INTRADEPARTMENTAL CORRESPONDENCE

October 2, 2019
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TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: DEPARTMENT'S RESPONSE TO THE OFFICE OF THE INSPECTOR GENERAL'S REVIEW OF SELECTED DATA-DRIVEN POLICING STRATEGIES

RECOMMENDED ACTIONS

1. It is recommended that the Board of Police Commissioners REVIEW and APPROVE this Department report submitted in response to the Office of the Inspector General's March 12, 2019 Review of Selected Data-Driven Policing Strategies.

DISCUSSION

At the direction of the Los Angeles Board of Police Commissioners (Commission), the Office of the Inspector General (OIG) initiated a review of selected Data-Driven Policing initiatives, including those that were Offender-Based and Location-Based.

For the Offender-Based program, the OIG reviewed the Department's Chronic Offender program. The Location-Based program review included LASER (Los Angeles Strategic Extraction and Restoration) Zones and PredPol (Predictive Policing) areas. The OIG also reviewed a community survey program called ELUCD.

The OIG had three main categories of recommendations set forth in its March 12, 2019 review. Those recommendations are as follows, with the Department's response beneath each one.

A. Offender-Based Programs.

Recommendation 1. Establish formal written guidelines, to be approved by the BOPC [addressing a number of specific points]; and,

Recommendation 2. Modify its Offender Database to capture [specific criteria];

Department Response for Recommendations 1 & 2:

The Department discontinued the use of Chronic Offender lists, databases, and bulletins in the second half of 2018. As such, the Department will no longer track any individual based solely on the frequency of certain interactions with the Department, nor will it develop specific strategies

related to individuals based solely on the criteria of being a previously described "Chronic Offender."

At the same time, the Department is focusing on maintaining a robust Offender-Based strategy for effecting focused crime control. The Department's ongoing Offender-Based strategy includes:

- Identify those on parole, probation, or Post Release Community Supervision (PRCS) who warrant additional consideration for supervision given their risk status provided by the County or types of offenses committed, as well as in comparison to suspect descriptions for both violent and property crimes.

Research sponsored by the Bureau of Justice Statistics (BJS) shows that 68 percent of offenders released from prison will reoffend within 3 years.[1] Additional BJS studies show that interventions and sanctions for these individuals not only curtail future crime, but increase the likelihood of *desistance*—or achieving the permanent state of nonoffending. The Department will thus work with PRCS, parole, and probation agencies to identify individuals and conduct appropriate supervision of them to prevent or identify reoffending, consistent with the terms of their post-release. Strategies for identifying individuals, including for Area-specific crime trends, will be discussed in a forthcoming guidebook.

The inclusion of a person within a PRCS, or parole or probation program, is a determination made through external judicial partners and thus is not within the control of the Department. As such, the Department will not select any individuals, set time parameters for inclusion, provide processes to be removed, or include any minimum or maximum numbers of individuals. Likewise, the Department does not have custody over the post-release databases and thus has no mechanism to include ancillary information about the individual.

> Note: Any detention or subsequent enforcement action taken as a result of an individual's parole/probation status is recorded in the Automated Field Data Report (AFDR) system. Furthermore, access to State and County databases containing this information by Department personnel is monitored and subject to audit.[2]

- Apprehending serious and violent felony warrant suspects, fugitives, and persons identified as wanted persons

The Department also recognizes that repeat offenders comprise a significant portion of crime occurrences. As such, the Department will continue to focus on the timely apprehension of individuals for whom warrants have been issued and those for whom detectives have established probable cause exists to identify them as a wanted person.

The Department's primary source of warrant information is the Los Angeles County Countywide Warrant System (CWS), a database also outside of the Department's control. Upon initiation by an

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[1] Alper, Mariel, Durose, Matthew R., Markman, Joshua, 2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period (2005-2014) (pdf, 31 pages), Bureau of Justice Statistics Special Report, May 2018, NCJ 250975.
[2] Auditing occurs at regular intervals by the California Department of Justice and may also be conducted by the Federal Bureau of Investigation and the Department. Information Technology Division assists with these compliance checks to ensure the propriety of access based on right-to-know/need-to-know.

investigator, and approval by a supervising detective, the Department will produce wanted bulletins. Similar to warrants, these are non-subjectively determined: individuals who are listed on a wanted bulletin have met a probable cause standard for having been involved as the suspect in the commission of a crime (which includes identification by victims or witnesses).

> **Note:** Although the entry, maintenance, and removal of individuals from the Countywide Warrant system (or parole/probation databases) is not the responsibility of the Department, Department personnel will verify the accuracy of inclusion if an individual contests an enforcement action based on the inclusion into the database and issue a Los Angeles Police Department Clearance Document, when applicable.[3]

- Consider the suspect and vehicle information provided by crime victims when seeking to identify or apprehend suspects

As with all law enforcement agencies, the Department will consider suspect descriptors and vehicle information when seeking to identify or apprehend suspects. The Department's only "database" of suspect or vehicle information will continue to be the crime reports themselves, denoting the information obtained from the victim or person reporting (as well as other evidentiary means such as video surveillance, fingerprints, etc.).

The Department has always, and will continue, to provide training on appropriate legal considerations for using this reported information during enforcement or identification efforts.

Recommendation 3. Specify a retention policy for any bulletins or related documents, and require that all Areas use a format that has been approved by the City Attorney's Office;

Recommendation 5. Develop a consistent training process to be completed prior to use of the program; and,

Recommendation 6. Develop an oversight and audit structure to ensure consistency of the data, as well as the consistent utilization of the program. As part of this process, centralize the maintenance and oversight of the Offender Database.

Department Response for Recommendations 3, 5 & 6:

As described above, the Department is not the custodian for databases containing post-release individuals or those with felony warrants. To the extent that the Department does create any wanted bulletins or crime reports with suspect or vehicle information, those are retained as part of the normal records retention process—in the case of crime reports, indefinitely.

The Department has and will continue to require training prior to gaining access to databases such as post-release and the CWS. Although these are not Department controlled, access and utilization reports are provided and audited.

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[3] Existing procedures in Manual Section 4/611.15, CWS Arrestee Alleges to Have Been Previously Booked or Claims Not to Be The Subject Of A Warrant, contain the procedures for these circumstances.

Recommendation 4. Ensure that any revisions to the language used in the Offender Bulletin or Offender Letter are approved by the City Attorney

Department Response for Recommendation 4:

The Department has discontinued the Chronic Offender Bulletin and will not produce any further Chronic Offender Letters as a result of the discontinuation.

B. Location-Based Programs.

The OIG reviewed the location-based components of Operation LASER and PredPol and provided the following three recommendations:

Recommendation 1. Establish formal written guidelines that specify how Areas are to identify LASER Zones and Anchor Points, when to conduct assessments of the Zones, and what strategies and activities are to be taken at these locations

Recommendation 2. Ensure that LASER Zones and PredPol locations do not encompass LAPD facilities

Department Response for Recommendations 1 & 2:

The Department has discontinued the use of LASER and will no longer generate LASER Zones or Anchor Points. Instead, the Department will continue to focus efforts on locations that have been identified as having the highest incidence in Calls for Service or crime occurrence within a COMPSTAT reporting period.

Going forward, the Department will focus on implementing the OIG's location-based recommendations into the continuation of PredPol. Primarily, this will be accomplished by ensuring crime report information used as the basis for statistical predictions does not return invalid results, such as including Department facilities as a location used in calculating PredPol locations. With that validation, the Department's implementation of PredPol uses only the following types of data:

- Type of incident (e.g., burglary, theft, motor vehicle theft);
- Location of incident;
- Date and time of incident (e.g., January 1, 2019 at 1400 hours); and,
- Day of the week.

Additionally, the Department formalized the methods and processes used to address crime in a neighborhood policing effort. Predictive Policing will also continue to be used only for property crimes.

Officers are instructed to spend available time, when feasible, in the predictive areas to deter crime through high visibility. Although proactive investigatory measures may aid in the apprehension of suspects, officers are always reminded that an individual's mere presence in the area does not

attribute any particular suspicion. The deployment of officers in these "boxes" serves to disrupt potential criminal activity.

As with the other location-based strategies, detailed written guidelines are being formalized in a comprehensive guidebook for data-driven strategies to impact crime.

Recommendation 3. Reconcile and address inconsistent data or discrepancies between Palantir and PredPol datasets to ensure that dosage amounts are captured accurately.

Department Response for Recommendation 3:

The Department is discontinuing the use of self-reported times spent in PredPol locations to eliminate flawed data, including from technological malfunctions (e.g., lost connectivity to the in-car computer preventing status updates, etc.).

By capturing only automated data—and by restricting PredPol locations from including Department facilities—the Department will have a better understanding of time spent proactively policing and produce higher quality data to later be used by independent evaluators for the program's effectiveness.

C. Reporting and Evaluation.

The OIG also issued three recommendations, discussed below, related to Reporting and Evaluation:

Recommendation 1. Develop a system for regular reporting of basic usage and outcome data to the Commission and the public. Information to be tracked might include the types of data contained in [the OIG] report, including dosage and crime data, general statistical information about the people and locations targeted for intervention, and information about activities and outcomes related to the Department's data-driven programs.

Department Response for Recommendation 1:

The Department will work to transparently report crime data, the locations where policing activities were focused, as well as information related to activities and outcomes of the program.

The information used to measure crime follow the specific definitions mandated by the California Department of Justice (CalDOJ) and the Federal Bureau of Investigation (FBI) and include "Part I Crime" incidents reported to the Department. These Part I offenses include homicides, robberies, rapes, aggravated assaults, burglaries, thefts, auto thefts, and arson.

The Department has ensured that this valid and reliable data are accessible to the public through the city's open data portals:
(https://data.lacity.org/ and http://lapdonline.org/crime_mapping_and_compstat).

In general, Area commanding officers will provide daily feedback to their respective bureau deputy chiefs and bureau Community Safety Operation Centers (CSOC), who in turn will report on their progress during the COMPSTAT inspection. Similarly, the Area commanding officers provide their community partners with feedback on a regular basis. This feedback occurs at community

meetings, community events in the Area, and periodic (quarterly or semi-annual) community newsletters to be posted on the Department website.

In particular, Area commanding officers will provide CSOCs and the Office of Operations with trends and patterns in crime. Using crime and calls for service history, Area crime analysts will track Part I crimes as well as other crime types that are relevant to their respective problems. Appropriate trend lines, charts, and maps will be created and disseminated internally and externally (Detailed guidelines for this production are contained in the CSOC Manual Appendix of the upcoming guidebook).

As a means for providing objective data about location-based strategies, the Department has also committed to reporting on PredPol locations and the time spent in each. Additionally, to provide metrics about the offender-based strategies the Department will report on the number of detentions and enforcement activities taken as a result of an individuals' parole/probation status. The Department will also report how many arrests were made as a result of outstanding warrants.

Recommendation 2. Look for opportunities to obtain independent evaluations of the efficacy and impact of each data-driven policing programs

Department Response for Recommendation 2:

The Department will seek partnerships with universities and researchers to study the efficacy and impact of these data-driven policing programs. The Department expects that by implementing the OIG recommendations discussed above (with respect to PredPol) that a higher quality of analysis may be conducted.

Additionally, the Department is currently working to secure a contract with a local university or research provider to provide a comprehensive, multifaceted community survey, to include the impact of the data-driven policing programs on the community.

Recommendation 3. Consider seeking community and Commission input prior to the implementation of any new data-driven policing strategies or any significant revisions to the current data-driven programs.

Department Response for Recommendation 3:

The Office of Operations is in the process of developing a data-driven policing unit to maintain Citywide oversight of all crime-fighting strategies and proposed revisions. Additionally, the Department requests that two members of the Commission join the Department in forming an Executive Review Committee to collaborate and discuss the effectiveness and the impacts of the data-driven policing strategies.

The Department will continue community engagement efforts such as Community Police Advisory Boards (C-PAB), townhalls, 'Coffee with a Cop' events, Roll Calls in the Streets, Captain Corners, and many other initiatives to obtain community input. The Department will also continue to use community surveys, including automated smartphone polling, as one mechanism to obtaining input.

Area commands be will accountable to the effectiveness and number of community engagement efforts to obtain feedback on the location-based and offender-based strategies at COMPSTAT.

The OIG noted a company called ELUCD has been conducting surveys of the Los Angeles area at the company's own expense and has provided the Department with a Weekly Sentiment Report that displays survey scores and community concerns. The Department will continue to use all types of sentiment reports provided, including those provided to the Department by other survey providers.

FURTHER ACTION

The Department is finalizing the production of a guidebook for strategies to impact crime, which describes in detail the comprehensive community and data-driven policing strategies of the Department. The data-driven policing strategies are based on our review of the most recent research studies and evaluations that have been conducted nationally. We found that:

- Using location-based strategies reduces crime significantly without displacing crime to surrounding areas;
- PredPol reduced crime by 7.4 percent in study sites; and,
- Criminal justice reforms that are sweeping the country focus on strengthening the bonds of trust between communities and our police, such as expanding juvenile diversion programs. The Department has embraced these efforts and, as an example, has used diversion for approximately 40% of all eligible juveniles arrested in 2019.

The guidebook will specifically outline offender- and location-based program strategies, as well as the expectations of each during their accountability and effectiveness review in Daily Crime Briefings, Crime Control Meetings, CSOC, and COMPSTAT.

The guidebook will be presented to the Subcommittee of the Commission for input and review prior to its adoption and publication.

Consistent with the goals to improve consistency, increase transparency, and strengthen oversight and analysis of data-driven programs, the Department has created a data-driven policing unit which will maintain oversight of the strategies and provide feedback to the Police Commission annually. This unit will also work with a yet-to-be identified academic institution to formally evaluate the Department's offender and location-based program strategies.

If you have any questions, contact Commander Michael Rimkunas, Assistant to the Director, Office of Operations, at (213) 486-0100.

Respectfully,

MICHEL R. MOORE
Chief of Police