

Past LAPD Reforms

2020 Status Report re: Consent Decree (2001) and Final Independent Monitor Report (2009)

Early Warning System – Creation of TEAMS II		
2001 Action Item	2009 Final Independent Report	2020 Status
<p>Establishing Training Evaluation and Management System (“TEAMS II”) [Computer Information System]: The City must develop and shall establish a database containing relevant information about its officers, supervisors, and managers to identify and modify at-risk behavior (aka an early warning system).</p>	<p>“Over the initial five-year term of the Decree and its three-year extension, the LAPD dedicated countless hours and resources to successfully develop TEAMS II. Its development and implementation is certainly among the City and Department’s greatest achievements.”</p> <p>See <i>also</i> compliance discussion by sub-section below.</p>	<p>LAPD Manual 1/668 (also reference 3/791 for additional general info)</p> <ul style="list-style-type: none"> ◦ “The information contained in TEAMS II. . . may contain information obtained from police officer personnel records concerning discipline, use of force, attendance, medical information or injured on duty status. . . .” See LAPD Manual 1/668.06. ◦ TEAMS II generates reports used by supervisors to “detect any pattern or series of incidents that may indicate that employees may be engaging in at-risk behavior.” See LAPD Manual 1/668.01. ◦ “Commanding officers shall ensure that supervisory personnel provide a TEAMS II report to each employee in conjunction with the service of the employee’s annual (post-probationary) performance evaluation report.” See LAPD Manual 3/791.
<p>Access to TEAMS II: The Commission, Inspector General (“IG”), and Chief of Police shall have equal and full access to TEAMS II. The Commission may impose an identical access restriction on itself and the IG to highly sensitive information, provided such restriction does not in any way impair or impede implementation of the Consent Decree. The Department shall establish a TEAMS II access policy for all persons, including staff of the Commission and Inspector General.</p>	<p>The Monitor “found that TEAMS II access to all entities was appropriate and that the TEAMS II policy outlining access was approved and distributed as required by the Consent Decree.”</p>	<p>LAPD Manual 1/668.06.</p> <ul style="list-style-type: none"> ◦ “Each employee has access to his/her own TEAMS II information. With that exception, only managers, supervisors, the Board of Police Commissioners and the Inspector General, or their approved designees, shall have access to other employee’s TEAMS II information. Their levels of access will vary based on the criteria and procedure established by the Department and mandated by state law. Managers and supervisors are automatically granted access to TEAMS II information for employees below their rank/class and paygrade within their Area, division of bureau of command.” See LAPD Manual 1/668.06. ◦ “When a commanding officer has determined that an alternate authorized use is necessary, he/she shall complete a TEAMS II Authorization Form, Form 01.43.00, and forward it to the Commanding Officer, Application Development and Support Division, for approval.” See LAPD Manual 1/668.06. ◦ “Access control is dependent upon the DPS system and it is critical that all commands keep the DPS [Deployment Planning System] up to date. Access and proxy delegation may only be made to personnel within the delegating person’s chain of command. . . .” See LAPD Manual 1/668.06.

Early Warning System – Creation of TEAMS II

2001 Action Item	2009 Final Independent Report	2020 Status
<p>TEAMS II Data: TEAMS II shall include current and historical data of, among other things, use of force, canine bites, firearms discharge, vehicle pursuits and traffic collisions, criminal and administrative investigations, written complaints, commendations and awards, criminal arrests and investigations, civil or administrative claims, civil lawsuits, all reports and citations made by the officer, including vehicle and pedestrian stops, assignment and rank history, performance evaluations, training history, failure to meet weapons qualification requirements, and management and supervisory actions taken. TEAMS II should include the demographic information of involved members of the public and information on officers involved in incidents (work assignment, officer partner, field supervisor, and shift at the time of incident).</p>	<p>“The [Historical] Data Input Plan was written and approved by all parties in the third quarter of 2003 and included an appendix that described data elements and time periods to be included and the amount, type and scope of historical data, as required. Such historical data was imported into TEAMS II over the course of the last few years for all categories, including complaints, UOF, traffic collisions, vehicle pursuits, arrests, claims and lawsuits, and training.”</p>	<p>LAPD Manual 1/668.</p> <ul style="list-style-type: none"> ◦ TEAMS II includes the following employee activity: “personnel complaints (where an employee is the ‘Accused’), Use of Force Incidents (where an employee is an ‘Involved Officer’), Claims and Lawsuits (where an employee is a ‘Defendant’), Claims, Traffic Collisions, and Pursuits.” See LAPD Manual 1/668.01. ◦ The rate and frequency in which an office conducts “stops and arrests” are “analyzed by Risk Management Information System (‘RMIS’),” embedded within TEAMS II. See LAPD Manual 1/668.01. ◦ “The information contained in TEAMS II. . .may contain information obtained from police officer personnel records concerning discipline, use of force, attendance, medical information or injured on duty status. . . .” See LAPD Manual 1/668.06.
<p>Searchability: TEAMS II shall include relevant numerical and descriptive information about each incorporated item and incident and scanned or electronic attachments of copies of relevant documents. TEAMS II shall be searchable via such numerical and descriptive information. TEAMS II shall have the capability to perform percentage and other statistical analyses with such information.</p>	<p>“The Monitor found relevant and descriptive information about various items and incidents included in TEAMS II, and relevant scanned copies of certain documents were available in RMIS, the UOFS and other [component systems of TEAMS II].”</p> <p>The Monitor also “determined that [certain summary and comparison reports run monthly] met the Consent Decree requirement that TEAMS II have the capability to search and retrieve numerical counts, percentages and other statistical analyses for individual employees, LAPD units, groups of officers, incidents or items and groups of incidents or items.”</p>	<p>LAPD Manual 1/668.</p> <ul style="list-style-type: none"> ◦ “All sworn employees are assigned to a peer group based on the type of work the employee performs (e.g., patrol, gang enforcement detail and vice, etc.) and/or the type of frequency of public contacts. . . Performance thresholds are calculated by applying a statistical model to the counts of employee activity within each peer group. If an employee engages in a type of activity analyzed by RMIS as outlined above, RMIS compares the employee’s recent activity to that employee’s peer group performance threshold. If the employee’s activity meets or exceeds the employee’s peer group performance thresholds, RMIS automatically generates an Action Item (‘AI’) and forwards it to the employee’s immediate supervisor. The affected employee will be notified by Electronic Mail System of the AI. . . All AIs will appear on an employee’s TEAMS II report as ‘Pending’ until the AI has been reviewed by the employee’s bureau or equivalent. Upon final review and approval, the ‘Pending’ status will change to indicate the final disposition. All AIs, regardless of disposition, will appear on the employee’s TEAMS II report once completed.” See LAPD Manual 1/668.01. ◦ “TEAMS II will also provide a number of standardized reports that provide a summary of an employee’s performance in comparison to their peer group, their co-workers, watch, division, area, bureau, etc. There are similar reports for supervisors as well as organizational comparisons.” See LAPD Manual 1/668.04.

Early Warning System – Creation of TEAMS II

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Cross-Checking Capabilities: TEAMS II shall use common control numbers to link single incidents across several supporting documents and sources. Similarly, all personally identifiable information relating to LAPD officers shall contain the serial or other employee identification number of the officer for such cross-referencing and linking capabilities.</p>	<p>Vetting the “common control number” requirement of the Consent Decree, “[t]he Monitor reviewed working papers for incidents that are associated with other incidents from other source systems that feed the RMIS database and are cross-referenced in RMIS. The TEAMS II staff and Monitor verified that the cross-references that were in the source systems still existed and were working in RMIS.”</p>	<p>While not codified, the required functionality is built into TEAMS II.</p>

TEAMS II – Development of Use Protocol to Identify At-Risk Behavior

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Develop TEAMS II Use Protocol: The Department shall develop and implement a protocol for using TEAMS II, for purposes including supervising and auditing the performance of specific officers, supervisors, managers, and LAPD units, as well as the LAPD as a whole.</p>	<p>“During the third quarter of 2007, the Monitor conducted a review of [application of] some of the TEAMS II protocols [implemented] by reviewing TEAMS II action items triggered during this time. . . .”</p> <p>The Monitor broke down its review by subject (e.g., compliance with protocols requiring regular supervisor review, documentation, et al.).</p> <p>See <i>also</i> compliance discussion by sub-section below.</p>	<p>LAPD Manual 1/668.</p> <ul style="list-style-type: none"> ◦ “All sworn employees are assigned to a peer group based on the type of work the employee performs (e.g., patrol, gang enforcement detail and vice, etc.) and/or the type of frequency of public contacts. . . Performance thresholds are calculated by applying a statistical model to the counts of employee activity within each peer group. If an employee engages in a type of activity analyzed by RMIS as outlined above, RMIS compares the employee’s recent activity to that employee’s peer group performance threshold. If the employee’s activity meets or exceeds the employee’s peer group performance thresholds, RMIS automatically generates an Action Item (‘AI’) and forwards it to the employee’s immediate supervisor. The affected employee will be notified by Electronic Mail System of the AI. . . All AIs will appear on an employee’s TEAMS II report as ‘Pending’ until the AI has been reviewed by the employee’s bureau or equivalent. Upon final review and approval, the ‘Pending’ status will change to indicate the final disposition. All AIs, regardless of disposition, will appear on the employee’s TEAMS II report once completed.” See LAPD Manual 1/668.01. ◦ “When a supervisor receives a RMIS generated AI in their TEAMS II Personal Worklist for an employee within his/her chain of command, the supervisor shall review the following <i>for non-supervisory personnel</i>. . . TEAMS II Report; and Summary of Employee Activity.” See LAPD Manual 1/668.01 (emphasis added). ◦ “When a supervisor receives a RMIS generated AI in their TEAMS II Personal Worklist for an employee within his/her chain of command, the supervisor shall review the following <i>for supervisory personnel</i>. . . TEAMS II Report; Summary of Employee Activity; and Comparison of Employee Average Activity for selected organizations.” See LAPD Manual 1/668.01 (emphasis added). ◦ “When a supervisor receives a RMIS generated AI in their TEAMS II Personal Worklist for an employee within his/her chain of command, the supervisor shall review the following <i>for captains and above</i>. . . TEAMS II Report; and Comparison of Employee Average Activity for selected organizations.” See LAPD Manual 1/668.01 (emphasis added).

TEAMS II – Development of Use Protocol to Identify At-Risk Behavior

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Require Regular Supervisor Review of TEAMS II Data: Require that, on a regular basis, supervisors review and analyze relevant TEAMS II information about officers under their supervision to detect any pattern or series of incidents that indicate that an officer, group of officers, or LAPD unit may be engaging in at-risk behavior. When at-risk behavior may be occurring, managers and supervisors must undertake a more intensive review of the officer's performance.</p>	<p>By Q3 2008, "all. . .[relevant TEAMS II information was] reviewed by supervisors on a regular basis and analyzed and. . . these action items were initiated when required." However, "[t]he Monitor found [only] 91% of the action items reviewed were in compliance with the requirements to conduct a further review when at-risk behavior may be occurring. Of those non-compliant action items, some supervisors or managers did not conduct thorough enough reviews of work histories, did not consider any specific incidents within the work histories and did not document the justification for their dispositions."</p>	<p>LAPD Manual 1/668.</p> <ul style="list-style-type: none"> ◦ "The supervisor shall analyze all relevant information to detect any pattern or series of incidents that may indicate that employee may be engaging in at-risk behavior. Additionally, the supervisor shall assess the affected employee's performance against that of similar employees, such as employees in the same peer group, organization or similar job assignment. . .If the supervisor identifies that at-risk behavior may be occurring, the supervisor shall undertake a more detailed review of the employee's performance. The review may include arrest reports, use of force reports, personnel complaints (pending and adjudicated), traffic collision reports, vehicle pursuit reports, etc. The review of these additional reports should assist the supervisor to determine whether an employee's behavior is outstanding, acceptable, or possibly constitutes at-risk behavior needing further monitoring or action." See LAPD Manual 1/668.01.
<p>Require Regular Manager Review of TEAMS II Data: Require that, on a regular basis, managers review and analyze relevant TEAMS II information about subordinate managers and supervisors in their command regarding the ability to manage adherence to policy and address at-risk behavior. Appropriate managers should regularly review TEAMS II information to evaluate officer performance citywide and make appropriate comparisons regarding the performance of all LAPD units in order to identify any patterns or series of incidents that may indicate at-risk behavior.</p>	<p>"The Monitor concluded that all action items were being reviewed and analyzed for adherence to policy and addressing potentially at-risk behavior on every review level by the appropriate managers and supervisors. The Monitor also found that managers were providing both direction and feedback for their subordinates' review and analysis of these action items and their adherence to policy and addressing at-risk behavior."</p>	<p>LAPD Manual 1/668.</p> <ul style="list-style-type: none"> ◦ "When a supervisor receives a RMIS generated AI in their TEAMS II Personal Worklist for an employee within his/her chain of command, the supervisor shall review the following <i>for supervisory personnel</i>. . .TEAMS II Report; Summary of Employee Activity; and Comparison of Employee Average Activity for selected organizations." See LAPD Manual 1/668.01 (emphasis added). ◦ "The supervisor shall analyze all relevant information to detect any pattern or series of incidents that may indicate that employee may be engaging in at-risk behavior. Additionally, the supervisor shall assess the affected employee's performance against that of similar employees, such as employees in the same peer group, organization or similar job assignment. . .If the supervisor identifies that at-risk behavior may be occurring, the supervisor shall undertake a more detailed review of the employee's performance. The review may include arrest reports, use of force reports, personnel complaints (pending and adjudicated), traffic collision reports, vehicle pursuit reports, etc. The review of these additional reports should assist the supervisor to determine whether an employee's behavior is outstanding, acceptable, or possibly constitutes at-risk behavior needing further monitoring or action." See LAPD Manual 1/668.01.

TEAMS II – Development of Use Protocol to Identify At-Risk Behavior

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Develop Guidelines for Additional Reviews/Audits: Develop guidelines for numbers and types of incidents requiring a TEAMS II review (in addition to routine reviews) by supervisors and managers, and the frequency of these reviews, and the follow-up managerial or supervisory actions (including nondisciplinary actions) to be taken based on reviews of the TEAMS II information. TEAMS II information shall be one source of information in determining when to undertake an audit of an LAPD unit or group of officers.</p>	<p>“The Monitor found that the protocols appropriately provide the guidelines required for the numbers and types of incidents requiring a TEAMS II review. The Monitor also found that the protocols appropriately indicate the guidelines required for the follow-up managerial or supervisory actions, including non-disciplinary actions, to be taken based on reviews of the information in TEAMS II.”</p>	<p>LAPD Manual 1/668.</p> <ul style="list-style-type: none"> ◦ “In the ‘Investigative Narrative’ section of the AI, [the supervisor will] document the [employee’s] performance assessment. . .The narrative shall include, but is not limited to, the following: Brief summary of each Use Of Force (UOF), Complaint, Claim/Lawsuit, Vehicle Pursuit, or Traffic Collision occurring within the evaluation period; Analysis of the events as a whole and determine if there’s a ‘pattern of conduct;’ Comparison of the employees performance against that of similar employees, such as employees in the same peer group, organization or similar job assignment and explain any significant differences between the affected employee’s performance and that of similar employees; Justification for the disposition selected, including any decision to take no action; and, Brief summary of the discussion with the affected employee regarding the supervisor’s review and selection of disposition.” See LAPD Manual 1/668.01. ◦ “In order to complete an AI, the supervisor must choose from one or more of the following listed in the ‘Conclusion/ Recommendation’ section of the AI: No Action; Further Action Not Required (see ‘Narrative’); Commendation; Informal Meeting; Training; Special Evaluation Reports; Modified Field Duties; Assigned to Non-Field Duties; Risk Management Executive Committee (RMEC) Referral; Directed Behavioral Science Services (BSS) Referral; Comment Card; Notice to Correct (NTC); and/or, Complaint.” <ul style="list-style-type: none"> -- No Action. Used when no pattern of behavior posing potential risk was identified. If a significant difference in comparison with the employee’s peer group was identified, further review verified that the difference was justified and did not require further action. -- Further Action Not Required. This disposition selection is used if some action was taken in connection with the same triggering incident/event before the AI was activated and no further action is required. In such an instance, the Investigative Narrative shall include an explanation as to what action was previously taken. See LAPD Manual 1/668.01.

TEAMS II – Development of Use Protocol to Identify At-Risk Behavior

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Use of TEAMS II for Assignment Selection & Promotions: All relevant information (except complaints prohibited to be used by state law) shall be taken into account when selecting officers for certain assignments (such as the Operations Headquarters Bureau (OHB) [Note: OHB is now the Office of Operations] Unit, IAG investigator, Field Training Officer, and gang units), pay grade advancement, promotion, and annual personnel performance evaluations. Supervisors and managers must document their considerations. Actions based on TEAMS II information must be based on all relevant and appropriate information, not solely the number or percentages of recorded incidents. Managers' and supervisors' annual personnel performance evaluations will take into account their performance in implementing the TEAMS II protocol.</p>	<p>“Regarding system generated action items for annual performance evaluations, the Monitor found that 87% of them were completed within the Department’s 60 day requirement from the date of the supervisors’ or managers’ anniversary date, and 53% of them included assessments of the supervisors’ or managers’ performance in implementing the provisions of the TEAMS II protocol in their annual performance evaluations. Based on these results, the Monitor concluded that the requirements had not been fully addressed in these annual performance evaluations, nor were the action items related to these annual performance evaluations being completed in a timely manner.”</p>	<p>LAPD Manual 3/763.38 (FTO), 3/763.68 (IAG), and 1/668.04 (Performance Evaluations).</p> <ul style="list-style-type: none"> ◦ TEAMS II Reports may be used “by a panel during the interview portion of the civil service or advanced paygrade selection process;” “by a commanding officer as part of the final selection process for job opportunities and promotions once a candidate is placed in a selection pool;” or “for personnel transferring into or loaned to Professional Standards Bureau (PSB), Force Investigation Division (FID), Gang Enforcement Detail (GED), Community Law Enforcement and Recovery (CLEAR) Program, Narcotics Enforcement Detail (NED), Gang and Narcotics Division (GND), Narco Section, or the position of Field Training Officer (FTO).” See LAPD Manual 1/668.04. ◦ “Currently, a limited tour assignment to Internal Affairs Group (IAG) as a Sergeant II or Detective II is contingent on an employee’s successful completion of a two-month loan to IAG. This loan process enables IAG to select from a pool of qualified candidates when filling regular assignments. A detective/sergeant with at least one year in grade is eligible for loan to IAG, and candidates must possess outstanding leadership, supervisory, and administrative skills. Investigative experience is desirable, but not required for an investigator position. The selection of candidates who lack investigative experience must be justified in writing on a Training Evaluation and Management System II (TEAMS II) Evaluation Report, Form 01.78.04.” See LAPD Manual 3/763.68. ◦ Currently, a review of TEAMS II is conducted for all pay grade advancements and promotions, and that review is provided to all oral boards for their review and is required to be submitted for all FTO selections.

TEAMS II – Development of Use Protocol to Identify At-Risk Behavior

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Access and Ability to Correct TEAMS II Information: Each officer shall be able to review on a regular basis all personally-identifiable data about him/her in TEAMS II, and procedures should allow for correcting data errors discovered by officers.</p>	<p>“The Consent Decree also required that each officer be able to regularly review all personally identifiable data in order to ensure the accuracy of data. The Monitor found these provisions related to access were being met. The Monitor also reviewed a list of requests for corrections to TEAMS II and found the Department in full compliance with requirements related to correcting data errors.”</p>	<p>LAPD Manual 1/668 & 3/791.</p> <ul style="list-style-type: none"> • “Employees are responsible for reviewing his/her TEAMS II Employee Summary Report to ensure the information is accurate and complete. Any discrepancies will be brought to the attention of the appropriate entity.” See LAPD Manual 1/668.12; 3/791.05. • “After receiving a request to correct inaccurate or incomplete information, the commanding officer of the entity responsible for entering the information into TEAMS II will: Investigate the disputed information; Ensure that a resolution is obtained within 30 days of the request; Correct the disputed information, if appropriate; and Notify the employee’s commanding officer of the resolution in an Intradepartmental Correspondence, Form 15.02.00.” See LAPD Manual 1/3791.05. • “An employee who disputes any information in his/her TEAMS II report shall complete an Employee’s Report, Form 15.07.00, include a thorough description of the disputed information, attach any supporting documentation, and submit it to his/her commanding officer.” See LAPD Manual 1/3791.12.

TEAMS II – Development of Use Protocol to Identify At-Risk Behavior

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Documentation of Use: Routine and timely documentation in TEAMS II should be made of actions taken as a result of reviews of TEAMS II information.</p>	<p>“The Monitor also reviewed system-generated action items for transfers that had been completed in the third quarter of 2008 and found that the Department was not fully meeting the requirements regarding timeliness of the review, supervisory approval, adequate reviews and timely TEAMS II reports.”</p>	<p>LAPD Manual 1/668.</p> <ul style="list-style-type: none"> ◦ “All AIs will appear on an employee’s TEAMS II report as ‘Pending’ until the AI has been reviewed by the employee’s bureau or equivalent. Upon final review and approval, the ‘Pending’ status will change to indicate the final disposition. All AIs, regardless of disposition will appear on the employee’s TEAMS II report once completed.” See LAPD Manual 1/668.01. ◦ “In order to complete an AI, the supervisor must choose from one or more of the following listed in the ‘Conclusion/ Recommendation’ section of the AI: No Action; Further Action Not Required (see ‘Narrative’); Commendation; Informal Meeting; Training; Special Evaluation Reports; Modified Field Duties; Assigned to Non-Field Duties; Risk Management Executive Committee (RMEC) Referral; Directed Behavioral Science Services (BSS) Referral; Comment Card; Notice to Correct (NTC); and/or, Complaint.” <ul style="list-style-type: none"> - No Action. Used when no pattern of behavior posing potential risk was identified. If a significant difference in comparison with the employee’s peer group was identified, further review verified that the difference was justified and did not require further action. - Further Action Not Required. This disposition selection is used if some action was taken in connection with the same triggering incident/event before the AI was activated and no further action is required. In such an instance, the Investigative Narrative shall include an explanation as to what action was previously taken. See LAPD Manual 1/668.01. ◦ “In the ‘Investigative Narrative’ section of the AI, [the supervisor will] document the [employee’s] performance assessment. . .The narrative shall include, but is not limited to, the following: Brief summary of each Use Of Force (UOF), Complaint, Claim/Lawsuit, Vehicle Pursuit, or Traffic Collision occurring within the evaluation period; Analysis of the events as a whole and determine if there’s a ‘pattern of conduct;’ Comparison of the employee’s performance against that of similar employees, such as employees in the same peer group, organization or similar job assignment and explain any significant differences between the affected employee’s performance and that of similar employees; Justification for the disposition selected, including any decision to take no action; and Brief summary of the discussion with the affected employee regarding the supervisor’s review and selection of disposition.” See LAPD Manual 1/668.01.

TEAMS II – Development of Use Protocol to Identify At-Risk Behavior

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Review of Transfer Records: Whenever an officer (other than a probationary officer) transfers into a new Division or Area, the Commanding officer of the new Division or Area shall promptly cause the transferred officer's TEAMS II record to be reviewed by the transferred officer's watch commander or supervisor.</p>	<p>"The Monitor also reviewed system-generated action items for transfers that had been completed in the third quarter of 2008 and found that the Department was not fully meeting the requirements regarding timeliness of the review, supervisory approval, adequate reviews and timely TEAMS II reports."</p>	<p>LAPD Manual 1/668.04; <i>see also</i> 3/762.80.</p> <ul style="list-style-type: none"> ◦ "TEAMS Evaluation Report, Form 01.78.04, Used for personnel <i>transferring</i> into or loaned to Professional Standards Bureau (PSB), Force Investigation Division (FID), Gang Enforcement Detail (GED), Community Law Enforcement and Recovery (CLEAR) Program, Narcotics Enforcement Detail (NED), Gang and Narcotics Division (GND), Narco Section, or the position of Field Training Officer (FTO). The Department has established specific criteria for selecting sworn personnel to specialized or sensitive assignments. This information is to be used to ensure that all mandated selection criteria for these assignments are appropriately addressed." See LAPD Manual 1/668.04 (emphasis added). ◦ "When an officer transfers or is loaned into a new command, the commanding officer shall ensure that the watch commander or officer in charge reviews the officer's TEAMS report and completes the Transfer Action Item (TAI) or TEAMS Evaluation Report (TER), Form 01.78.04. Probationary police officers transferring from Training Division (Academy) are exempt from this requirement. The intent of the review is to ensure supervisors are aware of an officer's history in order to provide appropriate supervision and oversight over the employee(s)." See LAPD Manual 3/762.80.

TEAMS II – Development of Use Protocol to Identify At-Risk Behavior

2001 Action Item	2009 Final Independent Report	2020 Status
<p>TEAMS II Training: The LAPD shall train managers and supervisors, consistent with their authority to use TEAMS II to address at-risk behavior.</p>	<p>“Requirements to train managers and supervisors, consistent with their authority, to use TEAMS II to address potentially at-risk behavior and to implement the TEAMS II protocol were met in the first quarter of 2007. The Monitor conducted this review again in the second quarter of 2008 and found that all supervisors who were required to do so had taken the RMIS TEAMS II training.”</p>	<p>LAPD Manual 1/668; LAPD Manual 1/670.</p> <ul style="list-style-type: none"> ◦ “The Department has an obligation to provide a professional standard of law enforcement service to the community. In fulfilling that responsibility, it is essential that Department personnel be properly trained. This is true not only at the entrance level where officers must receive basic training prior to their assumption of police responsibilities, but it is a continuous process throughout their careers. Training is provided to accommodate Department needs and to actualize the interest and concern which the Department has for the self-improvement and personal development of its employees.” ◦ Divisional and Bureau TEAMS II Coordinators are required to attend a three-day TEAMS II training provided by the Application Development and Support Division. ◦ 1/670.20 ON - THE - JOB TRAINING. “An officer’s training continues after graduation through his assignment with training officers, roll call training, and supervision. It is the responsibility of all officers to teach those with whom they work the skills and knowledge necessary to perform the job at hand. Supervisory and commanding officers of all ranks have the responsibility not only to train subordinates to perform assigned tasks, but also to familiarize all subordinates with their supervisor’s job as well, so that employees are prepared to assume additional responsibilities should the need arise.”

Information Retention

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Retention of Information: The City shall maintain all personally identifiable information about an officer included in TEAMS II during the officer’s employment with the LAPD and for at least three years thereafter. Information necessary for aggregate statistical analysis shall be maintained indefinitely in TEAMS II.</p>	<p>“The Consent Decree also required the City to maintain all personally identifiable information about an officer included in TEAMS II. During the second quarter of 2007, the Monitor. . . found that the [relevant] employee events were included in the current data [as required].”</p>	<p>Not codified but consistent with existing practice.</p>

Risk Assessment Unit

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Creation of Risk Assessment Unit: The LAPD shall designate a unit within the Human Resources Bureau that is responsible for developing, implementing, and coordinating LAPD-wide risk assessments. This unit shall be responsible for the operation of TEAMS II, ensuring that information is properly entered into and maintained in TEAMS II, providing assistance to managers and supervisors using TEAMS II, and programming appropriate standardized reports and queries to provide the information to perform these tasks.</p>	<p>“The Monitor reviewed these [HR sub-unit] requirements over the course of the Consent Decree and reported in the second quarter of 2007 that the RAS within Risk Management Group (RMG) was providing the Department with assistance in connection with TEAMS II, including providing a help desk for LAPD personnel to call when guidance is needed on how to evaluate risk and write a proper narrative to support any conclusions made based on that evaluation.”</p>	<p>Created TEAMS II Bureau early in Consent Decree but no longer in existence with reorganization; Applications Development and Support Division (“ADSD”) now facilitates TEAMS II; Risk Management Executive Committee (“RMEC”) also addresses risk assessments.</p>

Annual Performance Evaluations

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Reforming Personnel Performance Evaluations: The Department shall develop and implement a plan consistent with applicable law that ensures that annual personnel performance evaluations for sworn employees accurately reflect the quality of each sworn employee’s performance, including with respect to: (a) civil rights integrity and the employee’s community policing efforts (commensurate with the employee’s duties and responsibilities); (b) managers’ and supervisors’ performance in addressing at-risk behavior, including responses to complaint investigations; (c) managers’ and supervisors’ response to and review of Categorical and Non-Categorical Use of Force incidents, review of arrest, booking, and charging decisions, and review of requests for warrants and affidavits to support warrant applications; and, (d) managers’ and supervisors’ performance in preventing retaliation. Job descriptions should reflect these requirements. Managers shall analyze the circumstances surrounding the presence or absence of a supervisor at (a) a Categorical Use of Force incident, and (b) the service of a search warrant. In each case, such analysis shall occur within one week of the occurrence of the incident or service to determine if the supervisor’s response to the incident or service was appropriate. Such supervisory conduct shall be taken into account in each supervisor’s annual personnel performance evaluation.</p>	<p>“Although there has been no assessment of post-SBA [Standards Based Assessment- order, issued November 2008] compliance, the Monitor is confident that the implementation of the SBA combined with the oversight of AD, OIG and Police Commission will ensure that the Department continues to improve its performance evaluation system.”</p> <p>Moving forward, “[t]he Monitor offers the following recommendations:</p> <ul style="list-style-type: none"> • The LAPD should assess the SBA after it has been implemented for one year in order to gauge its effectiveness in the selection of officers to coveted positions such as Gang Enforcement Detail (GED) officers and FTOs. • The Department should continue to audit compliance with the mandates of subparagraphs 62c, 70c, 108i and paragraph 116 [which the Monitor found LAPD to be noncompliant with pre-SBA issuance].” 	<p>Standards Based Assessment Form and Instructions are used for officer performance evaluations.</p> <p>Supervisors are evaluated on a number of criteria to include, holding subordinates accountable, providing training to subordinates, providing first line supervision at crime scenes and other locations of officer response, and ensuring subordinates adhere to Department policies and procedures.</p> <p>The actions of supervisors at the scene of a Categorical Use of Force are analyzed via a supervisory assessment conducted by the divisional commanding officer. Supervisor SBA includes categories for UOF.</p>

Use of Force Investigations & Review

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Creation of Operations Headquarters Bureau (OHB) Unit: All Categorical Use of Force administrative investigations shall be conducted by a unit assigned to OHB, which shall report directly to the OHB's commanding officer. Investigators in the unit shall have specialized training and shall be detectives, sergeants, or other officers with supervisory rank. The OHB's commanding officer shall not have direct line supervision of the LAPD's geographic bureaus.</p>	<p>In March 2006, the Department "issued Special Order No. 8, Force Investigation Division – Established" and thereby established the FID to handle CUOF investigations.</p> <p>"The FID continues to operate under the direction of the Commanding Officer of Professional Standards Bureau (PSB)" which does not "maintain[] geographical responsibility" and therefore complies with the Consent Decree.</p> <p>"The LAPD appropriately established, defined selection criteria for, staffed and trained those investigators assigned to the FID, and CUOF incident investigations were appropriately assigned to and managed by FID investigators."</p>	<p>LAPD Manual 3/794, (name of unit has changed to FID); LAPD Manual 3/763.70.</p> <ul style="list-style-type: none"> ◦ "Force Investigation Divisions (FID) is responsible for investigating all aspects of Categorical Use of Force incidents (except as detailed below) and other investigation at the direction of the Chief of Police." See LAPD Manual 3/794.10. ◦ "[FID] [c]andidates must possess the requisite experience, as well as outstanding leadership, supervisory, and administrative skills. Sworn personnel seeking selection FID must submit a Transfer Applicant Data Sheet, Form 15.88.00, their two most recent Standards Based Assessment-Lieutenants and Below, Form 01.87.00, and a current copy of their TEAMS II report." See LAPD Manual 3/793.70. ◦ Investigators assigned to FID hold the rank of Detective II/ Sergeant II and above. Investigations are divided into two sections, criminal and administrative.
<p>OHB Unit Incident Response: The OHB Unit shall have the capability to "roll out" to all Categorical Use of Force incidents 24 hours a day. The Department shall require immediate notification to the Chief of Police, the OHB Unit, the Commission, and the Inspector General whenever there is a Categorical Use of Force. Upon receiving each such notification, an OHB Unit investigator shall promptly respond to the scene of each Categorical Use of Force and commence his or her investigation. Generally, the senior OHB Unit manager present shall have overall command of the crime scene and investigation at the scene where multiple units are present to investigate a Categorical Use of Force incident.</p>	<p>After some initial struggles with response times, "the FID timely dispatched adequate personnel in response to notification of a CUOF. Simultaneously, the LAPD adequately addressed notification to the Chief of Police, the Police Commission, the OIG and the DAO, with few exceptions."</p>	<p>LAPD Manual 3/794.</p> <ul style="list-style-type: none"> • "Force Investigation Division (FID) shall be available to respond 24-hours a day to incidents for which it has investigative responsibility. Upon receiving notification of an incident, a FID investigator shall respond to the scene promptly. When multiple investigating entities are present (i.e. Area detectives), the senior FID member present shall have overall command of the crime scene and the on-scene investigation. This does not preclude the Chief of Police or his/her designee from assuming command when there is a specific need to do so." See LAPD Manual 3/794.37. • Timely dispatch and notification are matters presented to the Board of Police Commissioners in every Categorical Use of Force case.

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<p>Separate Criminal Investigations: In addition to administrative investigations and where the facts so warrant, the LAPD shall also conduct a separate criminal investigation of Categorical Uses of Force. The criminal investigation shall not be conducted by the OHB Unit.</p>	<p>Not addressed.</p>	<p>LAPD Manual 3/794.</p> <ul style="list-style-type: none"> ◦ “When conducting a CUOF investigation, Criminal Investigation Section shall be responsible for: The use of deadly force (e.g., discharge of a firearm) by a Department employee; The use of an upper body control hold by a Department employee; An incident involving a death; Conducting the preliminary investigation of any crime associated with an incident for which FID has investigative responsibility; Conducting the criminal investigation, if appropriate, of the actions of the officer(s) involved in a CUOF incident; Taking charge of the scene of a CUOF incident; Interviewing civilian and non-involved Department employee witnesses; Investigating any incident involving a sworn officer from an outside agency who uses deadly force within the City of Los Angeles; and Investigating any other incident at the direction of the COP.” See LAPD Manual 3/794.14. ◦ “Though FID is in charge of the scene, FID is not responsible for investigating any crime(s) associated with an incident for which they have administrative investigative responsibility. Many incidents investigated by FID are strictly administrative and do not require an on-scene criminal investigation.” See LAPD Manual 3/794.14. ◦ Criminal investigations are handled by Robbery Homicide Division or Internal Affairs Criminal section. When officers are victims of a violent crime, such as suffering great bodily injury, those cases are investigated by Robbery Homicide Division. When an officer is accused of committing a criminal act, that is investigated by Internal Affairs Criminal Section.

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<p>Notifying & Cooperating with the DA: The LAPD shall continue its policy of notifying the District Attorney's Office whenever an LAPD officer, on- or off-duty, shoots and injures any person during the scope and course of employment. The LAPD shall notify the DA's Office whenever an individual dies while in the custody or control of an LAPD officer or the LAPD and a use of force by a peace officer may be a proximate cause of the death. The LAPD shall continue to provide cooperation to the DA's Office personnel who arrive on the scene of the incident.</p>	<p>"The LAPD issued Special Order No. 39, and . . . quickly came into compliance with a number of basic policy requirements in this area, including the requirements for OHB to . . . notify the DAO and cooperate with the DA on scene."</p>	<p>LAPD Manual 3/794.</p> <ul style="list-style-type: none"> ◦ "As soon as possible after the initial required notifications, DOC shall make notifications to the following entities: Commanding Officer, Professional Standards Bureau; Involved employee(s) commanding officer; Department Risk Manager; Family Liaison Section; and, <i>Los Angeles District Attorney's Office for those cases identified in the roll out protocol governing such notifications.</i>" See LAPD Manual 3/794.35 (emphasis added). ◦ "The assigned FID investigator or his/her supervisor shall liaise with the assigned deputy district attorney and Inspector General to ensure that both are briefed and allowed to observe the investigation." See LAPD Manual 3/794.37. ◦ In each Categorical Use of Force Investigation, the Force Investigation Division report provided to the Board of Police Commissioners provides details of the notifications given to the District Attorney's Office [and to the IG and others] and whether timely notification was provided.
<p>Different Lawyers For Officers Involved in Shooting: The Department shall renew the request to revise collective bargaining agreements such that, when more than one officer fires his or her weapon in a single Officer Involved Shooting (OIS) incident, each officer should be represented by a different attorney during the investigation and subsequent proceedings. Each officer retains the right to be represented by an attorney of his or her choice.</p>	<p>"In July 2002, the LAPD proposed meeting with the Los Angeles Protective League and the Command Officers Association to discuss providing officers with separate legal representation when more than one officer is involved in an OIS incident. Both organizations declined discussing the matter any further with the LAPD, and throughout the term of the Consent Decree, officers regularly were represented by the same attorney(s) when involved in an OIS."</p>	<p>Not consistent with current practice. Officers continue to regularly be represented by the same attorney(s) when involved in an OIS.</p>

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<p>Separating Involved Officers and Witness Officers: All involved officers and witness officers shall be separated immediately after an OIS and shall remain separated until all such officers have given statements or, in the case of involved officers, declined to give a statement; provided, however, that nothing in this Agreement prevents the Department from compelling a statement or requires the Department to compel a statement in the event that the officer has declined to give a statement. In such a case, all officers shall remain separated until such compelled statement has been given.</p>	<p>“With the exception of one reporting period, the LAPD successfully implemented a process whereby officers either involved in or directly a witness to an OIS were separated and remained separated pending providing a statement to an investigator.”</p>	<p>LAPD Manual 3/795.10.</p> <ul style="list-style-type: none"> ◦ “After obtaining sufficient information [regarding a Categorical Use-of-Force incident], the supervisor shall immediately cause the individual separation of involved/witness employees and order them not to discuss the incident with anyone other than the assigned investigators and the employee’s representative(s). Until authorized to do so by the assigned Force Investigation Division (FID) investigator, the supervisor shall direct each involved/witness employee not to: view any media coverage, recordings, or reports of the incident to include television, Digital In-Car Video (DICV), Body Worn Video (BWV), other social media, or any video or audio from any other source; or to communicate information regarding the incident via email, phone, text, Mobile Data Computer or social media. The supervisor shall continue to ensure that those employees remain separated/monitored until interviewed by FID personnel.” See LAPD Manual 3/795. ◦ “The actions of each Department employee involved in the separation, transportation and monitoring of employees will be critically evaluated at every Use of Force Review Board. . .After a public safety statement has been obtained and all public safety concerns have been addressed (e.g., establishing a perimeter, protecting the crime scene, locating witnesses/evidence, managing the response of additional resources, etc.), the incident commander shall. . .[e]nsure that supervisors transport previously separated involved/witness employees individually to the location of interview as soon as practicable (If the incident occurs outside the city, an outside law enforcement agency’s facility may be used). Separation shall remain in effect until the employee is interviewed by Force Investigation Division (FID). . . .” See LAPD Manual 3/795.10. ◦ Separation of officers is a matter presented to the Board of Police Commissioners in every Categorical Use of Force case.

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<p>Psychological Evaluation Referrals: The Department shall continue its practice of referring all officers involved in a Categorical Use of Force resulting in death or the substantial possibility of death (whether on- or off-duty) to Behavioral Science Services (BSS) for a psychological evaluation by a licensed mental health professional. The matters discussed in such evaluation shall be strictly confidential and shall not be communicated to other LAPD officers without the consent of the officer evaluated. No such officer shall return to field duty until his or her manager determines that the officer should be returned to field duty upon consultation with BSS.</p>	<p>“Although the Department was adept at identifying and referring officers involved in a CUOF for counseling, the LAPD did not achieve substantial compliance in that involved officers were allowed to return to the field prior to clearance by a BSS doctor or the underlying documentation was insufficient and did not permit an assessment of compliance.”</p> <p>While the Department recently issued a notice preventing certain “employees from being deployed. . .until otherwise advised by the CO of return to field status,” a subsequent decline in compliance left “the Monitor. . .unable to conclude on its effectiveness.”</p>	<p>LAPD Manual 3/794.40.</p> <ul style="list-style-type: none"> ◦ “Upon notification of an on- or off-duty employee(s) under his or her command who is involved in an officer-involved shooting resulting in an injury to any person or a Categorical Use of Force resulting in death or the substantial possibility of death, the commanding officer shall: <i>Immediately remove the involved employee(s) from field duty</i> [and]; Meet with the involved employee(s) to discuss the process that will occur (e.g., Force Investigation Division (FID) interviews, <i>Behavioral Science Services (BSS) referral</i>, Use of Force Review Board). . .” See LAPD Manual 3/794.40 (emphasis added). ◦ “The commanding officer of an on- or off-duty employee(s) who is involved in an officer-involved shooting resulting in an injury to any person or a categorical use of force resulting in death or the substantial possibility of death shall: Notify BSS within two administrative working days of the incident; Schedule three mandatory, on-duty appointments for the employee(s) with BSS for a psychological evaluation by a licensed mental health professional; Notify the involved employee of the appointment; and Consult with BSS after the involved employee’s first mandated appointment to obtain their recommendation of whether or not to return the employee(s) to field duty.” See LAPD Manual 3/794.40. ◦ Involved officers are restricted from returning to field duty for a minimum of 14 days following the incident. The COP is briefed on the incident at the “72 hour brief,” including BSS recommendations of return to field duty, and the COP ultimately makes the determination to return to field duty. ◦ A commanding officer can refer any employee to BSS for employee wellness, i.e., at scene of fatal incident, death, etc. ◦ Employees can go to BSS under 3 circumstances: directly mandated, referred by CO, or self-reporting. ◦ Special Order 14 (dated August 15, 2018): Procedures Following an Officer Involved Shooting Resulting in Injury or A Categorical Use of Force Resulting in Death or the Substantial Possibility of Death.

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<p>Using Officer's Work History in Use of Force Evaluation: Except as limited or prohibited by applicable state law, when a manager reviews and makes recommendations regarding discipline or non-disciplinary action as a result of a Categorical Use of Force, the manager will consider the officer's work history, including information contained in the TEAMS II system, and that officer's Categorical Use of Force history, including a review of the tactics the officer has used in past uses of force.</p>	<p>"[O]ver the course of the Consent Decree, the LAPD was successful overall in considering officer work history and recommending discipline, and achieved substantial compliance."</p>	<p>The Officer's work history is considered in Categorical Use of Force cases, including prior use of force history and a review of tactics that the officer has used in the past (including Categorical and Non-categorical).</p>
<p>Self-Reporting and Supervisory Oversight: The Department shall continue to require officers to report to the LAPD without delay the officer's own use of force, using the revised use of force form. This requirement also applies to all uses of force that are not Categorical Uses of Force ("Non-Categorical Uses of Force"), which must be reported to a supervisor who shall conduct a timely supervisory investigation of the incident, including collecting and analyzing relevant documents and witness interviews.</p>	<p>"[T]he LAPD did not achieve substantial compliance [i.e., compliance for two consecutive years] with the supervisory oversight requirements relative to reviews of supervisor responses to search warrants and CUOF incidents."</p>	<p>LAPD Manual 4/245.10.</p> <ul style="list-style-type: none"> ◦ An employee who becomes involved in a reportable Non-Categorical Use of Force (NCUOF) incident shall: Notify a supervisor without delay; The author of the report shall report the full details of the use of force incident in the related Department arrest or crime report; Use an Employee's Report, Form 15.07.00, to report the full details of the use of force incident when a crime or arrest report is not required; Document the name of the investigating supervisor in the related arrest or crime report, or Employee's Report, under the heading Additional; and, Ensure that all descriptions of suspect's actions and officers' actions are in plain language (versus "aggressive/combative" etc.). See LAPD Manual 4/245.10. ◦ Digital In-Car Video System and Body Worn Video are now used to review compliance, since time stamps are available on all recordings. Those time stamps can be compared to radio communications to determine the timeliness of officers' reporting of incidents. This information is provided in the Force Investigation Division reports on Categorical Uses of Force cases (that are provided to the Police Commission) or to the supervisor responsible for reviewing non-categorical use of force incidents.

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<p>Revise the Use of Force Report Form: The LAPD shall modify its current use of force report form to include data fields that require officers to identify with specificity the type of force used for the physical force category, to record the body area impacted by such physical use of force, to identify fractures and dislocations as a type of injury, and to include bean bag shot gun as a type of force category.</p>	<p>Not addressed.</p>	<p>LAPD Manual 4/245.10; LAPD Form 01.67.05.</p> <ul style="list-style-type: none"> ◦ An employee who becomes involved in a reportable Non-Categorical Use of Force (NCUOF) incident shall: Notify a supervisor without delay; The author of the report shall report the full details of the use of force incident in the related Department arrest or crime report; <i>Use an Employee's Report, Form 15.07.00, to report the full details of the use of force incident when a crime or arrest report is not required;</i> Document the name of the investigating supervisor in the related arrest or crime report, or Employee's Report, under the heading Additional; and, <i>Ensure that all descriptions of suspect's actions and officers' actions are in plain language (versus "aggressive/combatative" etc.). See LAPD Manual 4/245.10 (emphasis added).</i> ◦ TEAMS II captures this information. It is completed by the investigating supervisor.
<p>Commission Review of Categorical Uses of Force: The Commission shall continue its practice of reviewing all Categorical Uses of Force including all the reports prepared by the Chief of Police regarding such incidents and related investigation files. These reports shall be provided to the Police Commission at least 60 days before the running of any statute of limitations that would restrict the imposition of discipline. The Commission shall review whether any administrative investigation was unduly delayed due to a related criminal investigation, and, if so, shall assess the reasons therefor.</p>	<p>"[W]ith the exception of two rating periods, the Monitor noted that the LAPD provided the Police Commission, via the OIG, with completed CUOF investigations in a timely fashion."</p>	<p>LAPD Manual 3/792.10.</p> <ul style="list-style-type: none"> ◦ "Tactics, drawing and exhibiting a firearm, and use of force shall be evaluated during the CUOF adjudication process. The Use of Force Review Board (UOFRB) shall convene and evaluate the CUOF incident. The Use of Force Review Board shall make recommendations to the COP. The Chief of Police shall evaluate the CUOF incident and report his/her recommendations to the Board of Police Commissioners (BOPC)." See LAPD Manual 3/792.10 ◦ The Board of Police Commissioners reviews Categorical Use of Force cases approximately 10 months following the use of force and 2 months before the statute of limitations.

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<p>Department Review of Categorical and Non-Categorical Uses of Force: The Department shall continue to have the Use of Force Review Board review all Categorical Uses of Force. The LAPD shall continue to have Non-Categorical Uses of Force reviewed by chain-of-command managers at the Division and Bureau level. Non-Categorical Use of Force investigations shall be reviewed by Division management within 14 days of the incident, unless a member of the chain-of-command reviewing the investigation detects a deficiency in the investigation, in which case the review shall be completed within a period of time reasonably necessary to correct such deficiency in the investigation or reports.</p>	<p>“With regard to NCUOF. . .[b]y the end of the initial Consent Decree term, the LAPD and its supervisors demonstrated their ability to timely respond to and investigate the multiple less than lethal uses of force that occur on a daily basis. Therefore, the Monitor found the Department in substantial compliance with this requirement.”</p> <p>“For CUOF investigations reviewed, the Monitor noted all were presented to a UOFRB containing appointees with varying levels of experience, expertise and perspective.” The “Department was always in compliance with this requirement.”</p>	<p>LAPD Manual 3/793 (NCUOF); 3/792 & 3/794 (CUOF).</p> <ul style="list-style-type: none"> • “Upon receipt of a Non-Categorical use of force investigation, the commanding officer shall: Utilize the Area/division Training Coordinator to evaluate the incident; Contact subject matter experts (e.g., Training Division) to obtain additional information, as needed; Review all reports and make a recommendation on the disposition; Sign the Use of Force Internal Process Report, Form 01.67.04; Notify the employee of Critical Incident Review Division final disposition as soon as practicable; and, Ensure the officer is served with a copy of the Non-Categorical Use of Force Administrative Disapproval Internal Process Receipt, Form 01.67.07, when the final disposition for tactics and/or the use of force is administrative Disapproval.” See LAPD Manual 3/793.05. • “Non-Categorical use of force investigations shall be reviewed by Area/division commanding officers or the acting commanding officer within 14 calendar days of the incident. Investigations not reviewed within the 14-day time frame require a written explanation on the Non-Categorical Use of Force Internal Process Report (IPR). Upon Area/division commanding officer approval, the IPR shall be forwarded to the bureau immediately.” See LAPD Manual 3/793.05. • “Tactics, drawing and exhibiting a firearm, and use of force shall be evaluated during the CUOF adjudication process. The Use of Force Review Board (UOFRB) shall convene and evaluate the CUOF incident. The Use of Force Review Board shall make recommendations to the COP. The Chief of Police shall evaluate the CUOF incident and report his/her recommendations to the Board of Police Commissioners (BOPC).” See LAPD Manual 3/792.10 • “[The] Force Investigation Division (FID) is responsible for investigating all aspects of Categorical Use of Force (CUOF) incidents (except as detailed below) and any other investigation at the direction of the Chief of Police (COP).” See LAPD Manual 3/794.10.

Arrest Procedures

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Watch Commander's Personal Review of Booking Recommendations: The Department shall continue to require all booking recommendations and arrest reports be personally reviewed and approved by a watch commander as to appropriateness, legality, and conformance with Department policies. The quality of these supervisory reviews shall be taken into account in the supervisor's annual personnel performance evaluations.</p>	<p>See compliance discussion by sub-section below.</p>	<p>LAPD Manual 4/216.</p> <ul style="list-style-type: none"> ◦ "When a person is charged with the California Penal Code (PC) sections listed below, the watch commander shall conduct a pre-booking evaluation to determine whether issues or concerns regarding training, policy, or tactics need to be addressed. . . Additionally, the watch commander shall: Document that an evaluation was completed on the Watch Commander's Daily Report, Form 15.80.00; Take appropriate action when the results of the evaluation raise issues or concerns regarding training, policy, or tactics; and, Reference all forms used for documenting the results of the pre-booking evaluation on the Watch Commander's Daily Report." See LAPD Manual 4/216.23.
<p>Scope of Review: Such reviews shall continue to entail a review for completeness of the information that is contained on the applicable forms and an authenticity review to include examining the form for "canned" language, inconsistent information, lack of articulation of the legal basis for the action, or other indicia that the information on the forms is not authentic or correct.</p>	<p>"At the end of the initial term of the Consent Decree, the Monitor found the LAPD in substantial compliance with subparagraph 70a [on the portion entailing a review for completeness within the watch commander's personal review]."</p>	<p>LAPD Manual 4/216.</p> <ul style="list-style-type: none"> ◦ "When a person is charged with the California Penal Code (PC) sections listed below, the watch commander shall conduct a pre-booking evaluation to determine whether issues or concerns regarding training, policy, or tactics need to be addressed. . . Additionally, the watch commander shall: Document that an evaluation was completed on the Watch Commander's Daily Report, Form 15.80.00; Take appropriate action when the results of the evaluation raise issues or concerns regarding training, policy, or tactics; and, Reference all forms used for documenting the results of the pre-booking evaluation on the Watch Commander's Daily Report." See LAPD Manual 4/216.23.
<p>Special Review of Certain Types of Arrest: Supervisors shall evaluate each incident in which a person is charged with interfering with a police officer (California Penal Code § 148), resisting arrest, or assault on an officer to determine whether it raises any issue or concern regarding training, policy, or tactics.</p>	<p>A 2008 audit on compliance with subparagraph 70b "found that 88% of packages it reviewed were in compliance [but]. . . [t]he remainder either contained no documentation of the incidents on the watch commander's daily reports or did not include the watch commander's evaluation of the incident on the Watch Commander's Log." "While compliance did not reach the level of >94%, the Department is close to compliance, and the Monitor hopes that the combination of AD, OIG and Police Commission oversight can ensure that the Department retains a process to evaluate California Penal Code § 148 type incidents."</p>	<p>LAPD Manual 4/216.23;</p> <ul style="list-style-type: none"> ◦ "The use of the Watch Commander's Daily Report to document personnel issues associated with evaluations compromises the confidentiality of employee files. Therefore, the watch commander shall document positive and negative duty performance, training needs, and any counseling associated with the evaluation on an Employee Comment Sheet, Form 01.77.00." See LAPD Manual 4/216.23. ◦ Office of the Inspector General, Review of Arrests for Violations of California Penal Code Section 148 (A) (1), August 28, 2018: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_4c3e1e1c762845a_e9bcb6375a88dd974.pdf.

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<p>Watch Commander's Inspection of Detainees/Arrestees: All detainees and arrestees brought to an LAPD facility shall be brought before a watch commander for inspection. The watch commander shall visually inspect each such detainee or arrestee for injuries as required by LAPD procedures and, at a minimum, ask the detainee or arrestee the questions required by current LAPD procedures, which are: 1) "Do you understand why you were detained/arrested?;" 2) "Are you sick, ill, or injured?;" and, 3) "Do you have any questions or concerns?" In the rare cases where circumstances preclude such an inspection and interview by a watch commander, the LAPD shall ensure that the person is inspected and interviewed by a supervisor who did not assist or participate in the person's arrest or detention. In each instance, the watch commander or supervisor, as appropriate, shall sign the related booking documentation, which shall indicate their compliance with these procedures.</p>	<p>"At the end of the initial term of the Consent Decree, the Monitor found the LAPD in substantial compliance with . . . paragraph 73 [requiring watch commanders' inspection of detainees and arrestees]."</p>	<p>LAPD Manual 4/216.</p> <p>"When a person is charged with the California Penal Code (PC) sections listed below, the watch commander shall conduct a pre-booking evaluation to determine whether issues or concerns regarding training, policy, or tactics need to be addressed. . . Additionally, the watch commander shall: Document that an evaluation was completed on the Watch Commander's Daily Report, Form 15.80.00; Take appropriate action when the results of the evaluation raise issues or concerns regarding training, policy, or tactics; and, Reference all forms used for documenting the results of the pre-booking evaluation on the Watch Commander's Daily Report." See LAPD Manual 4/216.23.</p> <p>In 2020, the Board of Police Commissioners passed New In-Custody Death Adjudication Protocols.</p>

Warrant Procedures

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Ramey Warrants: [Note: A Ramey Warrant is a probable cause to arrest warrant signed by a magistrate prior to the filing of criminal charges by the District Attorney]. The LAPD shall continue to implement procedures with respect to search warrants and probable cause arrest warrants as defined in the LAPD manual (commonly known as “Ramey” warrants), which require, among other things, that a supervisor shall review each request for a warrant and each affidavit filed by a police officer to support the warrant application. Such review shall include: a review for completeness of the information contained therein and an authenticity review to include an examination for “canned” language, inconsistent information, and lack of articulation of the legal basis for the warrant and a review of the information on the application and affidavit, where applicable, to determine whether the warrant is appropriate, legal, and in conformance with LAPD procedure. In addition, a supervisor shall review the officer’s plan for executing the search warrant and, after execution of the search warrant, review the execution of the search warrant. A supervisor shall be present for execution of the search warrant.</p>	<p>As recently as 2007 and 2008, “the Department did not comply with requirements regarding completeness of information, inconsistent information, conformance with LAPD procedures, supervisory oversight of the application/affidavit and post-incident review for search warrants. In addition, the search warrant tracking logs were not meeting the requirements regarding completeness and accuracy of information. The Monitor recognized that although the Department did not meet the requirements regarding supervisory oversight of the application/affidavit and post-incident review, as indicated above, these compliance rates did increase significantly in the 2008 audit from the previous year’s audit. In sum, the Monitor believes that substantial progress has been made on the most material aspects of these provisions, and recognizes that these warrants meet the specific requirements regarding legality.”</p>	<p>LAPD Manual 4/742.</p> <ul style="list-style-type: none"> ◦ “The concerned supervisor shall place his or her initials and serial number on the lower right hand corner of each page of the original copy of the affidavit, indicating that he or she has thoroughly reviewed the document. Supervisors are reminded that every page must be reviewed and initialed in order to document a thorough review.” See LAPD Manual 4/742.10 ◦ “All Areas/specialized divisions responsible for the service of search and arrest warrants shall designate a WRO in accordance with the guidelines established in this section. The WRO shall be the rank of Sergeant I, Detective II, or higher and shall conduct a final quality assurance review for completeness and accuracy of all warrant documentation. This review shall include: The initiation of a search Warrant and Warrant Service/tactical Plan Checklist, Form 12.25.01, to be completed only by a WRO after the execution and completion of the search warrant, and placed into the Search Warrant Package; The required notation is included in the Warrant Service/Tactical Plan Report indicating that the concerned CO’s review and approval was performed within 14 calendar days after the warrant service; The Warrant Tracking Log entry is complete and accurate; The Property Report and the Receipt for Property Taken Into Custody forms match; and, Any errors, inaccuracies, or omissions within the search warrant package are promptly corrected prior to proper storage.” See LAPD Manual 4/742.10. ◦ “A supervisor shall be present for all warrant services that require a Tactical Plan Report.” See LAPD Manual 4/742.30. ◦ On November 17, 2020, the Board of Police Commissioners passed a consent to search policy. See: http://www.lapdpolicecom.lacity.org/111720/BPC__20-0156.pdf ◦ On November 17, 2020, the Board of Police Commissioners passed a search and arrest warrant policy. See: http://www.lapdpolicecom.lacity.org/111720/BPC__20-0163.pdf ◦ The forms utilized to prepare for the service of an arrest or search warrant, including the tactical plan and supervisory oversight, are being revised.

Warrant Procedures

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<p>Warrant Log: Each Area and specialized Division of the LAPD shall maintain a log listing each search warrant, the case file where a copy of such warrant is maintained, and the officer who applied for and each supervisor who reviewed the application for such warrant.</p>	<p>See immediate discussion above.</p>	<p>LAPD Manual 4/742.</p> <ul style="list-style-type: none"> ◦ “Upon obtaining a search or Ramey warrant issued by a magistrate, the officer obtaining the warrant shall complete all of the required information on the Warrant Tracking Log, Form 08.17.05. . .Complete pages 1- 6 of the Warrant Service/Tactical Plan Report, Form 12.25.00, submit it for approval; Refer to the Search Warrant and Warrant Service/ Tactical Plan Checklist, Form 12.25.01, as a guide only, since the Warrant Review Officer is the only authorized supervisor who shall complete this form after the execution of the search warrant; and, Complete the search or Ramey warrant and other related documents including the completed Warrant Service/Tactical Plan Report; Property Report Form 10.01.00; Receipt For Property Taken Into Custody Form 10.10.00; and Addendum to Return to Search Warrant (Search Warrant Return) and maintain them in the warrant package (in the Detective Case Package, Control Folder, or Murder Book, as applicable).” See LAPD Manual 4/742.10.

Initiation of Complaints

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Initiation of Complaints Generally: The Department shall continue to provide for the receipt of complaints as follows: (a) in writing or verbally, in person, by mail, by telephone (or TDD), facsimile transmission, or by electronic mail; (b) anonymous complaints; (c) at LAPD headquarters, any LAPD station or substation, or the offices of the Police Commission or the Inspector General; (d) distribution of complaint materials and self-addressed postage-paid envelopes in easily accessible City locations throughout Los Angeles and in languages utilized by the City of Los Angeles in municipal election ballot materials; (e) distribution of the materials needed to file a complaint upon request to community groups, community centers, and public and private service centers; (f) the assignment of a case number to each complaint; and, (g) continuation of a 24-hour toll-free telephone complaint hotline. The Department shall record all calls made on this hotline.</p>	<p>“[E]arly on during the term of the Decree, the LAPD coordinated the production of complaint material and informative posters and made information available to the public and community groups. On many occasions the Monitor conducted unannounced verifications of complaint materials at various locations, primarily Divisions, and noted that, for the most part, the LAPD was in compliance.”</p> <p>After initial technical difficulties were resolved, the Monitor found the 24-hour hotline was “adequately staffed” and “the system performed flawlessly.”</p>	<p>LAPD Manual 3/811 & 3/815.01.</p> <ul style="list-style-type: none"> ◦ “A supervisor receiving a complaint in person, by telephone or in any written form, shall: Conduct a preliminary investigation, as established in <i>Complaint Investigations: A Guide for Supervisors</i> and as outlined in Manual Section 3/815.01; Complete a Complaint Form, summarizing the complaint and the complainant’s statements under the Summary portion; Tape-record all interviews. If not practical, supervisors shall include a written justification under the Summary portion of the Complaint Form; Provide the complainant with the bottom copy of the Complaint Form, and advise the complainant that another copy will be mailed out with an assigned case number. If the complaint was made by telephone, leave the triplicate form intact and advise the complainant that a copy will be mailed out by IAG once a case number has been assigned; Attempt to resolve the matter to the satisfaction of the complainant and take appropriate action to prevent aggravation of the incident; Determine the complainant’s willingness to participate in the Alternative Complaint Resolution (ACR) process, if appropriate; and, Submit the Complaint Form and preliminary investigation to the watch commander, Section officer in charge (OIC), or civilian equivalent, for review.” See LAPD Manual 3/811 ◦ “In addition to existing procedures set forth in both the Department Manual and the Internal Affairs Group (IAG) functional manual, <i>Complaint Investigations: A Guide for Supervisors</i>, the following procedures shall apply to complaint investigations: Identifying all involved employees; Obtaining names, addresses, and telephone numbers of all witnesses, and a summary of their statements. (Indicate the times, locations, and business and residence phone numbers where witnesses will be available for re-interview.); [and,] The interviews of all complainants, involved Department employees, and witnesses shall be conducted individually (no group interviews) and shall be recorded. Should a non-employee complainant or witness refuse to be recorded, an attempt shall be made to record the refusal on tape or on a signed statement of refusal.” See LAPD Manual 3/815.01.

Initiation of Complaints

2001 Action Item	2009 Final Independent Report	2020 Status
<p>No Waivers to File Complaint of Lawsuit: The Department shall prohibit officers from asking or requiring a potential complainant to sign any form that in any manner limits or waives the ability of a civilian to file a police complaint with the LAPD or any other entity. The Department shall prohibit officers, as a condition for filing a misconduct complaint, from asking or requiring a potential complainant to sign a form that limits or waives the ability of a civilian to file a lawsuit in court.</p>	<p>“During the term of the Decree, the Monitor reviewed thousands of complaint investigations and not once did it identify any indications that officers asked or required a civilian in any way to execute documentation waiving or limiting their ability to file a complaint with the LAPD or any other entity, or file a lawsuit in court.”</p>	<p>There is no requirement for a community member to waive filing a lawsuit as a precursor to making a complaint. Related to LAPD Manual 3/811.05 & 3/816.01.</p> <ul style="list-style-type: none"> ◦ “A watch commander, section officer in charge (OIC) or civilian equivalent who becomes aware of a complaint shall ensure that a Complaint Form is prepared without unnecessary delay. Upon receipt of a Complaint Form submitted by a supervisor, the watch commander, section OIC or civilian equivalent, shall: Review the form for completeness and accuracy, ensuring that a thorough preliminary investigation was conducted; Using the <i>Case Screening Factors</i> box on the Complaint Form, determine whether the complaint should be classified as Disciplinary or Non-Disciplinary (Refer to Manual Section 3/817 for classification guidelines); When appropriate, facilitate the Alternative Complaint Resolution process; and Sign and date the Complaint Form and submit the complaint investigation and attachments as soon as practicable to the commanding officer for approval.” See LAPD Manual 3/811.05. ◦ “When a supervisor becomes aware of a public complaint, or a complaint of misconduct initiated by Department personnel, the supervisor shall accept the complaint and: Conduct a preliminary investigation, as established in <i>Complaint Investigations: A Guide for Supervisors</i>; Complete a Complaint Form, summarizing the complaint and the complainant’s statements under the Summary portion; Tape-record all interviews. If not practical, supervisors shall include a written justification under the Summary portion of the Complaint Form; Provide the complainant with the bottom copy of the Complaint Form, and advise the complainant that another copy will be mailed out with an assigned case number. If the complaint was made by telephone, leave the triplicate form intact and advise the complainant that a copy will be mailed out by IAG once a case number has been assigned; Attempt to resolve the matter to the satisfaction of the complainant and take appropriate action to prevent aggravation of the incident; Determine the complainant’s willingness to participate in the Alternative Complaint Resolution (ACR) process, if appropriate; and, Submit the Complaint Form and preliminary investigation to the watch commander, Section officer in charge (OIC), or civilian equivalent, for review.” See LAPD Manual 3/816.01.

Initiation of Complaints

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Administrative Investigation of Officers Who Impede Complaint Process: The LAPD shall initiate an administrative investigation (Complaint Form 1.28 investigation) against (i) any officer who allegedly fails to inform any civilian who indicates a desire to file a complaint of the means by which a complaint may be filed; (ii) any officer who allegedly attempts to dissuade a civilian from filing a complaint; or, (iii) any officer who is authorized to accept a complaint who allegedly refuses to do so.</p>	<p>“Other than [several] instances identified during the course of [the Ethics Enforcement Section’s or] EES’ work, as well as the Monitor’s overall review of complaints (in which a relatively small number included allegations of failing to accept a complaint), the Monitor is confident that the Department is making every effort to accept all complaints and in virtually all instances is doing so.”</p> <p>“During early 2003, at a point in time when the LAPD received an allegation that officers were not documenting all complaints received, the Chief of Police directed the EES to significantly increase the number and frequency of intake audits to substantiate or refute this allegation. Although subsequent assessments noted some instances in which officers did not document a complaint, the LAPD’s overall performance improved, and ultimately the Monitor held the Department in substantial compliance.”</p>	<p>LAPD Manual 3/813.10.</p> <ul style="list-style-type: none"> • “A Complaint Form, Form 01.28.00, shall be used to document all complaints when a Department employee allegedly: Fails to inform any member of the public who indicates a desire to file a complaint, of the means by which a complaint may be filed; Attempts to dissuade a member of the public from filing a complaint; or, Refuses to accept a complaint.” See LAPD Manual 3/813.10
<p>LAPD Notification of Lawsuits: The City shall cause the LAPD to be notified whenever a person serves a civil lawsuit on or files a claim against the City alleging misconduct by an LAPD officer or other employee of the LAPD.</p>	<p>“In order to track civil lawsuits on or claims against the City alleging misconduct by an LAPD officer, the LAPD established an efficient liaison between the RMD and the City Attorney’s office, who regularly reconciled the LAPD’s Claims/Litigation Information System Report (CLIS) with the City’s report. The Monitor found the LAPD fully in compliance with the related requirements on six separate occasions between the quarters ended June 30, 2002 and March 30, 2006.”</p>	<p>LAPD Manual 3/782.</p> <ul style="list-style-type: none"> • “NOTIFICATION OF PENDING CIVIL TRIALS. Upon notification from the Civil Division, Office of the City Attorney, of a civil trial date of an employee, the commanding officer shall meet with the involved employee to provide support, as necessary.” See LAPD Manual 3/782.25.

Initiation of Complaints

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Self-Reporting of Arrests and Lawsuits: The Department shall continue to require all officers to notify without delay the LAPD whenever the officer is arrested or criminally charged for any conduct or the officer is named as a party in any civil suit involving his or her conduct while on duty (or otherwise while acting in an official capacity). The Department shall require such notification from any officer who is named as a defendant in any civil suit that results in a temporary, preliminary, or final adjudication on the merits in favor of a plaintiff complaining of off-duty physical violence, threats of physical violence, or domestic violence by the officer.</p>	<p>“The Monitor found the Department in compliance in all five assessments after reviewing complaint investigations, comparing randomly selected officers with various court indices, and querying claims and lawsuits filed with the City.”</p>	<p>LAPD Manual 3/837.</p> <ul style="list-style-type: none"> ◦ “A Department employee detained/arrested, or transported to any jail or police facility for any offense committed inside or outside the City, excluding traffic infractions, shall: Advise the detaining/arresting officer of his/her Department employee status; and, Notify the watch commander from his/her Area/division of assignment without delay, or the Department Command Post when the employee’s location of assignment is closed. . .In addition to notification requirements of detentions, arrests, or when named as a suspect in a written crime report or complaint for any offense excluding traffic infractions as outlined in Manual Sections 3/837.10 and 3/838.20, a sworn Department employee shall notify his/her commanding officer immediately, either directly or through a supervisor of Professional Standards Bureau (PSB), if they are charged with a criminal offense by a prosecutor or a grand jury indictment.” See LAPD Manual 3/837.10 ◦ “PROCEDURE WHEN SUED. When an employee is served with a Summons and Complaint resulting from activities within the course and scope of City employment, the employee must within two (2) business days of service complete a Form 15.07.00 (Manual Section 3/782.40). The completed Form 15.07.00 and the Summons and Complaint must be hand-carried to the Civil Investigation Section, Legal Affairs Division.” See LAPD Manual 3/782.30.

Initiation of Complaints

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Self-Reporting and Peer Reporting of Misconduct: The Department shall continue to require officers to report to the LAPD without delay: any conduct by other officers that reasonably appears to constitute (a) an excessive use of force or improper threat of force; (b) a false arrest or filing of false charges; (c) an unlawful search or seizure; (d) invidious discrimination; (e) an intentional failure to complete forms required by LAPD policies and in accordance with procedures; (f) an act of retaliation for complying with any LAPD policy or procedure; or, (g) an intentional provision of false information in an administrative investigation or in any official report, log, or electronic transmittal of information. Officers shall report such alleged misconduct by fellow officers either directly to IAG or to a supervisor who shall complete a Complaint Form 1.28. This requirement applies to all officers, including supervisors and managers who learn of evidence of possible misconduct through their review of an officer's work. Failure to voluntarily report as described in this paragraph shall be an offense subject to discipline if sustained.</p>	<p>"Toward the beginning of [its] assessment period, the Monitor identified some investigations containing information or officer statements suggesting knowledge of misconduct not subsequently reported; however, overall, the Monitor concluded that the investigations were complete and did not contain indicators of officers not reporting misconduct."</p>	<p>The 2020 Use of Force Policy provides (the 2020 Use of Force policy can be found here: UOF policy):</p> <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>LAPD Manual 1/210.46 & 3/813.05.</p> <ul style="list-style-type: none"> • "When an employee becomes aware of possible misconduct by another Department employee, the employee shall immediately report the incident to a supervisor and/or directly to Internal Affairs Group (IAG). This requirement applies to all employees, including supervisory personnel and managers (the rank of captain or above), who learn of possible misconduct through the review of an employee's work. Generally, the supervisor accepting the complaint shall initiate the Complaint Form. Only supervisors shall initiate Complaint Forms." See LAPD Manual 3/813.05. • "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." See LAPD Manual 1/210.46.

Conduct of Investigations

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Internal Affairs Group's Review of Complaints: Within 10 days of their receipt by the LAPD, the IAG [Internal Affairs Group] shall receive and promptly review the "face sheet" of all complaints to determine whether they meet the criteria for being investigated by IAG, or the OHB Unit, or chain of command supervisors.</p>	<p>"[T]he Monitor concluded that the Department was in substantial compliance with the requirements related to the review and classification of complaint face sheets at the end of the original five-year term of the Consent Decree."</p>	<p>LAPD Manual 3/811.15 & 3/811.25.</p> <ul style="list-style-type: none"> • "Commanding officers shall: Ensure that the CF is forwarded to Internal Affairs Group (IAG) within two business days of complaint initiation. . ." See LAPD Manual 3/811.05. • "When IAG receives any complaint from the public, IAG shall: Complete a CF, documenting the preliminary information only and attach the related correspondence, documents, and statements; Issue a CF number; Assign and forward the CF to the appropriate division/Area for appropriate action; and, Mail an acknowledgment of the complaint to the complainant with the CF number referenced (second copy of CF)." See LAPD Manual 3/811.05.

Conduct of Investigations

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Investigation Protocol: In conducting all Categorical Use of Force investigations, and certain specified complaint investigations, the LAPD shall, subject to and in conformance with applicable state law: (a) tape record or videotape interviews of complainants, involved officers, and witnesses; (b) whenever practicable and appropriate, and not inconsistent with good investigatory practices such as canvassing a scene, interview complainants and witnesses at sites and times convenient for them, including at their residences or places of business; (c) prohibit group interviews; (d) notify involved officers and the supervisors of involved officers, except when LAPD deems the complaint to be confidential under the law; (e) interview all supervisors with respect to their conduct at the scene during the incident; (f) collect and preserve all appropriate evidence, including canvassing the scene to locate witnesses where appropriate, with the burden for such collection on the LAPD, not the complainant; and, (g) identify and report in writing all inconsistencies in officer and witness interview statements gathered during the investigation. Chain of command investigations of complaints (other than those covered above) and Non-Categorical Uses of Force shall comply with subsections c, e, and f, above where applicable.</p>	<p>“By the end of the second year of the extension, the Monitor concluded that, overall, the Department attained sustained substantial compliance with Decree requirements regarding the investigation of CUOF. The LAPD’s CUOF investigations rightfully are now recognized as state-of-the-art best practices that are studied by other law enforcement agencies nationwide.”</p> <p>“[T]he Monitor found the Department in substantial compliance with requirements regarding NCUOF investigations at the end of the initial five-year term of the Decree. The consistent quality of the investigations and related quality control review provided the Monitor with sufficient assurance that the LAPD would continue with best practices, and additional monitoring during the Decree extension was not required.”</p> <p>In June 2008, “the Monitor determined that, despite a few discrepancies, the Department had achieved substantial compliance with the requirement regarding [chain of command or] COC investigations.”</p> <p>Finally, by 2008, the Monitor held that the LAPD “achieved and sustained compliance” with all requirements related to IAG Complaint Investigations.</p>	<p>LAPD Manual 3/815.01</p> <ul style="list-style-type: none"> ◦ “In addition to existing procedures set forth in both the Department Manual and the Internal Affairs Group (IAG) functional manual, <i>Complaint Investigations: A Guide for Supervisors</i>, the following procedures shall apply to complaint investigations: Identifying all involved employees; Obtaining names, addresses, and telephone numbers of all witnesses, and a summary of their statements. (Indicate the times, locations, and business and residence phone numbers where witnesses will be available for re-interview.); [and,] The interviews of all complainants, involved Department employees, and witnesses shall be conducted individually (no group interviews) and shall be recorded. Should a non-employee complainant or witness refuse to be recorded, an attempt shall be made to record the refusal on tape or on a signed statement of refusal.” See LAPD Manual 3/815.01. ◦ Whenever practicable and appropriate, complainants and witnesses shall be interviewed at sites and times convenient to them, including private residences or places of business; Interview all involved supervisors regarding their conduct at the scene during the incident; The entity responsible for the preliminary complaint investigation shall notify, without delay, the involved Department employee and his or her respective supervisor of a pending investigation(s), excluding those investigations deemed confidential under the law (as determined by the Department); Inconsistencies between statements made by Department employees and witnesses shall be identified and documented; The entity responsible for the investigation shall coordinate the collection and preservation of all appropriate evidence, including canvassing the scene to locate possible witnesses if appropriate; Visual examination of trauma, medical treatment for actual or alleged injury; Photographs (utilize color film when appropriate); Inspection of the object alleged to have caused injury (objects should be photographed and, when practicable, retained); and, Administer appropriate sobriety tests required for the preliminary investigation of the offense (3/836). See LAPD Manual 3/815.01.

Conduct of Investigations

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Investigating Officer Must Report Additional Misconduct Discovered: If during the course of any investigation of a Categorical Use of Force, Non-Categorical Use of Force, or complaint, the investigating officer has reason to believe that misconduct may have occurred other than that alleged by the complainant, the alleged victim of misconduct, or the triggering item or report, the investigating officer must notify a supervisor, and an additional Complaint Form 1.28 investigation of the additional misconduct issue shall be conducted.</p>	<p>“On eight separate occasions during the term of the Consent Decree and its extension, the Monitor evaluated the LAPD’s compliance with requirements related to the identification of any potential misconduct for additional investigation. In some instances, the Monitor placed reliance on AD’s audits. In seven of the eight reviews, the Monitor concluded that the LAPD was in compliance with these requirements.”</p>	<p>LAPD Manual 3/811, 3/830, & 3/794.30.</p> <ul style="list-style-type: none"> If, during the course of a complaint investigation, the investigating supervisor has reason to believe that additional misconduct may have occurred, other than that alleged by the complainant, the investigating supervisor shall either record the additional misconduct as a separate allegation on the original complaint or initiate a new complaint as appropriate. See LAPD Manual 3/811. <p>Other relevant provisions include:</p> <p>The 2020 Use of Force Policy provides (the 2020 Use of Force policy can be found here: UOF policy):</p> <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>

Conduct of Investigations

2001 Action Item	2009 Final Independent Report	2020 Status
		<p>LAPD Manual 1/210.46 & 3/813.05.</p> <ul style="list-style-type: none"> • “When an employee becomes aware of possible misconduct by another Department employee, the employee shall immediately report the incident to a supervisor and/or directly to Internal Affairs Group (IAG). This requirement applies to all employees, including supervisory personnel and managers (the rank of captain or above), who learn of possible misconduct through the review of an employee’s work. Generally, the supervisor accepting the complaint shall initiate the Complaint Form. Only supervisors shall initiate Complaint Forms.” See LAPD Manual 3/813.05. • “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.” See LAPD Manual 1/210.46.
<p>Access to TEAMS II Information: Subject to restrictions on use of information contained in applicable state law, the OHB Unit investigating Categorical Uses of Force and IAG investigators conducting certain specified misconduct investigations shall have access to all information contained in TEAMS II, where such information is relevant and appropriate to such investigations, including training records, Complaint Form 1.28 investigations and discipline histories, and performance evaluations.</p>	<p>Not addressed.</p>	<p>See: Access Control Policy for Teams, Special Order No. 23, 2007.</p> <p>Related to LAPD Manual 1/668.02 & 1/668.06.</p> <p>TEAMS II Reports may be “[u]sed in the event misconduct is identified and a personnel complaint initiated.” See LAPD Manual 1/668.01.</p> <p>IA investigators have access to the TEAMS II material.</p>

Adjudicating Investigations

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Credibility Determinations: The Department shall continue to employ the following standards when it makes credibility determinations: use of standard California Jury Instructions to evaluate credibility; consideration of the accused officer's history of complaint investigations and disciplinary records concerning that officer, where relevant and appropriate; and, consideration of the civilian's criminal history, where appropriate. There shall be no automatic preference of an officer's statement over the statement of any other witness, including a complainant who is also a witness. There shall be no automatic judgment that there is insufficient information to make a credibility determination when the only or principal information about an incident is contained in conflicting statements made by the involved officer and the complainant. Absent other indicators of bias or untruthfulness, mere familial or social relationship with a victim or officer shall not render a witness' statement as biased or untruthful; however, the fact of such relationship may be noted.</p>	<p>"The Monitor's evaluations during the initial five-year period found that in some complaint investigations, undue preference was given to the officer against whom the complaint was alleged, and proper consideration was not given toward the civilians' or officers' histories, respectively. As such, the Department was held largely in non-compliance, and the Monitor continued to assess compliance with these requirements during the three-year extension period."</p> <p>Compliance thereafter during the extension period is not discussed.</p>	<ul style="list-style-type: none"> • LAPD Manual 3/825.20. • "In adjudicating a complaint, Department managers (the rank of captain or above) are responsible for assessing the believability and credibility of witnesses in accordance with the standards established in the IAG functional manual, <i>Management Guide to Discipline</i>; specifically, principles adopted from the California Jury Instruction Code. Managers may consider anything that has a tendency, within reason, to prove or disprove the truthfulness of a witness. In making those determinations, the Department shall employ the following standards: <p style="margin-left: 40px;">Consideration of the history of complaint investigations and disciplinary records of both an accused employee and an employee witness, where relevant and appropriate; Consideration of the criminal histories of civilian complainants and witnesses, where relevant and appropriate; No automatic preference shall be given to a Department employee's statement over the statement of any other witness, including the complainant; There shall be no automatic judgment that insufficient information exists to make a credibility determination when the primary evidence amounts to conflicting statements of the accused employee and the complainant; and, A familial or social relationship with a victim or the employee shall not automatically render a witness statement as biased or untruthful. However, the fact that such a relationship exists may be noted." See LAPD Manual 3/825.20.</p> <ul style="list-style-type: none"> • Currently, Body Worn Video (BWV) and Digital In Car Video (DICV) are deployed Department wide. For citizen complaints, these devices add to the investigation and evaluation of matters.

Adjudicating Investigations

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Preponderance Standard: The LAPD shall adjudicate all complaints using a preponderance of the evidence standard. Wherever supported by evidence collected in the investigation, complaints shall be adjudicated as “sustained,” “sustained-no penalty,” “not resolved,” “unfounded,” “exonerated,” “duplicate,” or “no Department employee.” In no case may a Complaint Form 1.28 investigation be closed without a final adjudication.</p>	<p>The Monitor’s finding of noncompliance over two years with the preponderance standard requirement “was largely the result of the use of an adjudication category denoted as Other Judicial Review (OJR) as reported by the Monitor during the quarter ended September 30, 2005.” “The Monitor noted that in several investigations selected for review that were adjudicated OJR, the LAPD did not follow its own internal policy, as the investigative files were devoid of documentation that the complainant, the complainant’s attorney or the prosecuting attorney were interviewed or approached for interview. Most of the investigations reviewed also had no evidentiary hearing or any other documented review of the facts alleged in the complaint. Lastly, the complaint files were devoid of any specific court transcripts or dockets that would support whether the matter was truly addressed at any judicial proceeding. The Monitor expressed concern that the OJR adjudication was a mechanism that permitted the LAPD to quickly render a decision on a complaint investigation in an effort to meet compliance requirements of the Consent Decree. In response, the LAPD issued Special Order No. 34, Other Judicial Review as an Adjudication – Revised, dated November 1, 2007, which rescinded the use of OJR as an adjudication.”</p> <p>Compliance following issuance of Special Order No. 34 is not discussed.</p>	<p>Not codified but consistent with current practice. See: Preponderance of Evidence Guide for Complaint Adjudication</p> <p>LAPD Manual 3/820.25 CLASSIFICATION OF A DISCIPLINARY COMPLAINT</p> <ul style="list-style-type: none"> • Unfounded • Exonerated • Not Resolved • Sustained • Sustained-No Penalty • Insufficient Evidence to Adjudicate • Withdrawn by the Chief of Police • Duplicate • Other Judicial Review (Other Judicial Review has not been used by the department since 2005). <p>The 2019 Annual Complaint Report can found at http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf.</p>
<p>Reasonable Efforts to Investigate All Complaints: Withdrawal of a complaint, unavailability of a complainant to make a statement, or the fact that the complaint was filed anonymously or by a person other than the victim of the misconduct, shall not be a basis for adjudicating a complaint without further attempt at investigation. The LAPD shall use reasonable efforts to investigate such complaints to determine whether the complaint can be corroborated.</p>	<p>“For virtually all reviewed complaints that were anonymous or filed by a third party, the Monitor concluded the Department made a good faith effort to identify the complainant and complete a thorough investigation. As a result, the Monitor concluded that the Department was in substantial compliance with the pertinent Consent Decree requirements, and assessment during the extension period for this particular requirement were placed on inactive status.”</p>	<p>LAPD Manual 3/815.01.</p> <ul style="list-style-type: none"> • “The withdrawal of a complaint, the unavailability of a complainant to make a statement, or the fact that the complaint was filed anonymously or by a third party, shall not be reasons to adjudicate a complaint without further attempts to investigate. Commanding officers shall ensure reasonable efforts are made to get to the truth of the matter.” See LAPD Manual 3/825.20.
<p>Five Months on Average to Complete Investigations: All investigations of complaints shall be completed in a timely manner, taking into account: (a) the investigation’s complexity; (b) the availability of evidence; and, (c) overriding or extenuating circumstances underlying exceptions or tolling doctrines that may be applied to the disciplinary limitations provisions (i) applicable to LAPD officers and (ii) applicable to many other law enforcement agencies in the State of California. The parties expect that, even after taking these circumstances into account, most investigations will be completed within five months.</p>	<p>“[T]he Monitor sought to determine that investigations, in aggregate, more often than not were completed within 150 days. In applying this methodology, the Monitor found the Department in substantial compliance at the end of the initial five-year period.”</p>	<p>LAPD Manual 3/824.</p> <ul style="list-style-type: none"> • “It is the goal of the Department to complete most complaint investigations within five months of the Complaint Form being received by Internal Affairs Group (IAG). Notwithstanding that goal, all efforts should be undertaken to ensure the entire complaint process is completed within the limitations established by state law and the City Charter.” See LAPD Manual 3/824. <p>Investigations are completed within a five-month period 80% of the time (note: this is the investigation process, not the adjudication process).</p>

Discipline & Non-Disciplinary Action

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Chief's Quarterly Discipline Reports: The Chief of Police, no later than 45 calendar days following the end of each calendar quarter, shall report to the Commission, with a copy to the Inspector General, on the imposition of discipline during such quarter (the "Discipline Report"). Such report shall contain: (a) a summary of all discipline imposed during the quarter reported by type of misconduct, broken down by type of discipline, bureau, and rank; (b) a summary comparison between discipline imposed and determinations made by the Boards of Rights during the quarter; (c) a written explanation of each reduction in penalty from that prescribed by the Board of Rights; (d) a description of all discipline and non-disciplinary actions for each Categorical Use of Force the Commission has determined was out of policy; and, (e) a written explanation, following the Chief of Police's final determination regarding the imposition of discipline, when discipline has not been imposed (other than exoneration by the Board of Rights) and the following has occurred: the officer has entered a guilty plea or has been found guilty in a criminal case; the officer had a Complaint Form 1.28 investigation sustained; the officer has been found civilly liable by a judge or jury of conduct committed on duty or while acting in his or her official capacity; or, the officer's conduct has been the basis for the City being found civilly liable by a judge or jury. Each quarterly Discipline Report shall include as attachments copies of the monthly Internal Affairs Group Reports on Administration of Internal Discipline for that quarter.</p>	<p>Despite timeliness and comprehensiveness issues early on, "the Monitor concluded that the Department achieved substantial compliance with all requirements of this section of the Decree."</p>	<p>The OIG continuously oversees the discipline system. The OIG 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 performance review of the Chief of Police.</p> <p>The decisions in Non-Categorical Use of Force cases, and Categorical Use of Force cases, are presented in the Use of Force year-end review (Use of Force Data Reports). In addition, the annual complaint report is also published. See e.g., http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf</p> <p>Both annual reports are presented at Police Commission meetings, and public comment is accepted at that time.</p>
<p>IG and Commission's Review of Chief's Quarterly Discipline Reports: The Inspector General shall review, analyze and report to the Commission on each Discipline Report, including the circumstances under which discipline was imposed and the severity of any discipline imposed. The Commission, no later than 45 days after receipt of the Discipline Report, following consultation with the Chief of Police, shall review the Discipline Report and document the Commission's assessment of the appropriateness of the actions of the Chief of Police described in the Discipline Report. With respect to Categorical Uses of Force, such assessment and documentation shall be made for each officer whose conduct was determined to be out of policy by the Commission. Such assessment and documentation shall be considered as part of the Chief's annual evaluation.</p>	<p>Despite timeliness/turnaround issues early on, "the Monitor concluded that the Department achieved substantial compliance with all requirements of this section of the Decree."</p>	<p>The OIG continuously oversees the discipline system. The OIG 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 performance review of the Chief of Police.</p> <p>The decisions in Non-categorical Use of Force cases, and Categorical Use of Force cases, are presented in the Use of Force year-end review (Use of Force Data Reports). In addition, the annual complaint report is also published. See e.g., http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf</p> <p>Both annual reports are presented at Police Commission meetings, and public comment is accepted at that time.</p>

Discipline & Non-Disciplinary Action

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Manager Evaluations of Complaint Form 1.28 Investigations: The LAPD shall continue its practice of having managers evaluate all Complaint Form 1.28 investigations to identify underlying problems and training needs. After such evaluations, the manager shall implement appropriate non-disciplinary actions or make a recommendation to the proper LAPD entity to implement such actions.</p>	<p>“By the end of 2007, the Monitor concluded that the LAPD attained substantial compliance with requirements regarding manager review of complaints.”</p>	<p>LAPD Manual 3/825.05.</p> <ul style="list-style-type: none"> • “For all complaints in which a specific employee is accused of misconduct, the employee’s complete TEAMS II report and Personal and Work History Summary, Form 1.06.0, shall be forwarded with the completed investigation for the purpose of the commanding officer’s review during the adjudication process.” See LAPD Manual 3/825.05.
<p>Notice of Resolution: After a complaint is resolved by the LAPD, the LAPD shall inform the complainant of the resolution in writing, including the investigation’s significant dates, general allegations, and disposition.</p>	<p>“With regard to notification to the complainant once an investigation was completed. . .the Monitor found that the LAPD achieved substantial compliance during the last two years of the initial five-year term of the Decree.”</p>	<p>LAPD Manual 3/825.30.</p> <ul style="list-style-type: none"> ◦ “Commanding officers adjudicating complaints shall prepare an undated reply letter on Department letterhead addressed to the complainant. . .The reply letter shall, at a minimum, include: The Complaint Form (CF) number, placed in the right quadrant of the letterhead under the Department’s return address; The date of occurrence, or the date the complaint was reported to the Department; The general nature of the complaint and/or allegations(s); The resolution and disposition of the complaint and/or allegations; The general acknowledgement that appropriate discipline was imposed, without indicating the specific penalty, when an allegation was sustained; Reference to the Office of the Inspector General’s role, address, telephone and fax numbers, and website address; and, The name and phone number of the commanding officer who adjudicated the complaint.” See LAPD Manual 3/825.30.

Discipline & Non-Disciplinary Action

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Anti-Retaliation: The City and the Department shall prohibit retaliation in any form against any employee for reporting possible misconduct by any other employee of the LAPD. The Police Commission shall review, on an annual basis, the Department's anti-retaliation policy and its implementation and make modifications as appropriate to protect officers from reprisals for reporting misconduct. The Commission's review of such policy and its implementation shall consider the discipline imposed for retaliation and supervisors' performance in addressing and preventing retaliation.</p>	<p>Not addressed.</p>	<p>(A) LAPD Manual 1/272; (B) Organization and Functions of the LAPD (separate document from the LAPD Manual).</p> <ul style="list-style-type: none"> ◦ "Retaliation and acts contributing to retaliation are serious misconduct. Therefore, any Department employee who engages in, sanctions or supports such activity is subject to disciplinary action, up to and including termination. Department managers, commanding officers, and supervisors will be held accountable for providing an atmosphere at work in which employees are free from retaliation. Department managers, commanding officers, and supervisors, are also accountable for subordinate employees who engage in behavior that the manager, commanding officer, or supervisor knew, or should have known, was occurring, that formally or informally punish an employee for engaging in protected activity. .Protected activities include: Opposing reporting, or participating in any claim, lawsuit, or investigation concerning unlawful discrimination or sexual harassment; Filing a grievance or participating in any unfair labor complaint; Taking advantage of any labor right or benefit such as using sick or family leave, seeking compensation for overtime worked, or filing an objectively valid work-related claim for damages; Reporting misconduct of another Department or City employee to the Office of the Inspector General, or any Department or governmental entity; or, Supporting, assisting or cooperating in a misconduct investigation." See LAPD Manual 3/272. <p>See: Anti-Discrimination and Retaliation Training Bulletin published May 2012</p>

Internal Affairs Group Responsibilities

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Reallocating Responsibility for Complaint Investigations to IAG: The City shall reallocate responsibility for complaint investigations between IAG and chain-of-command supervisors. Under this reallocation, IAG, and not chain-of-command supervisors, shall investigate (a) all civil suits or claims for damages involving on-duty conduct by LAPD officers or civil suits and claims involving off-duty conduct required to be reported, and (b) all complaints which allege: (i) unauthorized uses of force, other than administrative Categorical Use of Force investigations (which shall be investigated by the OHB Unit as part of its investigation of such Categorical Uses of Force); (ii) invidious discrimination (e.g., on the basis of race, ethnicity, gender, religion, national origin, sexual orientation, or disability), including improper ethnic remarks and gender bias; (iii) unlawful search; (iv) unlawful seizure (including false imprisonment and false arrest); (v) dishonesty; (vi) domestic violence; (vii) improper behavior involving narcotics or drugs; (viii) sexual misconduct; (ix) theft; and, (x) any act of retaliation or retribution against an officer or civilian.</p>	<p>“Commencing during the quarter ending March 31, 2003, and continuing through the quarter ending June 30, 2006, the Monitor reviewed samples of complaint intake documentation on five separate occasions and determined that the LAPD was in compliance with regard to appropriately assigning investigative responsibility either to the IAG or COC.”</p>	<p>LAPD Manual 3/837.20.</p> <ul style="list-style-type: none"> The Internal Affairs Group will have investigative responsibility for “high-grade misdemeanor[s] or felon[ies] at the direction of the Commanding Officer, Internal Affairs Group.” See LAPD Manual 3/837.20
<p>Additional IAG Investigation Responsibilities: IAG, and not chain of command supervisors, shall also investigate the following: (a) all incidents in which both (i) a civilian is charged by an officer with interfering with a police officer (California Penal Code § 148), resisting arrest, or disorderly conduct, and (ii) the prosecutor’s office notifies the Department either that it is dismissing the charge based upon officer credibility or a judge dismissed the charge based upon officer credibility; (b) all incidents in which the Department has received written notification from a prosecuting agency in a criminal case that there has been an order suppressing evidence because of any constitutional violation involving potential misconduct by an LAPD officer, any other judicial finding of officer misconduct made in the course of a judicial proceeding, or any request by a federal or state judge or magistrate that a misconduct investigation be initiated pursuant to some information developed during a judicial proceeding before a judge or magistrate. The LAPD shall request that all prosecuting agencies provide them with written notification whenever the prosecuting agency has determined that any of the above has occurred; (c) all incidents in which an officer is arrested or charged with a crime other than low grade misdemeanors, as defined in the LAPD manual, which misdemeanors shall be investigated by chain-of-command supervisors; and, (d) any request by a judge or prosecutor that a misconduct investigation be initiated pursuant to information developed during the course of an official proceeding in which such judge or prosecutor has been involved.</p>	<p>“Commencing during the quarter ending March 31, 2003, and continuing through the quarter ending June 30, 2006, the Monitor reviewed samples of complaint intake documentation on five separate occasions and determined that the LAPD was in compliance with regard to appropriately assigning investigative responsibility either to the IAG or COC.”</p>	<p>LAPD Manual 3/837.20.</p> <ul style="list-style-type: none"> The Internal Affairs Group will have investigative responsibility for “high-grade misdemeanor[s] or felon[ies] at the direction of the Commanding Officer, Internal Affairs Group.” See LAPD Manual 3/837.20

Internal Affairs Group Responsibilities

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Investigations of the Chief: The IAG's responsibilities do not include investigations of misconduct complaints lodged against the Chief of Police. Those are directed by the Commission.</p>	Not addressed.	The Board of Police Commissioners evaluates all complaints of misconduct lodged against the Chief of Police.
<p>Annual Sting Audits: The City shall develop and initiate a plan for organizing and executing regular, targeted, and random integrity audit checks, or "sting" operations (hereinafter "sting audits"), to identify and investigate officers engaging in at-risk behavior, including: unlawful stops, searches, seizures (including false arrests), uses of excessive force, or violations of LAPD's Manual Section 4/264.50 (or its successor). These operations shall also seek to identify officers who discourage the filing of a complaint or fail to report misconduct or complaints. IAG shall be the unit within the LAPD responsible for these operations. The Department shall use the relevant TEAMS II data, and other relevant information, in selecting targets for these sting audits. Sting audits shall be conducted for each fiscal year.</p>	Not addressed.	<p>As noted by the Office of the Inspector General in its audit of the Ethics Enforcement Section (EES):</p> <p>The use of ethics enforcement tests, formerly known as "sting audits," was one of the reforms implemented through the 2001 Federal Consent Decree. The consent decree required the Department to develop and initiate a plan for conducting "regular, targeted, and random integrity audit checks [. . .] to identify and investigate officers engaging in at-risk behavior," as well as to identify and investigate officers "who discourage the filing of a complaint or fail to report misconduct or complaints."</p> <p>The EES is a component of Special Operations Division (SOD). As stated in its quarterly reports: The mission of EES is to safeguard the integrity of law enforcement operations within LAPD. In accordance with this mission, EES works closely with Internal Affairs Group and other Department managers to identify at-risk personnel and behaviors. Once identified, EES develops proactive strategies to test and curtail these behaviors.</p> <p>EES objectives fall into three primary categories:</p> <ul style="list-style-type: none"> • To develop tests that assess an employee's conduct when they are "placed into a situation with the potential for at-risk behavior;" • To serve as a resource for Department personnel who are attempting to identify or investigate an employee involved in potential at-risk behavior; and, • To "create a sense of omnipresence" throughout the organization to ensure that incidents are handled ethically and legally and in compliance with Department policy. <p>The OIG report can be found here: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_f3bb73360db14f7ea091e4ae0c8c159c.pdf</p> <p>See also a report from 2013: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_f9ae9ee387f24c4b8ed4d14d3fd142ea.pdf</p>

Internal Affairs Group Responsibilities

2001 Action Item	2009 Final Independent Report	2020 Status
<p>IAG Hiring Autonomy and Disqualification: The commanding officer of IAG shall select the staff who are hired and retained as IAG investigators and supervisors, subject to the applicable provisions of the City's civil service rules and regulations and collective bargaining agreements. Investigative experience shall be a desirable, but not a required, criterion for an IAG investigatory position. Officers who have a history of any sustained investigation or discipline received for the use of excessive force, a false arrest or charge, an improper search or seizure, sexual harassment, discrimination, or dishonesty shall be disqualified from IAG positions unless the IAG commanding officer justifies in writing the hiring of such officer despite such a history.</p>	<p>"Starting with its evaluation in the quarter ended December 2004 and continuing through a final evaluation in March 2006, the Monitor held the Department in compliance with regard to adequate IAG staffing."</p> <p>"[T]he Department's achievement of substantial compliance was, in large part, attributable to its continuation of a temporary tour of duty for supervisors to cycle through the IAG and commitment to training."</p>	<p>Special Order #24 (2003); Assignment to Internal Affairs (See: Selection and Assignment to Professional Standards Bureau). Related to LAPD Manual 3/763.68 & 3/763.69.</p> <ul style="list-style-type: none"> ◦ "Currently, a limited tour assignment to Internal Affairs Group (IAG) as a Sergeant II or Detective II is contingent on an employee's successful completion of a two-month loan to IAG. This loan process enables IAG to select from a pool of qualified candidates when filling regular assignments. A detective/sergeant with at least one year in grade is eligible for loan to IAG, and candidates must possess outstanding leadership, supervisory, and administrative skills. Investigative experience is desirable, but not required for an investigator position. . . Prior to consideration, all loanee applicants will submit the following: Transfer Applicant Data Sheet, Form 15.88.00; Standards Based Assessment Lieutenants and Below, Form 01.87.00 (two most recent); and, Current TEAMS II report (promotion/paygrade advancement version only)." See LAPD Manual 3/763.68. ◦ "Managers shall utilize existing Departmental databases, information and documents to assess eligibility for a limited tour assignment to IAG. A Loan/Transfer package, including a TEAMS II Evaluation Report, shall be prepared for all selected candidates indicating that the following documents were reviewed as part of a comprehensive background check: Interview Evaluation/Questions; IAG Loan Rating; TEAMS II Report (promotion/paygrade advancement only); Any pending or sustained complaint investigations, via a CITS report; Complaint Index; and, Adverse judicial findings." See LAPD Manual 3/763.69.
<p>IAG Officers' Three-Year Terms: The Department shall establish a term of duty of up to three years for the IAG Sergeants, Detectives, and Lieutenants who conduct investigations and may reappoint an officer to a new term of duty only if that officer has performed in a competent manner. Such IAG investigators may be removed during their term of duty for acts or behaviors that would disqualify the officer from selection to IAG or under any other personnel authority available to the Department.</p>	<p>"In all five [of its] assessments, the Monitor noted that for those investigators whose terms exceeded three years, the LAPD maintained documentation of a complete review of the investigator's proficiency and for the entire period assessed, none of the officers had a complaint history containing disqualifying behavior. As such, the Monitor concluded the LAPD was in substantial compliance, and the requirements were not actively monitored during the extension."</p>	<p>LAPD Manual 3/763.67.</p> <ul style="list-style-type: none"> • "Officers assigned to one of the following Internal Affairs Group (IAG) functions within Professional Standards Bureau must be assigned for a period not to exceed three years: Administrative Section; Investigative Section; Advocate Section; and, Support Section." See LAPD Manual 3/763.67.

Internal Affairs Group Responsibilities

2001 Action Item	2009 Final Independent Report	2020 Status
<p>IAG Investigator Evaluations: IAG investigators shall be evaluated based on their competency in following the policies and procedures for Complaint Form 1.28 investigations. The LAPD shall provide regular and periodic re-training and re-evaluations on topics relevant to their duties.</p>	<p>Toward the end of the initial five-year Consent Decree assessment period, “the Monitor noted evaluations were completed timely and thoroughly for most Investigators” and thus “deemed the LAPD in substantial compliance” with the investigator evaluations requirement.</p> <p>Note that the Monitor “reviewed listings of training sessions attended by investigators for reasonableness and listings of training topics covered that, in the Monitor’s opinion, were relevant” in making its decision on substantial compliance.</p>	<p>Evaluations (Standard Based Assessments) are completed on an annual basis and are current.</p>
<p>Referrals to Prosecutors: The LAPD shall refer to the appropriate criminal prosecutorial authorities all incidents involving LAPD officers with facts indicating criminal conduct.</p>	<p>“As of the implementation of the Consent Decree, the Los Angeles DAO established a documented protocol for referral of alleged criminal misconduct by law enforcement personnel. During the quarter ended March 31, 2003, and continuing through the quarter ended September 30, 2005, the Monitor assessed the LAPD’s compliance with regard to criminal referrals of officer misconduct on three separate occasions and found the LAPD in compliance each time.”</p> <p>Note “the LAPD’s move to require all commands, on a weekly basis, to produce a listing of all pending complaints not yet completed nearing the one-year statute deadline was a significant factor in achieving compliance. The purpose of this exercise was to reduce the number of matters submitted past statute.”</p>	<p>Not codified but consistent with existing practice.</p> <p>Matters that result in a criminal investigation of an LAPD employee by the Department are referred either to the District Attorney or City Attorney for their review relative to the criminal culpability of the employee. There is a Countywide agreement with law enforcement and the District Attorney that any officer-involved shooting resulting in a community member being shot will be presented to the District Attorney for criminal culpability relative to the actions of the officer.</p>

Non-Discrimination Policing

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Non-Discriminatory Policy: The Department shall continue to prohibit discriminatory conduct on the basis of race, color, ethnicity, national origin, gender, sexual orientation, or disability in the conduct of law enforcement activities. The Department shall continue to require that, to the extent required by federal and state law, all stops and detentions, and activities following stops or detentions, by the LAPD shall be made on the basis of legitimate, articulable reasons consistent with the standards of reasonable suspicion or probable cause.</p>	<p>“While the Department has fallen short of substantial compliance with the Consent Decree requirements [as to Non-Discrimination as a whole], this is clearly not reflective of a lack of effort on the part of the City or the Department. The major problem in determining compliance has rested with the difficulty, despite best efforts, in determining whether biased policing is occurring and, if so, to what extent, if any, it is systemic as opposed to isolated misconduct.”</p> <p>“Because substantial compliance was not achieved during the Consent Decree, biased policing is addressed in the Transition Agreement.”</p> <p>Nonetheless, among the positive strides made, the LAPD:</p> <ul style="list-style-type: none"> • “[I]ssued Special Order No. 23 in August 2001, which prohibits all forms of invidious discrimination.” • “Training on field data collection began in October 2001, and the LAPD began collecting motor vehicle and pedestrian stop (MV&PS) data in November 2001, on [Field Data Reports or] FDRs.” • “[T]he Department committed resources to the development of a Portable Officer Data Device System (PODDS) in the hopes of streamlining the reporting process required by the Decree. The LAPD began using the PODDS device to collect stop data in May 2004.” • “Training on the new FDR, implemented July 1, 2003, incorporated a significant nondiscrimination component. This served to further the Department’s commitment to prevent discriminatory practices.” 	<p>LAPD Manual 1/345;</p> <ul style="list-style-type: none"> ◦ “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. . . .” See LAPD Manual 1/345. ◦ Bureaus have BWV inspection teams that inspect these areas during their audits. ◦ See also the following reports: <ul style="list-style-type: none"> - The Board of Police Commissioners held a hearing on stop data on October 28, 2020. Reports prepared related to stop data include: - OIG Review of Stops Conducted by the LAPD in 2019, which can be found here: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf - In addition, the California Policy Lab conducted a review that can be found here: http://www.lapdpolicecom.lacity.org/102720/BPC__20-0164.pdf and here: http://www.lapdpolicecom.lacity.org/102720/BPC__20-0165.pdf ◦ The annual complaint report is also published. See e.g., http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf ◦ The Follow-Up Review of National Best Practices (2019), https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_55abfb0cb5124b879f612eeb877a0ad8.pdf ◦ Review of National Best Practices (2017): https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf

Non-Discrimination Policing

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Non-Discriminatory Stops: LAPD officers may not use race, color, ethnicity, or national origin (to any extent or degree) in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group. When LAPD officers are seeking one or more specific persons who have been identified or described in part by their race, color, ethnicity, or national origin, they may rely in part on race, color, ethnicity, or national origin only in combination with other appropriate identifying factors and may not give race, color, ethnicity or national origin undue weight.</p>	<p>“Because substantial compliance was not achieved during the Consent Decree, biased policing is addressed in the Transition Agreement.”</p> <p>That said, on December 9, 2008, the Police Commission approved the IAG’s updates to its Biased Policing Investigative protocols.</p> <p>“The protocols, which took effect on January 1, 2009, require officers to articulate their complete reasons for conducting traffic and pedestrian stops. Under the IAG’s November 2007 protocols, racial profiling cases were not allowed to be approved for closeout unless the protocols were followed. Additionally, the IAG implemented the following strategies:</p> <ul style="list-style-type: none"> • Amended the Complaint Investigation Checklist to include fields that query whether the protocols were followed and whether the Racial Profiling Checklist was included. • Conducted four Internal Investigations courses that include a four-hour block of instruction on investigating racial profiling allegations. • Designated an auditor to coordinate review of racial profiling cases to ensure consistency and adherence to the protocols. This individual also compiles information in an ad hoc database to further evaluate racial profiling investigations. • Conducted occasional undercover surveillance to probe specific allegations of racial profiling.” <p>“Additionally, the City and Department have continued to move toward Department-wide implementation of cameras in cars (DICVS), which the Monitor has strongly endorsed and recommended as a best practice in monitoring potential bias in stops.” At the time of the Monitor’s Final Report here, phase 1 of the dashcam initiative had not even been completed.</p>	<p>LAPD Manual 1/345:</p> <ul style="list-style-type: none"> • “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.” See LAPD Manual 1/345. <p><i>Stop Data Reports have been published:</i></p> <p>OIG Review of Stops Conducted by the LAPD in 2019, which can be found here: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf</p> <p>In addition, the California Policy Lab conducted a review that can be found here: http://www.lapdpolicecom.lacity.org/102720/BPC_20-0164.pdf and here: http://www.lapdpolicecom.lacity.org/102720/BPC_20-0165.pdf</p> <p>The California State Racial Identity Profiling Act Report for 2020 can be found here: https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf</p>

Non-Discrimination Policing

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Documentation of Vehicle and Pedestrian Stops: The Department shall require LAPD officers to complete a report each time an officer conducts a motor vehicle or pedestrian stop. The report requires extensive information, including identifying information of the officer, perceived demographic information about the driver/pedestrian and passengers, circumstances around and justifying the stop, whether the driver was required to exit the vehicle, whether a pat-down/frisk was conducted, whether driver/pedestrian asked to submit to consensual search, whether a warrantless search was conducted and the basis for and results of such a search, and action taken.</p>	<p>“Because substantial compliance was not achieved during the Consent Decree, biased policing is addressed in the Transition Agreement.”</p> <p>Nonetheless, “[a]t the end of March 2009, in an effort to achieve compliance with the data collection requirements of the Consent Decree, the Department developed and implemented Citywide an automated reporting system at the Area level. This system incorporates the collection of stop data as approved by DOJ and provides for its storage in TEAMS II. This system was devised as a result of the Department’s inability to analyze and draw conclusions from the aggregate data and the significant expense of replacing the data collection devices, or PODDS.”</p> <p>“Additionally, the City and Department have continued to move toward Department-wide implementation of cameras in cars (DICVS), which the Monitor has strongly endorsed and recommended as a best practice in monitoring potential bias in stops.” At the time of the Monitor’s Final Report here, phase 1 of the dashcam initiative had not even been completed.</p>	<p>LAPD Manual 4/202.02;</p> <ul style="list-style-type: none"> “Sworn personnel assigned to any field, specialized, or investigative assignment (e.g., patrol, task force, detective, and plain clothes assignments) shall complete an Automated Field Data Report (AFDR), FORM 15.52.00, for every person detained or searched regardless of the initial reason for the encounter (e.g., traffic stop, radio call, observation, task force). All AFDR reports shall be completed by end of watch or, if exigent circumstances exist, as soon as practicable.” See LAPD Manual 4/202.02. <p><i>Stop Data Reports have been published:</i></p> <p>OIG Review of Stops Conducted by the LAPD in 2019, which can be found here: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf</p> <p>In addition, the California Policy Lab conducted a review that can be found here: http://www.lapdpolicecom.lacity.org/102720/BPC_20-0164.pdf and here: http://www.lapdpolicecom.lacity.org/102720/BPC_20-0165.pdf</p> <p>The California State Racial Identity Profiling Act Report for 2020 can be found here: https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf</p>

Management of Gang Units

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Each Gang Unit Managed and Controlled by the Area or Bureau Command Staff: Each LAPD unit that is primarily responsible for monitoring or reducing gang activity, including the Special Enforcement Units (collectively, “gang unit”) shall be managed and controlled by the Area or Bureau command staff where it is assigned. The Bureau gang coordinators and the citywide gang coordinator (the Detective Support Division Commanding Officer) coordinate the Bureau-wide and citywide activities of these units, provide training and technical assistance, and are involved in coordinating and providing information for the audits of these units.</p>	<p>Among the “requirements which were met during the initial term [were] Citywide and Bureau-wide gang unit coordination.”</p>	<p>Special Order #7 (2004); Gang Unit Management: Selection and Assignment to Gang Enforcement Details</p> <p>The following OIG reports have been issued on the Gang Unit:</p> <ul style="list-style-type: none"> Review of Gang Enforcement Detail Stops: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_7a94219ec43340a484805c8be17f8bfa.pdf Audit of Complaint Investigations Involving Gang and Narcotic Officers, https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_cf924f6fe1e7de2f42552f940ec182b3.pdf

Management of Gang Units

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Non-Supervisory Officer Eligibility Criteria: Eligibility criteria for selection of a non-supervisory officer in these units shall include that officers have completed probation, have acquired a minimum number of years as a police officer in the LAPD, and have demonstrated proficiency in a variety of law enforcement activities, interpersonal and administrative skills, cultural and community sensitivity, and a commitment to police integrity. Without the prior written approval of the Chief of Police, a non-supervisory officer shall not be reassigned to a unit until 13 LAPD Deployment Periods have elapsed since their previous assignment in these units. A positive evaluation of the officer based upon the officer's relevant and appropriate TEAMS II record is also required. Supervisors shall be required to document in writing their consideration of any sustained Complaint Form 1.28 investigation, adverse judicial finding, or discipline for use of excessive force, a false arrest or charge, an improper search and seizure, sexual harassment, discrimination, or dishonesty in determining whether an officer shall be selected for the unit.</p>	<p>"Special Order No. 27 in July 2003, which outlined the specific criteria required for the selection process. This policy provided the Department with specific guidelines that helped the Department achieve compliance with the requirements regarding minimum selection criteria for gang officers and supervisors."</p> <p>"During the extension period, the Department achieved substantial compliance with . . . the mandate that eligibility for selection into the gang unit include a position evaluation of the officer's TEAMS record and written consideration of sustained complaint, adverse judicial findings for the high risk areas. . . ."</p>	<p>LAPD Manual 3/763.75.</p> <ul style="list-style-type: none"> ◦ Prior to applying for a Gang Enforcement Detail (GED) or Community Law Enforcement and Recovery Program (CLEAR) position, officers shall have: Completed probation and have acquired three years as a police officer with the Department, two years [26 deployment periods (DPs)] of which must have been service performed in a geographic field (patrol), Transit Bus/Rail, and/or traffic assignment and Demonstrated a history and/or proficiency in a variety of law enforcement activities (i.e., interpersonal skills, administrative skills, cultural and community sensitivity, and a commitment to police integrity and professional conduct) as documented in an applicant's Standards Based Assessment-Lieutenant and Below, Form 01.87.00. See LAPD Manual 3/763.75.
<p>Supervisory Eligibility Criteria: Eligibility criteria for selection as a supervisor in these units shall include that supervisors have one year experience as a patrol supervisor, have been wheeled from their probationary Area of assignment, and have demonstrated outstanding leadership, supervisory, and administrative skills. In addition, without the prior written approval of the Chief of Police, an individual shall not be selected as a supervisor in these units until 13 LAPD Deployment Periods have elapsed since the individual's previous assignment in these units as an officer or supervisor.</p>	<p>"Special Order No. 27 in July 2003, which outlined the specific criteria required for the selection process. This policy provided the Department with specific guidelines that helped the Department achieve compliance with the requirements regarding minimum selection criteria for gang officers and supervisors."</p>	<p>LAPD Manual 3/763.75.</p> <ul style="list-style-type: none"> • "Prior to applying for a GED/CLEAR position, supervisors shall have: A minimum of one year as a patrol supervisor; Completed and transferred from a probationary Area of supervisory assignment; and, Demonstrated outstanding leadership, supervisory, and administrative skills, as documented in an applicant's Standards Based Assessment-Lieutenant and Below." See LAPD Manual 3/763.75
<p>Selection Process: The procedures for the selection of supervisors and non-supervisory officers in these units shall include a formal, written application process, oral interview(s), and the use of TEAMS II and annual performance evaluations to assist in evaluating the application.</p>	<p>"As of the end of the Consent Decree extension period, the Department has not yet achieved compliance with the selection requirements regarding prompt review of any transferred officer's TEAMS I record; and the implementation of a formal, written application process, oral interview(s) and the use of TEAMS II and annual performance evaluations to assist in evaluating the application."</p>	<p>LAPD Manual 3/763.75.</p> <ul style="list-style-type: none"> ◦ "In addition to participating in a formal documented oral interview, sworn personnel applying for assignment to a GED/CLEAR assignment shall submit the following: Transfer Applicant Data Sheet, Form 15.88.00; Standards Based Assessment-Lieutenant and Below a minimum of the last two most recent ratings (annual or transfer) due prior to the start of the selection process. The two most recent ratings reviewed to determine selection to a GED/CLEAR must cover a period over a year; GED Selection Checklist, New Selection/Loans, Form 12.16.00; and, Training, Evaluation and Management Systems (TEAMS) Evaluation report (Promotion/Paygrade Advancement and BOR)." See LAPD Manual 3/763.75

Management of Gang Units

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<p>Limited Tour Assignments: Supervisors and non-supervisory officers in these units shall have a limited tour assignment to these units, for a period not to exceed 39 LAPD Deployment Periods. An extension of such assignment for up to three LAPD Deployment Periods may be granted upon the written approval of the Bureau commanding officer. Any longer extension shall be permitted upon written approval of the Chief of Police.</p>	<p>“The Department did not achieve compliance with [the limited tour assignments] requirements during the original term or the extension period. The Monitor found that there were gang officers who exceeded their time limit of 39 DPs in these units and did not have either proper extensions or transfers as required. While the Department has struggled with some of these requirements, the Monitor has not identified any individual in recent years who was selected for a gang assignment but should not have been selected.”</p>	<p>LAPD Manual 3/763.78.</p> <ul style="list-style-type: none"> • “The Gang Enforcement Detail is a limited tour assignment. Officers and supervisors are limited to 39 deployment periods in a GED assignment. A GED officer shall not work in a GED assignment beyond the tour limit of 39 Deployment Periods until his/her extension request has been approved by the appropriate entity (i.e., the Bureau commanding officer or the Chief of Police, as determined by the duration of the extension requested) and placed in the officer’s interview/selection package. To facilitate this, original extension requests (as submitted via a TEAMS II Evaluation Report) and related attachments shall, upon approval, be returned directly to the originating Area. Approving entities shall forward informational copies of approved extensions to the Commanding Officer, Counter Terrorism and Special Operations Bureau. . . Additionally, officers and supervisors, at the end of their GED tours, are not eligible for another GED assignment, except with Chief of Police approval, until 13 deployment periods have elapsed since completion of their most recent GED assignment.” See LAPD Manual 3/763.78.
<p>Unit Requirements: Unit supervisors and non-supervisory officers shall continue to: (i) be subject to existing procedures for uniformed patrol officers regarding detention, transportation, arrest, processing and booking of arrestees and other persons; (ii) wear Class A or Class C uniforms (and may not wear clothing with unauthorized insignias identifying them as working at a particular unit); (iii) use marked police vehicles for all activities; (iv) check out and return all field equipment from the Area kit room on a daily basis; (v) attend scheduled patrol roll calls; (vi) base all unit activities out of the concerned Area station; and, (vii) not use off-site locations at night other than LAPD primary area stations for holding arrestees (including interviews) or interviewing witnesses; provided, however, that the foregoing does not apply to interviews at the scene of a crime, interviews in connection with a canvass of a scene, or when the witness requests to be interviewed at a different location. Any exceptions from these requirements shall require the approval of the appropriate managers, and shall be for a specified, limited period of time. Exceptions to the requirements set forth in subparagraphs (ii) and (iii) shall be in writing.</p>	<p>“During the last assessment of these [arrest, booking, and charging procedure] requirements, the Monitor reviewed and placed reliance on AD’s September 2008 ABC Reports Audit, in which AD found overall compliance with all requirements except post-incident review. Although the Monitor continued to have concerns regarding supervisory oversight of arrest procedures due to the Department’s continued non-compliance with the supervisory oversight objective, the Monitor commended the Department for achieving much higher compliance ratings over the years and concluded that the LAPD is in overall compliance with the arrest, booking and charging requirements in this final assessment.”</p> <p>“Regarding requirements for uniforms, vehicles, Area kit room, roll call, Area station-based activities and interview locations, the Department quickly achieved compliance with all of these requirements except for Area kit room procedures.” LAPD achieved substantial compliance with Area kit room procedures requirements “by June 2004.”</p>	<p>Unit Requirements: Selection and Assignment to Gang Enforcement Details</p>

Management of Gang Units

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<p>Unit Supervisor Responsibilities: A unit supervisor shall provide a daily field presence and maintain an active role in unit operations. Unit supervisors shall brief the Area watch commander regularly regarding the activities of their unit and shall coordinate unit activities with other Area supervisors.</p>	<p>“Prior to the extension, the Department did not achieve substantial compliance with the Consent Decree requirements regarding daily field presence, maintaining an active role, supervisors exercising proper control and oversight over planned tactical operations of the gang units, nor did they achieve compliance with these supervisory oversight requirements during the extension period. During the extension period, the Department continued to fall short of complying with supervisory oversight requirements based on reviews conducted under the new methodology.”</p> <p>“In 2007, the Monitor found that supervisory approval of daily logs was not present and supervisors’ daily field presence was either not properly documented and/or included inaccuracies between the available field time and what was reflected in the supervisors’ log narrative.”</p>	<p>See: Selection and Assignment to Gang Enforcement Details</p>
<p>Area Manager Responsibilities: Area managers shall be responsible for ensuring that supervisors exercise proper control over these units and for providing oversight over planned tactical operations.</p>	<p>“Although the Department had early struggles complying with requirements regarding the Citywide. . .coordination of activities, training, technical assistance and audits of gang units, it achieved compliance with these requirements prior to the end of the Consent Decree.”</p>	<p>See: Selection and Assignment to Gang Enforcement Details</p>
<p>Bureau Gang Coordinator Responsibilities: Each Bureau gang coordinator shall be responsible for monitoring and assessing the operation of all units in the Bureau that address gang activity. The coordinator shall personally inspect and audit at least one Area unit each month and shall submit copies of completed audits to the pertinent Bureau and Area, OHB Detective Support Division Command office, and the LAPD Audit Unit. The coordinator may use bureau staff to conduct such audits who themselves serve in a Bureau or Area gang-activity unit and are deployed in the field to monitor or reduce gang activity.</p>	<p>“Although the Department had early struggles complying with requirements regarding the. . .Bureau wide coordination of activities, training, technical assistance and audits of gang units, it achieved compliance with these requirements prior to the end of the Consent Decree.”</p>	<p>See: Selection and Assignment to Gang Enforcement Details</p>
<p>Effect of Sustained Complaint on Unit Member: During a supervisor’s or non-supervisory officer’s assignment tour in these units, a sustained complaint or adverse judicial finding for use of excessive force, a false arrest or charge, an unreasonable search or seizure, sexual harassment, discrimination, or dishonesty shall result in the officer’s supervisor reviewing the incident and making a written determination as to whether the subject officer should remain in the unit.</p>	<p>“By. . .2006, the Department had achieved substantial compliance with [the requirement of]. . .written consideration of any complaint or adverse judicial finding for use of excessive force, a false arrest or charge, an unreasonable search or seizure, sexual harassment, discrimination or dishonesty, during the gang officer’s assignment in the unit.”</p>	<p>LAPD Manual 3/763.77.</p> <ul style="list-style-type: none"> • “Sworn personnel assigned to a GED may be deselected if they commit an act or behavior that would have disqualified them from selection to GED. Deselection will be considered if it involves any of the sustained allegations or adverse judicial findings resulting in a determination of misconduct in the categories listed in Manual Section 3/763.77. The Letter of Transmittal for the involved complaint must include either a recommendation to deselect or justification for retention.” See LAPD Manual 3/763.77.

Confidential Informants

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Informant Operations: The LAPD has developed and shall continue to implement procedures for the handling of informants, including, among other things, prohibiting personnel in uniform assignments from maintaining or using informants, obtaining supervisory approval to use informant after completion of an informant control package, assigning each informant a Confidential Informant (CI) number, maintaining and limiting access to the CI's control package, routinely checking the Department-wide undesirable informant file prior to acting on informant information, documenting meetings and significant contacts and information received from CI and results of investigation, admonishing CI not to violate any laws in gathering information, and requiring supervisors to meet with each CI at least once prior to the CI control package being submitted to the commanding officer.</p>	<p>"[T]he Department achieved substantial compliance with the utilization and handling of informants during the extension period and over the course of the original term and the extension successfully put into place various policies and procedures that established best police practices for the utilization and handling of informants."</p>	<p>See: Confidential Informant Manual, January 1, 2020 LAPD Manual 4/733.10.</p> <ul style="list-style-type: none"> • "Department policy limits the use of informants to officers who are in investigative assignments. Consequently, uniformed officers are not allowed to use or maintain informants. A uniformed officer who comes in contact with a potential informant shall refer that person to the appropriate investigative entity. Officers shall refer to the current Informant Manual for direction." See LAPD Manual 4/733.10.
<p>Informant Database: The LAPD shall establish a permanent Department-wide confidential database or listing of all LAPD confidential informants, except those listed by the Anti-Terrorist Division and those used in conjunction with another agency, containing the following information: Confidential Informant number, name, aliases, and date of birth.</p>	<p>"[T]he Monitor determined that the Department achieved substantial compliance with requirements related to the CI database, since the database's information and the informant packages were now both inclusive and accurate."</p>	<p>See: Confidential Informant Manual, January 1, 2020 LAPD Manual 4/734.</p> <p>"The Confidential Informant Tracking System Database (CITSD) has been created to centralize and better manage information regarding Department informants." See LAPD Manual 4/734.</p>
<p>Informant Use Manual: The LAPD shall publish a confidential informant manual which further expands and defines the procedures for identifying and utilizing informants.</p>	<p>"By the end of 2008, the Monitor, AD and the OIG all concurred that the Department had achieved substantial compliance with all Consent Decree requirements relating to CI."</p> <p>Notably, "[t]he LAPD issued a revised Informant Manual in March 2008, which further outlines specific requirements regarding informants and helps to ensure adherence to these requirements, and also provides a best practices approach to the handling of informants that will carry the Department forward after the term of the Consent Decree extension expires."</p>	<p>See: Confidential Informant Manual, January 1, 2020</p>

Development of Program for Responding to Persons with Mental Illness

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Compile Information on Successful Programs: The Department shall: (a) conduct an in-depth evaluation of successful programs in other law enforcement agencies across the United States dealing with police contacts with persons who may be mentally ill, and (b) conduct an in-depth evaluation of LAPD training, policies, and procedures for dealing with persons who may be mentally ill, including detailed reviews of at least ten incidents since January 1, 1999 in which a person who appeared to be mentally ill was the subject of a Categorical Use of Force and at least 15 incidents since January 1, 1999 in which the LAPD mental health evaluation unit was contacted.</p>	<p>“The LAPD achieved success in reaching substantial compliance with all Consent Decree requirements during the initial term of the Decree. Specifically, the Department, through a contract with Lodestar Management Research, thoroughly researched best practices throughout the United States and responded to recommendations of the DOJ and the Monitor relative to proposals for new policies and procedures.”</p>	<p>See Information provided on the Mental Evaluation Unit at: http://www.lapdonline.org/detective_bureau/content_basic_view/51704#:~:text=For%20more%20than%20four%20decades%2C%20the%20Los%20Angeles,law%20enforcement-mental%20health%20co-response%20operations%20in%20the%20nation</p> <p>In addition, see Policy Regarding Contact with Persons Suffering Mental Illness: http://www.lapdpolicecom.lacity.org/120820/BPC__20-0189.pdf</p> <p>OIG Report on MEU: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_a47211aa1590469faae3e835b3702b37.pdf</p> <p>OIG Best Practices Report: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf</p>
<p>Report Recommendations to Commission: The LAPD, based upon its analysis, shall prepare a report for the Police Commission detailing the results of its analysis and recommending appropriate changes in policies, procedures, and training methods regarding police contact with persons who may be mentally ill with the goal of de-escalating the potential for violent encounters with mentally ill persons. The recommendation shall include a proposal on potential methods for tracking calls and incidents dealing with persons who may appear to be mentally ill. The Police Commission shall forward its reports and actions regarding any appropriate new or modifications to existing policies, practices, or training methods regarding police contact with persons who may be mentally ill to the City Council and Mayor.</p>	<p>“The LAPD submitted a RFP in July 2001 seeking a contractor to evaluate successful programs in other jurisdictions and study the procedures and training in place at the LAPD. In December 2001, the LAPD selected Lodestar Management Research (Lodestar) to prepare a report of its findings, which was to be forwarded to the Chief of Police who would then make recommendations to the Police Commission and then forward the report to the City Council and the Mayor.”</p>	<p>See Information provided on the Mental Evaluation Unit at: http://www.lapdonline.org/detective_bureau/content_basic_view/51704#:~:text=For%20more%20than%20four%20decades%2C%20the%20Los%20Angeles,law%20enforcement-mental%20health%20co-response%20operations%20in%20the%20nation</p> <p>In addition, see Policy Regarding Contact with Persons Suffering Mental Illness: http://www.lapdpolicecom.lacity.org/120820/BPC__20-0189.pdf</p> <p>OIG Report on MEU: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_a47211aa1590469faae3e835b3702b37.pdf</p> <p>OIG Best Practices Report: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf</p>

Development of Program for Responding to Persons with Mental Illness

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Audit of Incidents Involving Persons With Mental Illness: Within one year of the date of receipt by the Police Commission of the report, the Department shall complete an audit to evaluate LAPD handling of calls and incidents over the previous one year period involving persons who appear to be mentally ill. The audit and evaluation shall include any new policies, procedures, and training methods implemented pursuant to the Consent Decree and shall specify any additional modifications necessary in the Department's policies, procedures, or training to meet the objectives of the Consent Decree.</p>	<p>"The Department's Mental Illness Program implementation Plan was completed in November 2003. It addressed and reported on the status of all the Department's Mental Illness Project recommendations approved by the Police Commission in 2002 and the Mental Illness Program Audit required under Consent Decree paragraph 113."</p>	<p>See Information provided on the Mental Evaluation Unit at: http://www.lapdonline.org/detective_bureau/content_basic_view/51704#:~:text=For%20more%20than%20four%20decades%2C%20the%20Los%20Angeles,law%20enforcement-mental%20health%20co-response%20operations%20in%20the%20nation</p> <p>In addition, see Policy Regarding Contact with Persons Suffering Mental Illness: http://www.lapdpolicecom.lacity.org/120820/BPC__20-0189.pdf</p> <p>OIG Report on MEU: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_a47211aa1590469faae3e835b3702b37.pdf</p> <p>OIG Best Practices Report: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf</p>

Field Training Officer Program

2001 Action Item	2009 Final Independent Report	2020 Status
<p>FTO Eligibility: The Department shall continue to implement formal eligibility criteria for Field Training Officers ("FTO"). The criteria require, <i>inter alia</i>, demonstrated analytical skills, demonstrated interpersonal and communication skills, cultural and community sensitivity, diversity, and commitment to police integrity. The criteria shall be expanded to require a positive evaluation of the officer based upon the officer's TEAMS II record.</p>	<p>"During the extension, the Monitor found the Department in compliance with requirements regarding formal eligibility criteria for FTOs during the quarters ending December 31, 2006. . [and as] a result, the Department achieved substantial compliance with the requirements of [this paragraph]."</p>	<p>LAPD Manual 3/763.85.</p> <ul style="list-style-type: none"> "Prior to applying for a FTO position, officers must have: Met the eligibility requirements established in the Field Training Manual; and, Demonstrated analytical skills, cultural and community sensitivity, diversity and commitment to police integrity that meet or exceed standards." See LAPD Manual 3/763.85.
<p>Disqualification: Without limiting any other personnel authority available to the Department, FTOs may be removed during their tenure for acts or behaviors that would disqualify the officer from selection as an FTO.</p>	<p>"During the extension, the Monitor found the Department in compliance with requirements. . .regarding the FTO deselection [i.e., disqualification] during the quarters ending June 30, 2007, and June 30, 2008. . .[and as] a result, the Department achieved substantial compliance with the requirements of [this paragraph]."</p>	<p>LAPD Manual 3/763.90.</p> <ul style="list-style-type: none"> "FIELD TRAINING OFFICER DESELECTION. Sworn employees assigned as FTOs may be deselected for acts or behaviors that would have disqualified them from selection as an FTO. Deselection of an FTO must be consistent with the Department's downgrade and/or administrative transfer procedures (Department Manual Sections 3/762.35 and 3/763.55). Deselection will be considered if it involves a sustained allegation in the categories listed in Manual Section 3/763.85. The Letter of Transmittal for that complaint must include either a recommendation to deselect or justification for retention." See LAPD Manual 3.763.90.

Field Training Officer Program

2001 Action Item	2009 Final Independent Report	2020 Status
<p>FTO Training: The LAPD shall continue to implement a plan to ensure that FTOs receive adequate training, including training to be an instructor and training in LAPD policies and procedures, to enable them to carry out their duties. FTOs' annual personnel performance evaluations shall include their competency in successfully completing and implementing their FTO training. The LAPD shall provide regular and periodic re-training on these topics.</p>	<p>"During the extension, the Monitor found the Department in compliance with requirements. . .regarding the FTO training plan during the quarters ending September 30, 2007, March 31, 2008, and September 30, 2008. . .[and as] a result, the Department achieved substantial compliance with the requirements of [this paragraph]."</p>	<p>LAPD Manual 3/763.85 & 1/670.</p> <ul style="list-style-type: none"> ◦ "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. . .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." See LAPD Manual 3/763.85. ◦ "An officer's training continues after graduation through his assignment with training officers, roll call training, and supervision. It is the responsibility of all officers to teach those with whom they work the skills and knowledge necessary to perform the job at hand. Supervisory and commanding officers of all ranks have the responsibility not only to train subordinates to perform assigned tasks, but also to familiarize all subordinates with their supervisor's job as well, so that employees are prepared to assume additional responsibilities should the need arise." See LAPD Manual 1/670.

Training Content

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Required Training: The LAPD shall continue to provide all LAPD recruits, officers, supervisors, and managers with regular and periodic training on police integrity. Such training shall include and address, <i>inter alia</i>: (a) the duty to report misconduct and facts relevant to such misconduct; (b) what constitutes retaliation for reporting misconduct, the prohibition against retaliation for reporting misconduct, and the protections available to officers from retaliation; (c) cultural diversity, which shall include training on interactions with persons of different races, ethnicities, religious groups, sexual orientations, persons of the opposite sex, and persons with disabilities, and also community policing; (d) the role of accurately completing written reports in assuring police integrity and the proper completion of such reports; (e) Fourth Amendment and other constitutional requirements and the policy requirements governing police actions in conducting stops, searches, seizures, making arrests, and using force; and, (f) examples of ethical dilemmas faced by LAPD officers and, where practicable given the location, type, and duration of the training, interactive exercises for resolving ethical dilemmas shall be utilized.</p>	<p>“[P]rior to the extension, the Monitor found the Department in substantial compliance with all requirements in this section of the Decree [on Training Content] except for the requirements regarding training for civilian members of the BOR.”</p>	<p>LAPD Manual 3/763.85 & 1/670.</p> <ul style="list-style-type: none"> “The Department has an obligation to provide a professional standard of law enforcement service to the community. In fulfilling that responsibility, it is essential that Department personnel be properly trained. This is true not only at the entrance level where officers must receive basic training prior to their assumption of police responsibilities, but it is a continuous process throughout their careers. Training is provided to accommodate Department needs and to actualize the interest and concern which the Department has for the self-improvement and personal development of its employees.” See LAPD Manual 1/670. <p>In 2017, 9,188 were trained on implicit bias.</p> <p>2020 Course Training Statistics:</p> <p>MHIT (C208): 745</p> <p>Field Training Officer School (A205): 71</p> <p>Field Training Officer Update (A306): 153</p> <p>Supervisory Course (L308): 55</p> <p>Watch Commander Course (L309): 44</p> <p>Command and Control (T273): 3,667</p> <p>PSL 1 (L150): 96</p> <p>Training for civilian members of the BOR also occurs on a regular basis. See LAPD Board of Rights Manual. Upon appointment, the Civilian Hearing Examiners are given 8 hours of training by the City Attorney, Internal Affairs Group, Advocates Section, and Police Commission staff. Periodically, the Civilian Hearing Examiners are provided 4 additional hours of training.</p>
<p>Training for Board of Rights members: The Department shall train all members of the public scheduled to serve on the Board of Rights in police practices and procedures.</p>	<p>“With the Monitor’s participation, Police Commission staff developed lesson plans for civilian BOR training to meet the requirements regarding the training of Board members. . . [and as] a result, the Department achieved substantial compliance with the BOR-related training requirements during the extension.”</p>	<p>LAPD Board of Rights Manual.</p>
<p>Tuition Reimbursement: The City may establish a plan to annually provide tuition reimbursement for continuing education for a reasonable number of officers in subjects that will promote police integrity and professionalism. Such educational programs shall be attended while officers are off-duty.</p>	<p>“Although considered a permissive requirement, the Monitor found the LAPD in compliance with the requirement to establish a plan to annually provide tuition reimbursement for continuing education in subjects that promote police integrity and professionalism, as it established a tuition reimbursement program.”</p>	<p>Office of Support Services / Training Division Notice “College Tuition Reimbursement Program,” July 3, 2007.</p> <p>The Revolving Training Fund provides \$1.5 million per year in on-duty training reimbursement (city budgeted).</p>

Training Content

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Procedures for Suggesting Improvements to Training: The LAPD shall establish procedures for supervisors and officers of the LAPD to communicate to the LAPD Training Group any suggestions they may have for improving the standardized training provided to LAPD officers and to make written referrals to the appropriate LAPD official regarding suggestions about LAPD policies or tactics.</p>	<p>“As required by the Consent Decree, the Department implemented several procedures for communicating suggestions to the Training Group. The Department was receptive to suggestions and willing to develop training based on actual needs and, in fact, integrated seven suggestions into the training curriculum. In February 2002, the Continuing Education Division, along with the California Commission on Peace Officer Standards and Training, developed a revised Basic Supervisory School as a result of course evaluations and student interviews. The training that resulted required each Sergeant candidate to participate in two one-day ride-alongs with an experienced Sergeant.”</p>	<p>In 2019, Chief Moore had “Single Purpose Innovation Groups” meet on a variety of topics. The work of those groups led to dozens of training recommendations.</p> <p>See: Department Groups focused on opportunities to improve services.</p> <p>Police Training and Education (PTE) handles the Professional Advisory Committee (PAC).</p>

Supervisory Training

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Supervisory Training Generally: The LAPD shall provide all officers promoted to supervisory positions, up to and including the rank of Captain, with training to perform the duties and responsibilities of such positions. Training should be provided before they assume their new supervisory positions, except for those officers promoted to the rank of Captain, who shall have at least commenced their Command Development training before they assume their new positions.</p>	<p>“During the quarter ending December 31, 2003, the Monitor found the Department in compliance with this requirement [to provide supervisory training pre-supervisory duty assumption], as 96% of promoted members received requisite training prior to promotion. The Monitor then found the Department in non-compliance with the requirement during the quarter ending September 30, 2004, and in compliance [once again] during the quarter ending September 30, 2005.”</p>	<p>LAPD Manual 1/670.40.</p> <ul style="list-style-type: none"> “Once the selection process has resulted in promotion, the Department provides training to prepare newly appointed supervisors and commanding officers for their added responsibilities. Dependent upon the level of supervision or management involved, an attempt is made to familiarize individuals with problems which they may face and to assist them in developing suitable responses to those problems.” See LAPD Manual 1/670.40 <p>Probationary Sergeant Performance Checklist (Form 01.87.04) is required for all newly promoted Sergeants. This tracks training and performance across multiple categories. See: Checklist with various areas for probationary sergeants to complete.</p>
<p>Required Regular Training for Oversight Functions: The LAPD shall provide regular and periodic supervisory training on reviewing the reports addressed in the Consent Decree, incident control, and ethical decision-making.</p>	<p>“The Monitor found the Department in compliance with the requirement to provide regular and periodic supervisory training on reviewing the reports addressed in the Decree, incident control and ethical decision-making for the first time during the quarter ending September 30, 2003, as a sufficient number of supervisors had received the appropriate training on a regular and periodic basis. The Monitor found the LAPD remained in compliance with this requirement during subsequent assessments conducted during the remainder of the initial term of the Decree.”</p>	<p>Standardized Quarterly Supervisor Training Program is currently in place.</p> <p>See <i>generally</i> LAPD Manual 1/670.</p>

Supervisory Training

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Training in Conducting Administrative Investigations: The LAPD shall ensure that any supervisor who performs, or is expected to perform, administrative investigations, including chain of command investigations of uses of force and complaints, receives training on conducting such investigations.</p>	<p>“The Monitor found the Department in compliance with investigatory training requirements for supervisors for the first time during the quarters ending June 30, 2004, and then again during the quarter ending September 30, 2005. In both instances, the Monitor found that a sufficient number of supervisors received the appropriate training.”</p>	<p>Human Resources Bureau Notice, “Attendance at Basic Supervisor School, Watch Commander School and Command Development Program-Revised,” approved by the Police Commission July 10, 2001; Human Resources Bureau Notice, “Department Course Content Revisions,” approved by the Police Commission July 24, 2001; Human Resources Bureau Notice, “Administrative Investigation Training Requirements-Revised” approved by the Police Commission September 18, 2001.</p> <p>The content of Basic Supervisor School, Watch Commander School, and Command Development are continually being reviewed and refreshed.</p>

Integrity Audits

2001 Action Item	2009 Final Independent Report	2020 Status
<p>The Annual Audit Plan: Prior to the beginning of each fiscal year, the Chief of Police shall submit to the Police Commission, with a copy to the Inspector General, a listing of all scheduled audits of the LAPD to be conducted by the LAPD in the upcoming fiscal year, other than sting audits (the “Annual Audit Plan”). The Annual Audit Plan shall include all specified audits required to be conducted by the LAPD, and any other audits required by the Consent Decree. The Police Commission shall review this Annual Audit Plan, and, following consultation with the Chief of Police, shall make appropriate modifications and approve it. The Chief of Police shall report to the Commission quarterly, with a copy to the Inspector General, on the status of audits listed in the Annual Audit Plan, including any significant results of such audits conducted by the LAPD. The Department shall create and continue to have an audit unit within the office of the Chief of Police (the “Audit Unit”) with centralized responsibility for developing the Annual Audit Plan, coordinating and scheduling audits contemplated by the Annual Audit Plan and ensuring timely completion of audits, and conducting audits as directed by the Chief of Police. Each audit conducted by the Department shall be documented in a report that provides the audit’s methodology, data sources, analysis of the data, and conclusions.</p>	<p>“After the inception of the Consent Decree, the Department formally established an audit unit (AD) on July 6, 2001.”</p> <p>By 2008, the audit unit (AD) “met [certain] other requirements, including preparing annual audit plans and quarterly status reports for the Chief to provide to the Police Commission.”</p>	<p>An Audit Plan is presented annually to the Board of Police Commissioners, which modifies and/or approves the plan each year. See, e.g., http://lapd-assets.lapdonline.org/assets/pdf/audit-div.pdf</p>

Audits by the LAPD

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Reporting of Sting Audits: Sting audits shall not be reported in the Quarterly Audit Report. Rather, the results of all sting audits shall be reported to the Police Commission and the Inspector General by the Chief of Police within two weeks of the Chief's receipt of each sting audit report.</p>	<p>"In general, the Monitor and OIG were in agreement on the overall implementation, execution and scope of the EES audits [and their compliance]."</p> <p>"At the onset of the Consent Decree, the LAPD established what is now commonly known as the [Ethics Enforcement Section or] EES. Within the LAPD's organizational structure, this unit reports directly to the Deputy Chief of the LAPD's PSB. The EES was tasked with conducting both random and targeted 'sting audits.' Random audits assess officer conduct without any specific officer in mind whereas targeted [sting] audits are directed at officers identified through analysis, research or referrals considered potentially at risk."</p>	<p>As noted by the Office of the Inspector General in its audit of the Ethics Enforcement Section (EES):</p> <p>The use of ethics enforcement tests, formerly known as "sting audits," was one of the reforms implemented through the 2001 Federal Consent Decree. The consent decree required the Department to develop and initiate a plan for conducting "regular, targeted, and random integrity audit checks [. . .] to identify and investigate officers engaging in at-risk behavior," as well as to identify and investigate officers "who discourage the filing of a complaint or fail to report misconduct or complaints."</p> <p>The EES is a component of Special Operations Division (SOD). As stated in its quarterly reports: The mission of EES is to safeguard the integrity of law enforcement operations within LAPD. In accordance with this mission, EES works closely with Internal Affairs Group and other Department managers to identify at-risk personnel and behaviors. Once identified, EES develops proactive strategies to test and curtail these behaviors.</p> <p>EES objectives fall into three primary categories:</p> <ul style="list-style-type: none"> ◦ To develop tests that assess an employee's conduct when they are "placed into a situation with the potential for at-risk behavior;" ◦ To serve as a resource for Department personnel who are attempting to identify or investigate an employee involved in potential at-risk behavior; and, ◦ To "create a sense of omnipresence" throughout the organization to ensure that incidents are handled ethically and legally and in compliance with Department policy. <p>The OIG report can be found here: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_f3bb73360db14f7ea091e4ae0c8c159c.pdf</p> <p>See also a report from 2013: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_f9ae9ee387f24c4b8ed4d14d3fd142ea.pdf</p>

Audits by the LAPD

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Periodic Audits of Stratified Random Samples of Police Conduct: LAPD shall conduct regular, periodic audits of stratified random samples of (1) warrant applications and affidavits used to support warrant applications; (2) arrest, booking, and charging reports; (3) use of force reports; (4) all motor vehicle stops and pedestrian stops that are required to be documented in the manner specified in the Consent Decree; and, (5) confidential informant control packages. The review of these documents shall entail, at a minimum, a review for completeness of the information contained therein and an authenticity review to include an examination for “canned” language, inconsistent information, lack of articulation of the legal basis for the applicable action, or other indicia that the information in the document is not authentic or correct. The review shall also assess the information in the documents to determine whether the underlying action was appropriate, legal, and in conformance with LAPD procedures. To the extent possible from a review of such samples, the audit shall also evaluate the supervisory oversight of the applicable incident and any post-incident review.</p>	<p>“In general, the Monitor and OIG were in agreement on the overall implementation, execution and scope of the EES audits [and their compliance].”</p> <p>“At the onset of the Consent Decree, the LAPD established what is now commonly known as the [Ethics Enforcement Section or] EES. Within the LAPD’s organizational structure, this unit reports directly to the Deputy Chief of the LAPD’s PSB. The EES was tasked with conducting both random and targeted ‘sting audits.’ Random audits assess officer conduct without any specific officer in mind whereas targeted [sting] audits are directed at officers identified through analysis, research or referrals considered potentially at risk.”</p>	<p>As noted by the Office of the Inspector General in its audit of the Ethics Enforcement Section (EES):</p> <p>The use of ethics enforcement tests, formerly known as “sting audits,” was one of the reforms implemented through the 2001 Federal Consent Decree. The consent decree required the Department to develop and initiate a plan for conducting “regular, targeted, and random integrity audit checks [. . .] to identify and investigate officers engaging in at-risk behavior,” as well as to identify and investigate officers “who discourage the filing of a complaint or fail to report misconduct or complaints.”</p> <p>The EES is a component of Special Operations Division (SOD). As stated in its quarterly reports: The mission of EES is to safeguard the integrity of law enforcement operations within LAPD. In accordance with this mission, EES works closely with Internal Affairs Group and other Department managers to identify at-risk personnel and behaviors. Once identified, EES develops proactive strategies to test and curtail these behaviors.</p> <p>EES objectives fall into three primary categories:</p> <ul style="list-style-type: none"> • To develop tests that assess an employee’s conduct when they are “placed into a situation with the potential for at-risk behavior;” • To serve as a resource for Department personnel who are attempting to identify or investigate an employee involved in potential at-risk behavior; and, • To “create a sense of omnipresence” throughout the organization to ensure that incidents are handled ethically and legally and in compliance with Department policy. <p>The OIG report can be found here: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_f3bb73360db14f7ea091e4ae0c8c159c.pdf</p> <p>See also a report from 2013: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_f9ae9ee387f24c4b8ed4d14d3fd142ea.pdf</p>

Audits by the LAPD

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Periodic Audits of Use of Force and Administrative Investigations: The LAPD shall conduct regular, periodic audits of random samples of: (i) all Categorical Use of Force investigations; (ii) all Non-Categorical Use of Force investigations; and, (iii) all Complaint Form 1.28 investigations. These audits shall assess: (a) the timeliness of completing the investigations; (b) the completeness of the investigation file, including whether the file contains all appropriate evidence and documentation, or, if evidence is missing, an explanation of why the evidence is missing; (c) a comparison of the officer, complainant, and witness statements with the investigator's summaries thereof, where applicable; (d) the adequacy of the investigation, including the application of the applicable standards; and, (e) the appropriateness of IAG's determinations.</p>	<p>"[B]y June 2008, the Monitor concluded that . . . [t]o date, but for subparagraph 131a [on periodic audits of Gang Units' work product], AD has achieved substantial compliance with each of the Consent Decree paragraphs that require AD to conduct an audit."</p> <p>More specifically, "[t]here were five audits that the Monitor concluded were substantially compliant by June 2006: the ABC Reports Audit, NCUOF Reports Audit, CUOF Systems Audit, Complaint Form 1.28 Systems Audit and GED Selection Criteria Audit."</p> <p>By 2009, the Monitor found the following audits in substantial compliance: the Warrant Applications and Supporting Affidavits Audit, Confidential Informant Control Package Audit, CUOF Investigations Audit, and Complaint Form 1.29 Investigations Audit.</p> <p>By 2009, the Monitor still made no final determination of compliance as to the Motor Vehicle and Pedestrian Stops Audit and the GED Work Product Assessment Summaries Audit.</p>	<p>The Department periodically conducts audits of these topics. A few links to audits recently completed:</p> <p>Categorical Use of Force Investigations: http://www.lapdpolicecom.lacity.org/050217/BPC__17-0161.pdf</p> <p>Non-Categorical Use of Force Investigations: http://www.lapdpolicecom.lacity.org/030519/BPC__19-0071.pdf</p> <p>Complaint Form 1.28 Investigations: http://www.lapdpolicecom.lacity.org/091118/BPC__18-0296.pdf</p>
<p>Annual Report to the Commission: The LAPD shall annually report to the Commission, with a copy to the Inspector General, the type of complaint allegations it receives and the disposition (including sustained rate) and discipline or lack of discipline resulting from each type of allegation. This report shall include both the allegations received and any collateral misconduct discovered during the investigation. This report shall list the above information for each type of allegation as well as summarize aggregate information by geographic division (department, bureau, area, and district), officer rank, and type of assignment.</p>	<p>Not addressed.</p>	<p>The Department presents an annual report to the Board of Police Commissioners. The 2019 audit can be found here: http://www.lapdpolicecom.lacity.org/102020/BPC__20-0139.pdf.</p> <p>In addition, the Department has published all use of force information since 2016, with the Use of Force Year End Report: Use of Force Data Reports.</p>

Audits by the LAPD

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Periodic Audits of the Work Product of Gang Units: The LAPD shall conduct regular periodic audits of the work product of all LAPD gang units. These audits shall be conducted by OHB Detective Support Division. Each such audit shall include: (a) auditing a random sample of the work of the unit as a whole and further auditing the work of any individual officers whose work product the auditor has observed contains indicia of untruthfulness, other forms of misconduct, or otherwise merits further review; (b) assessing compliance with the selection criteria for the units; (c) an audit of a random sampling of police conduct, as discussed above; (d) auditing the use of confidential informants by such units to assess compliance with policies governing CIs; (e) auditing the roles and conduct of supervisors of these units; (f) reviewing the incidents requiring supervisory review, assessing the supervisor's response, and examining the relationships of particular officers working together or under particular supervisors in such incidents to determine whether additional investigation is needed to identify at-risk practices; and, (g) drawing conclusions regarding the adherence of the unit to the law, LAPD policies and procedures, and the Consent Decree and shall recommend a course of action to correct any deficiencies found.</p>	<p>"[B]y June 2008, the Monitor concluded that . . . [t]o date, but for subparagraph 131a [on periodic audits of Gang Units' work product], AD has achieved substantial compliance with each of the Consent Decree paragraphs that require AD to conduct an audit."</p>	<p>Periodic Audits of the Work Product of Gang Units: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_7a94219ec43340a484805c8be17f8bfa.pdf</p>
<p>Audit of Random Samples of Financial Disclosures: The LAPD shall require regular and periodic financial disclosures by all LAPD officers and other LAPD employees who routinely handle valuable contraband or cash. The LAPD shall periodically audit a random sample of such disclosures to ensure their accuracy. When necessary, the LAPD shall require the necessary waivers from such officers.</p>	<p>"[T]he Financial Disclosure Audit was not completed and financial disclosure is subject to the Transition Agreement."</p>	<p>LAPD Manual 3/381.</p> <ul style="list-style-type: none"> • "Sworn employees at the rank of lieutenant or below shall submit a completed Confidential Financial Disclosure Face Sheet, Form 01.74.00, and a Confidential Financial Disclosure Report, Form 01.74.01, to the Financial Disclosure Coordinator (FDC), Audit Division, within ten calendar days of being selected and prior to assignment to or for the retention of an existing position within any assignment or loan to: Gang Impact Team (GIT); Gang Enforcement Detail (GED); Narcotic Enforcement Detail (NED) positions; Community Law Enforcement and Recovery (CLEAR) Unit; or, Gang and Narcotics Division (GND). Any sworn personnel whose primary duty involves contact with or investigation of gang and/or narcotics." See LAPD Manual 3/381.
<p>Audit of Training: The Department shall audit police officer and supervisory officer training, using independent consultants who have substantial experience in the area of police training. The audit shall assess: ways in which LAPD training could be improved (i) to reduce incidents of excessive use of force, false arrests, and illegal searches and seizures, and (ii) by making greater use of community-oriented policing training models.</p>	<p>"The Department hired RAND as the independent consultant to complete the training audit. After evaluating RAND's review, the Monitor concluded that RAND's report was not specific enough to the LAPD, despite comments from both the Monitor and the LAPD. However, subsequent to this, the Monitor worked with the LAPD to define the training requirements and found the LAPD in compliance with Consent Decree requirements in December 2004."</p>	<p>RAND Audit of Training Link: http://lapd-assets.lapdonline.org/assets/pdf/boi_rand_03_03_31.pdf</p>

Audits by the LAPD

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Audit of Uses of Force Resulting in Skeletal Fractures: The Department shall complete a review and audit of all uses of force resulting in skeletal fractures known to the LAPD. The audit shall recommend potential reforms to Department policies and procedures with the goal of minimizing and promptly treating such fractures, including the feasibility and desirability of including uses of force resulting in fractures within the definition of a Categorical Use of Force, as appropriate.</p>	<p>“In September 2005, the Monitor concluded that the intent of this paragraph [in the Consent Decree] was to determine whether sufficient scrutiny was provided by the Department of uses of force involving skeletal fractures. The Monitor concluded that with the introduction of Special Order No. 13 [on <i>Non-Categorical UOF Reporting – Revised</i>] and the higher level of scrutiny it requires, the intent of this paragraph was met.”</p>	<p>In addition, the Department has published all use of force information since 2016, with the Use of Force Year End Report: Use of Force Data Reports, which provides information on all types of uses of force.</p> <p>Link for 2019 Report: http://lapd-assets.lapdonline.org/assets/pdf/2019_uof_review.pdf</p>

Inspector General Audits

2001 Action Item	2009 Final Independent Report	2020 Status
<p>IG Review of Audits: The Inspector General shall be provided with copies of all reports of specified audits prepared by the LAPD within one week of the completion thereof and with copies of all sting audits. The IG shall evaluate all such audits to assess their quality, completeness, and findings. Upon request from the IG, the LAPD shall forward any other LAPD audit report requested to the IG within one week of such request, and the IG, at his/her discretion or upon direction from the Commission, may evaluate these audits. The IG shall deliver its evaluations in writing to the Police Commission.</p>	<p>“The OIG achieved compliance with both the timeliness and quality criteria of its requirement to review the Department’s audits in September 2005.”</p> <p>“By June 2006, the Monitor concluded that the OIG had developed a professional audit team that included police performance auditors and special investigators with the expertise to ensure that the OIG meets its mandate.”</p>	<p>Since the completion of the Consent Decree, and with the concurrence of the Board of Police Commissioners, the OIG has focused on conducting original audits and reviews rather than on evaluating the Department’s audits. Many of the OIG’s audits and reviews can be found here: https://www.oig.lacity.org/significant-reports</p>
<p>IG Review of Categorical Use of Force Investigations: The Inspector General shall continue to review all Categorical Use of Force investigations. The IG also shall conduct a regular, periodic audit and review of a stratified random sample of: (i) all Non-Categorical Uses of Force, and (ii) Complaint Form 1.28 investigations. Both of these types of reviews shall assess the quality, completeness, and findings of the investigations and shall include determinations of whether the investigations were completed in a timely manner, summarized and transcribed statements accurately match the recorded statements, all available evidence was collected and analyzed, and the investigation was properly adjudicated. The IG shall promptly report its findings from these reviews in writing to the Commission.</p>	<p>“[T]he OIG completed its first compliant review of complaint investigations in March 2006.” “Since that time, the Monitor concurred with most of the OIG’s findings and concluded that the OIG continued to submit quality reviews of CUOF incidents, NCUOF incidents and complaints. . . .”</p>	<p>The OIG conducts detailed reviews of every Categorical Use of Force investigation and reports its findings to the Police Commission. The OIG also periodically conducts audits and reviews of Non-Categorical Use of Force investigations, as well as Complaint Form 1.28 investigations.</p> <p>For example, see the following audits and reviews: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_ca056c07c33f4241bba01c2778d10b4b.pdf https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_8e9d766068c54b3cb7bca568f9ae54f6.pdf</p>
<p>TEAMS II Audit: On a regular basis, the Inspector General shall audit the quality and timeliness of the LAPD’s use of TEAMS II to perform its required tasks.</p>	<p>“The OIG submitted its TEAMS II Phase I audit in November 2007, its Phase II audit in June 2008 and another Phase I audit in October 2008. The Monitor concluded that each of these audits were compliant, and the Monitor provided input to the OIG regarding areas in which the OIG could improve its reviews.”</p>	<p>For example, see the following audit: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_5f7b5a0861414ed0b5b28563191f63cc.pdf</p>

Inspector General Audits

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Use of TEAMS II to Conduct Audits: The Inspector General shall periodically use TEAMS II to conduct audits of the LAPD and to review LAPD unit-specific and officer-specific audits conducted by the LAPD. Such audits and reviews shall include procedures that: (a) examine and identify officers demonstrating at-risk behavior as determined by their history of (i) administrative investigations, (ii) misconduct complaints, (iii) discipline, (iv) uses of lethal and non-lethal force, (v) criminal or civil charges or lawsuits, (vi) searches and seizures, (vii) racial bias, (viii) improper arrests or, (ix) any other matter requested by the Police Commission or, subject to Charter section 573, any other improper conduct or at-risk behavior the IG has reason to believe exists, and (b) examine and identify at-risk practices or procedures as determined by trends within a unit or between and among units using the same criteria.</p>	<p>“The Monitor withheld a determination of compliance with requirements for the OIG to use TEAMS II to conduct and review audits in September 2008.”</p> <p>“In December 2008, the Monitor found the OIG in compliance with the requirement to examine and identify officers with at-risk behavior, but withheld a determination of compliance with the requirement to examine and identify trends.” “Going forward, the OIG and Department will need to implement this strategy and the DOJ will need to confirm that the OIG has conducted sufficient review of at-risk practices or trends within units or between units. The Monitor is of the opinion that if the OIG implements this strategy, it will meet these requirements.”</p>	<p>The OIG regularly conducts audits and other reviews focused on at-risk behaviors and trends across the Department. These audits and reviews include, but are not limited to, the topics of use of force, complaints of misconduct, litigation, searches and seizures, and other matters requested by the Police Commission. The OIG’s work in these areas frequently involves using TEAMS II in a variety of ways to gather and analyze relevant information.</p>

Inspector General Audits

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Tracking Retaliation Complaints & Developing Investigation Protocols: The Inspector General may receive complaints from LAPD employees alleging retaliation for reporting possible misconduct or at-risk behavior. The IG shall record and track the allegations in such complaints. If the IG determines that such complaints indicate possible retaliation in the Department's handling of complaints, the IG shall conduct an investigation and forward its findings to the Commission. The Commission shall work with the IG to develop and implement retaliation complaint investigation protocols that will protect, to the maximum extent permitted by law, the confidentiality of the identity of the person reporting retaliation to the IG.</p>	<p>Not addressed.</p>	<p>See LAPD Manual 1/273: 273. PROTECTION FROM RETALIATION FOR PROVIDING INFORMATION TO THE INSPECTOR GENERAL. It is the policy of the Department that employees are free to contact the Inspector General or respond to queries from the Inspector General without having to fear that their employment might be adversely affected. An employee's contact with the Inspector General may play no role in any future employment action towards the individual by the Department. Retaliation by adverse employment action or harassment against employees who provide information to the Inspector General is an intolerable violation of Department policy and undermines the effectiveness of oversight efforts of the Inspector General by threatening the continued flow of information. However, the protections of this section shall not apply when the contact was made or the information was disclosed with knowledge that it was false or with willful disregard for its truth or falsity. The Board, the Inspector General, and all Department supervisors shall be vigilant in protecting from reprisal or threat of reprisal any individual who discloses any information to the Inspector General.</p> <p>In the event the Inspector General concludes that there is reason to believe retaliation against an individual has occurred, the Inspector General shall:</p> <ul style="list-style-type: none"> ◦ Conduct an investigation and forward the findings to the Police Commission upon completion; and, ◦ Promptly forward a personnel complaint (except a complaint of misconduct regarding the Chief of Police) to the Commanding Officer, Internal Affairs Group or promptly request the Board to make a determination on whether a notice to the Internal Affairs Group should be delayed. <p>See: Organization and Functions of the LAPD.</p>

Operations of the Police Commission & the Inspector General

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Commission and IG Review of Categorical Uses of Force: The Commission and Inspector General shall continue to review and evaluate all Categorical Uses of Force. The Commission shall determine whether the officer's conduct conforms with LAPD policies, procedures, and the requirements of this Agreement, and so inform the Chief of Police. The Commission shall annually issue a publicly available report detailing its findings regarding these incidents.</p>	<p>"During most reviews conducted during the Decree, the Commission's Annual CUOF Report was found to address most Consent Decree requirements with regards to the publication of the report; however, there were delays in the publications of the 2002 and 2003 Annual Reports due to staffing problems of the OIG. Although these reports were of a quality nature once published, the delays resulted in a determination of non-compliance. As a result the Monitor continued to audit this requirement during the extension. The Monitor found that subsequent Annual Reports were in compliance with requirements regarding timing and content. As a result, the Monitor concluded that the Department was in substantial compliance with Decree requirements by the quarter ending March 31, 2008."</p>	<p>The Commission and Inspector General continue to review and evaluate all Categorical Uses of Force.</p> <p>The Commission determines whether an officer's conduct conforms with LAPD policies, procedures, and the requirements of this Agreement, and so informs the Chief of Police.</p> <p>The Commission issues a publicly available report detailing its findings regarding these incidents shortly after its decision. Those reports can be found at: summaries of its Categorical Use of Force decisions.</p> <p><i>See also:</i> LAPD Manual 3/792.10:</p> <ul style="list-style-type: none"> • "PROCEDURE. Categorical Use of Force Adjudication Findings. Tactics, drawing and exhibiting a firearm, and use of force shall be evaluated during the CUOF adjudication process. The Use of Force Review Board (UOFRB) shall convene and evaluate the CUOF incident. The Use of Force Review Board shall make recommendations to the COP. The Chief of Police shall evaluate the CUOF incident and report his/her recommendations to the Board of Police Commissioners (BOPC). The Board of Police Commissioners will evaluate the CUOF incident and make findings consistent with [section 1/792.10 of the LAPD Manual]." See LAPD Manual 1/792.10. • "Tactics, drawing and exhibiting a firearm, and use of force shall be evaluated during the CUOF adjudication process. The Use of Force Review Board (UOFRB) shall convene and evaluate the CUOF incident. The Use of Force Review Board shall make recommendations to the COP. The Chief of Police shall evaluate the CUOF incident and report his/her recommendations to the Board of Police Commissioners (BOPC)." See LAPD Manual 3/381.

Operations of the Police Commission & the Inspector General

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Commission Review of Audits: The Commission shall review the specified audit reports, the sting audit reports, and the audits required by the Consent Decree to determine whether any changes or modifications in LAPD policies are necessary. The Commission shall consider the results of such audits in its annual evaluation of the Chief of Police. The Commission shall exercise its authority to review and approve all new LAPD policies and procedures or changes to existing LAPD policies and procedures that are made to address the requirements of the Consent Decree. Review and approval of procedures, or changes to existing procedures by the Chief of Police affecting only procedure (and not policy), may be obtained on a ratification basis by placement of such item on the Commission agenda within 14 days of the date of the action by the Chief, and the Commission must approve, disapprove, or require modification of such item within 14 days of receipt. All new policies, or changes to existing policies, must be reviewed and approved by the Commission prior to implementation.</p>	<p>“[I]n July 2008 the Monitor concluded that the Police Commission was effectively performing its oversight role relating to the recommendations from the audits and the Department was in substantial compliance with these requirements. . . .”</p> <p>“[I]n June 2006, the Monitor concluded the Commission was in substantial compliance with this requirement as to Commission review and approval of new/changed policies and procedures.”</p>	<p>The Commission approves all audit plans and reviews all audits. The Commission continues to set policy for the department.</p> <p>For example, in 2020, the Police Commission passed:</p> <ul style="list-style-type: none"> ◦ A new Use of Force policy, which can be found here: UOF policy; ◦ New In-Custody Death Adjudication Protocols; and, ◦ Banned the use of the Carotid Restraint Control Hold (which was subsequently banned throughout the State of California).
<p>Annual Review of Chief of Police: Under the Charter, the Commission is required to conduct an annual review of the Chief of Police. Such a review is intended to be an overall assessment of the Police Chief’s performance as the chief administrative officer of the LAPD, including as it relates to satisfaction of universal performance goals applicable to chief administrative officers, budgeting goals, and other goals determined by the Commission. In conducting such review, the Commission shall also consider the Police Chief’s responses to use of force incidents and complaints of officer misconduct, assessment and imposition of discipline, management of gang units, and results of audits.</p>	<p>“[T]he Monitor concluded that the Department achieved substantial compliance with these requirements [requiring an annual review of the Chief of Police] prior to the extension of the Decree. . . .”</p> <p>“[I]n June 2006, the Monitor concluded the Commission was in substantial compliance with this requirement [of consideration of audit results in evaluation of the Chief of Police]. . . .”</p>	<p>Pursuant to the Los Angeles City Charter, Section 571(b)(2), the Board of Police Commissioners is to:</p> <p>(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.</p> <p>The Police Commission conducts an annual review of the Chief of Police.</p>
<p>Misconduct Complaints Against the Chief of Police: The Commission shall investigate all misconduct complaints against the Chief of Police and may use its staff, the Inspector General, or authorized contractors to conduct such investigations.</p>	<p>“At the end of the initial term of the Consent Decree, the Monitor found the Department in substantial compliance with these requirements [regarding the Commission’s investigation of misconduct complaints against the Chief of Police].”</p>	<p>The Commission investigates all misconduct complaints against the Chief of Police and uses the Inspector General to conduct such investigations.</p>

Operations of the Police Commission & the Inspector General

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Budget Approval: The Commission shall continue to review and approve the LAPD's budget requests.</p>	<p>"The Monitor found during 2002, 2003, 2004 and 2005 that the Police Commission reviewed and approved LAPD budget requests before submission to the City. Each year, the Monitor noted the requested amount, the size of the increase from the prior year and date the approved budget request was forwarded to the City. As a result, the Monitor concluded that the Department achieved substantial compliance with this requirement prior to the extension of the Decree, and the Monitor did not actively assess compliance during the extension period."</p>	<p>City Charter Sections 511 & 574.</p> <p>Pursuant to City Charter Section 547 each year the Chief of Police:</p> <p>(e) recommend(s) to the Board of Police Commissioners prior to the beginning of each fiscal year an annual departmental budget covering the anticipated revenues and expenditures of the department, except the anticipated revenues and expenditures under the control of the Executive Director, and conforming so far as practicable to the forms and dates provided in the Charter for the general City budget.</p> <p>The Commission reviews and approves the LAPD's budget requests, but all budgets are approved by the Los Angeles City Council.</p>
<p>IG Notification of Categorical Uses of Force: The Inspector General shall be notified in a timely manner of all Categorical Uses of Force and be entitled to be present as an observer on all Categorical Use of Force "roll outs." The IG shall report to the Commission in the event that the IG's observations at the scene of an incident raise issues regarding conformance with LAPD policies and procedures.</p>	<p>Not addressed.</p>	<p>The Inspector General is notified in a timely manner of all Categorical Uses of Force and is present as an observer at all Categorical Use of Force "roll outs." The IG reports to the Commission in the event that the IG's observations at the scene of an incident raise issues regarding conformance with LAPD policies and procedures.</p>
<p>IG Discretion to Attend Use of Force Review Board Meetings: The Inspector General may attend any Use of Force Review Board meeting. The Inspector General may interview any participant in such hearing after the conclusion of the hearing.</p>	<p>Not addressed.</p>	<p>2/092.5 USE OF FORCE REVIEW BOARD – RESPONSIBILITIES provides that:</p> <p>Office of the Inspector General. A representative from the Office of the Inspector General may attend any Use of Force Review Board hearing and interview any hearing participant. The Office of the Inspector General does, in fact, attend Use of Force Review Board meetings.</p>
<p>LAPD Responsiveness to IG Requests: The LAPD shall promptly provide the Inspector General with any documents or other information requested by the IG. The IG shall develop and provide the LAPD with a list of reports, complete with time frames and frequency of their production, that the LAPD shall provide to the IG on a specified schedule in order for the IG to fulfill its responsibilities.</p>	<p>Not addressed.</p>	<p>LAPD Manual 3/895:</p> <p>When the Inspector General or any member of the Office of the Inspector General contacts a Department employee requesting access to a Department document(s), the employee shall: Comply with any and all requests for access to the document(s); Document any record(s) inspected by or provided to the Inspector General according to standard procedure for the requested record(s), such as a notation in a chronological log or entry on a Sign-Out Card, Form 15.31.00; and, Notify a supervisor as soon as practicable.</p>

Operations of the Police Commission & the Inspector General

2001 Action Item	2009 Final Independent Report	2020 Status
<p>IG Confidentiality: The Inspector General shall accept complaints from LAPD officers regarding matters which the IG has authority to investigate, and the IG shall not disclose the identity of an individual without the consent of the employee from whom a complaint or information has been received, unless such disclosure is unavoidable in order to effectively investigate an allegation or is otherwise required by law or the Los Angeles Office of the City Attorney; provided, however, that the IG shall disclose the identity of such individual to the Commission, upon request.</p>	Not addressed.	See: Organization and Functions of the LAPD.
<p>Complaint Intake Information: The LAPD shall continue to provide the Inspector General with all complaint intake information, including the assignment for investigation, within one week after its receipt by IAG. The IG shall review such information to ensure that complaints are being received in a manner that complies with LAPD policies and procedures.</p>	Not addressed.	LAPD Manual 3/816.05. Within one week of receiving the complaint, Internal Affairs Group shall provide the Office of the Inspector General with all complaint information including the entity assigned to investigate the complaint.
<p>Keep Commission Informed of Pending Investigations and Audits: The Inspector General shall keep the Commission informed of the status of all pending investigations and audits to be performed by the IG.</p>	Not addressed.	The Inspector General keeps the Commission informed of the status of all pending investigations and audits to be performed by the IG.

Community Outreach and Public Information

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Community Outreach Program Generally: The Department shall conduct a Community Outreach and Public Information program for each LAPD geographic area. The program shall require the following: (a) at least one open meeting per quarter in each of the 18 geographic Areas for the first year of the Agreement and one meeting in each Area annually, thereafter, to inform the public about the provisions of this Agreement and the various methods of filing a complaint against an officer. At least one week before such meetings, the City shall publish notice of the meeting (i) in public areas; (ii) in at least one newspaper covering the City of Los Angeles; (iii) in one or more local community newspaper(s) that services the Area, taking into account the diversity in language and ethnicity of the area's residents; (iv) on the City and LAPD website; and, (v) in the primary languages spoken by the communities located in such area, and (b) the open public meetings described above shall include presentations and information on the LAPD and LAPD operations, as presentations and information are designed to enhance interaction between officers and community members in daily policing activities.</p>	<p>"[B]y the first quarter of 2003, all of the requirements of the Decree [as to Community Outreach], including the posting of all required information on the Department's website were in compliance."</p>	<p>LAPD Manual 3/240.</p> <ul style="list-style-type: none"> • "A community meeting is defined as any formal meeting with members of the community, where there are discussions regarding the quality of life, crime trends, or other topics that affect the community or the Department. Community meetings include both Department and non-Department sponsored meetings (i.e. local schools, business groups, clergy, neighborhood groups, etc.)." See LAPD Manual 3/240. • "Community Outreach and Development Division, under the Director, Office of Constitutional Policing and Policies, is designated as the entity responsible for coordinating community meetings and shall be responsible for: Consolidating Area community meeting schedules into a master calendar, initially by month in which the meetings are scheduled and then with the date, time, and location of each meeting, as the dates are made available; Maintaining liaison with bureaus for updates on revisions to master calendar (e.g., date, change, location change, etc.); and, Forwarding the master calendar of community meetings to the CO, Emergency Services Division, for inclusion in the Department Special Events Calendar no later than the 10th of February, May, August and November of each year for meetings to be held during the upcoming quarter." See LAPD Manual 3/240.25.
<p>Semi-Annual Public Reports: The LAPD shall prepare and publish on its website semi-annual public reports, which include aggregate statistics broken down by each LAPD geographic area and for the Operations Headquarters Bureau and broken down by the race/ethnicity/national origin of the citizens involved, for arrests and uses of force. Such reports shall include a brief description of each of the following that was completed during that period: (i) report of a specified audit completed and any significant actions taken as a result of such audits or reports; (ii) a summary of all discipline imposed during the period reported by type of misconduct, broken down by type of discipline, bureau, and rank; and, (iii) any new policies or changes in policies made by the Department.</p>	<p>"[B]y the first quarter of 2003, all of the requirements of the Decree [as to Community Outreach], including the posting of all required information on the Department's website were in compliance."</p> <p>"On October 2, 2001, the first semiannual LAPD report was published on the Department's website, documenting the time period January 1 through June 1, 2001."</p>	<p>Referenced in OIG Best Practices Report. OIG Best Practices Report: https://a27e0481-a3d0-44b8-8142-1376cfbb6e32.filesusr.com/ugd/b2dd23_68104e440d624094ad9e7e6e3971bb5f.pdf</p>

Community Outreach and Public Information

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Community Advisory Groups: The LAPD shall continue to utilize community advisory groups in each geographic Area and to meet quarterly with the community they serve. The Department shall establish a media advisory working group to facilitate information dissemination to the predominant ethnicities and cultures in Los Angeles.</p>	<p>"[B]y the first quarter of 2003, all of the requirements of the Decree [as to Community Outreach], including the posting of all required information on the Department's website were in compliance."</p> <p>"Significantly, before the end of the first quarter of the Decree (September 30, 2001), all 18 LAPD geographic Areas scheduled and held their first Consent Decree-required community meetings, in which they presented all required information. The Department continued to hold the required community meetings during the remainder of the original term of the Decree."</p>	<p>LAPD Manual 3/240.</p> <ul style="list-style-type: none"> • "The Assistant to the Director, Office of Operations, shall ensure the information contained in the Area Community Meeting Summary form is compiled and summarized in a quarterly report for distribution." See LAPD Manual 3/240.25. • "Media Relations and Community Affairs Group shall be responsible for ensuring that each meeting is posted on the Department's website at least two weeks prior to the meeting by the MCG Online Unit." See LAPD Manual 3/240.25. • "Information Technology Division shall be responsible for posting each meeting on the City's website as the information is received from each Area." See LAPD Manual 3/240.25.

File Retention

2001 Action Item	2009 Final Independent Report	2020 Status
<p>Retention of Investigatory Files and Training Records: The Department shall maintain all Complaint Form 1.28 investigation files for at least ten years from the date of the incident. The City and the Department shall maintain an officer's training records during the officer's employment with the LAPD and for three years thereafter (unless required to be maintained for a longer period of applicable law).</p>	<p>Not addressed.</p>	<p><u>See:</u> City Administrative Code; and Organization and Functions of the LAPD.</p>