

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT



ANTELOPE VALLEY  
OBSTRUCTION ARRESTS AUDIT  
No. 2015-2-A

JIM McDONNELL  
SHERIFF

June 27, 2016

**Los Angeles County Sheriff's Department  
Audit and Accountability Bureau**

**ANTELOPE VALLEY OBSTRUCTION ARRESTS AUDIT  
Project No. 2015-2-A  
Audit Report**

**PURPOSE**

The Audit and Accountability Bureau (AAB) conducted the Antelope Valley Obstruction Arrests Audit under the authority of the Los Angeles County Sheriff. This audit was performed to determine how the Los Angeles County Sheriff's Department (Department), Lancaster and Palmdale Sheriff's Stations complied with policy and procedure pertaining to the Resistance, Delaying, and Obstruction Arrests.<sup>1</sup> The requirements of the United States Department of Justice Antelope Valley Settlement Agreement (Agreement) were taken into consideration during the performance of this audit even though the Agreement wasn't enacted until the final days of this audit's time period.<sup>2</sup>

The AAB conducted this performance audit under the guidance of the Generally Accepted Government Auditing Standards.<sup>3</sup> The AAB has determined that the evidence obtained is sufficient and appropriate to provide a reasonable basis for the findings and conclusions based on the audit objectives.

**BACKGROUND**

In 2011, the United States Department of Justice investigated the Lancaster and Palmdale Sheriff's Stations upon learned accusations of discrimination against minority residents of federal Section 8 Housing Choice Voucher Program (Section 8) housing in the Antelope Valley area.<sup>4</sup> The alleged discrimination involved surprise inspections that may have been racially motivated which lead to the approval of the Agreement in April 28, 2015.

The Agreement mandates that police services are delivered to the Antelope Valley community "*...in a manner that fully complies with the Constitution and laws of the United States, effectively ensures public and deputy safety, and promotes public confidence in LASD and its deputies.*"<sup>5</sup> Under the Agreement, the Department consented to conduct a review of stops, arrests for discretionary offenses, uses of force, and obstruction arrests.

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<sup>1</sup> California Penal Code Sections 148(a)(1), 69, and 243(b), define obstructions as crimes committed during arrest instances where an individual resists arrest, delays, obstructs, or interferes with the police in the lawful exercise of police powers or batters or fights or injures a police officer.

<sup>2</sup> United States of America v. The County Of Los Angeles and The Los Angeles County Sheriff's Department. (Case Number CV 15-03174). The Agreement references the settlement reached regarding use of force and investigatory stops and detentions.

<sup>3</sup> United States Government Accountability Office – By the Comptroller General of the United States, December 2011, Government Auditing Standards 2011 Revision.

<sup>4</sup> Section 8 Housing also known as the "Voucher Program" gives qualifying individuals a voucher for a portion of their rental housing costs.

<sup>5</sup> Sections 82c, 82d, and 121 of the Agreement documents conditions pertaining to obstruction arrests.

# **ANTELOPE VALLEY OBSTRUCTION ARRESTS**

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### **PRIOR AUDITS**

This was the first Antelope Valley Obstruction Arrests Audit conducted by the AAB.

### **METHODOLOGY**

#### **Scope**

The Agreement, California Penal Code, California Peace Officers Legal Sourcebook, the Manual of Policy and Procedures, the Field Operations Directive, and the Obstruction Arrest Manual for the Obstruction Arrest Web Application were used to evaluate the reviewed reports.<sup>6</sup>

Three audit objectives were formulated for this audit which included a review of obstruction arrests from the Lancaster and Palmdale Sheriff's Stations. Documents reviewed included Incident Reports (SH-R-49), Watch Commander's Logs (also referred to Watch Commander's Shift Logs), Supplementary Reports (also referred to Supplemental Reports), Probable Cause Declarations, Booking Slips, Case Disposition Reports, and the Obstruction Arrest Web Application. For the purposes of this audit, Incident Reports involving obstruction arrests will be referred to as arrest reports.

#### **Audit Time Period**

The time period for this audit was June 1, 2014, through April 30, 2015.<sup>7</sup>

#### **Audit Population**

Auditors reviewed the Los Angeles Regional Crime Information System (LARCIS)<sup>8</sup> and verified the data against the Department's Obstruction Arrest Web Application to determine the total number of obstruction arrests for the audit time period. The data included all arrests for the selected time period, which had obstruction charges as a primary, secondary or supplementary charge. Master lists were generated identifying 104 obstruction arrests for Lancaster Station and 110 obstruction arrests for Palmdale Station. A statistically valid sample of 99 obstruction arrests were reviewed for this audit.<sup>9</sup> Incident Reports which were not determined to be obstruction arrests were not

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<sup>6</sup> The Obstruction Arrest Web Application is an electronic database used by the Department to track obstruction arrests.

<sup>7</sup> On May 29, 2014, Lancaster and Palmdale Sheriff Stations were notified by the Department of Justice Compliance Unit to start using the automated Obstruction Arrest Web Application. Therefore, the time period for this audit began June 1, 2014.

<sup>8</sup> The Los Angeles Regional Crime Information System is a system that stores crime data from crime reports taken by patrol deputies.

<sup>9</sup> Using a statistical one-tail test with a 95% confidence level and a 4% error rate, a statistically valid sample was identified.

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reviewed. Refer to Table No. 1 for a breakdown of the sampled population of reports taken from each station.

As shown below, Table No. 1 represents a breakdown by station of the reviewed population for this audit.

**Table No. 1 - Population of Obstruction Arrests**

<b>Station</b>	<b>Arrest Reports Reviewed</b>
Lancaster	47
Palmdale	52
Total Obstruction Arrests Reviewed	99

**SUMMARY OF AUDIT FINDINGS**

Both Lancaster and Palmdale Sheriff's Stations did well in the following areas:

- Articulating in the arrest report the legal reason for the detention, the duties of the deputy(ies) that were interfered with, the suspect's action(s) causing the obstruction, and listing principal deputy(ies) as victim;
- Approving Probable Cause Declaration;
- Providing the quarterly reports

However, the audit identified the following areas in need of improvement:

- Utilizing Statistical Code 145 in arrest report;
- Articulating efforts to de-escalate the situation in report;
- Entering obstruction arrest information into the Watch Commander's Log, articulating in report name of Watch Commander approving arrest, and Watch Commander signing arrest reports or reviewing arrest reports within five calendar days;
- Properly entering arrest information into the Obstruction Arrest Web Application.

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**Table No. 2 – Summary of Audit Findings**

Objective No.	Audit Objectives	Met the Standard	
		Lancaster	Palmdale
<b>1</b>	<b>ARREST REPORT</b>		
1(a)	<i>Arrest report articulates legal reason for the detention</i>	100%	100%
1(b)	<i>Arrest report articulates the duties of the deputy(ies) that were interfered with</i>	96%	100%
1(c)	<i>Arrest report articulates the suspect's action(s) causing the obstruction</i>	98%	100%
1(d)	<i>Arrest report lists principal deputy(ies) as victim</i>	98%	92%
1(e)	<i>Arrest report included statistical code 145</i>	85%	87%
1(f)	<i>Arrest report articulated efforts to de-escalate the obstruction</i>	85%	83%
<b>2</b>	<b>ARREST REVIEW AND APPROVAL PROCEDURES</b>		
2(a)	<i>Approval of Probable Cause Declaration</i>	100%	100%
2(b)	<i>Obstruction arrest information entered into Watch Commander Log</i>	66%	44%
2(c)	<i>Arrest report narrative articulates the name of approving Watch Commander</i>	87%	60%
2(d)	<i>Approving Watch Commander signed arrest report or reviewed report within five days</i>	72%	38%
<b>3</b>	<b>OBSTRUCTION ARREST WEB APPLICATION</b>		
3(a)	<i>Completeness of Obstruction Arrest Web Application</i>	64%	52%
3(b)	<i>Quarterly Reports</i>	100%	100%

**AUDIT OBJECTIVES**

**Objective No. 1 – Arrest Report**

**Objective No. 1(a) – Arrest Report Articulates Legal Reason for the Detention**

**Criteria**

California Peace Officers Legal Sourcebook, Search and Seizure – Persons,

*For an investigation stop or detention to be valid, you must have “reasonable suspicion” that: (1) criminal activity may be afoot and (2) the person you are about to detain is connected with that possible criminal activity. [Wardlow (2000) 528 U.S. 119; Ornelas (1996) 517 U.S. 690, 695-696; Sokolow (1989) 490 U.S. 1, 7-8; Bennett (1998) 17 Cal. 4th 373, 386.]*

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## **ANTELOPE VALLEY OBSTRUCTION ARRESTS**

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California Penal Code Section 836(a),

*A peace officer... without a warrant, may arrest a person whenever any of the following circumstances occur:*

*(1) The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.*

*(2) The person arrested has committed a felony, although not in the officer's presence.*

*(3) The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed.*

### **Audit Procedures**

The AAB personnel reviewed the arrest reports to determine if the reports articulated legal reason for the detention.

### **Findings**

#### **Lancaster Station**

All (100%) of the arrest reports reviewed met the standard for this objective.

#### **Palmdale Station**

All (100%) of the arrest reports reviewed met the standard for this objective.

### **Objective No. 1(b) – Arrest Report Articulates the Duties of the Deputy(ies) that were Interfered with**

#### **Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests” (148(a) (1) P.C., 69P.C., and 243(b) P.C.) states:

*When reviewing the arrest reports, special scrutiny shall be undertaken with respect to the deputy's documentation of the duties that were interfered... The Watch Commander is accountable for ensuring that the elements and details of the arrest that were described verbally by the arresting deputy are included in the report.*

### **Audit Procedures**

The AAB personnel reviewed the arrest reports to determine if the reports articulated the duties of the deputy(ies) that were interfered with.

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**Findings**

**Lancaster Station**

Forty-five of the 47 (96%) arrest reports reviewed met the standard for this objective. Two of the arrest reports reviewed did not meet the standard because the duties of the deputy(ies) that were interfered with were not articulated in the arrest report.

**Palmdale Station**

All (100%) of the arrest reports reviewed met the standard for this objective.

**Objective No. 1(c) – Arrest Report Articulates the Suspect's Actions Causing the Obstruction**

**Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests” (148(a) (1) P.C., 69P.C., and 243(b) P.C.) states:

*Generally, verbal resistance or disrespectful behavior alone are not sufficient to justify resistance or obstruction arrests...;*

*When reviewing the arrest reports, special scrutiny shall be undertaken with respect to...the suspect's actions causing the resistance, obstruction, battery, delay or interference. The Watch Commander is accountable for ensuring that the elements and details of the arrest that were described verbally by the arresting deputy are included in the report.*

**Audit Procedures**

The AAB personnel reviewed the arrest reports to determine if the reports articulated the suspect's actions causing the obstruction. Incidents wherein a suspect provided only a verbal response did not meet the standard for this objective.

**Findings**

**Lancaster Station**

Forty-six of the 47 (98%) arrest reports reviewed met the standard for this objective. One of the arrest reports reviewed did not meet the standard because the suspect's action(s) causing the obstruction were not articulated in the arrest report.

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**Palmdale Station**

All (100%) of the arrest reports reviewed met the standard for this objective.

**Objective No. 1(d) – Arrest Report Lists Principal Deputy(ies) as Victim**

**Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests” (148(a) (1) P.C., 69P.C., and 243(b) P.C.)<sup>10</sup> states:

*Pursuant to MPP 4-21/035.00 governing Resisting Public Officer charges, all “Resistance, Delaying, and Obstruction Arrest” reports shall be assigned to a station detective to handle as an active investigation, the principal deputies shall be listed as victims...*

**Audit Procedures**

The AAB personnel reviewed arrest reports to determine if the principal deputy(ies) were listed as the victim in the arrest report.

**Findings**

**Lancaster Station**

Forty-six of the 47 (98%) arrest reports reviewed met the standard for this objective. One of the arrest reports reviewed did not meet the standard because the principal deputy(ies) were not listed as victims.

**Palmdale Station**

Forty-eight of the 52 (92%) arrest reports reviewed met the standard for this objective. Four of the arrest reports reviewed did not meet the standard because the principal deputy(ies) were not listed as victims.

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<sup>10</sup> Field Operations Directive 12-001 was utilized for this criteria as the referenced MPP section, 4-21/035.00, only addresses reporting and case assignment procedures.

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**Objective No. 1(e) – Arrest Report Included Statistical Code 145**

**Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests” (148(a) (1) P.C., 69P.C., and 243(b) P.C.) states:

*Pursuant to MPP 4-21/035.00 governing Resisting Public Officer charges, all “Resistance, Delaying, and Obstruction Arrest” reports shall be assigned to a station detective to handle as an active investigation...the report shall include a 145 statistical code.*

**Audit Procedures**

The AAB personnel reviewed arrest reports to determine if the reports included the correct statistical code for obstruction arrests (statistical code 145).

**Findings**

**Lancaster Station**

Forty of the 47 (85%) arrest reports reviewed met the standard for this objective. Seven of the arrest reports reviewed did not meet the standard because they did not include the correct statistical code for the obstruction arrest (statistical code 145).

**Palmdale Station**

Forty-five of the 52 (87%) arrest reports reviewed met the standard for this objective. Seven of the arrest reports reviewed did not meet the standard because they did not include the correct statistical code for the obstruction arrest (statistical code 145).

**Objective No. 1(f) – Arrest Report Articulates Efforts to De-escalate the Incident**

**Criteria**

The United States Department of Justice Antelope Valley Settlement Agreement Section 101, VIII Use of Force:

*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.*

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*The United States Department of Justice Antelope Valley Settlement Agreement  
Section 103:*

*Deputies shall use advisements, warnings, and verbal persuasion, when possible, before resorting to force; and de-escalate force immediately as resistance decreases.*

Manual of Policy and Procedures, Section 3-10/005.00, Force Prevention Principles, section states:

*Department members should endeavor to de-escalate confrontations through tactical communication, warnings, and other common sense methods preventing the need to use force whenever reasonably possible.*

**Audit Procedures**

The AAB personnel reviewed arrests reports to determine if the reports articulated efforts to de-escalate the incident when reasonably possible.

**Findings**

**Lancaster Station**

Forty of the 47 (85%) arrest reports reviewed met the standard for this objective. Seven of the arrest reports reviewed did not meet the standard because the report did not articulate efforts to de-escalate the incident.

**Palmdale Station**

Forty-three of the 52 (83%) arrest reports reviewed met the standard for this objective. Nine of the arrest reports reviewed did not meet the standard because the report did not articulate efforts to de-escalate the incident.

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**Objective No. 2 – Arrest Review and Approval Procedures**

**Objective No. 2a – Approval of Probable Cause Declaration**

**Criteria**

Manual of Policy and Procedures, Section 5-03/005.50, Probable Cause Declarations, section states:

*Except as provided below, a Probable Cause Declaration (PCD) is required in all cases where a suspect is booked into a Sheriff's Department facility on a criminal charge (including juveniles under 602 WIC) and there has been no prior judicial authorization of the detention. When suspects are booked on multiple charges, a PCD is required for all charges where there has been no prior judicial review.*

*A PCD is not required for the following:*

- *arrests made pursuant to a warrant;*
- *misdemeanors released on citation;*
- *juveniles released to parents;*
- *parole violations (3056 P.C.); and*
- *military deserters.*

*The arresting unit is responsible for obtaining judicial review of the arrest.*

Manual of Policy and Procedure, Section 5-03/010.00, Arrest Review Procedures, section states,

*In circumstances where a Probable Cause Declaration is required, the declaration shall be completed prior to the arrest review and presented to the reviewing supervisor.*

*The following cases shall be reviewed by the Watch Commander:*

- *felony arrests;*
- *juvenile detentions; and*
- *all arrests involving an on-duty peace officer victim.*

**Audit Procedures**

The AAB personnel reviewed Probable Cause Declaration (PCD), Form (CR-461), to determine if the PCD was required and approved by a supervisor according to either sections of the policy referenced above.

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#### **Lancaster Station**

All (100%) of the arrest reports reviewed met the standard for this objective.<sup>11</sup>

#### **Palmdale Station**

All (100%) of the arrest reports reviewed met the standard for this objective.<sup>12</sup>

### **Objective No. 2b – Obstruction Arrest Information entered into Watch Commander’s Log**

#### **Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests” (148(a) (1) P.C., 69P.C., and 243(b) P.C.) states:

*...The Watch Commander shall also document all “Resistance, Delaying, and Obstruction Arrests” in the Watch Commander’s shift log...*

#### **Audit Procedures**

The AAB personnel reviewed Watch Commander’s Logs to determine if the details of the obstruction arrest were entered into the log. Incidents where the arrest was entered involving a use of force and did not include the obstruction arrest in the Watch Commander’s Log, did not meet the standard.

#### **Findings**

##### **Lancaster Station**

Thirty-one of the 47 (66%) arrest reports reviewed met the standard for this objective. Sixteen of the arrest reports reviewed did not meet the standard because the details of the obstruction arrest were not entered into the Watch Commander’s Log.

##### **Palmdale Station**

Twenty-three of the 52 (44%) arrest reports reviewed met the standard for this objective. Twenty-nine of the arrest reports reviewed did not meet the standard because the details of the obstruction arrest were not entered into the Watch Commander’s Log.

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<sup>11</sup> Lancaster Station was 100% compliant with this criteria, 1 misdemeanor arrest was not measurable because a PCD was not required due to the arrestee being released with a citation.

<sup>12</sup> Palmdale Station was 100% compliant with this criteria, 19 misdemeanor arrests were not measurable because a PCD was not required due to the arrestees being released with a citation.

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**Objective No. 2c – Arrest Report Narrative Articulates the Name of the Watch Commander Approving the Arrest**

**Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests” (148(a) (1) P.C., 69P.C., and 243(b) P.C.) states:

*...The arresting deputy shall document in his arrest report the name of the Watch Commander who approved the arrest...*

**Audit Procedures**

The AAB personnel reviewed arrest reports to determine if the name of the Watch Commander who approved the obstruction arrest was articulated within the narrative of the report.

**Findings**

**Lancaster Station**

Forty-one of the 47 (87%) arrest reports reviewed met the standard for this objective. Six of the arrest reports reviewed did not meet the standard because the name of the Watch Commander was not articulated in the arrest report.

**Palmdale Station**

Thirty-one of the 52 (60%) arrest reports reviewed met the standard for this objective. Twenty-one of the arrest reports reviewed did not meet the standard because the name of the Watch Commander was not articulated in the arrest report.

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**Objective No. 2d – Approving Watch Commander Signed Arrest Report or Reviewed Report within Five Days**

**Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests” (148(a) (1) P.C., 69P.C., and 243(b) P.C.) states:

*Pursuant to the Arrest Review Procedures set forth in MPP 5-03/010.00, Watch Commanders must review and approve 148(a)(1) arrests. Additionally, misdemeanor 243(b) PC arrests shall also require Watch Commander review and approval, just as felony 243(c)(2) PC and 69 PC already do. This review shall be required whether the obstruction charge(s) are the sole/primary charge or are the secondary charge(s).*

*Furthermore, the Watch Commander that reviewed/approved an arrest that includes a charge for 148(a)(1), 69, or 243(b) shall make every reasonable effort to **also read and co-sign** the arrest report and any supplemental reports after the Watch Sergeant has signed them.*

*If the report(s) are not completed by the end of the Watch Commander’s shift, the report(s) will be processed without his/her signature. He/she will, nevertheless, be required to read a copy of the report within five calendar days of the arrest.*

**Audit Procedures**

The AAB personnel reviewed arrest reports to verify if the Watch Commander signed the report. If the Watch Commander did not sign the arrest report, the Obstruction Arrest Web Application was reviewed to determine if the Watch Commander reviewed the report within five calendar days.

**Findings**

**Lancaster Station**

Thirty-four of the 47 (72%) arrest reports reviewed met the standard for this objective. Thirteen of the arrest reports reviewed did not meet the standard because the Watch Commander did not sign the arrest report nor reviewed the report within five calendar days.

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### **Palmdale Station**

Twenty of the 52 (38%) arrest reports reviewed met the standard for this objective. Thirty-two of the arrest reports reviewed did not meet the standard because the Watch Commander did not sign the arrest report nor reviewed the report within five calendar days.

### **Objective No. 3 – Obstruction Arrest Web Application**

#### **Objective No. 3a – Completeness of Obstruction Arrest Web Application**

##### **Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests” (148(a) (1) P.C., 69P.C., and 243(b) P.C.) states:

*The Detective Bureau Lieutenant shall maintain the automated tracking system... in the form of a computerized spreadsheet or database. This system shall record each new arrest and include information as to whether criminal charges were filed. The computerized spreadsheet or database shall contain an additional field designating which arrests are based on a sole or primary charge. It shall also have fields to record the suspect’s age, sex, race, and whether force was used to make the arrest.*

##### **Audit Procedures**

The AAB personnel reviewed the Obstruction Arrest Web Application to determine if the arrests and all required information were entered correctly into the appropriate data fields of the system.

##### **Findings**

###### **Lancaster Station**

Thirty of the 47 (64%) arrest reports met the standards for this objective. Seventeen of the arrest reports reviewed did not meet one or more of the standards.

###### **Palmdale Station**

Twenty-seven of the 52 (52%) arrest reports met the standards for this objective. Twenty-five of the arrest reports reviewed did not meet one or more of the standards.

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**Table No. 3 – Tracking of Obstruction Arrests**

<b>Standards</b>	<b>Lancaster</b>	<b>Palmdale</b>
<i>Obstruction arrest entered into Obstruction Arrest Web Application</i>	40/47	39/52
<i>Obstruction Arrest Web Application accurately documents if charges were filed</i>	39/47	36/52
<i>Obstruction Arrest Web Application accurately documents whether the arrest was an obstruction arrest only or an obstruction arrest with other charges.</i>	37/47	34/52
<i>Age, Sex, and Race entered into Obstruction Arrest Web Application</i>	38/47	44/52
<i>Obstruction Arrest Web Application accurately documents whether force was or wasn't used in the obstruction arrest</i>	40/47	34/52

**Objective No. 3b – Quarterly Reports**

**Criteria**

Field Operations Directive 12-001, Procedures for Processing “Resistance, Delaying, and Obstruction Arrests”, (148(a) (1) P.C., 69P.C., and 243(b) P.C.) states:

*The Detective Bureau Lieutenant will provide a quarterly report to the Captain in which he will address the reasons for the rejections.*

**Audit Procedures**

The AAB personnel obtained quarterly reports from each station to determine if the station captain reviewed those obstruction arrests which were rejected by the Los Angeles County District Attorney’s Office (LADA).

**Findings**

**Lancaster Station**

All (100%) of the Quarterly Reports were prepared and met the standard for this objective.

**Palmdale Station**

All (100%) of the Quarterly Reports were prepared and met the standard for this objective.

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**Additional Information**

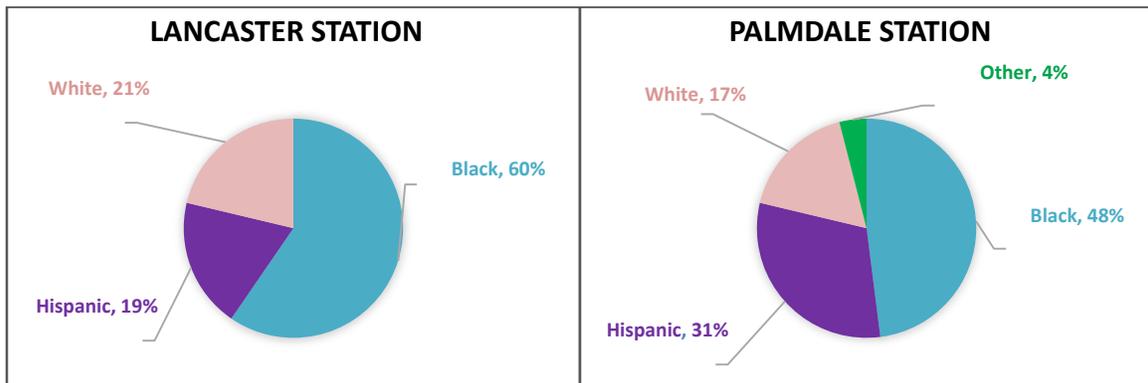
The data presented in Table No. 4 was captured from arrest reports for informational purposes from the reviewed population.

**Table No. 4 – Additional Information from Obstruction Arrests**

<b>Additional Information</b>	<b>Lancaster</b>	<b>Palmdale</b>
Arrest involved use of force	70%	71%
Suspect under the influence (drug or alcohol)	32%	27%
Deputy injured	30%	21%
Obstruction sole charge	13%	25%
Suspect on parole or probation	4%	15%

The pie charts in Figure No. 1 represents a breakdown of the race of arrestees taken from the 99 arrest reports reviewed for this audit. This information was obtained through a review of arrest reports as well as a review of the Obstruction Arrest Web Application.

**Figure No. 1 –Race of Arrestees**

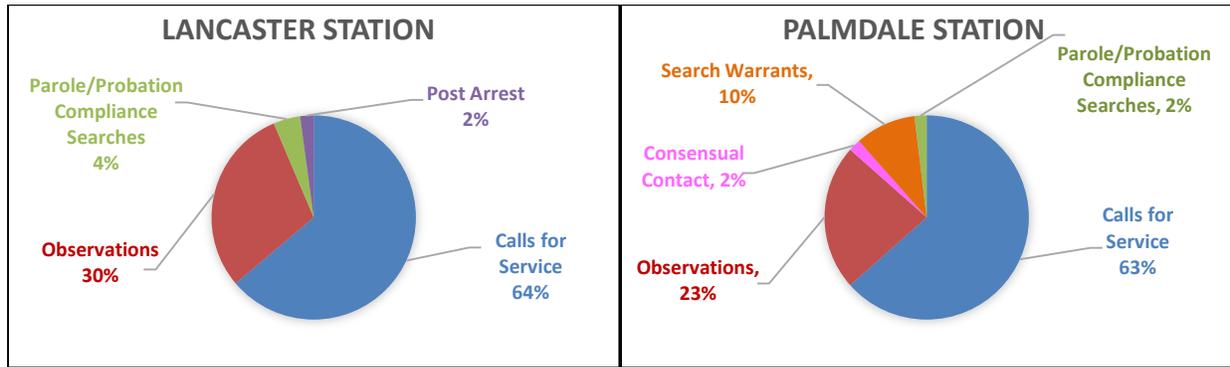


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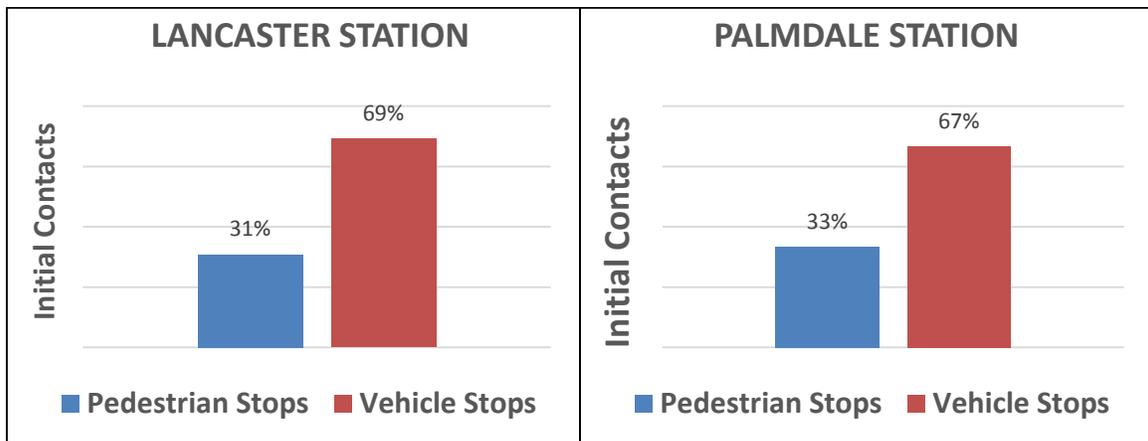
The pie charts in Figure No. 2 represents the different types of initial contacts as described in the 99 arrest reports reviewed for this audit.

**Figure No. 2 – Initial Contacts**



The bar charts in Figure No. 3 reflect an analysis of non-call for service pedestrian stops and vehicle stops, from data representing the reason for initial contact as identified in Figure No. 2. This information was compiled from contacts during Observations.

**Figure No. 3 – Analysis of Observations**



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### **Other Related Matters**

#### *Clarification of PCD Requirements*

Manual of Policy and Procedure, Section 5-03/010.00 Arrest Review Procedures states, “*In circumstances where a Probable Cause Declaration is required, the declaration shall be completed prior to the arrest review and presented to the reviewing supervisor*” including all arrests involving an on-duty peace officer victim. All cases shall be reviewed by a Watch Commander.

Manual of Policy and Procedure, Section 5-03/005.50 Probable Cause Declarations states, a PCD is not required when misdemeanor suspects are released on citation. While Lancaster Station completed a PCD for all arrests, Palmdale Station did not complete a PCD when misdemeanor suspects were released on citation. The differing interpretations of the policies created confusion as to when a PCD is required.

#### *Clarification of Obstruction Arrest Web Application Entries*

The Obstruction Arrest Web Application prompts the user to mark “Yes” or “No” to the question “Obstruction Arrest Only Charge”. A “Yes” answer would indicate that obstruction was the only charge. A “No” answer would indicate there are additional charges other than the obstruction arrest charge. While auditors were reviewing the data in the Obstruction Arrest Web Application, it was discovered that the web application often recorded a “Yes” in this data entry field when there were multiple charges.

In addition, the Obstruction Arrest Web Application also prompts the user to mark whether or not “Case Filed with DA.” This entry can cause confusion as to whether it refers to the act of a detective (or filing deputy) presenting the case to the LADA for filing consideration of criminal charges, or the actual act of the LADA approving the filing request and forwarding to the court clerk for assignment of a court case number.

### **Conclusion and Recommendations**

During the course of this audit, AAB personnel analyzed and assessed the policies and procedures related to obstruction arrests and identified several areas of improvement. The AAB considers the results of this audit to be a helpful management tool for all Department personnel; therefore, makes the following conclusions and recommendations:

1. To ensure station Detective Bureau is able to conduct proper obstruction arrests investigations, it is recommended recurrent training in the listing of primary deputy(ies) as victims and the use of the 145 statistical code be conducted. (Objective No. 1)

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2. To ensure proper supervisory oversight for obstruction arrests, it is recommended the Unit Commander ensure that the Watch Commander Log's include accurate information regarding the obstruction arrest, that the arrest report narrative articulate the approving Watch Commander, and that the approving Watch Commander signs or reviews the arrest report within five calendar days. (Objective No. 2).
3. Obstruction arrest reports require the name of the Watch Commander who approved the arrest to be articulated in the narrative of the report. However, occasionally teams of deputies from centralized special project teams will book arrestees at the Lancaster and Palmdale Sheriff Stations after having been approved by their team lieutenants. Therefore, it is recommended all bookings for obstruction arrests should require Watch Commanders from the local station to approve the arrests and sign the completed arrest report in order to maintain consistency and policy compliance. (Objective No. 2)
4. The Obstruction Arrests Web Application was developed to provide a centralized tool for the review of all obstruction arrests. Therefore, it is recommended supervisors ensure the accuracy and completeness of the information that is entered into the web application. (Objective No. 3)
5. To ensure consistency regarding whether a PCD is required for misdemeanor suspects who are released on citation, it is recommended that the differing interpretations of the policies be clarified. (Other Related Matters)
6. The Obstruction Arrest Web Application's contains two data fields which were periodically answered incorrectly; this created accuracy issues when analyzing the information contained in the web application. It is recommended that the following data fields "Obstruction Arrest Only Charge" and "Case Filed with DA" contain further clarification or provide additional follow-up data fields that would allow the user to answer the questions accurately without any confusion. (Other Related Matters)
7. Department Policy requires obstruction arrest reports to include the efforts of Department members to de-escalate potential force incidents. However, determining whether or not those efforts occurred is often times based on how the actions listed in the narrative of the report are interpreted. Therefore, it is recommended that obstruction arrest reports should specifically articulate acknowledgement as to whether or not de-escalation efforts occurred, and if not, the reasons that precluded Department personnel from making those efforts.

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This audit was submitted on this 27<sup>th</sup> day of June 2016, by the Audit and Accountability Bureau.

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