduct to punish and how severely to punish it. The Sheriff must construct and implement a disciplinary system where standards are applied fairly and even-handedly up and down as well as across the ranks. As astute observers of human conduct and interaction, and perhaps the ultimate cynics, police officers and deputies have no difficulty picking up on subtle shifts in what the brass rewards and punishes, when the boss is only paying lip service or is dead serious. The Sheriff must set the tone and know when and how to change it when the mood requires; to know when the carrot is appropriate or the stick is preferred.

The Sheriff must make sure the LASD is both credible and responsible to general public. Police step into ongoing lives and may disrupt them in a relatively minor way ("pull over and show us your license and registration"), or a major way ("yes, your Honor, the defendant is the man I caught robbing the 7-11 on the night of the 21st"), set them spinning at a moment's notice on an entirely different trajectory ("you're under arrest"), provide comfort and relief ("ma'am, we've found your missing child"), bring fear and pain, preserve life, and cause death ("he appeared to be reaching for a concealed weapon in his waistband and, fearing

for my life and that of my partner, I fired.”). A recent editorial in an East Coast newspaper succinctly described the job of the police:

“Police are given broad authority to protect the community. They have the power to intervene in lives, arrest and jail people, to change their lives — or destroy them — forever. For that power, we expect fairness and reason. We expect police to encounter people at their absolute worst, people who are terrified, intoxicated, drugged, or worse. We expect them to wade into volatile, potentially violent situations and defuse them, with hair-trigger decision-making that, if wrong, can be deadly. We expect them to be psychologists, doctors, lawyers, mediators, negotiators, priests. . . . Yet we expect police — some as young as 19 — to do all this after six months of Police Academy training. That’s less time than a hair styling course at a beauty academy.”

PHILADELPHIA DAILY NEWS, JANUARY 8, 1999.

The Sheriff bears responsibility, ultimately, for the quality of each of the 100,000 arrests the LASD makes each year, for all the stops of pedestrians and pull-overs of motorists for questioning, for each injury to a suspect or traffic accident caused by the LASD, for each of the myriad other trivial to serious interactions between the LASD and the public. The Sheriff is accountable for the response times of the Department to 911 and routine calls, the care and courtesy shown by officers in tense situations, and the Department’s overall reputation for professionalism. The job requires judgment, a sense of when to delegate and to whom, a sure feel for who can be trusted and who cannot, the wisdom to know who has the ability to be a captain of a patrol station and who does not. Sherman Block had to juggle all these responsibilities.

Recurring Crises

It is by no means an easy job, and the 1990's have been particularly hellish. Dispiriting news and misfortune have broken in frequent waves over the Los Angeles County Sheriff's Department. In February 1990, a major corruption scandal shook the LASD. Federal prosecutors indicted members of the Department's narcotics teams, including some of the LASD's most honored and experienced deputies, on charges of theft of more than a million dollars during drug raids in 1988 and 1989. At the ensuing trial — the first of several — after which six deputies were convicted of corruption, testimony was adduced that Lennox station narcotics officers "savagely beat suspects, stole money," and took cocaine from the Department's evidence storage and planted it "at homes or in vehicles of suspects who were arrested on drug possession charges." *Los Angeles Times*, October 20, 1990, Metro Section, Page B-1. Ultimately, over 25 deputies and others were charged and convicted in connection with the scandal.

There was testimony that the same deputies had lied in search warrant affidavits and filed false police reports. Characterizing it as one of the worst corruption scandals "in the region's law enforcement history," the *Times* noted that nearly two-dozen criminal cases had to be dismissed, plea-bargained, or undergo review as a result of the scandal. *Id.*, December 11, 1990, Section A, Page A-1. Sheriff Block applauded the verdicts, saying that they were a "just conclusion to the unlawful actions of a few who sought to hide their crimes behind a badge of honor." *Id.*

Indeed, Block's handling of the entire affair — from the first anonymous written complaint that crossed his desk to the wave of convictions of his deputies — reflected his ability to manage a crisis in his own Department yet keep himself from being tainted. After the anonymous tip, Block asked the FBI to help the LASD set up the stings that ultimately trapped the officers. Block thereafter

expressed his deep sadness at the corrupt LASD officers who had let him down.

To those who watched Block then and later participated in decision-making with him, the tactics were typical of Block's skill at public relations: His quick, affirmative reactions to crises tended to focus public attention on how well he was able to clean up a mess and divert attention from the question why little, if anything, had been done to prevent the mess in the first place. Block's emphasis on how his employees had let him down similarly focused attention on the misconduct of his underlings rather than on his management failures and those of his handpicked executives and managers.

Sherman Block's weakness — and a common one among police executives — was that he lacked a strong interest in looking forward; he was not a good planner. Indeed, even prior to his becoming Sheriff, Block was part of a team that had dismantled a planning and research capacity established by an Assistant Sheriff, highly regarded and well-respected in police and academic circles, who ultimately had to leave the Department because of corrupt practices. Although Block played a large role in local law enforcement, he did not actively participate or urge his subordinates to become prominent in national or state police organizations where new ideas in police management and organization were introduced and thrashed out. As a result, the LASD was significantly behind contemporary management trends; at times, flying blind. It is hard to imagine a \$1 billion company that lacks a significant planning and research capacity; but the LASD did not have it.

Block seemed to understand intuitively that a public official does not get credit and attention for preventing problems but rather receives positive publicity for solving them. Perhaps this accounts for his bustling in the wake of crises and his lack of strong interest in anticipating and heading them off. As a result, the crises continued to pile up. Individuals who worked closely with Block remark that he liked the calm and predictability of the status quo and went to great lengths to

stabilize his world, resisting organizational change unless there was constant prodding or a crisis to impel change. The next crisis came shortly before the June 1990 primary election in which Block was seeking a third term.

In May 1990, Victor Merina and Daryl Kelley of the *Los Angeles Times* published an exposé of the Sheriff's Department's troubling record with respect to excessive force. It found that in 1989, 151 excessive force lawsuits had been filed against the Sheriff's Department, nearly double the number of lawsuits five years previously. Approximately two-thirds of all the litigation filed in 1989 alleged excessive force. Excessive force cases represented three-fourths of all major legal settlements and jury awards over a three year period. The Times found that half of the deputies involved in major cases had been sued in the past for brutality and that one training officer had been sued ten times in ten years. The newspaper quoted sources familiar with the Department who claimed that a code of silence made deputies reluctant to testify against fellow officers, even those who repeatedly used excessive force. The Department kept no separate records of deputies who were sued for excessive force or the outcome of the suits. *Los Angeles Times*, May 27, 1990, Part A, Page A-1.

In an eerie foreshadowing of the LAPD's Rodney King incident that would occur nine months later, the *Times* reported that the LASD took "pride in putting aggressive deputies out on the street." A deputy who worked inner-city patrol for years was quoted as saying, "(Suspects) know if they get lippy they're going to be taking some lumps... It's just a general attitude indoctrinated from Day 1... We don't take (anything) out on the street. And (supervisors) are proud of it." *Id.*

Sherman Block responded deftly and distanced himself from the excessive force scandal. Three days after the *Times* article, the Sheriff was quoted as saying that the article had "raised important issues" and that it would be "frivolous" to reject it out of hand "as baloney." Momentarily stunning his own deputies and

their advocates, who, according to newspaper accounts, had apparently expected an aggressive, even pugnacious defense, Block ordered an examination of the 151 excessive force cases filed against his Department to determine whether the Department's own systems were "adequate to ensure that we have a true picture" of what his deputies were doing.

In June 1990, days before the primary election, the *Times* declined to endorse Block, citing the narcotics scandal and instances of excessive force. Block's ability to ride above the scandals in his Department remained intact, however — he won handily in the June primary with a 67 percent share of the vote. The crises, nonetheless, did not abate.

In September 1990, civil rights attorneys filed a lawsuit alleging that a rogue gang of deputies operating out of the Lynwood station had engaged in a wave of racially-motivated shootings, beatings, and excessive force. The plaintiffs asked that the federal court take control of the Lynwood station, and the district court granted a preliminary injunction with findings — later overturned by the court of appeal — that racism and insensitivity were widespread at Lynwood. The Lynwood litigation — known as the *Thomas* case — ultimately settled in 1995 for \$7.5 million. As a result of the sensational allegations in *Thomas*, stories of gang-like behavior by deputies, including ankle tatoos, whether baseless or not, still surface from time to time and continue to plague the LASD.

As the 1990-1991 fiscal year ended in June 1991, the County found that it had paid out record amounts in connection with excessive force and other police misconduct litigation against the Sheriff's Department. In August 1991, LASD deputies were involved in four separate, highly-controversial shootings — two of African-Americans and two of Latinos. One of the shootings, which had taken place at the Ramona Gardens housing project in East Los Angeles and led to some civil unrest, was characterized by newspapers as the Sheriff's Department's Rodney King.

In response, and perhaps to head off a Christopher Commission-like investigation of the LASD, Sheriff Block formed a blue ribbon panel to advise the Sheriff's Department on recommended reform.

Pressure, however, continued to mount from the minority communities and the County Board of Supervisors, particularly by Supervisor Ed Edelman, and Block ultimately found himself facing an independent outside inquiry engineered by Edelman. Block's efforts, then, were directed to influencing the choice of the individual to direct the investigation. In essence, Block held veto power over the selection.

Ultimately, Judge James G. Kolts surfaced as a candidate, and he seemed an ideal selection. A conservative, no-nonsense Republican whose legal career was as a prosecutor and whose judicial reputation was as a tough but fair judge in the criminal courts, Judge Kolts was quite acceptable to the Sheriff. Similarly, to a five-person Board of Supervisors which had but recently switched from a solid conservative majority to having a fragile three person moderate bloc, Kolts was also an acceptable choice. His reputation for independence and fairness, basic good judgment, and for "calling them as he saw them," meant that Judge Kolts would be credible and speak with authority. But in order to give a somewhat more moderate cast to the team, and to hold at bay criticism from the civil rights and minority communities that the investigation was headed for a whitewash of the Department, Edelman insured that the General Counsel of the investigation be a lawyer from the Christopher Commission's investigation.

In December 1991, negotiations ensued between and among Judge Kolts, his General Counsel, County Counsel, the Supervisors, and the Sheriff's Department concerning the ground rules and scope of the investigation. For purposes of confidentiality and privilege, Judge Kolts's role was structured as an attorney-client relationship with the County and the Board of Supervisors, and Judge Kolts was

given the title of Special Counsel to Los Angeles County and the Board of Supervisors. So structuring the relationship held several advantages: Among them, it provided Kolts and his team with unfettered and unrestricted access to whatever Department or County files, records, and documents that might prove relevant or material to the inquiry. While subpoena power was available and promised if and as needed, Kolts's team believed that access on a privileged basis would prove less contentious and more workable, and so it did. The LASD was cooperative with the Kolts investigation and candid when it had issues or questions about requests from the investigators. The Special Counsel relationship also proved to be useful for purposes of interviews with individuals with attendant guarantees of confidentiality and greater assurance of no reprisal.

Kolts and his team also needed to resolve questions concerning the independence of the investigation before they finally signed on. Kolts and his General Counsel insisted that there would be no censorship, pre-submission, or editing by others of the **Kolts Report** prior to its public release. The Sheriff, not surprisingly, wanted to know where the investigation was headed. Kolts prevailed with respect to his conditions but agreed to produce an interim report and to coordinate requests for documents and interviews of Department personnel through a committee of Department members selected by the Sheriff.

The **Kolts Report** came out in July 1992 and was damning: Judge Kolts and his staff found "deeply disturbing evidence of excessive force and lax discipline." Moreover, Kolts found, the LASD had not been "able to solve its own problems of excessive force in the past and has not reformed itself with adequate thoroughness and speed." Department sources say that Block was caught off guard and deeply angered by the report. Yet, as had been Block's tactics in earlier crises, the Sheriff's initial public reactions to the **Kolts Report** were not antagonistic or inappropriately aggressive; nor did he publicly call into question the bona fides of Judge Kolts or

his staff. He said that the report contained valuable suggestions and observations and that he wanted an opportunity to study the document and respond to it, thus taking the **Kolts Report** off the front page and putting the passage of time on his side to blunt its intensity. Block again successfully put distance between himself and the Department that the **Kolts Report** had roundly criticized.

Between July and December 1992, the LASD prepared a lengthy written response to Kolts, claiming ultimately to be in fundamental agreement with 156 of the 180 Kolts recommendations and proposing to implement some reforms. Kolts and his staff found the Sheriff's response tepid at best: The recommendations that the Department disagreed with were the most important and wide-reaching; the ones calculated to produce the greatest reform. Replying in writing to the Department's Response in December, Kolts and his staff urged the Supervisors to order that all the recommendations be implemented and that there be sweeping reform. In turn, Supervisor Molina called for hearings on the Kolts recommendations. Supervisor Edelman urged Block and Kolts to see if they could bridge differences and come up with an agreed program for implementation. A bargain was struck in December 1992 and formalized in a Joint Statement of Sheriff Block and Judge Kolts. It committed the Department on paper to sweeping reform, particularly on the patrol side of the Sheriff's operations, and including ongoing monitoring by Judge Kolts or his successor with the same guarantees of unimpeded access that Kolts had enjoyed. The agreement was quickly approved by the Supervisors.

As a result, when Block ran for a fourth term in 1994, he received the endorsement of the *Los Angeles Times*, in contrast to 1990. His apparent willingness to implement the Kolts reforms was key to the endorsement: "if Block can deliver, as promised, on the Kolts reforms and can keep corruption out of the department, he will indeed have made a case for experience over change." *Los Angeles Times*, Part B, p. B6, May 24, 1994. The subsequent successes and failures of implementation of

the Kolts recommendations are traced in our Semiannual Reports, and will not be repeated here.

It is nonetheless worth pausing to note that for whatever combination of personalities, politics, good sense, or ripeness for reform, there has been continuing and compounded beneficial change in the LASD since Kolts. It was not, however, as if Sherman Block had suddenly been transformed from Saul to Paul on the road to police reform. Rather, it was that Block once again perceived and responded, sometimes against his own inclinations, to shifts in what people thought law enforcement should be doing and he supported what worked — politically.

For Sherman Block, it seemed, the diminution of noise and clamor on an issue was, in itself, generally enough: It signaled that the default state for political survival had been attained. For an individual whose personal power, authority, and general esteem in the most populous County in America was second to none — as measured by name recognition and electoral victory margins — this had to be his overriding goal. And for those around him whose personal or professional goals included elements of police reform, reaching this default state was similarly a necessary condition to their continued efforts. But for whatever reasons, reform and change gained a fragile toehold, nearly all for the better — and nearly all on the patrol side. The crises, however, continued to break.

The more recent crises have largely been on the custody side — from asserted corruption and procurement scandals to auditing questions; escapes and mistaken releases to over-detentions; shameful treatment of the mentally ill to erratic treatment of the physically ill; jail suicides; jail riots and disturbances; troubling inmate deaths at the hands of custody personnel; inmate on inmate violence; problems identifying and appropriately housing inmates; allegations of vigilante-like behavior at Twin Towers; overcrowding with inmates sleeping on the floors; a work release program that was letting risky inmates out with minimal supervision. The

problems were — and are — relentless. And it was on these issues that the default state — the diminution of noise and clamor necessary for political survival — was harder to achieve.

Not that these issues would necessarily have brought Sherman Block down. Treatment of inmates and jail problems — except for escapes — do not register as sharply on the radar screen of public concern as does excessive force on the streets and officer-involved shootings and beatings of civilians, particularly minority youth. Nonetheless, the elusiveness of quiet on the jail issues, along with health issues, provided minimal oxygen to what otherwise would probably have been suffocated efforts to generate interest in electoral alternatives to Block.

In the June 1998 primary, Block failed for the first time to win outright and was forced into a November 1998 run-off in the general election. At the end, however, even without being able to reach a state of repose on the custody issues, or to smother the candidacy of others, or to win in the primary, Sherman Block faced what turned out to be an insurmountable hurdle to a fifth term commencing in December 1998.

There were two factors upon which shrewd political judgment, otherwise intact survival instincts, a still functioning ability to preempt or beat down criticism, and a capacity to command strong loyalty could not work. And those, of course, were the compounding ravages of age and illness, including fights with both prostate cancer and lymphoma. But even there, in retrospect, and notwithstanding the June 1998 primary whose results may very well have turned on the state of his health, it is marvelous to behold for how long and how successfully he kept the health issue from jeopardizing his political survival.

Put somewhat coldly, had this man not died a few days before the election, he may well have been re-elected. There are those who claim otherwise based upon polling, and, indeed, the election probably in fact was too close to call before Block

suddenly took ill. And it is impossible to measure the effect of the effort mounted on his behalf during the days after his death and before the election to persuade people to vote for Sherman Block despite his demise. If the man who had passed away could still garner about 40 percent of the votes, it is not implausible to suggest, as his supporters have, that he would have won had he lived.

What is not speculation is that in many of the ways we test whether **Kolts** is being implemented, Sherman Block left the Department in far better shape that we first found it. Even if his last year could not be called a banner year in the custody operations, there was some progress to note, particularly with respect to better care for inmates afflicted with HIV and AIDS, as described in the sidebar authored by Mary Sylla, a dedicated and talented attorney who has been the driving force behind efforts to improve treatment of inmates living with HIV and AIDS. On the other hand, even if we discount Block's election year efforts to manipulate the timing of events to make the numbers come out as good as possible, Sherman Block's last year, as regards patrol operations, was without dispute a great one, validating strenuous internal effort at the LASD to inculcate responsibility and hold its management and its thousands of employees accountable.

In stark contrast to the numbers in the 1990 *Los Angeles Times* exposé and in the **Kolts Report**, at the end of the 1997-98 fiscal year on June 30, 1998, as reflected on the Tables at the end of this Report, the number of new force related lawsuits served was at an all-time low. Whereas the *Times* found that 151

Progress in the Treatment of HIV inmates in the Los Angeles County Jails

*by Mary Sylla, Staff Attorney,
American Civil Liberties Union
of Southern California*

Beginning in early 1998, advocates for people living with HIV and AIDS began receiving increasingly troubling and pressing complaints from inmates in the Los Angeles County jails asserting life-threatening problems in connection with their medical care. In 1997 guidelines, the United States Department of Health and Human Services wrote that for people with HIV, non-adherence — usually defined as missing more than 20 percent of the doses of prescribed medication — could result in higher levels of the virus in the body; development of resistance to the medications; and, most ominously, more rapid progression to AIDS and death. Nonetheless, it appeared from inmates complaints that:

1. The LASD (as well as other police agencies) were confiscating HIV medications upon arrest, leading to dangerous interruptions in the necessary continuous provision of medication.

2. There were long delays before an inmate could see a doctor after initial intake at the jail, and, on occasion, several weeks might pass before an inmate could see a doctor with expertise in HIV treatment.

3. Some inmates did not receive prescribed HIV medications for several days after incarceration, and many inmates claimed never to have received proper medication at all. Others said they had received improper dosages or were compelled by LASD staff to take non-prescribed medications as substitutes for their prescriptions because, they were told, the prescribed medications were not in stock at the jail pharmacy. Others would find that when their prescriptions expired, they experienced significant delays before the prescriptions could be renewed.

4. Some inmates were informed that the jail had "run out" of prescribed medications or that medications were not available at all.

5. Inmates alleged that custody staff would threaten HIV inmates with "disciplinary confinement" if they raised failures to provide medication or complained about the administration of inappropriate medicine or dosages.

6. The medical, nursing, and sworn and civilian custody staff lacked adequate knowledge about HIV disease, its communicability and treatment.

In sum, it appeared that the LASD was failing to provide appropriate treatment within in the meaning of state and federal law, including possible violations of Constitutional guarantees against deliberate indifference to an inmate's medical needs in violation of the Eighth Amendment.

excessive force cases were filed in 1989, nearly double the number in 1984, we found that only 54 such suits were filed in the 1997-98 fiscal year, the lowest since we began measuring in 1992. The total number of excessive force lawsuits pending at fiscal year end was similarly at an all-time low of 84.

Settlements and judgments in lawsuits alleging excessive force or that deputies assaulted plaintiffs were also lower than in any year we had measured, dropping from a relative modest 1996-97 amount of \$3.7 million to a quite modest \$1.6 million for fiscal 1997-98. Whereas the *Times* reported in May 1990 that excess force cases constituted 75 percent of all major legal settlements and jury awards over a three year period, we recently found that excessive force cases in 1997-98 constituted a far more modest approximately 25 percent. The *Times* reported in 1990 that 66 percent of the litigation filed in 1989 alleged excessive force. As of the end of fiscal 1997-98, the 84 excessive force cases pending constituted a much smaller 26 percent of the active lawsuits. We note, however, that fiscal year 1998-1999 will show a substantial increase in payouts. This is because of the unprecedented \$22 million payment in the Samoan bridal party case in the latter half of 1998. It should be kept in mind, however, that the incident which gave rise to the case occurred in 1989, nearly ten years ago, and the case is not, therefore, an accurate gauge of the Department's current performance or litigation exposure.

Only 10 cases overall, including 7 excessive force cases, went to trial between July 1, 1997 and June 30, 1998. The County's

estimated potential exposure on the 10 cases was about \$4 million, again relatively modest compared to the past. The Department prevailed in 9 of the 10 cases. In the one excessive force case lost, the judgment was for \$450,000.

In 1998, as disclosed on Tables 5 and 6, there were fewer shooting incidents where a deputy intentionally fired and hit a suspect than in any year since 1991. Whereas in 1997 there had been 55 hit and non-hit shootings total, in 1998 the number dropped to 36. The impressive drop in shootings is marred, however, by the performance of the Century Station, the subject of a detailed study in our last Semiannual Report. Century had seven hit shootings in 1997 and the same number in 1998. No other station had more than two hit shootings in 1998. In 1997, Century accounted for 19 percent of the suspects wounded or killed in LASD shootings. In 1998, Century's percentage climbed to 37 percent of the suspects wounded or killed.

In 1997, eight deputies were wounded by gunfire; in 1998, half as many — four. There were two deputies killed by gunfire in 1997; none in 1998. In 1997, there were 126 force incidents resulting in a special PSTD roll-out; in 1998, there were 112. The number of arrests remained stable at 97,687 in 1998, only slightly fewer arrests than the 98,782 in 1997. Reported uses of force, which had been over 3200 in 1995 and over 2400 in 1996, was 1921 in 1998, nearly identical to 1997's 1952 reported uses of force.

At the end of the day, then, Block was able to do what only a very few, very talented individuals can do: survive politically both

In May 1998, a working group was formed to attempt to address the issue. It included legal advocates, medical doctors, and other health professionals and included representatives of the ACLU, the HIV and AIDS Legal Services Alliance, the Center for Law in the Public Interest, the USC School of Medicine, the Jeffrey Goodman Special Care Clinic, and the law firm of McCutchen, Doyle, Brown & Enersen. Merrick Bobb, in his capacity as Special Counsel, acted as an intermediary to facilitate dialogue and mutual trust between the LASD and the working group and participated in joint meetings with the LASD. The working group requested a meeting with the Sheriff's Department.

On June 25, 1998, the group met with then-Assistant Sheriff Mike Graham, who took charge, allowed representatives of the working group to join a newly formed Internal Task Force on HIV issues, and gave orders that the problems raised by the inmates were to be addressed immediately.

Since that initial meeting with Mike Graham, whose directive that these issues be addressed without delay enabled the entire process that has followed, Chief Bob Pash, Commander Dennis Dahlman, and the staff of Custody Support Services, including especially Lieutenant John Vander Horck and Deputy Marjory Jacobs, have demonstrated an extraordinary commitment to resolving these

issues, and have, by all measures, become advocates for inmates with HIV themselves. By engaging in a constructive dialogue with the working group, the Sheriff's Department prevented otherwise costly and time-consuming litigation, which inevitably would have polarized the parties and delayed progress. Instead, the working group has been able to immediately resolve some of the issues preventing appropriate treatment, and to establish a dialogue that will, hopefully, ensure that people with HIV in the Los Angeles County jails continue to receive necessary and appropriate treatment.

Policy Changes

In July 1998, the LASD ceased confiscating medication upon arrest. Under current policy, when officers became aware that an arrestee is HIV positive, the individual is allowed to continue taking any duly prescribed medication or is allowed to have medication brought from home if a dosage is required before the individual is transferred to a facility with a pharmacy. The LASD immediately communicated to staff that punitive responses or threats to inmates complaining about medication problems would not be tolerated. The working group was allowed to monitor pill call to confirm that the policy was in place and has established direct ties with LASD personnel to resolve inmate complaints of asserted policy lapses. A purchasing cap for HIV medication was lifted, allowing the jail pharmacy to stock adequate supplies of medication.

inside and outside an institution while presiding over its overhaul and reform from above. Perhaps his talent and perspective gave him the grace to pursue highly controlled but marked shifts in direction when needed, and the wisdom to give a relatively free hand to extraordinarily talented subordinates with a sharper instinct than his own for issues of planning, accountability, and professional management. Altogether, he was a formidable leader in law enforcement and accomplished much. What remains to be seen is whether the good that he caused to happen can stick and whether the problems he left behind can be solved. The new team in charge has a prodigious challenge.

The Road Ahead

The suddenness and completeness of change at the top of the Sheriff's Department is breathtaking. There is a new Sheriff, Undersheriff, and two new Assistant Sheriffs. There are newly-elevated Chiefs, Commanders, and Captains. A break in the continuity of Department-wide power from the Block days is nearly total, and a snapshot of the leadership in the LASD made on Election Day, November 3, radically differs from that on January 1.

Lee Baca is the first new Sheriff in 16 years and the first since early in this century not to be the explicit choice of his predecessor, unlike the prior three sheriffs. He nonetheless was the only LASD top official in the last several years who affirmatively said he wanted to succeed Block and who was willing, however reluctantly, and only if absolutely necessary, to challenge his boss at the

ballot box. Since Undersheriff Bob Edmonds left in 1993, and particularly during the last year, the question of succession in the LASD has had the increasingly tense and urgent atmosphere that a royal court must have when the aging monarch is childless yet resists naming a successor while withholding the crown from the one courtier who has said he ardently wants it. Again, and true to his pattern, Block almost miraculously seemed to stay above the fray. The increasing ill-will, tension, and hostility between the opposing Block and Baca camps did not so much get directed at Block himself as much as it did between the senior members of Block's team and the senior Baca supporters. And even when Block was on his deathbed, the fact that Block's backers were nonetheless still trying to keep the job from Baca must have stung Baca very deeply; so deeply, perhaps, that a post-election rapprochement and the forging a coalition of the best of the new and the old administrations for the good of the LASD as a whole was not in the cards. Block was buried; the hatchet, unfortunately, was not. The result was a wholesale, sweeping change in senior management.

Lee Baca, however, won outright that which Block and his backers had previously withheld. The fact that Lee Baca won by a large enough margin to make it plausible to assert that he would have beaten Sherman Block in any event legitimizes Baca's triumph in a way that his becoming Sheriff as Block's chosen successor would have not. Lee Baca is the Sheriff and he got there the hard way. Sheriff Baca has lots of ideas about the job and where the Sheriff's Department should go. But more

Staff Training

In October 1998, the LASD's Training Bureau began giving deputies at Twin Towers specific instruction and information about dealing with inmates with HIV. The training curriculum was jointly developed with experts from AIDS Project Los Angeles. The LASD also agreed to send four of its physicians to a one-week intensive HIV education program put on by the USC School of Medicine and the Pacific AIDS Education and Treatment Center. Finally, the LASD has agreed to work with the same treatment center to develop a basic HIV educational course for the 500 nurses who provide care and dispense medication in the jails.

State Funds for HIV Medications

The jail medication crisis surfaced in early 1998 when the LASD was denied reimbursement for HIV medications by the California Office of AIDS which administers the AIDS Drug Assistance Program (ADAP), a combined state and federal effort to provide HIV medication to persons without health insurance. Previously, ADAP had reimbursed the LASD approximately \$1 million a year for the medication distributed in the jails, but in 1998, the California agency administering ADAP ceased reimbursing based upon inaccurate factual information about the obligation of other governmental entities to reimburse the Sheriff's Department.

With the blessing of the LASD, I asked the California Office of AIDS to reconsider its position, and on January 20, 1999, the agency revised its policy, noting in a letter that my efforts had "resulted in an extensive review of our policy..." The reimbursement will assure appropriate medical care and free up \$1 million that the County would otherwise be obliged to spend on medication.

In summary, a unique and fruitful partnership was forged between the LASD and its potential adversaries to confront and solve troubling and complex medical, legal, and practical issues. The result was win-win-win: the inmates are getting life-sustaining medication and improved care; the medical and custody staff have greater expertise and resources; the County will be reimbursed \$1 million a year that it otherwise would have lost; and the medical and legal community are working cooperatively with the law enforcement community to solve ongoing problems and issues. This collaborative approach is the best way to address pressing medical and legal problems in the jails; engaging the Sheriff's Department in costly litigation, when often lack of resources is the reason for legal violations, benefits no one. With the support of the ACLU and assistance of Special Counsel, I continue to address issues of conditions and medical services in the jails by working to develop constructive solutions with the LASD. ■

striking even than the flowering of many ideas, we see a very different style and approach from that of his predecessor; much greater openness, accessibility, and cards not clamped as tightly to the vest. There is a willingness — even an unrestrained eagerness — to propose and embrace novel ideas, change, and unorthodox ways of doing things. There is a determined desire to foster warmer and closer relationships with the deputies as a whole and indeed with all levels of the Department. There is a determined effort to demonstrate respect and support for middle and senior management, particularly captains, commanders, and chiefs, and to emphasize their achievements rather than shortcomings.

As may be predictable in a centralized, paramilitary organization like the LASD, the new Sheriff has a largely clean slate upon which to write and ample freedom, for better or worse, to keep or erase whatever was written before.

The road ahead is strewn with stones of various sizes and one huge boulder — the custody operations. As noted earlier, the Department on the patrol side, as regards police misconduct issues, is in the best shape it has been since we came on the scene. The systems for accountability and responsibility are functioning, and are doing so tolerably well. They need further development and refinement, and, as noted earlier, at best these systems have only a fragile toehold. On the custody side, too, the Sheriff has new ideas and novel approaches. We will continue to monitor both sides of the Sheriff's Department's operations with great care.

The LASD's challenge on the patrol side is to preserve progress made to date, and to extend and fortify it. The job will

require sustaining the rigor imposed by the prior administration in terms of accountability and performance standards but with the new administration's different stamp and approach. The temptation might be to relax a bit; no one enjoys the pressure and special scrutiny that rigorous accountability necessarily implies. Resentments and grievances about the old team are rapidly surfacing now that it is no longer in control. There is a tendency under such circumstances to over-generalize from instances of unfairness, slight, and or harshness produced by the operation of the systems put in by prior management. One has to be very careful not to throw away the precious metal with the dross, and it takes time and effort to distinguish pure gold from fool's gold.

The Sheriff, Undersheriff, and Assistant Sheriffs, while new to their respective positions, are not new to the organization and indeed were part of the LASD's command staff before and since the implementation of the Kolts reforms. The new administration has made statements which are comforting and reassuring from the perspective of a commitment to ongoing rigorous accountability and other statements which provide less comfort. Action to date is insufficient to interpret one way or another. The LASD's former confrontations at SCIF (Sheriff's Critical Issues Forum) to hold captains accountable for crime reduction and risk management have changed focus. SCIF is now more welcoming to self-reporting by captains of their accomplishments than to pointed questioning of them by senior executives about their shortfalls and shortcomings. Some tinkering is under consideration with respect to the data collection systems on personnel performance, currently called the PPI, which will respond to some deputies' perceptions (or misperceptions) about how it is used internally.

In the main, the changes to date by the new administration reflect a desire to acknowledge and rectify past perceived abuses and to heal wounds. The new Sheriff deserves latitude to do what he believes is best to rekindle pride and morale

and draw the Department together after a divisive election. The challenge is to do so without losing the needed focus on rigorous accountability that was finally gaining ground on the patrol side in Block's last year or so. Goodwill and good feelings, both inside and outside the Department, will prove short lived if the cycle of crises continues and if there is erosion in the ground gained against police misconduct and for greater professionalism.

The custody side of the operations remains a serious uphill challenge. The difficult and seemingly intractable issues in custody requiring a coordinated, County-wide approach — medical care, mental health care, the automation of custody records, and the flow of information regarding inmates between the LASD and the courts and the DA. The new administration is already attempting to respond in a useful way on issues of over-detention. Part of the new administration's success will be measured by its ability to focus the Board of Supervisor's attention on bringing together the disparate County departments for a cooperative, coordinated, and non-parochial endeavor. Court clerks and judges, County mental health professionals, assistant district attorneys, among many others, are vital for the jails to run better. They cannot be mere passive observers; they need to see themselves as they are: critical links, players, stakeholders, and actors with clear responsibility and accountability for how the jails perform. Perhaps because Sherman Block was so visible and powerful a figure in County government, there was a tendency to ascribe the entire blame to the LASD for jail problems that it could solve only in part. As we have emphasized in prior Semiannual Reports, there is substantial room for improvement in the performance of the LASD. But as we have said with equal conviction, there is substantial room for improvement in the performance of other County departments and agencies whose action or failure to act has direct consequences in the jails.

Our current view is that we have confidence in the members of the new administration and take them at their word. We appreciate the degree to which the Sheriff, Undersheriff, Assistant Sheriffs, and various Chiefs have affirmatively reached out to the entire Department, scheduling meetings with every unit, doing needs assessments, and listening to what people have to say. We note also that the same individuals have reached out to us and responded positively to our inquiries and continuing responsibilities. We acknowledge how hard it must be for the new administration to get up to speed on every issue yet continue to juggle all the eggs that were already up in the air. We sense in the new administration both the exhilaration and the trepidation that comes from at last owning and being aboard one of the fastest and most unpredictable roller coasters around. Cognizant of the difficult and complex job of managing the LASD, we hope to be as constructive and helpful as we can be while at the same time reporting as fairly and candidly as we can to the Board of Supervisors and to the public.

As to our continuing role, our next report will pick up where our last one left off: looking as carefully as we can at this large and fascinating Department, both in its patrol and custody functions, to determine whether risk and potential liability are being properly identified and managed and whether problems are being rectified. We will look in particular for evidence that high standards of accountability and responsibility are being maintained, reinforced, and expanded even as senior executives give greater autonomy, discretion, and respect to management at the station and regional level.

We will watch to see if the new administration can accomplish what at times has eluded all but a discouragingly small number of former LASD executives — an ability to look forward, plan ahead, anticipate problems, call for research, consult with and value expertise inside and outside the organization, interpret data and see trends, and overcome the inertia to do things as they have always been done.

We will observe and comment upon whether the LASD continues seemingly to lurch from crisis to crisis or whether underlying problems are detected and resolved.

We remain interested in whether appropriate, fair procedures for the imposition of discipline are in place and leading to appropriate, fair results; whether internal scrutiny and investigation produce fair and undistorted reports and responses that justify the wide degree of self-policing the LASD enjoys; whether Department members at all levels hold themselves and each other responsible for pointing out and dealing with problems; whether Department members treat the public with which they come in contact — from witnesses to victims to suspects to inmates — with professionalism; whether opportunities are fairly available and distributed on a non-discriminatory basis within the Department; whether deputy safety, education, training, advancement, and morale are adequately addressed; and whether the Department is vigorously — but professionally and in a dignified and worthy manner — keeping us all as safe, protected, and as free from crime as can be expected in the incredibly complex society in which we in Los Angeles County live.

LASD Litigation Activity, Fiscal Years 1992-98

	FY 92-93	FY 93-94	FY 94-95	FY 95-96	FY 96-97	FY 97-98
New Force Related Suits Served	88	55	79	83	61	54
Total Docket of Excessive Force Suits	381	222	190	132	108	84
Lawsuits Terminated						
Lawsuits Dismissed	79	90	60	42	39	27
Verdicts Won	22	9	10	6	3	6
Verdicts Against LASD	3	7	3	5	2	1
Settlements	70	81	103	82	41	45

Lawsuits Terminated 97/98

	Dismissed	Settled	Verdicts Won	Verdicts Against
Police Malpractice	99	90	6	1
Medical Malpractice	5	3		
Traffic	19	54		
General Negligence	6	5		
Personnel	6	4	3	
Writ	12	2		
Total	147	158	9	1

Active Lawsuits by Category 7/1/98

Police Malpractice	224
Traffic	47
General Negligence	7
Personnel	19
Medical Malpractice	22
Writs	8
Total	327

Total Arrests (Source: MIS)

100,000						
90,000	93,663	94,631	98,181	97,563	98,782	97,687
90,000						
	1993	1994	1995	1996	1997	1998

Observation Arrests (Source: DSB/RA PS) (Patrol Only)

70,000						
60,000						
50,000	46,008	51,280	54,676	60,354	66,204	72,355
40,000						
	1993	1994	1995	1996	1997	1998

Use of Force Incidents* (Source: PPI)

4,000						
3,000						
2,000	1,920	3,241	3,040	2,438**	1,952**	1,921
1,000						
	1993	1994	1995	1996	1997	1998

* Note: In late 1993, a policy change in force reporting resulted in an increased number of incidents being tracked and counted

** These numbers differ slightly from those reported in the **Ninth Semiannual Report** due to LASD auditing and revision

Category Specific Lawsuit Settlement/Judgment Information

Field Operations, Fiscal Year '95-96

Lawsuit Category	FOR I	FOR II	FOR III	Totals
Alleged Force	\$3,195,500 *	\$9,097,092 **	\$1,233,500 ***	\$13,526,092
Other Police Liability	\$68,400	\$423,750	\$3,500	\$495,650
Employee Discrimination/ Sexual Harassment		\$415,000		\$415,000
Totals	\$3,263,900	\$9,935,842	\$1,237,000	\$14,436,742

* Includes \$2.1 million for Camacho settlement

** Includes \$7.5 million for Darren Thomas settlement, paid out over three years

*** Includes \$850,000 for Michael Brooks settlement (former employee), canine deployed

Field Operations, Fiscal Year '96-97

Lawsuit Category	FOR I	FOR II	FOR III	Totals
Alleged Force	\$872,500	\$2,159,900	\$422,500	\$3,454,900
Other Police Liability	\$674,000	\$96,500	\$99,000	\$869,500
Employee Discrimination/ Sexual Harassment	\$150,000			\$150,000
Totals	\$1,696,500	\$2,256,400	\$521,500	\$4,474,400

Field Operations, Fiscal Year '97-98

Lawsuit Category	FOR I	FOR II	FOR III	Totals
Alleged Force	\$405,000	\$594,000	\$272,000	\$1,271,000
Other Police Liability	\$817,000 *	\$35,000	\$570,000	\$1,422,000
Employee Discrimination/ Sexual Harassment		\$355,000		\$355,000
Totals	\$1,222,000	\$984,000	\$842,000	\$3,048,000

* Includes \$650,000 for Gordon Hall lawsuit

Total Payouts on all Claims, Lawsuits, Judgements & Settlements involving the LASD (In Millions)

	91-92	92-93	93-94	94-95	95-96*	96-97**	97-98***
Amount Paid	\$26.2	\$13.5	\$15	\$11.9	\$19.5	\$12.5	\$8.8
Attorney Fees / Costs	NA	\$11.8	\$8.0	\$8.1	\$6.8	\$5.6	\$5.8

* 95/96 includes \$3.5 million toward the Thomas structured settlement and \$2.5 million for Camacho lawsuit.

** 96/97 includes structured payment of \$2.5 million toward 95/96 Thomas settlement.

*** 97/98 includes final 1 million Thomas payment.

— Figures include Contract City Funded Litigation.

— These figures do not include continuing Bouman judgment legal fees/monitoring costs (1.3 million for 96/97 and 2.3 million for 97/98).

LASD Hit Shootings by Station

	1997	1998
Number Of Incidents	35	20
Carson Station	1	0
Century Station	7	7
Court Services Bureau	1	1
East Los Angeles Station	2	0
Lakewood Station	2	2
Lancaster Station	7	2
Lenox Station	1	2
Mira Loma Facility	0	1
Miscellaneous Units	0	2
Norwalk Station	3	1
Palmdale Station	0	1
Safe Streets Bureau	1	1
Special Enforcement Bureau	2	0
Temple Station	6	0
Walnut Station	1	0
West Hollywood Station	1	0
 Number of Suspects Wounded	 17	 18
 Number of Suspects Killed	 20	 11

LASD Non-Hit Shootings by Station

	1997	1998
Number Of Incidents	20	16
Carson Station	1	0
Century Station	7	4
Crescenta/Altadena Station	0	1
East Los Angeles Station	0	3
Industry Station	1	2
Inmate Reception Center	1	0
Lakewood Station	1	1
Lancaster Station	1	0
Lennox Station	4	2
Men's Central Jail	1	0
Norwalk Station	0	1
Palmdale Station	1	0
Safe Streets Bureau	0	1
Temple Station	1	0
Special Enforcement Bureau	1	0
Walnut Station	0	1

**Incidents Resulting in
PSTD Roll-Outs** **126** **112**

LASD Hit Shooting Incidents (Deputy intentionally fired at and hit a suspect)

	1991	1992	1993	1994	1995	1996	1997	1998
Number of Incidents	56	47	29	28	34	26	35*	20**
Number of Suspects Wounded	40	31	12	11	24	11*	17	8
Number of Suspects Killed	23	18	22	17	10	14	20	11

* Reflects the re-classification in 1998 of a 1996 shooting from intentional to accidental

** One of the hit shootings involved a deputy who intentionally fired at a suspect but hit a deputy instead (listed below under Century Station, 09-08-98)

LASD Non-Hit Shooting Incidents

(Deputy intentionally fired at and hit a suspect but missed)

	Aug-Dec	1993	1994	1995	1996	1997	1998
		14	21	26	19	20	16

Deputies Shot (Does not include accidental discharges)

	1991	1992	1993	1994	1995	1996	1997	1998
Number Wounded by Gunfire	10	6	4	4	2	2	8	4
Number Killed by Gunfire	0	2	0	0	2	0	2	0

Incidents in Which a Deputy(s) was Shot

1994		1997*	
18-94	Carson	01-05-97	Lennox
09-10-94	Carson	05-14-97	Lancaster
11-29-94	Safe Streets Bureau	06-10-97	Special Enforcement Bureau**
12-10-94	Walnut	08-14-97	Pitchess East
		09-03-97	Lakewood
		10-30-97	Century
		12-09-97	East Los Angeles***
1995		1998	
05-12-95	Safe Streets Bureau	01-15-98	Safe Streets Bureau
07-18-95	Court Services / Central	04-12-98	Industry
11-24-95	Norwalk	04-25-98	Palmdale
12-26-95	Carson	09-08-98	Century
1996			
08-02-96	Lancaster		
11-30-96	Lakewood		

* 08-13-97 MCJ deputy stabbed in head (#SH1121382)

* 06-01-98 CSE-court deputy stabbed in chest with knife (#SH1121382)

** 3 deputies

*** 2 deputies

Note: Source for 1991-1993 figures is Homicide Bureau.

Source for 1994-1998 figures is Force Review Committee database, Internal Affairs Bureau and Homicide Bureau.

Lawsuits Served 7-1-92 to 6-30-98 (Excluding Traffic Litigation)

	FY 92-93			FY 93-94			FY 94-95			FY 95-96			FY 96-97			FY 97-98		
	Force	No Force	Total	Force	No Force	Total	Force	No Force	Total	Force	No Force	Total	Force	No Force	Total	Force	No Force	Total
Court Services Division																		
Court Services Headquarters	0	2	2	0	0	0	0	1	1	0	1	1	0	0	0	0	0	0
Central	0	1	1	1	2	3	2	4	6	1	4	5	2	7	9	0	4	4
East	1	1	2	1	7	8	0	4	4	1	4	5	2	8	10	1	4	5
West	3	3	6	0	8	8	1	10	11	1	6	7	1	6	7	0	8	8
Transportation Bureau	0	0	0	0	0	0	0	1	1	1	1	2	0	3	3	1	2	3
Total	4	7	11	2	17	19	3	20	23	4	16	20	2	24	22	2	18	20
Custody Division																		
Custody Headquarters	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0
Biscailuz Center	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0
Central Jail	8	20	28	8	18	26	14	14	28	8	11	19	13	13	26	6	12	18
Central Regional Detention Fac.	0	0	0	0	0	0	0	0	0	2	1	3	0	2	2	0	0	0
HOJJ	0	2	2	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0
Inmate Reception Center	1	13	14	1	13	14	2	12	14	4	13	17	2	23	26	2	37	39
LCMC	0	0	0	0	0	0	1	0	1	0	2	2	0	0	0	0	0	0
Medical Services	0	0	0	0	0	0	0	0	0	0	0	0	0	8	8	0	16	16
Mira Loma	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NCCF	1	1	2	0	2	2	2	1	3	2	4	6	2	3	5	2	1	3
PJP / East Facility	1	0	1	0	0	0	0	2	2	0	2	2	0	0	0	0	0	0
PJP / North Facility	0	2	2	1	1	2	0	1	1	1	2	3	0	1	1	0	2	2
PJP / South Facility	0	1	1	0	0	0	2	1	3	0	0	0	0	3	3	0	1	1
Ranch Facility	2	1	3	0	0	0	0	5	5	1	3	4	0	0	0	0	0	0
Sybill Brand Institute	0	4	4	0	2	2	2	2	4	2	4	6	0	4	4	0	3	3
Twin Towers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	7
Total	13	45	58	12	36	48	23	39	62	21	42	63	18	57	75	10	80	90
Detective Division																		
Commercial Crimes Bureau	0	0	0	0	0	0	0	2	2	1	3	4	0	0	0	0	1	1
Forgery Fraud Detail	0	0	0	0	2	2	0	0	0	1	0	1	0	0	0	0	0	0
Headquarters	1	3	4	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0
Homicide Bureau	0	1	1	0	2	2	0	4	4	1	1	2	1	1	2	0	2	2
Juvenile Investigations	0	1	1	0	0	0	0	0	0	0	1	1	0	4	4	0	0	0
Metro Detail	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Narco	6	3	9	3	1	4	4	3	7	1	2	3	2	3	5	1	3	4
Scientific Services	0	0	0	0	1	1	0	1	1	0	0	0	0	0	0	0	1	1
Special Investigations	0	1	1	0	2	2	0	0	0	0	3	3	0	2	2	0	2	2
T.R.A.P.	0	0	0	0	0	0	1	0	1	1	1	2	0	0	0	0	0	0
Total	7	9	16	4	12	16	5	10	15	5	11	16	3	10	13	1	9	10
Office of Admin. Services																		
Administration	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Comm. / Fleet Mgmt Bureau	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Data Systems Bureau	0	0	0	0	0	0	0	1	1	0	1	1	0	1	1	0	0	0
Parking Enforcement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Personnel Bureau	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Records Bureau	0	0	0	0	0	0	0	1	1	0	1	1	0	1	1	0	0	0
Total	0	1	1	0	0	0	0	2	2	0	2	2	0	2	2	0	2	2