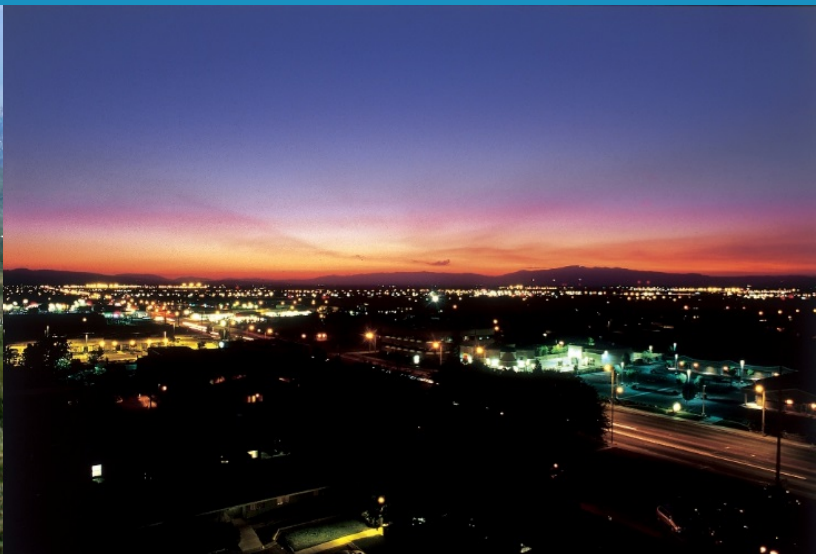


Antelope Valley Monitoring Team Ninth Semi-Annual Report



December 2019

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I. INTRODUCTION

This is the ninth semi-annual report issued by the Monitoring Team (MT). It covers the monitoring activities that took 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 or the Department) in meeting the requirements of their Settlement Agreement (SA)¹ with the US Department of Justice (DOJ) for the Antelope Valley (AV). This report focuses primarily on work undertaken between July and December 2019.

Key accomplishments of this reporting period included the MT and Parties working together to plan and conduct the second AV-wide Community Survey, further efforts to ensure AV deputies participate in regular and meaningful engagement activities with AV community members, and finalizing and implementing new station- and division-level Accountability processes. The MT conducted another use-of-force audit—one of the most serious, Category 3 use of force—and began work on a second audit of the Department's investigations of public complaints. The MT continued to regularly interact with the AV Community Advisory Committees (CACs), receiving feedback and providing technical assistance. The MT also continued to track deputy attendance at LASD trainings and deputy receipt of SA-required policies. The MT provided the Department with results of the LASD-AV deputy survey conducted in the last reporting period and with the initial findings from its review of Department Stops data entry procedures and Stops data. The Parties also instigated comprehensive data analysis to be conducted by an independent researcher for the purpose of identifying and responding to any disparities in Stops and related outcomes. This report covers progress in these areas along with discussions of how this work fits into the broader context of achieving the SA's objectives.

During this reporting period, the MT and Parties finalized compliance metrics associated with another four sections of the SA. Some of these metrics are straightforward and are assessed by, for instance, tallying the number of deputies who received a training or checking to be sure complaint forms are available at various public locations. Others are more complex, requiring not only quantitative assessment but qualitative judgments about the nature, quality, and consistency of broad-based outcomes such as equity in law enforcement activity or the institutionalization of new attitudes and practices. The Parties assess these metrics using information gleaned from multiple sources such as MT and LASD audits, data and document reviews, interviews, observations, and consultation with independent experts. This approach will need to facilitate patterns of practice that the SA anticipated would continue long past the termination of the SA while, in the meantime, not holding the Department to undue oversight and expense. While the Parties always try to minimize the burden of SA-required activities, the efforts on the part of all LASD personnel to meet and maintain SA compliance while continuing their regular daily work can be taxing and will require continued vigilance and encouragement from Department management and supervisors to succeed.

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

In addition to the onsite in July 2019, the Monitors and members of the MT and DOJ were in Los Angeles at LASD offices and at various locations in the AV for multiday onsite work in September 2019. Multiple other onsite meetings were held with smaller groups through the six-month reporting period. The MT acknowledges that these site visits and meetings require a significant effort on the part of the Compliance Unit and station personnel, the CACs and other community members, and LASD managers who participate. The MT appreciates the cooperation and hospitality they have experienced.

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 provide AV personnel with full-day trainings and roll call training modules for constitutional policing, bias-free policing, and Fair Housing Act (FHA) enforcement. LASD also continued work to improve deputy Stops data collection and started to implement new accountability processes. The Department participated in earnest in the administration of the deputy survey and the new community survey with expanded outreach. The Department and, in particular, the Compliance unit, also continued to work with the Parties and MT on developing in-service training for community engagement and community policing. The Compliance Unit also facilitated an encouraging meeting between the Monitors and the LASD Audit and Accountability Bureau (AAB) regarding the Department's SA-related audits.

The Monitor acknowledges the hard work of many individuals in the AV stations in supporting the reforms required by the SA. We understand that the staff serving in the AV are under particular scrutiny and have an expanded workload compared to their peers in other stations. We appreciate their progress as a collective and hope that, with the reform efforts implemented, AV stations will set the bar for the rest of the Department as an example of best policing in Los Angeles.

Further, a significant workload falls on personnel outside of the AV, most specifically the Compliance Unit. The MT appreciates their attention to detail and dedication to this effort. The Office of County Counsel continued involvement has also proven to be essential for progress, particularly with all the staffing changes in the Department. The working relationship between the Department, DOJ team members, and the MT continues to be conducive to meeting the goals of the SA and making important improvements to law enforcement services in the AV. These reforms are critical to strengthening relationships between law enforcement and citizens in the AV.

This work will not be sustainable without the tireless advocacy and information sharing from the community. The MT values the ongoing work of the members of the Palmdale and Lancaster CACs and the time and effort they give to their responsibilities as an important link between the Department and the broader AV community. Further, the MT appreciates all AV community members who participate in meetings despite their sometime-inconvenient times and locations, the individuals who lend their voices to the community survey and recruit their neighbors to participate, and all those who continue the critical effort of holding the MT, DOJ, and LASD accountable for carrying out the mandates of the SA.

The Antelope Valley Settlement Agreement: Summary

The Antelope Valley Settlement Agreement (SA) was established between the US 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 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.

II. SETTLEMENT AGREEMENT COMPLIANCE

Much of the SA involves developing or revising policies, procedures, or training; 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 collaboratively among the Parties and the MT, with documentation of the change (new policy, revised training, etc.) eventually being formally submitted to the MT and DOJ for approval. 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 is at the stage that 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 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 importantly, 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 to establish 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 that the SA requires LASD to conduct must use appropriate methodologies; and, in turn, their findings must be used effectively to inform policies and practices.² 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 to be laid out in each SA section's compliance metrics.
- 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."

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

This report addresses SA provisions where the MT considers the Department to be in compliance or to have made substantial progress toward compliance. Also discussed are 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.

² 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."

III. 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 2019). The report discusses MT observations related to the goals, scope, and nature of the work; issues and obstacles that have arisen during the work; MT findings; and evaluative 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 still 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 those for the other sections of the SA, and the work done on this thus far is best understood within the context of those sections; therefore, these discussions are embedded as appropriate. Finally, some SA paragraphs are discussed in more than one section of this report because they address more than one area of AV policing. For example, paragraph 51 concerns constitutional Stops and Searches, Section 8 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 page 7).

The MT is encouraged that LASD-AV has indicated that it is adopting “the Community Oriented Policing Services (COPS) methodologies” and that it employs the “Scanning, Analysis, Response, Assessment (SARA) problem solving model.”³ Implementing these articulated community policing plans and strategies are paramount to implementing reforms required in the SA, especially the Stops, Bias-Free, Community Engagement, and Accountability sections. It is expected that these strategies and their methodologies will be reflected in areas such as training, supervision, Department and station management, CAC and community involvement, and the stations’ overall crime prevention strategies. Effective application of these strategies should be expected of all personnel via their performance evaluations. LASD has not yet integrated these strategies, but the MT will continue to support the Department in their efforts to embrace these approaches so that the effectiveness of its crime enforcement and prevention activities in the AV, including Stops, Searches, and Seizures as well as Bias-Free Policing and Community Engagement, can be better measured.

1. Activities in This Period

- a. *Constitutional Policing Training*

LASD continued to provide the Constitutional Policing training for LASD deputies assigned to the AV stations. This training is critical as it establishes a shared understanding of expectations and practice for all LASD-AV deputies as they provide law enforcement services to the AV community. This training was previously approved by the MT, DOJ, and LASD to meet SA training requirements for Stops, Seizures, and Searches.

Training compliance percentages are measured cumulatively. At the time of the last semi-annual report, LASD-AV had reached compliance in this area based on the tentatively agreed-upon standard that requires at least 95% of all currently assigned and available personnel be trained in constitutional policing practices. The bulk of AV deputies have already taken this full-day training; as of the last semi-annual report, 182 from Palmdale and 196 from Lancaster. The Department now provides the training to previously unavailable or newly assigned personnel on an ongoing basis. The training continues to be well attended and well received by deputies, and the deputy’s evaluation of the courses continue to be overwhelmingly positive. During this reporting period, one session of the Constitutional Policing Training was offered, on August 23, 2019, with 41 students in attendance.

³ See *LASD Antelope Valley Stations’ Crime Prevention & Community Engagement Strategies 2018 Report*, pages 13–14.

Based on the MT's verification of training rosters, Palmdale was found to be in compliance as of the third quarter with 97.9% of their available deputies trained; Lancaster was found to be in compliance with 98.0% of their available deputies trained.⁴ Per tentative compliance metrics agreed to by the Parties, LASD is required to offer the training twice per year. The next presentation of the course will take place in the first half of 2020.

b. Quarterly Roll Call Training for Constitutional Policing, Bias-Free Policing, and Housing

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." "Roll call" refers to the daily briefing deputies receive at the start of each of their shifts. As described in previous semi-annual reports, these roll call trainings are the primary way LASD reminds deputies of the key concepts and expectations covered in the full-day Constitution Policing and Bias-Free Policing Training sessions. These are important because knowledge of Bias-Free Policing practices, the FHA, and related SA requirements to prevent discriminatory policing are widely regarded as perishable skills that require constant reinforcement as well as updates regarding any changes in case law or policy.

Illustrating LASD's commitment to ensure adequate trainers are available for roll call training sessions, Train-the-Trainer courses took place November 7 and 8, 2019, with invited sergeants who would then teach the roll call sessions to the deputies. The train-the-trainer and deputy roll call training courses were approved previously by the Parties and MT.

During the roll call sessions, deputies are presented with a scenario followed by a series of written questions and discussion regarding the legality of taking action were those situations to arise in their work in the field. The sessions are facilitated by a trained sergeant or lieutenant, and the content for each roll call session was described in the Eighth Semi-Annual Report (June 2019). The roll call sessions are offered year-round with two scenarios having been presented in each of the first three quarters of the year, and one scenario in the fourth quarter.

⁴ Compliance percentages for full-day trainings are calculated by dividing the total number of currently assigned deputies who have been trained by the total number of deputies assigned to the AV and available at the time of the current training.

LASD offered the roll call training sessions on a quarterly basis beginning January 31, 2019, and the MT was able to observe several roll call trainings at each station. The training sessions were acceptable and delivered as agreed upon by the Parties. When smaller numbers of deputies were present, the MT observed, less interaction took place between the deputies and facilitator; some facilitators were more skilled at engaging deputies than others. Although not required for compliance, the MT recommends LASD set a goal of four deputies minimum at each roll call training to encourage better participation. The facilitators should ask open-ended questions and draw upon the experiences of the deputies to emphasize key concepts. Although not required, to avoid the roll call trainings becoming stale, MT encourages the Department to utilize fresh training vignettes to better engage the deputies on these topics. The MT also recommends that LASD consider creating additional questions for use in future sessions, especially questions that ground the training as much as possible in both the history of the SA and current issues and trends. The MT sent LASD a memo outlining these opportunities for improvement and discussed them with the Compliance Unit.

The MT observed one roll call training on Constitutional Policing at Lancaster Station on September 18, 2019, as the afternoon shift started. Only three deputies attended the training. This was understandable, given a large emergency call for service earlier in the day to which many deputies immediately reported instead of attending the briefing. Also, many of the station's deputies had already received the same training in previous roll calls. The training covered a scenario addressing "Preventing Discriminatory Policing" (Scenario F of the Constitutional Policing training). Even though the deputies were not particularly engaged, the Sergeant who conducted the training did well; his approach worked for the circumstances. The response from the deputies did not suggest they were familiar with the material being presented, an observation that emphasizes the need for conducting these refresher trainings. This is important as these sessions have the potential to serve as effective reminders of the more detailed trainings that have been provided and help to emphasize that just as the deputies are about to commence their tour of duty.

While each deputy attends the full-day trainings just once, the roll call trainings are provided on an ongoing basis.⁵ Table 1 shows that the MT’s attendance verification of the roll call training sessions to date showed LASD met the training requirements for the first quarter and third quarter of 2019, but failed to meet the required training percentages in the second quarter of 2019. The shortfalls in the second quarter were concentrated at one station, with 58.9% of Palmdale deputies attending the *Preventing Discriminatory Policing Exercise C* roll call training and 58.9% of Palmdale deputies attending the *Preventing Discriminatory Policing Exercise D* roll call training. In discussions with the Compliance Unit, the MT was informed that the lapse in compliance was the result of a transition of leadership at the Palmdale station that resulted in the vacancy of the operations lieutenant. The Monitors underscore that station staffing vacancies are a significant barrier to compliance. LASD has indicated they anticipate this problem will be corrected in subsequent quarters. The MT also noted several shortcomings in the Department’s documentation of these trainings, including: (1) the training rosters appeared to be completed by one person, lacking the signatures of each deputy, and (2) these were not provided to the MT in a timely manner. To maintain compliance, LASD must show they can adequately track training at the roll call sessions; particularly at the Palmdale Station.

| Table 1 | | | |
|---------------------------------------|------------------|------------------|------------------|
| Quarterly Roll Call Training Sessions | | | |
| AV STATION | 1st Quarter 2019 | 2nd Quarter 2019 | 3rd Quarter 2019 |
| Lancaster | A – 99.5% | C – 97.6% | E – 97.5% |
| | B – 99.5% | D – 96.1% | F – 95.5% |
| Palmdale | A – 97.1% | C – 58.9% | E – 98.3% |
| | B – 96.5% | D – 58.9% | F – 99.5% |

c. *MT Field Observations*

On August 14, 2019, the MT observed an orientation to the Bias-Free Training held at the City of Lancaster. The orientation was provided to the AV community by the Compliance Unit. It took place over the span of two hours and was attended by nine community members. Some community members received Spanish translation during the meeting. The Lancaster Station commander provided introductory comments, and a senior member of the Compliance Unit provided the bulk of the training content. A community leader from the Lancaster CAC spoke during the training and encouraged additional training for the community. Several participants described their previous interactions and observations of LASD-AV deputies. Some of those experiences cited were positive while others questioned the lawfulness of the deputy’s actions in the community. Not all explanations provided by LASD were accepted by the community members, but several of the community members expressed appreciation for the opportunity to engage in the conversation.

⁵ Compliance percentages for a given roll call training is calculated by dividing the total number of currently assigned deputies who receive the roll call training by the total number of deputies assigned to the AV and available at the time of the training.

The conversations appeared to be limited due to the small numbers in attendance. This is not to say there were not excellent questions and conversations; rather, a larger attendance may have provided opportunities for even more perspectives to be shared and proved beneficial for both the deputies as well as the members of the community. At the conclusion of the training, those present did express concerns about the low number of community members present. This is the second offering of this community training by LASD in the AV. Future offerings of the training should look for additional ways to advertise the training and attract larger representation of stakeholders within the community.

d. Compliance Unit Stops Data Training

Informed by their reviews and feedback from the prior AAB audits, the Compliance Unit continues to provide training at the AV stations to help LASD deputies understand the requirements to collect data for the SA. The Compliance Unit staff spend time in the AV stations to provide training to the supervisors and commanders. The training is critical for the AV stations due to the large turnover and number of transfers among personnel. Although the Compliance Unit provides an excellent service to the AV stations, the long-term sustainability of the SA depends on the AV stations beginning to develop this same level of expertise and training capability currently provided by the Compliance Unit.

e. LASD AAB Audit

In the last semi-annual report, the MT provided an overview of a meeting with the AAB to discuss the methodologies used for SA-required LASD audits. The LASD AAB has been providing audits at the request of the LASD Compliance Unit to review compliance with the SA. The audit reports provided to the MT in the past have not provided the level of detail necessary to determine compliance with the SA. The disconnect between the AAB audits and the SA was not reflective of a lack of cooperation between the AAB and MT; rather, it was reflective of the philosophy of the AAB that the unit requires independence from outside forces to maintain audit integrity and that it takes directions only from the Sheriff. The MT agrees that the AAB should prioritize this independence and integrity. However, the scope of their audit portfolio must include audits of the SA requirements for the Department to reach and maintain compliance. The transparency and rigor of the AAB is critical to the long-term sustainability of the reforms facilitated by the SA as the AAB should be a key provider of continued oversight and Accountability after the close of the agreement.

In early December 2019, the Monitors met again with the AAB unit. Under the leadership of a new captain, highly qualified personnel with significant auditing training and experience have been assigned to the SA and will be dedicated to conducting audits as prescribed by the SA. Collaboration with the AAB unit has significantly improved under the leadership of the new captain. Further, there is an understanding that auditors will meet with the MT in the planning stages of each audit to develop a shared understanding of the scope and level of detail required.

The MT looks forward to reviewing the soon-to-be-published AAB audit examining the required CAD stops information, which focuses on the key areas of backseat detentions, clearance codes, and supervisor reviews. Previous AAB audits and MT reviews found low levels of compliance in the required supervisor reviews of deputy CAD data entry. These findings again suggest the need for the Department to increase to adequate levels the number of sergeants and supervisors assigned to the AV and to prioritize SA mandates at the management level.

f. Stops Compliance Metrics

Significant progress was made toward finalizing compliance metrics for the SA provisions in this section. These metrics will be the standards—either numerical minimums or qualitative guidelines—for the MT to determine if the Department has reached compliance with each SA provision. The most recent drafts will be circulated with the Parties and finalized during the next reporting period. (See “A Note About Settlement Agreement Compliance” for more information about compliance metrics and the process for achieving SA compliance.)

In developing the compliance metrics for each of the SA sections, the MT and Parties work from an understanding that not every requirement of the SA can be assessed in a quantitative way. It is often difficult to determine an appropriate quantitative compliance count or percentage. For example, it is not appropriate to discuss how much discrimination is an appropriate compliance objective since it is never legitimate to engage in discrimination. Paragraph 50 states:

LASD-AV deputies shall not use race, color, ethnicity, national origin, religion, gender, gender identity, disability, sexual orientation, or gender identity in exercising discretion to conduct a search, except as part of an actual and credible description of a specific suspect or suspects in any criminal investigation.

For the qualitative assessments of this paragraph, it is critical for systems to be in place where supervisors and commanders can discover and address behaviors violating this provision. If this situation occurs, the MT will assess the specific activity of the deputies and the response from LASD station leadership to identify and address discriminatory or unconstitutional actions. The Parties identified areas that will be assessed in a qualitative way and inserted them into the Stops and Bias-Free compliance metrics in appropriate locations.

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 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 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 very important that accurate codes are used to identify each type.

g. MT Stops Data Review Report

During this reporting period, the MT's work related to Stops data shifted focus from evaluating data integrity to data analysis. Moving forward this analysis will occur in six-month intervals, with regular MT Stops Data Review reports providing a snapshot of short- and long-term trends of enforcement activity in the AV. Findings from the initial review report have been presented to the Parties and are currently being finalized based on their questions and feedback. Those findings are summarized below with the purpose of introducing the scope, complexity, and basic characteristics of the data.

The purpose of this information is two-fold: (1) to assess data entry compliance as required by the SA; and (2) to provide descriptive information and demographic comparisons of these Stops and resulting outcomes. This review is a key component for the MTs assessment of compliance for the Constitutional and Bias Free Policing sections of the SA. This information should also serve both the AV community and LASD. For LASD to shift from a response-driven culture to a culture that is driven by a community policing philosophy, Stops data should align with the stations' crime prevention strategies. Specifically, LASD needs the information to make decisions related to community safety and enforcement efforts and strategies, avoiding disparity while promoting fairness, equity of enforcement, and effectiveness. In the long term, LASD must be comfortable with the regular use of such data and information to better understand and gauge the positive and negative impacts of their efforts. It will be a crucial aid in the implementation and evaluation of the Department's implementation of COPS and SARA. CACs and the community can also use the information to better understand LASD-AV enforcement patterns and work with LASD to improve the effectiveness of their policing strategies and address any potentially unfair enforcement practices.

i. *Important Note on MT Stops Data Review Findings*

The MT Stops data review summary consists of only descriptive statistics—counts and percentages—and is meant to provide a basic understanding of the number and types of Stops occurring in the AV, who is being stopped, and what occurs during those Stops (e.g., Searches, Seizures, backseat detentions, citations, arrests). As described above, this descriptive data is necessary in assessing outcomes of enforcement efforts and in identifying areas that warrant further inspection by the Parties. Population demographics are provided to give a sense of how the proportions of Stops by race compare to the proportions of racial groups in the population.

It is very important to understand that these descriptive statistics as presented are not intended and, indeed, cannot be used in a simplistic manner to serve as proof of racial bias in the AV. Bias-free policing and, in particular, the analysis of Stops data for identifying any potential racial disparities is a critical aspect of the SA and will be addressed in a separate part of the monitoring work. Specifically, that analysis will be performed by a pair of independent researchers contracted by the Parties and MT to do the type of in-depth statistical analysis required to draw conclusions about disparities in the Stops data. That work has begun and is described in detail below (see “Independent Stops Analysis” in the Bias-Free Policing section). The current MT Stops data review discussed here does not include that level of statistical analysis and therefore should not be used for that purpose.

The MT recognizes crime can be concentrated in specific areas or neighborhoods, which could lead to a higher rate of people from one race category being stopped than others. Other important considerations besides racial proportions in the local population and crime rates include how often LASD is called on by the community to respond to crime in particular areas and any descriptions of the perpetrators provided to LASD by the community. The stop data analysis being undertaken by the independent researchers will include these types of factors. Also, it is critical to do this type of review with an understanding of the Department’s crime prevention strategy, which guides the deputies’ actions in the areas and neighborhoods and to which outcomes can be compared and assessed. The MT looks forward to continuing this conversation with LASD to inform the MT’s data review and the forthcoming analysis conducted by the independent expert.

ii. *MT Stops Data Review—Data Entry Compliance*

The MT reviewed six months of Stops data (vehicle, pedestrian, and bicycle Stops) from the second half of 2018 to assess the Department's compliance with SA-required changes to the data that deputies are required to record chronicling their patrol activity (see SA paragraph 44). This data is recorded in their Mobile Digital Computer (MDC) patrol logs. There are two basic types of data entry: 1) filling in fields (type of stop, reason for stop, subject demographics, time of any backseat detention, etc.) and 2) describing the stop and giving rationales for actions in short narratives. Compliance for the first type is primarily determined by the existence of data in each of the required data fields. The MT review of the data fields entry found that deputies documented the required information at least 98% of the time and with numerous categories at a level of 100%. The MT review of the second type of data entry, that is, the narratives, is not yet complete. This cannot be done in an automated fashion as the thousands of narratives are freeform and require careful interpretation and quality assessment. The assessment of these narratives will be reported in a future review by the MT.

iii. *MT Stops Data Review—Summary of Stops Characteristics*

A total of 16,554 discretionary Stops (vehicle, pedestrian, and bicycle) were conducted between July and December 2018; ranging between 2,455 to 3,191 Stops per month. The Stops involved 18,313 individuals.^{6,7}

The largest proportion of people stopped were Hispanic (43%), followed by black/African American (33%), white (23%), other (2%), and Asian (<1%). The corresponding racial and ethnic proportions in the AV population are Hispanic (47%), black/African American (15%), white (31%), and Asian (4%) (see Table 2). Approximately two thirds of all people stopped were male, and nearly half of those stopped were in the age range of 20–34 years. The following results focus on the three most prominent race groups of individuals stopped as recorded by deputies: Hispanic, black/African American, and white.

Table 2 summarizes the demographic characteristics of census tracts that predominantly overlap with LASD reporting districts in the Antelope Valley.⁸

⁶ This includes any associated patrol entry logs created to record additional information in the stop or detained individuals, as well as any assisting unit entries involved in the stop.

⁷ Some people were stopped multiple times and thus are represented multiple times in the count. If individuals who were stopped had the same name and different dates of birth, they were counted separately.

⁸ U.S. Census Bureau, 2013–2017 American Community Survey 5-Year Estimates; Dataset: "DP05 ACS DEMOGRAPHIC AND HOUSING ESTIMATES."

| Table 2 | | | | | | |
|--------------------------------------------------------------------|--------------------------|---------|-------------------------|---------|----------------------|--------------|
| Demographic Characteristics of Antelope Valley Reporting Districts | | | | | | |
| Demographic Group | Lancaster N = 188,599 | | Palmdale N = 202,701 | | Total N = 391,300 | |
| | n | Percent | n | Percent | n | Percent |
| Race/Ethnicity | | | | | | |
| Hispanic or Latino, any race | 73,122 | 38.8% | 110,971 | 54.7% | 184,093 | 47.0% |
| Not Hispanic or Latino, white alone | 65,721 | 34.8% | 56,835 | 28.0% | 122,556 | 31.3% |
| Not Hispanic or Latino, black/African American alone | 36,176 | 19.2% | 21,450 | 10.6% | 57,626 | 14.7% |
| Not Hispanic or Latino, Asian alone | 7,070 | 3.7% | 7,494 | 3.7% | 14,564 | 3.7% |
| Not Hispanic or Latino, other races* | 6,510 | 3.5% | 5,951 | 2.9% | 12,461 | 3.2% |
| Sex | | | | | | |
| Male | 93,900 | 49.8% | 101,076 | 49.9% | 194,976 | 49.8% |
| Female | 94,699 | 50.2% | 101,625 | 50.1% | 196,324 | 50.2% |
| Age | | | | | | |
| 0–19 | 58,649 | 31.1% | 65,624 | 32.4% | 124,273 | 31.8% |
| 20–24 | 12,553 | 6.7% | 14,426 | 7.1% | 26,979 | 6.9% |
| 25–34 | 27,108 | 14.4% | 26,191 | 12.9% | 53,299 | 13.6% |
| 35–54 | 48,160 | 25.5% | 52,891 | 26.1% | 101,051 | 25.8% |
| 55+ | 42,129 | 22.3% | 43,569 | 21.5% | 85,698 | 21.9% |

* "Not Hispanic or Latino, other races" is a sum of: American Indian and Alaska Native alone," "Native Hawaiian and Other Pacific Islander alone," "Some other race alone," and "Two or more races."

iv. Percentages by Category

Most Stops were vehicle Stops (87%), followed by pedestrian (10%) and bicycle (3%). At the Lancaster Station, there is higher representation of black/African American individuals in all Stops (40%) compared to the Palmdale station (25%). Palmdale has a higher percentage of Stops of Hispanic individuals (51%) compared to Lancaster (35%). According to data derived from US Census estimates and presented in Table 2, Lancaster reporting districts have populations that are approximately 39% Hispanic, 19% black/African American, and 35% white, while Palmdale’s districts are approximately 55% Hispanic, 11% black/African American, and 28% white.

The number of deputies involved in each Stop ranged from one (11,485; 69%) to nine (one stop). The dataset comprised 369 unique deputy names, with certain deputies accounting for more Stops than others. In addition to considering the data disaggregated by various groupings (demographics, geographic area, station, shift, etc.) it is important for LASD command staff as well as the MT to look at the work of individual deputies from several perspectives (such as those with the majority of Stops, those with repeated Stops of the same nature, and those focused on a certain area) to ensure their activities are consistent with LASD policy and enforcement efforts or direction of the station commander. For instance, only four deputies (mainly assigned to traffic enforcement) participated in 25% of the Stops (three from Lancaster and one from Palmdale). There are usually valid reasons for certain deputies to have significantly higher percentages of Stops as compared to others. For example, a deputy assigned specifically to address traffic concerns will likely have more Stops than a deputy assigned to answer calls for service or another type of patrol. Alternatively, it would be reasonable to question why deputies assigned to answer calls for service have a significantly higher percentage of Stops as compared to others.

- *Reason for Stop*—When entering CAD data, deputies may select from 12 different reasons for the stop. The vast majority of Stops had Vehicle Code (85.6%) listed as the reason, and the second most common reason was Penal Code (3.5%). Reasonable Suspicion Stops represented 1.8% of the Stops.
- *Search of Person*—Approximately 22% of people stopped were searched, with the most common reason being Incident to Arrest (31% of people searched) followed by Condition of Probation or Parole (22%), Consent Search (18%), and Weapons Patdown (17%). Among people stopped, black/African Americans had the highest rate of being searched (26%), followed by Hispanics (22%), and whites (20%).
- *Vehicle Search*—Approximately 15% of people stopped had a vehicle searched. Black/African Americans were most likely to have a vehicle search (17%), followed by Hispanics (15%), and whites (12%). The most common reason for conducting a vehicle search was Condition of Parole/Probation (26% of people stopped and vehicle was searched) followed by Inventory (18%),⁹ Consent Search (15%), and Odor of Contraband (10%).

⁹ Inventory searches are usually pursuant to a vehicle seizure.

- *Contraband Seized*¹⁰—Among people who were searched (Person Search) and/or involved in a stop with a vehicle search (Vehicle Search), black/African Americans were least likely to have contraband seized (16%), followed by whites (21%), and Hispanics (23%). Conversely, black/African Americans are most likely to have any kind of search (30%) compared to Hispanics (25%) and whites (23%).
- *Backseat Detention*¹¹—One out of every 11 people stopped had a backseat detention. Among each race group, black/African Americans and Hispanics had higher percentages of backseat detentions than whites (10% for black/African Americans and Hispanics and 7% for whites).
- *Probation and Parole Status*—Black/African Americans were most likely to be asked about their probation or parole status (46%) compared to 37% of Hispanics and 34% of whites. However, whites were slightly more likely to respond “yes” (that they are on probation or parole; 20%) compared to black/African Americans (19%) and Hispanics (17%). Among people who indicated that they were on probation or parole, black/African Americans and Hispanics were more likely to have their person and/or vehicle searched as a condition of probation or parole status compared to whites (66% of Hispanics, 61% of black/African Americans, and 55% of whites).¹²
- *Vehicle Impoundment*¹³—For this category, the MT reports vehicle impoundment only for single-person Stops because it is the only way to accurately assign vehicle impoundment to the person’s race. Among single-person vehicle Stops, approximately 4% of people were involved in a vehicle stop that resulted in a vehicle being towed. Black/African Americans and Hispanics were more likely than whites to have a vehicle towed (4% of black/African Americans, 3% of Hispanics, and 2% of whites).

¹⁰ Both a person and vehicle search can result in the seizure of contraband. Contraband seized is a field that is populated by the stop, not specific to the person stopped. For example, if two people are stopped and only one person has contraband seized, the field would be populated for both people involved. In incidents where both a person and a vehicle search is conducted, it is not clear which type of search resulted in seizure of contraband. Additionally, where more than one person is stopped, it is not clear who was in possession of the contraband.

¹¹ Backseat detentions were quantified as any time a person had a backseat detention length of time greater than 0.

¹² Racial differences in Searches conducted due to probation or parole status are more pronounced among vehicle Searches. Because the reason for conducting vehicle Searches is the same across all people stopped, looking at single-person Stops helps provide a more direct comparison of vehicle search rates by race. Among individuals who indicated that they were on probation or parole (when asked), black/African Americans and Hispanics are more likely to have a vehicle searched (35% and 31%, respectively) as a condition of probation or parole compared to whites (17%).

¹³ Vehicle Impoundment is a stop-based measure rather than specific to the person stopped. In the event of multiple people being stopped, the impoundment code is the same for everyone stopped. The following results are from vehicle Stops only (excluding pedestrian and bicycle Stops) and limited to single-person Stops for a more direct racial comparison of outcomes.

- *Arrests and Citations*—Across all people stopped (including, for instance, vehicle passengers), 25% were involved in a stop where at least one person was arrested; 54% were involved in a stop where at least one person was cited. When multiple people are involved in a stop, the dataset does not distinguish which outcomes apply to which individual. However, among single-person Stops, black/African Americans were most likely to be arrested (26%) compared to Hispanics (20%) and whites (16%). Yet black/African Americans were least likely to be cited (51%) compared to Hispanics (63%) and whites (62%) in single-person Stops.

v. *Limitations of the Analysis in the Stops Data Review*

Again, it is important to emphasize that with this review summary, the Monitors are not passing judgment regarding the implications of the Stops data. In the coming months, the MT will work with the Department to evaluate the Stops data in the context of the Department's community policing and crime fighting strategies, community engagement activities, and the rigorous independent statistical analysis of Stops data designed to answer questions regarding bias in policing practices.

It is important to note that some outcomes are specific to the reasoning and circumstances of the stop, while others are specific to individuals involved in the stop. Therefore, the percentages presented here may have different denominators. Additionally, where multiple people are involved in a stop, making racial comparisons of stop-based outcomes becomes nuanced because it is difficult to determine specific outcomes to specific persons in the stop.

Restrictions in the CAD data entry process result in several limitations to analyzing the data. Other key limitations include the following.

- Only two people can be entered in any one-stop record; if more people are stopped then deputies must create a new incident and link the incident using a reference tag ID, which can lead to inconsistencies between the reference tags.
- Some outcomes that are specific to individuals are summarized across the stop when multiple people are listed in the stop, preventing direct comparisons of outcomes across race groups.
- Assisting unit narratives and other data fields are often missing information, likely because the information is already recorded in the original stop report.
- Contraband seizure not tied to search method.

2. Steps Toward Compliance

a. *Constitutional Policing Training*

As discussed in the previous section, LASD has continued to provide the required full-day Constitutional Policing training to LASD AV deputies at or above the 95% compliance level.

b. *Quarterly Roll Call Training*

MT verification of the training records showed both AV stations in compliance with the quarterly training for the first quarter of 2019. Lancaster remained in compliance in the second quarter, but Palmdale did not. Both stations returned to compliance in the third quarter. The MT will continue to assess compliance for attendance and proper record keeping at the quarterly sessions. While improvement is needed in some areas when tracking attendance, the regular training in the roll call sessions is a clear step forward by LASD.

3. Next Steps

a. *Stops Data Review*

In the next reporting period, the MT will continue to work on its Stops data review, which is summarized above and was discussed previously with the Parties. It took a significant amount of time to understand the strengths and limitations of the data. Based on feedback and questions from the Parties, the MT has made enhancements to the draft report and will submit it in the next reporting period. The MT intends to provide these reports on a rolling six-month basis to compare periods and look for patterns of enforcement in the AV. The MT will assess if the enforcement patterns and outcomes comply with the SA.

b. *Reports and Documents*

Following finalization of the compliance metrics, the MT will continue to communicate with LASD and conduct site visits to ensure the available documentation has been identified and made available for inspection to determine compliance. For example, LASD AV deputies are required to complete a CAD entry for each stop in the field and, in many cases, an accompanying traffic offense citation for the person during the stop. The hand-written citations are turned in for processing at the stations. Administrative staff at the AV stations use the hand-written citations to create a list for tracking purposes. The MT has used this list to verify that each citation has an entry in the CAD system as required by the SA. In the next period, the MT will ensure all available documents have been identified to ensure LASD captures all the data required by the SA. In the next reporting period, the MT will also look at a sample of crime and arrest reports to ensure the reports comply with the requirements of the SA. Crime and arrest reports are one of the primary ways LASD documents the actions of LASD deputies during Stops.

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.

1. Activities in This Period

a. *Bias-Free Policing Training*

LASD continued to provide the Bias-Free Policing full-day training for LASD deputies assigned to the AV stations. This training and the related monitoring work follow the same process as the full-day Constitutional Policing training discussed in the Stops section above. Most AV deputies have already taken the Bias-Free Policing full-day training—as of the last semi-annual report, 182 from Palmdale and 197 from Lancaster had. Training is now provided to newly assigned LASD-AV deputies or deputies who were not available when the training was offered previously. During this reporting period, one session was offered August 22, 2019, and attended by 42 students. A review of the attendance percentages found both AV stations in compliance, with Palmdale at 97.9% and Lancaster at 98.5% of their deputies trained.

b. *Quarterly Roll Call Training*

In this reporting period, LASD provided the approved quarterly roll call trainings for preventing discriminatory policing, constitutional policing, bias-free policing, and housing. To reiterate, in 2019, Lancaster was found in compliance for each of the three quarters the roll call trainings were offered. Palmdale was in compliance in the first and third quarters of 2019 with over 95% of deputies attending. However, Palmdale was found to be out of compliance for Quarter 2 with only 58.9% attendance. In the upcoming reporting period, the MT will discuss with the Parties suggestions for improving the ongoing training to the outside LASD trainer. See the Stops section above for a full description.

c. *SA Compliance Metrics*

In this period, the MT met with the Parties to discuss and finalize the work plans for Bias-Free Policing. The compliance metrics specifically detail the processes and measurements for each SA requirement, critical to ensuring full understanding of the expectations and requirements to reach compliance with the SA. (See "A Note About Settlement Agreement Compliance" for more information about compliance metrics and the process for achieving SA compliance.) Bias-free practices and impacts are not always readily discernible or easy to measure; rather, they require careful and thoughtful analysis. The precursor to the work in the Bias-Free Policing section is largely reliant on the analysis of the Stops described in the Stops section, because the review of Stops serves to identify areas or issues requiring further inspection.

d. *Independent Stops Analysis*

In this reporting period, the Parties and MT identified a team of independent researchers who will conduct an analysis of LASD-AV Stops data to assess whether law enforcement activity in the AV has had a disparate impact on any racial or ethnic group and to identify any trends or issues that may compromise constitutional policing or the effectiveness of LASD enforcement practice. Providing Bias-Free Policing in the AV is a staple of the SA and is a requirement spanning all LASD programs and activities, so this analysis will be applicable to several SA sections.

This work will address SA paragraphs 82–86 and is required to include regression, an advanced statistical test that will allow researchers to draw reliable conclusions about whether any racial or ethnic differences they identify are indeed due to race or ethnicity rather than secondary factors like other demographics or crime rates. The two researchers are both experienced and respected in their field for this type of analysis. One has already worked with LASD data previously. One is based in California and will be onsite in the AV as often as needed to discuss data issues, context, and methodology, and to present results with opportunities to answer questions.

The researchers' work will include developing a research plan, defining a sample size and date range, data cleaning and preparation for analysis, multimodal statistical analysis to include regression modeling and other approaches, and preparation of a final report to include a detailed and thorough description of methodology, descriptive statistics, statistical test results, conclusions, and a discussion of study assumptions and limitations, including what can and cannot be concluded from the findings. The MT and Parties will review the methodology, analysis and reporting on an ongoing basis.

e. *Community Engagement and Community Policing*

It is important to emphasize that Bias-Free Policing and the Community Engagement sections of the SA are closely interrelated. LASD should continue to engage the CACs and the wider community. Although the community Bias-Free Policing orientation during this period was valuable, efforts should be made to increase the number of presentations and the number of community members present and to continue to consider effective ways of engaging the community.

In the last reporting period, the MT reported observations regarding inconsistent understanding of community policing principles among AV deputies. LASD has indicated they will take steps to bring about additional awareness of community policing principles at LASD-AV stations. This has been evident in the efforts by the Compliance Unit to implement community-oriented policing training at the stations. The MT is encouraged by the stations' plan to adopt COPS and SARA strategies, which can provide a basis for increasing the understanding of LASD-AV personnel and incorporating these practices into station management and the regular deputy enforcement activities. The MT has also recommended other resources to LASD and will discuss next steps collaboratively with the Parties. The MT will continue to conduct observations in the field to measure compliance with the SA because this is where all the goals of the SA intersect in actual practice.

2. Step Toward Compliance

As described in more detail above, the progress toward compliance on Bias-Free Policing that the Department made in this reporting period and prior includes the following.

a. *Bias-Free Policing Training*

As discussed above, LASD has continued to provide the required full-day Bias-Free Policing training to LASD-AV deputies at or above the 95% compliance level.

b. *Quarterly Roll Call Training*

As described above and in the Stops section, the stations are also presenting the roll call training sessions with approved LASD trainers. MT verification of the training records showed both AV stations in compliance with the quarterly training for the first and third quarters of 2019. Lancaster was in compliance in the second quarter but Palmdale was not.

c. *Top-10 Lists*

The MT provided LASD with a list of the top-10 deputies for Stops in the key categories for: (1) all people stopped, (2) backseat detentions, (3) persons searched, (4) vehicles searched, (5) any arrest, and (6) any citation. The Department indicated that these types of lists will be helpful for commanders and supervisors when looking to understand the activity of their deputies and determining if activity is in line with the goals of the station commanders. For example, LASD may use the Stops analysis to determine areas of concern regarding disparate treatment toward a race group and then use the enforcement activity used by the deputies identified in the top-10 list as a starting point to determine possible reasons for the disparity and/or possible interventions. The MT will continue to consult with station captains in the use of the top-10 lists and the evaluation of this data in the context of the stations' policing strategies.

3. Next Steps

a. *Review of CAD Stop Data*

As discussed in the previous section, the MT will create regular reports of the CAD Stop data in six-month intervals. The MT will review the activity to detect any indication of potential bias in enforcement activity that requires additional analysis and review. In the next reporting period, the MT will also look at a sample of crime and arrest reports to ensure the reports comply with the requirements of the SA.

b. *Training Outcomes Assessment*

While LASD continues to assign LASD deputies to the bias-free policing training sessions, the measure of compliance and effectiveness will rely on the actual practice of bias-free policing and the results experienced in the AV communities. In the next reporting period, the MT will conduct verification of attendance in the roll call training sessions. These ongoing training efforts are important, but the true measure of the effectiveness will be how the Department ensures bias-free policing concepts are carried out in the course of enforcement actions, incorporating community partnerships and relying on community policing strategies.

c. *Programs, Strategies, and Activities*

The SA requires an assessment of all LASD programs, initiatives, and activities. It states: "Within one year of the Effective Date, and annually thereafter, LASD will assess all programs, initiatives, and activities involving Antelope Valley Stations to determine the extent of any disparate impact and to ensure that no program, initiative, or activity is applied or administered in a manner that unlawfully discriminates against individuals on the bases of race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation" (Paragraph 68). Further, the SA paragraph 65 requires the Department to continue to consult with experts such as the Museum of Tolerance to identify ways in which bias may manifest in AV strategies, programs, and activities. This kind of consultation and program review will explore potentially biased practices.

d. *Reports and Documents*

LASD AV stations use a wide array of reports to complete their work, such as crime reports, citation logs, jail logs, CAD entries, and numerous others. With the compliance metrics expected to be finalized in the next reporting period, the MT will communicate with LASD and conduct site visits to ensure the available documentation has been identified and made available for inspection to determine compliance.

C. Enforcement of Section 8 Compliance

With the Housing Non-Discrimination (HND) Policy FOD 18-001, Accompaniment of Section 8 Compliance Checks (Accompaniment) Policy FOD 12-002, and the compliance measures for both of these policies in place, the work this reporting period focused on applying the compliance measures to LASD housing-related activities.

1. Activities This Period

a. *Dissemination of Acknowledgment Forms*

During this review period, LASD continued collection of executed HND and Accompaniment policies acknowledgment forms from AV deputies and implementation of the HND and Accompaniment policies. With the initial dissemination of the new policies to current personnel complete, going forward LASD is required to ensure newly assigned personnel also receive the policies.

The MT reviewed Palmdale and Lancaster stations' second- and third-quarter rosters to identify newly assigned deputies and to determine the timing for each station securing the deputies' signed HND Policy (including the Supplemental HND Policy) and Accompaniment Policy acknowledgment forms. In the second quarter 2019, Palmdale reported 17 newly assigned deputies and Lancaster 12. In the third quarter, Palmdale reported seven newly assigned deputies and Lancaster 11.¹⁴ As explained below, there are somewhat different requirements (and therefore different calculations for policy receipt verification) for the HND Policy versus the Accompaniment Policy.

b. HND Policy Receipt Verification

For the HND Policy, the stations need to meet the requirement that 95% of newly assigned deputies receive the policy within 15 days of their assignment to LASD-AV or within a reasonable amount of time as determined by the MT (SA paragraph 75). For each quarter, the percentage is calculated as the number of new deputies who have received the HND Policy divided by the number of all new deputies.

In Palmdale in the second quarter, all 17 new deputies received the HND policy within 15 days of their assignment, for a compliance rate of 100%. In the third quarter, six of the seven new deputies received the HND policy within 15 days for a compliance rate of 86%. The seventh received the policy after 18 days,

In Lancaster in the second quarter, 11 of the 12 received the new HND policy within 15 days, for a compliance rate of 92%. The 12th deputy received the policy 25 days after assignment. In the third quarter, eight of the 11 received the HND policy within 15 days, for a compliance rate of 73%. One of the remaining deputies received the policy at 17 days and the other two at 31 days.

LASD was asked to explain the drop in compliance from the second to the third quarter, and factors seem to include staffing shortages among deputies and supervisors and a transition in unit command staff. Other more minor issues related to documentation and communication between the stations and the compliance unit likely play a role. The most serious recurrent issue is that, after personnel are assigned but before they actually arrive at the station, they usually spend between two and three weeks in various trainings (e.g., Field Operations Training for deputies, and Field Operations Supervision Training for sergeants). This pushes back the first opportunity for orientation to policies, sometimes beyond the 15-day limit.

¹⁴ An eighth deputy transferred to Palmdale from the Lancaster Station and had previously executed the acknowledgment forms, which were accounted for in the Monitor's Eighth Semi-Annual Report.

No deputies newly assigned to either station had questions about the HND Policy. While there was a significant drop in the SA paragraph 75 compliance rate for the dissemination of the housing acknowledgment forms for both stations from the second to the third quarter, the MT decided to apply the compliance measure “within a reasonable amount of time as determined by the MT” since all eventually were verified and two were only one day past the 30-day requirement. Nevertheless, it is important that LASD work to improve the timeliness and documentation of policy receipts in the ways they can control.

c. *Accompaniment Policy Receipt Verification*

For the Accompaniment Policy, at any given time, 95% of all deputies need to have received the policy; new deputies need to receive the policy within 30 days of their assignment or within a reasonable amount of time as determined by the MT (SA paragraph 164).¹⁵ Compliance percentages are calculated on a cumulative basis. In the verification for Quarters 2 and 3, all current deputies at each station had already received the policy (Palmdale: 177 in Quarter 2 and 187 in Quarter 3; Lancaster: 202 in Quarter 2 and 200 in Quarter 3) for a cumulative compliance percentage of 100%. Newly assigned deputies needed to receive the new policies within 30 days in order to maintain compliance. Compliance percentages are calculated as follows: all deputies (current and newly assigned) who have received the Accompaniment Policy divided by all available deputies (current and newly assigned).

In Palmdale in the second quarter, all 17 new deputies received the Accompaniment policy within 30 days of their assignment, for a compliance rate of 100%. Similarly, in the third quarter, all seven new deputies received the policy within 30 days, for a compliance rate of 100%.

In Lancaster in the second quarter, 12 of 12 received the new HND policy within 30 days, for a compliance rate of 100%. In the third quarter, nine of the 11 received the HND policy within 30 days. Including the 200 current deputies who had already received the policy, the third quarter compliance rate was 209 divided by 211, or 99%. The other two new deputies received the policy 31 days after their assignment.

Both stations were in compliance for receipt of the Accompaniment Policy in both quarters.

¹⁵ Regarding both the HND and Accompaniment policies, SA paragraph 164 states: “Within 30 days after issuing a policy or procedure pursuant to this Agreement, LASD shall ensure that all relevant LASD personnel assigned to AV have received, read, and understand their responsibilities pursuant to the policy or procedure. . . . LASD shall document that each relevant LASD deputy or other employee has received, read, and sufficiently understands policy.”

d. Implementation of the HND and Accompaniment Policies

Besides verifying policy receipt by deputies as described above, the MT performed various reviews to assess whether the HND and Accompaniment policies are reflected in LASD-AV deputy activities and are impacting the AV community as intended. During this reporting period, the MT submitted two HND and Accompaniment policy document requests for LASD complaints, administrative investigations, claims for damages and litigation, complaints of discrimination, 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, was done in accordance with the FHA and the HND Policy. LASD responded to one of the requests. Additionally, during the September 16–18, 2019, MT onsite visit, Watch Commander Logs were reviewed for both stations for the period beginning January 1, 2016, through September 16, 2019, and MT members met with Palmdale CAC members to discuss the SA housing provisions.

Regarding the implementation of the Accompaniment Policy: In addition to the document requests, review of Watch Commander Logs, and attendance at the Palmdale CAC meeting described above, the MT reviewed and analyzed all stat code 787 data and LARCIS reports for January 1, 2018, through May 31, 2019. These various documents and sources of information were assessed according to the approved compliance metrics for the housing provisions, especially those addressing deputy accompaniment of housing authority workers; LASD's independent investigations or referrals for criminal prosecution for fraud based on voucher holder compliance with the voucher contract; and deputy calls, observations, or incidents involving voucher holders (see last semi-annual report).

e. Review of LASD Housing-Related Activities—HND Policy

In its reviews of the documentation provided, the MT did not find LASD employees to take any actions that violated the FHA or the provisions of the HND Policy, and no audits of complaints found any violation of the FHA or HND Policy. Pending receipt of the second document request, LASD is in compliance with SA paragraph 73.

f. Review of LASD Housing-Related Activities—Accompaniment Policy

The MT found that during this reporting period LASD did not conduct any accompaniment of Section 8 voucher compliance checks, did not refer any cases for criminal prosecution or conduct any independent investigations of fraud based on housing voucher compliance, was not involved in incidents related to voucher holders, and did not inquire into an individual's Section 8 status during routine law enforcement activity. Additionally, during the September 16–18, 2019, onsite meeting with members of the Palmdale CAC, all community members present answered "no" when asked if they were aware of LASD involvement in Section 8 Compliance check activity. Therefore, MT found LASD in compliance with SA paragraphs 76, 77, 78, 79, and 80.

2. Steps Toward Compliance

As described above, LASD's dissemination of the HND Policy Acknowledgement Forms and Accompaniment Policy Acknowledgement Form during this reporting period was inconsistent. During the second quarter both stations met the 15-day SA paragraph 75 dissemination requirement, however during the third quarter neither station met the 15-day requirement. Compliance fell significantly from the second quarter to the third quarter for SA paragraph 75 for the HND policy and 164 for the Accompaniment policy. The MT will work with LASD to maintain compliance and closely monitor paragraph 75 performance moving forward. In the meantime, the MT finds LASD in compliance with SA paragraphs 73, 74, and 75.

LASD did not conduct any accompaniment of Section 8 Compliance checks or other Section 8-related activity during this reporting period; therefore, it remains in compliance with SA paragraphs 76, 77, 78, 79, and 80. Additionally, it is noted that audits of complaints did not find any violations of the HND Policy or the Accompaniment Policy provisions.

LASD continued to offer the required housing-related training (part of the bias-free policing training) to deputies newly assigned or returning to the AV and is in compliance with paragraph 70 regarding the housing provisions. (See the Stops section for details.)

The Department also offered the quarterly roll call trainings that have a fair housing module and, except for the second quarter in Palmdale, has been in compliance with paragraph 71 regarding the housing provisions. (See the Stops section for details.)

3. Next Steps

In the next reporting period, the MT will continue to verify housing policy receipt and training rosters with the understanding that the lapses in performance described above will be remedied and compliance maintained. With the MT determination that the Department is largely in compliance on the housing-related provisions, next steps will be for the Parties and MT to ensure the Department remains in compliance.

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" (page 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 to the Department, the CACs, or community groups, as appropriate and requested.

1. Activities in This Period

During this period, the MT made three onsite visits to the AV for community engagement compliance monitoring (in September, October, and November). The MT also reviewed community meeting and event reports provided by LASD, reviewed the 2018 LASD-AV Community Engagement report, 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.

a. *Compliance Metrics*

At a September 17 meeting with the MT and Parties, the compliance metrics for the Community Engagement section of the SA were finalized. Details of these metrics are described in relevant areas below.

b. *Crime Management Forum/Risk Management Forum Modifications*

As a follow-up to the compliance metrics, the MT agreed to provide LASD with a detailed memo on how the Department can come into compliance with paragraph 90 of the SA. The MT provided that memo to LASD on October 10. SA paragraph 90 states, in part, that: "LASD agrees to ensure that monthly Crime Management Forum [CMF] meetings with the Assistant Sheriff or his designee and semiannual Risk Management Forum [RMF] meetings 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."

The MT's detailed memo to LASD highlighted the most important elements of Paragraph 90, which require that the CMF and/or RMF engage in actions to: 1) identify areas of concern regarding misconduct complaints and community priorities, 2) develop appropriate interventions to address these priorities, 3) utilize sound techniques that support these actions, and then 4) measure/evaluate community and problem-solving policing strategies.

To achieve these objectives, the CMF and RMF will need to:

1. Include discussion and analysis of trends in misconduct complaints;
2. Include discussion and analysis of community priorities;
3. Display how the use of techniques such as spatial mapping and scientific deployment analysis are being carried out; and
4. Determine and incorporate the use of appropriate performance metrics to evaluate community policing and problem solving in the AV.

c. *Deputy Community Engagement Activities*

At the Lancaster Station, the MT reviewed numerous documents containing community engagement activities of the two types approved in the compliance metrics, that is, self-initiated field engagement captured by the 755 State Code and community events attended by LASD-AV personnel. In general, the community engagement activities were of higher quality than the last review conducted by the MT; most of the documented activity would be considered qualifying.

The review of the community event and meeting logs found several events to be either questionable or not qualifying. For instance, a tour of the station given to a 9-year-old boy was logged as a community event. In general, non-structured activities that are not formal events or meetings should not be categorized under community events/meetings. On the other hand, some of them could have counted as 755s if they were self-initiated.

The MT provided feedback to LASD about which of the logged 755 contacts would qualify for the purposes of compliance versus those that would not be counted toward compliance. Regarding the 755, self-initiated, positive contacts with community members, an issue remains with deputies failing to document how someone was contacted to ensure it was a self-initiated contact, not responding to being flagged down or approached.

The MT re-emphasized to LASD, as captured in a memo to the Department earlier in the year: "As agreed, the activity by sworn personnel captured under code 755 that is eligible for compliance with paragraph 88 of the SA should be self-initiated, positive engagement with residents of the AV. Such engagement should be deliberate and meaningful, of sufficient duration, and significant to advance one or more of the principles outlined in the LASD Community Engagement Attendance Work Plan, which was finalized in January 2019."

d. *Ride-Alongs*

On September 9, members of the MT conducted ride-alongs with patrol deputies in the Palmdale Station to observe how deputies interact with members of the community and to assess if Stops, Searches, and other activities performed by deputies are in compliance with the SA.

e. CACs

The MT continues to be impressed by the work of the Lancaster and Palmdale CACs. CAC membership requires many hours of personal time, preparing for and participating in meetings, attending related community and Department events like the bias-free orientation, town halls, community survey planning and distribution events, and so forth. These gatherings are usually at the end of CAC members' already long days of work and represent time away from their families and other interests. Members spend additional time on interacting with the Department and MT, data requests, trainings, report writing, individual meetings, and hearing the concerns of the community and forwarding them to the Department. The members' hard work is paying off, as both CACs have made great strides toward meeting their mandates. Both have developed their own internal governance structures and processes for running meetings. They organize public meetings and thoughtfully choose formats for community meetings they feel will get the most interaction and involvement from participants, such as Days of Dialog and presentations followed by questions and discussion. The CACs also incorporate elements of the SA like bias-free training and community policing into these events. Their work is chronicled in each CAC's annual report, which can be found at the Compliance Unit website (http://www.la-sheriff.org/s2/page_render.aspx?pagename=avc_main).

f. *Community Meeting*

On the evening of September 18, the MT and the DOJ met with a group of AV community leaders and members of the LASD-AV CACs. In attendance was the main team of community leaders who initiated the community organizing and filing of a lawsuit against LASD that led to the Settlement Agreement.

The three primary agenda items of the meeting were to:

- Ensure the Palmdale CAC members understood that their Annual Report should include recommendations;
- Receive feedback from community members on their perspective on the current status of LASD-community relations in the AV; and
- Discuss any reports or knowledge of Section 8 housing discrimination or LASD accompaniment on housing inspections.

The community members present made comments acknowledging progress as a result of the SA as well as some remaining concerns. The following comments had substantial agreement in the room.

- One community leader opened the meeting with a comment about how much progress has been made. He mentioned good relations with station leadership but added that the community still has challenges with the rank and file deputies saying, "The relationship has improved but it is still not good."
- Another community leader and CAC member said, "The behavior of Sheriff Deputies have changed for the better due to scrutiny and oversight, not a change in a mentality, so when the oversight is gone, we are afraid the old behavior will return."
- Participants shared concerns about the lack of black/African American people in leadership positions in LASD-AV.
- There was a repeat request to get data on the total number of complaints made every year for the past few years to see the trend line. LASD has indicated they have since shared this data and will continue to do so on an ongoing basis.
- A unanimous request was made to have community members involved in teaching portions of the trainings to AV deputies.
- The perception of LASD by youth of color is negative.
- There have been several complaints about the response to the fake shooting incident in Lancaster, including one where a black/African American woman was reportedly removed from her apartment naked because she didn't respond to sheriff deputy knocks because she was in the shower. She lived in the building that was evacuated and believed to be where the shooting came from. The community leaders also expressed frustration that LASD never issued an apology regarding the fake shooting. (Those present may not have viewed the televised press conference on August 24 that included an apology to the Lancaster community from an assistant sheriff.)

g. Community Survey

The purpose of the SA-mandated annual Community 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. On September 18, the Parties discussed the second AV annual Community Survey. The Parties agreed to the following four primary avenues of distribution and collection of surveys.

1. LASD and partner organizations will send out the online link to the survey via email and social media.

2. Members of CACs and additional community-based organizations trained to do outreach will collect survey responses, and those community members will be compensated for their time.
3. A mailer with the survey's online link printed on it will be mailed out via USPS to 2,000 AV residents.
4. With the approval of school administrators, formal distribution of the survey will take place on high school campuses and at Antelope Valley College.

During this monitoring period, the MT and the Parties finalized a data collection plan for the second annual Community Survey with the same independent survey team that conducted the first survey, incorporating feedback they received from the community. Representation of the black/African American and Latino communities in the first annual survey in relation to their population in the AV was an area of significant concern to both community members and the Parties. During the Community Survey Presentation at Antelope Valley College in May 2019, as well as in other meetings and discussions with community members, the MT engaged in dialogue about how to improve representativeness in the second annual survey and took suggestions from CAC and community members. The Parties then decided that in addition to the survey being available online, that a "community-led" data collection effort would happen simultaneously where community members would collect survey data from other community members.

The MT and the independent survey team hosted an informational meeting about the second annual Community Survey in October 2019. The purpose of this meeting, which was open to the public, was to inform community members that a community-led data collection process would be incorporated into the second annual survey and to explain the process through which community members and organizations could apply to be compensated for data collection. The process included submitting a proposal that described where and how community members would collect data, particularly amongst underrepresented and hard to reach AV populations. While some community members expressed disappointment in the amount of funding dedicated to this aspect of data collection, most were hopeful that this process would lead to a more representative sample in the second year of the survey.

The MT and independent survey team accepted all data collection proposals it received and held a data collection training for community members in November 2019. During the training, the independent survey team provided an orientation to data collection and the MT explained the process through which community members could be compensated for their time spent collecting data. Community-based organizations, students, and individual community members are currently collecting data in the community and will continue to do so at least through the end of the year. The Parties view this data collection process as somewhat of a pilot that will continue to be adapted to ensure its effectiveness.

The independent survey team is currently coordinating efforts with Antelope Valley College to administer the survey at the college in early 2020. The research team is also in discussions with the Antelope Valley Union High School District to administer the youth survey in AV high schools in early 2020 as well.

The second annual AV Community Survey was launched by the independent survey team in November 2019. Prior to that, in August 2019, CAC members and MT representatives helped distribute the Community Survey at the Antelope Valley Fair. Nearly 200 surveys were collected over a four-day period. Survey data collected at the fair will be incorporated into the general survey data and findings report. The survey is available for community members to complete both online and on paper. The survey is currently open and will remain open at least through January 2020. Once data collection is complete, the results will be analyzed, and a findings report will be developed and published in 2020.

It should be noted that considerable outreach and survey administration efforts were added during this survey collection period that were not utilized for the first survey. The findings reports for the first annual survey can be found on the MT website (<http://www.antelopevalleysettlementmonitoring.info/>) and much more extensive data tables can be found at <http://bit.ly/AV-Public>. The Parties, Monitor, and the community had concerns specifically regarding the number of black/African American respondents participating in the first survey. Specifically, black/African Americans were underrepresented in the first survey. This is particularly concerning because many of the findings of the DOJ investigation were related to the department's treatment of people of color, particularly black/African American residents. The MT would like to acknowledge the support from the stations and the Compliance Unit in expanding the efforts and resources allocated to the survey collection.

As mentioned in previous semi-annual reports, the data gathered through the initial annual survey will be used as a baseline and will be compared with data from the second and future surveys to assess changes in the relationship between LASD and the community over time. The MT looks forward to working with LASD as the station captains use the survey data to inform a community-oriented policing strategy and to further encourage their commitment to community engagement with the entire AV community as required by the SA.

h. Deputy Survey

An organizational climate and culture study (aka "Deputy Survey") of the attitudes of LASD-AV personnel toward various SA-related topics was administered during this reporting period (paragraphs 69, 72, and 99–101). The purpose of the survey is to help the Department understand the attitudes and perceptions of Palmdale and Lancaster Station personnel regarding a range of subjects in six categories: hiring and advancement; supervision; staffing and facilities; management and culture; relationship with the community; and community-oriented and problem-oriented policing. The stations' command staff will utilize this data in their evaluation of current policing strategies and practices.

On September 18, the Parties reviewed the survey findings and discussed next steps. It was agreed that the deputy survey would be conducted annually with detailed results for internal review. The MT will summarize the results in its semi-annual report that is released following the completion of the survey, beginning with the current report.

The survey was administered during two weeks in March 2019, using a web-based format. All Lancaster and Palmdale station personnel were encouraged to respond. In total, 141 station personnel ranging in rank from deputy through captain completed the survey.

The Management and Culture section showed most participants are proud to work for LASD and that they consider LASD a model among other departments. Most also feel the Stops policies provide them clear guidance and that there are open lines of communication within their chain of command. Less than half of participants feel that the Department valued their opinions (46%).

The Hiring and Advancement section showed most participants feel that the Department offers adequate opportunity for advancement, but less than half feel that recruitment and hiring practices ensured the best applicants were hired or that the Department provided sufficient incentives to encourage good job performance.

The Supervision section showed most participants feel that deputies are well trained, believe performance evaluations provide sufficient feedback, and trust their supervisor and feel he or she provides sufficient guidance.

The Staffing and Facilities section showed that just over half of participants feel the Department provides adequate facilities and safety equipment for deputies, and even fewer—less than 20%—feel the Department provides adequate radio cars or that sworn staffing levels are adequate.

The Relationship with the Community section showed that almost every participant believes there are no deputies whose behavior or actions reflect bias or prejudice toward minorities. Most participants feel the Department has a good relationship with the community, understands community needs, deals with the community fairly, provides appropriate language assistance services, and fairly and thoroughly investigates public complaints. On other items that specifically dealt with minorities, around a quarter of participants feel that minority groups view the Department as difficult to deal with and that minorities try to avoid contact with the Department. Nearly half believe that crime is disproportionately concentrated in minority neighborhoods.

The Community Policing/Problem-Oriented Policing section showed most participants felt community policing concepts are helpful and in regular use at the stations and that commanders provide useful crime analysis information to deputies, but far fewer participants, less than a third, felt that deputies have sufficient time for problem-solving activities. Most participants also believed that deputies spend most of their time on calls for service and that the LASD-AV workload is more demanding than that at other stations. Most participants believe the Department routinely provides crime trend information to the community, that there is good communication between the Department and the community, and that Department leadership is committed to meeting community needs.

2. Steps Toward Compliance

As reported in previous semi-annual reports, LASD has been in compliance with several provisions of the SA, including dissemination of the SA (paragraph 92), participation in community meetings and establishing the CACs (paragraph 94), providing support to the CACs (paragraph 96), and ensuring the CACs do not receive non-public information (paragraph 97).

LASD also agreed to implement the County's new diversion program being developed by the Los Angeles County Office of Diversion and Reentry (ODR), addressing the SA requirement to develop diversion programs (paragraph 87). ODR has also agreed to roll out the County's diversion programs in the AV first, but there was a delay in getting LASD's final commitment with the program countywide that may affect the AV. The MT believes that when the ODR diversion programs are implemented in the AV with the partnership of LASD, they will be in compliance with this provision of the SA.

The Department has continued to work with the Parties to administer the annual Community Survey as well as the deputy survey. The MT is encouraged that the stations have scheduled meetings in the next reporting period to discuss the results and potential usefulness of the deputy survey. The Department needs to develop and implement a specific plan to make use of the findings of the Community Survey. Neither survey is meant to serve as a performance "scorecard" or a compliance assessment, but rather as information for the Department to utilize in its various efforts related to community engagement, constitutional and bias-free policing, housing, and Accountability.

The Department's plan addressing paragraph 88 and the requirement that deputies participate in community engagement activities has been implemented, but some of the elements need further discussion and development, such as the Department's plan for enhancing relationships with community groups, especially youth and communities of color, and its plan to use the Community Survey and CAC feedback to inform these activities and link them to the Department's broader community engagement, community policing, and problem-oriented crime reduction efforts, including COPS and SARA (see the Stops section for more information on COPS and SARA). These activities should include seeking and receiving a diverse array of community input, including positive and negative feedback, and ideas for problem-oriented policing; and making special effort to positively engage segments of the community where relations are more strained, especially with the black/African American, Latino, and youth populations.

The Department continued to offer quarterly roll call trainings regarding Constitutional Policing, bias-free policing, and Housing, but has not finalized its plan to meet the in-service training requirement for community policing and problem-oriented policing methods and skills for all AV deputies as well as AV station supervisors and unit commanders (paragraph 89). After exploring several options, the Department is working with the DOJ's Community-Oriented Policing Services Office and Virginia Center for Police Innovation to develop a one-time community-oriented policing training for all personnel followed by a series of roll call trainings to deputies in Palmdale and Lancaster using a format similar to that used for the other roll call trainings (see the Stops section above for details). The MT and Parties will review the proposed plan and materials. The MT stresses that the training for community policing and problem-oriented policing needs to be linked to community engagement activities, the station captains' enforcement, and crime prevention strategies including COPS and SARA. It is crucial, therefore, that the stations, not only the Compliance Unit, play a lead role in planning and implementing these items.

The Monitor would like to acknowledge that the Compliance Unit has been very thoughtful and creative in their efforts to plan and implement a solid community policing training for all AV deputies. The process seemed to slow significantly when the process required input from administrators above the compliance unit. Undoubtedly, the significant and ongoing staffing transitions in the highest ranks of the Department account for some of this delay as it takes time to onboard new chiefs and assistant sheriffs to the SA who may have been less familiar with the practices of the Antelope Valley. However, to reach compliance, continuous attention and investment from the leadership of the Department will be required.

LASD's monthly CMF meetings and semi-annual RMF 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). As discussed earlier in this report, the MT provided LASD with a detailed memo on October 10 regarding how they can come into compliance with this provision of the SA.

3. Next Steps

The MT is encouraged by LASD's decision to provide more detailed and meaningful training on community policing to its personnel in the AV. But the MT continues to caution LASD that public relations efforts alone do not equate to or serve as a substitute for community policing and genuine community engagement.

While there is wide agreement that LASD-AV has made significant progress toward improving relations with the AV community, the MT continues to encourage the Department to listen seriously to those who have complaints and not dismiss them or even try to simply convince them to change their perspective. Instead, the Department should take their concerns into consideration and determine whether changes need to occur within the Department to bring about ongoing improvements in services, behaviors, and attitudes.

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 CMF and RMF meetings; and
- Regular site visits to the AV, to include meetings, informal and formal interviews, and ride-alongs.

E. Use of Force

The SA includes numerous mandates associated with the use, investigation, and adjudication of force by LASD in the AV. Those mandates include the avoidance and de-escalation of force when possible, prompt reporting of use-of-force incidents, thorough and independent investigations, and adjudication processes based on the preponderance of evidence.

1. Activities This Period

a. SA Compliance Metrics

During this reporting period, the Parties and MT had several in-person and telephone meetings and have finalized the compliance standards for the clear majority of SA provisions associated with use of force, the investigations of these incidents, and their adjudication. The qualitative and quantitative metrics detail the standards by which the MT determine compliance with each SA requirement related to use of force and the investigation and adjudication of use of force, including:

- Continuing to prohibit use of force above compliant handcuffing to overcome passive resistance and use of retaliatory force (paragraphs 102 and 105);
- Using advisements, warnings, and verbal persuasion when possible before resorting to force and to de-escalate force immediately as resistance decreases (paragraph 103);

- Using force as a last resort, assessing threats prior to using force (whenever possible), and not using force against individuals who are under control (SA preface to Use of Force section, page 24; and paragraph 104);
- Prohibiting use of force to prevent someone from lawfully taking photographs or video recordings (paragraph 106);
- Continuing to prohibit hard strikes to the head with an impact weapon unless deadly force is justified (paragraph 107);
- Continuing to report all uses of force and any medical treatment provided (paragraphs 108 and 109);
- Continuing to notify a supervisor immediately following use of force or upon receipt of an allegation of unreasonable or unreported force (paragraph 110);
- Conducting thorough investigations of use of force, forwarded through the chain of command, reviewed for completeness, and adjudicated with the preponderance of evidence standard (paragraphs 111–113);
- Continuing to require that the Executive Force Review Committee (EFRC) review use-of-force incidents requiring the response of the Internal Affairs Bureau (IAB; paragraph 114);
- Holding employees accountable for use of force that may violate law or the Department's prohibited force policy and forwarding those cases to IAB 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).

Some additional SA provisions critical to use-of-force investigation, adjudication, and Accountability are found in other sections of the SA, addressing such factors as allegations of misconduct (paragraphs 127, 130–133), assessment and response to any patterns of violations (paragraphs 143 and 153), and data recording (paragraph 142).

The Parties have not yet resolved the issue of whether the SA applies to non-AV commands that provide law enforcement services in the AV, especially as it relates to the use, investigation, and adjudication of use of force. That includes commands with personnel who are:

- Housed at either Lancaster or Palmdale stations, e.g., Gangs, Narcotics, and Community Partnerships Bureau;
- Regularly assigned at a sheriff's facility in the AV other than Lancaster or Palmdale stations, e.g., Court Services, County Buildings, and Transit; and
- Occasionally dispatched to provide specialized services in the AV, e.g., K-9 or SWAT.

The Department believes uses of force that occur within the AV by those units to be outside of the scope of the SA. DOJ and the MT categorically disagree with that position and believe the UOF audits should include all uses of force that occur in the AV, regardless of where the LASD personnel involved are assigned. The MT and DOJ believe that not including those uses of force prevents a thorough understanding of LASD's law enforcement activity in the AV on the part of the MT, Parties and, importantly, community members. The MT and Parties are committed to resolving this issue in the next reporting period.

b. LASD Use-of-Force Policy

The MT has continued to work with LASD on the development of its updated use-of-force policy. The MT and the Parties are in tentative agreement with the provisions of the draft policy, which is under final review by the Department. The MT is concerned that further progress with regard to UOF compliance is being hindered by the fact that, although the draft was approved by the MT and DOJ in spring of 2019, the policy has still not been approved by Department managers.

c. *MT Executive Force Review Committee—Use-of-Force Audit*

In October 2018, Monitors submitted their initial audit of use of force in the AV.¹⁶ That audit examined the way in which AV supervisors and managers investigated and adjudicated the significant but less serious Category 1 and Category 2 uses of force.¹⁷ However, only one of the most serious Category 3 uses of force occurred in the three-month audit period, which was insufficient to draw reliable conclusions on those high-risk incidents. Therefore, during this reporting period, Monitors completed a supplemental audit using an expanded time period so that sufficient Category 3 uses of force were audited. Specifically, the supplemental audit evaluated the LASD's IAB investigations and the EFRC's¹⁸ adjudication of Category 3 incidents to assess compliance with the various use-of-force provisions including SA Paragraph 114:

The Executive Force Review Committee shall review use-of-force incidents requiring response by the IAB Force/Shooting Response Team under current policy, and to review the incidents for any policy, training, or tactical concerns and/or violations.

This summary provides a brief overview of the EFRC audit's scope, population, methodology, and key findings. A full understanding of the audit can only be obtained by thoroughly reading the full report, called "Audit of Uses of Force Adjudicated by the LASD Executive Force Review Committee."¹⁹

¹⁶

<http://antelopevalleysettlementmonitoring.info/content/documents/audits/AV%20Use%20of%20Force%20MT%20Audit%20Report%20October%202018.pdf>

¹⁷ The Department separates uses of force into three categories based on the type of force used and the resulting injury sustained by the subject of the force. The less-serious Category 1 and 2 cases are investigated and adjudicated at the station and Division levels. The most serious cases, Category 3, are investigated by the IAB and adjudicated by the EFRC.

¹⁸ The EFRC evaluates every shooting and force incident requiring activation of IAB's Force/Shooting Response Team. Homicide Bureau also responds when the incident involves an in-custody death or a deputy-involved shooting resulting in someone being shot. Homicide Bureau's criminal investigation takes precedence so IAB's investigation is usually held in abeyance while Homicide Bureau conducts its investigation. The EFRC is comprised of three commanders, one of whom is designated as the chair. Membership is assigned by the Sheriff as a collateral duty. The EFRC bases its finding on: 1) tactics, including de-escalation if warranted; 2) whether the force itself was consistent with Department policy; 3) whether a policy finding when a vehicular or foot pursuit was involved; and 4) any other policy violations not related to the above. The EFRC also makes a recommendation on any allegation of misconduct that is related to the EFRC's responsibility. The completed case along with a memo documenting the EFRC's recommendations are forwarded to the involved employee's unit commander. The file is processed by the unit commander then the division chief and is eventually returned to the Professional Standards Division. EFRC staff forward the case to the Discovery Unit for input into PRMS.

¹⁹ All MT audits and other reports are available at: <http://antelopevalleysettlementmonitoring.info>.

This EFRC audit did *not* assess Category 3 incidents that occurred in the AV but involved only deputies from non-AV commands. Since the Monitors and DOJ remain in disagreement with the Department as to whether the SA applies to deputies from non-AV commands, such as Gang and Narcotics Units, K-9, and SWAT, the MT cannot conclusively determine compliance on this audit's objectives. Therefore, the findings in this audit are to be considered preliminary.

i. EFRC Audit Population and Methodology

Auditors selected an audit time period from January 1, 2015, through March 31, 2018. Twenty Category 3 uses of force involving AV deputies occurred during that period, 13 of which had been adjudicated by the EFRC.²⁰ All 13 of those cases were audited, so sampling was not utilized. Each investigation was reviewed by at least two auditors to determine if:

- The force used was necessary, proportional, objectively reasonable, and used in response to behavior that posed a threat to the deputy or public safety (paragraphs 102, 104–106-g);
- Efforts were made whenever possible to use advisements, warnings, and persuasion to defuse and de-escalate evolving situations and resolve them without using force (paragraph 103);
- The force involved a hard strike to the head with an impact weapon in an incident that did not justify the need for deadly force (paragraph 107);
- Force incidents were accurately reported to a supervisor in a timely manner (paragraphs 108–110);
- The use of force was thoroughly investigated (paragraphs 111–112);
- Complaints of deputy misconduct were investigated and adjudicated (paragraphs 127, 130–131, 133, 142);
- The findings and conclusions were supported by a preponderance of evidence (paragraph 113);
- Effective management oversight was occurring, including holding deputies accountable for policy violations and supervisors accountable for not adequately investigating force that was unreasonable or otherwise contrary to Department policy and/or the law (paragraphs 115–118); and

²⁰ Initially there were 14 cases, but during the audit it was determined that one case was actually part of another case; those two cases were combined resulting in 13 actual Category 3 incidents.

- Information was recorded correctly on the forms and in the Performance Recording and Monitoring System (PRMS) (paragraphs 141–143).

ii. *Audit Findings*

The Use of Force

The Department is in compliance with the SA paragraphs 106g (recording law enforcement activity) and 107 (head strikes with an impact weapon). No cases violated those provisions.

The Department is out of compliance with SA paragraphs 102 (use of objectively reasonable force) and 104 (force used for resistive behavior). Two of the 13 cases violated those standards, resulting in a compliance rate of 85%, which is below the 95% standard agreed upon by the MT and Parties.²¹

The Department is out of compliance with SA paragraph 105 (Department prohibits use of retaliatory force). In one case, the suspect clearly alleged the deputy used retaliatory force but the Department did not address that allegation. Whether or not the suspect's allegation was true, it needs to be investigated as part of the requirement "explicitly prohibit(ing) the use of retaliatory force" (SA paragraph 105).

Avoiding Force and De-Escalation

The Department is out of compliance with SA paragraph 103 regarding de-escalation. In two cases, at least one deputy failed to utilize advisements, warnings, and verbal persuasion when available, and in those same two cases at least one deputy failed to decrease the use of force as resistance decreased. This resulted in a compliance rate of 85%, which is below the 95% standard agreed upon by the MT and Parties.

Reporting Uses of Force

The Department is in compliance with the requirements of SA paragraphs 108 (partial) and 110, which require timely notification to a supervisor whenever an employee is involved in or witness to a reportable use of force. In every case (100%), a field supervisor was notified as soon as was practical.

²¹ In one of these cases, LASD initiated an internal criminal and administrative investigation that concluded the force was out of policy and the deputy was terminated. At a later date, he was re-hired by the Department.

Completion of Reports

The Department is out of compliance with the requirements of SA paragraphs 108 (partial) and 109. The substantial errors in the reports prepared by deputies in two cases were determined to be critically deficient because they rendered those reports unreliable. Those shortcomings should have been addressed by Department managers, but they were not. That resulted in a compliance rate of 85%, which is below the 95% standard agreed upon by the Parties.

Use-of-Force Investigations

The Department is in compliance with SA paragraph 111a, which requires that a supervisor respond to the scene and ensure the subject received medical care, and SA paragraph 111b, c, and d, which requires that the investigator collect evidence, canvas and interview witnesses, and collect statements from witness deputies. The Department complied with these requirements in 100% of the cases audited.

The Department is out of compliance with the requirements of SA paragraph 111e, which requires the investigator review all deputy use-of-force statements for adequacy, accuracy, and completeness. In two cases, the deputy's report was inconsistent with the evidence, and neither deputy was confronted with that inconsistency. This resulted in a compliance rate of 85%, below the 95% standard agreed upon by the MT and Parties.

Uses of Force With Alleged Misconduct

The Department is out of compliance with the requirements of SA paragraphs 127, 130, 131, 133, and 142, which require the intake, investigation, adjudication, and recordation of all personnel complaints made by the public. Three use-of-force cases contained serious public complaints of misconduct that were not addressed by Internal Affairs investigating officers. Another case with allegations of misconduct was investigated. That resulted in three cases with unaddressed allegation(s) of misconduct for a compliance rate of 77%, well below any reasonable standard that may be established.

Management Oversight

The Department is out of compliance with SA paragraphs 113 (partial), 114, 115, and 116. In four cases the adjudication contained Critical Deficiencies for a compliance rate of 69%, which is below the agreed-upon compliance standard of 95% for Critical Deficiencies. In three other cases, there were Non-Critical Deficiencies for a compliance rate of 77%, which is below the agreed-upon standard of 85%. Monitors were very concerned that one case in which the force was not objectively reasonable was never alleged and adjudicated by the Department.

Directed Training

For the purposes of this audit, the Department is in limited compliance with SA paragraphs 118, “review and track training,” and 167, “record training in the Department’s Learning Management System (LMS).” One case in which deputies did not receive the training as directed was used in the Monitor’s November 2018 use-of-force audit, so it could not be used to assess non-compliance in this audit. That left two cases in the current audit in which the EFRC directed that deputies receive training, and it was provided in both cases. However, that finding is limited to this audit only; the out-of-compliance finding in the Monitor’s November 2018 audit remains the benchmark for determining the one-year compliance period required under SA paragraph 205.

Recordation of Data

The Department is in compliance with SA paragraph 112 requiring the investigating supervisor to accurately complete a Supervisor’s Report on Use of Force. That report was completed accurately for 12 of the cases. The 13th case mixed up which deputies used which control holds; however, all the involved deputies were accounted for using force and the particular control holds were similar in nature, so this error did not affect compliance.

The Department is not in compliance with SA paragraph 142 requiring accurate data entry into PRMS. Half (50%) of the Category 3 uses of force had not been entered into PRMS at the time of the audit.

2. Steps Toward Compliance

The EFRC audit found the Department out of compliance with over half of the relevant use-of-force provisions under review. The MT will work with the Department to address the deficiencies identified in both use-of-force audits. Future audits will assess progress after any changes in policy or practice are implemented and given time to take full effect. The lack of a resolution of the non-AV command issue and the delay in approval of the new UOF policy continue to be a hindrance to progress in this section.

3. Next Steps

In the next reporting period, the MT will work with the Parties to finalize the remaining compliance metrics regarding non-AV commands. The Parties and MT will further discuss the scope of the MT audits and how to address the embedded units. The MT will be available to assist the Department in developing a plan to implement the audit’s recommendations. The MT will also evaluate the Department’s updated use-of-force policy as soon as the Department submits it.

F. Personnel Complaint Review

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

The 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).

1. Activities This Period

a. *Compliance Metrics*

In this reporting period the MT and Parties came to agreement on the compliance metrics that will be used to assess compliance with the SA's provisions for handling personnel complaints made by members of the AV community. Those metrics can now be used to assess compliance in the next MT complaints audit. (The first complaints audit gave interim compliance assessments only, although most metrics were already tentatively established at that time.) The metrics include detailed descriptions of the activities and outcomes required to reach full and complete compliance. In summary, the metrics address SA requirements 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 (Preface, p. 29).

The compliance metrics also address the SA requirement 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, whether specifically articulated by the complainant or not, 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 establishes minimum investigative standards including the identification of all allegations (whether or not the complainant specifically alleges it), interviewing all witnesses with an emphasis on deputies who were present but assert they did not witness the incident, and collecting all available physical evidence and using it to resolve inconsistent statements. Essentially, every investigation must be sufficiently complete to support a reliable and complete adjudication of the case. In that regard, the SA also requires that supervisors receive annual training on SA requirements, conducting thorough complaints investigations and updates to local, state, and federal laws governing personnel investigations.

b. Second MT Complaints Audit

In this reporting period, the MT planned and began work on a follow-up audit to assess Department compliance with SA requirements for the intake, investigation, and adjudication of public complaints made in the AV. In accordance with SA paragraph 159, a formal audit plan was submitted to the Parties for their review so the audit can begin promptly in January 2020. The MT will audit all AV community complaints regarding Lancaster and Palmdale personnel that were initiated during the first quarter of 2019. That audit period ensures supervisors and managers were given ample time to fully implement any new procedures following the MT's initial audit (published in January 2018) and for complaints to have been fully investigated and adjudicated. We will also conduct a Directed and Purposeful sample of the contiguous quarters (fourth quarter 2018 and second quarter 2019) and selectively review complaints initiated in those quarters for indicia of significant SA issues. Finally, we will review all AV complaints initiated in the first quarter of 2019 regarding personnel assigned to non-AV commands to determine if any of those complaints involve AV personnel or an issue(s) falling under the SA's provisions.

c. LASD SCR Handbook and Policy Manual Revisions

Two important and extensive publications have been under revision by the Department following the MT's initial audit of public complaints, the Service Complaint Review (SCR) Handbook and the Manual of Policies and Procedures (MPP).

In 2017, numerous meetings were held to identify and resolve issues in the SCR Handbook to ensure it is complete, clear, and consistent with the SA's provisions for handling public complaints. On January 29, 2018, the Department submitted a draft that was critiqued and discussed extensively at the Parties' February 28, 2018, onsite meeting. Since then, the draft has been dormant despite numerous MT requests to move forward with the revisions to this critical document. One of the major causes for this delay has been the changes to the Sheriff's upper management team including the Chief of the Professional Standards and Training Division, who is ultimately responsible for the SCR process. Recently (November 2019), the Compliance Unit assigned responsibility for this project to one of its members, and we are hopeful this can now move forward.

In the preceding reporting period, the MT reached consensus with DOJ and the Compliance Unit on revisions to the MPP. Those revisions ensure this key document is complete, clear, and consistent with the Settlement Agreement's provisions for handling personnel complaints. On June 13, 2019, a draft of the proposed revisions was sent to Department managers for approval. Unfortunately, that draft did not include two key revisions. Specifically, the draft that was submitted for approval proposes to:

1. Retain the Department's existing complaint classification categories,²² which are incompatible with the complaint definitions in the California Penal Code; and
2. Continue allowing personnel complaints to be addressed within a use-of-force investigation and never recorded as a complaint in the deputy's work history or PRMS.²³

The MT notified the Department that these two omissions are critical and will prevent the Department from reaching compliance with the SA until they are corrected.

While we certainly would prefer to see both the MPP and SCR Handbook revisions move more quickly, we are mindful that these changes will affect the entire Department, and changes of that magnitude take much more time than changes affecting one or two geographic units.

²² MPP Section 3-04/020.25 Administrative Investigation Terminology

²³ MPP Section 3-10/100 Use of Force Reporting Procedures

2. Steps Toward Compliance

The MT's audit of public complaints published in January 2018,²⁴ identified several deficiencies in the Department's handling of public complaints. In June and July 2018, each AV command issued a Unit Order that established procedures and expectations to correct these deficiencies.²⁵ Since then, the Department has provided training to AV supervisors and managers to ensure everyone understands and follows the new procedures. The MT's upcoming second complaints audit will assess if the Department has maintained compliance for those provisions found to be in compliance in the first audit and if compliance has been achieved in the others. The newly finalized complaints compliance metrics will be used as the standard for these assessments.

3. Next Steps

During the next reporting period, the MT will conduct the second audit to assess current Department compliance with SA requirements for the intake, investigation, and adjudication of public complaints made in the AV.

G. Accountability

The intent of the Accountability section and related provisions in the SA is to ensure that appropriate oversight is provided by management and supervisory personnel through the ongoing observation and evaluation of both individual behaviors and the collective performance of employees.²⁶ Careful and consistent consideration of every stage of personnel and system performance must be built into the fabric of operations at every level of the organization, and reliable and current information must be available to the managerial leadership.

1. Activities in This Period

MT activity during this reporting period primarily involved written and telephonic communications and onsite meetings with the Compliance Unit and AV station personnel. These communications and meetings focused on the Department's development and implementation of an over-arching plan to provide a framework for management Accountability functions and to establish clear guidelines for documenting Accountability practices. This plan, including the Employee Quarterly Review process, will be discussed further below.

²⁴ All MT audits and other reports are available at <http://www.antelopevalleysettlementmonitoring.info/>

²⁵ The Lancaster Unit Order was issued on July 10, 2018, and the Palmdale Unit Order was issued on June 21, 2018.

²⁶ Management personnel includes the captains and lieutenants at each AV station and the NPD 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.

a. SA Compliance Metrics

The compliance metrics that the MT will use to determine the Department's compliance with the Accountability provisions were finalized in this reporting period. These metrics delineate how the MT will assess SA paragraphs 141–145 and their requirements concerning data collection, data integrity, and evaluating personnel performance via the PRMS (formerly the Personnel Performance Index or PPI); other data systems and related processes; and the Performance Mentoring Program (PMP).

As reported in previous semi-annual reports, 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 (paragraphs 141 and 142). The SA provides that alternatives to a single data system may be used if together they meet the various requirements of the SA. To that end, LASD has several management processes and stand-alone information systems, some of which were developed as a response to the SA and others that predated the SA. The compliance metrics make it clear that those alternative processes need to reliably fulfill the requirements that PRMS had been expected to meet, in particular, to give managers the capacity to compare deputies and units, identify trends, and access and report additional data relevant to determining compliance with the Agreement.

b. Employee Quarterly Review

In response to the MT communications regarding the need for a formalized plan or approach to integrate and consider information from the various information systems, the Compliance Unit developed the Employee Quarterly Review. This process, required by paragraph 143 of the SA, is designed to provide LASD-AV management a tool for evaluating reported information and data necessary to compare deputies and units, to determine whether performance objectives and standards are being met, and to identify potential trends in the operations. On September 16, 2019, the MT met with the Compliance Unit and agreed on the final edits to the Quarterly Review Guidelines. The Quarterly Review Guidelines Unit Order was signed by the North Patrol Division Chief on November 13, 2019, and is currently being implemented with the first Quarterly Review due in January 2020. It is regrettable that it took the Department some nine months, from February to November 2019, to finalize the Quarterly Review Guidelines and sign the Chief's Unit Order for implementation. The delay has extended the time it will take to determine compliance with the Accountability section.

In the final plan agreed upon by the Parties, the station operations lieutenants will be responsible for reviewing the data systems and collecting pertinent information to populate the Quarterly Reviews.²⁷ They also will be responsible to have appropriately designated personnel review the various data systems to spot check the data to ensure the information is both accurate and up to date. Using this process, any errors in the information entered will be identified and rectified, and follow-up will be conducted with personnel as appropriate (paragraph 142).

The unit commanders are responsible for reviewing the quarterly reviews and assessing the information presented to evaluate unit and individual deputy/supervisor performance, make comparisons, and identify potential issues and trends. These Quarterly Reviews, including the unit commander's assessments, will be forwarded to the Compliance Unit for a quality assurance review and then to the North Patrol Division (NPD) commander and the NPD chief for review and final determination. The chief will respond to the unit commanders with any follow-up orders or directions based on his/her review of the unit commander's assessment(s).

2. Steps Toward Compliance

a. *Employee Quarterly Review*

The final approval and implementation of the Quarterly Review Guidelines represents a major step toward meeting SA Accountability requirements (paragraphs 141–143). As implemented, it establishes a formalized Accountability process incorporating reviews at the supervisor, unit commander, and division levels. As stated in the last report, the MT believes the Quarterly Review process represents thoughtful and diligent work toward meeting the SA Accountability requirements.

b. *Performance Mentoring*

The Parties also agreed to include information in the Quarterly Review that can be utilized to verify that the SA requirements regarding the PMP are being met (paragraphs 144–145). 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 whether there is appropriate coordination between the Department PMP and the NPD PMP. Information that will enable this process has been appropriately entered into the proposed Quarterly Review and will be evaluated by the MT when reviews and assessments are conducted.

²⁷ The data systems to be reviewed for populating the Quarterly Reviews include, but are not limited to, the Sheriff's 11, the Obstruction Arrest Tracker, the PLE Tracker, the Community Engagement Tracker, the DDWS logs, and the PRMS.

c. *Accountability in Other SA Sections*

Management Accountability requirements of the SA are far broader than just those identified in this 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 as they relate to each SA section so that the implementation and impact of these changes are tracked, assessed, and corrected as necessary. This includes deputies being held accountable for properly incorporating policy and training into their daily practices and station supervisors, commanders, and Department managers being held accountable for tracking personnel performance and establishing whether changes are having their intended effect.

The Quarterly Review process addresses many but not all Accountability structures. Each of the individual sections of the SA contain their own Accountability processes that will be assessed as part of MT reviews specifically for each of those sections. As compliance within those sections is reached, the MT will also review these processes from a systemic level to ensure overarching Accountability structures are in place. One such issue, discussed in this report, is the shortage of staff at the AV stations and how it has slowed progress on several sections of the SA, including Stops, Complaints, and uses of force. Another example is the delay in finalizing the Employee Quarterly Review. These are management issues that the Department has indicated are being addressed but, until they are, the impact on progress toward compliance will continue.

3. Next Steps

The Quarterly Review process provides the framework for conducting and documenting the systematic review of Accountability processes for both the Department and the MT. Meetings with the stations and MT have been scheduled for early in the next reporting period to begin a formal review of the sufficiency and effectiveness of the Quarterly Review process in meeting the requirements for Accountability as required in paragraphs 141–145. This review will be designed to not only assess the availability and accuracy of data and 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 systems. The assessments will include reviewing the Quarterly Review, the information contained therein, and the commanders' (the station commander and the NPD commander chief) review and actions taken in response to the information provided in each report.²⁸ The MT compliance assessments will include data validity reviews of the databases and information sources used to populate the Quarterly Reviews in order to assess the accuracy of the information used to prepare the reports. The MT will be particularly interested in and focus on the qualitative assessment of outcomes related to actions taken to address performance deficiencies and trends identified through this process. More broadly, now that the compliance metrics to use have been agreed upon, the MT will review and assess how the various Accountability requirements within other sections of the SA work independently, as well as jointly, to provide a gapless system of documented review and oversight of all Antelope Valley Station activities.

²⁸ The first Quarterly Report is due to the Compliance Unit 30 days following the end of the quarter being evaluated, which will be January 30, 2020.

IV. CONCLUSION

This report on the status of the implementation of the SA describes the progress the Monitors have observed to date, the state of the activities underway, and those areas that the Monitors believe require continuing attention and greater effort for LASD to ultimately achieve full compliance with the SA. As noted throughout this report, while the Department continues to make progress, there are several thematic roadblocks to compliance. Chief among those is the lack of attention and investment in achieving the goals of the SA on the part of the highest levels of the Department. Ongoing transitions at the level of chief of the NPD and above impair the progress of SA requirements (e.g., complaints policies and accompanying manuals, use-of-force policies, and the incorporation of community-oriented policing). The day-to-day-work of the stations that is required under the SA is made infinitely more difficult with inadequate staffing at the deputy and sergeant levels. There are not enough sergeants to provide adequate levels of supervision, training, and support for AV deputies. And most importantly, inadequate staffing levels are directly related to the difficulty in shifting from a reactive policing strategy to one that is proactive, involves the community as partners, and is based on data and best practices.

There are increasing calls from the citizens of Los Angeles County for improved Accountability within LASD and investment in the relationships between the department and all citizens. As discussed throughout this report and prior reports, relationships with various constituencies, the Department's community engagement efforts, and community policing strategy are among those areas requiring greater attention and sustained commitment by both the Department and the community. The Monitors look forward to the Sheriff prioritizing such needed engagement in the AV.

Similarly, as the Sheriff has promised and the SA requires, continuous improvements in both organizational transparency and Accountability practices are essential if the expectations and intended outcomes of the SA are to be achieved. This will require sustained rigor in pursuing the highest professional standards and performance by Department staff in carrying out their responsibilities related to the investigation of force, the documentation and investigation of public complaints, the effective use of data to identify problematic as well as exemplary behaviors by deputies and command staff, and other areas.

The Monitors would like to thank the compliance unit for their continued investment in the required reform efforts. We also note the increasing investment from the station captains and their willingness to have candid and sometimes difficult conversations. This kind of communication and troubleshooting will be essential to the Parties and Monitors working together to support the reform efforts in the Antelope Valley.

Appendix A

The Monitoring Team

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

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; the offices of the Compliance Unit; other administrative offices; Palmdale and Lancaster stations; and various community centers, schools, and places of worship in the AV. The MT periodically meets in person with the captains of both AV stations and their staff and participates in multiple onsite meetings with LASD's Compliance Unit, usually regarding specific issues such as policy or protocol review or data system discussion. The MT also holds meetings with units or leadership from other operations that are critical to this reform work, such as the AAB or the commander in charge of training. The MT typically observes the semi-annual LASD risk management meeting and the CMF. Although some of these meetings and events are general in scope and pertain to several sections of the SA, most are related to specific sections or provisions of the SA. The Parties and MT also participate in several small- and larger-group community meetings in Palmdale and Lancaster—often with the CACs—where various topics are discussed, such as the MT semi-annual reports, LASD and CAC community engagement reports, community perceptions about LASD and its approach to policing, and other topics.

In addition to in-person meetings, a variety of conference calls take place each month along with daily email or telephone communication among representatives of the Parties and the MT. The MT and DOJ participate in a bimonthly call to address substantive issues and planning; a similar bimonthly call involves the MT, DOJ, and the Compliance Unit; and the MT and 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.