

## Past LAPD Reforms Christopher Commission Report (1991)

Topic	Recommendation	Status
<p><b>The Problem of Excessive Force</b></p>	<p><b>Leadership:</b> The leadership of the LAPD must give priority to curbing excessive force – through the use of powerful incentives and disincentives that influence police behavior. Police Commission audits and review of the excessive force problem must be accompanied by a firm resolve to accord this issue the priority it requires in the LAPD’s policies and goals.</p>	<p>In 2020, the Police Commission passed:</p> <ul style="list-style-type: none"> <li>◦ A new Use of Force policy, which can be found here: <a href="#">UOF policy</a>;</li> <li>◦ New <a href="#">In-Custody Death Adjudication Protocols</a>; and</li> <li>◦ Banned the use of the <a href="#">Carotid Restraint Control Hold</a> (which was subsequently banned throughout the State of California).</li> </ul> <p>The Police Commission publishes <a href="#">summaries of its Categorical Use of Force decisions</a>.</p> <p>The LAPD Annually publishes <a href="#">Use of Force Data Reports</a>.</p> <p>The Use of Force policy explicitly requires the use of de-escalation techniques: “to reduce the intensity of any encounter with a suspect and enable an officer to have additional options to mitigate the need to use a higher level of force while maintaining control of the situation.”</p> <p>In 2020, the Commission required the Department to:</p> <ul style="list-style-type: none"> <li>◦ Expand Mental Health Intervention Training to train 900 officers in 2020 from 700 in 2019;</li> <li>◦ Complete De-escalation and Crowd Control Training for the entire Department by end of 2020;</li> <li>◦ Deliver Procedural Justice Training to remainder of Department; and</li> <li>◦ Deliver Implicit Bias Update Course to Department and complete retraining by end of 2020.</li> </ul> <p>(see <a href="http://www.lapdonline.org/police_commission/news_view/66600">http://www.lapdonline.org/police_commission/news_view/66600</a>).</p> <p><b>Select 2020 Courses and Total Attendees:</b></p> <p>Mental Health Intervention Training (MHIT) (C208): 745            FTO School (A205): 71            FTO Update (A306 ): 153            Supervisory Course (L308): 55            Watch Commander Course (L309): 44            Command and Control (T273): 3,667            PSL 1 (L150): 96</p>

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<p><b>The Problem of Excessive Force</b></p>	<p><b>Command Accountability:</b> Command officers must be held accountable by evaluating them on the basis of how officers under their supervision adhere to the Department's policies regarding use of force. When an incident of excessive force occurs, supervisors up the chain must be held accountable, regardless of whether they actually participated in the wrongful conduct.</p>	<p>In the Annual Use of Force Report, pages 46-51, the Department highlights command and control as its use of active leadership, and the important role of supervisors:</p> <p>Responsibility for command and control lies with the senior officer of any officer on scene who had gained sufficient situational awareness. Supervisors shall take responsibility for exercising command and control when they arrive to the scene of an incident. ... it is the expectation of this Department that the highest-ranking supervisor at scene assume the role of IC and communicate the transfer of command to all personnel involved.</p> <p>In July 2018, the Department published the command and control Training Bulletin and in March 2019, implemented training on the Advanced Strategies of Command and Control (ASCC).</p> <p>In its 2019 report entitled Follow-up Review of National Best Practices, the Office of the Inspector General notes that a police officer survey noted that officers' perceived inequities/inconsistencies in the disciplinary system relating to supervisors and how they are given preferential treatment/not always held accountable in the same way as line officers. As a result, the Chief of Police instituted single purpose innovation groups to evaluate the discipline system.</p> <p><a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf</a></p> <p><b>Manual Section 156.20 PERFORMANCE EVALUATION.</b> A supervisor shall be responsible for the appraisal and analysis of the work accomplishment of subordinates coming within the scope of his/her supervision. Such evaluation shall be based on continuous observation and inspection and shall take into consideration the quality of the employee's work accomplishment and those personal traits that are related to his or her duty performance. Commanding officers shall ensure that supervisory personnel provide a Training Evaluation and Management Systems II (TEAMS II) summary report to each employee in conjunction with the service of the employee's annual (post-probationary) performance evaluation report.</p> <p>As a part of the assessment of the performance of Command Officers they must submit a Supervisory Assessment for each Categorical Use of Force Incident that is presented to the Use of Force Review Board and the Chief of Police.</p> <p><u>See also:</u> Command Officers must submit an assessment of compliance with the Special Orders governing reporting a CUOF by all personnel involved.</p> <p>Commanding Officers have included in the Annual Performance evaluation an assessment of their performance during presentations to the Use of Force Review Board, CompStat and Board of Rights.</p>

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<p><b>The Problem of Excessive Force</b></p>	<p><b>Supervision, Monitoring &amp; Counseling:</b> Supervisors must assess information from complaint histories, especially repetitive patterns, in performance evaluation reports. Command officers must have access to statistical information, understand what force is being used and why, detect “early warning” signs, and arrange for training and counseling of officers.</p>	<p>The Los Angeles Police Department maintains as its central database the Training Evaluation and Management System II (TEAMS). Among other things, TEAMS functions as an Early Warning System (EWS) that alerts the Department when sworn officers exhibit potentially problematic behavior.</p> <p>According to the LAPD Manual, Section 668.02:</p> <p><b>668.02 USE OF TEAMS II.</b></p> <p>The Training Evaluation and Management System II (TEAMS II) is a “pointer” system to be used not only to obtain a complete or modified personnel summary report, but to identify those employees and organizational entities whose performance is well outside that of their respective peer group average, and encourage appropriate supervisory recognition or mentoring.</p> <p>It is the responsibility of managers and supervisors to regularly review an employee's personnel file and other document(s) which are source documents for a TEAMS II entry. It is only from actual review of such documents that a conclusion may be made as to whether or not a problem exists and what, if anything, should be done. In no case shall a TEAMS II report be used as a substitute for an employee's personnel file or any other document(s) which is the source for a TEAMS II entry.</p> <p><b>TEAMS II Employee Summary Report.</b> The TEAMS II Employee Summary Report contains personnel summary information. Currently, a TEAMS II Employee Summary Report includes the following personnel information categories:</p> <ul style="list-style-type: none"> <li>- Arrest/Crime Reports summary</li> <li>- Attendance data summary</li> <li>- Citations data summary</li> <li>- Civil Litigation data summary</li> <li>- Major and Minor Commendations summary</li> <li>- Discipline data summary</li> <li>- In-Service Training Courses summary</li> <li>- Pursuit data summary</li> <li>- Rank/Assignment summary</li> <li>- STOPS data summary</li> <li>- Traffic Collisions data summary</li> <li>- Use of Force (all) data summary</li> <li>- Work Permit data summary</li> </ul> <p>An inquiry to obtain a TEAMS II Employee Summary Report will not only provide summary data, but will also allow the operator to select a specific entry and view associated reports in RMIS and in the case of UOF or complaints, the completed investigation.</p> <p>The Office of the Inspector General generated a report entitled, A Review of the Department's Early Warning System, which can be found here: <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23__5f7b5a0861414ed0b5b2856319f63cc.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23__5f7b5a0861414ed0b5b2856319f63cc.pdf</a></p>

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<p><b>The Problem of Excessive Force</b></p>	<p><b>Management Attention to Civil Litigation:</b> Information about officers' conduct that becomes available in litigation should be used in evaluating those officers. Conduct that results in large settlements or judgments should be carefully studied. The Department and City might consider arbitration or mediation of claims that are now routinely denied and often lead to more expensive litigation.</p>	<p>Employee TEAMS reports track civil litigation. Civil litigation is evaluated during all universal threshold Action items in TEAMS. Department Manual Section 093.57 references a Liability Management Committee (LMC), and provides that the LMC is responsible for developing strategies to improve risk management policies, procedures, and foster better coordination between Department entities and the City Attorney's Office.</p> <p>The City Attorney includes in their recommendation for settlement letters to the City Council and assessment of the individual employee liability, training issues and policies and procedures that should be reviewed. There is currently a good level of cooperation between the LAD and City Attorney's office relative to discussion and lessons learned from civil litigation.</p>
	<p><b>Audio and Videotaping of Contacts Between the Police and the Public:</b> LAPD should pursue efforts to use video technology in patrol cars (dash cams) and formulate Department guidelines for use of such technology, including studying possible ways to address the concern that officers may fail, intentionally or otherwise, to use the video and audio equipment properly to record the event at issue.</p>	<p>Digital-In-Car-Video System (DICVS) and Body Worn Video (BWV) cameras are standard equipment throughout the department. All officers and patrols cars are equipped with such cameras. See <a href="#">DICV policy</a> and <a href="#">BWV policy</a>.</p> <p><a href="#">Body Worn Video Policy, Digital In-Car Video Special Order 12</a></p> <p><a href="#">Body Worn Video Policy, Digital In-Car Video Special Order 45</a></p> <p>Compliance with video and audio equipment policies is published in all <a href="#">Categorical UOF case summaries</a>.</p> <p><a href="#">Videos of critical incidents</a> are released publicly.</p> <p>LAPD currently evaluates the proper use of video, at a command level, during its Compstat oversight process of each division. Video is now used in audits and OIG reviews of departments systems and adherence to policies. See <a href="#">July 2020 CalGangs Report</a> and the OIG Review of Stops Conducted by the LAPD in 2019, which can be found here: <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf</a></p> <p>In August 31, 2020, BWV was added to academy training in that all Recruits are equipped with BWV and use it throughout their Academy training.</p> <p>In the 2019 Complaint report, which can be found here: <a href="http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf">http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf</a>, the Department recorded 24 complaints for BWV and DICVS violations, the first time such complaints were logged. Four of the 24 complaints were sustained, a rate of 16.7%.</p>

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<p><b>The Problem of Excessive Force</b></p>	<p><b>“Mid-Level” Use of Force Options:</b> A thorough study by police, medical, scientific, psychological and other appropriate experts should be undertaken as part of a comprehensive evaluation of middle-level use of force options by the Department and the Police Commission. Among the “middle-level” use of force proposed by those testifying before the Commission included the use of chemical mace and taser, the reinstatement of the carotid or bar-arm chokehold, the use of a chemical agent used by the FBI and others called capstun, and the use of the stun gun.</p>	<p>In 2017, the Office of the Inspector General issued a report entitled: <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_486428073da94a2aa412c01014b500b4.pdf">Overview of Less-Lethal Tools and Deployment</a> which can be found here: <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_486428073da94a2aa412c01014b500b4.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_486428073da94a2aa412c01014b500b4.pdf</a>.</p> <p>The Annual Use of Force Report (the most recent of which was for 2019), provides detailed descriptions of the less lethal equipment available to officers, and their usage. This equipment includes:</p> <ul style="list-style-type: none"> <li>• 40 Millimeter Launcher</li> <li>• Beanbag Shotgun</li> <li>• Oleoresin Capsicum Spray</li> <li>• Taser</li> </ul> <p>These items can be found on pages 58 through 71 of the report, which can be located here: <a href="http://lapd-assets.lapdonline.org/assets/pdf/2019_uof_review.pdf">http://lapd-assets.lapdonline.org/assets/pdf/2019_uof_review.pdf</a>.</p> <p><b>621.10 REQUIRED EQUIPMENT–UNIFORMED OFFICERS.</b></p> <p>In addition to the basic uniform (Manual Section 3/614), officers assigned to uniformed field duty, a geographic Area front desk, or traffic division front desk-related duties, shall carry the following equipment:</p> <ul style="list-style-type: none"> <li>• Baton. Officers using motorized equipment while on-duty shall carry their batons in a manner authorized by their commanding officer. The carrying of the baton by officers assigned to intersection traffic control shall be at the option of their commanding officer;</li> <li>• Electronic Control Device (TASER). The authorized Electronic Control device shall be carried in a department approved holster that is on the support side of the duty belt in either a cross draw or support side draw position;</li> <li>• Hobble Restraint Device. Exception for motorcycle officers, the hobble restraint device shall be carried on the key ring holder of the officer’s equipment belt, in either sap pocket of the uniform trouser or in a Department approved carrying case. Motorcycle officers shall carry the hobble restraint device in a uniform pants pocket, or in a Department approved carrying case;</li> <li>• General Duty Helmets. Uniformed officers while assigned in vehicles shall keep their general duty helmets in their helmet bags and stored in the vehicle’s trunk. All other uniformed officers shall keep their helmets at locations convenient to their assignment. Officers shall store their helmets in their station lockers when off-duty or on plainclothes assignments;</li> <li>• ...</li> <li>• Flashlight. A flashlight shall be carried during the hours of darkness;</li> <li>• Handheld Radio;</li> <li>• ...</li> <li>• Personal Protective Equipment Kit (Fire/Communicable Disease PPE Kit) consisting of work gloves, nitrile gloves, goggles, and a N95 respirator mask.</li> </ul> <p>In 2020, the use of the <a href="#">Carotid Restraint Control Hold</a> was banned by the Police Commission and was subsequently banned throughout the State of California.</p> <p>The BOPC approved, and the LAPD is currently engaged in, a pilot on the <a href="#">use of the BolaWrap Remote Restraint Device</a>. See: <a href="http://www.lapdonline.org/home/news_view/66191">http://www.lapdonline.org/home/news_view/66191</a></p>

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<p><b>Racism and Bias Affecting Use of Excessive Force</b></p>	<p><b>No Tolerance for Racism &amp; Bias:</b> The Chief of Police should seek tangible ways (e.g., through discipline) to establish principles that racism and ethnic and gender bias will not be tolerated.</p>	<p>The <a href="#">2020 Use of Force Policy</a> explicitly states: “Officers shall carry out their duties, including use of force, in a manner that is fair and unbiased. Discriminatory conduct on the basis of race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, housing status, or disability while performing any law enforcement activity is prohibited.”</p> <p><a href="#">Annual Complaint Reports</a> are published annually, describing bias policing allegations. The 2019 Complaint report can be found here: <a href="http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf">http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf</a>.</p> <p>Office of the Chief of Police, <b>Administrative Order No. 19, Definitions of Terms Used in the Department Manual – Revised;</b> and, <b>Policy Prohibiting Biased Policing – Revised, November 8, 2019.</b></p> <p><b>345. POLICY PROHIBITING BIASED POLICING.</b> Discriminatory conduct on the basis of an individual’s actual or perceived race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, immigration or employment status, English language fluency or homeless circumstance, is prohibited while performing any law enforcement activity. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state law. Officers shall not initiate police action where the objective is to discover the civil immigration status of any person and shall strictly adhere to the Department’s immigration enforcement guidelines as outlined in Department Manual Sections 4/264.50 and 4/264.55.</p> <p>Department personnel may not use race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, or disability (to any extent or degree), immigration or employment status, English language fluency or homeless circumstance as a basis for conducting any law enforcement activity, including stops and detentions, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by their race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability (to any extent or degree), immigration or employment status, English language fluency or homeless circumstance: may rely, in part, on the specified identifier or description only in combination with other appropriate identifying factors; and may not grant the specified identifier or description undue weight.</p> <p>A failure to comply with this policy is counterproductive to professional law enforcement and is considered to be an act of serious misconduct. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established Department procedures.</p> <p><b>1/345. POLICY PROHIBITING BIASED POLICING.</b> (...A failure to comply with this policy is counterproductive to professional law enforcement and is considered to be an act of serious misconduct. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established Department procedures.)</p> <p>Outsourced Training conducted by the Museum of Tolerance: Diversity and Racial Profiling (Tools for Tolerance).</p>

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<p><b>Racism and Bias Affecting Use of Excessive Force</b></p>	<p><b>Cultural Awareness Training:</b> The LAPD must establish a program of cultural awareness training (or retraining) to eliminate stereotypes for all officers, developed by independent organization experienced in such training. Supervisory/ administrative officers (Lieutenant I and higher) should be trained first, with remaining officers trained on specified schedule. Retraining of all officers should be done on regular basis.</p>	<p>According to the LAPD website:</p> <p>Your Department's Commitment to Having Training Focused on Reducing Prejudice and Bias Your Department starts this training in the academy through the introduction of the Mission Statement and Core Values of the Department. Additionally, every academy class has eight hours of State required training on Principled Policing that incorporates a review of the historical impact of policing, implicit bias awareness, and procedural justice. These topics are incorporated into ongoing officer training and promotional schools and are completed in collaboration with academic and community members. While your Department has been training with the Museum of Tolerance since 2004, in 2014 several trainers were trained by outside experts in Fair and Impartial Policing before implementing the concepts into various Department courses. In 2017, all sworn members of your Department were trained by an outside expert on Implicit Bias and Community Policing. In support of ongoing training development, a Training Bulletin on Procedural Justice was completed in April, 2020 and will be used as a source document for these courses and for promotional examinations.</p> <p>And</p> <p>Your Departments Commitment to the Diverse Communities We Serve</p> <p>Your Departments officers are challenged to recognize the diverse communities that they come from and to cultivate awareness of how they have been impacted by living in a society where access to all systems and forms of justice have not been equal. Core to the academy and in-service training is understanding how to empathize with those we serve and to ensure that all of our officers understand the complex multi-cultural history of Los Angeles. In more recent years, law enforcement has been working with community partners to increase the number of referrals to divert people in crisis out of the system or to utilize restorative justice programs.</p> <p>Procedural Justice has now become an integral part of the training throughout your Department and part of adopting this framework is to recognize the need to work in collaboration, to hear the voices of the community, and to never stop working toward a better Los Angeles for everyone.</p> <p>The Procedural Justice training bulletin can be found here: <a href="http://lapd-assets.lapdonline.org/assets/pdf/procedural_justice.pdf">http://lapd-assets.lapdonline.org/assets/pdf/procedural_justice.pdf</a></p> <p>Training for officers was mandated at the Museum of Tolerance – Tools for Tolerance Training starting in 1996. This training is now called "Building Community Trust and Biased Policing."</p> <p>Currently under development is a project relative to the history of the LAPD and interaction with community members that have left lasting memories of those incidents. The intent is to present this information during academy training and, when an officer is assigned to one of the 21 police divisions, be required to attend an 8-hour training session specifically about the history of that division and LAPD interactions over the years.</p> <p>In its 2019 report entitled "Follow-up Review of National Best Practices, " which can be found at <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf</a>, the Office of the Inspector General found:</p> <p>As noted above, the Task Force Report recommended that agencies acknowledge policing's past role in injustice and discrimination, and address how this affects community trust. As part of this process, the Department has created a page on its website entitled "Historical Documents and Internal Reports" that includes a section on the Consent Decree and the Rampart Corruption Scandal. It has worked with the OIG to locate and post a number of reports and assessments of the LAPD conducted by outside entities, and it continues to add to this section as appropriate.</p> <p>The OIG's initial report noted that training courses, such as the recent Department-wide "Public Trust and the Preservation of Life" course, included a block on the history of the LAPD. The OIG recommends that the Department continue to include a discussion of such issues in future trainings where appropriate.</p> <p>At the request of the Board of Police Commissioners, an assessment was conducted for the Implicit Bias training provided to the Department in 2017 by Dr. Bryant Marks, with a total number of 9,188 officers trained.</p> <p>Supervisor School is for Detective II and Sergeants: the curriculum was revised in October 2019. The California Commission on Peace Officer Standards and Training has a two-week requirement for the school. The LAPD adds an additional two-weeks of curriculum specifically to address LAPD responsibilities.</p>

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<p><b>Racism and Bias Affecting Use of Excessive Force</b></p>	<p><b>Creation of “Community Relations Officer”:</b> A new, separate position should be created at the commander level, reporting to the Chief of Police. Responsibilities will include: (i) liaison with those conducting the cultural awareness program; (ii) establishment of liaisons with representatives of minority communities in LA; (iii) establishment of an “ombudsman” to deal with LAPD officers concerning racial and gender matters, including complaints concerning bias and discrimination within LAPD; and (iv) monitoring use of force reports regarding minorities, and public complaints involving racial matters. It is essential that officers have means to address racial grievances to someone other than the officer in charge of the station where the act occurred.</p>	<p>CRO program was created and continues to exist. Community Relations Section, Special Assistant Fred Booker is a Direct Report to Chief of Police.</p> <p>The LAPD currently has a racial equity officer, Commander Ruby Flores.</p> <p>Currently, the Office of the Inspector General (OIG) handles intake of complaints regarding internal retaliation/ discrimination. Furthermore, the OIG maintains a Community Relations section that acts as a conduit to the community and to various stakeholders in the oversight of the LAPD.</p>

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<p><b>Racism and Bias Affecting Use of Excessive Force</b></p>	<p><b>Address Improper Use of “Prone-Out” Tactic and Unjustified Stops in Minority Communities:</b> The LAPD must address the problems created in minority communities by the inappropriate and unnecessary use of the “prone-out” tactic and the practice of stopping young minority males without proper justification.</p>	<p>LAPD officers record all stop information on the Automated Field Data Report which is then reported to the California Department of Justice. The City of Los Angeles maintains an Open Portal that contains the data, which is made available to public.</p> <p>A Review of Stops Conducted by the LAPD in 2019, prepared by the Office of the Inspector General, can be found here: <a href="http://www.lapdpolicecom.lacity.org/102720/BPC__20-0162.pdf">http://www.lapdpolicecom.lacity.org/102720/BPC__20-0162.pdf</a></p> <p>In addition, the California Policy Lab conducted a review that can be found here: <a href="http://www.lapdpolicecom.lacity.org/102720/BPC__20-0164.pdf">http://www.lapdpolicecom.lacity.org/102720/BPC__20-0164.pdf</a> and here: <a href="http://www.lapdpolicecom.lacity.org/102720/BPC__20-0165.pdf">http://www.lapdpolicecom.lacity.org/102720/BPC__20-0165.pdf</a></p> <p>Previous reports prepared by the Inspector General related to stops are as follows:</p> <ul style="list-style-type: none"> <li>◦ “Review of National Best Practices,” Office of the Inspector General, May 2017;</li> <li>◦ “Review of Arrests for Violations of California Penal Code Section 148(A)(1),” Office of the Inspector General, August 2018;</li> <li>◦ “Review of Gang Enforcement Detail Stops,” Office of the Inspector General, February 2019; and</li> <li>◦ “Follow-Up Review of National Best Practices,” Office of the Inspector General, October 2019.</li> </ul> <p>All reports can be found on the OIG’s website at <a href="http://oig.lacity.org">oig.lacity.org</a>.</p> <p>The LAPD Manual provides:</p> <p><b>1/574. HIGH–RISK PRONE SEARCH.</b> The Department has authorized the use of the high-risk prone search to ensure the safety of both officers and suspects. The high-risk prone search <b>shall only be used when the officer has a reasonable suspicion of a risk for serious injury to the officer and/or the public.</b></p> <p><b>Note:</b> A “reasonable suspicion” can include an officer’s observations of the suspect’s activity, the suspect’s demeanor during the stop or any other factor that clearly indicates the risk for serious injury. Any or all of these could give an officer a reasonable suspicion that a suspect might be armed. The justification for an extent of the search shall be based on current law applicable to searches.</p> <p>The goal of any tactic, including search techniques, is to maintain control of the suspect while reducing the potential for violence. The use of the high-risk prone search tactic must be based on the totality of the circumstances that reasonably pose a threat to officers or bystanders. The high-risk prone search tactic shall not be used routinely or as an instrument of intimidation. Officers will be held accountable for the judicious use of discretion in the application of this tactic. Additionally, officers shall be held responsible for explaining to involved parties why this tactic was used.</p> <p><b>4/243. HIGH–RISK PRONE SEARCH.</b></p> <p><b>Officer’s Responsibility.</b> When the high-risk prone search is used, the officer <b>shall</b> explain the reason for its use to the involved parties. If the officer is unsuccessful in convincing the parties that the search tactic was necessary and appropriate, the officer shall request that a supervisor respond to the scene.</p> <p><b>Supervisor’s Responsibility.</b> When requested to respond to an incident where the high-risk prone search has been used, a supervisor shall determine whether use of the search tactic was appropriate and assist the officer in making the proper explanation to the involved parties. The incident shall then be fully documented.</p>

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<b>Racism and Bias Affecting Use of Excessive Force</b>	<b>Minority &amp; Female Recruitment:</b> The recruitment effort for African-American, Latino, and female officers should be sustained. Because the Asian population is underrepresented in the LAPD, a special effort should be mounted to recruit Asian officers, especially those with relevant language capabilities.	<p>The gender and ethnic diversity of the LAPD can be tracked in the Sworn Personnel by Rank, Gender, and Ethnicity Report (SPRGE) which is updated every deployment period, and can be found here: <a href="http://lapd-assets.lapdonline.org/assets/pdf/PR91%20Oct2020.pdf">http://lapd-assets.lapdonline.org/assets/pdf/PR91%20Oct2020.pdf</a></p> <p>Recruitment efforts can be found here: <a href="https://www.joinlapd.com/qualifications">https://www.joinlapd.com/qualifications</a></p> <p>In September 2020, the recruit class was described as the “most diversified recruit class in LAPD history.” It was comprised of</p> <p>Females: 27</p> <ul style="list-style-type: none"> <li>- African American – 2</li> <li>- Hispanic – 20</li> <li>- Asian – 2</li> <li>- Caucasian – 2</li> <li>- Filipino – 1</li> </ul> <p>Males: 21</p> <ul style="list-style-type: none"> <li>- African American – 13</li> <li>- Hispanic – 6</li> <li>- Asian – 0</li> <li>- Caucasian – 2</li> <li>- Filipino – 0</li> </ul>

Details of this class can be found at: [https://www.lapdonline.org/home/news\\_view/66929](https://www.lapdonline.org/home/news_view/66929)  
 The current overall composition of the LAPD is as follows:

LAPD Sworn Staffing (as of 11/22/20):

- Hispanic: 49.7%
- White: 29.6%
- Black: 9.4%
- Asian Pacific Islander: 7.9%
- Filipino: 2.7%
- American Indian: .34%
- Other: .36%
  
- Male: 81.7%
- Female: 18.3%

See also: Demographics of both sworn and civilian personnel  
 On Page 32 of the Los Angeles Police Department’s Strategic Plan, the department cited as its ongoing recruitment goals:

**Initiative A: Strengthen Recruitment Efforts to Increase Diversity Among Ranks**

KEY ACTIVITY	MILESTONE 2019–2020	MILESTONE 2020–2021	ENTITY LEAD
1. Improve recruitment process for police officers.	• Achieve a 90-day application process from test to hire for recruits.	• Evaluate and adjust hiring process for greater efficiency.	OSS
2. Expand hiring of female police officers.	• Develop and conduct annual law enforcement career workshops at universities.	• Expand law enforcement career workshops to additional university locations.	OSS
3. Expand hiring of African-American police officers.	• Hire 195 female officers representing 35% of all new recruits.	• Increase female police officer hiring to 40% of all new recruits.	OSS
4. Expand hiring of Asian-Pacific Islander (API) police officers.	• Hire 100 African-American police officers representing 18% of all new recruits.	• Increase African-American police officer hiring to 22% of all new recruits.	OSS
5. Enhance marketing and advertisement strategy for recruitment.	• Hire 45 API police officers representing 8% of all new recruits.	• Increase API police officer hiring to 10% of all new recruits.	OSS
	• Develop and implement new recruitment campaign.	• Monitor and assess effectiveness of campaign.	OSS

Topic	Recommendation	Status
<p><b>Racism and Bias Affecting Use of Excessive Force</b></p>	<p><b>Promotion of Minority &amp; Female Officers:</b> Female and minority officers must be given full and equal opportunity to assume leadership positions in the LAPD and must be assigned on a nondiscriminatory basis to so-called "coveted positions" and promoted to supervisory and managerial positions on the same basis.</p>	<p>The Police Commission receives an annual report from the Department that describes the promotion of minority and women officers, as well as the hiring of minority and women officers in the LAPD. The latest report can be found at: <a href="http://www.lapdpolicecom.lacity.org/081820/BPC__20-0097.pdf">http://www.lapdpolicecom.lacity.org/081820/BPC__20-0097.pdf</a></p>
	<p><b>Nondiscrimination of Gay &amp; Lesbian Officers:</b> The LAPD must fully implement in practice its policy of non-discrimination in recruitment and promotion of gay and lesbian officers.</p>	<p>The LAPD has a named LGBTQ Liaison at the Assistant Chief level; hosts two LGBTQ forums annually and the BOPC LGBTQ Mixer is open to all Department employees; In 2018/2019, collaborated with the LGBTQ Working Group and created the LAPD Transgender, Gender Non-Conforming, and Non-Binary Employee Guidebook; developed an LAPD Anti-Discrimination and Retaliation Training Bulletin; provided a Reference link on LAN Home Page for LGBTQ Liaison with reference material and resource links; hosted LGBTQ recruitment days.</p> <p>The Department Manual, Section 285, provides:</p> <p><b>SEXUAL ORIENTATION DISCRIMINATION.</b></p> <p>It is the policy of the Los Angeles Police Department that discrimination in the workplace on the basis of an individual's sexual orientation, gender identity or gender expression is unacceptable and will not be tolerated. Department personnel shall not consider an applicant's or employee's known or perceived sexual orientation, gender identity or gender expression in any pre-employment or employment action or decision, including but not limited to background checking, testing, hiring, assigning, training, transferring, upgrading, promoting, compensating, evaluating, disciplining and discharging.</p> <p>It is the responsibility of all commanding officers and supervisors to take the necessary steps, including training and appropriate disciplinary action, to ensure and maintain a working environment free from discrimination based on sexual orientation, gender identity or gender expression. The Department shall prohibit, as a form of discrimination, the creation of or contribution to a hostile, intimidating, threatening, offensive, or abusive work environment on the basis of an individual's known or perceived sexual orientation, gender identity or gender expression. This includes written, spoken, graphic or demonstrative derogatory terms, slurs, comments, gestures, ridicule, threats, rumors, or jokes with respect to an individual's known or perceived sexual orientation, gender identity or gender expression. The Department is committed to eliminating discriminatory conduct in the workplace and will not tolerate or condone any form of discrimination or harassment based on sexual orientation, gender identity or gender expression by any Department or City employee.</p> <p>...</p> <p>It is the responsibility of all commanding officers and supervisors to take the necessary steps, including training and appropriate disciplinary action, to ensure and maintain a working environment that is free from discrimination. Discrimination, whether physical, psychological or verbal, based on race, ethnicity, gender, religion, sexual orientation, gender identity, gender expression, accent, age, language, or any other legislatively or judicially prohibited grounds, can subject the Department and City to severe legal consequences, including significant monetary liability. Employees who engage in such acts and supervisors who knowingly fail to act, to prohibit, or prevent them, subject themselves to disciplinary action, up to and including termination.</p> <p>The Department is committed to eliminating any discriminatory conduct and will not tolerate or condone any form of discriminatory actions or activities by Department employees.</p>

Topic	Recommendation	Status
<p><b>Community-Based Policing</b></p>	<p><b>Adoption of Community-Based Policing Model:</b> LAPD should adopt the community-based policing model and implement it fully, albeit carefully, throughout the Department. Continued experimentation with individual programs that use community policing principles can have only limited success, so long as the demand for crime control and crime statistics remains at the core of the Department's values. It is now time to develop programs to deemphasize force and promote restraint, to foster within the LAPD a different attitude toward the population it serves, and to assist the public to gain greater trust in the Department. Creation of the high-ranking position of Community Relations Officer should assist in breaking down racial barriers and promote greater cooperation between the police and local communities. The Department must develop and employ tactics that emphasize containment and control, rather than confrontation and physical force. LAPD must recognize the merits of community involvement, and must understand that it is accountable to all segments of the community.</p>	<p>In 2020, the Chief of Police created the Community Safety Partnership Bureau (CSPB), following a study prepared by UCLA on the effectiveness of the CSP program. The UCLA Report can be found at: <a href="http://www.lapdpolicecom.lacity.org/051220/CSP%20Evaluation%20Report_2020_FINAL.pdf">http://www.lapdpolicecom.lacity.org/051220/CSP%20Evaluation%20Report_2020_FINAL.pdf</a></p> <p>The LAPD website describes the CSP program and the new bureau as follows:</p> <ul style="list-style-type: none"> <li>· The CSP Bureau fully integrates community voice into its structure. Rather than having a structure built entirely of sworn personnel, the top leadership of the CSP Bureau will consist of a sworn Deputy Chief partnered with a civilian commander (Police Administrator II). The civilian commander will oversee a Regional Advisory Council comprised of leaders within community-based organizations, representatives from City Council offices, and CSP funding partners. The commander and their council will collectively head a Safety Strategy and Innovation Center that develops community-responsive, site-specific plans for existing CSP sites, looks for opportunities for CSP site expansion across the city, and coordinates with other LAPD entities to ensure the CSP model is being integrated throughout all Department's operations.</li> <li>· The CSP Bureau will provide the breadth of leadership necessary to address the various evaluation recommendations. The addition of regional, mid-level supervision will enhance the oversight of administrative and operational functions, while the newly created captain positions will coordinate with both community stakeholders and Department commanding officers to create problem-solving strategies that can be implemented beyond the confines of CSP sites.</li> <li>· By creating a bureau structure to oversee CSP operations, the LAPD is establishing the support systems vital to allowing existing CSP personnel to build on their current successes. The bureau will relieve them of the need to split their attentions between community engagement and administrative functions. They will instead be able to return their full energy and focus to the relationships with community members that have allowed the program to take hold and create dramatic shifts in safety.</li> <li>· Emada Tingirides was selected to be the Deputy Chief overseeing the CSP Bureau.</li> <li>· One of the most significant mandates the CSP Bureau will fulfill is developing strategies to fully implement and institutionalize the CSP model across all aspects of the LAPD. The CSP model's effectiveness is not limited to the stakeholders within tightly defined neighborhood partnering with ten officers and a supervisor. The model's tenets have a place across all of Department operations, and developing a strategy for the Departmentwide integration of these tenets will be taken on by the bureau's leadership and Regional Advisory Council. This complete embrace of policing built on relationships and the pursuit of long-term solutions rather than ongoing enforcement plans will serve as the foundation of the reimagined Los Angeles Police Department.</li> </ul> <p>Community Relations Section, Special Assistant is a direct report to Chief of Police.</p> <p>The Pat Brown Institute at California State University Los Angeles provided training to the Department on the topic of Community Policing for Managers. The Institute offered the course between 1999 and 2011 on Community Policing and Community Governance. It was supported by a grant from the Ahmanson Foundation and the course was POST certified. See also the following Office of the Inspector General Reports, which discuss Community Engagement:  <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf</a>  <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf</a></p>

Topic	Recommendation	Status
<p><b>Community-Based Policing</b></p>	<p><b>Create Incentives for Community-Based Policing:</b> Incentives should be created to encourage officers to develop innovative programs within their assigned communities. Credit for pay advances and promotions should be given not simply for arrest statistics, but for innovation and creativity in developing and implementing crime prevention programs.</p>	<p>See the above section describing the CSP program, and the newly created CSPB. All sworn positions in CSPB are with pay grade advancements. See also the following Office of the Inspector General Reports which discuss Community Engagement:  <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf</a>  <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf</a></p>

<p><b>Recruitment, Selection and Psychological Testing</b></p>	<p><b>Focus on Past Behavior:</b> The initial psychological evaluation process should be improved by focusing less on test and oral interview results, and more on an analysis of past behavior as a predictor of future behavior.</p>	<p>During the background investigation process a candidates' past choices are considered and provided to the psychologist for the interview process. The past behavior of a candidate is considered along with the age, maturity and significance of any negative issues discovered in the background process. It is understood that a candidate may have made some bad choices however they are evaluated under the "whole person" standard.</p>
	<p><b>Better, Formalized Training for Background Investigators:</b> In addition to the practice of assigning new investigators to accompany veterans, investigators need formal instruction in how to question candidates and their references. They should be schooled in the basic indicators of abnormal psychological behavior.</p>	<p>The background investigators attend a 32-hour background investigation course hosted at Ben Clark Public Safety Training Center. Upon completion of this course, investigators receive a California POST certificate. Following the course, the Background Investigation Division of Personnel Department hosts a 3-day training for new background investigators. Following that training, the new background investigators are assigned a training officer to provide on the job training. Background investigators are civilian employees of the City Personnel Department. They are required to attend a California Peace Officer Standards and Training Background Investigator class prior to starting the assignment. Sworn LAPD supervisors monitor their work.</p>
	<p><b>Periodic, Unannounced Audits of Background Investigations and Files:</b> More comprehensive audits should be done (by officers who are not members of the Background Investigations Unit or perhaps by the City Personnel Department) to evaluate whether the LAPD focuses too much or too little attention on particular background standards, maintains uniform application of those standards, and appropriately limits inquires about the sexual history of candidates.</p>	<p>On a regular basis, the Office of Support Services reviews the background files of all disqualified candidates and the areas during the background process where candidates drop out of the process. In conjunction with this regular review the Chief of Police is briefed by the Office of Support Services regarding the progress and cooperation between the City Personnel Department and the Recruitment and Employment Division of the Department. Additionally, the California Commission on Peace Officers Standards and Training will periodically audit background files.</p>

<b>Recruitment, Selection and Psychological Testing</b>	<b>Candidate Should Not be Certified for Hire Until Background Investigation is Complete:</b> Currently, a background investigation may continue even after a candidate has graduated from the Police Academy and begun work as a police officer, which puts public and other officers at risk because candidate may be unsuitable to work as an officer.	At time of academy appointment, a thorough background investigation has been completed. Furthermore, the Department investigates all information that comes to light at all times for candidates. This information can lead to removal from the academy (or as an officer) at any point.
	<b>Officers Should be Retested Periodically:</b> Officers should be retested every three years to uncover both psychological and physical problems. The proposed retesting would also train officers to develop coping skills to effectively manage stressful situations.	<p>The Chief of Police gave approval in July 2020 for a Biennial Officer Wellness Check-in program with the Behavioral Sciences Section. The program began in the Fall of 2020 with officers assigned to Office of Operations/patrol divisions. This will be a program where officers are offered the opportunity to meet with a Department psychologist to discuss any concerns or issues they may have.</p> <p>The Department has a very viable Peer Support Program for both sworn and civilian personnel. The peer counselors receive periodic training and are available to assist employees with personal or work issues.</p> <p>All sworn personnel are required on an annual basis to be tested on the Force Options Simulator to test their decision-making skills, de-escalation skills and knowledge of the Use of Force policy.</p> <p>All personnel involved in a Categorical Use of Force incident or traffic accident in which a person is severely injured or killed are required to meet with a Department psychologist for a minimum of three visits prior to returning to the field.</p>
	<b>Supervisors Should Emphasize the Detection of Problems in Officers' Field Work:</b> Supervisors must make it clear to officers that they may seek counseling or training either formally or informally, on a confidential basis and without punitive action being taken as a result.	<p>Areas have Wellness Days and periodic visits from BSS to roll calls and routine station visits.</p> <p>Supervisors and CO's discuss with command regularly. In addition, BSS hosted Family Seminar in August 2020 via Zoom.</p> <p>BSS regularly attends supervisor update meetings and describes their services.</p>
<b>Academy Training</b>	<b>Appointment of Police Training Administrator (PTA):</b> The PTA should be identified and appointed as soon as possible, consistent with proper selection procedures.	This position is called the Director of Police Training and Education position, which is held by Dr. Luann Pannell.

<p><b>Academy Training</b></p>	<p><b>Review of Human Relations/Cultural Awareness and Verbal Skills Training:</b>          These trainings should be reviewed by the PTA and the Professional Advisory Committee (PAC), who should consider expanding and moving those classes to the beginning of the curriculum, and integrating those skills with the tactical, use of force, physical, and foreign language training through the use of "lifelike" situation simulations.</p>	<p>The Office of the Inspector General conducted a review of the program and issued two reports in 2017 and 2019 on national best practices, which can be found at:  <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf</a>          and  <a href="http://www.lapdpolicecom.lacity.org/100119/BPC_19-0264.pdf">http://www.lapdpolicecom.lacity.org/100119/BPC_19-0264.pdf</a>          These reports discuss trainings, such as the Police Sciences and Leadership (PSL) Program, Implicit Bias, and Procedural Justice. Also, Department has integrated life-like UOF simulations via the force-option simulator. PSL II is designed to take place after the 3rd year of an officer's tenure, and it uses extensive role playing scenarios to build officers' skills in effective communication, procedural justice, de-escalation, use of force, and advanced tactics.</p>
	<p><b>Review of Foreign Language Training:</b>          Foreign language training, especially Spanish, should be reviewed by the PTA to correct present deficiencies. Incentivize recruits and officers with an interest in developing broader language skills.</p>	<p>Officers in the academy receive basic communication skills in Spanish. The Department is approximately 49% Hispanic with a large percentage of those officers speaking Spanish. Additionally, there are many officers who are proficient in various languages. Officers also have a resource via telephone through Communications Division of a "language bank" where they can be connected to an interpreter.</p>
	<p><b>Field Work Before Graduation:</b>          Recruits should spend a significant amount of time in the field before graduation or should return to the Academy for additional training after having spent a period of time in the field.</p>	<p>The Department's Police Sciences and Leadership (PSL) Program has two parts, PSL I and PSL II. PSL I was implemented in 2016 and is provided to officers during the 11th month of their one-year post-Academy probationary period. PSL II is designed to take place after the 3rd year of an officer's tenure, and it uses extensive role playing scenarios to build officers' skills in effective communication, procedural justice, de-escalation, use of force, and advanced tactics.          The Office of the Inspector General conducted a review of the program and issued two reports in 2017 and 2019 on national best practices, which can be found at:  <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf</a>          and  <a href="http://www.lapdpolicecom.lacity.org/100119/BPC_19-0264.pdf">http://www.lapdpolicecom.lacity.org/100119/BPC_19-0264.pdf</a></p>
	<p><b>The Academy's Commanding Officer &amp; Instructional Staff:</b> The Academy's commanding officer should serve a minimum period of time in that position, such as 3 years, and have greater discretion to remove instructional staff. Instructional staff should have either a minimum period of field experience, such as 5 years, or some unique expertise. The term of service for instructors should be limited to a specified period, such as 5 years.</p>	<p>Current acceptance of a position within Training Division and In-Service Training Division has a maximum 5-year term limit (Sergeant and Officer Ranks).          The Commanding Officer is appointed at the discretion of the Chief of Police, and assignment is based on the needs of the Department.          All academy instructors are subject matter experts in the area they provide instruction. They are also certified instructors by the Commission on Peace Officer Standards and Training.</p>

<b>Academy Training</b>	<b>High Performance Standards:</b> The Academy should establish high performance standards in academic as well as physical fitness endeavors for recruits to qualify for graduation. The Academy should terminate those recruits who fail to meet those standards.	POST regulations used by the academy allow for each test to be taken twice with minimum passing scores. The minimum passing scores for each test vary with the lowest score being 70%. If a recruit fails the first attempt he/she is remediated and permitted to retake the test. However, if a recruit fails the second attempt, he/she is disqualified from the academy. LAPD Academy is 912 hours compared to only 664 hours required by POST.
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<b>Field Training</b>	<b>Content of Training:</b> Probationers' training should include systematic instruction on the use of verbal skills, recognition of when force is appropriately used, and cultural awareness and sensitivity.	A Probationary Police Officer Weekly Evaluation Report (PPOWER) includes categories for: Department Polices/ Procedures; Law, LAMC; Search and Seizure; Use of Common Sense and Good Judgment; Relationships with Citizens in General; and Relationships with Ethnic Groups or Gender Other Than Own. See also: Links to Special Orders: <a href="http://lapd-assets.lapdonline.org/assets/pdf/2017%20Special%20Orders%2013.pdf">http://lapd-assets.lapdonline.org/assets/pdf/2017%20Special%20Orders%2013.pdf</a> <a href="http://lapd-assets.lapdonline.org/assets/pdf/SO_19.pdf">http://lapd-assets.lapdonline.org/assets/pdf/SO_19.pdf</a> <a href="http://lapd-assets.lapdonline.org/assets/pdf/2018%20admin%20order14.pdf">http://lapd-assets.lapdonline.org/assets/pdf/2018%20admin%20order14.pdf</a>
	<b>Termination of Unsatisfactory Probationers:</b> The Department should encourage and facilitate Field Training Officer (FTO) efforts to terminate unsatisfactory probationers, including those exhibiting an inability to interact appropriately with the public.	Department Manual 760.45, provides: <ul style="list-style-type: none"> <li>• <b>Entry-level Police Officers.</b> A Probationary Police Officer Weekly Evaluation Report (PPOWER), Form 01.78.01, shall be completed for each entry-level probationary police officer who has completed the recruit phase of training.</li> <li>• During the Structured Field Training Program Period (SFTPP), each probationary police officer shall be rated weekly on the PPOWER.</li> </ul> The PPOWER report includes categories for: relationships with citizen in general, and with ethnic groups and genders other than their own.
	<b>Development of Selection Criteria of FTOs:</b> Uniform criteria for selection of FTOs should be established. FTOs should be required to have at least 5 years' field experience. Priority should be given to officers with the ability and interest to train junior officers.	Department policy and the Field Training Manual states that all sworn personnel who desire to be a Field Training Officer (FTO) must meet the requirement of three years of service, with two years in a patrol and/or traffic assignment. (Department Manual Volume III, Section 763.85). The 3-year level of experience was adopted based on the requirements of the California State Commission on Peace Officer Standards and Training, which requires 3 years. In order to be considered, FTO applicants must meet all of the requirements regarding lack of complaint history, lawsuits, and out-of-policy use of force cases.

<p><b>Field Training</b></p>	<p><b>Complaints History as Factor in FTO Selection:</b> Officers with sustained complaints for use of excessive force or other serious violations of Departmental policy within the past 5 years should be disqualified from serving as FTOs, except as specifically approved for the position under guidelines established by the Department. An officer's entire disciplinary record, including unsustained complaints and the officer's history of use of force, should be weighed in the FTO selection process.</p>	<p>Department Manual Volume III, Section 763.85 provides the following in terms of the review of work history prior to the selection of Field Training Officers (FTOs):</p> <p><b>Review of Selected Candidate's Work History and Evaluation of Findings.</b> In addition to reviewing documentation listed above, commanding officers will utilize existing Departmental databases, information and other documents to assess a selected FTO candidate's work history, to include:</p> <ul style="list-style-type: none"> <li>• Review the employee's entire complaint history, including failure to appear, failure to qualify, and preventable traffic collision;</li> <li>• Review all sustained and pending complaints to ascertain if they contain elements of excessive force, false arrest or charge, improper search/seizure, sexual harassment, discrimination, or dishonesty;</li> <li>• Review any adverse judicial findings that contain any element of excessive force; false arrest or charge, improper search/seizure, sexual harassment, discrimination, or dishonesty and the judicial finding in making the selection; and,</li> <li>• Ensure that any information obtained regarding LERI and In-Custody Deaths from the Use of Force Division is documented in the narrative section.</li> </ul> <p>The intent of reviewing a selected candidate's work history is to assist in the evaluation of that candidate's appropriateness for FTO duties and responsibilities.</p>
	<p><b>Tests and Incentives for FTOs:</b> To become FTOs, officers should be required to pass written and oral tests designed to measure communication skills, teaching aptitude and knowledge of Departmental policies regarding appropriate use of force and cultural sensitivity.</p>	<p>The Department currently uses an oral interview process for FTO selection after three years of qualified work experience submitted and verified by Personnel Division.</p> <p>Interview questions are geared toward field training questions and test a candidate's knowledge and experience with Department policies, procedures, field training manual, use of force, implicit bias and procedural justice.</p>

<p><b>Field Training</b></p>	<p><b>FTO School:</b> Successful completion of FTO School should be required before an FTO begins training probationers. FTO School curriculum should be modified to place greater emphasis on communication skills, teaching skills, appropriate use of force, and sensitivity to specific cultural differences within Los Angeles. FTO training should include a substantial continuing education component.</p>	<p>Department policy and the Field Training Manual states that all sworn personnel who desire to be a Field Training Officer (FTO) must meet the requirement of three years of service, with two years in a patrol and/or traffic assignment. (Department Manual Volume III, Section 763.85). This Manual provision provides:</p> <p><b>Basic Eligibility Requirements.</b> Prior to applying for a FTO position, officers must have:</p> <ul style="list-style-type: none"> <li>◦ Met the eligibility requirements established in the Field Training Manual; and</li> <li>◦ Demonstrated analytical skills, cultural and community sensitivity, diversity and commitment to police integrity that meet or exceed standards.</li> </ul> <p>Per Department Policy, an FTO holds the rank of Police Officer III and has completed the Department's 40-hour FTO Basic Course, conducted by the FTO Unit of Training Division. To maintain certification, FTOs must attend the 32-hour FTO Update Course during the three years following appointment. Although California POST requires every FTO to attend a minimum 24-hour FTO Update Course, the Department mandates a 32-hour FTO Update Course. Mental Health Intervention Training (MHIT) is attended within 6 months of promotion.</p> <p>Furthermore, the Department Manual provides:</p> <p style="padding-left: 40px;">It remains the responsibility of each FTO to maintain proficiency in the performance as an FTO including the requirements established for eligibility and in the Field Training Manual. The FTO must also remain in compliance with current requirements, including the successful completion of the Peace Officer Standards and Training mandated FTO Course and any required FTO recertification course(s). It is incumbent upon commanding officers to continually monitor the performance of their command's FTOs and their compliance with FTO training standards.</p> <p style="padding-left: 40px;">The Department must ensure that FTOs receive adequate training, including training to be an instructor, and training in Department policies and procedures to enable them to carry out their duties. Training requirements are detailed in the Department's Field Training Manual.</p>
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<p><b>Continuing Education</b></p>	<p><b>Roll Call and In-Service Training:</b> The Academy should take responsibility over roll call and other in-service training by providing a pool of officers whose function is supervising roll call training and the implementation of effective in-service training days. The Academy should develop detailed training outlines that every division would use, and have Academy instructors available to assist watch commanders implement.</p>	<p>Electronic roll call training site on the Department's Local Area Network ("LAN") provides training for each day, provided by In-Service Training Division ("ISTD"). Pursuant to the Chief of Police Correspondence to the Police Commission on September 30, 2020 (found at: <a href="http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf">http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf</a>), the following are some of the most recent training available to the department:</p> <p>Police Training and Education (PTE) is actively engaged in a wide variety of cutting-edge training designed to mitigate some of the at-risk behaviors. Below is a brief synopsis of PTE programs and initiatives related to Department efforts to decrease complaints and support officer wellness.</p> <ul style="list-style-type: none"> <li>◦ <b>Police Science and Leadership (PSL)</b> – The PSL program focuses on developing empathic, relationship-focused police officers who solve long-term community problems, supporting the Department's goal of Preservation of Live through modern policing techniques and reinforcing the benefits of deescalation practices build public trust. Implicit Bias and resiliency are aspects of this that directly address policing, substance abuse and domestic violence.</li> <li>◦ <b>Supervisor School</b> – This course was recently updated with an enhanced three-hour block of instruction on how to properly respond to and complete a Biased Policing complaint.</li> <li>◦ <b>Distance Learning Education</b> – PTE recently developed an application -based learning platform, specifically devoted to Implicit Bias / Racial Profiling and Organizational; Wellness. Professional Standards Bureau will participate in the development of the source material for these courses to address topics in this report.</li> <li>◦ <b>Roll-Call Training</b> – The Field Services Training Unit (FSTU) will be scheduling various wellness topics to be reviewed during roll-call training and bringing discussions on awareness, prevention, and intervention to the forefront. The FSTU plans to collaborate with Behavioral Science Services (BSS) and create videos providing personnel with in-depth information every other month.</li> <li>◦ <b>Leadership Enhancement and Development Sessions (LEADS)</b> – PTE is continuing to hold LEADS for Command Staff. George Washington University professors on Policing History, Culture, and Race will be providing instruction, which supports the Department's efforts on understanding and supporting racial equity initiatives.</li> <li>◦ <b>Peer Support Program</b> – In 2019 the Peer Support Team created a Substance Abuse Task Force that is comprised of BSS psychologists and staff from the Addiction Prevention Unit, and Peer Support members. A voluntary skills-based group called Sobriety Tactics meets regularly to learn skills for maintaining sobriety.</li> </ul>
<p><b>Continuing Education</b></p>	<p><b>Command Accountability:</b> Command accountability and effective supervisory techniques should be the primary focus of the training of sergeants, lieutenants, and captains.</p>	<p>Supervisors attend the following training either upon promotion or in some cases prior to promotion:</p> <p>Upon promotion to Detective Supervisor (DII) and Sergeant they must attend Supervisor School, which is a four-week training program where they will be educated on the responsibilities of being a first line supervisor.</p> <p>Upon pay-grade advancement to Sergeant II (Assistant Watch Commander) or Lieutenant personnel are assigned Watch Commander School where they learn the responsibilities of the Watch Commander position.</p> <p>LAPD Leadership School (formerly known as the West Point Leadership School) is available to Sergeants and Lieutenants where they learn the skills of being a leader in law enforcement. This program is recognized by the Commission on Peace Officer Standards and Training and supervisors from other Departments can also attend.</p> <p>Command Development is for Lieutenants on the promotion list to Captain or recently appointed Captains. It is a four-week program, presented one week every other month. It provides an orientation to new Captains on their responsibilities as managers in the organization.</p> <p>Peace Officer Standards and Training Management course is an 80-hour training program required by POST to all new mid managers which provides training on the responsibility of being a manager in a law enforcement agency.</p>

<p><b>Promotions</b></p>	<p><b>Consider Sustained and Not Sustained Complaints:</b> Summaries of non-sustained complaints, as well as sustained complaint information that is presently available, should be included in an officer's central and division personnel file. The full complaint file should be available for review on request. Interview Boards and those making discretionary pay-grade advancement decisions should carefully consider these complaints.</p>	<p>All sustained complaints with penalties are available for review to the interview board.</p> <p>All sustained complaints with or without penalties within the previous five years of the date application are available for review to the interview board.</p> <p>Non-sustained complaints are not available for review to the interview board. This process is a result of an agreement between the department and the Police Protective League, following a meet and confer process, in which the parties both agreed that "Non Sustained" complaints should not influence a selection panel.</p>
	<p><b>Remaining in Patrol a Positive Factor:</b> An officer's decision to remain in patrol (especially where the officer's record demonstrates the qualifications to transfer out of patrol) should be a positive factor in promotion decisions.</p>	<p>Officers receive a Geographic Patrol and Crime Suppression Incentive bonus of 1.25% as an incentive to remain in patrol.</p> <p><u>See also:</u> Memorandum of Understanding between City and Police Protective League.</p>
<p><b>Assignment &amp; Transfer</b></p>	<p><b>Consider Sustained and Not Sustained Complaints:</b> Histories of sustained and non-sustained complaints should be available to managerial officers for use in making desirable assignments.</p>	<p>All sustained complaints with penalties are available for review to the interview board.</p> <p>All sustained complaints with or without penalties within the previous five years of the date of application are available for review to the interview board.</p> <p>Non-sustained complaints are not available for review to the interview board. This process is a result of an agreement between the department and the Police Protective League, following a meet and confer process, in which the parties both agreed that "Non Sustained" complaints should not influence a selection panel.</p>
<p><b>Assignment &amp; Transfer</b></p>	<p><b>Administrative Transfers:</b> Administrative assignments should not be used simply to transfer a problem officer from one division to another. Rather, division commanding officers should enroll such an officer in a formal or informal training or counseling program. If that program is unsuccessful, an assignment should not place the officer in the position of repeating inappropriate conduct. If an administrative transfer is necessary, an explicit statement as to any appropriate assignment limitations should be included with the transfer, and such officers should not be transferred to the jail division.</p>	<p>Administrative Transfers are overseen by the Department Employee Relations Administrator and are approved by the Director, Office of Support Services.</p> <p><u>See also:</u> Employee Relations Administrator Notice which outlines process for Administrative Transfers</p>

<b>Other Personnel Issues</b>	<b>Assignment Policy for Patrol Officers:</b> The assignment policy for patrol officers should be modified to require periodic, mandatory rotations every 5 years in a manner designed to increase ethnic and gender diversity among divisions, and to expose officers to a broad variety of division experiences. Officers should rotate back into patrol after reasonable tours of duty in non-patrol assignments.	This is negotiated between the Los Angeles Police Protective League and the City and was not implemented,
	<b>Incentives for Patrol:</b> Increased rewards for patrol functions should be provided. The Department should consider, for example, augmenting the longevity pay program already in place.	Officers receive a Geographic Patrol and Crime Suppression Incentive bonus of 1.25% as an incentive to remain in patrol. <u>See also:</u> Memorandum of Understanding between City and Police Protective League.
	<b>Psychological Retesting:</b> Officers should be retested psychologically during their careers to recognize and treat early signs of stress. The Behavioral Science Services Section can be used to help treat stress and in training supervisory officers to recognize stress symptoms in those they supervise.	Officers can be referred to Behavioral Sciences Section based on observed behavior for a fitness for duty evaluation. Additionally, all personnel involved in a Categorical Use of Force incident or traffic accident in which a person is severely injured or killed are required to meet with a Department psychologist for a minimum of three visits prior to returning to the field.
<b>Other Personnel Issues</b>	<b>Support City Charter Amendment Impacting Pension for Disability Caused By Serious Misconduct:</b> The Commission supports a City Charter amendment that would direct the Board of Pension Commissioners to take into account as a negative factor if an officer's disability is a direct result of serious misconduct (based on a similar Labor Code provision limiting workers compensation benefits if activity giving rise to death/disability was expressly prohibited by departmental regulations).	Los Angeles City Charter Section 1506 provides: (i) <b>Exclusion for Willful Conduct.</b> In making its determinations and findings relative to subsections (a), (b), and (c) of this section, the Board shall consider whether and to what extent the activity giving rise to the disability of a member of the Police Department was caused or aggravated by such member's willful misconduct. If the Board finds that the disability was caused or aggravated by such willful misconduct, the Board shall deny the Plan Member's application for a disability pension. The provisions of this subsection shall be applicable only to those Plan members who became members of the Police Department on or after July 6, 1992.

<p><b>Complaint Intake</b></p>	<p><b>Creation of Office of the Inspector General:</b> The Police Commission should create an Office of the Inspector General within the Police Commission, reporting directly to the Commission and its Chief of Staff, to audit and oversee the complaint and disciplinary process.</p>	<p>City Charter Amendment in 1995 – Volume 1, Article V, Section 573 created the OIG. Section 573 provides as follows:</p> <p><b>Sec. 573. Inspector General.</b></p> <p>The Inspector General shall report to the Board of Police Commissioners and shall have the same access to Police Department information as the Board of Police Commissioners. The Inspector General shall have the power and duty to:</p> <ul style="list-style-type: none"> <li>(a) under rules established by the Board of Police Commissioners, audit, investigate and oversee the Police Department’s handling of complaints of misconduct by police officers and civilian employees and perform other duties as may be assigned by the board;</li> <li>(b) conduct any audit or investigation requested by majority vote of the board;</li> <li>(c) initiate any investigation or audit of the Police Department without prior authorization of the Board of Police Commissioners, subject to the authority of the board by majority vote to direct the Inspector General not to commence or continue an investigation or audit;</li> <li>(d) keep the board informed of the status of all pending investigations and audits; and</li> <li>(e) appoint, discharge, discipline, transfer and issue instructions to employees under his or her direction.</li> </ul>
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<p><b>Complaint Intake</b></p>	<p><b>Ease Barriers to Public in Filing Complaint:</b> The Police Commission should publicize the ways to obtain complaint forms and to complete and file them. The straightforward form (and related posters) should be printed in English, Spanish, and other appropriate languages. Complaint should be received at places in addition to the police station, such as City Council district offices. The Inspector General should have trained personnel available through a telephone hotline ready to help people complete and file complaints.</p>	<p>There are many avenues to filing a complaint, which are listed on the LAPD website (found at: <a href="http://www.lapdonline.org/home/content_basic_view/66661">http://www.lapdonline.org/home/content_basic_view/66661</a>), and include:</p> <ul style="list-style-type: none"> <li>◦ Call the LAPD's complaint hotline: 1-800-339-6868TDD 213-978-3500 or send email to LAPDCMS@LAPD.ONLINE;</li> <li>◦ Ask to speak to a supervisor at any LAPD station;</li> <li>◦ Visit the Internal Affairs website or click on the Complaint Form links below; and</li> <li>◦ Visit any LAPD Community Police Station and speak directly with an LAPD supervisor, regardless of where the incident occurred.</li> </ul> <p>The following options are available to file a complaint with the OIG:</p> <ul style="list-style-type: none"> <li>◦ Visit our office in person. We are in the World Trade Center, in Downtown Los Angeles. Address: 350 S. Figueroa Street; Suite 1002; Los Angeles, CA 90071</li> <li>◦ Call the OIG. Phone: (213) 893-6400 TTY: (213) 482-7002</li> <li>◦ Send us a Fax. Fax numbers: (213) 687-7473; (213) 687-7487; or (213) 687-7493 Email us at <a href="mailto:oigcompl@lapd.online">oigcompl@lapd.online</a></li> <li>◦ Send us a message via our mobile application, which is available via both Apple Store and Google Play.</li> <li>◦ Mail us a letter at the office address designated above.</li> <li>◦ Request to speak with OIG staff at a public meeting of the Los Angeles Board of Police Commissioners.</li> <li>◦ Send us a message via our Facebook page.</li> <li>◦ Send us a message via our Twitter profile.</li> <li>◦ Comment on our Google Business profile.</li> </ul> <p>Complaint forms are available in the following languages: English, Spanish, Chinese, Tagalog, Japanese, Korean, and Vietnamese.</p>
	<p><b>Inspector General's Retention of Complaints:</b> The IG's office should maintain a file of each complaint, and then route the complaint to IAD. If complaint initiated at IAD, it should be routed to the IG's office.</p>	<p>The OIG currently maintains a file on each complaint that it receives, and it routes each complaint to Internal Affairs Group (IAG). The OIG also maintains direct access to all complaints that are received by IAG via the TEAMS II System.</p>
	<p><b>Extend Statute of Limitations:</b> The one year statute of limitations set forth in City Charter Section 202 should be extended and modified.</p>	<p>Government Code Section 3304(d) establishes a 1-year statute of limitations in which discipline must be imposed upon discovery of a violation by a supervisor. State law supersedes the City Charter.</p>

<p><b>Complaint Intake</b></p>	<p><b>Investigate Civil Claims of Police Misconduct:</b> The City Attorney's Office should promptly notify the Police Commission and the Department when civil claims are filed against the City arising out of alleged police misconduct. The Department, through IAD, should investigate every significant claim.</p>	<p>All civil claims generate a complaint investigation by Internal Affairs Group.</p>
	<p><b>Business Cards Handed Out Following Contact with Public:</b> The Department should actively enforce the already existing requirement that business cards be handed out following police contact with the public.</p>	<p>The LAPD Manual provides:</p> <p><b>4/296.01 BUSINESS CARDS–DETAINEE RELEASED WITHOUT BEING BOOKED OR CITED.</b> When any person detained by an employee of this Department is subsequently released without being booked or cited, the responsible officer shall explain the reason for the detention. Prior to the person's release, the officer shall offer to provide the detained person an official Department business card, and, if requested, provide the business card complete with the officer's name and the division of assignment.</p> <p>In its 2017 Report on national best practices, the Office of the Inspector General wrote:</p> <p>"LAPD policy currently requires that officers provide a business card to those they have detained and released without a citation or arrest, and that, for stops that are documented in the stop data system, the business card include the date and time of the stop as well as the last four digits of the related incident number. It also requires that the person be informed of the reason for the detention." (2017)</p> <p>"Despite these mandates being written in the policy manual, however, the OIG has observed that officers do not appear to consistently provide subjects of a stop with a business card. It has also noted in a previous report that reviewers could not always identify the explanation of the stop in videos associated with a pedestrian stop. Following the OIG's raising of this issue, the Office of Operations moved quickly to prepare a notice reminding all Bureau commanding officers of requirements relating to collecting stop data and, when no enforcement action is taken, providing those stopped with a business card." (2017)</p> <p><b>2017 Recommendation:</b> "The Department should continue to reinforce and hold officers accountable for requirements that they identify themselves during a stop, provide a business card, and explain the reason for the stop."</p> <p>"In recent months, the Department has been reviewing how best to apply and enforce the business card policy, and it is currently working to finalize a change in language that will require officers to "offer" a business card rather than to "provide" it. As noted in Section A-1, it has also been developing a Procedural Justice Review form that specifically incorporates an assessment of whether the officers explained the reason for each stop, as required. The OIG will continue to monitor this issue, and officers' adherence to these policies, as part of its auditing responsibilities."</p>

<b>Investigation of Complaints</b>	<b>Excessive Force Complaints Investigated by IAD:</b> All complaints relating to excessive force (including improper tactics) should be investigated by IAD rather than the division, and should be subject to periodic audits by the Police Commission through its Inspector General.	Complaints related to excessive force are categorized as Unauthorized Force and investigated by Internal Affairs Group. The OIG conducts periodic audits, as reflected here: <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23__e7798ead7a404e66918012e82144c09a.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23__e7798ead7a404e66918012e82144c09a.pdf</a> <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23__6991caf7969d215704378ac686271849.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23__6991caf7969d215704378ac686271849.pdf</a>
	<b>IAD's Composition:</b> IAD investigators should generally be detectives. Longer assignments to IAD should be established to allow investigators to develop the detachment necessary for full and fair investigations.	All investigators assigned to Internal Affairs Group are supervisors at the ranks of Detective II, Detective III or Sergeant II.
	<b>IAD's Structural Independence:</b> The head of IAD should be a deputy chief and should report directly to the Chief of Police, and work closely with the Police Commission and its Inspector General.	Currently, the Commanding Officer for Professional Standards Bureau (Internal Affairs Group is part of Professional Standard Division) is Deputy Chief Robert Marino. The Deputy Chief reports to the Assistant Chief of the Office of Support Services.
	<b>Inspector General Oversight:</b> IAD should route the completed investigation file to the IG, which will be able to satisfy itself that the investigation is thorough and complete.	A representative from the Office of the Inspector General attends all Internal Affairs presentations and signings by the Chief of Police.
	<b>Immediately Discontinue Improper Investigative Practices:</b> There should be no group interviews of officers and no "pre-interviews" of officers before taking their statements. As is currently done by IAD, all interviews should be tape recorded in excessive force related cases (including improper tactics) as well as in cases involving shootings.	In Use of Force cases, interviews are conducted by Force Investigation Division (FID), and such interviews are recorded and transcribed for the investigation. This is implemented in the case of all investigations.
	<b>Special Precautions if Conduct Potentially Criminal:</b> In an investigation where the officer's conduct is potentially criminal, special precautions should be taken to protect against compromising evidence against the officer.	This practice is in place. These types of investigations are assigned to Internal Affairs Criminal Division investigators.

<p><b>Investigation of Complaints</b></p>	<p><b>Investigation of Bystander Officers:</b> In excessive force cases, IAD should investigate the role of all bystander officers to determine whether and to what degree they are in violation of Department policy.</p>	<p>All substantially involved officers are evaluated. The Inspector General, with the concurrence of the Board of Police Commissioners, has the opportunity to expand the list of officers investigated, should they determine any officers were substantially involved. This includes bystander officers.</p> <ul style="list-style-type: none"> <li>◦ In addition, the 2020 Use of Force Policy provides (the new Use of Force policy can be found here: <a href="#">UOF policy</a>):</li> </ul> <p>Requirement to Report Potential Excessive Force. An officer who is present and observes another officer using force that the present and observing officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer, shall report such force to a superior officer.</p> <p>Requirement to Intercede When Excessive Force is Observed. An officer shall intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.</p> <p>The Department Manual provides:</p> <p><b>210.46 EMPLOYEE'S DUTY TO REPORT MISCONDUCT.</b> The reporting of misconduct and prevention of the escalation of misconduct are areas that demand an employee to exercise courage, integrity, and decisiveness. Department Manual Section 3/813.05 requires that when an employee, at any level, becomes aware of possible misconduct by another member of this Department, the employee shall immediately report the incident to a supervisor or directly to Internal Affairs Group. Furthermore, an employee who observes serious misconduct shall take appropriate action to cause the misconduct to immediately cease. The fact that a supervisor is present and not taking appropriate action to stop the misconduct does not relieve other employees present from this obligation.</p> <p>An employee's obligation to report and prevent misconduct begins the moment the employee becomes a member of the Los Angeles Police Department. Police officers, because of their status as peace officers, have an even greater responsibility to report and prevent misconduct. Experience, rank, or tenure are not factors in knowing the difference between right and wrong, and they do not provide an excuse for failing to take appropriate action. Although supervisors are responsible for investigating allegations of misconduct, all Department employees are responsible for preventing and reporting misconduct.</p> <p>The citizens of Los Angeles expect and deserve employees who possess a high degree of integrity. Any employee who is perceived, justifiably or not, to be condoning or concealing misconduct impairs the trust of the public. Employees must respect and be aware of their responsibility to freely and truthfully report all acts of misconduct and to act, if necessary, to prevent the escalation of those acts. This is essential if the Department is to maintain the trust of the public.</p>
<p><b>Classification &amp; Adjudication of Complaints</b></p>	<p><b>Initial Classification:</b> The initial classification of complaints should be made by the bureau commanding officer (a Deputy Chief or commander) not the charged officer's division commanding officer.</p>	<p>The initial classification of complaints is done at the Chain of Command and verified by the Classification Unit in Internal Affairs Group.</p> <p>See also: Department Complaint Process</p> <p>Pursuant to the Chief of Police Correspondence to the Police Commission on September 30, 2020 (found at: <a href="http://www.lapdpolicecom.lacity.org/102020/BPC_20-0139.pdf">http://www.lapdpolicecom.lacity.org/102020/BPC_20-0139.pdf</a>), while allegation classification typically occurs as the investigation draws to a close, due to the critical importance of identifying increasing rates of at-risk behavior and initiating corrective action prior the completion of investigations, the Department will implement a semi-annual report on the following complaint investigations:</p> <ul style="list-style-type: none"> <li>◦ Biased Policing/Discrimination;</li> <li>◦ Domestic Incident/Altercation;</li> <li>◦ Alcohol related to include driving while impaired; and</li> <li>◦ Unauthorized Use of Force.</li> </ul>

<p><b>Classification &amp; Adjudication of Complaints</b></p>	<p><b>Modify Classification Terminology:</b> The “not sustained” classification should be renamed “not resolved.”</p>	<p>As noted in the 2019 Annual Complaint Report, found at <a href="http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf">http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf</a>, the following is the classification terminology used [indicating that the “not resolved” category was adopted]:</p> <ul style="list-style-type: none"> <li>◦ <b>Unfounded:</b> When the investigation indicates the act complained of did not occur;</li> <li>◦ <b>Exonerated:</b> When the investigation indicates the act occurred but that the act was justified, lawful and proper;</li> <li>◦ <b>Not Resolved:</b> When the investigation disclosed that the act complained of did not occur and constitutes misconduct;</li> <li>◦ <b>Sustained:</b> When the investigation discloses that the act complained of did not occur and constitutes misconduct;</li> <li>◦ <b>Insufficient Evidence to Adjudicate of Department Employee Not Involved:</b> The investigation could not be thoroughly or properly investigated/completed for reasons beyond the Department’s control or determines no Department Employee was involved; and</li> <li>◦ <b>Demonstrably False:</b> When it is clearly proven that an allegation did not occur.</li> </ul>
	<p><b>Use of Findings:</b> A “not resolved” finding, while not sufficient to impose discipline in that particular case, should be available for review in future investigations, as well as considered in employee evaluations and for purposes of promotions and upgrades. Any finding, including “unfounded” and “exonerated,” should be available for non-punitive purposes such as training, counseling, and assignment.</p>	<p>A “not resolved” finding can be used for future investigations, and considered in future investigations to establish a pattern of conduct. It cannot be used for promotions or upgrades. Training can be given regardless of complaint disposition.</p> <p><u>See also:</u> Personnel Complaint Letter of Transmittal</p>
	<p><b>Discontinue “Tie Goes to Officer” Approach:</b> The automatic preference for officers’ testimony should not be relied on as a decision-making technique. All available evidence, including statements from witnesses (whether they are deemed independent or involved) should be fairly and dispassionately evaluated in making a classification based on a preponderance of the evidence standard.</p>	<p>All available evidence, including statements from witnesses (whether they are deemed independent or involved), is evaluated in making a classification based on a preponderance of the evidence standard.</p>
	<p><b>IAD “Second Look” at Investigation and Classification:</b> After the initial adjudication is complete, the file should be sent back to IAD for its review of the investigation and classification. A copy of the completed complaint file should simultaneously be routed to the IG’s office.</p>	<p>After the initial adjudication is completed, IAD reviews the final adjudication and either concurs or recommends a different penalty to the Chief of Police. The Inspector General has access to all complaint files.</p>

<p><b>Classification &amp; Adjudication of Complaints</b></p>	<p><b>Evaluation of Command Officers &amp; Bureau Chiefs:</b> The bureau chief should provide subordinate command officers monthly with a list of officers who have been the subject of personnel complaints and the results of the adjudicated complaints. Evaluation of command officers should take into account and give significant weight to the complaint histories of the officers under that person's command. Likewise, bureau chiefs should be evaluated on their effectiveness in dealing with subordinate commanders whose divisions are a source of high levels of personnel complaints.</p>	<p>This is managed in TEAMS II where Bureau Chiefs and Area Captains receive the information on their subordinate personnel. Also, these matters are discussed in CompStat without the involved officers' names being disclosed. Area Captains are evaluated relative to their management of personnel, complaint investigation and adjudication of those complaints.</p> <p><u>See also:</u> The Letter of Transmittal will contain a review of the TEAMS II and complaint history of the involved employee and a rationale for the adjudication.</p> <p>See also the Office of the Inspector General Report:  <a href="https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf">https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf</a> (officers' perceived inequities/inconsistencies in the disciplinary system relating to supervisors and how they are given preferential treatment/not always held accountable in the same ways that line officers are).</p>
	<p><b>Written Explanation by Police Chief:</b> If a complaint is sustained and there is a recommendation for suspension or removal, the Chief of Police should submit to the IG a written explanation containing the facts and reasons for any modification in the classification or penalty.</p>	<p>A representative of the Office of the Inspector General attends all Internal Affairs presentations and signings by the Chief of Police. Additionally, the Chief of Police reports to the Commission and not the Inspector General.</p> <p><u>See also:</u> The Letter of Transmittal will contain a review of the TEAMS II and complaint history of the involved employee and a rationale for the adjudication.</p>
	<p><b>Consideration of Evidence from Past Complaints:</b> Bureau chiefs and Board of Rights should be permitted to consider evidence adduced in prior complaints that were classified "sustained" or "not resolved," and the City Charter should be amended to so provide. These fact finders should be permitted to give whatever weight to that evidence they deem appropriate. The Board of Rights may, in its discretion, consider evidence of such complaints, including the testimony of the prior complainant.</p>	<p>This information is considered by the adjudicator of a complaint relative to the penalty recommendation if the complaint is sustained.</p> <p><u>See also:</u> The Letter of Transmittal will contain a review of the TEAMS II and complaint history of the involved employee and a rationale for the adjudication.</p>

<p><b>Classification &amp; Adjudication of Complaints</b></p>	<p><b>Composition of Board of Rights:</b> The City Charter should be amended to provide that if a Board of Rights is convened, one of the three members should be a civilian representative from the IG's office. The other two Board members should be randomly selected from among qualified officers, without further selection by the charged officer as is now allowed.</p>	<p>The Office of the Inspector General does not sit on the Board of Rights. The City Charter, Section 22.290, provides the following with respect to the composition of the members of the Board of Rights, and the oversight of the Board to be conducted by the Office of the Inspector General:</p> <p><b>Sec. 22.290. Board of Rights Optional Composition.</b></p> <ul style="list-style-type: none"> <li>(a) <b>Composition.</b> Pursuant to Charter Section 1070(h), the accused shall have the option of having the complaint heard and decided by a Board of Rights composed of three individuals who are not members of the Department (three civilian members) instead of a Board composed of two officers and one civilian.</li> <li>(b) <b>Qualifications and Compensation of the Civilian Members.</b> The Board of Police Commissioners shall maintain a panel of competent adult civilians to serve as members of Boards of Rights and to be compensated at a per diem rate established for City hearing examiners.</li> <li>(c) <b>Selection Procedures for Civilian Members to Board of Rights.</b> Upon the filing of the request for a hearing before a Board of Rights, the Police Commission staff shall randomly draw nine names from the approved panel of individuals who are qualified to be civilian members of the Board of Rights. The Department representative and the employee shall each strike three of the nine names selected. The Department representative shall strike the first name and the employee shall strike the second name in alternating fashion until there are three remaining names. Those three remaining names shall serve as members of the Board of Rights. The Board of Police Commissioners shall establish any additional procedures necessary to effectuate the selection process above.</li> <li>(d) <b>No Retroactive Application.</b> This section shall not apply to any complaint that has been filed by the Chief of Police with the Board of Police Commissioners prior to the effective date this section.</li> <li>(e) <b>Annual Audit by Inspector General.</b> The Inspector General of the Police Commission shall conduct an annual audit on the Board of Rights proceedings.</li> <li>(f) <b>Release of Board of Rights Decisions.</b> The Board of Rights decisions shall be released to the public as permissible under law.</li> <li>(g) <b>Repeal Period and Evaluation.</b> This section shall not be repealed for at least two years after its adoption. At the end of the two-year period, the Department shall submit a report to the City Council evaluating the effectiveness of the ordinance.</li> </ul>
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<p><b>Public Accountability</b></p>	<p><b>Annual Disciplinary Audit by IG:</b> The Inspector General should audit the disciplinary system at least annually, and forward that detailed audit to the Police Commission for its review and approval. The results of this audit should be incorporated into the Chief of Police's performance review. The Chief of Police should be required to respond to this audit. The Police Commission should publish the audit and the Chief of Police's response to the public, and should set aside a particular public meeting or meetings to review the audit and to take public comment.</p>	<p>The OIG continuously oversees the discipline system. The decisions on Non-Categorical Use of Force cases, and Categorical Use of Force cases are presented in the Use of Force year-end review (<a href="#">Use of Force Data Reports</a>). In addition, the annual complaint report is also published. See, for example: <a href="http://www.lapdpolicecom.lacity.org/102020/BPC_20-0139.pdf">http://www.lapdpolicecom.lacity.org/102020/BPC_20-0139.pdf</a>.</p> <p>Both of the above annual reports are presented at Police Commission meetings, and public comment is accepted at that time.</p> <p>The OIG also provides the Police Commission with an annual assessment of the discipline imposed in Categorical Use of Force cases that result in Out of Policy and/or Administrative Disapproval findings, which is used for purposes of the annual performance review of the Chief of Police.</p>
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<p><b>Structural Issues</b></p>	<p><b>Police Commission:</b> The Police Commission should remain a 5-member part-time body. Police Commissioners should reflect the City's diversity, and be persons of stature and experience with the ability to make balanced, fair-minded judgments and to act constructively and decisively. Police Commissioners should serve a maximum of 5 years, with staggered terms; and no one should serve more than two consecutive years as President. Police Commissioners' compensation should be increased substantially to reflect importance of the position and significant time commitment required. Approximately \$1500 per month seems reasonable.</p>	<p>The Police Commission is comprised of 5 members of the community who serve in voluntary positions. The Los Angeles City Charter provides as follows:  <b>Sec. 571. Board of Police Commissioners.</b>  (a) Members of the Board of Police Commissioners shall serve for a maximum of two five-year terms, except that a member may serve up to two years of an unexpired term plus two terms of five years. A member of the Board of Police Commissioners shall be limited to two consecutive one-year terms as President of the Board of Police Commissioners.  (b) The Board of Police Commissioners shall have the power to:  (1) issue instructions to the Chief of Police concerning the exercise of the authority conferred on the Chief of Police by the Charter, other than the disciplinary authority conferred by Section 1070;  (2) evaluate the Chief of Police annually, set or adjust the compensation for the Chief of Police within the salary guidelines established by Council after recommendations concerning those guidelines have been made to the Council by the Director of the Office of Administrative and Research Services; and forward a copy of the evaluation and salary determination to the Mayor and Council for information;  (3) appoint and remove an Executive Director whose position shall be exempt from the civil service provisions of the Charter and who shall not be a member of the Police Department; and  (4) appoint and remove an Inspector General of the Police Department subject to Section 245, whose position shall be exempt from the civil service provisions of Article X of the Charter and who shall not be a member of the Police Department.</p>
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<p><b>Structural Issues</b></p>	<p><b>Increase of Police Commission's Staff:</b> The Police Commission's independent staff should be increased and placed under the direction and control of a civilian Chief of Staff. Most, if not all, of the additional staff should be civilian employees with expertise in areas most useful to the Police Commission, including management auditors, computer-systems data analysts, investigators with law enforcement experience, and attorneys. Anticipate at least 15 to 20 such positions will be needed, including 4-5 staff attorneys. Additional staff will also be needed to assist the Police Commission in carrying out its recommended citizen complaint function.</p>	<p>The Police Commission has limited staff, and no staff attorneys. The Executive Director of the Commission is responsible for staff assigned to the Commission.</p> <p>Section 572 of the Los Angeles City Charter provides as follows:</p> <p><b>Sec. 572. Executive Director of the Board of Police Commissioners.</b></p> <p>Subject to the provisions of the Charter, the rules of the Police Department, and the instruction of the Board of Police Commissioners, the Executive Director of the Board of Police Commissioners shall have the power and duty to:</p> <ul style="list-style-type: none"> <li>(a) administer the affairs of the Board of Police Commissioners as its chief administrative officer;</li> <li>(b) appoint, discharge, discipline, transfer and issue instructions to employees appointed as independent staff of the Board of Police Commissioners, except for employees under the direction of the Inspector General, all subject to the civil service provisions of Article X of the Charter;</li> <li>(c) expend the funds designated by budgetary appropriations or appropriations made after adoption of the budget for expenditure by the Board of Police Commissioners or its staff, in accordance with the provisions of those appropriations;</li> <li>(d) recommend to the Board of Police Commissioners prior to the beginning of each fiscal year a budget covering the anticipated revenues and expenditures of the board and its staff, conforming so far as practicable to the forms and dates provided in the Charter in relation to the general City budget;</li> <li>(e) certify the expenditures of the Board of Police Commissioners and its staff to the chief accounting employee; and</li> <li>(f) exercise further powers in the administration of the Board of Police Commissioners conferred upon the Executive Director by the board.</li> </ul> <p>The authority of the Executive Director shall not extend to authority over the Chief of Police nor encroach upon the authority of the Chief of Police to administer the affairs of the Police Department as its general manager and chief administrative officer.</p>
	<p><b>Reassignment of Permit Function:</b> The Police Commission's permit function should be reassigned to another body, either inside or outside the Police Department.</p>	<p>Permit function remains within the Board of Police Commissioners. The City Council created the Police Permit Review Panel, which in conjunction with the Executive Director, processes, approves, denies, suspends or revokes all police commission-issued permits.</p>
	<p><b>Chief of Police Exempted From Civil Service Provisions:</b> The selection, tenure, discipline, and removal of the Police Chief should be exempted from existing civil service provisions.</p>	<p>The position of Chief of Police is exempted from Civil Service Provisions. Pursuant to the Los Angeles City Charter, the Mayor and the Board of Police Commissioners are responsible for the selection, tenure, discipline, and removal of the Chief.</p>
	<p><b>Appointment of Police Chief:</b> The Police Chief should be appointed by the Mayor, with the advice and consent of a majority of City Council. Candidates for Chief should be recruited, tested and ranked through a system of open competition administered by the City's Personnel Department.</p>	<p>The Los Angeles City Charter, Section 575, provides:</p> <p>The Chief of Police shall be appointed, shall serve, and shall be removed in accordance with the following provisions:</p> <ul style="list-style-type: none"> <li>(a) Recruitment and Selection. The recruitment and selection of qualified candidates for the position of Chief of Police shall be administered by the general manager of the Personnel Department, in cooperation with the Board of Police Commissioners, through a system of open competition based on professionally accepted recruitment and selection standards. The general manager of the Personnel Department shall refer a group of at least six highly qualified candidates to the Board of Police Commissioners, which shall then provide a list of three recommended candidates, in ranked order, to the Mayor for review and for appointment of one of them to the Office of Chief of Police. At the request of the Mayor, the Board of Police Commissioners shall provide the Mayor with an additional list of three candidates, in ranked order, from the group of candidates previously provided by the general manager of the Personnel Department. The Mayor's appointee shall be subject to confirmation by the Council. Should the Council fail to confirm the appointee, and if any additional candidates remain, the Mayor may request and receive from the Board of Police Commissioners one additional candidate, who will be selected from the group of candidates previously provided by the general manager of the Personnel Department. The Mayor may appoint that candidate or one of the candidates on the list or lists previously provided to the Mayor by the Board of Police Commissioners, subject to Council confirmation.</li> </ul> <p>See also: <a href="http://www.lapdonline.org/lapd_manual/volume_2.htm">http://www.lapdonline.org/lapd_manual/volume_2.htm</a></p>

<p><b>Structural Issues</b></p>	<p><b>Term Limit for Police Chief:</b> The Police Chief should serve a 5-year term, renewable at the discretion of the Police Commission for one additional 5-year term. There should be no property right in or to the position, nor any right to renewal; neither the Mayor nor the City Council should have authority to overrule the Police Commission's decision whether or not to renew the Chief for a second term.</p>	<p>The Los Angeles City Charter, Section 575, provides:</p> <p>(b) Term. The Chief of Police shall serve a five-year term and may be appointed, in the manner described below, to a second five-year term. No person shall serve as Chief of Police for more than ten years altogether. Time accrued as Acting Chief of Police or as a temporary Chief of Police shall not be included in calculating the ten years.</p> <p>See also: <a href="http://www.lapdonline.org/lapd_manual/volume_2.htm">http://www.lapdonline.org/lapd_manual/volume_2.htm</a></p>
	<p><b>Annual Review of Police Chief:</b> The Police Commission should perform a meaningful annual review of the Chief's performance and document its evaluation.</p>	<p>Pursuant to the Los Angeles City Charter, Section 571(b)(2): the Board of Police Commissioners is to:</p> <p>(c) evaluate the Chief of Police annually, set or adjust the compensation for the Chief of Police within the salary guidelines established by Council after recommendations concerning those guidelines have been made to the Council by the Director of the Office of Administrative and Research Services; and forward a copy of the evaluation and salary determination to the Mayor and Council for information;</p> <p>The Police Commission conducts an annual review of the Chief of Police.</p>
	<p><b>Termination of Police Chief:</b> The Police Commission should have the authority to terminate the Chief prior to the expiration of the first or second 5-year term, but the final decision should require concurrence of the Mayor. The Chief thereafter may request a hearing before the City Council, which may in its discretion overrule the decision by a 2/3 vote.</p>	<p>The Los Angeles City Charter, Section 575, provides as follows:</p> <p>(d) Removal by Board. The Chief of Police shall serve at the pleasure of the City, as set forth herein, and shall not attain any property interest in the position of Chief of Police. The Board of Police Commissioners may remove the Chief of Police from office at any time prior to the expiration of a first or second five-year term. Should the Board of Police Commissioners so act to remove the Chief of Police, it shall promptly notify the Mayor of its action. If the Council has not asserted its jurisdiction over the matter of the removal of the Chief of Police as permitted under Section 245, the Mayor shall have five days from the last date on which the Council could have asserted jurisdiction to reverse the action of the Board of Police Commissioners. Upon the Mayor's failure to act within that period, the removal shall become effective. By a letter received by the City Clerk within five days of the effective date of the removal, the removed Chief of Police may request a hearing on the removal before the Council which, by two-thirds vote, may override the removal and restore the Chief of Police to office. If the Council asserts jurisdiction over the matter of the removal of the Chief of Police and acts to retain the Chief, the action shall be final. If the action of the Council is to remove the Chief of Police, the removal shall be effective immediately. Should the provision of an appeal from the removal be required by law, the Council shall, by ordinance, provide an appellate procedure in conformance with the law. The Chief of Police may request an appeal by letter to the City Clerk within five days of the effective date of the removal.</p> <p>See also: <a href="http://www.lapdonline.org/lapd_manual/volume_2.htm">http://www.lapdonline.org/lapd_manual/volume_2.htm</a></p>
	<p><b>Police Chief Should Not Endorse Candidates:</b> The Chief of Police should not endorse candidates for public office.</p>	<p>The Chief of Police does not endorse candidates for public office.</p>