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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

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

Defendants.

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

**SUBMISSION OF MONITORS'
SIXTH SEMI-ANNUAL REPORT**

On May 1, 2015, the Court approved and entered the parties' Settlement Agreement ("Agreement") to resolve the United States' claims against the County of Los Angeles and the Los Angeles County Sheriff's Department pursuant to 42 U.S.C. 14141 (re-codified at 34 U.S.C. § 12601) and the Fair Housing Act, 42 U.S.C. 3601 *et seq.*

Paragraph 171 of the Agreement requires the Monitors to publically issue a report every six months that details the Parties' progress in implementing the Agreement and achieving compliance with the Agreement. The parties hereby submit the Monitors' Sixth semi-annual report.

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2 DATED:

June 22, 2018

MARY C. WICKHAM
County Counsel

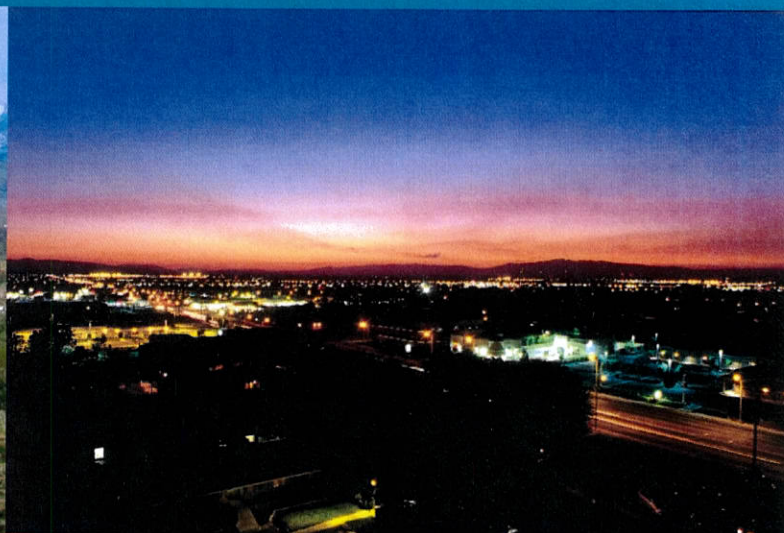
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Attachment

Antelope Valley Monitoring Team Sixth Semi-Annual Report



June 2018

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I. INTRODUCTION

This is the sixth semi-annual report issued by the Monitoring Team (MT). It covers the monitoring activities that have taken place during this reporting period and in the months prior. This report provides an overview of both administrative and operational issues. It describes the MT's observations as to the progress of Los Angeles County and the Los Angeles County Sheriff's Department (LASD) 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 January 2018 and June 2018.

Key MT activities of this reporting period included working with the Parties to use the findings of the MT's complaints audit to inform changes to LASD-AV policy and procedure, conducting the MT's use-of-force audit, working with the Parties and an outside consultant in implementing the AV-wide community survey, reviewing LASD stops data, and working with the LASD Compliance Unit and AV station command staff to document LASD accountability processes in preparation for an audit of the Department's review and oversight practices. Responding to a Community Advisory Committee (CAC) request, the MT continued to provide technical assistance to AVCACs. The MT completed an attendance verification for LASD's new trainings in bias-free and constitutional policing, and reviewed and commented on Department data analyses and audits. The MT and the Parties continue to devote considerable attention to reviewing and revising policies, procedures, and training curricula and to developing quantitative and qualitative compliance measures for the various provisions in the SA. This report covers progress in all these areas, along with a discussion as to how this work fits into the broader context of achieving the objectives of the SA.

This report addresses the SA provisions where the Department has reached compliance or made substantial progress. Also discussed are those provisions where compliance has not yet been met, with comments about which areas 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.

The Sheriff's Department has made considerable progress as of this reporting period with publishing new and revised policies, implementing new full-day trainings and developing roll call and in-service trainings, improving data collection, helping the MT document Department accountability processes, and addressing some of the larger SA-required activities such as the Community Survey and stops data analysis. The MT acknowledges and appreciates these efforts, with special recognition of the especially hard-working and collaborative Compliance Unit personnel. The Compliance Unit, the AV station command staff and personnel, divisional management, and the Office of County Counsel continue to cooperate with and engage in the various monitoring activities and, importantly, are open to compromise as the Department, the members of the DOJ team, and the MT work to meet the goals of the SA and make meaningful improvements to law enforcement services in the AV. The MT also wants to acknowledge and

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

express its appreciation to AV community members for their candid participation in meetings and for their assistance in promoting and completing the Community Survey. The MT also appreciates the continued efforts of the members of the CACs to thoroughly embrace their roles as voices for the whole AV community.

The Antelope Valley Settlement Agreement: Summary

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

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

A. A Note About Compliance

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

An approved policy will need to be distributed to every deputy according to SA-required procedures and, as necessary, incorporated into training curricula. An approved training curriculum will require documentation that appropriate personnel have received the training. Most important, each of the established improvements—for instance, the policies and trainings—will need to be found to perform or “work” in the real world. That is, they will need to be assessed through such MT activities as reviews, audits, interviews, observation, and data analysis and found to be successfully reflected in law enforcement practices and in the qualitative and quantitative impact 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 delivery of services (SA paragraph 15). Finally, this level of performance needs to 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 Settlement Agreement, especially through the following paragraphs.

- Paragraph 20: **Implementation** is defined as “the development or putting into place of a policy or procedure, including the appropriate training of all relevant personnel, and the consistent and verified performance of that policy or procedure in actual practice.” What is meant by “consistent and verified performance” is laid out in the compliance measures section of each SA section’s work plan. That is, the compliance measures currently being reviewed by the Parties will establish the qualitative and quantitative criteria by which the MT will determine consistent and verified performance and, thus, compliance.
- 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.”

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.”

II. WORK TO DATE

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

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

A. Stops, Seizures, and Searches

The Settlement Agreement provisions describe the way in which LASD-AV deputies must conduct and document investigative stops, detentions, and searches. These provisions also detail how 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 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 short narratives in some circumstances. As will be described below, they also now record certain community engagement activities. It is essential that these data, which serve as the foundation for all audits, analyses, and reviews conducted by both the MT and by LASD, are accurate, thorough, and reliable. When a deputy stops and detains someone, however briefly, the facts and circumstances that led to that stop and detention and any subsequent action must be rigorously documented and later reviewed in an effort to assess the deputy's decision making, the legality of his or her actions, and compliance with LASD policy and the terms and conditions of the SA.

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

1. LASD Activities

a. Audits and Station Training Regarding Stops Data

LASD conducted two significant stops-related audit and review efforts during this period: (1) the Audit and Accountability Bureau (AAB) stop information audit, and (2) an LASD Compliance Unit informal review of recent stops information.

The AAB released an audit of stops data from the Lancaster station,³ which the MT reviewed. The audit specifically considered: (1) whether LASD deputies provide adequate documentation for backseat detentions, consent searches, weapons pat downs, and reasonable suspicion searches; and (2) whether SA-required Deputy Daily Work Sheet (DDWS) reviews are being conducted by LASD supervisors. The audit revealed significant shortcomings in terms of compliance with LASD data collection policies. Deputies were not including the required information related to the narrative justifications for reasonable suspicion stops when there was no other justification for the stop (e.g., equipment violation, speeding, etc.). Additionally, the AAB found a low rate of compliance with the supervisory review of DDWS forms at the Lancaster station. The audit did not focus on other aspects of the SA requirements for data collection during stops, such as the duration of the stop, the accuracy of location notations, and ensuring all required fields are thoroughly completed. The Compliance Unit conducted an informal review of more recent stop data than the AAB audit sample examined and found significant deficiencies in the thoroughness of the stops narratives.

Based on the findings of the AAB audit and the Compliance Unit informal review, the Compliance Unit created a training document titled *Protocols for DDWS Review in the Antelope Valley*. The document was used for additional training to LASD-AV station supervisors in how to conduct proper reviews of the DDWSs for stop data. The Compliance Unit expects this training will lead to better compliance. During MT ride-alongs in the AV, LASD-AV supervisors commented on having received the additional DDWS training regarding their responsibilities for reviewing stops. The Compliance Unit has also noted that this training was well accepted by staff.

b. Constitutional Policing Training

During this reporting period, LASD presented another Constitutional Policing training session on April 5, 2018. The training was presented to LASD-AV deputies who were either unavailable for previous training sessions or had been newly assigned to the AV. This reflects LASD's commitment to providing the approved training to all LASD deputies assigned to the AV stations.

³ LASD AAB *Detentions of Individuals and Data, Collection Audit, North Patrol Division, Lancaster Sheriff's Station, No. 2017-14-A, January 31, 2018.*

2. Monitoring Activity

a. *Constitutional Policing and Bias-Free Policing Training Verification*

During this reporting period, both the Compliance Unit and the MT engaged in efforts to verify deputy attendance at the Constitutional Policing and Bias-Free Policing trainings—that is, to determine that those AV deputies required to take the training actually *did* take the training. In brief, this task involved comparing the active roster for each station with the list of deputies who had attended each training (based on signed attendance sheets) and then calculating the verified attendance percentage.

There are three important training verification issues for which the Parties have yet to finalize compliance measures: (1) precisely which deputies are required to attend the trainings; (2) which deputies are considered “available” for each training date offered; and (3) what percentage of deputies need to receive the trainings in order to achieve SA compliance.

Regarding the first of these issues, the Parties agree that all deputies assigned to either of the AV commands (Lancaster or Palmdale station) are required to take the Constitutional and Bias-Free trainings. The Parties are still discussing whether two other groups of deputies are required to take the trainings: Reserve Deputies (that is, deputies who volunteer their services) and deputies working regularly in the AV but who are under the supervision of a non-AV command (such as the Gang Unit).⁴ In this first round of training, training verification percentages assumed only those deputies assigned to the chain of command in the AV stations were required to attend the sessions on Constitutional and Bias-Free Policing.

The second issue—defining “available” deputies—is based on the status of each deputy on the date of the training. The Parties and MT agree that valid or sanctioned reasons for not attending a training (that is, being counted as not available) include retired, Injured on Duty (IOD), Relieved of Duty (ROD), Military Leave (ML), Family Medical Leave Act (FMLA), LASD-AV deputies no longer assigned to the AV stations (e.g., transfers), and deputies newly assigned to the LASD-AV stations but who arrive after the date of the training. However, in the first round of training, the Department listed some deputies as unavailable without specifying a reason, possibly due to confidentiality concerns. There has also been continued discussion among DOJ, the MT, and LASD about the status of Reserve Deputies. In the next reporting period, the Parties will have further discussions on the specific definitions of these statuses, what information the Department needs to provide to verify them, and which will be counted as unavailable. In this first round of training, verification percentages were calculated using the Department’s determination of availability.

The third issue is the percentage of AV deputies required to attend the training in order to reach compliance. This will be decided among the Parties. Pending a final agreement, 95% was used as an interim metric in this first round of training.

⁴ The training was offered as an option for reserve deputies and for deputies not under AV supervision.

Both the Compliance Unit's internal attendance verification and the MT's attendance verification found that over 95% of required deputies received the training. Specifically, for Palmdale, the Constitutional Policing attendance percentage was 98.9%, and Bias Free Policing was 99.5%. For Lancaster, the Constitutional Policing attendance percentage was 96.9%, and Bias Free Policing was 97.5%. Again, for this iteration of the process, Reserve Deputies and deputies who work specialized assignments in the AV but are under a non-AV command were *not* required to take the training (and thus were not counted in the percentage), and the Compliance Unit's definition of "available" was used. Future attendance verification reviews will be based on final agreements regarding these compliance measures.

At the conclusion of the verification process, the MT made five recommendations to the Parties. The first two suggested that LASD-AV commanders regularly monitor and update station rosters and consider offering a training session on weekends in order to reach more deputies, including reserves. The remainder of the recommendations regarded the Parties finalizing the three compliance measures on training verifications.

The MT is well aware and appreciative of the commitment and attention to detail required to successfully train such a large amount of staff in a short time period. Reaching such a high percentage of deputies trained represents a significant accomplishment for Department.

b. MT Stops Data Review

In 2017, the MT began to review datasets containing stop information provided by LASD. The initial review was an opportunity to become acquainted with the data and develop a list of clarifying questions to discuss with the Compliance Unit. The MT intended to conduct a more formal review of the required stop information but decided to halt the review based on the finding from the AAB audit and the Compliance Unit that both AV stations showed low levels of compliance in data entry regarding stop justification narratives. Due to the known unreliability of the data as well as the laudable efforts by the Compliance Unit to remedy the issue, the MT decided to delay a formal review until the recent trainings can take effect at the stations. The MT will conduct a thorough review of more recent sets of stop data during the next six-month reporting period.

c. Field Observations

During this period, the MT continued to participate in ride-alongs and observed AV station deputies engaged in traffic stops, detentions, and arrests. This activity provided the MT with additional insights and awareness of deputy activities and community services. Monitoring activities such as ride-alongs and personnel interviews, coupled with document review and stops data analysis, provide a foundation for assessing how patrol activities and tactics comport with the station commanders' crime reduction strategies. This consideration pertains to page 7 of the SA, which 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.” The MT looks forward to discussions with LASD regarding these overall crime reduction strategies and expectations for the deputies.

3. Steps Toward Compliance

The Parties have not yet agreed on compliance measures for Stops, Seizures, and Searches, and formal assessment of compliance has not begun. The MT offers the following observations on the many efforts the Department has made so far toward achieving the aims of the SA, as well as associated requirements yet to be addressed.

a. *Constitutional Policing Training*

LASD continues to provide the training sessions for LASD-AV deputies who were unavailable for previous training sessions or who were newly assigned to the AV. The Department must continue to do so as long as there are deputies who have not yet received this training. To that end, a Constitutional Policing course was conducted on April 5, 2018. (Developments regarding the Bias-Free training are discussed in the Bias-Free Policing section below.) As the training becomes institutionalized, the true measure of the effectiveness of the revised policies and new training is in determining whether AV deputies interact with the communities they serve in alignment with the trainings and whether the intended outcomes of the changes occur. Therefore, beyond meeting a training schedule, it is critical that the concepts of the training are practiced by LASD-AV deputies and supported through strong supervision by the leaders of the AV stations.

b. *Stops Data Collection*

The findings of non-compliance in the AAB audit suggest that LASD’s oversight concerning this important activity has been insufficient. The SA states: “LASD agrees to implement additional accountability and supervision practices outlined below in the Antelope Valley, and ensure that existing policies are followed, to ensure that unlawful stops, searches, and seizures are detected and effectively addressed” (SA paragraph 58). The SA requires regular audits of the DDWSs and provides correction when errors or policy violations are identified by the supervisor (SA paragraphs 59, 60–62). Additionally, the SA also requires LASD to hold supervisors and commanders accountable for “appropriately and thoroughly reviewing” reports (SA paragraph 63).

The collection and analysis of stop data remains a core responsibility required by the SA, and every effort must be made to ensure the accuracy of the data. The initial efforts by the Compliance Unit to remedy the found deficiencies and to improve the DDWS reviews are one part of these accountability practices. So far, the AAB audits reviewed by the MT have looked at some aspects of the stops information required by the SA; the MT recommends a complete audit of all SA required stop information. The MT will assess the success of these efforts and conduct its own review of accountability processes related to stops beginning in the next reporting period.

4. Next Steps

The MT and Parties will discuss the Stops, Seizures, and Searches work plans and compliance measures. They expect to finalize these in the upcoming reporting period. Included will be final agreement on training verification procedures. As part of future training verification, the MT will collect station rosters on an ongoing basis.

During the next period, the MT will begin a series of formal reviews of data collected as required by the SA to assess the accuracy of data entry and the adequacy of the required narrative fields. These reviews will look at the thoroughness and accuracy of the required SA data points, such as race, age, location of the stop, and whether the deputy used a backseat detention. The reviews will also examine the SA required narratives in which the deputies give their rationale for searches and detentions. The MT reviews will assess the sufficiency of the narrative content, and eventually focus on the quality of the decision making.

During the scheduled July 2018 site visit, the MT will visit the AAB and review its methodology for the audit of Lancaster station stops. The MT is specifically interested in the methodology used to assess the required narrative summaries for stops, including the justifications for searches and detentions by AV deputies. To conduct an accurate review of the AAB audit and, if need be, to interpret any differences in the findings of the AAB audit and the MT's audit, it is important for the MT to clearly understand the criteria the AAB used to assess the narratives.

During this period, the MT received copies of all complaints pertaining to allegations of improper stops, detentions, and/or searches in the AV during 2017. In the next reporting period, the MT will review the allegations to gain an understanding of the types of stops involved in the complaints and any patterns that may be present. Understanding the types of activities that lead to complaints is an important step in determining if policing efforts are building trust with the community or, conversely, hurting those relationships. (The quality of the complaint investigation will be assessed in the course of the formal MT audits conducted as part of the Personnel Complaint Review section of the SA.)

As expressed in the last six-month report, investigative stops represent intrusions that if overused, used without justification, or conducted without appropriate respect and professionalism can lead to mistrust of law enforcement within the community. Therefore, as part of its review of the impact of actions in the field, the MT will continue to assess community attitudes toward LASD with regard to investigative stops, detentions, and searches. LASD-AV efforts to build and sustain collaborative relationships with the diverse community it serves will also be considered. In particular, the MT will review LASD community engagement activity, CAC activity (see SA paragraph 93), the organizational climate and culture assessment (see SA paragraph 69), and the Community Survey currently underway (SA paragraphs 98–101; see the Community Engagement section below). Part of this review will include an evaluation of how LASD's Bias-Free trainings (both the full-day course and the in-service trainings) are reflected in the Department's community policing strategies. (Because there is overlap in the activities and goals of various sections of the SA—and for the sake of efficiency—data reviews and other activities will be done in concert with the monitoring activity related to those other relevant sections, such as Bias-Free Policing, Community Engagement, Enforcement of Section 8 Compliance, and Accountability.)

The SA sets out clear expectations and requirements of how first-line supervisors and managers must supervise the work of LASD-AV deputies. Competent, direct, and consistent supervision provides the framework for the fair, Constitutional, and professional policing required by the SA, sought by the Department, and expected throughout the diverse communities of the AV. During the site visits, meetings with LASD-AV staff, and review of LASD documents, the MT will continue to assess how LASD-AV supervisors ensure that investigative stops, detentions, and searches are consistent with the SA, LASD expectations, and the Constitution.

B. Bias-Free Policing

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

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

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

1. LASD Activities

The previous LASD-AV instructor for Bias-Free Policing is no longer available to teach the course. As a result, there were no Bias-Free Policing trainings offered during this reporting period. The Compliance Unit identified the trainer for the Constitutional Policing course as a possible replacement, and he will provide a pilot training session on July 12, 2018. LASD, DOJ, and the MT discussed the pilot training session with this trainer. He has agreed to prepare course revisions and submit them for review prior to the pilot training session. The Parties have agreed that the new trainer will work from the same curriculum as the previous trainer, but that he may adapt supporting materials and descriptions to fit his own teaching style and experience. It is important to identify a permanent replacement to teach this important course; this training must be offered at regular intervals for newly assigned LASD deputies in the AV.

LASD submitted for review by the MT and DOJ five draft exercises to be used for Bias-Free Policing training scenarios as required in SA paragraph 71: "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." Each of the five exercises includes the following: a specific scenario for LASD-AV deputies to consider and discuss, five true-or-false questions to be answered, an instructor answer key, and a specific explanation for the rationale of the exercise. The scenarios are structured to highlight which deputy actions violate or adhere to LASD Bias-Free Policing policies and, therefore, should facilitate discussion. The roll call trainings also address Fair Housing Act issues from the Enforcement of Section 8 Compliance section. The Department and trainer are now reviewing MT and DOJ comments on the roll call curricula.

The new LASD Limited English Proficiency policy has now been published. The policy is meant to ensure that there is timely and meaningful access to police services for community members who are not fluent in English (SA paragraph 66). The Compliance Unit is currently conducting a verification review to ensure each AV deputy has received and understands the new requirements. The MT will then do its own verification and discuss with the Parties any next steps for the new policy.

2. Monitoring Activity

a. Bias-Free Policing Training: Attendance Verification and Roll Call Curriculum Review

The MT conducted an extensive review of attendance at the Bias-Free Policing training sessions as detailed in the above Stops, Seizures, and Searches section of this report. The MT determined that LASD has trained over 95% of its available deputies according to current definitions. As previously discussed, there are still some outstanding items to be discussed and resolved between the Parties in the upcoming reporting period.

The MT received five draft exercises proposed to fulfill the requirements of SA paragraph 71's quarterly roll call training sessions. The MT has reviewed the exercises and provided specific feedback to LASD in the following areas: (1) content in need of clarification or correction; (2) emphasis of critical points in the material; (3) the recommended addition of content related to the Federal Housing Act (FHA); and (4) clarification regarding delivery/administration of the training.

b. Field Observations: LASD Programs, Initiatives, and Activities

The MT participated in several ride-alongs during this period and observed LASD-AV station deputies engage in traffic stops, detentions, and arrests. This activity provided the MT with additional understanding of the activities of LASD-AV deputies and the service provided to the community. As also mentioned in the Stops, Seizures, and Searches section of this report, these observations are important to ensure that stops are part of an "effective overall crime prevention strategy, [and] do not contribute to counter-productive divisions between LASD and the community" (SA page 7). They also provide a basis for evaluation of LASD-AV per paragraph 68, which requires LASD to "assess all programs, initiatives, and activities involving the 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 basis of race, color, ethnicity, national origin, religion, gender, gender identity, disability, or sexual orientation." The MT looks forward to meeting with LASD and DOJ to gain an understanding of LASD's overall crime-reduction strategies.

c. Limited English Proficiency

During field visits, the MT has found that Limited English Proficiency (LEP) materials are available in the lobbies of LASD-AV stations, and interviews with LASD deputies have indicated access to bilingual staff is provided when needed for translation. Deputy adherence to the new LEP policy will be part of MT reviews moving forward through review of a variety of inputs, such as complaints, arrest reports, direct observation, and information from CACs and community members. The MT will continue to assess access to LEP materials and staff (SA paragraph 66). In the next reporting period, the MT will work with the Compliance Unit to conduct a policy acknowledgment verification similar to that for the housing policies (see the Enforcement of Section 8 Compliance section below).

d. *Museum of Tolerance*

The MT met with two representatives of the Museum of Tolerance in Los Angeles. The SA states: "LASD agrees to continue to consult with the Museum of Tolerance personnel and others to ensure clear guidance for LASD-AV deputies, through policy, training, and supervision, on prohibited conduct, including selective enforcement or non-enforcement of the law and the selection or rejection of particular tactics or strategies, based upon stereotypes or bias"(paragraph 65). The staff from the Museum were very knowledgeable of implicit bias and bias-free policing concepts. It was clear that LASD central training staff were in contact with Museum staff to develop and provide bias-free and implicit bias training for the LASD academy and LASD training updates. LASD sends representatives to participate in focus groups for the Museum's training development. The Museum provides the state-mandated implicit bias training to LASD deputies. LASD-AV deputies attend the update training sessions, although the number of attendees appears small. (The state-mandated implicit bias training is separate from the SA-required bias-free policing sessions.) The Museum does not confer directly with the station captains in LASD-AV. Besides potentially leaving the Department out of compliance with paragraph 65, the MT believes this is a missed opportunity for LASD-AV station commanders to tap into readily accessible expertise regarding the reduction of bias and community outreach in law enforcement. In the upcoming reporting period, the MT will conduct further reviews of the Department's consultation with the Museum and will evaluate the alignment of the Museum's training curricula with that of the Department's Bias-Free Policing trainings to ensure they enhance one another and do not conflict.

3. Steps Toward Compliance

The MT, DOJ, and LASD met with the author of *Analysis of LASD Stop and Use of Force Data for Antelope Valley* (submitted June 9, 2017), which assessed data on stop and use of force to determine if disparate treatment is taking place in the AV. The research addressed SA paragraphs 82–83 in the Bias-Free section and paragraphs 120–121 in Use of Force. The MT acknowledges LASD's genuine effort to fulfill these requirements. However, the MT did not approve the report for release, primarily because significant questions have been raised about the underlying data used in the report. DOJ and the MT also had concerns about the methodologies chosen. However, the meeting with the researcher was productive, and the Parties gained a better understanding of the methodologies used to complete the assessment. The researcher has agreed to engage collaboratively with the Parties and the MT in further study when there is more confidence in the underlying data.

The MT encourages LASD to address the questions and topics remaining for the Bias-Free Policing quarterly training. As noted earlier, the feedback provided to LASD included, in brief: (1) content in need of clarification or correction; (2) emphasis of critical points in the material; (3) the addition of FHA-related content; and (4) clarification regarding delivery/administration of the training. This regular training is an important step to complete as it will serve a critical reinforcement of the training LASD deputies received in the Constitutional Policing and Bias-Free Policing courses. If too much time passes without these reminders, the key lessons from the training could be forgotten or not perceived as highly valued concepts of the LASD station command structures.

To date, LASD has trained over 95% of available LASD-AV deputies. LASD is required to provide the Bias-Free Policing training for LASD-AV deputies who have not yet attended the training. The MT understands the difficulty of replacing the primary instructor who was no longer available and will work with the Parties to find a suitable replacement.

The MT will work with the Parties to review any of the proposed changes to the Bias-Free Policing curriculum that result from the selection of a new trainer. The topics presented in the training sessions address some of the core concerns that brought about the SA. The MT will closely observe the delivery of the training. It must maintain the same level of adherence to the requirements and principles of the law, the requirements of the SA, and LASD-AV policy and be delivered in a manner that will resonate with the deputies. Compliance with the Bias-Free Policing training requirements are dependent on a formally approved training course and instructor. Without both in place, the Bias-Free Policing training cannot be offered on a regular basis, as required by the SA.

4. Next Steps

The MT and Parties will discuss the Bias-Free Policing work plans and compliance measures, with finalization expected in the upcoming reporting period.

The MT provided feedback to LASD regarding the Bias-Free Policing and FHA training scenarios and looks forward to reviewing revisions to the training scenarios.

The MT will be on site for the delivery of the pilot presentation of the Bias-Free Policing training session on July 12, 2018. As agreed, the MT and DOJ will receive the training material for their final approval prior to the delivery of the pilot. The MT will also provide feedback to LASD at the conclusion of the pilot training session.

The MT will work with the Compliance Unit to verify that deputies have received the new LEP policy.

The MT will review the type and level of consultation the Department receives from the Museum of Tolerance as a basis for determining SA compliance. The MT, in collaboration with the Department, will also compare the Museum's implicit bias curriculum with the SA-required Bias-Free Policing training to ensure they are complimentary and achieve the goals and objectives of the SA.

During the next period, the MT will assess LASD's efforts to improve the quality of the stop data collected and do its own review of the accuracy and quality of stops data. The MT will also continue its reviews of the processes in place to make certain that supervisors and commanders are held accountable for ensuring the data are accurate.

Finally, the MT will meet with LASD station captains to discuss the issues raised above in Field Observations: LASD Programs, Initiatives, and Activities regarding paragraph 68 and other SA provisions requiring assessments of the Department's stops and policing strategies. The MT looks forward to meeting with LASD and DOJ to gain an understanding of LASD's overall crime reduction strategies and how they affect LASD community relations and Bias-Free Policing outcomes.

C. Enforcement of Section 8 Compliance

In previous six-month reports, the MT described what gave rise to the SA housing provisions and described in detail LASD's progress toward developing two new policies: its Housing Non-Discrimination Policy and revising Housing Authority Section 8 Non-Criminal Investigations/Inspections. Those policies are now being disseminated to the deputies. Earlier reports also described development of the housing-related training curricula incorporated in the Constitutional Policing and Bias-Free Policing trainings. Most deputies have now received the trainings, as discussed in the Stops, Seizures, and Searches and Bias-Free Policing sections above. This section will describe the steps that have been undertaken with these policies and trainings. It will also describe the MT's observations in tracking the policy and training implementation, the development of bias-free roll call trainings and what is beginning to occur with respect to the assessment of policy effectiveness and outcomes.

1. Activities in This Period

a. Housing Policy Approval

The new Housing Non-Discrimination (HND) Policy required by the SA is meant to reflect LASD's commitment to the requirements of the FHA and explain how to file a complaint of discrimination in housing. The required revisions to the Housing Authority Section 8 Non-Criminal Investigations/Inspections (FOD 12-002) lay out the Department's policies on deputy accompaniment on Section 8 compliance checks, on housing fraud investigations and referrals for prosecution, and on sharing information with a housing authority. It also describes the steps for proper documentation by LASD of all voucher holder activity.

In December 2017, following DOJ and MT approval of these policies, the supervisors' union, Professional Peace Officers Association (PPOA), requested revisions to the HND Policy, and the deputy's union, Association for Los Angeles Deputy Sheriffs (ALADS), requested revisions to FOD 12-002. The PPOA proposed adding language to the HND Policy to clarify what actions by Department members might constitute discriminatory conduct in violation of the FHA.

ALADS requested the following substantive changes, along with several non-substantive edits, to FOD 12-002.

- A watch commander shall share all information posing a safety risk to any deputy approved to accompany a housing authority worker on a Section 8 compliance check.
- Language to clarify the application of the *plain view doctrine* during deputy accompaniment of a housing authority worker on a Section 8 compliance check.
- Removal of language that detective referrals of their investigations of fraud on the voucher program are made to the District Attorney's Office "without expressing any recommendation, unless in response to a specific request, thus allowing the District Attorney to decide on a filing decision independently."

After review and discussions among the Parties, the MT, DOJ, and LASD reached agreement on the changes, and the internal approval process resumed. Both documents were subsequently finalized and published: The new HND policy (also known as FOD 18-001) was published February 23, 2018, and revised policy FOD 12-002 was published March 14, 2018.⁵ Both policies were disseminated departmentwide at the time they were published. The policies were sent to the AV stations with instructions on their distribution according to SA requirements.

b. Housing Policy Dissemination

With final approval and publishing of the two policies, LASD is now in partial compliance with paragraphs 73, 74, and 76–80 of the SA. The next step toward full compliance is for the Department to provide documentation to the MT that all appropriate deputies have received, understand, and agree to abide by the new policy. The process for dissemination is laid out in paragraphs 74 and 75 for the HND and in paragraph 164 for FOD 12-002. For both policies, a Policy Acknowledgement Form must be signed and requires deputies to acknowledge the following.

- "I have read and understand the Housing Non-Discrimination Field Operations Directive or the Housing Authority Non-Criminal Investigations/Inspections Field Operations Directive and understand that I will be held accountable for policy and procedure violations."
- "I understand my responsibilities pursuant to the policy, including my duty to report violations of policy."
- "I understand supervisors of all ranks shall be accountable for identifying and responding to policy and procedure violations by personnel under their command."

⁵ The full text of the policies can be accessed through the LASD Compliance Unit website at http://www.la-sheriff.org/s2/page_render.aspx?pagename=avc_main

The HND also requires that deputies sign a Supplemental Policy Acknowledgement Form ("Supplemental Form").

*"I have received a copy of the Los Angeles County Sheriff's Department **Field Operations Directive #18-001—Housing Non-Discrimination Policy**. I have been given the opportunity to have any questions I have about the policy answered either by contacting a supervisor or by submitting the question(s) on this form."*

The Supplemental Form has a section for submission of written question(s) and a statement: *"Any questions submitted will be answered by the Compliance Unit within 30 days of submission."*

The LASD processes to obtain all the requisite deputy acknowledgments and associated roster verifications are underway. The LASD Compliance Unit is expecting to receive the signed forms from the AV stations soon and will then complete their internal roster verification process. The MT will then commence its own verification, similar to the attendance verification process for the trainings described in the Stops, Seizures, and Searches section of this report.

c. Roll Call Training

Also in this reporting period, LASD submitted for review their proposed Bias-Free Policing roll call training scenarios required by paragraph 71 and described in the Bias-Free Policing section of this report. The MT reviewed these and, in addition to the changes described in the Bias-Free section above, has requested that a Fair Housing Act scenario be included in this training.

d. MT Review of Policy and Training Outcomes

With the housing policies in place and verification pending, and with most AV deputies having been trained in Section 8 issues, housing-related monitoring activity has shifted to (1) tracking ongoing policy implementation and training; (2) assisting with the development of the roll call trainings; and (3) assessing outcomes related to these policies and training. Outcomes to be assessed include (1) whether the concepts, requirements, and procedures expressed in the policies and trainings are successfully reflected in practice; (2) whether the intended impacts are being experienced in the AV community; and (3) if LASD supervisors and managers routinely monitor and evaluate compliance with these policies and trainings, track outcomes, and take appropriate corrective action when issues arise for individual deputies, units, or the Department.

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

MT work assessing outcomes begins with a records and data review. To that end, the MT submitted a document request to LASD in February 2018 that contained requests for the following housing-related documents.

- Investigations, Claims for Damages and Litigation related to Section 8 Housing, including but not limited to: Claims for Damages, Lawsuits, Service Comment Reports, Administrative Investigations.
- All documentation related to LASD investigations or referrals for prosecution for criminal fraud based on voucher holder compliance with the voucher contract.
- All non-criminal investigation/inspection security request forms submitted by housing authority workers from January 1, 2017, through December 31, 2017.
- Computer Aided Dispatch (CAD) data for all stat code 787 calls; January 1, 2017, through December 31, 2017.
- Watch Commander logs for first quarter 2016.

LASD promptly provided this information, including a spreadsheet of the CAD data for stat code 787 calls from January 1, 2017, through December 31, 2017, and reports from the Los Angeles Regional Crime Information Center (LARCIS) for the same period for the Lancaster and Palmdale stations. The Compliance Unit and MT will coordinate on a review of Watch Commander logs in the next reporting period. Follow-up document requests will likely occur as well.

Code 787 is used in the deputies' mobile computer system to record and describe any type of deputy accompaniment, for security reasons, for non-criminal investigations or inspections. The MT found there were no stat code 787 entries related to voucher holder compliance checks, independent investigations for criminal fraud based on voucher holder compliance with the voucher contract or deputy calls and observations, or incidents involving voucher holders. This finding is consistent with the Department's assertions that they do not participate in compliance checks or any other Section 8 housing-related law enforcement actions.

The LARCIS reports for Lancaster and Palmdale for the relevant period were blank. LASD explained that LARCIS is a relational database-driven application that houses and provides electronic access to crime and incident information for all reports written by patrol and various other LASD units. LARCIS is where data are entered for any criminal case associated with Section 8 investigations or referrals for criminal fraud, or for requests by the housing authority for deputy assistance with Section 8 investigations or inspections. LASD stated that the blank LARCIS forms demonstrate that "there are no investigations for Section 8 criminal fraud, referred cases to the District Attorney based on Section 8 criminal fraud, and no requests made by a housing authority to assist with Section 8 investigations/inspections during the time period requested" (email communication from LASD Compliance Unit, February 21, 2018).

2. Steps Toward Compliance

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

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

3. Next Steps

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

a. *HND Policy*

- The MT will sample and analyze policy dissemination documentation to determine if all deputies have the requisite signed acknowledgments.
- The MT will review LASD complaints, administrative investigations, survey results, Watch Commander logs, and other relevant documents and resources for LASD-AV deputy involvement in housing-related activities to determine whether such activity was conducted in accordance with the FHA and the HND Policy.
- The MT will conduct interviews of LASD personnel, community members, and persons with information relevant to LASD-AV housing activities to determine whether any such activity was conducted in accordance with the FHA and the HND Policy.

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

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

c. *Additional SA Provisions Regarding Compliance Assessment*

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

- *LASD will conduct at least semi-annual analysis of, at a minimum, the following AV data: . . . Voucher Holder compliance checks involving LASD personnel (paragraph 82g).*
- *In addition to compliance reviews and audits, the Monitor shall conduct qualitative and quantitative outcome assessments to measure whether LASD's implementation of this Agreement has eliminated practices that resulted in DOJ's finding a pattern and practice of constitutional violations. These outcome assessments shall include collection and analysis, both quantitative and qualitative, of . . . Section 8 Compliance Enforcement Measurements . . . (paragraph 153c).*

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

D. Community Engagement

The Community Engagement section of the SA states that “LASD agrees to promote and strengthen partnerships within the community, to engage constructively with the community to ensure collaborative problem-solving and bias-free policing, and to increase community confidence in the Department” (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 as appropriate and requested.

1. Monitoring Activities

The MT made three site visits during this monitoring period (December 12–14, 2017, February 8, 2018, and April 17, 2018) to further engage with the community, to learn about the community’s current experiences with and perceptions of LASD, and to meet with LASD and the CACs regarding compliance with the Community Engagement section of the SA. In addition, MT members were able to directly observe engagement and interactions between LASD and the community and provide feedback to station personnel.

a. *Ride-Alongs*

On December 13, members of the MT conducted ride-alongs with various LASD deputies in Palmdale and Lancaster. For the purposes of the community engagement monitoring work, the ride-alongs allow the MT to directly observe deputies’ interactions with the community and monitor compliance with specific provisions of the SA. Ride-alongs and interviews with on-duty deputies also allow the MT to identify to what extent policing strategies and public safety priorities in the AV are informed by or considered with community members as envisioned in SA paragraph 93. These observational activities also allow the MT to assess the impact of the Constitutional and Bias-Free Policing trainings and the soon-to-be implemented in-service trainings on policing strategies and tactics and community relations.

b. Community Town Hall Meeting

On December 14, the MT hosted a community town hall meeting with The Community Action League (TCAL) and AV-LULAC (League of United Latin American Citizens). The meeting was held at a church in Lancaster and was attended by approximately 50 community members and LASD personnel. The MT and DOJ provided updates to the community on the SA. Following that, most of the meeting was dedicated to listening to community members about their appreciation, concerns, complaints, and ideas regarding LASD–community relations in the Antelope Valley. One woman, who had made several observations throughout the evening, summed up the sentiment from the community regarding relations with LASD and the Department’s improvements: “We have come a long way, but we still have a long way to go.”

Community comments regarding relations between the community and LASD included the following themes.

- Generally, sentiments were expressed among community members that significant improvement in community engagement has been noticed since the DOJ investigation and the implementation of the SA. In fact, several community leaders and members of LASD have hypothesized that low turnout to community engagement events is, in part, related to the general improvements in LASD and community relationships. It is possible that the community is more satisfied with their interactions with the stations and are thus less likely to spend their limited free time attending LASD engagement events.
- LASD has a more noticeable presence in the community and is doing more outreach and using multiple strategies in their outreach since the negotiation of the SA.
- “There is outreach happening but not as effective as we want them to be.”
- LASD leadership, such as the captains of the LASD-AV stations, have been making a visible effort to improve their community engagement. The MT has witnessed and documented multiple occasions where the captains have attended more meetings, sometimes in civilian attire (which some community members have noted and appreciated) and not always surrounded by staff. The captains seem more approachable, receptive, listening, and engaging and provide contact information for specific follow-ups with individuals. Many members of the community have corroborated this observation. Importantly, this positive perception is directed at a select group of deputies and LASD personnel, but not necessarily for all deputies as a whole. Community members have praised individual deputies by name to the MT, but some have also expressed a belief that these deputies are outliers. There continues to be a perception that many deputies remain disengaged or defensive, at least during the larger community engagement events.

- Since the negotiations of the SA, there is a perception that LASD has effectively engaged some leaders of specific community-based organizations (CBOs) in the AV but has not put the same focus or effort toward building relationships with black and Latino community members who are not already well known to them or recognized as community leaders.

The Department has taken laudable steps to broaden the scope of its outreach in a variety of ways (as described in the Department's annual Antelope Valley community engagement reports),⁶ and consequent improvements in community relations are evident. At the same time, these community comments also indicate that some in the community still feel alienated from the Department. The Department will be well served to apply special effort to identify and reach those groups. Information from the CACs, Community Survey, and other community feedback should help in this regard. It is not uncommon in law enforcement–community relations for improvement with certain groups to take longer or require a different approach than with others. This could be due to a number of factors, including the nature of current or past experience with law enforcement, immigration concerns, or language barriers. It's also true in community relations that the facts are sometimes less important than perceptions. Current law enforcement activities that would not normally elicit ill-feelings among community members may nonetheless do so because of associations with lingering memories and narratives of past experiences. This should not discourage the Department from continuing its efforts, as they seem to be bearing fruit. Rather, it is incumbent on both the Department and community members—including CAC members, CBOs, and individual citizens—to understand these dynamics, to communicate honestly and reasonably, and to share the goal of improving trust and openness.

Community comments that reflected concerns or constructive criticism included the following themes:

- Community members question the transparency and accountability of LASD-AV, particularly in their confidence that LASD will document complaints, conduct follow-up, and hold deputies accountable without retaliation to the complainant or the complainant's family.
- Community members request increased outreach in Spanish. The Department has held Spanish-language meetings at markets in both cities and is encouraged to continue and broaden this practice.
- Some community members believe that classism is a problem in the AV and that deputies treat poor people and poor communities unfairly.

⁶ LASD-AV community engagement reports can be accessed through the MT's website (<http://www.antelopevalleysettlementmonitoring.info>) or the Compliance Unit website (http://www.la-sheriff.org/s2/page_render.aspx?pagename=avc_main). See also the CAC Public Reports at the Compliance Unit website)

- In one event, a community member suggested holding town hall–style community meetings in more varied neighborhoods, such as Park Circle in East Lancaster.
- For some community members, there is resentment arising from a perception that a local park was renamed for a slain officer without community input. The City of Lancaster made the decision to rename the park, but some in the community attribute the change to LASD-AV. The MT is unaware as to whether there was or was not a structured process for community input facilitated by the city. Nevertheless, the Department and community members should engage in open dialogue on both the facts and the perceptions of the situation. This can be extremely helpful in building relationships and healing the trauma of community members and law enforcement alike.
- Several community participants in this reporting period described rudeness, bias, or excessive force from deputies from Lancaster and Palmdale.

Some community leaders have shared concerns that the national rhetoric around policing is influencing the overall view of law enforcement in various AV communities or neighborhoods. Community members may associate LASD-AV with incidents outside of the AV. In this context, such high-profile tragedies as the recent shooting of Romando Garcia (by Palmdale deputies) can diminish the perception of progress. Reforming policing practice and responding in an open and non-defensive manner to any missteps are obviously critical steps toward overcoming community mistrust, but perceptions and lingering associations may take longer to change.

All these themes and comments from community meetings are important because they reveal certain perceptions of community groups that may be counterproductive to a robust community policing strategy. For both formal complaints (SCRs) and informal comments and concerns, the Department should not only focus on the veracity of an allegation or characterization of an incident, but on the underlying fears and mistrust they may reveal. The Department's responses to these fears and perceptions are crucial. They provide an opportunity for the AV stations to actively engage with their CACs, community leaders, and local experts on community policing and bias-free policing to develop a systematic and transparent process of documenting and responding to community concerns and evaluating the stations' current policing strategies and the costs and benefits of those strategies on the communities.

It is important to note that it is not the role of the MT to judge the veracity of any particular accusation of bias or misconduct. However, it is the role of the MT to ensure that each AV station has a systematic, reliable process to investigate both formal and informal complaints, communicate with the aggrieved party, engage the CACs appropriately, and maintain effective accountability structures. As an example, the MT was notified by CAC members that there was an incident at a quarterly community meeting in which a community member felt that the treatment of a citizen was influenced by bias on the part of the deputies. After repeated requests, the Compliance Unit was able to brief the MT on the station's response to this issue but not in enough time for the MT to review for this report. With this and any other similar incidents, the MT will evaluate the CAC and station's coordination and responsiveness to this kind of issue and to ensure compliance with the SA.

c. *Technical Assistance to CACs*

To directly support the functioning of the CACs, the MT has offered to train the AV CACs on the various missions and processes of law enforcement community advisory boards, commissions, and committees. This would help the CAC members better understand their roles in the AV and processes by which they can best do their work and would provide greater detail about the suggestions the MT has made to the CACs over the past year. In February, the MT received a request from members of the AV CACs for such a training.

As a result, the MT provided training for both AV CACs in April 2018 that was tailored to the issues and questions they raised. Fifteen members of the CACs attended and were highly engaged in the training. The Lancaster CAC liaison also attended the training.

SA paragraph 93 defines the role of CACs as:

LASD will continue to support Lancaster and Palmdale's CACs to advise and provide feedback to the LASD's Antelope Valley stations. The panel will leverage the insights and expertise of the community to address policing concerns, including, but not limited to, racial or ethnic profiling and access to law enforcement services, and promote greater transparency and public understanding of LASD. The civilian panel shall be authorized to: (a) advise the Sheriff and the station commanders on strategies and training to improve community relations, bias-free policing, and access to the civilian complaint system; (b) work with the Sheriff and station commanders to establish and carry out community public safety priorities; (c) provide the community with information on the Agreement and its implementation; and (d) receive and convey to LASD public comments and concerns.

The core messages of the training emphasized the role of the CACs as follows.

- Serve as a liaison between the community and LASD, especially for community members less able or inclined to directly engage with the Department or participate in open forums.
- Regularly provide information about community concerns to LASD.
- Actively seek out community members for their perspectives and input, especially those that LASD might not otherwise become aware of.
- Serve as a two-way conduit of information and report back to the community, when and where appropriate.
- Inform community members of LASD reform efforts, events, and responses to incidents or concerns.
- When requested or needed, provide input to the stations on community policing strategies and public safety priorities (SA paragraph 93) and discuss possible unintended consequences of those strategies.
- Be a voice *for* the community to LASD.
- Occupy a special position and privilege with direct access to the station captain and other leaders at the stations as well as in representing the community and reflecting community views.

There was a very positive response to the training from the CAC members. Also, the MT learned of developments from the CACs.

- There was strong interest and desire evident during this session for improved relations between the community and LASD, with community members acknowledging the positive changes that are occurring and expressing the need for further progress.
- The Department's liaisons to the CACs have made efforts to recruit an invested and diverse membership on the CACs.
 - » Four members had direct involvement in the initial TCAL-NAACP lawsuit that led to the DOJ investigation and then the SA.
 - » There are now two members of the Lancaster CAC who are members of and advocates for the LGBTQ community.
 - » There is a homeless advocate on the Palmdale CAC.

- » There is now a total of four youth members on the two CACs, with three new youth members recently added, one in Lancaster and two in Palmdale. All three new members are students at AV Community College.
- There was openness to discussing the need to improve the functioning of the CACs and acknowledgment that they need help with some of their administrative tasks, such as in developing meeting agendas, documenting meeting minutes, ensuring follow-up on issues of concern, and communicating more frequently with the MT regarding these operational issues.

2. LASD Community Engagement Activity

The LASD-AV stations maintain a monthly Community Engagement Tracking Report, which lists the various community meetings and events that LASD holds or participates in and each deputy's attendance record. Such meetings include: Coffee with the Captain, in which the captain from each station and some deputies have an open meeting at a café to hear from community members; LASD Ice Cream Socials, in which LASD provides free ice cream to children in the community, and deputies are available to answer questions and spend time with children; and monthly NAACP membership meetings. It is clear that LASD is participating in numerous community events and has been making a concerted effort to reach out to the various AV communities and to document these outreach efforts.

Another way the Department has begun tracking each deputy's community engagement activity is by enabling deputies to document in their mobile computer system substantive, non-law enforcement interactions with community members. The Community Engagement work plan is not fully finalized, but an agreement on the manner in which LASD-AV will meet the requirement that all deputies regularly engage in community events (SA paragraph 88) is described below.

Both Lancaster and Palmdale CACs hold quarterly community meetings that are open to the public and allow the CAC members and LASD personnel to engage with community members on progress in meeting the SA requirements and other objectives. These meetings are facilitated and actively advertised by the Department (SA paragraph 94).

3. Joint Activities

a. *Community Survey*

As required by the SA, the first annual AV Community Survey was launched in February 2018 by an independent research team that has been contracted to administer and manage the community survey. The purpose of the survey is to assess community perceptions of the relationship between LASD and the AV community and to attempt to measure how, if at all, the SA reforms affect that relationship. The survey has been available for community members to complete both online and on paper. Several AV community-based organizations have been engaged to help raise awareness of the survey and to distribute a link to it. Many of these organizations have physical copies of the survey available as well. LASD has also been effective at spreading the word about the survey, using its social media to recruit a significant number of respondents.

In addition to the general survey being distributed throughout the AV, a youth survey is also being administered. Students at two high schools, one in each city, took the survey in March and April.

As the data collection phase of the survey process—including the outreach and encouragement of community members to complete the survey—nears completion, the Parties and the research team are working to ensure that the survey responses yield a representative sample of the AV community. Representativeness, in this context, refers to how well the demographics of survey respondents match up with the demographics of the AV community at large. At the time this report was written, early data visualizations revealed that people of color (particularly black and to a lesser extent, Latino) were underrepresented in the initial pool of respondents. White youth were also underrepresented. The research team was asked to conduct more targeted outreach to these underrepresented communities, and those efforts are currently underway.

The research team will also soon collect qualitative data through a series of focus groups. Both youth and adult focus groups will provide the research team with more in-depth conversations about the relationship between LASD and the AV community. This will help provide further context for the survey responses. The Parties and research team are currently determining the methodologies for the qualitative data collection and are procuring internal review board (IRB) approval of qualitative data.⁷

After the data collection phase is complete and the data are analyzed, survey results will be compiled and released to the public. The data gathered through this initial annual survey will be used as a baseline and will be compared with future survey data to assess changes in the relationship between LASD and the community over time.

⁷ An IRB is a type of committee that reviews the methods proposed for research to ensure that they meet ethical standards. The purpose of the IRB is to make certain that appropriate steps are taken to protect the rights and welfare of humans participating as subjects in a research study.

b. Compliance Metrics: Defining Regular Community Engagement

The Parties and MT conferred in mid-May over a few final issues relating to work plans and compliance metrics for the Community Engagement section of the SA. It is expected that these plans will be finalized early in the next reporting period.

Key provisions that were finalized in this reporting period include SA paragraph 88, which mandates: "All sworn personnel at the Antelope Valley stations shall actively attend community meetings and events . . . on a regular basis and take into account the need to enhance relationships with particular groups within the community, including, but not limited to, youth, and communities of color."

The MT first considered a definition of "regularly" in paragraph 88 as requiring every single sworn member of the Palmdale and Lancaster stations attend at least one community meeting or event every three months. However, LASD receives a high volume of calls for service and has clearly articulated goals and values that require a timely response to all calls for service. Because each station's policing strategy is highly influenced by their commitment to call responsiveness, allocating time for all community engagement activities is extraordinarily challenging. These challenges, which also include the impracticality of holding community events during the overnight shift, may have made compliance with a quarterly mandate for every deputy untenable.

As an alternative, LASD proposed an innovative idea to allow more organic community engagement efforts to count toward compliance. LASD submitted that deputies who engage in voluntary, meaningful, and sometimes spontaneous engagement with members of the community could be tracked and counted through their mobile computing systems using the "Community Relations" stat code, 755. For example, if deputies encounter a group of people playing basketball in the park and have the time to engage in a meaningful discussion with them about their concerns or ideas on improving LASD-community relations, that encounter would count toward their mandated community engagement efforts. The MT applauds this solution, as it both solves a logistical dilemma and illustrates that daily encounters between deputies and community members are an important opportunity for the Department to bring its community engagement activities into alignment with its evolving community policing strategies and problem-oriented policing practices.

Subsequently, the Parties agreed that the following will constitute compliance with paragraph 88 of the SA.

LASD Deputies are meaningfully participating in community engagement as evidenced by the 755 stat code log and the monthly Community Meetings report submitted by LASD-AV showing every deputy assigned to an AV Station attends community meetings and engages in voluntary, positive, self-initiated community contacts and at the following intervals:

1. Every twelve months, two community meetings/events and two voluntary, positive, self-initiated community contacts OR one meeting/event and a minimum of six voluntary, positive, self-initiated community contacts.
 2. Voluntary, positive, self-initiated community contact will be logged utilizing stat code 755. LASD will provide appropriate training to deputies on how to use the 755 stat code and regularly review deputies' logs to ensure the 755 stat code is being used correctly.
4. Monitoring Team Recommendations

As the MT has emphasized in previous reports and in other communications, community engagement is a means of working to establish long-term, trusting, and productive relationships with communities and community members, especially among the minority and youth populations (as specified by the SA). In the context of the Community Engagement section of the SA, it is crucial that all members of the Department understand that community engagement and community relations are not one and the same. The quality of community relations is a reflection or outgrowth of the policing philosophy, strategies, and tactics that are employed by a law enforcement agency. Policing tactics and practices have a direct and immediate influence on the quality of the relationship between the community and their law enforcement providers. And many decades of experience have shown that positive community relations can be more readily achieved when there is a shared commitment between the community and law enforcement to a community policing philosophy and the adoption of problem-solving practices.

Community policing differs from community relations in that it focuses on a unique process and specific actions that are intended to foster ongoing collaboration and support for achieving well-defined, mutually agreed upon objectives. It requires a law enforcement agency to commit to undertaking meaningful collaboration by actively engaging with community members who then become true partners and co-producers of public safety. This differs significantly from traditional policing models wherein the community is relegated to simply becoming passive recipients of those public safety services that only the agency determines to be suitable and appropriate.

SA paragraphs 87, 89, 90, and 93 identify a number of specific objectives that LASD can achieve by having sincere community dialogues, implementing a comprehensive community policing strategy, engaging the community in identifying community and neighborhood priorities, examining effective and appropriate policing tactics to be employed, participating in community meetings and events, and receiving and responding to community input. As reported in previous six-month reports, the MT has also encouraged LASD to define and adopt a genuine community policing model to implement in the Antelope Valley.⁸ The MT is optimistic that after the development and implementation of the in-service trainings required by SA paragraph 89, the department will be in a better position to implement and carry out these objectives. Paragraph 89 states:

LASD agrees to provide structured annual in-service training on community policing and problem-oriented policing methods and skills for all AV deputies, including station supervisors and unit commanders. This training shall include: (a) methods and strategies to improve public safety and crime prevention through community engagement; (b) scenario-based training that promotes the development of new partnerships between the police and community targeting problem solving and prevention; (c) leadership, ethics, and interpersonal skills; (d) community engagement techniques, including how to establish formal partnerships and actively engage community organizations, including youth, immigrant, and LGBT communities; (e) problem-oriented policing tactics; (f) conflict resolution and verbal de-escalation of conflict; and (g) cultural awareness and sensitivity training.

Beyond the CAC meetings, LASD should consider hosting quarterly town hall meetings to hear from the community and implement a structured, reliable follow-up process. Department personnel giving talks or presenting reports to the community can serve important purposes, but these meetings should also stress that the Department is listening to community members. Whenever possible, LASD should seek to have patrol deputies and field sergeants present, in addition to the captains of each station and others in leadership. It is beneficial to have deputies in attendance so that they can also engage directly with community members.

⁸ The US DOJ Office of Community Oriented Policing Services (COPS Office) illustrates what is meant by community policing: "Community policing emphasizes proactive problem solving in a systematic and routine fashion. Rather than responding to crime only after it occurs, community policing encourages agencies to proactively develop solutions to the immediate underlying conditions contributing to public safety problems. Problem solving must be infused into all police operations and guide decision-making efforts. Agencies are encouraged to think innovatively about their responses and view making arrests as only one of a wide array of potential responses." (<https://cops.usdoj.gov/Default.asp?Item=2558>)

A community member suggested that each station hold a community event or series of town hall-style meetings in Spanish. Although the stations typically provide translation services, the community is requesting that the meeting be held in Spanish as the primary language and translated to English for non-Spanish speakers. It was also suggested that LASD make it clear that the undocumented community is invited to the meeting and is guaranteed that it will be safe to attend. LASD should consider working with CAC members to determine effective ways to assuage the concerns of the undocumented community. The stations should continue to promote public awareness of the Department's position.

5. Steps Toward Compliance

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

1. LASD sought the assistance of community advocates and widely disseminated to the public, including on the website—in English and Spanish—an explanation of the SA requirements, thus addressing the provisions of paragraph 92.
2. LASD-AV consistently participates in local community meetings and has formally established and memorialized the CACs in policy (paragraph 94).
3. LASD has formally established CACs at both stations. LASD remains in compliance with the requirement to provide the CACs with reasonable administrative support, including meeting space, and needs to continue to respond to CAC requests for additional operational consultation and assistance. In addition, LASD has facilitated the MT providing advice and technical assistance to the CACs (paragraph 96).
4. LASD takes steps to ensure that the CACs will not have access to any non-public information regarding an individual deputy or allegation of misconduct or disciplinary action. LASD is currently in compliance with this provision (paragraph 97).
5. The previous six-month report discusses LASD's compliance with paragraph 91 requiring regular reporting on the Department's community engagement efforts. (No report was due in this current six-month reporting period.)⁹

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

1. Work with the community to develop diversion programs (paragraph 87).

⁹ Previous reports can be found at the Compliance Unit website (http://www.la-sheriff.org/s2/page_render.aspx?pagename=avc_main).

2. Develop a plan for all LASD sworn personnel to actively and regularly attend community meetings and events based on the results of the annual community satisfaction surveys and feedback from the civilian panel, and take into account the need to enhance relationships with particular groups within the community, including, but not limited to, youth and communities of color (paragraph 88). Though preliminary agreement has been reached on compliance measures regarding how often deputies must participate in community engagement, the nature and content of the engagement needs to be further developed in light of ongoing community feedback.
3. Provide structured annual in-service training on community policing and problem-oriented policing methods and skills for all AV deputies, including station supervisors and unit commanders (paragraph 89; full text above).
4. LASD's monthly Crime Management Forum meetings and semi-annual Risk Management Forum meetings must include discussion and analysis of trends in misconduct complaints and community priorities to identify areas of concern, and to better develop interventions to address them (paragraph 90).

6. Next Steps

Once the compliance metrics have been finalized, the MT will specifically monitor the provisions of the Community Engagement section of the SA to determine compliance on these measures. Early in the upcoming reporting period, the MT will meet with the Compliance Unit to discuss the most efficient methods for these monitoring activities and to establish a timeline for carrying them out.

The MT will maintain regular communication and check-ins with the CACs as a follow-up to the training that was conducted and provide any needed technical assistance, including those mentioned by the CAC members, such as furnishing meeting agendas, documenting meeting minutes, and ensuring follow-up on issues of concern.

Regarding the main outstanding issues of LASD's non-compliance with the SA, the MT will review the proposed in-service training curriculum when it is submitted and observe the trainings. The MT will track the use of the new stat code 755 and determine if the activities being documented qualify as genuine community engagement.

LASD-AV is planning to participate in a new countywide youth diversion program. The MT recognizes that development and coordination of these programs requires a large commitment of time and resources. The MT will engage with the Compliance Unit in reviewing the countywide program and any other options, including programs already operating in the AV, to ensure they have potential to comply with paragraph 87 before major efforts are expended.

Data collection for the community survey will continue into the summer and will conclude after youth and adult focus groups are conducted. Once data collection is complete and the data are analyzed, survey results will be published, including a report summarizing the findings. The Parties will meet to discuss the survey results and use that information to inform compliance with the SA and next year's survey process, and to establish a baseline for assessing the relationship between LASD and the community over time.

E. Use of Force

LASD's policies and procedures governing the use, investigation, and adjudication of force is the cornerstone to the Antelope Valley's community trust in the Department. The Preamble to the section of the SA governing the use of force (UOF) states:

LASD agrees to revise its force policies and practices to reflect its commitment to upholding the rights secured or protected by the Constitution of the United States, protecting human life and the dignity of every individual, and maintaining public safety.

LASD agrees to ensure that its accountability measures are implemented appropriately so that Antelope Valley deputies use force only when objectively reasonable, and in a manner that avoids unnecessary injury to deputies and civilians; and to use force as a last resort and de-escalate the use of force at the earliest possible moment.

Deputies and staff shall endeavor to use only that level of force necessary for the situation. (SA page 24)

Additionally, the SA delineates requirements for the Department's use-of-force training (paragraph 119) and requires the Department conduct an annual analysis, to be published in a public report, of use-of-force outcome data, use-of-force trends, and the assessment and frequency and nature of uses of force that are referred to the Department's Internal Affairs Bureau for investigation (paragraphs 120–123).

1. Monitoring Activities

a. *Monitors' Audit of AV UOF Investigations*

The MT devoted the bulk of their UOF-related work in this reporting period to conducting an audit of the use of force by AV deputies. This audit is evaluating the Department's compliance with the SA provisions governing the use, investigation, and adjudication of force by AV deputies and will propose recommendations to address areas where the Department can improve its UOF policies, procedures, and accountability processes. As reported in the last six-month report, the Department has drafted extensive revisions to its use-of-force policy. The MT's audit will provide information to help the Department finalize those changes. Toward that end, the MT developed a comprehensive audit plan that was submitted to LASD and DOJ. Much of the resulting audit plan was completed in this reporting period.

- *Audit's Scope and Methodology:* The MT audit team worked with LASD's Compliance Unit, the Lancaster and Palmdale station captains, and the LASD Discovery Unit to discuss the audit's scope, objectives, and methodology; to arrange access to the records needed to conduct the audit; and to validate that the files under review represent every UOF incident that occurred during the audit period.
- *Audit Population and Sampling:* The audit team intends to examine all uses of force that occurred in the AV during the audit population time period, including cases involving deputies from "embedded" units, which operate on a regular basis in the AV but do not report directly to the AV commander. The MT has received all the requested files except for those from embedded units.
- *Measures to Determine the Department's Compliance with SA Paragraphs 102–118:* When the UOF work plans and compliance measures are established, subsequent audits will measure the Department's level of compliance on the various audit findings against those standards. In the current audit, compliance will be determined by applying professional judgment to SA paragraphs 102–118.
- *Audit Impairments:* At the beginning of this audit, LASD had a 14-month backlog of scanning and uploading documents from completed AV UOF investigations into the Performance Recording and Monitoring System (PRMS). Also, the Department has not provided Monitors with any UOF investigations involving LASD embedded unit personnel (who do not report directly to the AV commanders) to be evaluated for SA compliance. LASD has offered to provide them but not to have them be used to determine compliance with the SA or for publication. The Parties and MT will discuss these cases involving embedded units further, as it has been a significant impairment to auditing and monitoring that remains unresolved.

- *Audit Report:* An exit conference draft report will be prepared and presented to DOJ and LASD for their consideration and for an opportunity to respond to any of the audit findings or recommendations. The Monitors will then have an opportunity to review and respond to any objections or concerns from LASD to the audit's findings. Any subsequent changes to the audit report and the related rationale will be transparent and fully documented.

The MT has evaluated a significant percentage of the UOF incidents in the audit sample. The MT appreciates the timeliness and thoroughness of the Compliance Unit's response to all requests for follow-up information and documents. If the issues around the scope of the audit can be resolved promptly, the UOF audit will be published in the next reporting period.

2. Steps Toward Compliance

As reported in the last six-month report, the Department has done extensive work toward revising its use-of-force policies. While many of the Department's proposed changes represent clear steps in the right direction, the MT's UOF audit will provide information essential to finalizing those revisions.

The Department has responded to the SA requirement that it conduct UOF audits and data analysis (paragraphs 119–123) in two ways. First, LASD's Audit and Accountability Bureau (AAB) has published several audit reports that acknowledge the SA as a consideration of their audit(s), but it has not specifically dedicated an audit to evaluate whether the Department is in compliance with SA paragraphs 102–118.

Second, the Department submitted a report, *Analysis of LASD Stop and Use of Force Data for Antelope Valley, June 9, 2017*, which provided extensive analysis intended to address some provisions of SA paragraphs 120–121. The MT has significant concerns associated with the methodologies used to analyze the Department's UOF data and, therefore, did not accept the report. Chief among those concerns, the analysis was based on the Department's internal coding of the force levels used by suspects and deputies during UOF incidents. The analysis then compared the UOF codes to draw conclusions about the data. The report was appropriately transparent about methodologies used; however, no independent efforts were taken to determine if the codes entered by the Department were correct, which challenges the reliability of any subsequent analytical assessments and related findings. The scale used was also an overly simplistic method for assessing UOF incidents. A thorough review of the UOF investigation report is required to reliably assess the circumstances that led to the behavior of the subject, the appropriateness of the force response, and the use of appropriate de-escalation tactics. (See also the discussion of this analysis with regard to racial disparity in the Bias-Free Policing section of this report.)

a. Review of LASD Pilot Programs

During this reporting period, the MT attended a presentation on the Department's proposed Non-Categorized Force Investigation (NCI) Pilot. The NCI Pilot was designed to streamline the investigation and reporting process of very minor UOF incidents so that field supervisors could be more readily available to provide oversight in the field. The NCI Pilot program was conducted in the AV from November 1, 2017, through April 30, 2018. The results of the NCI Pilot are being evaluated by the Department to determine if it should modify its countywide policy pursuant to the Pilot's findings.

MT members met with the Palmdale and Lancaster station captains, who indicated their belief that the NCI Pilot has been successful and that it helps facilitate thorough and consistent UOF investigations. These cases can now be completed more expeditiously, which allows the investigating sergeants to spend more time in the field providing supervision and oversight of AV deputies. This project on the part of the Department was not specifically required by the SA but is being reviewed by the MT because changes to the UOF policy may have an impact on provisions of the SA.

LASD is conducting another UOF pilot in the AV to test a streamlined version of LASD's Use of Force Form (SF-R 438P). The Compliance Unit created the streamlined form with the help of Department executives and the Force Training Unit. The form emphasizes answering several important and standardized questions regarding the application of force; the previous method relied heavily on a mostly narrative and sometimes incomplete account of the incident. Training was given to deputies assigned to Lancaster and Palmdale stations, and both stations completed the Pilot on December 31, 2017. The pilot was then expanded across the North Patrol Division. The Department is now reviewing the findings to determine if it should be used throughout the county. The MT supports these efforts, having stressed the importance of providing consistency in UOF investigations by using a more comprehensive 438 form and investigation guidelines for supervisors to follow.

The MT appreciated the opportunity to preview these innovations and will work with the Compliance Unit to assess how NCI force incidents and the new Use of Force Form affect the monitoring work, including incorporating them into future UOF audits.

3. Next Steps

Once the analysis of the UOF incidents in the audit sample has been completed, a comprehensive report will be prepared and submitted to the Department with the audit's findings. Those findings will include a thorough assessment of the Department's compliance with the SA provisions governing the use, investigation, and adjudication of force by AV deputies. After that, the Department and DOJ will meet to review the audit's findings and recommendations and to develop a plan to correct any deficiencies identified in the audit.

The audit's findings should also help inform the final decisions regarding possible revisions to the Department's UOF policies. In some cases, the audit may point to additional policy revisions not yet considered. Audit findings may also suggest the need for additional training, documentation, or changes to accountability processes. The findings will be used to refine monitoring workplans for the UOF sections of the SA—particularly with respect to quantitative measurements of compliance—and to propose recommendations in the Department's UOF policy. Subsequent audits by the MT will then evaluate the Department's implementation of any proposed recommendations and adherence to existing SA requirements.

F. Personnel Complaint Review

The introduction to the Personnel Complaint Review section of the SA 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. (Pages 29–30)

Those requirements include:

- Make personnel complaint forms and informational material available to the public (paragraph 124);
- Accept all personnel complaints, including anonymous and third-party complaints (paragraph 125); and
- Hold personnel accountable when they are found to have committed misconduct (page 29).

Additionally, the SA requires that the Department revise its complaint policies so that:

- All complaints are classified accurately, and each allegation receives the appropriate level of review (paragraph 127);

- Personnel complaints are not misclassified as service complaints (paragraph 128);
- Each allegation of misconduct is identified and investigated fully and fairly (paragraph 130); and
- Complaints that may require discipline are handled as administrative investigations rather than as service complaints (paragraphs 129–130).

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

1. Monitoring Activities

During this reporting period, the MT completed a comprehensive audit of the Department's complaint investigation system and processes—how it accepts, investigates, and adjudicates community complaints in the Antelope Valley. Specifically, the MT conducted a detailed analysis of each community complaint that was made by a member of the AV community during the first quarter (January, February, and March) of 2016. This included all community complaints that resulted in a formal investigation and any community complaint or issue that was recorded in some other manner, such as a claim for damages, civil suit, or Watch Commander log entry.

Pursuant to SA paragraphs 124–140, the audit analyzed the information in each of those complaints as well as the Department's broader personnel complaint systems to determine whether:

- Members of the AV community had access to complaint forms and information;
- The Department accepted and processed all complaints from members of the AV community;
- Community complaints were classified properly and personnel complaints were not misclassified as service complaints;
- Complaint investigations were complete and provided sufficient evidence to support reliable findings;
- Management review was thorough, and decisions were based on a preponderance of evidence;
- Any policy, training, or risk-management issues that arose in a complaint were addressed; and

- The Department complied with the records retention and reporting mandates associated with personnel complaints.

2. Steps Toward Compliance: Results of the MT Audit

The audit disclosed that the AV stations generally conducted adequate complaint investigations but fell short of SA standards in several areas and therefore were not in compliance with paragraphs 124–139 of the SA requirements for responding to public complaints from the AV community.¹⁰

1. The Department was not in compliance with SA paragraphs 124, 125, and 126, which require that personnel complaint forms and information be available at specified locations and on their website, that the Department accept all complaints, and that refusing to accept a complaint or discouraging a complaint is grounds for discipline. Material was not on display at all the AV locations specified in the SA; none of the methods or means for filing a complaint that are listed on the Department's website worked consistently (e.g., telephone, email, or written form); and several allegations of deputies failing to accept a complaint were not investigated thoroughly by the AV stations.
2. The Department was not in compliance with the SA's provisions for the investigation of public complaints at the AV stations. Generally, most investigations reviewed for this audit were quite good. However, there were several AV station cases in which key witnesses were not interviewed and no explanation was provided (paragraph 135). Further, documentation was lacking to show whether deputies were interviewed separately from one another (paragraph 137) and/or that interviewing a complainant in person was impractical (paragraph 136). The SA requires that complaint investigations be as thorough as necessary to reach reliable and complete findings (paragraph 131). Eleven of the 52 cases in this audit (21%) fell short of that standard. The shortcoming predominantly involved the failure to clearly identify all allegations at the beginning of the investigation and gather evidence to prove or disprove each one.

¹⁰ The audit was released on January 12, 2018, and it and the Department's response are available in the Documents and Reports section of the AV Monitor's website (<http://antelopevalleysettlementmonitoring.info>).

3. The Department was not in compliance with SA requirements for the adjudication of public complaints. In 23% of the AV station cases, allegations were not identified during the investigation or management review (as required by SA paragraph 130). In 29% of the cases, critical information was missing from the investigation, and/or the adjudication was not based on the preponderance of evidence. The audit found that deputy statements were automatically given preference over those of complainants in 27% of the cases reviewed. On the other hand, there were no cases reviewed where the complainant's statement, or that of a witness, was discredited due to his or her criminal history (paragraphs 131, 139).
4. The Department was not in compliance with the SA's requirement for effective management oversight regarding the identification and resolution of critical risk management issues that are brought to light during the investigation of public complaints (paragraph 61). The documentation the MT received for each case—the same documentation a judge or anyone else would receive when requesting the official record for these complaints—did not contain any record that significant risk-management issues were identified and reviewed and corrective action initiated, although the audit found several cases where such a review should have occurred.
5. The Department was not in compliance with the SA requirements for capturing and entering accurate data into PRMS (paragraph 142). Allegations were often not accurately captured in the complaint investigations data, especially when the complaint involved multiple deputies with multiple allegations and multiple dispositions. The audit found the more than seven-month delay in completing data entry into PRMS for completed cases to be excessive.
6. The Department was not in compliance with SA requirements to conduct its own complaint audits and will remain out of compliance until its Audit and Accountability Bureau (AAB) submits the specifically required audits, along with the associated audit work papers, for MT review (paragraph 140).

The Department has conducted several audits of other SA-related areas, only one of which evaluated the Department's compliance with SA requirements. (The MT is still reviewing that audit.)¹¹ These audits, which are independent of MT audits, must ultimately show that compliance has been achieved and sustained for at least 12 months.

7. While not a specific SA requirement, the audit identified problems with the retention and reporting of public complaints. First, the Department's Records Retention Schedule appears to be inconsistent with California Government Code section 26200 et seq. Second, the Department may not be reporting citizen complaints to DOJ as described in sections 832.5 and 13012 of the Penal Code.

¹¹ LASD AAB *Detentions of Individuals and Data, Collection Audit, North Patrol Division, Lancaster Sheriff's Station, No. 2017-14-A, January 31, 2018.*

3. Next Steps

Part of the audit process calls for the MT to submit its findings to the Department and to discuss the audit evidence that supports the audit's findings and recommendations. That was done during this reporting period, and the Department concurred with the majority of the audit recommendations. Based on the audit's findings and recommendations, the Department is in the process of revising its policies and manuals to correct the issues that have been identified. That includes revising the Department's *Service Complaint Review Handbook* to shore up areas identified as deficient. The MT has reviewed several drafts of that handbook and provided the Department with feedback on the relevant provisions. The Department is revising the handbook but, because it affects the entire Department and not just the AV stations, any changes will require additional research and attention to ensure they will be effective and appropriately undertaken throughout the Department.

Meanwhile, North Patrol Division, the organizational command responsible for AV commands, has prepared a Unit Order to implement the necessary changes within the AV. The MT has reviewed several drafts of that order and, again, provided input on those documents. The draft order is nearing completion and will soon be available. Once the Unit Order is issued, training will occur to ensure LASD-AV employees and their supervisors are aware of the new requirements. The MT will monitor that training, after which a follow-up audit will evaluate the degree to which the required changes have been implemented. It is expected that the follow-up audit will begin about six to nine months after the training is completed. That will allow sufficient time for complaints to be investigated and adjudicated so the entire process can be audited effectively.

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

G. Accountability

The intent of the Accountability section and related provisions in the SA is to ensure that organizational accountability is displayed at all levels and appropriate oversight is provided by management and supervisory staff through the observation and evaluation of both individual behaviors and the collective performance of employees.¹² As stated in the previous semi-annual reports, accountability begins and ends with LASD management. It requires ongoing attention to and evaluation of individual and group performance, and the capacity and willingness to scrutinize and remedy systemic deficiencies. Effective accountability includes consideration of every stage of the personnel performance processes. Those processes 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.

Accountability systems—including electronic data systems and file storage, and the policies and procedures governing their use—provide permanent mechanisms for management to routinely review and evaluate operations and performance in real time, assess risk exposures, and ensure and verify that standards are being appropriately met.

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

1. Accountability Provisions in Other SA Sections

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

¹² Management staff in AV includes the North Patrol Division chief and commander, and, at each station, captain, operations lieutenant, and watch 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.

2. Monitoring Activities

Recent MT activity related to this topic included a series of in-person meetings, data system reviews, discussions, and direct observations focused on identifying and documenting the Department's current accountability practices. Several of these are described here.

In December 2017, the MT met with the Compliance Unit to discuss managerial oversight of, and responsibilities for, tracking Performance Log Entries (PLEs), which is one of the processes used to document both the positive and negative performance of station personnel. The MT also reviewed a sample of Watch Commander (WC) logs to better understand this process and concluded that a more extensive review of those logs will be necessary in the next reporting period. The MT will evaluate whether accountability-related actions made necessary by the activities and observations described in the WC log entries are, in fact, completed and followed up on. For example, if personnel complaints or UOF incidents are reported in the WC logs, those events should also be found in the other databases that would indicate managerial follow-up.

Beginning in the fall of 2017 and throughout this reporting period, the MT worked with the Compliance Unit to develop a comprehensive picture of each of LASD's accountability processes. The Compliance Unit submitted its latest draft of this document in February 2018. The document includes relevant excerpts from the directives for these management practices from a variety of departmental handbooks, memos, procedures, and newsletters. The document outlines the various processes and protocols that are intended to promote management accountability, with appendices that reflect the policies and procedures governing these processes. This effort was undertaken to establish whether written documentation of guidelines exists and to establish how these are used to ensure that performance standards and expectations are tracked and achieved.

In December 2017, the MT met with the station commanders at both Lancaster and Palmdale stations to document how accountability processes are conducted at the station level. In May 2018, the MT again met onsite with both AV captains and their respective managers at the Palmdale station for a more detailed review and demonstration of unit-level accountability processes and practices. The May meeting was particularly informative and productive, as the MT was able to review details and nuances of the multiple processes and databases used in accountability oversight in the AV stations. A memo will be provided back to the Compliance Unit outlining the MT's understanding of the information, databases, and accountability processes. This and the accountability document prepared by the Compliance Unit will provide the baseline for auditing the Department's systems and procedures for oversight and accountability.

3. Steps Toward Compliance

As a result of the discussions, reviews, and demonstrations described above and in the last six-month report, the MT has gained a detailed understanding of the SA-related accountability systems in place in LASD-AV and of the Department's efforts to address SA requirements. These information systems, processes, and practices are extensive and, in many ways, impressive. This section summarizes the Department's accountability systems as they relate to the SA paragraphs. The MT has not yet conducted a formal assessment of compliance to determine whether these practices and processes are sufficient to meet those requirements—that assessment will begin in the upcoming reporting period. However, some provisional conclusions about the current state of compliance have been gleaned from the discussions and work conducted to date and are included here.

a. PRMS, SA Required Modifications, and Alternatives

PRMS is LASD's primary Departmentwide decision support system in matters related to risk management and service reviews. The MT found PRMS to be a robust data system with the capacity to facilitate many of the Department's accountability processes.

Paragraphs 141 and 142 require LASD to make several particular PRMS modifications to give it the capacity to compare deputies and units and to be able to access and report additional data relevant to determining compliance with the SA. The SA indicated that these modifications to PRMS were estimated to take three years to complete and that an alternative process was required pending the revisions.

SA paragraph 141 requires that the PRMS be modified "so that it can make peer comparisons between deputies and units." Currently, comparisons are made primarily through the Sheriff's 11 report and the Risk Management Forum (RMF).¹³ The station captains use the Sheriff's 11 to compare deputies, and the RMF is used to specifically compare performance among stations. The stations rely particularly on the Sheriff's 11 reports to compare deputies, identify trends with individual deputies, and spot general trends among the deputies. The Sheriff's 11 reports are reviewed monthly by the operations lieutenants and captains at both AV stations and also during the interim reviews and annual evaluations of each employee. RMFs are held every six months with all North Patrol Division station captains and division management personnel present to review and discuss data tabulations and graphics.

¹³ RMF reports are prepared using primarily information from PRMS.

Paragraph 142 requires PRMS to be modified "to be able to access and report additional data . . . including but not limited to data about stops, searches, and arrests . . . individual compliance with community engagement requirements, and criminal obstruction arrests." It also requires PLEs be accessible through PRMS. Most of the data necessary to make peer comparisons *is* kept in PRMS, such as shootings, lawsuits, administrative investigations, claims, personnel complaints, uses of force, and other data used to generate the Sheriff's 11 reports. However, some of the data listed in paragraph 142 is not stored or accessed in PRMS. In these cases, the Department has other means of storing and accessing that information. Examples include the following.

- Stops data are not included in PRMS, the Sheriff's 11 reports, or the RMF. Stops data are held in a separate database. As required by the SA, they are evaluated through the Deputy Daily Work Sheet (DDWS) reviews, which are conducted weekly by the sergeant supervisors in each station. Stops are also evaluated by supervisors in response to complaints, such as disparate treatment or discrimination. All stops information is in CAD and kept in the Data Systems Bureau database, not in PRMS. Stops data collection training is in the process of being modified to improve the future process for evaluations (see the Stops, Seizures, and Searches section of this report).
- PRMS does not contain data about obstruction arrests (or any arrests) or community engagement activities. As an alternative, each station has an Obstruction Arrest Tracker database and a Community Engagement Tracker. Although information from these two tracker systems is not contained in the PRMS (and therefore is not captured in the Sheriff's 11 reports), managers can review this information periodically to determine the number of obstruction arrests by deputies and whether deputies are meeting the requirements of community event attendance.
- PLEs are also not captured in the PRMS (and therefore are not captured in the Sheriff's 11 reports). They are kept in a separate local electronic database. The PLE database is reviewed by supervisors during deputy performance reviews and evaluations.

The MT's formal assessment will evaluate LASD-AV accountability processes to determine their consistency, effectiveness, and impact on performance given that the PRMS may never be the standalone information system that was envisioned when the SA was memorialized.

b. PRMS Data Accuracy

The MT audit of SCRs (see the Personnel Complaint Review section above) found significant problems with the thoroughness and reliability of PRMS, especially when complaints involve multiple deputies and multiple allegations. The MT's formal review will assess whether the Department holds personnel accountable for "inaccuracies in any data entered," whether in PRMS or alternatives, as required in SA paragraph 142.

c. Deputy Performance Reviews

SA paragraph 141 requires AV unit commanders and supervisors to "conduct periodic reviews of all deputies and units under their command to identify potential trends." LASD-AV deputy performance is evaluated in two primary ways: through Annual Performance Evaluations and Unit Level Performance Reviews.

Every deputy receives an Annual Performance Evaluation. This evaluation is completed by his or her direct supervisor and considers whether or not he or she is meeting the expected standards in all areas of performance. During this evaluation the supervisor considers information available in the databases described above, such as the Performance Log and Community Engagement Tracker, as well as information from PRMS.

Additionally, at any time of the year, employees who are identified with performance concerns through the monthly Sheriff's 11 review or by some other means are given a Unit Level Performance Review (ULPR). Conducted by the employee's supervisor, ULPRs include a review of not just the elements of deficient performance indicated in the Sheriff's 11 report, but every aspect of the employee's performance.

Based upon either of these performance assessments, the captain may order that an employee be placed on a Performance Mentoring Program to monitor and mentor the employee in an effort to improve performance.

The MT's formal review will assess if these performance review processes effectively and reliably hold LASD personnel accountable for their actions with regard to SA-required provisions and if they are sufficiently formalized and documented to ensure consistent application and SA compliance.

Through the review of these various processes, discussions, and requests for documentation, it is apparent that many of the accountability practices and processes used by LASD-AV managers and supervisors, especially regarding performance reviews, are not sufficiently formalized with written guidelines provided for supervisors and managers to follow, which raises concern that accountability processes may not be applied consistently across the stations and personnel. The station managers have expressed support for developing such guidelines for these various functions.

d. Performance Mentoring

The Performance Mentoring Plan (PMP) is a nondisciplinary process whereby a supervisory team assists employees in need of specialized or additional training, supervision, or mentoring to address and remedy deficiencies in performance. Mentoring plans are tailored to enhance the specific performance of the individual employee.

SA paragraph 144 states that "LASD will continue to provide mentorship to deputies in the North Patrol Division's locally based . . . PMP, as well as through LASD's department-wide PMP, based upon an appropriate determination of eligibility. To increase the effectiveness of the remedies and corrective action used to address a deputy's behavior, LASD will support and implement a plan to ensure that the LASD-wide PMP program provides mentoring of AV personnel within 30 days after the need for mentoring is identified, and that appropriate procedures are in place for supervising deputies whose performance fails to improve subsequent to mentoring."

When unit management observes a performance issue, or a Sheriff's 11 review identifies a need for a performance assessment, decisions are made whether to place an employee on the unit-level PMP. In performance assessments, decisions to place or not to place an employee into the PMP are documented with the reasoning for the recommendation.

The Departmentwide PMP is managed through the Risk Management Bureau. When the Risk Management Bureau identifies performance deficiencies for an individual employee, through review of Sheriff's 11 or by other means, a referral is made to a three-member panel of commanders who determine placement, duration, and eventual removal from the PMP. The Department-level panel's decision is implemented and supervised by the unit and reported back to the three-member panel of commanders.

SA paragraph 145 requires that "the Department-wide PMP and the North Patrol Division's PMP coordinate as appropriate with each other and share information about deputies and their individual mentoring programs." The operations lieutenants at the AV stations are the point of contact for the Risk Management Bureau and the commanders panel for the Departmentwide PMP to coordinate any information related to the departmental-level or unit-level PMP. The MT will assess the PMP program to determine compliance with the SA during the next reporting period.

e. *LASD Review of Station's Review Processes*

In SA paragraph 143, LASD has committed to develop a plan—in consultation with the MT and to be approved by DOJ—to periodically analyze the AV stations' response "to concerns unique to their stations, such as trends identified through civilian complaints, the CAC, community survey, or other means." This plan will be critical to the process of establishing management accountability for proactively identifying trends and developing appropriate interventions and solutions. The plan is also intended to guide the department's actions in carrying out these responsibilities long after the monitoring team is gone. To date, the Department has not developed the required plan. Once this plan is prepared and approved, the MT will conduct reviews to determine whether the Department is identifying trends and taking steps to address any deficiencies that occur.

4. Next Steps

To summarize, the MT has established that the Department has several accountability practices and various databases in place that use information and data from the PRMS and several other sources. Early in the next reporting period, the MT will work with the Compliance Unit and AV station personnel to verify that the MT's current understanding of the accountability processes is accurate and complete. From that information, the MT will develop its plan to formally review the sufficiency and effectiveness of LASD's accountability processes required in paragraphs 141–145. This review will be designed to not only assess the availability of data and information, but also how the information is accessed, evaluated, acted upon, and documented by managers. It is anticipated this plan will be completed and assessment work begun in the next reporting period, between July and December 2018.

III. CONCLUSION

As this report has shown, LASD has made steady progress with their implementation of the terms of the SA and pursuit of the goals that were agreed to. The primary focus of the work being conducted by the Department, as well as the Monitors' attention, is gradually shifting from essentially being centered on policy development/refinement and ensuring that necessary training is provided, to now assessing operational impacts and whether the desired outcomes are being achieved. That work will increasingly be accomplished through the use of audits, inspections, and other appropriate monitoring techniques.

Various departmental actions observed by the Monitors in this current review period have served to display LASD's willingness to use the results of administrative reviews and audits to identify and address deficiencies and strive to meet the objectives established in the SA. We were pleased to see timely action being taken to address and correct those matters. In an example referenced earlier, when audits revealed compliance deficiencies in existing data collection policies and thoroughness in supervisory reviews of those data, the Compliance Unit rapidly responded to those findings and initiated corrective action. They used audit findings to develop and provide improved training to AV supervisors to correct the deficiencies. Such actions show the value that results from diligent application of the SA provisions and reflects LASD's ability and commitment to carry out the reforms they have agreed to undertake.

While the Monitors have noted clear evidence of progress on a variety of fronts, considerable work still remains. Our commentary in various sections of this report aims to help focus everyone's attention on the priorities, identifying specific tasks to be undertaken and discussions that need to be completed in the coming months to maintain momentum. Some of those tasks will inform and influence the Department's strategies and plans for carrying out major SA provisions. In turn, this will help ensure necessary mechanisms and performance standards are in place to continue to promote a high level of organizational and individual accountability.

Appendix A: The Monitoring Team

The court-appointed Monitors—Dr. Angie Wolf and Joseph Brann—have assembled an experienced group of team members with credentials and skills uniquely suited to the Settlement Agreement (SA) work. The membership of the Monitoring Team (MT) was finalized in March 2016. The two Monitors and seven team members have extensive expertise and experience in monitoring and evaluation work in policing and corrections. Additionally, most of the MT members have served in law enforcement or continue to have distinguished careers in this field, several in the Los Angeles area. Several have served in leadership positions in law enforcement or corrections agencies during the implementation of the compliance period of a settlement agreement or consent decree and therefore understand the unique challenges that large organizations face in those circumstances. The MT members also have particular expertise in dealing with the diverse issues addressed in the SA, such as those related to use of force, training, the Fair Housing Act, 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 Antelope Valley community members to learn more about the Settlement Agreement, the backgrounds of the Monitoring Team members, and the monitoring activities; access documents related to the monitoring work, including the semi-annual reports; follow links to LASD's homepage and other relevant websites; and—most importantly—submit questions and comments directly to the Monitoring Team.

The website's URL is antelopevalleysettlementmonitoring.info

Appendix C: How the Parties and Monitoring Team Work

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

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

When all are not able to be physically present in meetings, videoconferencing is used whenever possible. 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 Monitoring Team 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 Settlement Agreement (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.