INTRADEPARTMENTAL CORRESPONDENCE

May 21, 2021
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TO: The Honorable Board of Police Commissioners

FROM: Executive Director, Board of Police Commissioners

SUBJECT: POLICE COMISSION ADVISORY COMMITTEE UPDATE

RECOMMENDED ACTION

It is recommended that the Board of Police Commissioners REVIEW and FILE this report and
DIRECT the Department to report back relative to the current status of each of the items listed.

DISCUSSION

The Police Commission Advisory Committee has completed its review of Department operations
and of numerous reports and literature on policing best practices. Previously, the Commission
received a review of past reform efforts and a summary of the overall disciplinary process.

The attached is for the Commission's review in the areas of Recruitment and Hiring, Training, Bias-
Free Policing, Data and Technology, the Disciplinary Process and Work-Place Incentives/Retention.
It is recommended that the Board of Police Commissioners direct the Department to report back
relative to the status of each item listed.

Should you have any questions or need additional information, please feel free to contact me at
(213) 236-1400.

Respectfully,
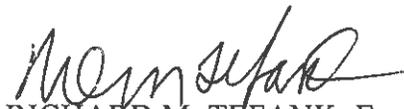
RICHARD M. TEFANK, Executive Director
Board of Police Commissioners

Attachments

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RECRUITMENT AND HIRING

- **Support National Police Misconduct Registry:** To ensure that problematic officers are not hired by the Department or elsewhere, participate in the National Police Misconduct Registry, as outlined in the H.R. 7120 George Floyd Justice in Policing Act, Sec. 20, which requires local law enforcement agencies to submit to the Attorney General every 180 days beginning in 2022 certain data regarding officer complaints, discipline, termination, lawsuits, resignation and certification, should this or similar legislation be enacted.

- **Diversity, Equity, and Inclusivity Policy/Guidelines:** Develop and implement a robust diversity, equity and inclusivity policy and guidelines that reflect current best practices to create a diverse workforce, reflecting the broad range of diversity in Los Angeles to include race, gender, language, life experience and cultural/ethnic background. As consistent with California law, the guidelines should include ways to:

  o Recruit individuals who reflect the community they serve.

  o Prioritize the recruitment of applicants from historically underrepresented groups in policing, e.g., female, applicants of color, and LGBTQIA+.

  o Develop effective strategies that:

    ▪ Leverage police officers' community relationships to more effectively recruit from underrepresented communities.

    ▪ Ensure all images associated with recruitment campaigns highlight the racial, ethnic, and gender diversity of the workforce.

    ▪ Continue to collaborate with leaders in the community and reach out to colleges, community associations, faith-based organizations, military associations, and affinity groups to recruit diverse applicants.

    ▪ Evaluate the Historically Black Colleges and Universities (HBCUs) outreach and its effectiveness as a recruitment vehicle, and whether this outreach resulted in positive exposure to the LAPD. Determine whether this recruitment effort is achieving the desired recruitment results as well as whether HBCU students found the exposure to the LAPD to be positive and worth the continued investment.

    ▪ Expand the use of influencer campaigns to recruit candidates from diverse or underrepresented populations.

    ▪ Focus on recruiting groups that are currently underrepresented in the LA Cadet program to join the program.

    ▪ Continue to conduct hiring seminars with a focus on attracting candidates from underrepresented groups, such as from Black, Asian/Pacific Islander, female, and LGBTQIA+ demographics.

- o Expand the hiring of female officers to help achieve gender parity and balance consistent with the Department's Strategic Plan.

    - Develop effective strategies to recruit women and increase their representation, including the use of those strategies mentioned above.

    - Measure and publicly report on a regular basis the successes and challenges of achieving gender parity.

- o Expand the hiring of candidates from underrepresented groups, such as Black, Asian Pacific Islander and LGBTQIA+ officers consistent with, and in addition to, LAPD's Strategic Plan.

    - Develop effective strategies to recruit minorities, including those strategies mentioned above.

    - Measure and publicly report on a regular basis the successes and challenges of achieving greater ethnic group diversity.

- o Provide mentoring and test preparation assistance, where feasible, to support all candidates during the recruitment and hiring process.

    - Ensure that all recruits are matched with a mentor and, if requested, with a mentor with similarly diverse background and experiences during the recruiting process.

    - Provide exam testing seminars and mock interviews.

    - Ensure the recruitment dashboard is easily accessible, understandable, and user-friendly for the applicants.

- o Continually evaluate hiring qualifications, testing, and practices to ensure that the systems used do not disproportionately or unfairly disqualify or reflect bias against applicants.

    - Explore alternatives if a hiring practice, e.g., written, oral and/or physical tests, disproportionately disqualifies applicants of color, women, or other underrepresented groups.

    - Publicly report this data.

- o Improve and advertise family leave/maternal/paternal leave policies to attract a more diverse candidate pool.

- o Continue to recruit diverse candidates to serve as Reserve level 1, 2 and 3 police officers.

- Continually evaluate the drop-out rates during both the hiring and academy training processes, particularly for candidates of color, women, LGBTQIA+, or other underrepresented groups.

  - Collaborate with internal staff, community leaders and civil rights experts to help understand and minimize minority attrition.

  - Publicly report this data on a regular basis.

- Seek candidates in the hiring process who are likely to police in a fair, impartial and unbiased manner by identifying those who have a facility for, and positive interactions with, people from diverse cultures and backgrounds.

- Establish guidelines during the hiring process that will take into consideration aspects of cultural sensitivities such as the candidate's socio-economic conditions, lived experiences, and resiliency.

- Review and refine the Department's Diversity Campaign with the Diversity Task Force to ensure it has specific, identifiable goals to assist in creating and maintaining a more diverse workforce. Such goals should include:

  - Evaluate trends and strategies for recruiting diverse candidates and preventing attrition.

  - Develop additional strategies for outreach.

  - Review hiring paradigm to reduce processing times.

  - Ensure that individual candidates are receiving needed support through the hiring process.

  - Ensure goals noted above are actively addressed and achieved.

- **Community Outreach and Engagement:** Seek community input from civil rights and community leaders, among others, regarding recruitment and hiring practices to ensure that they reflect community values.

  - Seek community and officer input when assessing staffing needs, identifying unfilled vacancies, and adjusting staff numbers based on projected population changes in the community.

  - Assess recruitment outreach strategies and campaigns to ensure that they:

    - Reflect the mission of serving the public with a police force that mirrors the diversity of the residents it represents.

    - Reach the broadest potential pool of applicants, with a focus on the target population, to attract high-caliber candidates. Some examples include:

- Evaluate the effectiveness of current advertising tactics and partnerships.

- Examine engagements with outside experts to determine if effective.

- Expand in-person recruitment opportunities.

  o Continue to develop community recruitment pipeline programs, including the following:

    ▪ Create youth advisory boards in various communities, including communities of color, and receive their input, feedback, and suggestions about recruitment and hiring in those communities.

    ▪ Work closely with the Los Angeles Community Colleges' communities to further develop the Associate Community Officer Program (ACOP) to encourage young people from the community to look upon the LAPD as a desirable and fulfilling career in line with the recruitment messaging mentioned herein.

- **Guardian Mindset and Community Focus:** Embrace the "guardian mindset" and advance a community-centered culture to attract applicants of all backgrounds. Emphasize the "guardian mentality" in hiring, as opposed to the perceived "warrior mentality."

  o Ensure the imagery in recruitment materials, job postings, and advertisements emphasize the service and guardianship nature of the profession, as opposed to the militaristic/crime-fighting image, as these images can shape the community's stereotype of law enforcement.

  o Encourage and support community/relationship-based policing for all officers at all levels. Include in recruitment and ongoing, activities, events, and opportunities within the community, where residents positively interact with officers out of uniform and observe them on a human level engaging with the community.

  o Develop software to help track the officers' community engagement/interactions, e.g., provide a disposition code in the vehicle mobile data computer that allows officers to input community interactions.

  o Utilize community engagement as a factor in the hiring and promotion of officers.

  o Focus on hiring officers who have a direct connection to the Los Angeles community and have a community-focused approach to policing based on their background and experiences. Enhance the hiring practices and screening protocols to help identify the following:

- Individuals who are joining the force because of a shared value for community, safety, and collaboration.

- Individuals who understand the intersection between oppression, systematic racism, and violence.

- Individuals who have an eagerness to learn and grow.

- **Enhance Transparency and Trust:** Disseminate information to the public about policing policies, recruitment, procedures for complaint/commendation, and the rights and responsibilities of citizens and officers in interactions with each other.

  o Continue to promote information to help make the community aware of the Department's training, actions, and publicly available reports, e.g., The Annual Use of Force Report.

  o Conduct additional outreach to underscore the positive work officers do every day.

- **Recruitment Training and Efforts to Attract High-Caliber Candidates:** Ensure that all candidates hired are of the highest caliber and meet or exceed the employment standards, even if that means hiring fewer than planned.

  o Train every officer on how to recruit candidates.

    - Starting in the LAPD Academy (Academy), emphasize that every interaction with the public should be an opportunity to highlight and reinforce the Department's commitment to serve the community.

    - Ensure the Department's leadership continually embraces this Department-wide training philosophy to help attract and build a service-oriented and community-minded culture and workforce.

  o Reinstate the recruitment bonus program that previously existed, to reward current officers who successfully recruit officer candidates.

  o Provide cultural awareness training to officers and personnel, including but not limited to the hiring staff, applicant interviewers, and those who serve on interview panels.

    - Request that City Personnel seek interviewers and panelists who represent a variety of diverse backgrounds.

  o Continue to promote the Department's "whole person" approach in the selection process and ensure that it includes psychological fit, desired traits, emotional intelligence, and desired outcomes.

- Examine recruitment campaigns and materials to ensure they reflect and attract the ideal person LAPD is seeking.

    - Work with staff and community stakeholders to outline the characteristics that describe the ideal candidate, e.g., service-minded, sound judgment, respectful, mature, compassionate, etc.

    - Ensure the marketing efforts and messaging includes those characteristics.

    - Include in the evaluation process mechanisms to identify those characteristics, including testing and training staff to effectively identify the "ideal" candidate, e.g., provide them with probing and relevant questions to ask during the interview process to help determine if the candidate reflects the values, characteristics and commitment the Department is looking for in an officer.

- Request that City Personnel include in its psychological assessments of candidates (1) an evaluation of the social and emotional intelligence and well-being of incoming recruits, and (2) a screening for desirable traits, rather than only undesirable ones.

- Provide support to make the hiring process more efficient and prioritize highly valued candidates.

- Include positive messaging in recruitment efforts and materials to attract high caliber candidates, including the identification of:

    - Opportunities to significantly and meaningfully effect change in the communities they serve and to shape the future of the LAPD.

    - Paths to becoming a potential leader in the LAPD and their communities.

    - Ways to build trust and respect within the communities and transform the way policing is viewed.

- Seek candidates with a higher education and life experiences, where possible.

    - Evaluate the pros and cons of pending state proposals that may require high education as a pre-requisite for hiring.

- Consider implementing a scholarship or work-study program that incentivizes individuals to join the Academy.

- **Collaboration Between LAPD and LA City Personnel Offices:** Collaborate with the LA City Personnel Offices to develop joint recruiting and hiring goals annually and publicly present these goals to the Police Commission, the Mayor, and the City Council.

- o Establish metrics to assess whether the hiring goals are being satisfied and regularly report to the Commission any problems and successes.

- o Continue to conduct regular CompStat briefings on hiring, recruitment, and retention to review the data and assess its impact.

TRAINING

- **General Training Principles and Instruction:** Review and improve training policies and programs to ensure they are up-to-date and reflect current best practices, including:

  - Ensure training conforms to established POST guidelines for basic Academy, full-time peace officers, and level 1, 2 and 3 reserve police officers.

    - Continue to meet and exceed POST standards.

    - Publish POST guidelines.

  - Consistently evaluate and reinforce all training programs and strategies through Academy and in-service training.

    - Ensure that Department's mission, vision, and values are infused in all trainings.

    - Incorporate the principles of procedural justice into all aspects of the trainings.

    - Incorporate bias-free policies and principles into all aspects of training.

    - Continually evaluate the training programs to include all important aspects of current policing and continue to supplement, when necessary, due to current events or changed circumstances.

    - Ensure there is an emphasis on upholding the rule of law, honor, service to the community, and guardianship.

    - Explore contemporary adult education techniques that are geared toward experiential training, reflection, problem solving, and discussion, to prepare officers for the application of skills in the real world (i.e., when interacting with members of communities) and account for different learning styles.

    - Continue to evaluate and use innovative training modules, tactics, and technology to best engage and teach officers skills needed, and to increase program effectiveness.

      - Continually develop and utilize training modules and situational training techniques, including real-life scenarios and computer simulation-based training, wherever appropriate.

      - Ensure training modules include varied and numerous "best practice" examples from Body-Worn Video (BWV) footage.

- Enhance training through rigorous review of officer complaints, Office of Inspector General (OIG) audits, officer involved shootings, use of force reports, etc.

- Evaluate whether Academy and in-service training time, assignments, and distribution of both, are sufficient, or should be increased or modified to ensure compliance and optimize training experience.

- Consider and evaluate up-to-date and alternative training models to determine if LAPD's model constitutes best practices and best prepares its officers for the communities it serves.

- Engage subject matter experts, police and community leaders, university researchers, government agencies, and mental health providers in training.

- Continue to work with the Community Advisory Committee in developing new training techniques, protocols, and programs.

- Use engaged and enthusiastic instructors with course materials grounded in everyday policing practices.

- Ensure that the different training opportunities offered throughout the Department enhance skills and knowledge such that officers perceive the training is an effective tool to serve their needs and make their job easier, rather than a chore imposed on them.

- Obtain evaluations from all trainees to constantly improve and develop training programs aimed at appealing to and meeting the professional needs of officers.

- **Training should address and reflect community diversity:** Training should focus on critical thinking, social intelligence, implicit bias, fair and impartial policing, historical trauma, de-escalation, and other topics that address capacity to build trust and legitimacy in diverse communities and offer better skills for gaining compliance without the use of physical force.

  o Include diverse members of the community in the development and participation of the Department's training programs, including subject matter experts, community leaders, university researchers and police who specialize in use of force/de-escalation, crisis intervention, implicit bias and procedural justice training.

  o Address issues of cultural competency, sensitivity, and responsiveness in training programs.

  o Training should cover interactions with the LGBTQIA+ population, including issues such as determining gender identity for arrest placement, interaction with

the Muslim, Arab, and South Asian communities, and immigrant or non-English speaking groups, as well as reinforcing policies for the prevention of sexual misconduct and harassment.

- **Emphasis on De-Escalation, Crisis Intervention, Implicit Bias, and Procedural Justice Training:** On an on-going basis, emphasize and incorporate into the Academy and all in-service or other training programs for all staff and officers current principles and best practices of de-escalation, crisis intervention, implicit bias, and procedural justice.

- **Peer Intervention Training:** Provide peer intervention training so that officers know how to comply with their duty to intervene to stop misconduct by fellow officers or superiors.

- **Measure and Audit Effectiveness of Training:** Measure before and after implementation of use of force/de-escalation, crisis intervention, implicit bias and procedural justice policies and training to determine effectiveness.

  o Complete and maintain accurate and up-to-date records of training curricula, materials, and attendance.

  o Develop an ongoing evaluation and audit system to determine whether the training programs, tactics, and time allotments are effective, and revise training policies and protocols accordingly (e.g., seek written evaluations from participants, review training test scores, post-training performance) and aggregate Department-wide performance trends over time.

  o Establish metrics to assess the above.

- **Evaluate Alternative Training Models:** Evaluate up-to-date and alternative training models to determine if LAPD's model constitutes best practices and best prepares its officers for the communities it serves. The Department should evaluate alternative training methodologies to ensure that training at the Academy reflects best practices, and that the Department's training leads the nation in modern police training practices, such efforts should include:

  o Evaluate the European Model, and other widely used models of training, to determine whether those practices can be incorporated or followed, such as:

    ▪ The European model involves an alternating rotation between the field and the Academy over a period of 12-18 months. This allows the recruit to balance the theoretical and the operational in a much more thorough fashion.

    ▪ Such a model of training may offer additional benefits over models that place greater emphasis on the absorption of large amounts of information followed by an exam to determine the degree to which that information has been absorbed. Subtle nuances (e.g., communicating with a mentally

ill person experiencing a crisis) can get lost once the exam has been completed.

- **Professional Development:** Provide professional development opportunities to Department personnel to help them develop leadership and team management skills throughout their careers. Standards and programs need to be established for every level of leadership from the first line to middle management to executive leadership.

Specific Training Areas

- **Use-of-Force/De-Escalation:** Periodically review and continually enhance the Department's use-of-force and de-escalation training policies and guidelines to ensure they are up-to-date and reflect current best practices, including:

  - o Comprehensive policies should include training, investigations, prosecutions, data collection, and information sharing.

  - o Policies must be clear, concise and continue to be openly available for public inspection.

  - o Training should emphasize positive engagement with the community and continue to emphasize de-escalation and alternatives to use of physical force in situations where appropriate.

  - o Include at a minimum, annual training that includes shoot/do not shoot scenarios and the use of less lethal technologies.

  - o Incorporate into the training subject matter experts, police and community leaders, and university researchers who specialize in use of force and de-escalation training.

  - o Actively use scenario-based methodology/reality-based training to teach officers the skills of how to de-escalate individuals in crisis (e.g., realistic scenarios where police officers face interactions with real people acting as citizens).

  - o Emphasize de-escalation of interactions with community based on verbal and non-verbal cues, use of time, distance, available resources, and actions in all LAPD programs.

  - o De-escalation training should emphasize the need to show respect, even when the community member is perceived as being disrespectful or hostile.

  - o Ensure advanced de-escalation training is paired with all updates of the use of force policy.

- o Training should also focus on conflict resolution, applied skills and emotional intelligence scenario training and role-playing.

- o Increase supervision and shadowing with experienced officers so less experienced officers can learn and observe more effective ways, both verbally and physically, to de-escalate a situation.

- o Conduct review of body camera footage to assess officer compliance.

- o Implement mechanisms to ensure oversight and auditing of policies/training to ensure compliance and effectiveness of training.

  - Ensure that first line supervisors observe and review officers to confirm that they are utilizing the skills and training in accordance with the training curriculum they received.

- o Regularly evaluate existing early detection and intervention systems that alert supervisors and command staff where warning signs of excessive use of force may exist to determine if they are up-to-date best practices and effective.

- o Establish a consistent and progressive discipline system for violations of use of force policies, including additional training, reassignment and/or discipline.

- o Ensure the City's Crisis Response Team and the Department's Family Liaison Unit are deployed to all police use of deadly force encounters.

- o Ensure that the families of those involved in police-related deadly force encounters are treated respectfully, provided timely information on a consistent basis, and given access to appropriate resources and services.

- **Crisis Intervention:** Periodically review and enhance the Department's crisis intervention training policies and guidelines to ensure they are up-to-date and reflect current best practices, including:

  - o Require mandatory training on crisis intervention as part of the Academy, in-service, and basic training for new recruits, and regularly thereafter for all officers.

  - o Incorporate into the training mental health professionals and advocates, including interactions with persons with mental illness and other disabilities and their family members, to help officers become more knowledgeable about these areas and have access to mental health resources.

  - o Review and enhance the Department's Mental Health Training program and continue to require all officers to participate in it.

- o Review and implement best practices regarding crisis intervention training protocols to help reduce police-related injuries for people with mental health, substance abuse/addiction, or other disabilities, including:

    - Educate and train officers to identify individuals with mental health conditions, disabilities, or substance abuse/addiction, so the officers will know when to request support from appropriate medical and mental health professionals.

    - Emphasize training that includes a trauma focused approach that equips officers to deal with individuals in crisis or living with mental disabilities (as part of both basic recruit and in-service officer training) as well as instruction in the disease of addiction and effective social interaction and tactical skills.

- o Actively use real-life scenario-based methodology to teach officers the skills of how to de-escalate individuals in crisis.

- o Expand the Systemwide Mental Assessment Response Team (SMART) crisis model, which pairs mental health professionals with police officers to respond to incidents where the police have been called and mental health, emotional crisis, or substance abuse challenges are suspected to be at issue.

- o Continue to train with and develop effective working relationships with partnership programs, such as DART (Domestic Abuse Response Teams), SART (Sexual Assault Response Teams), GRYD (Gang Reduction Youth Development) and other specialized service providers including:

    - Mental health response teams that include mental health professionals, social workers, crisis counselors, and other professionals making decisions alongside the police officers regarding planning, implementing, and responding to mental health crisis situations (the SMART program mentioned above).

    - Homelessness, substance abuse, human trafficking, child abuse, and domestic violence.

    - LGBTQIA+ social service providers.

    - Other services as the needs of the City, its residents, and the Department evolve.

- o Create a tiered emergency response system that assesses the situation to determine which type(s) of responders are necessary to partner with law enforcement in response to a service call, e.g., crisis counselor, domestic violence advocate, mental health expert, etc.

- As the City funds alternative service delivery systems, the Department should also develop a co-responder model, with social service providers and/or mental health advocates, to respond to certain calls for service that are appropriate for such a response.

- As the City funds alternative service delivery systems, the Department should reduce its response to social service calls that are appropriate for a non-law enforcement response.

o Enhance and promote the data collected on the SMART program to demonstrate the incidence of crises and the efficacy of crisis response practices. Include the number of encounters with people in crisis and the nature of the encounter, e.g., mental health, suicide attempt, drug overdoses, disability, etc.

- Track officers' responses and the outcomes of their responses and conduct post-training assessments of officers who respond to crises, as well as the outcomes of those responses, to ensure that programs are effective and that training addresses community challenges.

- Ensure this data is accessible to the public.

o Ensure plans are in place to communicate with key community constituents in the aftermath of a crisis. Communications plans should include:

- The affected families
- Police rank and file
- Police unions
- Other city, county, state, and federal leaders
- Community and faith leaders
- Youth and school officials
- Business and philanthropy leaders

- **Implicit Bias:** Regularly review and enhance the Department's implicit bias training policies and guidelines to ensure they are up-to-date and reflect current best practices, including:

  o Offer POST-certified, evidence-based training on implicit bias.

  o Ensure training includes examples of actual cases in which bias policing complaints were filed.

  o Measure before and after implementation of bias-free policies and training to determine effectiveness.

  o Include cultural competency and awareness training regarding minority communities, e.g., Black, Hispanic/Latinx, Asian Pacific American/Asian Pacific Islander (APA/API), Muslim, Arab, South Asian, LGBTQIA+ and other communities, regarding interactions, dress, religious practices, etc.

- o Educate all officers regarding the historical bias against minority communities, including Black, Hispanic/Latinx, APA/API, Muslim, Arab, South Asian, LGBTQIA+ and other communities.

- o Incorporate in the training subject matter experts, police and community leaders, and university researchers who specialize in implicit bias training.

- o Develop standards on how to handle and report hate crimes and include information publicly online.

  - ▪ Ensure officers take statements and reports of hate crimes, report, and investigate them.

- o Train officers to be cognizant of bias. Best practices include:

  - ▪ Train officers to be aware of implicit or explicit bias of individuals reporting incidents.

  - ▪ Provide anti-bias training for police officers.

- **Procedural Justice:** Consistent with the Department's Training Bulletin, Volume XLIX, Issue 3, dated April 2020 (Procedural Justice policy), periodically review and enhance the Department's Procedural Justice policy to ensure it is up-to-date and reflects current best practices, including:

  - o Develop robust procedural justice training that provides clear guidelines and examples of the four seminal principles -- trustworthiness, respect, neutrality, and voice -- and integrate those principles into the Department's policies, procedures, and practices.

  - o Educate the Department about these principles, how to apply them both internally and externally, and the ultimate goals, e.g., building trust and legitimacy both within the Department and in the communities it serves.

  - o Incorporate into the training subject matter experts, police and community leaders, and university researchers who specialize in procedural justice training.

  - o Ensure the entire Department is trained on the procedural justice principles and ensure they are reinforced in all training programs.

    - ▪ Starting in the Academy, educate on the importance of procedural justice, and provide clear examples of how to build trust and confidence in the communities they serve.

    - ▪ Ensure the Department's leadership continuously models and integrates the principles of procedural justice in its interactions with its own officers and staff, as well as the community.

- o Examine opportunities to incorporate procedural justice into the internal discipline process.

- o Evaluate procedural justice training programs in other jurisdictions and the feasibility of implementing a similar program at the LAPD.

- **Police Service Representatives (Dispatcher/911 Operator):** Supplement the training and guidance provided to Police Service Representatives on gathering information from callers to be cognizant of bias and to determine the appropriate service response.

  - o Provide Crisis Intervention Training (CIT) to Police Service Representatives so they can more accurately determine which calls require officer and/or some other type of assistance, e.g., mental health, domestic violence, substance abuse, etc., and refer said service calls to the appropriate party.

  - o Training should include techniques for identifying signs that a person may be under the influence of drugs or alcohol, suffering from a mental health crisis, or possibly suicidal.

  - o Police Service Representatives should gather the appropriate information and dispatch police and/or other agency resources in accordance with situation-specific guidelines. These procedures should be guided by data on police responses to incidents reported through 911.

  - o Police Service Representatives should relay this information to responding officers through the Computer Aided Dispatch (CAD) system.

  - o The Department should invest in call technology updates, where feasible, to allow Communication Centers to receive text messages, videos, and photos.

  - o Encourage the community to dial 211 (LA County), 311 (LA City), and other referral hotlines instead of 911 for non-emergency incidents.

  - o Train Police Service Representatives to be cognizant of bias, including implicit bias. Best practices include:

    - ▪ Train Police Service Representatives to be aware of implicit or explicit bias of individuals reporting incidents.

    - ▪ Provide anti-bias training for Police Service Representatives and to relay information without bias.

    - ▪ Evaluate and monitor the specific language used in dispatching officers to calls for service to ensure that the language does not inadvertently frame the situation or result in an inappropriate police response.

    - ▪ Formulate a process to enable Police Service Representatives to use discretion to inform a caller that an officer will not respond without a

legitimate indication of criminal activity, when they suspect a bias-motivated call.

- Ensure Police Service Representatives training emphasizes procedural justice concepts throughout.

o Evaluate methods to continually recognize the critical function that the Communication Center plays in all aspects of law enforcement operations. This is critically important because:

- It is estimated that for every call resulting in the dispatch of a field unit, the average Police Service Representative will answer the phone at least seven times.

- The Police Service Representative can have a profound impact on the public face of the Department.

- **Other Training Areas:** Continue to develop, enhance, and evaluate the training policies, guidelines, techniques, modules, and situational training tactics regarding the following areas to ensure they integrate principles of procedural justice and are up-to-date and reflect current best practices:

  o Racial Profiling
  o Gender Identification
  o LGBTQIA+ Interaction
  o Mental/Physical disability
  o Immigrant or non-English Speaking Groups
  o Mass Demonstrations
  o Preventing Sexual Misconduct

- **Community Policing:**[1] Ensure there is a common understanding and appreciation of the community policing concept throughout the Department, which includes building relationships and solving neighborhood problems. Community policing should be infused throughout the culture and organizational structure of the organization.

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[1] Effective community policing initiatives consist of three critical components: Community partnerships that include collaborative relationships between law enforcement agencies and the public in order to develop better solutions to problems and increase public trust in police; Organizational transformations that provide the alignment of management, structure, personnel, and information systems to support community partnerships and problem-solving techniques; Problem-solving strategies which pertain to a process of active examination of identified problems to develop and evaluate effective responses.

- o Adopt and implement policies and training with communities that are rooted in the principles of guardianship and that reinforce a dedication to protecting communities and preserving public safety.

- o Ensure community policing is an operational philosophy within the Department that includes:

  - Integrating community policing into mission statements, strategic plans, and leadership development programs.

  - Working with community members to establish an overriding mission statement and a strategic plan that integrates community policing into all operations.

  - Articulating the vision, goals, and objectives of community policing and include measurable outcomes across the Department.

  - Creating strategic plans in coordination with community leaders that lay out strategies for achieving community goals.

- o Train officers to act as role models who should be respected and admired, rather than just enforcers of the law who should be feared.

- o Adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with fellow employees and the citizens they serve.

- o Continue to facilitate officers meeting the community, including children and teenagers, at public events to better understand cultures, encourage transparency, and help build trust.

  - Give officers ample time to engage with community members and help solve community problems.

  - Develop programs that create opportunities for patrol officers to regularly interact with neighborhood residents, faith leaders, and business leaders.

  - Assign officers to specific geographic areas or beats to enable them to get to know residents and become familiar with neighborhoods to reduce implicit bias and lead to better decision-making and more effective law enforcement.

  - Encourage officers to get out of their cars and walk the neighborhoods, go into establishments, and visit schools to help build positive relationships in the community.

  - Model this behavior for new recruits/hires to help emphasize the importance of building community relations and trust.

- o The Department and Police Commission should periodically host small dinner dialogues to gain community perspectives and recommendations to inform policy with communities of color and underrepresented individuals.

- o Ensure sufficient resources are committed to community policing.

  - Use resources efficiently to promote community policing and ensure resources are allocated equitably across neighborhoods.

  - Advocate for more funding for community policing initiatives and investment in social and community services that improve public safety, such as after-school programs, street lighting, and homeless shelters.

- o Expand LAPD's Community Safety Partnerships (CSP) citywide.

  - If funding permits, increase the number of CSP officers.

  - Continue the CSP model where (1) residents work alongside officers to reduce crime by developing sports, recreation, and other programs tailored specifically to their community; (2) put a heightened focus on tackling quality of life issues; and (3) bridge communication and trust gaps between residents and the LAPD.

  - Focus on connecting people in need with resources, such as employment training, mobile medical programs, and counseling.

  - Continue to measure CSP officers by the trust they build, and the relationships made, rather than arrests or citations.

- o Support community members, government officials, and service providers in working together to create a range of services to support people in crisis such as:

  - Crisis hotlines
  - Walk-in centers
  - Mobile crisis teams
  - Peer crisis support services, and
  - Crisis stabilization units

- o Expand community policing and engagement alternatives as a career track for officers who choose to remain in the workforce in direct community relations.

- o Educate and engage the community for input on policing policies and procedures, especially those communities with high rates of enforcement, to be transparent and help build trust.

  - Track the level of trust in police by those communities.

- Provide annual community surveys, with accepted sampling protocols, to measure how policing in a particular community affects public trust.

- **History of Los Angeles and Policing:** Include historical information about LA and the LAPD's policing practices in the Academy and in-service training.

  o Such training should be made available to all officers and include:

    - Historical information about LA, its richness, culture, people, and establishments.

    - The history of the LAPD, its policing practices, and relationship with the community, to help new recruits and officers understand why some segments of the population have a distrust or fear of law enforcement.

    - The historical and political overview of the 19th and 20th century origins of modern policing.

    - Members of the community should participate in the planning and execution of the above training.

  o Implement a Robust History, Truth, and Reconciliation Program

    - Review programs successfully implemented by other police departments throughout the country, and work with scholars and community members to develop a robust program in Los Angeles.

    - Encourage other components of the City of Los Angeles to engage in this effort.

- **Development of Field Training Officers:** Recognize the importance of Field Training Officers (FTOs) in the professional development of new officers by ensuring that significant care is given to the selection, training, and supervision of FTOs.

  o Develop robust programs to train FTO, so that FTO programs align with Department and community need and values.

  o Ensure that FTOs are well-trained and embrace community centered policing models, and cultural awareness of the communities they serve.

    - FTOs should be experienced officers who are up to date with in-service training, are sufficiently skilled in core areas (e.g., impartial policing and de-escalation) and have shown a commitment to community policing in their performance.

    - Ensure that the discipline records of FTOs are reviewed and considered.

        o   Treat FTO service as an important career step that factors into promotional decisions to attract candidates who reflect the values of the Department.

        o   Continue to assess and review the FTO program to identify how to incorporate technology and increase program effectiveness.

- **Professional Development:** Provide professional development opportunities to Department personnel to help them develop leadership and team management skills throughout their careers. Standards and programs need to be established for every level of leadership from the first line to middle management to executive leadership.

BIAS-FREE POLICING

- **Policies Must Emphasize and Ensure Bias-Free Policing:** Consistent with the Department's policy prohibiting biased policing, set forth in Department Manual Section 1/345, the Department must require all personnel to interact with all members of the public in an unbiased, fair, and respectful manner. Department personnel may not conduct any law enforcement activity, including stops and detention, based solely on a person's 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.

  o Encourage officers to employ calm and respectful language and behavior, and prohibit officers from using language or taking action that taunts, denigrates, or is derogatory to an individual (such as by using racist or stereotypical language).

  o On an annual basis, review the Department's Policy Prohibiting Biased Policing to ensure that it is comprehensive and reflects best practices and procedures, and update accordingly.

  o The Department's policies currently exceed federal and state law protections for protected classes. During the annual review, assess whether any additional marginalized groups should be included in the policies.

  o Update the Department's policies, including adding:

    ▪ Supervisory responsibilities in the prevention of explicitly or implicitly biased and discriminatory behavior;

    ▪ Obligations of the Department to provide bias-free policing training at all stages of an officer's tenure;

    ▪ Explicit and concrete definitions of "racial bias," "implicit bias," "explicit bias," "disparate treatment," and other relevant terms to ensure consistent application of principles;

    ▪ Discipline for the use of offensive or derogatory language and behavior associated with an individual's actual or perceived status, such as racial slurs or stereotypes;

    ▪ A comprehensive social media policy that governs the Department-sanctioned and personal use of social media. To the fullest extent permitted by law, prohibit Department personnel from using social media in a manner that could endanger the safety of Department personnel and/or their families, compromise ongoing investigations, or erode public

trust and confidence in the Department. Provide training to Department personnel about the appropriate and prohibited uses of social media; and

- Periodic review of the effectiveness of the Department's policies, practices, and training.

- **Recognize and Reduce the Adverse Impact of Unconscious Bias:** As discussed above in the training section, the Department should provide more extensive and frequent cultural competency, bias-free policing, and de-escalation training. The Department should also:

  o Continue to incorporate best practices learned through Body-Worn Video and the mediation and investigation of complaints.

  o Work with communities with traditionally adversarial relationships with law enforcement to develop training and immersion in cultural diversity to build trust and legitimacy in diverse communities.

  o Work with community leaders and experts to ensure the Department's bias-free policing training covers the following topics:

    - The Department's bias-free and impartial policing policies;

    - Refreshers of topics covered in Procedural Justice training;

    - The existence of implicit bias and how to minimize its impact on policing;

    - The importance of police legitimacy and how it is impacted by implicit bias and discriminatory policing;

    - Methods and strategies for more effective policing that relies upon nondiscriminatory factors;

    - Police and community perspectives related to discriminatory policing;

    - The protection of civil rights as a core pillar of our country and a central part of the police mission, which is essential to effective policing;

    - The existence and impact of arbitrary classifications and stereotyping;

    - Identification of key decision points where prohibited discriminatory policing can take effect at both the incident and strategic-planning levels;

    - Methods, strategies, and techniques to reduce misunderstanding, conflict, and complaints due to perceived bias or discrimination, including problem-oriented policing strategies;

    - Cultural competency training that prepares officers to interact effectively with people from diverse communities, including, but not limited to, people of color, LGBTQIA+ individuals, religious minorities, and immigrants;

- Recognizing when a person has a physical, intellectual, developmental or mental disability, including protocols for providing timely and meaningful access to police services for individuals with disabilities;

- The history of anti-blackness in policing and the historical bias against the Black community;

- The specific history and racial challenges in the City of Los Angeles;

- The appropriate use of social media; and

- The value of proactive, community-oriented policing.

o Ensure that bias-free policing training is incorporated in other training, such as explaining how officers should conduct various police actions, including stops, frisks, searches, arrests, and use of force in a non-discriminatory manner.

o Through training and supervision, reinforce to Department personnel that they are prohibited from making routine or spontaneous law enforcement decisions based solely on an individual's membership in a protected class or on substitutes or stereotypes for protected classes, such as manner of dress, mode of transportation, or language ability.

o Continue to conduct periodic audits of Body-Worn Video to ensure that the Department's reverence for human life and commitment to procedural justice (as evidenced in the Department's use of force policies, including Directive No. 16 on tactical de-escalation techniques, and its April 2020 Training Bulletin on procedural justice) are being reflected in everyday contacts with the public. The number of audits conducted and the results of the audits should be reported on an annual basis.

o When officers are eligible for promotion, conduct audits of Body-Worn Video and promote those officers that adhere to the Department's reverence for human life and commitment to procedural justice.

o Re-training or other appropriate action, which may include discipline up to and including termination, should be taken if Department personnel fail to activate Body-Worn Video in circumstances required by the Department's policies or when the audits of Body-Worn Video reveal a failure to comply with other policies, such as the Department's de-escalation or procedural justice protocols.

o In an effort to prevent inaccurate perceptions of biased policing, update the Department's procedural justice principles to provide concrete examples and guidance to officers on how to handle situations that often result in complaints of biased policing, including explaining when it is and is not appropriate for an officer to ask if a person is on probation or parole during a routine traffic or pedestrian stop.

- **Respect of Religious Beliefs:** Work with community leaders and experts to develop, implement, and train officers on a policy guiding officers' interactions with members of religious communities.

  - The policy should include, but not be limited to:

    - Instruction on interacting and searching individuals with garments or coverings of religious significance;

    - Accommodating private searches of women wearing religious head coverings, except when such an accommodation would compromise officer or public safety; and

    - Respecting and accommodating the religious beliefs of incarcerated individuals, such as respecting religious prayer timing and dietary requirements (including the fasting times for religious holidays).

  - Provide cultural sensitivity training about religious groups that educates officers about religious practices, including religious practices that do not constitute "suspicious" activity, such as public prayer or communal prayers.

- **Respect for Individuals without Regard to Sexual Orientation, Gender Identity or Expression:** Work with community leaders and experts to review and, as necessary, revise policies and practices guiding the Department's interactions with transgender, intersex, and gender nonconforming individuals, including protocols for arrests, pat downs and searches, transportation, and detention (including the Jail Operations Manual), in order to ensure that, at a minimum:

  - Terms are properly defined;

  - Department personnel address, and in documentation refer to, all members of the public, including with transgender, intersex, and gender nonconforming individuals, using the names, pronouns, and titles of respect appropriate to the individual's gender identity as expressed or clarified by the individual;

  - Absent exigent circumstances, where same-sex pat downs or searches are required by law or Department policy, Department personnel will respect the gender identity as expressed or clarified by the individual and not rely on proof of the individual's gender identity, such as an identification card;

  - Absent exigent circumstances, where Department policy requires individuals to not be transported or detained with individuals of a different gender, Department personnel will respect the gender identity as expressed or clarified by the individual and not rely on proof of the individual's gender identity, such as an identification card;

- o Officers are prohibited from inquiring about intimate details of an individual's anatomy, or medical history, except as necessary to serve a valid law enforcement purpose; and

- o Invasive searches used for the purpose of determining gender identity are prohibited.

- **Respect of Individuals with Disabilities:** Work with community leaders and experts to review and, as necessary, revise policies and practices for ensuring effective communication and meaningful access to Department programs, services, and activities for individuals with physical, mental, or developmental disabilities.

  - o These policies should identify specific procedures and responsibilities applicable to circumstances in which officers encounter persons with mental illness, intellectual or developmental disabilities, hearing loss, speech impairment, autism, dementia, blindness, and mobility or other disabilities, including, but not limited to:

    - Properly defining terms related to individuals with disabilities;

    - Providing reasonable accommodations, to the extent safe and feasible, in order to facilitate officer encounters with individuals with a disability;

    - The arrest and transport of individuals with disabilities or who require the assistance of ambulatory devices;

    - Using qualified and Department-authorized interpreters, consistent with Department policy, to communicate with individuals with hearing loss or a speech impairment, including for the provision of Miranda warnings; and

    - The ability to request alternative forms of assistance, such as from mental health or social services providers.

  - o Develop a training bulletin that provides guidance on interactions with people with disabilities, including:

    - Recognizing and responding to conduct or behavior that is related to an individual's disability, including qualifying medical conditions such as dementia, epilepsy, and other physical, mental or developmental disabilities;

    - Providing effective communication and minimizing barriers to communication, including by incorporating sign language and other modes of communication used by people with hearing loss or who have a speech impairment during police-community interactions;

- Attending to the specific needs of individuals with disabilities, such as mobility devices, prosthetics, and service animals; and

- Recognizing and responding to identified abuse, neglect, or exploitation of individuals with disabilities, including making any notifications required by Department policy or the law.

   o Evaluate whether the Department should designate additional Department representatives as Americans with Disabilities Act ("ADA") liaisons who will:

- Coordinate the Department's efforts to comply with the ADA;

- Regularly review the effectiveness and efficiency of policies and training as they relate to individuals with disabilities and report any recommended revisions, if necessary, to ensure compliance with the law;

- Serve as a resource to assist Department personnel in providing meaningful access to police services for individuals with disabilities; and

- Act as a liaison between the Department and individuals with disabilities.

- **Language Accessibility:** Ensure the Department's practice of providing language services is sufficiently formalized into a formal language access policy, and train officers to treat individuals with limited English proficiency fairly.

   o The language access policy should:

- Provide meaningful and timely access to Department programs and police services for individuals who have a limited ability to speak, read, write, or understand English; and

- Require qualified and Department-authorized interpreters, including for the provision of Miranda warnings.

   o The language access policy should be translated into non-English languages that will best suit the needs of Los Angeles residents.

   o The language access policy (and translated versions of the policy) should be published on the Department's website and distributed to community-based groups serving limited English proficiency communities in Los Angeles.

   o Train officers on how to interact with individuals with limited English proficiency to ensure that arrests are not made (or other police actions taken) because of deficient language skills or poor translators, particularly in the context of immigrant domestic violence survivors.

- **Biased Policing Complaints:**

    o Update the Department's Sworn Penalty Guide for Personnel Complaints to provide that claims of Discourtesy[2] based on a person's actual or perceived membership in a protected class (such as a racial slur or stereotype) shall have the same penalty as biased policing. The guideline for both categories of offenses should be Board of Rights – Recommendation for Removal for the first sustained offense.

    o Initiate a biased policing complaint investigation whenever a complaint is filed alleging Discourtesy based on a person's actual or perceived membership in a protected class (such as a racial slur or stereotype).

    o Continue to ensure ease in the submission of complaints.

        ▪ Continue to accept complaints in multiple formats, at multiple locations, by phone, online and in person, anonymously and by name, among other means, and ensure no retaliation for doing so.

        ▪ Continue to distribute information about how to file complaints, and make it available in many forms and places.

        ▪ Continue to require all officers to summon a supervisor to accept, document, and report any allegation of police misconduct.

    o Continue to investigate all complaints, and require investigators to receive specialized training for investigating biased policing complaints.

    o Produce "Know your Rights" brochures that include information on the Department's investigation process for biased policing complaints and the prohibition against retaliation, and distribute them to vulnerable communities.

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[2] Courtesy is a very broad category as defined by the Department Manual, a violation of which leads to a complaint with a classification of "Discourtesy":

Section 1/240.15 COURTESY. Effective law enforcement depends on a high degree of cooperation between the Department and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance. The majority of the public are law-abiding citizens who rightfully expect fair and courteous treatment by Department employees. While the urgency of a situation might preclude the ordinary social amenities, discourtesy under any circumstance is indefensible. The practice of courtesy by an officer is not a manifestation of weakness; it is, on the contrary, entirely consistent with the firmness and impartiality that characterizes a professional police officer.

Section 1/710.20 TELEPHONE COURTESY. In answering telephone calls, employees should courteously greet the caller, identify their units and themselves, and ask to be of assistance. Employees should make every reasonable attempt to either supply requested information and assistance or to promptly refer the party to the proper Department unit or other public or private agency for assistance.

These brochures should be translated as needed to reach all vulnerable communities.

○ Continue to promote the mediation program, operated by the Los Angeles City Attorney's Office, both internally and externally, as a means to resolve biased policing complaints.

- Consider expanding the mediation program to a broader category of complaints, beyond biased policing and discourtesy.

- **Biased Policing Complaints Data:** Collect, analyze, publicly report, and effectively use biased policing complaints data.

○ Prepare regular reports regarding biased policing complaints, and ensure that these reports are broken down to explain the nature and types of complaints, including the:

- Nature of the allegations made in the biased policing complaints, and the protected status involved (race, color, ethnicity, national origin, sexual orientation, gender identity or expression, religion, disability, age, housing, citizenship status, or other);

- Demographic data on all parties involved in a complaint (officer(s) and complainant); and

- Results of the investigations, to include the number of:

  • Complaints made by members of the public;

  • Complaints made by members of the Department;

  • Complaints generated because a complaint alleged discourtesy based on a protected class;

  • Anonymous complaints;

  • Complainants who fail to cooperate in the investigation process;

  • Mediations that take place;

  • Mediations that are offered;

  • Uses or failures to use Body-Worn Video during the incident that is the focus of the complaint;

  • Uses or failures to use procedural justice principles and de-escalation techniques during the incident that is the focus of the complaint; and

- Unfounded, exonerated, not resolved, sustained, insufficient evidence to adjudicate, or demonstrably false complaints.

  o Track and incorporate lessons learned through the investigation and review of biased policing complaints in the Academy and in-service training.

  o Compare biased policing complaints to other databases, such as stop data information and discipline records, to identify training and performance issues.

  o Include biased policing data in the CompStat process, to afford open and robust discussion on the complaints filed, training provided, and managerial approach to bias-free policing efforts.

- **Model Inclusivity:** Foster a culture of inclusivity and accountability.

  o Formalize the mandate of the Department's Racial Equity Coordinator.

  o Model a diverse workforce and a bias-free environment by ensuring that the Department's administrative processes (i.e., recruitment, assignments, promotions, discipline, etc.) are free from bias and that all Department personnel are treated fairly.

  o Create multiple avenues for officers and departmental staff to provide feedback to command staff on issues in the Department.

- **Early Warning System:** Continue to use TEAMS II to track officer behavior, address officer needs and deficiencies at the earliest opportunity, and identify at-risk officers and help support their wellbeing.

  o Review and update the fields currently being tracked on TEAMS II as necessary to ensure it is capturing all information necessary for supervisory awareness and early identification of problematic individuals and department-wide conduct or signs of stress or other behavior that would benefit from being addressed. For example, current best practices include the capturing of the following information:

    - All uses of force, broken down by level and type;

    - All injuries and deaths to persons in custody;

    - Vehicle pursuits and traffic collisions involving Department equipment;

    - All instances in which force is used and a subject is charged with Failure to Obey, Resisting Arrest, Assault on an Officer, Disorderly Conduct, Trespassing, or similar charges; or a quality-of-life offense;

    - All instances in which an officer issues three or more citations during a single encounter;

- Violations of the Department's Body-Worn Video and in-car camera policies;

- All instances in which the Department learns:

    - That a declination to prosecute any crime or municipal code violation was based upon concerns of the prosecutor about an officer's credibility;

    - That a court has made a negative credibility determination regarding an officer; or

    - That a motion to suppress evidence was granted on the grounds of a constitutional violation by an officer.

- All misconduct complaints, including the disposition of each allegation;

- Judicial proceedings where an officer is the subject of a restraining or protective order, which the Department's policies require officers to report;

- All criminal proceedings initiated against an officer, as well as all civil or administrative claims filed with or against the Department or its agents that result from the actions of sworn Department personnel;

- All disciplinary action taken against the officer;

- All non-disciplinary corrective action required of the officer;

- All awards and commendations received by the officer, including those received from civilians;

- All missed court appearances;

- Officer sick leave usage, especially in concert with regular days off and holidays;

- Training history; and

- Rank, assignment, and transfer history.

o Supervisors should examine past performance impartially and provide corrective support in a manner that encourages officers to correct problematic behavior.

DATA AND TECHNOLOGY

- **General Use Technology Policy:**

  - Implement a general use technology policy that includes:

    - Clear guidelines, procedures, training, and oversight for each technology used to gather or store electronic data, in order to ensure that the technology is correctly and effectively utilized.

      - Electronic data includes, but is not limited to, photographic imagery, audio, video (e.g., Body-Worn Video, in car video, cellular telephone video), emails, and other digital documents created by the officers in the course of their duties.

    - Easily accessible policies on the Department's public-facing website.

    - Regular supervisory reviews of electronic data to ensure compliance.

    - Regular audits of all electronic data to ensure proper access and usage.

    - Prohibitions on using technology to engage in discriminatory, biased, harassing, or other inappropriate behavior.

    - Consequences for misuse or abuse of technology and its policies or procedures.

  - When adopting new technology or assessing the effectiveness of existing technology, engage in an evaluation that includes:

    - Public engagement and collaboration, including the use of community advisory boards, surveys, public town halls, union representatives, technology experts, data scientists and other subject matter experts to obtain input before adopting new technology.

    - An analysis of best practices in the use of that technology.

    - An assessment gauging the effectiveness of technology, soliciting input from all levels of the Department, from line officers to leaders.

    - An assessment of whether the proposed use of the technology is adequate to protect the privacy rights and civil liberties of the public.

    - An assessment of whether the proposed technology could be used in a discriminatory or biased manner, and, if so, ensure appropriate safeguards are put in place to eliminate such inappropriate use.

- o Develop specific guidelines for the adoption of new technology and for existing technology. Those guidelines should incorporate the above and include:

  - Notification by the Department to the Commission when it wants to acquire new technology.

  - Submission by the Department, with the help of the Information Technology Bureau, sufficient information about the proposed new technology and its use to the Commission for its review. This information should include:

    - Description of technology and how it works.

    - Proposed purpose and primary use of the technology.

    - The data or information that can be collected by the proposed technology.

    - The category of individuals who can access or use the collected information, and the rules and processes required.

    - Proposed training needed for the technology.

    - Current data analytic capabilities to ingest and analyze the data.

    - Information about steps to ensure adequate security measures to safeguard the data.

    - The proposed data retention time period.

    - How collected information can be used and/or reviewed by members of the public.

    - Costs of the technology and need/cost for additional personnel.

    - Identification of any potential impact on privacy and civil rights and plans to safeguard those rights.

    - Mechanisms to ensure oversight and auditing of the policies to ensure compliance.

    - A consistent and progressive discipline system for violations of policies.

- **Specific Technologies Used to Gather Data**

  Body-Worn Video (BWV)

  o Advocate for additional funding to supply all remaining sworn personnel with BWV.

    ▪ Continue to issue BWV cameras to police officer recruits in the Academy.

    ▪ If funding is not available for all remaining personnel, develop a prioritization list for the personnel who do not yet have BWV and seek funding for the highest priority units (such as Detective Bureau).

  o Consistent with LAPD's Special Order 12, dated April 28, 2015 ("BWV Policy"), regularly review the Department's BWV policy to ensure it is up-to-date and reflects current best practices, including evaluating privacy and civil rights issues and:[3]

    ▪ Require all field-based personnel to use BWV during their entire assignment and have them powered on while on duty, in accordance with LAPD Special Order 12, dated April 28, 2015.

    ▪ Establish that the electronic recording of an investigative or enforcement encounter is mandatory and non-discretionary, except where specifically noted.

    ▪ Mandate BWV cameras be activated "prior to an investigative or enforcement activity involving a member of the public" and "until the investigative or enforcement activity involving a member of the public has ended."

    ▪ Clearly define "investigative or enforcement" actions, provide examples and state detailed exceptions, such as recording lawful behavior (e.g., political, or religious activity and conversations with confidential informants, child victims, etc.).

    ▪ Require officers to test their assigned BWV cameras before each shift, and provide training and guidance on mandatory, discretionary, and prohibited activation of the BWV.

    ▪ Require BWV cameras to record at least two minutes of video prior to activation.

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[3] The Committee recognizes that many of these recommendations regarding BWV are contained in the LAPD's Special Order 12, referenced herein. However, the Committee wants to emphasize that continuous training and oversight of this policy is strongly encouraged to enhance compliance, which public auditing indicates needs improvement.

- Specify that officers are to inform members of the public that they are being recorded, whenever feasible.

- Require officers to provide written notification when they do not follow BWV policies.

- Require all officers to document the existence of BWV footage in applicable reports.

- Ensure that there are clear BWV procedures for sensitive encounters, including domestic violence, and child victims and witnesses.

- Prohibit the improper access and distribution of footage.

- Prohibit department personnel from improperly modifying, altering, copying, editing, or deleting footage and emphasize that doing so could result in disciplinary action, including suspension or termination.

- Ensure that BWV cameras are not used for the sole purpose of monitoring activities that are protected by the First Amendment, unless the situation involves civil unrest where the expectation is that the BWV should be activated.

- Consistent with current California law, the department should prohibit the use of facial recognition software with BWV, or other devices carried or worn that capture digital images.

o Provide consistent supervision to enhance compliance and accountability with BWV policies and practices:

- Supervisors should be responsible for reinforcing BWV policies, and should be regularly evaluated on their efforts to ensure compliance and on their ability to identify non-compliant officers.

- Supervisors should regularly review BWV practices with officers to ensure compliance.

o Conduct regular audits and inspections of BWV to ensure compliance:

- Systematic audits should be conducted to consistently monitor the use of BWV cameras, cell phone video and in-car video systems and ensure adherence to department policies.

o Ensure the establishment and enforcement of a consistent and progressive discipline system for violations of the BWV policy.

o Institute retention practices:

- Create a BWV data retention and destruction policy.

- Conduct a comprehensive review of the need to retain BWV for law enforcement and oversight purposes and determine the length of time that BWV should be retained.

- Such period should not exceed the five-year guidance provided by the City's Administrative Code, absent specific circumstances supporting longer retention.

o Ensure continuous training of officers on the proper use and maintenance of BWV cameras including:

- Immediate activation of BWV cameras at the beginning of encounters.

- Reinforcing the requirement that BWV cameras remain in the "on" position while on duty.

- Reinforcing the responsibilities for and restrictions on using BWVs, in accordance with existing policy.

- Practices to ensure the integrity of recordings, proper usage, and disciplinary actions for failure to follow policy.

o Conduct additional analysis of BWV footage to identify patterns of behavior and develop best practices for training purposes including:

- Increase the usage of BWV footage in on-going training by providing examples of officer's behavior, e.g., how officers approach and interact with individuals.

- Analyze BWV footage more extensively to identify patterns of potential discriminatory, biased, harassing or other inappropriate behavior, including patterns that can be shown across incidents in the aggregate, for the purpose of improving encounters with the public.

- Assist researchers in building an automatic speech recognition system, or other efficient system, for BWV footage to allow the department to facilitate the review of footage, examine officers' language precisely and systematically, and develop strategies for improving officer communication.

Digital In-Car Video System (DICVS)

o Consistent with Department Manual Section 3/579.13, regularly review the DICVS Policy to ensure it is up-to-date and reflects current best practices, including:

- Clearly states when and how the DICVS must be activated.

- Requires officer training on the proper use of the DICVS.

- Requires officers to record certain incidents, including traffic stops, searches, transports, and questioning of victims, suspects, and witnesses.

- Requires data be uploaded to a secure storage repository.

- Prohibits officers from deleting or otherwise tampering with in-vehicle recording footage.

o Provide consistent supervision to enhance compliance and accountability with DICVS policies and practices:

- Supervisors should be responsible for reinforcing DICVS policies and should be regularly evaluated on their efforts to ensure compliance and on their ability to identify non-compliant officers.

- Supervisors should regularly review DICVS practices with officers to ensure compliance.

o Conduct regular audits and inspections of DICVS to ensure compliance:

- Systematic audits should be conducted to consistently monitor the use of DICVS to ensure adherence to department policies.

o Establish a consistent and progressive discipline system for violations of the DICVS policies.

o Institute retention practices:

- Create a DICVS data retention and destruction policy.

- Conduct a comprehensive review of the need to retain DICVS for law enforcement and oversight purposes and determine the length of time that DICVS should be retained.

- Such period should not exceed the five-year guidance provided by the City's Administrative Code, absent specific circumstances supporting longer retention.

Automated License Plate Reader (ALPR)

o Develop and implement a clear ALPR policy that reflects current best practices and includes the following:

- Ensures compliance with SB 34.

- Ensures compliance with Report issued by State Auditor, dated February 2020.

- Establishes the authorized and prohibited uses of the ALPR system.

- Specifically defines how the LAPD will monitor and audit the use of the ALPR system to ensure compliance and the security of the data.

- Ensures that vendors who have access to ALPR systems adequately protect the information.

- Addresses data sharing agreements.

- Addresses data retention issues that consider both the usefulness of the ALPR data and individuals' privacy in deciding how long to retain the images.

- Defines the "Appropriate Users" of ALPR technology:

  - Specifically identify the individual users who have access to the ALPR system.

  - Users should require supervisor approval and ALPR training as a prerequisite for account access.

  - Suspension of accounts should be required when a user has become "inactive."

  - Training for "inactive" users should be required to regain active status.

  - Deletion of accounts should take place when employees separate from the agency.

- Allow ALPR technology to only be used to collect data that is within public view and not be used for the sole purpose of monitoring individual activities protected by the First Amendment.

o Implement internal safeguards to protect against misuse of data and outline consequences for noncompliance.

o Develop an ongoing evaluation and audit system that determines whether the technology is being used in accordance with policies.

o Develop an ALPR retention policy that balances the need for law enforcement investigations with privacy concerns.

- Ensure the retention policy is consistent with all other data storage policies.

Suspicious Activity Reports (SARs)

o Consistent with Department Manual Section 4/271.46, and Special Order 17 (2012) ("SARs Policy"), regularly review the SARs Policy to ensure it is up-to-date and reflects current best practices, including:

- Include SARs in the arrest files for arrests made based on SARs.

- Ensure that information collected in the SARs is only used for *bona fide* law enforcement and/or intelligence analysis purposes and/or for defense in civil or administrative actions brought against the Department or its members.

- Require the department to publicly report on the data submitted in SARs report on a regular basis but not less than once a year.

- Conduct regular audits to ensure that reports are based on observed behavior reasonably associated with pre-operational planning associated with terrorism or other criminal activity (The Department and federal guidelines also refer to this as potentially having a "nexus to terrorism"), and do not include protected First Amendment activities.

o Review the findings of the 2019 OIG audit, and ensure all recommendations have been implemented, specifically:

- Revisions to Special Order 17 incorporating updated language regarding suspicious activity behaviors and indicators (set forth by the 2015 iteration of the ISE Functional Standard).

- Requiring that analyst notes clearly state the rationale for affirming or denying each SAR and require that the notes explain the rationale for any reversal of an original classification.

- Evaluate options to categorize the racial/ethnic background of the involved persons more effectively (currently listed in the Descent category as "Other") in an effort to minimize the use of the term "other."

- Develop parameters regarding sharing information from any "unfounded" SAR with the Joint Regional Intelligence Center ("JRIC") or other outside agencies.

- Review all video and audio recordings associated with a SAR as part of the classification process.

- **Data Quality and Accuracy:** Data quality and accuracy in individual reporting should be enhanced to improve the overall quality of the information in the databases.

- o Emphasize in training, and systematically thereafter, the importance of detailed and accurate reporting and collection of all data. To achieve this, ensure the implementation of the following best practices:

  - Data should be recorded or memorialized contemporaneous to the act, or as close in time to the act as possible.

  - Provide clear definitions of terms, including examples to help eliminate any ambiguity, that officers can rely on for reporting information.

  - Educate the entire organization about systems and processes; ensure understanding of the importance of avoiding data errors, inconsistencies, and incompleteness.

    - Starting in the Academy, educate on the importance of detailed and accurate reporting on all forms (written or electronic) to ensure accountability and accuracy.

    - Ensure that the Department's leadership continuously stresses the importance of data quality to help build a culture of competency, transparency, and trust.

- o Create additional supervisory oversight and internal auditing mechanisms to ensure the information being reported and collected is accurate and prepared in accordance with the Department's policies.

  - Supervisors should conduct regular reviews of their officers' crime reports, statements, Field Identification Cards, SARs reports, RIPA forms, BWV and In-Vehicle footage, etc., to ensure the information reported or captured on video accurately reflects the totality of the incident or acts reported.

  - Conduct regular internal audits of its personnel's reporting and data collection practices to ensure compliance.

- o Establish metrics to track and assess data quality (e.g., number of incomplete or redundant entries in a database, or the amount of data that cannot be analyzed due to formatting or input issues) and perform recurring data quality assurance audits.

- o Conduct data quality follow-up as soon as feasible after reporting problems occur.

- o Outline consequences for noncompliance.

- **Data Access and Use:** Ensure that current policies are being followed and that access to the databases is limited to authorized employees for official police business purposes.

- o To accomplish this, develop clear policies and procedure for accessing data, including:

    - Data stored on or available through department systems should only be accessed by authorized employees who are engaged in an active investigation, assisting in an active investigation, or otherwise have a legitimate law enforcement or department business-related purpose.

    - Access controls should be streamlined and consistently applied to all data and should require authentication, authorization, and passwords.

    - Access to sensitive information should be limited to authorized employees with an express need to review such data.

    - Clearly identify personnel who have edit rights to the data and when they can edit said data.

    - Employees who should no longer have access rights should immediately be removed from access privileges.

    - Outline consequences for noncompliance.

- o Conduct regular audits to ensure access is limited to authorized users.

    - Access logs should be routinely audited to ensure compliance with data access policies and procedures.

- **Data Retention/Preservation:**

    - o Develop clear and comprehensive policies and procedures pertaining to the retention and destruction of all data for each technological tool that includes balancing the following:

        - Evaluating law enforcement needs for the data.

        - Considering the privacy considerations of those individuals whose data is being held and how to safeguard those rights.

        - Assessing the need for the data in ongoing criminal investigations, prosecution, administrative or civil proceedings.

        - Ensuring the need to protect stored data consistent with the applicable cybersecurity structure.

    - o Work with the Police Commission and City Attorney's Office to address the applicable law regarding data retention and/or preservation, including California law and Los Angeles City Administrative Code, and bring recommendations to the appropriate governing body to amend these requirements in accordance with the Department's evaluations and findings.

- **Study Collected Data:** Ensure that significant efforts are made to learn from all collected data. These efforts should include:

  o Expand work with research specialists, academics, data scientists, and other subject matter experts.

  o Establish metrics for evaluating the utility of the data.

  o Consistently evaluate and review data collected to determine efficacy of policing practices and which ones result in unintended consequences.

- **Promote Public Engagement and Community Trust:** Increase public engagement and community trust by making data public.

  o Report data publicly (e.g., demographic, enforcement, critical incidents, etc.) and discuss with the community at regular public forums and oversight meetings.

  o Continue to expand open data access and include, where feasible, data summaries/reports in English and Spanish.

  o Update the public-facing website so that data is more easily accessible to the public.

  o Data should be presented in a way that promotes true transparency, comprehensibility and encourages public engagement and collaboration through information dashboards, maps, graphical interfaces that use icons, menus, and other visual graphics.

  o Raw data should be available for download so researchers, academics, and other interested parties can access and analyze it.

  o Work with community representatives to develop and propose data, privacy, and technology policies and practices that are consistent with best practices for the Commission to consider adopting.

- **Social Media:**

  o Consistent with Chief of Police Notice 2.2.5, dated October 19, 2018, ("Social Media Policy"), regularly review the Social Media Policy to ensure it is up-to-date and reflects current best practices.

  o Develop a personal use social media policy for department personnel.

  o Recognize social media as an integral part of a city's traditional approach to media, and be prepared to communicate accurately, transparently and in a timely manner through social media channels.

- Use social media as a tool to provide timely information on events, particularly in the geographic areas where events are taking place.

- Use social media as a tool to educate the public regarding policing and the efforts of the Department.

- Review social media in an effort to better understand the communities' feedback regarding policing practices.

- Do not allow social media to replace traditional approach to media, since some members of the community do not utilize social media as their primary source of information.

o Ensure that the media team includes members with expertise in the use of social media.

o Create a social media protocol for proactive and reactive communications well in advance of an incident to guide response, but also remain flexible and nimble.

- **Report Demographic and Enforcement Data:**

    o Consistent with many of the current practices of the Commission and the Department, collect and publicly report:

      - Pedestrian and traffic stops
      - Searches
      - Summonses
      - Arrests
      - Reported crimes
      - Complaints (volume and nature of)
      - Officer injuries
      - Officer training

    o Disaggregate data by demographics including race, ethnicity, national origin, gender, LGBTQIA+ status, disability, religion, and other relevant demographic identifiers, to help assess the effectiveness of police practices, maintain accountability, and engage the community.

    o Include detail sufficient to permit an analysis of possible patterns of biased policing or racial profiling.

    o Regularly review and monitor that data is being made available as soon as practical.

    o Report and make publicly available data regarding the composition of the department including race, gender, age, educational-level, and other relevant demographic data.

- o Disaggregate all data by unit, division, shift, and geographic location.

- **Report Use of Force Data:**

  - o Consistent with the Commission's 2015 directives, and Department's practices, as reflected in the Annual Use of Force year-end review reports, regularly review the Department's use of force policies to ensure they are up-to-date and reflect current best practices.

  - o Ensure continuous and frequent reporting of all use of force data which should, at a minimum include:

    - ▪ The Annual Use of Force year-end review.

    - ▪ Regularly post data online, in addition to the annual report.

    - ▪ Police Commission Meetings.

    - ▪ Public meetings, including meetings with community groups and organizations; and

    - ▪ Annual reports to the federal government, including to the FBI's Criminal Justice Information Services (CJIS) and Bureau of Criminal Apprehension (BCA).

  - o The data disclosed should include, at minimum, information on officer-involved shootings (OIS), in-custody deaths, and uses of force resulting in serious bodily harm (collectively referred to as categorical uses of force (CUOF). In addition, reporting of non-categorical uses of force should also continue to take place.

- **Release Critical Incident Video:**

  - o Consistent with the current Critical Incident Video Release Policy, updated by the Commission on August 25, 2020, and contained in Department Manual Section 1/420.55, regularly review the Critical Incident Video Release Policy to ensure it is up-to-date and reflects current best practices. As part of this process:

    - ▪ Work with community members, elected officials, prosecutors, officer organizations, crime victims' representatives, and other subject matter experts to ensure active input into the process.

    - ▪ Evaluate whether the release of critical incident video footage can be made more quickly, without compromising investigations, and while ensuring the completeness of the disclosures.

  - o Ensure that the release of video footage about critical incidents, including significant uses of force, is done at the earliest opportunity.

- o If information cannot be publicly released, be transparent as to the reasons why. Inform the public that information will be shared as soon as possible.

- o Address privacy concerns:

  - ▪ Footage should be reviewed for potential privacy concerns for members of the public before it is publicly released. For example, blur the images of members of the public who are not involved in the encounter.

  - ▪ Ensure policies articulate the privacy protections regarding the release of information related to victims and victims' families.

- **Procure A High-Quality Data Collection System:**

  - o The Department should implement and maintain a high-quality, modern data collection system for collecting, storing, and analyzing relevant data. The system may include such modern technology as a friendly graphical user interface, a robust cloud repository with secure databases, and automated search tools.

  - o The data collection system should help facilitate the Department's ability to aggregate, normalize and analyze relevant data, including analysis by demographic variables.

  - o The Department should ensure that data is not collected or used in a way that would violate privacy, civil or human rights or facilitate discrimination against any demographic group.

- **Enhance the Information Technology Bureau (ITB):**

  - o Members of the ITB should have experience in implementing and maintaining data collection systems, working with cloud repositories, understanding data taxonomy (cataloging of data), and performing data analytics.

  - o The ITB should assist the Department in retaining outside subject matter experts with extensive experience in the secure collection, storage, accessibility, transmission, management, audit, and analysis of digital data. Outside subject matter experts will play an integral role in assisting the Department to update and restructure its current databases, procure adequate systems for collecting and storing data, and facilitate the efficient integration and analysis of all existing and newly collected data sets.

  - o Secure additional funding and/or resources so that the ITB can implement an information systems architecture that allows for the best practice in secure collection, storage, accessibility, transmission, management, and analysis of digital data.

o An IT/data manager should oversee the applicable ITB and facilitate the handling of data requests, data analysis, and data risk assessment.

o The ITB should develop and implement security protocols to mitigate the risk to protected data within the Department's control.

o The ITB teams should be able to maintain and readily analyze demographic and enforcement data to identify, among other things, possible patterns of biased policing, misallocation of resources, or inadequate training.

o The ITB teams should have a significant level of independence from operational entities within the Department to enhance perception of trustworthiness and integrity of collected, analyzed, and maintained data.

- **Additional Privacy Considerations:**

  o Implement privacy practices pertaining to the public's personal information, including:

    ▪ Evaluate the law enforcement purpose for collecting the public's personal data and consider alternatives to doing so.

    ▪ Limit the collection and retention of such personal information to directly serve a legitimate law enforcement purpose.

    ▪ Consider the privacy implications of collecting personal information before the collection of such data.

    ▪ Collect information in ways that does not discriminate against any persons, including marginalized and minority communities.

    ▪ When possible, offer clear alternatives to the collection of personal information at the time of collection.

  o Manage personal information with diligence.

    ▪ Regularly update software and applications used for the collection and retention of public personal information.

    ▪ Regularly delete personal information, consistent with the Department's data retention policies.

    ▪ Encryption and other security measures should be implemented to reduce misuse of personal information.

    ▪ Extend privacy protection to the Department's relationships with third parties and provide personal information only when necessary or required by law.

- Safeguard individual privacy in public disclosures consistent with the recommendations included herein.

- Be transparent and open about why and how the Department collects, uses, manages, and shares personal information.

  - Include these explanations on the Department's public-facing website.

  - Seek community input on the collection of personal information and how it could be protected.

- **Photo Comparison Policy:** Evaluate compliance with the Photo Comparison Policy, implemented in January 2021.

- **Stop Data:** Implement the Inspector General's Recommendations as presented in its report entitled: Report of Stops Conducted by the Los Angeles Police Department in 2019, dated October 27, 2020. Specifically:

  Crime Strategy

  - Limit Pretextual Stops: Refocus the Department's strategies for addressing violent crime away from the use of pretextual stops, broadly defined as the use of minor traffic, bicycle, or pedestrian violations for the purpose of conducting a criminal investigation unrelated to that violation. When a stop is conducted on the basis of a minor code violation, an officer should not extend the length or scope of the investigation beyond what is necessary to address the violation unless there is reasonable suspicion or probable cause of other criminal activity. Such decisions should not be based on a mere hunch or on characteristics such as a person's race, gender, age, homeless status, manner of dress, mode of transportation, or presence in a high-crime location.

  - Consider the Effects of Crime Fighting Strategies on Community Trust and Legitimacy: Evaluate, on an ongoing basis, the effectiveness of the Department's crime strategies, including the impact on community members and potential for collateral damage on community trust and legitimacy. Such evaluation should combine public feedback with the Department's own evidence-based analysis of the efficacy of its stop practices in identifying and addressing crime.

  - Racial Disparities in Stop Practices: Set a Department-wide goal of eliminating racial disparities in the enforcement of traffic and minor code violations, particularly with respect to discretionary activities. As part of this process, reinforce the Department's policy on "Equality of Enforcement," which mandates that "[s]imilar circumstances require similar treatment in all areas of the City and for all groups and individuals."

  - Focus Stop Practices on Violations Directly Related to Public Safety: Consider other approaches to addressing minor equipment and technical violations that

are not directly related to public safety. In keeping with the principles of procedural justice, ensure that all officers use their contacts with members of the public as an opportunity to explain and educate members of the public about relevant laws and processes.

o   Revise Measures of Productivity[4]: De-emphasize simplified enforcement outcomes – such as citations, stops, and FI cards – as a measure of officer or unit productivity or success. Develop and use alternate measures of effectiveness, such as the ratio of contraband found to searches conducted, as well as metrics related to community engagement and community trust. These might include, for example, the tracking of non-enforcement community engagement activities, commendations from members of the community, quality of service reviews, and complaints of discourtesy or other misconduct. Ban informal and formal enforcement quotas of any type.

Written Policy

o   Biased Policing Policy: Update the Department's Policy Prohibiting Biased Policing to incorporate language from State law. Specifically, the policy should explicitly indicate that officers may not consider race or other protected identity in deciding upon the scope or substance of law enforcement activities following a stop. The activities to be incorporated should include asking questions, frisks, consensual and nonconsensual searches of a person or property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

   ▪   The Department should also review the best practice recommendations set forth by the RIPA Board in it 2019 Annual Report and modify its policy to comply with relevant recommendations in the report.

o   Policy on Stops and Post-Stop Activities: In consultation with the OIG and the Commission, develop and incorporate into the Department Manual a policy on pedestrian, vehicle, and bicycle stops. The policy should clearly set forth legal and policy considerations for officers in conducting stops, including consensual encounters, and searches. The policy should also bring together and clearly define rules and parameters related to post-stop activities, such as removing a person from the vehicle, handcuffing, asking consent to search, filling out an FI card, taking photographs, parole and probation searches, and other actions as necessary.

o   Consensual Searches: Require that officers receive affirmative, verbal consent for all consensual searches, and that they advise the person that they may both

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[4] *See also* the OIG's previous recommendation relating to measuring and incentivizing activities related to community policing. "Follow-Up Review of National Best Practices," Office of the Inspector General, October 1, 2019, page 26. (Recommendation G-2.)

refuse to consent and withdraw their consent any time. This advisement as well as the person's verbal consent should be captured on camera or, if not practicable, documented on a written form. Requests for consent should clearly indicate the scope of the search being requested. Officers should request consent for a search only where there is an articulable law enforcement purpose, and they should indicate this purpose for the record on the associated video, where practical. Officers should also explain to the person the reason for the request.

Field Interview Cards

o   Policy on Completion of FI Cards: Set forth clear policy guidelines as to the circumstances under which FI cards should be filled out. Generally, the policy should set forth the various purposes of an FI card and ensure that the completion of an FI card is not completed at random or as a matter of routine during stops. As part of this revision, and in light of the cessation of the Department's use of the CalGang database, the policy should remove language requiring officers to fill out an FI card during every encounter with a suspected gang member. The FI policy should indicate that officers may not prolong a stop in order to complete an FI card, nor are members of the public obligated to answer questions or display tattoos in order to facilitate the completion of such cards.

o   Information to be Collected on FI Cards: Set forth clear guidelines as to what information should be included on the FI card, and revise the form as necessary. This should include, for example, the extent to which information gathered from sources other than the interview (previous knowledge, databases, etc.) may be noted and how such information should be characterized. Additionally, the field for Social Security Number should be removed from the form.

  ▪   The Department should require the officers to complete each FI card during or immediately following the stop. If this is not practicable, officers should note that the information was added later and should take steps to ensure accuracy, including consulting contemporaneous notes or video as needed.

o   Digitize and Streamline FIs: Work towards streamlining the FI process by digitizing it and connecting it to AFDR and CAD data in order to reduce the burden on officers. This would also ensure timeliness of data entry, improved accuracy, and less redundancy, and would facilitate better data analysis. In digitizing the system, the Department should also expand character limits to ensure that the card allows for sufficient information to be entered into the system. To the extent that officers continue to use paper forms, the Department should develop a formalized system for tracking and managing these documents, to include a process for ensuring timely entry into the FI database.

- Retention Period: Develop a retention policy for digitized FI cards, which may include the purging of outdated records containing personal identifying information.

Data Collection

- Improve Data Collection Practices: Expand data validation and performance audits to identify areas of errors or confusion in entering stop data. Provide training and guidance in these areas.

- Identify Data Improvements[5]: Identify additions to the required RIPA data fields that might assist in understanding and analyzing stop data, such as the addition of important contextual information. These might include, for example, the following fields: vehicle/pedestrian/bicycle stop, driver/ passenger/pedestrian, local code violation, homeless status, search-by-search data.

- Timely Data Entry: Require that AFDRs be filled out directly following a stop where practicable. If this is not practicable, officers should note that the AFDR card was completed later and should take steps to ensure accuracy, including consulting contemporaneous notes or video as needed.

Data Analysis and Transparency

- Publish Stop Data:[6] Publish regular reports on stop data, including data disaggregated by race and gender, geographic area, and post-stop activities. Make all stop data, other than confidential information, available through the City's open data website.

- Analyze Stop Data on an Ongoing Basis:[7] Continue and finalize the process of developing metrics and a system for ongoing analysis of stop data for the purposes of identifying potential disparities, areas of improvement and success, and possible Fourth Amendment issues. Incorporate stop measures into the CompStat process and into officer reviews.

Internal Audits and Accountability

- Take Accountability Measures: Provide ongoing training on Fourth Amendment principles; conduct regular internal audits and reviews of stops, searches, and seizures; and hold officers accountable for violations of these policies.

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[5] See also the OIG's previous recommendation relating to the consideration of additional data fields. "Follow-Up Review of National Best Practices," Office of the Inspector General, October 1, 2019, pages 18-20. (Recommendation D-3.)

[6] *See also* the OIG's previous recommendation relating to publishing stop data. *Id.*, pages 16-17. (Recommendation D-1.)

[7] *See also* the OIG's previous recommendation and discussion relating to RIPA Steering Committee. *Id.*, pages 20-21. (Recommendation D-4.)

THE DISCIPLINARY PROCESS[*]

- **Increase Transparency in the Handling of Complaints and Disciplinary Proceedings:**

  o Develop "Know Your Rights" brochures and work with community leaders and organizations to increase transparency about the disciplinary process by plainly explaining:

    ▪ The manner in which complaints can be filed (in person, by phone, online);

    ▪ That complaints can be made anonymously but that anonymity may hinder a full and complete investigation;

    ▪ The Department's process for investigating complaints;

    ▪ The Department's disciplinary process, including the respective roles of the Chief of Police, the Police Commission, and the Board of Rights; and

    ▪ The extent to which Department information can and cannot be released to the public under state law.

  o Regularly release to the public, to the full extent permitted by relevant state laws, information about disciplinary actions and decisions, including those made by the Board of Rights, and release that information in a readily accessible and easily understood format.

  o For Board of Rights proceedings that can be disclosed under state law, develop and implement a specific plan for the:

    ▪ Timely release of future Board of Rights proceedings records on an ongoing basis; and

    ▪ Release of past Board of Rights proceedings records on a rolling basis, prioritizing proceedings involving categorical uses of force or claims that also include allegations of bias or discrimination.

  o Assess on an annual basis whether the Department's Advocates Unit is sufficiently funded, trained, and staffed, and has continuity in leadership.

  o For the Complaints Process:

    ▪ Provide periodic updates to complainants of the status and the results of their complaints, such as through the creation of a public web portal for

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[*] It is recognized that many of these recommendations may require that the Department, Command Officers Association, and/or the Los Angeles Police Protective League Meet and Confer or otherwise discuss these matters prior to implementation.

complainants where they could check the status of their case and upload additional evidence and information relating to their complaint.

- Release complaints data to the public on a regular basis.

- **Improve Effectiveness of the Complaint Process:**

  o Aim that all investigations of non-complex complaints are completed in six months or less.

  o Develop a procedure for fast-tracking complaints where the conduct at issue in the complaint is captured on Body-Worn Video.

  o Provide support to officers to help reduce complaints, to include:

    - Regularly review complaints and disciplinary proceedings to identify blind spots in Department trainings or policies that lead to allegations of misconduct.

    - Regularly showcase (within the Department and to the general public) examples of the good work officers do every day, particularly examples involving officers modeling the Department's procedural justice principles and de-escalation protocols.

    - Treat all members of the Department fairly and with respect at all times, including through disciplinary proceedings, so that they, in turn, treat others fairly and with respect.

    - Encourage members of the public and officers to participate in mediation to resolve more complaints, even if the complaints do not rise to the level of requiring the imposition of discipline.

    - Provide regular and wraparound mental health support to officers, and allow space for officers to relieve stress and recuperate, including taking time off when necessary.

- **Increase Transparency into the Board of Rights Process:**

  o Evaluate all options available to make the Board of Rights Process more transparent, in an effort to ensure more accountability for decisions that are made. Include in this evaluation, among other options, whether meetings can become public and whether transcripts of proceedings can be made public.

  o Establish guidelines for increasing the Office of Inspector General's oversight of the Board of Rights process, including, but not limited to:

    - Reviewing sustained complaints to ensure that penalties recommended by the Chief of Police are applied consistently and equitably; and

- Require the Inspector General to audit Board of Rights hearings for procedural errors and other issues, such as arbitrary and inconsistent decision-making.

   o Prepare annual public reports summarizing the Board of Rights proceedings, including:

- The number of directed Board of Rights hearings held;

- The number of opted Board of Rights hearings held;

- For each Board of Rights hearings held, include:

     • A general description of the alleged wrongdoing;

     • The recommended discipline by the Chief of Police;

     • The Board's findings and penalties imposed, if any;

     • The composition of the Board, including the number of civilians involved;

     • Whether the Board's rulings were unanimous, and, in the event of a non-unanimous ruling, whether the dissenting Board member was a civilian or sworn command staff officer; and

     • The length of time that transpired from the initiation of the Board of Rights proceedings to its completion.

- **Improve Effectiveness of the Board of Rights Process:**

   o Ensure that the Department is represented by attorneys during Board of Rights hearings.

   o Ensure the Department's Advocates Unit, to include attorneys and non-attorneys, has sufficient support, resources, and training from the City Attorney's Office to effectively represent the Department in Board of Rights hearings and to conduct all aspects of its work effectively.

   o Work with the Office of Inspector General to review and revise the Board of Rights Manual to increase transparency and accountability in the process, as well as ensure timely hearings, such as:

- Requiring Board of Rights hearings to be held within 60 days of the filing of the application for a Board of Rights hearing, subject to one 30-day extension permitted upon a showing of good cause;

- Permitting the Department Advocate to introduce victim impact statements or other testimony explaining the impact of the misconduct on a particular victim or community at the penalty phase.

- Requiring the Board to include specific information in its Rationale on Findings and Penalty Rationale that would assist in the annual review and reporting relating to the efficacy of the Board of Rights process, such as information required to be included in the annual report, as set forth above, as well as a description of the officer's past disciplinary record; and

- Evaluating the standards of review that are applied and ensure that it is the appropriate standard of review for evaluating cases. In addition, ensure that all Board Members understand the standard of review and do not confuse it with other review standards. To accomplish this, ensure appropriate instruction on the standard of review to be applied.

o As part of the Department's report to the City Council regarding the effectiveness of Ordinance No. 186100, which provides an accused officer the option of having a Board of Rights composed of three civilian members, include:

- The breakdown of the number of Board of Rights hearings held that were composed of an all-civilian panel versus a traditional panel;

- A comparative analysis of the outcomes of all-civilian panels versus traditional panels (both recent and historical);

- A study of Department personnel as to the perceived fairness of all-civilian panels versus traditional panels;

- An assessment of whether all-civilian panels result in an increase in procedural errors;

- An assessment of whether the all-civilian panels result in a reduction in officer discipline;

- An assessment of whether the selection process, including the qualifications sought, for the civilian members is yielding qualified and diverse members;

- An assessment of whether the training process is sufficient; and

- An assessment of possible City Charter amendments, to include but not be limited to:

  - The option of having Board of Rights panels composed of two civilians and one sworn command officer, rather than three civilian panel members. This would allow the two civilian members to

benefit from the knowledge and experience of the sworn officer to better achieve accurate fact-finding and analysis of the matter before the Board of Rights panel, while maintaining the civilian majority.

- Any other suggested changes to the Board of Rights Process that the Chief of Police or the Department believes would improve efficiency and accountability. Included in this review should be an assessment of the following:

  - The Chief of Police has publicly spoken about seeking additional authority in the penalty process than he is currently permitted under the Los Angeles City Charter. As a result, the Department should conduct an analysis of the cases involving serious violations of policy where the Chief's recommendation of discipline (whether it was for removal or another penalty) was lowered by the Board of Rights to a penalty less than the Chief's recommendation and the reasons why the Chief's recommendation was not followed.

  - The Department should analyze and determine whether these cases warrant recommending a Los Angeles City Charter change, whether an alternative modification to the process is supported by the evidence, or whether the evidence supports no additional changes.

- Provide the Department's penalty guide to the Board of Rights panels so that they may: (1) better understand the range of penalties the Chief considered for each violation; (2) better appreciate the range of penalties typically used by the Department when evaluating the penalty imposed; and (3) consider this guideline in determining whether they are going to impose a penalty outside of what the Chief of Police recommended.

- Assess whether the pool of Civilian Hearing Examiners, who serve on the Board of Rights, adequately reflects the diversity of Los Angeles, and whether the selection process is yielding qualified and diverse civilian members.

- Work with community leaders and organizations to distribute applications to be considered for appointment as a Civilian Hearing Examiner, for the opportunity to serve on the Board of Rights, and consider establishing a maximum term of service for Civilian Hearing Examiners.

- Partner with the City Attorney's Office and community-based experts to ensure that the Civilian Hearing Examiners who serve on the Board of Rights have sufficient training, not only when they are first selected but also receive mandatory continuing education throughout their term of service.

- ▪ The training should cover technical aspects of the hearing process to avoid procedural errors in the proceedings, as well as issues the Board of Rights routinely considers, such as excessive force, dishonesty, and domestic violence.

- ▪ As noted previously, the training should explain the standard of review to be applied and that Board Members fully understand that imposing a different or higher standard of review in disciplinary proceedings is error.

- o Establish a team of attorneys, preferably employed by the Department and who report to the Chief of Police, to represent the Department in all Board of Rights Hearings, as opposed to the current procedure where the Department is represented by non-attorney advocates and the accused officer is represented by attorneys.

WORK-PLACE INCENTIVES/RETENTION

- **Salary/Benefits:** To attract the ideal candidate, ensure the LAPD has a fair and equitable salary and benefit package competitive with or superior to other departments in the Los Angeles area.

  - Encourage advanced educational opportunities and ensure that such programs are available and accessible, including maintaining the education subsidy annual allowance to encourage sworn personnel to seek and obtain higher education.

  - Consider, if funding permits, an incentive program to recruit candidates and officers who live in the City of Los Angeles.

  - Evaluate services needed such as childcare and/or elder care programs and services, particularly programs that are available during non-business hours when police officers may be in the greatest need of assistance.

- **Support Networks:** Support and promote internal affinity groups and organizations that offer support for diverse officers.

  - Collaborate with affinity groups, such as associations of Black and Latinx officers, female officers, LGBTQIA+ officers, and others to identify the challenges they face as police officers and to address these challenges to attract and retain more applicants from these groups.

  - Enhance the existing mentorship program and develop a long-term mentoring program to support mid-level officers.

- **Alternative Police Staffing Models:** Explore more flexible staffing (operational) models as a long-term goal to attract more diverse police officer candidates and encourage retention, particularly for officers with sole responsibility for the care of family members.

  - Create part-time positions and/or job-sharing opportunities.

    - Such programs are largely used by law enforcement with respect to non-sworn employees but should be extended to sworn personnel.

    - The ability to job share after a certain level of experience is achieved could positively contribute to the retention of long-term employees.

  - Allow for paid leaves of absence and sabbaticals.

    - Employees could experience a complete change of pace, perhaps doing community work, going back to school, etc., which would serve to broaden the officer's perspective and help counter cynicism.

- **Officer Review Criteria for Promotions:** The criteria for supervisor selection, training, and accountability are essential elements of defining the culture of a department.

  o Ensure that performance reviews and appraisals reflect and reinforce community policing values and skills.

    ▪ Develop performance measures that reflect the principles of community engagement, collaboration, dispute resolution, de-escalation, problem-solving, community engagement, and trust-building.

    ▪ When considering an officer for promotion include in their policing metrics trust and community engagement, in addition to their assignment responsibilities.

  o Promotional decisions should be based on merit, performance, qualities, and characteristics that officers exhibit throughout their careers. Include factors that indicate how officers engage on the job and a review of their discipline and/or complaint records.

  o Evaluating and promoting officers based on their ability and track record in community engagement—not just traditional measures of policing such as arrests, tickets, or tactical skills—is an equally important component of the successful infusion of community policing throughout an organization.

  o Consider officers' misconduct records when promoting officers and integrate the socio-emotional wellbeing of officers into performance evaluation metrics.

  o Ensure that strong leadership skills, community building, trust and legitimacy are foremost regarding selecting supervisors, particularly front-line supervisors who are in most frequent contact with officers.

  o Ensure supervisors are held accountable for reinforcing the core values of the Department in the discharge of their daily responsibilities.

  o Require an advanced degree, leadership, and management training for certain promotions.

  o Ensure specialized training at each promotion level.

- **Assess the Impact of COVID-Driven Early Retirement Programs and Other Budget Issues:** Evaluate the impact the COVID-driven and fiscally driven staffing changes have had on the civilian and sworn workforce.

  o Develop a more strategic approach to civilian re-organization plans.

  o Evaluate and measure workforce impact and morale as a result of backfilling lost civilian jobs with sworn officers.

- **Apply Procedural Justice Principles Internally**: Promote procedural justice principles within the Department, including:

  o Remind officers that the work they do matters to the Department and the community they serve.

  o Provide ample opportunities for officers to give meaningful input about their work.

  o Ensure officers are treated fairly by their peers, supervisors, and the Department as a whole.

- **Officer Health and Well-Being:** Create a culture that values self-care and safety in all aspects of operations.

  o Develop a robust health and wellness plan that monitors officers' well-being, helps them manage their stress, and optimizes their mental fitness capabilities.

    ▪ Consult with subject matter experts to help educate and coach officers, de-stigmatize mental health issues and promote mental fitness.

    ▪ Implement robust employee assistance programs that offer low-cost or no-cost services including confidential counseling, crisis counseling, stress management counseling, and mental health evaluations.

      - Ensure that these programs are offered anonymously.

    ▪ Ensure that these programs are meeting the needs of all employees

    ▪ Create peer counseling and mentorship programs so officers can support each other.

    ▪ Make available wellness training: incentivize participation in wellness programs and use of wellness resources.

    ▪ Tailor and center wellness offerings through surveys and regularly updating educational programming.

    ▪ Work with the Department and City Personnel to evaluate the psychological screening process, used as part of the officer hiring process, to ensure it is achieving its intended result in providing the Department with the best candidates.

    ▪ Implement periodic psychological screenings to monitor stress levels, biases, coping skills, and overall attitudes for all officers.

    ▪ Determine as early as possible additional resources needed for officers to assist them in the execution of their duties, including additional training and supervision where needed.

- Train supervisors on how to recognize warning signs and identify those who may need or benefit from counseling or stress management training.

- Require officers who are involved in or witness traumatic events to speak with a counselor and/or receive additional counseling.

- Conduct physical and mental health check-ups on an ongoing basis. Question about whether this can be more specifically, such as annually.

- Monitor and reduce time pressure, stress, and fatigue.

- Offer appropriate protections and incentives to encourage officers to report concerns about the mental condition of themselves or others.

- Provide access to a confidential mental health hotline.

- Enhance trainings to focus more on health and wellness.

  - Examine how these factors influence officer decision-making to uncover patterns for training and suggest improvements.

  - Review other similar programs that have been developed in other professions, such as, medicine, law, and other high-stress fields.

o Ensure all officers are provided with sufficient and modern safety equipment.

- Continue to issue BWV and other important technology to police officer recruits in the Academy to ensure the recruits are receiving hands-on training with mission critical systems.

- Ensure that all officers are provided with appropriate safety equipment and monitor their needs (and potentially changing needs) on an ongoing basis.

- Equip officers with on-duty first aid kits and provide regular training on proper techniques for rendering aid in the field.

- Require officers to wear seatbelts and implement regular trainings on importance of safe driving behaviors.

RESOURCES

The list below includes individuals who spoke to the Advisory Committee and reports reviewed by Committee members in the development of the recommendations. The list is provided for reference purposes only; it is not an endorsement by or of any individual, organization, or report listed.

COMMUNITY FORUM PRESENTERS (listed in order of presentation)

September 3, 2020

Professor Jody Armour, USC School of Law

Darrell Goode, Santa Monica NAACP

Rachel Rose Luckey, Rampart Valley Neighborhood Council

Ms. Gina Viola & Mr. Zach Sherwin, White People 4 Black Lives

Dr. Steven Webb, Advocates of the San Fernando Valley

Dr. Aliah Majon, Chief Information Officer, SHIFT

Reverend Edward Anderson, McCarty Memorial Church

Nahisha Pettit, Community Member

Jessica Kellogg, Community Member

Tony Rice, Archer Group

Ebony Lewis, Senior Consultant, The Permanente Foundation

September 10, 2020

Donna Harati, Homeboy Industries

Father Stan Bosch, Soledad Enrichment Action

Pastor Shep Crawford, The Experience Christian Ministries

Sean Keys-Leyes, Community Member

Terra Russell-Slaven, Los Angeles LGBT Center

September 17, 2020

Brian Hofer, Chair, City of Oakland Privacy Commission

Bob Harrison, RAND Corporation

Bishop Grover Durham, Presiding Bishop Prelate for the Los Angeles College of Bishops and Ministers Conference

RESOURCES

Bishop Tracey Price, 2nd Vice-President for the Los Angeles College of Bishops and Ministers Conference

Reverend Oliver Buie, Holman Methodist Church

Amr Shabaik, Council on American-Islamic Relations

Debra Suh, Center for the Pacific Asian Family

Heather Cabrone, Defend the LAPD

September 24, 2020

Paula Madison, Stewart Kwow & Michael Lawson, Coalition for a Better LA

Stephanie Molen, Strength United

Barbara Kappos, East Los Angeles Women's Center

Fernando Rejon, Paul Carrillo & Ben Owens, Urban Peace Institute

Robin Toma & Pierre Arreola, Los Angeles County Human Relations Commission

Commander Alan Hamilton & Captain Aaron McCraney, Association of Black Law Enforcement Executives

Marcellus McRae, New Era in Policing

Sgt. Celina Robles (LAPD), Latin American Law Enforcement Association (La Ley)

Mark McLaughlin & Jamon Hicks, Langston Bar Association

Hamid Kahn, Stop LAD Spying Coalition

Shamica Haskins & Milinda Kakani, Children's Defense Fund

Pamela Bustos, Casa Del Familia Domestic Abuse Response Team Provider

Marian Krinsky, Fair and Just Prosecution

October 1, 2020

Dominique Johnson, Center for Policing Equity

Commissioner Courtney Morgan-Green, City of Los Angeles Human Relations Commission

Professor Tracey Mears, Caroline Sarnoff and Tom Tyler, Justice Collaboratory, Yale University

Jennifer Hark Dietz, PATH Making it Home

Rabbi Ron Li-Paz, Valley Outreach Synagogue

Omar Ricci & Hedab Tarifi, Islamic Center of Southern California

Rudy Espinoza & Lyric Kelkar, Inclusive Action for the City

Michelle Parris, Vera Institute

Monica Guizar, Mexican-American Bar Association

Pastor James Thomas & Patricia Guerra, PUSH LA

Captain Chris Waters (LAPD) & Chief Chris O'Quinn (California Highway Patrol, Retired), National Organization of Black Law Enforcement Executives, Southern California Chapter

Sgt. Jody Stiger (LAPD), Oscar Joel Bryant Association

John Hollywood, RAND Corporation

Paula Minor, Baba Gregg Akili & Quintus Moore, Black Lives Matter, Los Angeles

Sgt. Susan Padilla (LAPD), Los Angeles Women Police Officers and Associates (LAWPOA)

Hyepin Im, FACE LA

Sgt. Jerretta Sandoz (LAPD) & Officer Robert Harris (LAPD), Los Angeles Police Protective League

Susan Park, Asian Americans for Housing and Environmental Justice

Kim McGill, Skip Townsend & Alex Sanchez, Youth Justice Coalition

PRESENTERS TO POLICE COMMISSION ADVISORY COMMITTEES

Department Presenters

Michel Moore, Chief of Police, Los Angeles Police Department

Beatrice Girmala, Assistant Chief, Director, Office of Support Services

Martin Baeza, Deputy Chief, Commanding Officer, Personnel and Training Bureau

Robert Marino, Deputy Chief, Commanding Officer, Professional Standards Bureau

Elizabeth Rhodes, Director Office of Constitutional Policing and Policy

Ernest Eskridge, Commander, Commanding Officer, Internal Affairs Group

Ruby Flores, Commander, Training Group

Dr. Luann Pannell, Director Police Education and Training

Monique Turner, Information Systems Manager II, Applications Development and Support Division

Marc Furness, Detective III, Internal Affairs Group, Acting Department Advocate

Rhiannon Talley, Sergeant II, Internal Affairs Group, Mediation Coordinator

RESOURCES

Non-LAPD Presenters

Brendan Cox (Chief, Ret.), Law Enforcement Assisted Diversion (LEAD), Director of Policing Strategy

Lisa Daugaard, Executive Director, Public Defender Association, Director, Law Enforcement Assisted Diversion (LEAD) – Adult Pre-arrest Diversion

Sheryl Fox, Mediator, Los Angeles City Attorney's Office, Dispute Resolution Program

Brian Hofer, Oakland Privacy Advisory Commission

Dr. Tracie Keesee, Co-Founder and Senior Vice President of Justice Initiatives, Center for Policing Equity – Bias and Training

Aram Kouyoumdjian, Assistant General Manager, City of Los Angeles Personnel Department

Dr. Bryant Marks, PhD, Founder and Chief Equity Officer, The National Training Institute on Race and Equity LAPD Implicit Bias Training

Andrea Ordin, Former President of the Los Angeles Board of Police Commissioners

Jim Pugel, (Chief, Ret.), Site Advisor, LEAD Seattle

Shaphan Roberts, Supervisor, Los Angeles City Attorney's Office, Dispute Resolution Program

Mark Smith, Inspector General

Dr. Shahin (Sean) Mirkof, Psy.D, City of Los Angeles Personnel Department

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