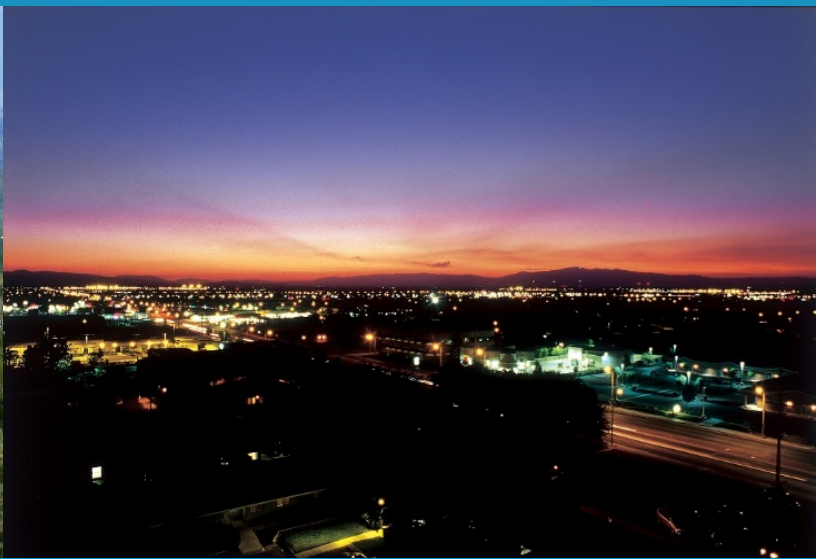


# Antelope Valley Monitoring Team Seventh Semi-Annual Report



**December 2018**

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## I. INTRODUCTION

This is the seventh semi-annual report issued by the Monitoring Team (MT). It covers the monitoring activities that have taken place during this reporting period and in the months prior. This report provides an overview of both administrative and operational issues. It describes the MT's observations on progress of Los Angeles County and the Los Angeles County Sheriff's Department (LASD) in meeting the requirements of their Settlement Agreement (SA)<sup>1</sup> with the US Department of Justice (DOJ) for the Antelope Valley (AV). This report focuses primarily on work undertaken between July 2018 and December 2018.

Key activities of this reporting period included the MT and Parties working together to put into place changes to policies, procedures and training based on the MT's complaints audit, reviewing data and developing the report for the AV-wide Community Survey, and developing a plan to ensure AV deputies participate in regular and meaningful engagement activities with AV community members. The MT and Parties also spent a significant amount of time on the SA's training provisions, including incorporating a new instructor for the existing Bias-Free Policing training and developing new in-service training modules for constitutional policing and bias-free policing, Federal Housing Act enforcement, community engagement, and community policing. The MT continued to regularly interact with the AV Community Advisory Committees (CACs), receiving feedback and providing technical assistance. The MT continued to track deputy attendance at LASD trainings, review LASD's documentation of their accountability processes, review LASD stops data, and review and comment on Department stops data entry procedures and LASD Audit and Accountability Bureau (AAB) audits. The MT finalized most aspects of its use of force (UOF) audit and discussed preliminary findings with the Parties. This report covers progress in all these areas along with a discussion of how this work fits into the broader context of achieving the objectives of the SA.

For more information about the composition of the MT and the processes by which the MT, DOJ, LASD, and community members work together to bring about the reforms required by the SA, see the appendices.

In the past six months, LASD continued to build on its considerable progress with developing new and revised policies, implementing new full-day trainings and developing roll call and in-service trainings, improving deputy data collection, formalizing and documenting Department accountability processes, and addressing other SA-required activities such as the Community Survey. The MT acknowledges and appreciates these efforts, with special recognition of the committed and collaborative Compliance Unit personnel. The Compliance Unit, the AV station command staff and personnel, North Patrol Division management, and the Office of County Counsel continue to cooperate with and engage in the various monitoring activities and, importantly, are open to compromise as the Department, the members of the DOJ team, and the MT work to meet the goals of the SA and make meaningful improvements to law enforcement services in the AV. The MT also wants to acknowledge and express its appreciation to AV community members for their enthusiastic participation at meetings and in other forums. The MT also appreciates the continued efforts of the members of the CACs to understand and meet their SA mandates and to embrace their roles as voices for the whole AV community.

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

## The Antelope Valley Settlement Agreement: Summary

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

The AV lies in the northeast corner of the County of Los Angeles and includes two cities—Lancaster and Palmdale—and several unincorporated communities spread across hundreds of square miles. LASD provides law enforcement services in the unincorporated areas of the AV as well as via contracts with Palmdale and Lancaster. An LASD station serves each city, with law enforcement activities for the surrounding areas roughly split between the two.

### **A. A Note About Compliance**

Much of the SA involves the development or revision of policies, procedures, or training; and putting into place various processes (such as a plan for ensuring new AV deputies receive training) and striving to more effectively engage community organizations and entities such as the CACs. This work is usually done in a collaborative fashion among the Parties and the MT, with documentation of the change (new policy, revised training, etc.) eventually being formally submitted to the MT and DOJ for approval. Gaining that approval would seemingly indicate that the Department is now "in compliance" with that provision. However, while it does represent a crucial step forward, the Department at that stage may be considered only in *partial* compliance (or "policy compliance"). This is because, in most cases, there are more steps involved before the Department reaches full **implementation** (SA paragraph 20, see reference below) and, thus, full compliance.

An approved policy must be distributed to every deputy according to SA-required procedures and, as necessary, incorporated into training curricula. An approved training curriculum will require documentation that appropriate personnel have received the training. Most important, each of the established improvements—for instance, the policies and trainings—will need to be found to perform or “work” in the real world. That is, they are then assessed through such MT activities as reviews, audits, interviews, observation, and data analysis so that it can then be established whether they are successfully reflected in law enforcement practices and achieve the intended qualitative and quantitative impacts on the AV community.

Changes to policy and practice must also be incorporated into LASD-AV’s accountability practices. The reviews, analyses, studies, and audits which the SA requires LASD to conduct must use appropriate methodologies and, in turn, their findings must be used effectively to inform policies and practices.<sup>2</sup> In some cases, the SA requires ongoing improvement in the delivery of services (SA paragraph 15). Finally, this level of performance must be sustained for one year to reach **full and effective compliance** and to satisfy the terms of the SA (paragraph 205).

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

- Paragraph 20: **Implementation** is defined as “the development or putting into place of a policy or procedure, including the appropriate training of all relevant personnel, and the consistent and verified performance of that policy or procedure in actual practice.” What is meant by “consistent and verified performance” is laid out in each SA section’s work plan. These compliance measures or metrics represent the specific quantitative and qualitative criteria by which the MT will assess full compliance with each SA provision.
- Paragraph 205: The terms of the SA will have been met when “the County has achieved full and effective compliance with the Agreement and maintained such compliance for no less than one year.”
- Paragraph 15: **Full and effective compliance** means “achieving both sustained compliance with all material requirements of this Agreement and sustained and continuing improvement in constitutional policing and public trust, as demonstrated pursuant to the Agreement’s outcome measures.”

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<sup>2</sup>Paragraph 171b gives a summary of the stepwise process toward compliance. Most provisions of the SA need to be “(1) incorporated into policy; (2) the subject of sufficient training for all relevant LASD deputies and employees; (3) reviewed or audited by the Monitor to determine whether they have been fully implemented in actual practice, including the date of the review or audit; and (4) found by the Monitor to have been fully implemented in practice.”

During this reporting period, the MT and Parties continued work on finalizing compliance metrics for the work plans associated with each section of the SA. Many of these metrics are straightforward and easily agreed upon; other are more complex. In these cases, the Parties use the information gleaned from the ongoing audits, data and document reviews, interviews, and observation conducted by the Department and MT to determine appropriate compliance metrics.

This report addresses those SA provisions where the MT considers the Department to be in compliance or having made substantial progress toward compliance. Also discussed are those provisions that require additional work, with emphasis on those that will likely require substantial time and resources for the Department to come into compliance or for the MT to effectively assess levels of compliance. When possible, this report also summarizes the sequence of activities and steps the Department must take to achieve full compliance.

## **II. WORK TO DATE**

This section of the report provides detailed descriptions of the work performed to date by LASD, DOJ, and the MT to ensure the requirements of the SA are fulfilled, concentrating primarily on those activities undertaken or completed during the past six months (July through December 2018). The report discusses MT observations related to the goals, scope, and nature of the work; issues and obstacles that have arisen in the course of the work; MT findings; and critical observations that have been discussed with the Department. LASD's progress toward compliance with each section of the SA is delineated along with steps toward compliance that are still left to be addressed.

As in prior semi-annual reports, one major section of the SA—Data Collection and Analysis—is not addressed separately. The concepts and activities for data collection and analysis overlap significantly with the other sections of the SA. The work on data collection and analysis done thus far is best understood within the context of the other sections to which it also pertains; therefore, these discussions are embedded as appropriate in related sections. Finally, some SA paragraphs are discussed in more than one section of this report because some SA paragraphs address more than one area of AV policing. For example, paragraph 51 concerns constitutional stops and searches, Section 8 housing compliance, and bias-free policing. Similarly, “accountability” is addressed throughout the SA, not only in the Accountability section.

### **A. Stops, Seizures, and Searches**

The SA provisions describe the way in which LASD-AV deputies must conduct and document investigative stops, detentions, and searches. These provisions also detail many of the ways Department supervisors and managers must document, track, review, and assess these practices. The introduction to Stops, Seizures, and Searches summarizes the overall goals of this section.

*LASD agrees to ensure that all investigatory stops, seizures, and searches are conducted in accordance with the rights, privileges, or immunities secured or protected by the Constitution or laws of the United States. LASD shall ensure that investigatory stops and searches are part of an effective overall crime prevention strategy, do not contribute to counter-productive divisions between LASD and the community, and are adequately documented for tracking and supervision purposes. (SA p. 7)*

1. Activities in this Period

As described in detail in this section, the MT worked closely during this reporting period with the LASD Compliance Unit and station personnel on Constitutional Policing training curricula and attendance verification, stops data collection by AV deputies, stops data review by both station supervisors and the MT, and LASD AAB audits.

a. *Constitutional Policing Training*

LASD continued to provide the Constitutional Policing training for LASD deputies assigned to the AV stations. This training addresses the bulk of the SA requirements regarding stops, seizures, and searches. During this period, there were two sessions offered, one on August 16 and another on November 2, 2018. This training was previously approved by the MT, DOJ, and LASD as meeting SA training requirements for Stops, Seizures, and Searches. It has been provided by an outside presenter with decades of experience in constitutional law training. All existing personnel as well as any newly assigned LASD-AV deputies or deputies not previously available are required to attend the training. The Compliance Unit staffs the training with a representative to ensure the accuracy of the attendance roster and to collect the evaluations at the end of the course. This training is critical for all LASD AV deputies to ensure a shared understanding of constitutional practices has been established in the AV.

b. *Training Verifications*

In April 2018, the MT reported on its first Constitutional Policing training attendance verification for AV deputies. That report found that 95% of deputies assigned to one of the LASD stations and available for the training (that is, not on leave or under some other status that would prevent them from attending) had attended the required training in constitutional policing. For the current reporting period, the MT conducted a review to calculate the percentage of AV deputies who had attended the training prior to the end of the second and third quarter of 2018. That review again found more than 95% of available AV deputies had received the training. The Parties have not yet finalized compliance metrics for full-day training attendance, but it is likely that 95% will be the standard.

*i. Quarter 2 Training Verification*

- Palmdale Station Constitutional Policing Training Compliance: **99%**
  - » 180 total deputies assigned to Palmdale Station
    - 178 were available to be trained
    - Two were not available to be trained
    - Eight had transferred to Palmdale after the training was offered
    - 149 trained prior to this quarter
    - 21 trained in this quarter (including one deputy trained twice)
  - » Final attendance percentage: 169/170=99.4%.
- Lancaster Station Constitutional Policing Training Compliance: **95%**
  - » 200 total deputies assigned to Lancaster Station
    - 199 were available to be trained
    - One was not available to be trained
    - Nine had transferred to Lancaster after the training was offered
    - 162 trained prior to this quarter
    - 19 trained in this quarter (including one deputy trained twice)
  - » Final attendance percentage: 180/190=94.7%.

*ii. Quarter 3 Training Verification*

- Palmdale Station Constitutional Policing Training Compliance: **98%**
  - » 179 total deputies assigned to Palmdale Station
    - 178 were available to be trained
    - One was not available to be trained
    - Five had transferred to Palmdale after the training was offered
    - 164 trained prior to this quarter
    - Five trained in this quarter
  - » Final attendance percentage: 169/173=97.7%.
- Lancaster Station Constitutional Policing Training Compliance: **97%**
  - » 205 total deputies assigned to Lancaster Station
    - All deputies were available to be trained
    - 15 had transferred to Lancaster after the training was offered
    - 172 trained prior to this quarter
    - 12 trained in this quarter
  - » Final attendance percentage: 184/190=96.8%.



iii. *Quarterly Roll Call Training and Train-the-Trainers*

SA Paragraph 71 states: "LASD-AV will conduct roll call trainings at least quarterly to emphasize the importance of preventing discriminatory policing. These roll call sessions will include scenario-based discussions of real and hypothetical situations." With consultation from the Parties and an outside trainer, the Department developed curricula for roll call trainings addressing constitutional policing, bias-free policing, and housing. The curricula also address the in-service training requirement from paragraph 89 in the Community Engagement section. The roll call trainings are further discussed in each of those related sections of this report. The interconnectedness of these various sections of the SA mirrors the intersection of the principles of constitutional and non-discriminatory policing and effective community engagement as they apply in every interaction between LASD personnel and members of the AV community.

"Roll call" refers to the daily briefing deputies receive at the start of each of their shifts. They are the primary time when supervisors have the opportunity to impart and discuss with the deputies the station and Department command staff's daily and long-term law enforcement priorities and instructions. Roll call briefings are also the primary place that deputies get updates and reminders on policies and procedures as well as reinforcement of previous trainings. The required roll call trainings are an important element of making sure the full-day trainings take hold and that the principles taught are practiced in the field. Updates like this are important because understanding and retention of the principles taught in trainings and of current Department policy and legal standards are perishable. Regular reminders are critical for non-discriminatory enforcement as well as effective community engagement.

LASD's plan for the required roll call trainings is that they will be conducted by LASD-AV station sergeants and lieutenants. An external expert trainer will use a Train-the-Trainer curriculum approved by the Parties to train those sergeants and lieutenants to conduct the deputy roll call trainings. The new roll call trainings will then be given once per quarter during each shift's briefing.

To implement this plan, LASD submitted the Train-the-Trainer curriculum to the MT and DOJ for review. The MT and DOJ provided feedback to LASD and held subsequent calls to reach agreement regarding the final content of the training. The training took place December 3–7, 2018. LASD assigned approximately eight to 12 students to each course. Members of the MT and DOJ were present to observe the training for the first three days. The trainer effectively followed the approved curriculum for the course. After the first day, the MT and DOJ made recommendations for improvement, which the instructor used to make adjustments in the subsequent day of training.

At the conclusion of the course, the students completed course evaluations. Most rated the course positively, although some students were critical of the content and delivery. The MT was encouraged to see honest feedback from the students. When possible, slight adjustments to the course were made based on the feedback.

During the observed days of instruction, it was apparent the supervisors and commanders had a good baseline understanding of the constitutional policing, bias-free policing, and housing content. The LASD-AV stations have invested significant resources into the full-day Bias-Free and Constitutional Policing training sessions over the last two years, and it shows. The curricula for constitutional policing, bias-free policing, and housing were subsequently approved for use in the roll call sessions for deputies. However, as described in greater detail in the Bias-Free Policing and Community Engagement sections, the community engagement scenarios have not been approved for the roll call trainings. Correcting this issue is priority work in the next reporting period because community policing principles and practices are crucial elements not just of community engagement but also of constitutional policing and bias-free policing. Failure to reach compliance on those provisions in the Community Engagement section may affect compliance in the other sections as well.

*c. MT Stop Data Review*

The MT has continued to review the stops data collected by LASD as required by the SA. MT activities have been focused on evaluating the integrity of the various data collected by deputies as they conduct their daily operations. Deputies are required to record information chronicling each stop, call for service, citation, or arrest; dispositions of the call; and short narratives in certain circumstances. Understanding and validating those data is key monitoring work because it is essential that the data on which most of the various LASD and MT audits, analyses, and reviews are based are complete and reliable and that assumptions and limitations of analyses are clearly defined.

The MT is examining each of the SA-required data fields. This analysis includes review of descriptive codes and variables related to each stop (e.g., type of stop, result of stop) and to persons stopped (e.g., race/ethnicity, gender) and any associated required narrative information (e.g., reason for the initial stop, reason for subsequent actions such as search or backseat detention). As is always required when working with large and complex law enforcement data systems, the MT has put extensive effort into understanding exactly how the variables in the LASD dataset describe what occurred in the field; that is, how data entry requirements for stops being conducted by LASD-AV deputies are structured and related to one another in the datasets. It is critical to take the time at this stage to ensure the data are understood in a way to gain a full picture of the enforcement activity underway in the AV and that the data are valid and reliable in preparation for other data analysis requirements of the SA. This process is complicated by the fact that the datasets often include multiple rows of data for the same stop, depending on how many deputies and how many community members were involved; and it is often not clear which information applies to which individuals, particularly in the narrative field. Stops of a single civilian by a single deputy provide the clearest view of deputy actions and rationales, so the MT is using those cases to illuminate the way in which cases where multiple LASD-AV deputies conduct a stop are described in the data. The MT will share its findings regarding data integrity and stops practices as they become available and in subsequent semi-annual reports.

### The Importance of Stops Data

A key focus of the monitoring activity for this section of the SA are the various types of data collected by deputies as they conduct their daily operations. They record extensive information chronicling nearly every interaction with the public, including each stop or call for service; each search, detention, citation, or arrest; the dispositions of each call; and in some circumstances, short narratives. They also now record certain community engagement activities. It is essential that these data—which serve as the foundation for all audits, analyses, and reviews conducted by both the MT and by LASD—are accurate, thorough, and reliable. When a deputy stops and detains someone, however briefly, the facts and circumstances that led to that stop and detention and any subsequent action must be rigorously documented and later reviewed in an effort to assess the deputy's decision making, the legality of the deputy's actions, and compliance with LASD policy and the terms and conditions of the SA.

Data collection for stops requires entering one or more alpha or numerical codes associated with the primary actions of the stop. Deputies can consult codebooks for these. The codes determine the other fields that appear on the screen and that must be completed. Importantly, supervisors, managers, and auditors typically use these codes to retrieve information about each entry to properly supervise deputies and units, conduct risk management assessment, and monitor activities. For example, a supervisor may want to review all records from the past month for pedestrian stops, which use code 841. Such a request will retrieve only the stops recorded as pedestrian stops. Incorrectly coded stops will not appear in the search. With thousands of stops and other activities recorded in the database, it is of course very important that accurate codes are used to identify each type.

#### *d. LASD Stop Data Review*

In the last reporting periods, the Accountability and Audit Bureau produced audits showing both AV stations had low levels of compliance (1) with the SA requirements for articulating specific facts and circumstances related to stops, searches, and detentions and (2) with supervisory review of stops data. The MT plans to consult with the LASD AAB regarding their stops audit methodologies. The MT seeks to better understand the LASD data and to ensure AAB and MT audits follow similar methodologies so that in the future, the Department can rely on just the AAB audits to monitor station performance and to ensure its own stops data analyses are based on the most valid and reliable data possible.

During site visits, the MT spoke to station commanders and supervisors: Two of the supervisors mentioned the additional training they and deputies have received from the Compliance Unit regarding stops data entry as well as the added scrutiny they are putting on their personnel to ensure data entered for each stop are thorough and accurate. It was clear that station management were aware of the previous shortfalls in data collection and continue to engage the Compliance Unit to improve the processes.

## 2. Steps Toward Compliance

As reported above, LASD continues to put substantial effort into ensuring all AV personnel receive the Constitutional Policing training and is currently meeting the likely compliance metric of 95% for those parts of the SA.

In response to the earlier AAB audits that found that both the Lancaster and Palmdale stations fell short of the requirements for documenting the required SA stops information, the LASD Compliance Unit has put significant effort into providing guidance to the deputies, supervisors, and commanders at the AV stations regarding the accurate entry of their data. The LASD Compliance Unit provides additional training to LASD-AV deputies and monitors the completion of the information via the Deputy Daily Worksheet (DDWS forms. The Compliance Unit also continues to provide training to LASD-AV Station supervisors and commanders in the proper review of stop forms for accuracy and completeness. This is a critical step to ensure data are accurately collected, which will lead to a clearer understanding of the enforcement taking place in the AV.

## 3. Next Steps

In the next reporting period, the MT anticipates providing the Parties with a review of the quality and any observed strengths or weaknesses of LASD stops data. Once the MT's review of the quality and reliability of the data is completed and the Department has addressed any identified technical or procedural issues, the data analysis of the type required in SA paragraph 83 and other provisions will begin.

In addition to continuing to assign new and transferred LASD-AV deputies to the Constitutional Policing training sessions, LASD supervisors and commanders must also regularly monitor and hold LASD deputies accountable for practicing the constitutional policing practices in their work. The next stage of MT activities will also include assessing these accountability practices and their success in ensuring the principles of constitutional policing are consistently practiced in the field.

## **B. Bias-Free Policing**

The primary goal of the Bias-Free Policing section of the SA is encapsulated in SA paragraph 64:

*In conducting its activities, LASD agrees to ensure that members of the public receive equal protection of the law, without bias based on race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation, and in accordance with the rights secured or protected by the Constitution or laws of the United States. Deputies shall not initiate stops or other field contacts because of an individual's actual or perceived immigration status.*

This section of the report describes the various LASD and MT activities underway to reach that goal.

1. Activities This Period

a. *Bias-Free Policing Training*

In the first half of 2018, there were no Bias-Free Policing training sessions because the previously assigned instructor was no longer available to provide the training to LASD. LASD identified a replacement instructor and began to work with the Parties to make minor modifications to the curriculum to fit the instructor's style. The Parties participated in numerous rounds of review and feedback regarding the material. The reviews and feedback focused on compliance with the law and the SA, as well as on training delivery advice. This process was iterative, and all Parties were open to clarification and suggestions to strengthen the material. The trainer was receptive to the feedback and made the appropriate changes. A pilot training was held on July 12, 2018, with the Parties in attendance to observe. The trainer was found to deliver the material effectively; and, with a few modifications based on observations from the Parties, the trainer and curriculum were approved. The LASD Compliance Unit also staffed the training with a representative to ensure the accuracy of the attendance roster and to collect the evaluations for the course.

b. *Training Verification*

As with Constitutional Policing training, the MT conducted training verification for the full-day Bias-Free Policing course offered to AV deputies during this reporting period. As mentioned above, there was no available Bias-Free Policing instructor for the first and second quarter of 2018; therefore, a compliance percentage was calculated for only the third quarter of 2018. As with the Constitutional Policing training, the Parties have not yet finalized compliance metrics for full-day training attendance, but it is likely that 95% will be the standard.

*i. Quarter 3 Training Verification*

- Palmdale Station Bias-Free Policing Training Compliance: **99%**
  - » 179 total deputies assigned to Palmdale Station
    - 177 were available to be trained
    - Two were not available to be trained
    - Five had transferred to Palmdale after the training was offered
    - 152 trained prior to this quarter
    - 19 trained in this quarter
  - » Final attendance percentage: 171/172=99.4%.
- Lancaster Station Bias-Free Policing Training Compliance: **98%**
  - » 205 total deputies assigned to Lancaster Station
    - All deputies were available to be trained
    - 15 had transferred to Lancaster after the training was offered
    - 162 trained prior to this quarter
    - 24 trained in this quarter
  - » Final attendance percentage: 186/190=97.9%.

*c. Quarterly Roll Call Training and Train-the-Trainers*

As described in detail in the Stops, Seizures, and Searches section above, the Department, working with the Parties and an independent trainer, developed curricula to be used to train supervisors to teach the SA-required roll call trainings. The supervisors and commanders displayed a good understanding of the constitutional policing, bias-free policing, and housing content. These elements of the course were approved for use in the roll call trainings with deputies. However, the elements of the course addressing community engagement—and in particular, community policing—have not been approved for the roll call trainings.

While community policing is a provision of the Community Engagement section of the SA (paragraph 89), it also plays an important role in the Bias-Free Policing section. MT observations described here from a few areas of work in this reporting period signal that the roll call trainings as they pertain to community engagement and community policing are strongly linked to the success of the SA's bias-free policing objectives.

As described in more detail in the Community Engagement section below, the MT met with a group of community members on July 11, 2018. While participants noted they were aware of LASD's recent efforts and see some improvement in engagement, they expressed some concerns regarding a continuing lack of engagement with black and Latino communities in the AV. The community members also stated that some residents may not want to attend community events because they do not trust the police and feel things will not change. Additionally, the community members continued to express concerns regarding specific incidents and treatment by LASD-AV deputies that they cited. Comments and perceptions of this nature may not necessarily constitute evidence of biased policing on the part of LASD-AV deputies but are indicators of potential issues that should not be ignored by Department leadership. As expressed in the last semi-annual report and in numerous meetings with the Department, the MT believes that these perceptions of community groups may be counterproductive to positive community-Department engagement and to a robust community policing strategy unless they are addressed.

During a site visit, the MT met with LASD-AV station commanders to discuss their efforts in community policing, problem solving, and crime reduction. The AV station commanders discussed the various ways information is shared with their personnel, such as email alerts, investigators meeting directly with patrol deputies, "crime dashboards," alerts sent to deputies in the field, and publications from crime analysts. There did not appear to be consistent training in community policing and problem-solving concepts in the LASD-AV stations. In fact, one senior commander described learning community policing "on the job" without any formal training in the concepts. LASD has made numerous community outreach efforts, but there is a lack of an established and coherent community policing plan and a lack of understanding of the distinction between community relations and community policing. Additionally, the AV station commanders discussed the use of specialized units for enforcement to address specific problems, but it was unclear how those units fit into the AV stations' community policing efforts and if safeguards are present to ensure they are conducted consistently with bias-free policing practices. The impacts of specialized units must be carefully monitored as a part of an overall AV community policing plan.

Based on these observations of the train-the-trainers, the community meetings, and the discussions with the station commanders, the MT believes there is an inconsistent understanding of community policing principles and practices among deputies and leadership, which may lead to inconsistent implementation in the AV. Bias-free policing must also extend to decisions for enforcement actions, community partnerships, and community policing efforts. Strong community policing efforts consider potential disparate impacts in the community and institute strategies to address those potential impacts.

As mentioned in the Stops, Seizures, and Searches section, the roll call briefings during which the new trainings will be taught are the primary way the station's enforcement priorities and strategies are conveyed to deputies on a regular basis. This is when an overarching community policing strategy and plan is important. Deputies have to make quick decisions in dynamic circumstances; at most times, several different aspects of law, policy, and the SA have to be applied at once. A well-defined community policing plan gives deputies an overarching context within which to fit all the moving parts of their daily activities and decision making. An additional benefit of an overarching plan is that deputies can spend discretionary time they may have—apart from responding to calls—in activities that fit with the larger station objectives. A plan also facilitates more practice consistency across different deputies and shifts. Without that guidance or plan, discretionary time can be spent in relatively random enforcement activities, which can inadvertently put constitutional policing and bias-free policing objectives at risk. Ensuring the new roll call trainings are designed in a way to successfully impart this important information will be a priority of the MT in the next reporting period.

## 2. Steps Toward Compliance

LASD continues to meet the tentatively agreed-upon compliance metrics for the Bias-Free Policing training. LASD also provides this training to LASD deputies outside the LASD-AV stations and offers compensation to Reserve Deputies assigned to the AV stations for training attendance. Additionally, LASD has put significant effort into developing the new roll call trainings and has now trained a cadre of supervisors and commanders who can provide regular roll call trainings to the LASD deputies in order to reinforce the full-day trainings. These sessions are critical to ensure LASD-AV deputies remain aware of how to effectively practice bias-free policing and how biases might affect policing practices. These efforts represent a strong commitment to ensure LASD station deputies receive these valuable trainings and increase the likelihood that bias-free policing principles and practices are routinely applied in the AV.

## 3. Next Steps

LASD must continue to assign LASD deputies to the Bias-Free Policing training sessions and will soon institute the Bias-Free Policing roll call trainings. An element of MT work moving forward will be to continue to review the processes by which LASD supervisors and commanders regularly monitor and hold LASD deputies accountable for applying bias-free policing practices in their work.

The MT will continue to meet with the Parties and attend community meetings to gather feedback and observations in the critical area of community policing. The MT also remains available to assist LASD and the AV station personnel in their efforts to establish a foundation of community policing principles and practices.



LASD-AV should begin to systematically “assess all programs, initiatives, and activities to determine the extent of any disparate impact” and to ensure that none unlawfully discriminate (paragraph 68). This is an involved but important activity and at the core of the SA; as paragraph 64 states, “In conducting its activities, LASD agrees to ensure that members of the public receive equal protection of the law, without bias based on race, color, or sexual orientation, and in accordance with the rights secured or protected by the Constitution or laws of the United States . . .”

### **C. Enforcement of Section 8 Compliance**

Previous semi-annual reports have described the issues regarding LASD-AV deputy accompaniment on Section 8 compliance checks, housing fraud investigations and referrals for prosecution, and sharing information with a housing authority that gave rise to the Enforcement of Section 8 Compliance section of the SA. They described the development and approval of LASD’s new Housing Non-Discrimination (HND) Policy and its revised Housing Authority Non-Criminal Investigations/Inspections (Field Operations Directive [FOD] 12-002). During this reporting period, the work of the MT and Parties focused on reviewing the ongoing *Bias-Free Policing – The Fair Housing Act and Law Enforcement* (Bias-Free/Fair Housing Act [FHA]) trainings and development of the new roll call training that also addresses Section 8 compliance issues. The MT also began the first stages of assessing the impact of these policies and trainings in the AV. This section will describe the steps that have been undertaken with these policies, trainings, and implementation.

#### 1. Activities in This Period

##### a. *Housing Policy Implementation*

The MT’s last semi-annual report described the approval process that the new policies had undergone that resulted in the MT, DOJ, and LASD approving the policies for publication and dissemination in February 2018. With final approval and publication of the two policies, LASD is in partial compliance with SA paragraphs 73, 74, and 76–80. The next step for LASD to achieve full compliance was for the Department to provide the MT the required documentation demonstrating that all appropriate deputies have received, understand, and agree to abide by the new policies. Although LASD has reported that the process to obtain all of the requisite deputy acknowledgments and associated roster verifications are underway, that documentation has not yet been provided to the MT, so the MT has not been able to do an independent verification.

*b. Review of Bias-Free Policing/FHA Training*

As described in the Stops, Seizures, and Searches section of this report, a second round of Bias-Free Policing/FHA training was conducted during this reporting period after a hiatus due to the unavailability of the instructor who had developed and conducted the initial training. The Parties were consulted in the selection of the new trainer and in the minor redesign of the curriculum to account for a different teaching style. Since the new trainer had not previously taught the FHA material, a representative from the DOJ Housing and Civil Enforcement Section and one from the MT consulted with the new trainer on the substance and delivery of the FHA portion of the curriculum.

Representatives from the Parties and the MT attended the July 12, 2018, Bias-Free/FHA training conducted by the new trainer. All the Parties and MT representatives observed that the Bias-Free Policing portion of the training went well. The trainer showed excellent command of the subject matter and presented confidently. He effectively communicated to the deputies that Bias-Free Policing is more than a SA requirement because it also flows from the deputies' oaths of office and LASD policy.

The FHA part of the training was not as effective. During the debriefing following the training, the Parties' representatives and MT representatives noted the problem with effectively delivering the FHA training is that the FHA and its implications are rarely encountered in policing; and without some context on why it was included in the AV training, the training only served to confuse and cause deputy skepticism. It was agreed that the only way for deputies to understand the reason for the FHA instruction and to grasp its implications for LASD personnel is for the training to include discussion on the original DOJ investigation<sup>3</sup> that led to the SA housing provisions and to reference concrete examples from the investigation. During the July 13, 2018, site visit exit conference, the Parties and MT reiterated the vast difference in the effectiveness of the Bias-Free Policing portion of the training as compared to the FHA portion, and it was agreed future FHA training will reference the DOJ investigation and use examples of FHA violations from the housing investigation that involved LASD deputies.

Subsequent review of the FHA training slides by DOJ and MT representatives resulted in revisions to these materials that added language that described the DOJ housing investigation; eliminated some of the technical, verbatim language from the FHA; and revised scenarios that had been used by the trainer to demonstrate potential law enforcement involvement in FHA issues. It was noted that there has been a recent wave of videos involving police calls for service nationwide that implicate the FHA (e.g., police called to a neighborhood swimming pool or park). These videos demonstrated effective and ineffective police responses, and it was recommended that some of this video material be included in the revised FHA training material.

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<sup>3</sup>See DOJ Letter of Findings (June 28, 2013) at <http://www.antelopevalleysettlementmonitoring.info/>

Subsequent to the FHA curriculum revisions, Bias-Free/FHA training for LASD personnel was conducted again in the third quarter, was attended by a MT representative, and was found to be more effective in addressing the importance and impact of the FHA on law enforcement.

*c. Quarterly Roll Call Training and Train-the-Trainers*

As already discussed in the Stops, Seizures, and Searches and Bias-Free Policing sections of this report, in addition to the full-day trainings, the SA requires LASD conduct a series of shorter refresher Bias-Free Policing/FHA trainings, called “roll call” or in-service trainings. Proposed bias-free policing/FHA information for use in LASD Train-the-Trainer materials were reviewed by the MT and DOJ during this reporting period. The training included two FHA scenarios and FHA materials that discussed the HND and FOD 12-002 policies. The slides and scenarios were reviewed by a DOJ Housing and Civil Enforcement Section representative and MT representatives, both of whom discussed them with the trainer. The review and discussion resulted in modifications to the FHA portion of the lesson plan, training slides, and scenarios that were used in the delivery of LASD’s December 4–6, 2018, train-the-trainers and were approved for use in the roll call trainings.

*d. MT Review of Policy and Training Outcomes*

With the housing policies in place and verification pending, and with most AV deputies having been trained in HND and Section 8 issues, housing-related monitoring activity will now mainly consist of (1) tracking ongoing policy implementation and training; (2) assisting with the development and implementation of the roll call trainings; and (3) assessing outcomes related to these policies and training.

As with all of the sections of the SA, assessing outcomes will be the key to establishing if LASD is in full and final compliance with the FHA requirements. Outcomes to be assessed include (1) whether the concepts, requirements, and procedures expressed in the policies and trainings are successfully reflected in practice; (2) whether the intended impacts are being experienced in the AV community; and (3) if LASD supervisors and managers routinely monitor and evaluate compliance with these policies and trainings, track outcomes, and take appropriate corrective action when issues arise for individual deputies, units, or the Department.

The MT’s assessment of compliance will also include a review of any revisions to the trainings or changes in how they are conducted, which could become necessary based on audits and outcome analysis.

MT FHA-related outcomes assessment activities began with a records and data review. To that end, the MT work on assessing outcomes related to the LASD HND Policy and Section 8 issues focused on the Palmdale Station's Watch Commander Logs for the January 1, 2013 – September 1, 2018, period. The review was conducted November 8, 2018, and no relevant data related to LASD Section 8 activity or the FHA were found in the Palmdale Watch Commander Logs.

## 2. Steps Toward Compliance

Publishing the new HND Policy and revisions to FOD 12-002 are major steps toward achieving compliance with this section (paragraphs 73, 76–80). As discussed above and in the Monitor's Sixth Report, the next step is for LASD to demonstrate that all deputies subject to these policies have signed the HND Policy Acknowledgement Forms and the Supplemental Policy Acknowledgement Form and that any deputy questions related to the HND Policy have been answered in a timely manner by the Compliance Unit (paragraphs 74–75). Related training requirements (paragraphs 57, 70) are in compliance—with curricula being approved, trainings being conducted, and attendance verification showing that appropriate levels of deputies have received the course. The Bias-Free Policing roll call training (including FHA modules, paragraph 71) are in partial compliance, with curricula being approved and train-the-trainers having been delivered. MT work toward verifying LASD's full compliance will include tracking the effective delivery of the required roll call trainings and the outcomes review described above, including the Department's accountability practices related to these provisions.

Full compliance on FHA provisions will be achieved when each provision of the Housing section of the SA is met and the MT determines through onsite observations, records reviews, audits, and outcome analysis that the Department has met and remains in compliance with these requirements for at least one year, including evidence that the intentions of the SA as expressed in the new policies are thoroughly and consistently met in the field and that outcomes are reviewed by supervisors and managers, with appropriate corrective action taken as necessary.

## 3. Next Steps

The following summarizes the expected MT activities in the next reporting period with regard to Section 8 housing.

### *a. HND Policy*

- The MT will sample and analyze policy dissemination documentation to determine if all deputies have the requisite signed acknowledgments.

- The MT will review LASD complaints, administrative investigations, survey results, Watch Commander Logs, and other relevant documents and resources for LASD-AV deputy involvement in housing-related activities to determine whether such activity was conducted; and if so, whether it was in accordance with the FHA and the HND Policy.
- The MT will conduct interviews of LASD personnel, community members, and persons with information relevant to LASD-AV housing activities to determine whether any such activity was conducted; and if so, whether it was in accordance with the FHA and the HND Policy.

*b. Accompaniment Policy (FOD 12-002)*

- The MT will review and analyze all stat code 787 data, including deputy accompaniment of housing authority workers during voucher holder compliance checks; LASD's independent investigations for criminal fraud based on voucher-holder compliance with the voucher contract; and deputy calls, observations, or incidents involving voucher holders.
- The MT will analyze LASD complaints, administrative investigations, Community Survey results, Watch Commander Logs, and semi-annual analysis of data containing stat code 787 and other relevant documents and resources for LASD-AV deputy involvement in housing-related activities to determine whether such activity was conducted in accordance with FOD 12-002.
- The MT will conduct interviews of relevant LASD personnel, community members, and persons with information potentially relevant to LASD-AV housing activities.
- The MT will review LASD semi-annual analysis of data containing stat code 787 on a County-wide basis.

*c. Additional SA Provisions Regarding Compliance Assessment*

The following SA paragraphs describe the SA required audits and analysis that address multiple SA provisions and that both the Department and MT will use to assess compliance with the housing-related elements of the SA.

- *LASD will conduct at least semi-annual analysis of, at a minimum, the following AV data: . . . Voucher Holder compliance checks involving LASD personnel (paragraph 82g).*

- *In addition to compliance reviews and audits, the Monitor shall conduct qualitative and quantitative outcome assessments to measure whether LASD's implementation of this Agreement has eliminated practices that resulted in DOJ's finding a pattern and practice of constitutional violations. These outcome assessments shall include collection and analysis, both quantitative and qualitative, of . . . Section 8 Compliance Enforcement Measurements . . . (paragraph 153c).*

The other required analyses are expected to begin in the next reporting period. Once implemented, final compliance will require the Department to meet the requirements for at least one year. The results of the Community Survey described in the Community Engagement section below will also be analyzed to address Section 8–related outcomes.

## **D. Community Engagement**

The Community Engagement section of the SA states that “LASD agrees to promote and strengthen partnerships within the community, to engage constructively with the community to ensure collaborative problem-solving and bias-free policing, and to increase community confidence in the Department” (p. 20). The term “community engagement” primarily refers to the Department’s efforts to engage the community and thus build and maintain trust and confidence in the Department among all community members, per the goals of the SA. The MT’s role in the community-engagement process is to assess LASD’s efforts to interact with and improve its relations with the AV community. The MT may also provide advice and technical assistance as appropriate and requested.

### 1. Activities This Period

#### a. *Findings and Observations from Community Meetings*

During this period, the MT made four onsite visits to the AV (in July, September, October, and December) for Community Engagement compliance monitoring. In addition to the onsite visits, the MT also reviewed community meeting and event reports provided by LASD, reviewed and approved the annual Community Engagement report, reviewed Community Policing training material, and reviewed various other reports and material relating to the Community Engagement section of the SA. These visits and reviews are detailed in this section.<sup>4</sup>

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<sup>4</sup>For a more thorough accounting of the community engagement activities of the Department and the CACs, see their respective reports at [http://www.la-sheriff.org/s2/page\\_render.aspx?pagename=avc\\_main](http://www.la-sheriff.org/s2/page_render.aspx?pagename=avc_main).

On July 11, the MT and officials from DOJ met with leaders of the AV League of United Latin American Citizens (LULAC) and The Community Action League (TCAL). LASD personnel were not invited to this meeting, but the Department was provided a summary of community comments. The group discussed the current state of LASD–community relations in the AV. Most community members felt that progress was being made but also that there were areas of concern. While many of these community observations do not necessarily specifically speak to requirements of the SA, they are germane to the perception of some parts of the AV community—especially to some parts of the black and Latino communities—regarding LASD’s attempts at positive community engagement. The MT encourages the Department to consider methods of incorporating this feedback as part of their already significant ongoing outreach. This would likely involve opening dialog with community members on the specific concerns and recommendations expressed here; sharing perspectives; and considering solutions or next steps, including ways the community and Department might collaborate. Below is a summary of the sentiment expressed by some participants.

- While Lancaster and Palmdale LASD station leadership and some line deputies may be good at connecting with the community, this is not the case with all line deputies.
- LASD-AV conducts community outreach, but it sometimes does not reach the heart of the African-American or Latino communities: “They are not getting to the people most affected by negative policing.”
- The mediation (conflict-resolution) option in complaints can be very effective and should be pursued more frequently. Often the only resolution a community member wants is an apology from a deputy whom they feel was rude or discourteous.
- Local leaders and organizations would like to play a part in training deputies in the AV, perhaps by being given time during the training to present their perspective on the impact of law enforcement practices, help problem-solve regarding recurrent crime issues, and facilitate better community–Department communication and cooperation.
- Victims of crime may feel a sense of being further victimized when they perceive that deputies may have been rude to them, treated them as though they were criminals by searching them or handcuffing them, or failed to deal with them in a respectful manner.
- Perceived inequitable car impounding continues to be a topic of concern.
- Deputies in the AV do not seem to represent the demographics of the AV, especially black residents.

b. *Findings and Observations from Meetings with CACs*

On July 10, 2018, the MT met with both CACs. The group discussed the development of the CACs and support from the MT.

- Both CACs have adjusted their quarterly town hall meetings to be led more by the CAC members/community than by LASD.
- At the time of the meeting, the Palmdale CAC had requested data from the station on complaints and did not feel the Department was responding to the request in a timely manner. (The requested data have since been provided by the Palmdale station.)
- The Lancaster CAC is implementing a new community contact form they can use to track issues/concerns brought by community members. The idea is for community members to fill the forms out and submit to LASD. There is a deputy assigned to scan the documents into a computer system at the station.
- There was discussion among Lancaster CACs about the need to have more CAC member input on the creation of CAC meeting agendas.
- A number of CAC members in both cities said the demographics of the CACs do not reflect the demographics of the AV, especially in regard to Latinos.

Palmdale CAC had restructured to have more impact and to be more productive, including the following.

- They have implemented a new structure with a chairperson, co-chair, secretary, and liaison to the MT.
- In addition to regular CAC meetings with the station captain and other LASD personnel, the Palmdale CAC is now having separate meetings with CAC members only, without LASD present, to maintain some autonomy.
- CAC members are now co-creating the CAC meeting agendas with LASD, and they are taking and keeping minutes.
- CAC and LASD made an agreement that CAC members can help recruit new CAC members, who will then be vetted by LASD.



The MT has recently received reports that the Lancaster CAC had made several of the same changes as Palmdale, including adding a chairperson, co-chair, secretary, and liaison structure; co-creating agendas with LASD; taking minutes; and helping recruit new members. The MT is encouraged by these reports and will assess if they have been implemented and are functioning as intended in the next reporting period.

On September 18, the MT attended the Lancaster CAC quarterly town hall meeting. The meeting was held at the Antelope Valley Partners for Health. The town hall was very well attended, with nearly 90 community members and approximately 15 LASD personnel for more than 100 total people in attendance. The crowd was also diverse. A new Lancaster CAC member is a professor at Antelope Valley College and gave her students extra credit for attending; several of her students were in the audience, accounting for some of the attendance.

After the CAC presentation of the MT semi-annual report, the captain of the Lancaster station spoke briefly, followed by an MT member. The last section of the meeting was open for questions and comments. There were very good questions asked and good exchange between community members, LASD, and the CACs.

On October 16, 2018, the LASD Lancaster Station hosted a Coffee with a Deputy event at the Antelope Valley Community College that the MT attended. The new Lancaster CAC member who is a professor at AV Community College coordinated the event and assigned her students to attend. The event was held in the student cafeteria and food was provided, which also contributed to the good turnout. Several Lancaster deputies and sergeants sat at tables throughout the cafeteria with groups of students; they engaged in discussion about policing and answered students' questions. While some of the small groups were quick and students simply had their assignment forms filled out and left, many of the discussions were rich and in-depth. The student population was diverse. Overall, the event, which lasted several hours, appeared to be successful.

Also on October 16, members of the MT conducted ride-alongs with patrol deputies in the Lancaster Station to observe how deputies are interacting with members of the community and to assess if stops, searches, and other activities performed by deputies are in compliance with the SA. No particular observations were made in this case beyond information gathering about processes and deputy perspectives.

*c. MT Recommendations to CACs*

The MT met with both CACs on October 15, 2018. The discussion centered primarily around the CAC annual reports, the CAC quarterly meetings, and filling vacancies on the CACs. The MT developed a series of recommendations for the CACs on how to improve the quarterly town hall meetings, which it provided to the CACs following the joint meeting. The MT suggested that the CAC public meetings have at least these four components incorporated into the meetings.

1. Brief overview (MT suggests not more than 10–15 minutes) of the MT’s most recent report.
2. Community feedback on how/if they think LASD is complying with the SA.
3. Open forum for community to express issues, concerns, and appreciations of LASD as well as ask questions (this should be the largest portion of the meeting).
4. Community to hear from CACs, LASD, and sometimes the MT.

The above four components can be accomplished in a Days of Dialogue format; however, the MT does not suggest that every meeting be held in the Days of Dialogue format. The primary purpose of these quarterly meetings should be to hear from the community and provide information to the community.

The MT reviewed and made suggested edits to the CACs’ annual reports. The MT also sent both CACs a basic suggested outline for their annual reports.

*d. LASD-AV Deputy Community Engagement Plan*

On October 15, 2018, the MT and DOJ met with the LASD AV stations and Compliance Unit regarding compliance metrics of the Community Engagement section of the SA. The following are the highlights of the agreements made, which have since been documented by the Compliance Unit..

- Since the agreement by the Parties that LASD-AV deputies can engage in “self-initiated, positive community contacts” as a way of fulfilling some community event participation requirements, LASD began the process of implementing the new practice. LASD will document such activity through the use of the Department’s 755 Stat Code to track compliance. The stat code cannot be used to qualify for compliance with the SA if it is in relation to a Call for Service (e.g., responding to a 911 call). LASD’s Compliance Unit sent out a Watch Briefing via email to all personnel in Lancaster and Palmdale explaining the new practice and presented the information during roll call briefings at the beginning of each shift.
- LASD-AV deputies have begun logging 755 stat code for “self-initiated, positive community contacts.”
- In Lancaster, deputies are instructed to print out their 755 logs at the end of a shift when they have used it and place it in the community relations coordinator’s inbox. Palmdale has recently begun the same process with the sergeant liaison to the Compliance Unit.

- The 755 contacts are then recorded in the Community Engagement Tracker where each deputy's community engagement activity is compiled. The Community Engagement Tracker is a spreadsheet with each deputy listed along with how many 755s the deputy has logged and how many community events the deputy has attended. There is also a link to detailed information about each event.
- The LASD Compliance Unit will continue to send the MT the Community Engagement Tracker report on the 15th of each month covering activity for the previous month.
- The MT will verify that every deputy is attending the requisite number of meetings and those meetings are legitimate/qualifying community meetings.
- Additionally, the MT will observe deputies at community events to ensure they are "meaningfully engaged" in the meeting, per the requirement of the SA.
- The Compliance Unit completed and the Parties approved a Community Engagement Work Plan as mandated by the SA that, among other things, lays out the requirements and definitions related to community engagement compliance.

*e. Quarterly Roll Call Training and Train-the-Trainers*

The SA requires LASD conduct a series of shorter refresher community policing and problem-oriented policing methods and skills trainings, called "roll call" or in-service trainings. These will be taught using the same approach as the constitutional policing, bias-free policing, and housing roll call trainings described in previous sections. New training curricula were designed and approved for piloting, which occurred December 3–7, 2018. The new curricula were designed to provide training to sergeants and lieutenants who will train deputies on a series of subjects required by paragraph 89 of the SA, which states the following.

*LASD agrees to provide structured annual in-service training on community policing and problem-oriented policing methods and skills for all AV deputies, including station supervisors and unit commanders. This training shall include:*

- a. methods and strategies to improve public safety and crime prevention through community engagement;*
- b. scenario-based training that promotes the development of new partnerships between the police and community targeting problem solving and prevention;*

- c. leadership, ethics, and interpersonal skills;*
- d. community engagement techniques, including how to establish formal partnerships and actively engage community organizations, including youth, immigrant, and LGBT communities;*
- e. problem-oriented policing tactics;*
- f. conflict resolution and verbal de-escalation of conflict; and*
- g. cultural awareness and sensitivity training.*

Although the training and its delivery were high quality, the subject matter did not adequately address items c – f in paragraph 89. Additionally, many trainees acknowledged having no prior training or knowledge regarding some of the community policing and problem-solving models presented in the training. Therefore, it would be very difficult if not impossible for them to then train deputies also unfamiliar with the material in a 25-minute briefing session. Also, the lack of an articulated community policing plan on the part of the AV stations will make it difficult for the deputies to apply the course content in their field practice. The Parties are discussing how the training may be augmented in order to ensure the sergeant and lieutenant trainers and the deputies have a foundational understanding of the topics being taught. (See the Stops, Seizures, and Searches and Bias-Free Policing sections of this report for a full description of these issues.)

The MT and DOJ have significant concerns with LASD’s current plans in relation to adhering to the provisions of paragraph 89 of the SA. The Parties will continue to address these issues until an agreement is finalized.

*f. Community Survey, Focus Groups, Deputy Survey*

As mentioned in the previous six-month report, the first annual AV Community Survey was launched in February 2018 by an independent research team. The purpose of the survey is to assess community perceptions of the relationship between LASD and the AV community and to attempt to measure how, if at all, the SA reforms affect that relationship. The survey was made available for community members to complete both online and on paper. Several community-based organizations (CBOs) in the AV were engaged to help raise awareness of the survey and to distribute a link or hard copy. In addition to the general survey, an almost identical youth survey was administered at two AV high schools.

The research team also collected qualitative data through a series of focus groups. Focus groups were used to provide the opportunity for more in-depth conversations about the relationship between LASD and the AV community and to provide further context for the survey responses. Focus group participants were recruited from four different CBOs that were recommended by the Parties. The pool of CBOs from which the research team recruited participants included AV's National Association for the Advancement of Colored People (NAACP), LULAC, TCAL, and South Bay Center for Counseling (SBCC).

The data gathered through the surveys and focus groups have been analyzed, and the findings are being summarized in report format. Currently, the Parties have approved the Community Survey report, but the focus group report has not yet been approved. Once approved, the reports will be made public and will also be available online.

As mentioned in previous semi-annual reports, the data gathered through this initial annual survey will be used as a baseline and will be compared with future survey data to assess changes in the relationship between LASD and the community over time.

In the next reporting period, the Parties will discuss how the survey, and focus groups findings will be used to inform compliance with the SA and the next annual survey process.

The Parties have also begun work on a survey to assess the attitudes of LASD-AV personnel toward various SA-related topics, as required by paragraph 99. The Compliance Unit adapted a law enforcement survey of department attitudes from another jurisdiction that has been approved by the Parties. This survey will be distributed to station personnel in the next reporting period. The MT will lead data analysis and reporting on this survey in collaboration with the Parties.

## 2. Steps Toward Compliance

As reported here or in previous six-month reports, LASD is in compliance with several provisions of the SA.

1. LASD sought the assistance of community advocates and widely disseminated to the public, including on the website—in English and Spanish—an explanation of the SA requirements, thus addressing the provisions of paragraph 92.
2. LASD-AV consistently participates in local community meetings and has formally established and memorialized the CACs in policy (paragraph 94).

3. LASD has formally established CACs at both stations. LASD remains in compliance with the requirement to provide the CACs with reasonable administrative support, including meeting space, and needs to continue to respond to CAC requests for additional operational consultation and assistance. In addition, LASD has facilitated the MT providing advice and technical assistance to the CACs (paragraph 96).
4. LASD takes steps to ensure that the CACs will not have access to any non-public information regarding an individual deputy or allegation of misconduct or disciplinary action. LASD is currently in compliance with this provision (paragraph 97).
5. Develop a plan for all LASD sworn personnel to actively and regularly attend community meetings and events based on the results of the annual community satisfaction surveys and feedback from the civilian panel; take into account the need to enhance relationships with particular groups within the community including, but not limited to, youth and communities of color (paragraph 88).

The following areas of the SA are either not in compliance or are in partial compliance.

1. Work with the community to develop diversion programs (paragraph 87). Progress has been made on this provision. It appears that the County's new diversion program, which is being developed by the LA County Office of Diversion and Reentry (ODR), will bring LASD into compliance. ODR has agreed to roll out the county's diversion programs in the AV first. The MT believes that when it receives written confirmation from ODR that diversion will be implemented in the AV, LASD will be in compliance with this provision of the SA.
2. Provide structured annual in-service training on community policing and problem-oriented policing methods and skills for all AV deputies, including station supervisors and unit commanders (paragraph 89). The challenges with compliance with paragraph 89 are discussed in detail in the Quarterly Roll Call Training and Train-the-Trainers subsection above and in the Stops, Seizures, and Searches and Bias-Free Policing sections earlier in this report.
3. LASD's monthly Crime Management Forum meetings and semi-annual Risk Management Forum meetings must include discussion and analysis of *trends* in misconduct complaints and community priorities to identify areas of concern and to better develop interventions to address them (paragraph 90). These meetings are occurring regularly; but trends in misconduct complaints are not being regularly discussed, and community priorities have not been addressed in these meetings.

### 3. Next Steps

Although the MT is already determining compliance on certain provisions of the SA based on the agreement on compliance metrics for those provisions, the Parties to the SA have yet to finalize agreement on compliance metrics on the entire Community Engagement section. The Parties hope to finalize the compliance metrics during the next reporting period.

The MT intends to conduct regular monitoring of the Community Engagement section of the SA through:

- Monthly reviews of LASD community engagement activity reports and all Community Engagement–related reports;
- Regular communication with AV community members and CAC members;
- Observation of trainings required by the SA;
- Hosting and observation of community meetings;
- Attending Crime Management Forum and Risk Management Forum meetings; and
- Regular site visits to the AV, to include informal and formal interviews and meetings and ride-alongs.

In the next reporting period, LASD will publish and distribute publicly the results of the community satisfaction survey and focus groups. The Parties will then begin discussions on how the information gathered in the surveys will be used to inform Department practice. The survey of deputies assigned to the AV stations will also be a focus of work in the upcoming reporting period.

### **E. Use of Force**

The introduction to the Use of Force section of the SA states:

*LASD agrees to revise its force policies and practices to reflect its commitment to upholding the rights secured or protected by the Constitution of the United States, protecting human life and the dignity of every individual, and maintaining public safety. LASD agrees to ensure that its accountability measures are implemented appropriately so that Antelope Valley deputies use force only when objectively reasonable, and in a manner that avoids unnecessary injury to deputies and civilians; and to use force as a last resort and de-escalate the use of force at the earliest possible moment. Deputies and staff shall endeavor to use only that level of force necessary for the situation. To achieve these outcomes, LASD will implement the requirements below (pp. 24–29).*

Those requirements include but are not limited to:

- Continue to prohibit the use of force above compliant handcuffing to overcome passive resistance (except where physical removal is permitted as necessary and objectively reasonable) and of the use of retaliatory force (paragraphs 102 and 105);
- The use of advisements, warnings, and verbal persuasion when possible before resorting to force and to de-escalate force immediately as resistance decreases (paragraph 103);
- An assessment of threats prior to using force (whenever possible) and not using force against individuals who are under control (paragraph 104);
- Prohibition of using force to prevent someone from lawfully taking photographs or video recordings (paragraph 106);
- Continue to prohibit hard strikes to the head with an impact weapon unless deadly force is justified (paragraph 107);
- Continue to report all uses of force including any injuries or complaint of injuries and any medical treatment provided (paragraphs 108 and 109);
- Continue to notify a supervisor immediately following a use of force or upon receipt of an allegation of unreasonable or unreported force (paragraph 110);
- Thorough investigations of uses of force, forwarded through the chain of command, reviewed for completeness, and adjudicated with the preponderance of evidence standard (paragraphs 111–113);
- Continue to require that the Executive Force Review Committee (EFRC) review use-of-force incidents requiring the response of Internal Affairs Bureau (paragraph 114);
- Holding employees accountable for the use of force that may violate law or the Department's prohibited force policy and forward those cases to Internal Affairs Bureau for investigation or review (paragraph 115);
- Holding supervisors accountable for not adequately investigating or responding to force that is unreasonable or otherwise contrary to LASD policy (paragraph 116);



- Holding AV unit commanders accountable for identifying and reporting force trends and for taking preventive steps to curb problematic trends (paragraph 117); and
- Holding AV unit commanders accountable to review and track *training and tactical review* findings to ensure that informal feedback does not replace formal discipline (paragraph 118).

## 1. Activities This Period

During this reporting period, the MT completed a comprehensive audit of the Department's use-of-force investigation processes—how it investigates, reviews, and adjudicates the use of force and related community member complaints in the AV (paragraphs 148–151 and 153). Specifically, the MT conducted a detailed analysis of each investigation of use of force by deputies in the AV chain of command that was completed during the first quarter (January – March) of 2017 to assess:

- Deputies' use of force for consistency with Department policy and SA mandates;
- Deputies' de-escalation of force whenever possible;
- Deputies' required notification to supervision immediately following the use of force;
- Deputies' completion of thorough and accurate use-of-force reports;
- Supervisory use of force investigations for timelines, completeness, investigative independence, and recordation in the Department's Performance Recording and Monitoring System (PRMS; formerly the Personnel Performance Index [PPI]);
- Use-of-force investigations for allegations of misconduct by deputies and the completeness of the Department's investigation and adjudication of such allegations;
- Internal Affairs Bureau investigations and the EFRC review of all Category 3 uses of force;<sup>5</sup>

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<sup>5</sup>Category 3 uses of force include but are not limited to lethal uses of force, hospitalization of the suspect, skeletal fractures, canine bites, and any force that results in the response of the Internal Affairs Bureau (IAB) as defined in the LASD Manual of Policy and Procedures (MPP) 3-10/130.00.

- Cases in which a manager—watch commander, unit captain, and/or division commander or chief—directed that employees receive particular training to determine if the directed training had been provided; and
- If the Department complied with Government Code section 12525.2, which requires all California law enforcement agencies to collect certain UOF incident data and provide them to the California Department of Justice.

Preliminary findings of the UOF audit have been mostly positive and have been discussed with the Parties, but the audit is not finalized. As reported in the last semi-annual report, the Parties have been discussing whether UOF investigations involving embedded LASD unit personnel (that is, those who may work in the AV but who do not report directly to the AV commanders) should be included in the MT's UOF audit. The Department believes those uses of force to be outside of the scope of the SA; they have offered to make those investigations available to MT auditors for a separate review but not for publication and not for the purposes of assessing SA compliance. DOJ and MT believe the unit of analysis in the audit should be all uses of force that occur in the AV, which would include UOFs involving deputies from the embedded units like the gang and narcotics units. When the Parties and MT resolve this issue, the MT will finalize its UOF audit and the associated report.

## 2. Steps Toward Compliance

The MT audit will be used to inform the final compliance metrics that will be used for future evaluations of the Department's quantitative and qualitative measurements of SA compliance related to the use and investigation of force.

## 3. Next Steps

With resolution of the audit population issue and completion of the MT audit, the MT will formally submit its full report to the Department and discuss the audit evidence that supports its findings and recommendations. The MT will assist the Department in developing a plan to correct any deficiencies identified and to finalize the major revision to UOF policy that LASD has begun. Other parts of the plan may include revisions to training, investigative protocols, and accountability systems. Subsequent audits conducted by monitors will evaluate the Department's implementation of any new policies and remediations.

## **F. Personnel Complaint Review**

The introduction to the SA's Personnel Complaint Review section states:

*County will ensure that all allegations of personnel misconduct are received and are fully and fairly investigated, and that all personnel who commit misconduct are held accountable pursuant to a disciplinary system that is fair and consistent. To achieve these outcomes, LASD and the County agree to implement the requirements below. (p. 29)*

Specifically, the SA requires that:

- LASD continue to make personnel complaint forms and information readily available to the public (paragraph 124);
- LASD continue to accept all personnel complaints, including anonymous and third-party complaints (paragraph 125); and
- Personnel found to have committed misconduct be held accountable (Personnel Complaint Review section, p. 29).

The SA also requires that the Department revise its policies to ensure that:

- All complaints are classified accurately, and each allegation receives the appropriate level of review (paragraph 127);
- Personnel complaints are not misclassified as service complaints (paragraph 128);
- Each allegation of misconduct is identified and investigated fully and fairly (paragraph 130); and
- It is clear which complaints may require discipline or should be handled as an administrative investigation rather than as a service complaint (paragraphs 129–130).

The SA identifies minimum investigative standards (paragraphs 131–137) and training that must be provided to supervisors (paragraphs 138–139). It also requires that the Department perform an annual audit of community complaints (paragraph 140).

## 1. Activities This Period

During this reporting period, the MT worked with the Department to implement corrective action for the deficiencies identified in the MT's audit of public complaints published during the previous six-month reporting period.<sup>6</sup> This work, described in more detail below, included the development of new policies (including new Unit Orders and revisions to some existing policies and procedures) and consultation on the complaint process, management oversight, LASD AAB audits related to the SA, and allegations of misconduct that arose during the MT's use-of-force audit.

## 2. Steps Toward Compliance

The MT's audit of public complaints disclosed that the Department generally conducted adequate complaint investigations but fell short of SA standards in several areas and therefore was not in compliance with SA paragraphs 124–139. The specific deficiencies were:

1. Personnel complaint forms and information were unavailable at some required locations, and some Department personnel did not respond appropriately to citizens wanting to make a personnel complaint (SA paragraphs 124, 125, and 126);
2. Some investigations did not contain sufficient information to support reliable and complete findings (SA paragraphs 131, 135, 136, and 137);
3. Some allegations within a complaint were not identified as such and others were not adjudicated based upon a preponderance of evidence (SA paragraphs 130, 131, 139); and
4. Department managers failed to recognize and address some risk-management issues that arose during the investigations (paragraph 61).

To address these deficiencies, each AV command issued a Unit Order during this reporting period that established procedures and expectations to correct these deficiencies. These orders were reviewed and approved by the MT and DOJ. The MT suggested that training be provided to watch commanders and certain supervisors as a way to supplement and reinforce the directives, but the Department feels sufficient discussion has already occurred during each command's review of the MT's audit and during discussions at several supervisors' meetings. The MT expects to conduct a follow-up audit of complaints investigated and adjudicated after the Unit Orders were issued to determine if AV public complaints are being handled in accordance with SA requirements.<sup>7</sup>

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<sup>6</sup>The audit was released on January 12, 2018, and it is available in the Documents and Reports section of the AV Monitors' website, <http://antelopevalleysettlementmonitoring.info/>.

<sup>7</sup>The Lancaster Unit Order was issued on July 10, 2018, and the Palmdale Unit Order was issued on June 21, 2018.

In addition to the deficiencies identified in the audit that are within the direct purview of North Patrol Division, the Compliance Unit is also working with the appropriate Department commands responsible for addressing audit findings regarding:

- Complaint data being entered into PRMS in a timely manner (paragraph 142); and
- Non-compliant audits being conducted by the Department's AAB to assess compliance with the SA provisions for the intake, investigation, and adjudication of public complaints made in the AV (paragraph 140).

Based upon the audit's findings and recommendations, the Department is in the process of significantly revising its policies and manuals to correct the issues that were identified and to ensure they are complete, clear, and consistent. The Service Complaint Review Handbook is in the process of being reviewed for revisions. Meanwhile, the MPP section on public complaints is being revised to reflect the necessary changes. The MT has reviewed several drafts of the extensive changes to the MPP chapter and provided the Department with feedback on those drafts. The MT recently received the newest version and is in the process of reviewing it for consistency with the SA.

It is important to note that revisions to the SCR Handbook and MPP affect the entire Department, not just the AV stations. Therefore, the changes require additional research and attention to ensure they will be effective and undertaken appropriately throughout the Department. While a Unit Order can be issued relatively quickly, a Department-wide directive takes much more time.

The Department continues to struggle with the requirement that it conduct regular compliance audits of the SA provisions. The AAB has yet to conduct an audit designed to assess SA compliance; some audits have referenced the SA, but none have used the methodology or provided the information necessary to thoroughly assess SA compliance. This has been a problem since the inception of the SA and one that the MT, Compliance Unit, and North Patrol Headquarters have so far been unsuccessful in trying to resolve. The MT is informed that the Compliance Unit and AAB have recently had several additional discussions in that regard and that the Compliance Unit is optimistic AAB can and will begin producing those required audits. The MT looks forward to progress in that area.

Finally, the MT's Complaint Audit found that allegations of misconduct made during a use-of-force investigation were not being identified as such and, therefore, were not retrievable through the SCR or PRMS systems. Rather than hand-search every UOF investigation conducted during the complaint audit period, it was decided to review the cases identified for the UOF audit to determine how many contained a misconduct allegation and the degree to which those allegations were identified, investigated, and adjudicated based on a preponderance of evidence. Findings of the UOF audit, including allegations of misconduct that arose during those investigations, will be published in the next reporting period.

### 3. Next Steps

During the next reporting period, the MT will work with the Department to finalize the SCR Handbook and MPP chapter on personnel complaints. The MT will also review the *Administrative Investigations Handbook* to identify and suggest corrections for any portion that is inconsistent with the other documents.

This MT will also work to finalize the monitoring work plans for the complaint sections of the SA, particularly with respect to quantitative and qualitative measurements of compliance. The audit helped the MT identify those SA provisions that are critical and which will require a very high degree of compliance (e.g., investigations must always be sufficiently thorough to allow for reliable and complete findings [paragraph 131]) and those that may not require such a high degree of compliance (e.g., a reasonable percentage of minor data entry errors can be made as long as there is a system for checking and correcting errors and holding personnel responsible).

Finally, the MT will begin the process of conducting a follow-up audit to assess the Department's compliance with the SA's complaint requirements. That will include an assessment of the Unit Orders' effectiveness in correcting the deficiencies identified in the MT audit and consideration of any additional training of deputies, supervisors, or managers that may be required under paragraphs 138–139.

### **G. Accountability**

As indicated in the previous semi-annual report, the intent of the Accountability section and related provisions in the SA is to ensure that appropriate oversight is provided by management and supervisory staff through the ongoing observation and evaluation of both individual behaviors and the collective performance of employees.<sup>8</sup> Effective accountability requires management's capacity and willingness to scrutinize, identify, and remedy individual and systemic deficiencies. Consideration of every stage of personnel performance must be built into the fabric of operations at every level of the organization, and reliable and current information must be available to managerial leadership.

The MT's role is to verify that these accountability operations are effectively conducted according to LASD policy and as required by the SA. For this Accountability section, monitoring activities primarily focus on paragraphs 141–145 and their requirements concerning data collection and evaluating personnel performance via the PRMS and the Performance Mentoring Program (PMP).

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<sup>8</sup>Management staff includes the captains, operations lieutenants, and watch commanders at each AV station and the North Patrol Division chief and commander. The sergeants are supervisors rather than managers, but they support management in review functions and in ensuring effective oversight is provided in the field.

Accountability systems—including electronic data systems and file storage, and the policies and procedures governing their use—provide permanent mechanisms for management to routinely review and evaluate operations and performance in real time, assess risk exposures, and ensure and verify that standards are being appropriately met. In this regard, paragraphs 141 and 142 require LASD to make several PRMS modifications; in particular, to give it the capacity to compare deputies and units and to be able to access and report additional data relevant to determining compliance with the SA.

As reported in the last semi-annual report, the PRMS is not capable of functioning as the sole repository of information and data needed for management to provide effective oversight of all the operational elements required by the SA. The SA provides that alternatives to a single data system may be used if together they meet the various requirements of the SA. LASD has several management processes and standalone information systems, some of which were developed as a response to the SA and others that predated the SA. Since cataloging those processes and systems and ascertaining how each one is used, the MT has worked with the Compliance Unit and AV stations to document how they are or can be integrated into a documented, reliable, and effective central accountability process.

#### 1. Accountability Provisions in other SA sections

Management accountability requirements of the SA are far broader than just those identified in the Accountability section. In fact, they permeate every aspect of the SA. Each provision of the SA has several steps required to reach full compliance, one of which is that the Department adapts its accountability systems so that the implementation and impact of these changes are tracked, assessed, and corrected as necessary. This includes stations and deputies being held accountable for properly incorporating the change into their practices. It also includes supervisors and managers being held accountable for tracking deputy performance and establishing whether the change is having its intended effect. The MT will assess the accountability practices required for each section of the SA via the reviews and audits specific to those sections. This Accountability section will focus on the data systems, PMP, and overarching accountability processes specifically addressed in paragraphs 141–145.

#### 2. Activities in this Reporting Period

MT activity during this reporting period included primarily written and phone communications and onsite meetings with the Compliance Unit, focused on the Department's need to develop an overarching plan to provide a framework not only for management accountability functions but also to establish clear guidelines for documenting accountability practices.

In response to SA requirements for the need for a formalized plan or approach to integrate and consider information from the various information systems, the Compliance Unit has developed a proposed quarterly report process. This process is designed to provide LASD AV management the opportunity to evaluate reported information and data necessary to compare deputies and units, determine whether performance objectives and standards are being met, and identify potential trends in the operations. On November 8, 2018, the MT and DOJ met with the Compliance Unit to discuss managerial oversight of and responsibilities for implementing and tracking accountability processes and to review the draft quarterly report.

The MT believes this quarterly report approach, in which information from the various information and data collection systems is compiled and presented to management, is a reasonable approach to meeting the requirement in the SA for the development of a plan to periodically review how the AV stations analyze information and respond to concerns unique to their stations. The draft report represents thoughtful and diligent work toward meeting the SA accountability requirements. The Parties agree that further development of the quarterly report and the processes surrounding it will be necessary before implementation and long-term use. This is discussed below in Steps Toward Compliance.

### 3. Steps Toward Compliance

While the MT views the quarterly report concept as an appropriate approach to facilitate management oversight and accountability, it will be necessary to formalize the protocols used in this process to provide standardization and consistency. As a follow-up to the November MT and Parties meeting, the Compliance Unit has agreed to develop written protocols, formalizing the quarterly report process. The document containing these protocols will include a management directive outlining the information to be collected/reported quarterly by the AV stations and a user guide establishing guidelines for how the information and data will be considered by managers reviewing the information.

The Parties also agreed to include information in the quarterly report that can be used to verify that the SA requirements regarding the PMP are being followed and met. This will enable management to determine if AV personnel are provided mentoring in the PMP within 30 days after the need for mentoring is identified, that appropriate procedures are in place for supervising deputies in the program, and there is appropriate coordination between the Department-wide PMP and the North Patrol Division PMP.



The station command staff, including the Unit Commanders, will be responsible for reviewing quarterly reports and assessing the information presented to evaluate unit and individual deputy/supervisor performance, make comparisons, and identify potential trends. The MT intends to work closely with the Compliance Unit early in the next reporting period as they finalize the quarterly report content and format and develop the directives, protocols, and user guides necessary to complete the development of the quarterly report process.

The Parties have met to discuss compliance measures/metrics for establishing agreed-upon thresholds in determining compliance once the quarterly report process is completed and implemented. It is particularly difficult to establish percentages for compliance in the area of management accountability. Determining compliance in this arena will depend heavily on an outcome-based qualitative assessment rather than, for example, a quantitative assessment of how often managers review information in their efforts to provide management accountability. Compliance will need to be determined by examining both quantitative measures of the processes and reviews required by the quarterly report and how those reviews and processes affect performance and positive outcomes. Compliance measures/metrics will be established for SA accountability requirements once development of the quarterly report process is completed.

#### 4. Next Steps

To summarize, the MT has established that the Department has several accountability practices and various databases in place that use information and data from the PRMS and several other sources. Early in the next reporting period, the MT will work with the Compliance Unit as they develop and implement the necessary user guides, protocols, and directives for the proposed quarterly report process. Once these are completed and implemented, the MT will begin a formal review of the sufficiency and effectiveness of the quarterly report process in meeting the requirements for accountability as required in paragraphs 141–145. This review will be designed to assess not only the availability of data and textual information but also how the information is accessed, evaluated, acted upon, and documented by managers and how the quarterly report fits into other aspects of LASD's accountability system. It is expected that the compliance metrics to be used by the MT in these formal reviews will be developed and agreed upon during the next reporting period.

### **III. CONCLUSION**

The Monitors have found the Department is continuing to display steady progress in their efforts to carry out the objectives of the SA. Various policies have been revised or are being updated and disseminated, related training in those policies and other SA requirements is being carried out in a timely manner, community outreach and engagement efforts are increasing, and the Department is drawing upon and engaging both internal and external resources (such as the Compliance Unit, the AAB, academic institutions, and external consultants) to assist the AV stations in meeting their responsibilities and commitments and in achieving the goals established by the SA. The MT looks forward to working with newly elected Sheriff Villanueva and are confident that the Sheriff's stated priorities of community-based policing and leadership accountability will underscore the significant efforts of the Compliance Unit and AV stations.

As described throughout this report, there are also some important key issues and tasks that require (and that are currently receiving) increased attention in order to maintain the building momentum. Various examples were discussed in the preceding sections, but the MT wants to stress the importance of dealing with certain particular issues that the MT believes must be resolved in the near future so as to not impede or delay progress. Those topics or issues that the Parties need to focus on in the coming reporting period include (1) reaching agreement on the scope of populations to be audited when examining use-of-force incidents, (2) turning more attention to the community engagement efforts and focusing on the importance of developing and refining the understanding of community policing so that the public becomes more directly involved as a co-producer of public safety, and (3) finalizing agreement on the various performance metrics that have to be established to assess the Department's compliance with and the outcomes achieved per the SA. The Parties and the MT intend to focus increased attention on these matters in the coming weeks.

## **Appendix A: The Monitoring Team**

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

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

## **Appendix B: Antelope Valley Monitoring Website**

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

The website's URL is [antelopevalleysettlementmonitoring.info](http://antelopevalleysettlementmonitoring.info)

## **Appendix C: How the Parties and Monitoring Team Work**

To complete the work of the SA, the Parties (US DOJ, LASD, and the County of Los Angeles) and the MT are in daily communication through a variety of means. In each six-month period, the Parties and MT hold multiple meetings at LASD headquarters; at the offices of the Compliance Unit; at other administrative offices; at the Palmdale and Lancaster stations; and at various community centers, schools, and places of worship in the AV. The MT periodically meets in person with the captains of both AV stations and their staff and participates in multiple onsite meetings with LASD's Compliance Unit, usually regarding specific issues such as policy or protocol review or data system discussion. The MT also holds meetings with particular units or leadership from other operations that are critical to this reform work, such as the AAB or the commander in charge of training. The MT typically observes the semi-annual LASD risk management meeting and the Crime Management Forum. Although some of these meetings and events are general in scope and pertain to several sections of the SA, most are related to specific sections or provisions of the SA. The Parties and MT also participate in several small- and larger-group community meetings in Palmdale and Lancaster—often with the CACs—where various topics are discussed, such as the MT semi-annual reports, LASD and CAC community engagement reports, community perceptions about LASD and its approach to policing, and other topics.

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

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

## **Appendix D: Monitors' Note on the Settlement Agreement, Constitutional Policing, and Organizational Change**

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

Critical to successfully implementing and sustaining the SA reforms is a commitment to constitutional policing principles. LASD's ability to meet these responsibilities is dependent on clear policies and effective training. Only when prepared with sufficient training and clarity about the purpose of the SA can deputies clearly understand what the Department expects from them in their community interactions. Only then can deputies honor Constitutional standards of policing. Department capacity is also affected by the need to have sufficient accountability systems in place to monitor and evaluate employee performance and management oversight practices.