

**INTRADEPARTMENTAL CORRESPONDENCE**

October 27, 2020

**BPC#20-0162**

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**TO:** The Honorable Board of Police Commissioners  
**FROM:** Inspector General, Police Commission  
**SUBJECT:** REVIEW OF STOPS CONDUCTED BY THE LOS ANGELES POLICE DEPARTMENT IN 2019

**RECOMMENDED ACTION**

REVIEW and APPROVE the Office of the Inspector General's (OIG) Review of Stops Conducted by the Los Angeles Police Department (LAPD or Department) in 2019.

**DISCUSSION**

At the request of the Los Angeles Police Commission (Commission), the OIG has conducted a review of vehicle, pedestrian, and bicycle stops conducted by the LAPD in 2019. This review relied primarily on an analysis of stop data collected and maintained by the Department pursuant to the California Racial and Identity Profiling Act (RIPA) of 2015, as well as a qualitative assessment of a sample of stop videos.

The OIG analyzed data on 712,408 stops of individuals recorded by LAPD officers in 2019, with a particular focus on officer-initiated stops rather than those prompted by a call for service. In keeping with the Commission's direction as well as the purpose of the RIPA legislation, a primary focus of this review was to identify and better understand any significant disparities – particularly potential racial disparities – in the data. To supplement its review of stop data, the OIG also conducted a qualitative video review of 190 stops of individuals that occurred during 2019.

I am available to provide any further information the Board may require.



MARK P. SMITH  
Inspector General  
Police Commission

Attachment

**LOS ANGELES POLICE COMMISSION**

**REVIEW OF STOPS CONDUCTED BY  
THE LOS ANGELES POLICE DEPARTMENT  
IN 2019**



Conducted by the

**OFFICE OF THE INSPECTOR GENERAL**

MARK P. SMITH

Inspector General

October 27, 2020

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# REVIEW OF STOPS CONDUCTED BY THE LOS ANGELES POLICE DEPARTMENT IN 2019

## I. INTRODUCTION AND EXECUTIVE SUMMARY

At the request of the Los Angeles Police Commission (“Commission”), the Office of the Inspector General (OIG) has conducted a review of vehicle, pedestrian, and bicycle stops conducted by the Los Angeles Police Department (LAPD or “Department”) in 2019. This review relied primarily on an analysis of stop data collected and maintained by the Department pursuant to the California Racial and Identity Profiling Act (RIPA) of 2015, as well as a qualitative assessment of a sample of stop videos.

The OIG analyzed data on 712,408 stops of individuals recorded by LAPD officers in 2019, with a particular focus on officer-initiated stops rather than those prompted by a call for service.<sup>1</sup> The goal of this analysis was to gain an understanding of who was stopped by the Department, the reason they were stopped, any actions taken by officers during the stop, and the results of these actions. In keeping with the Commission’s direction as well as the purpose of the RIPA legislation, a primary focus of this review was to identify and better understand any significant disparities – particularly potential racial disparities – in the data.

To supplement its review of stop data, the OIG also conducted a qualitative video review of 190 stops of individuals that occurred during 2019.<sup>2</sup> The overall goals of this review were to assess the accuracy of the stop data submitted by officers, including the stated basis for any detentions or searches, and to gain an understanding of the circumstances and dynamics driving some of the actions and outcomes seen in the aggregated stop data.

### A. General Overview of LAPD Stops in 2019

Because officers have limited discretion in making a stop pursuant to a call for service, the OIG’s review focused primarily on those that appeared to be officer-initiated based on the information recorded by officers. According to the RIPA records, these made up about 94 percent of all stops conducted, or 672,569 out of the full 712,408. Of those officer-initiated stops:

- 77 percent were based on suspected traffic violations such as driving (moving) violations, equipment issues, or problems with a person’s license or registration.
- 19 percent of stops were documented as having been due to reasonable suspicion of a crime. These suspected crimes ranged from – most commonly – violations of local codes or quality-of-life statutes to more serious felonies such as assault, robbery, or homicide.

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<sup>1</sup> This number represents the number of stops that were in the database as of January 2020, the date the stops were extracted, and do not include 148 school-based stops. These 712,408 individuals were stopped during 625,389 distinct stop incidents, some of which involved more than one person detained and/or searched. For the purposes of this report, the term “stop” is used to represent a stop of an individual person.

<sup>2</sup> The review was designed to encompass several different types of stops, including a general sample of officer-initiated stops as well as ones focused specifically on stops of suspected gang members. The OIG supplemented these 190 cases with a more limited review of 183 crime suppression stops conducted by Metropolitan Division officers; since the OIG’s review, that division’s responsibilities have been shifted away from conducting such stops.

- 4 percent were listed as being for other reasons, such as parole or probation checks, information that the stopped person was a possible danger to themselves or others, a want or warrant, a consensual encounter involving a search, or possible truancy.

Based on the data, the perceived racial/ethnic breakdown of those stopped in officer-initiated encounters were as follows:

- 46 percent were perceived to be Hispanic/Latino(a) (“Hispanic”).
- 27 percent were perceived to be Black/African American (“Black”).
- 18 percent were perceived to be White.
- 4 percent were perceived to be Asian.
- 4 percent were perceived to be Middle Eastern or South Asian.
- 1 percent of records documented multiple races or ethnicities.
- <1 percent were perceived to be Native American.
- <1 percent were perceived to be Pacific Islander.

About 74 percent of all people subjected to an officer-initiated stop were perceived to be male, and 26 percent were perceived to be female. Less than one percent were perceived to be transgender or gender non-conforming.

## **B. Significant Findings**

### **1. Frequency of Stops**

As discussed above, a primary focus of the OIG’s analysis was the identification of any racial disparities in the data. The RIPA data indicates people perceived to be Black were overrepresented in the number of officer-initiated stops made across Los Angeles, while those identified as White or Asian were significantly underrepresented.<sup>3</sup>

The reasons for such racial disparities are not easily understood, primarily because a city’s residential population is an inherently imperfect benchmark for stops. For example, residential demographics do not indicate the rate at which different groups commit various violations, where these violations are committed, or even the rate at which such violations may be observed by police officers. Population numbers also do not incorporate deployment decisions or strategies that are made by police departments, such as crime suppression strategies that rely on a more intensive focus on stops in high-crime neighborhoods.

The OIG’s review focused on identifying those policies, practices, and areas that seemed to indicate higher levels of disparity in an effort to identify possible paths to changing these dynamics. In examining these differences, the OIG found that:

- Much of the overall disparity in stop frequency was driven by high rates of stops in areas that had both high levels of violent crime and comparatively high proportions of Black

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<sup>3</sup> Note that Census data does not use all of the same categories as those used in RIPA. For example, the Census does not currently have a category for those who are Middle Eastern or South Asian. To facilitate its general analysis for the remainder of the report, the OIG combined groups with percentages under 10 percent – which included people perceived to be Asian, Middle Eastern or South Asian, Native American, or Pacific Islander – into the Other category.

residents. However, even in these areas, Black residents were overrepresented in the frequency of stops, including stops for traffic violations and other minor crimes.

- Racial disparities were more pronounced in traffic stops conducted by units focused on crime suppression, such as gang units, than those specifically focused on traffic enforcement. In general, stops conducted by units focused on crime suppression, as well as stops conducted in high-crime areas, were less likely to result in citations or other enforcement action than other types of stops.
- While there were racial disproportions in stops for every type of violation, traffic stops of White and some other groups were most likely to be based on driving (moving) violations, while traffic stops of Black and Hispanic people were most likely to be based on equipment or regulatory violations (such as an expired vehicle registration). In 2019, units focused on crime suppression were about twice as likely to make stops for equipment or regulatory violations than were units specifically focused on traffic enforcement.

## 2. Searches and Other Post-Stop Activities

There were also significant racial disparities in post-stop activities, including activities related to removal of a person from his or her vehicle,<sup>4</sup> searches (including pat-down searches), handcuffing, and the completion of a Field Interview Report (“FI card” or “FI”). In general, people identified as Black or Hispanic – and particularly Black or Hispanic males – were more likely to be the subject of all types of post-stop activity than were people identified as White or another race. The data also indicates that:

- Racial disparities in post-stop activities were more pronounced in traffic stops, particularly stops for traffic violations that were conducted by non-traffic units and those conducted in high-crime areas.
- Searches of Black and Hispanic people were more likely to incorporate a search of both a person and their property than searches of White people, which were more likely to include only a search of their person.
- For the top five types of violations, all of which were traffic violations, racial disparities in the rate of post-stop activity persisted even when looking at stops for the same type of violation.<sup>5</sup>

It should be noted that the rate of post-stop activity alone does not clearly indicate the reason for the differences noted above and does not necessarily indicate disparate treatment by race. Overall search rates do not indicate, for example, whether there were specific factors or observations that may have prompted an officer’s decision to conduct a search or other post-stop activity. These factors, which may themselves vary in frequency by race or location, might prompt officers to take actions for an investigative reason or as a precaution for their own safety.

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<sup>4</sup> Because RIPA data does not track whether a stop is conducted in a vehicle, the OIG excluded from this analysis any stop that was not specifically for a vehicle-related violation.

<sup>5</sup> These included: registration-related violations, license plate violations, speeding violations, cell phone violations, and crosswalk-related violations.

Such factors might include, for example, a person's statements or behavior during a stop, a person's history of violent crime or involvement with the criminal justice system, or circumstantial considerations such as the perceived safety of the environment in which the stop is taking place or the number of people in the vehicle being stopped.

In examining these searches, the OIG found that:

- Racial differences persisted even for searches considered to be more discretionary, such as consensual searches or searches based on generalized officer safety concerns.<sup>6</sup> In contrast, there was less disparity in searches designated as lower-discretion, such as those incident to an arrest, pursuant to a warrant, or in conjunction with the impounding of a vehicle. Searches of Black and Hispanic people, including higher-discretion searches, were generally less likely to be associated with the recovery of contraband or other evidence than were searches of White people. With respect to serious contraband such as a firearm, the recovery rates were relatively low – around two percent – and varied only slightly by race, with searches of Black and Hispanic people being slightly more likely to be associated with the recovery of a firearm than searches of other groups.
- Instances in which a Black or Hispanic person was searched were also less likely to result in an arrest than were instances in which a White person was searched – a difference that was again particularly pronounced in traffic stops. Overall, the rate of arrests during traffic stops in general was quite low, at about 2 percent. For traffic stops involving one or more searches, the overall arrest rate was 13 percent. This last rate was substantially lower for units involved in crime suppression than for other types of units such as traffic units, and it was also lower in high-crime areas.

Based on these findings, the OIG concluded that some portion of the racial disparities seen in both stops and post-stop activity, particularly in stops for traffic or other minor violations, were the result of strategies designed to use these violations as a pretext to identify or suppress more serious crimes. The data also indicates that these strategies are, on balance, of limited effectiveness in identifying evidence of illegal firearms or other serious crimes.

### 3. Video Review

The OIG's review of a sample of videos of Department stops confirmed a number of dynamics observed in the data, such as the fact that units engaged primarily in proactive crime suppression activities were much more likely than other units to conduct significant post-stop activity, even where the stop itself was for a minor reason. The majority of these stops did not result in an arrest or other enforcement action.

The OIG found that officers' actions in these instances did not necessarily vary significantly by race; however, because these units were most active in high-crime areas and tended to stop more Black and Hispanic males than members of other racial groups, their practices appeared to impact these groups more heavily. These activities included, for example, prolonged questioning about a person's background, including their parole or probation status and their criminal record;

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<sup>6</sup> The OIG's breakdown of searches into higher- and lower-discretion categories utilized definitions promulgated by the RIPA Board.

searches, including discretionary searches; handcuffing or having a person face a wall with their hands behind their back; checking for tattoos; and the completion of FI cards.

Some of these actions appeared to be based on a person's behavior or criminal background, including the fact that a person was on parole or probation for a serious crime or admitted to being a member of a criminal gang. In other instances, however, these actions were more discretionary and appeared to be part of a strategy to identify weapons, involvement in a violent crime, or gang-related intelligence. In some cases, the officers making the stop also acknowledged to the stopped person that the basis for the stop was a pretext, and the officers may not have even mentioned the initial violation at all during the stop.

In reviewing these stops, the OIG found that officers did not always accurately document the number of people considered detained under RIPA or the extent to which they conducted post-stop activities. For example, the OIG noted that 23 percent of people who were seen on video being searched did not have one or more of their searches documented, either because the stop of the person was not documented at all or the search was simply not reported. The lack of information in these instances means that the OIG was generally unable to determine whether there was a reasonable basis for the search. It also indicates that both stops and searches are likely underreported in the 2019 RIPA data.

The OIG also noted concerns about compliance with policies and procedures in a small number of other cases, including concerns about officers properly receiving affirmative, voluntary consent in a small number of searches documented as being consensual. Other issues included concerns about officers moving or pulling up the clothes of people stopped, taking photos while a person was handcuffed, timely activation of body-worn and in-car video recordings, and the accurate completion of FI cards.

### **C. Recommendations and Next Steps**

Based on its analysis, the OIG recommends that the Department take proactive steps to eliminate or reduce racial disparities in stops, particularly disparities resulting from stops or actions involving a high level of discretion. As part of this process, the Department should continue to refocus its crime fighting strategies away from the use of pretextual stops – particularly those pretextual stops based on minor equipment or regulatory violations, which more heavily impact low-income communities. Prioritizing stops that are directly related to increasing public safety, including by limiting stops for minor technical violations, may help to reduce some of the racial disparity seen in the frequency of stops.

In keeping with these principles, the OIG recommends that the Department work to limit discretionary post-stop activities that are not directly related to officer safety or to the purpose of the stop, and that it set policies to ensure that a person's consent for a search is both voluntary and fully documented. To this end, the OIG also recommends that the Department develop a policy that consolidates and sets forth clear guidelines and parameters about post-stop activities such as removing a person from their vehicle, conducting pat-downs and other searches, completing FI cards, and handcuffing individuals, including consideration of any officer safety issues that must be taken into account. The Department should also revise its biased policing policy to incorporate language from the RIPA statute, clearly indicating that officers are prohibited from using race or other identity categories in conducting discretionary actions such

as consensual searches, questioning of stopped individuals, and removal of occupants from a vehicle.

The OIG also recommends that the Department conduct ongoing evaluation(s) of the effectiveness of its crime-fighting strategies, including their impact on community members as well as community trust and legitimacy. While strategies such as pretext stops do, at times, produce useful intelligence, illegal firearms, or other evidence of crimes, such successes must be considered within the context of the number of overall stops and searches of members of the community that are being conducted. Moreover, any benefits from this type of strategy must be balanced against the cost to the individuals impacted as well as to community trust. To that end, the Department should develop revised measures of officer effectiveness that include items like contraband “hit rates” as well as metrics related to community engagement and community trust. The Department should also continue – and finalize – processes for analyzing and publishing stop data.

Finally, the OIG recommends that the Department continue to take steps to improve the accuracy and rigor of the stop data it collects, including ongoing auditing and data validation. As part of this process, the Department should ensure that officers fully document and justify all pat-downs and other searches, as well as other post-stop activities. These and other recommendations are discussed in further detail throughout the report.

## **II. STOPS AT LAPD - GENERAL BACKGROUND**

### **A. Relevant Department Stop Policies**

The law and Department policy require that any detention – a temporary investigative stop during which the person stopped is not free to leave – must be supported by probable cause or reasonable suspicion that the person is connected to criminal activity that has taken place or is about to take place. The basis for a stop may be based on, for example, an observation that a traffic violation has taken place, or on specific factors that lead an officer to believe that a person has just committed a serious crime.

Officers may also detain someone if they have knowledge that the person is subject to search conditions as a term of parole, probation, or other supervision. In those instances where an officer does not have a sufficient factual basis to form reasonable suspicion or probable cause, it is permissible to conduct a consensual encounter with a person. In such instances, however, the encounter must be conducted in such a way that a reasonable person would feel free to refuse to talk to the officer and to walk away, or to otherwise end the encounter.

The law also circumscribes when searches may be conducted. Even when a stop has been initiated, officers may not automatically conduct a pat-down or other search of a person simply because they have been detained, but they may do so if they have additional facts that support such an action. The Department’s training and legal materials require that a pat-down must be based on “*specific and articulable facts* that cause an officer to *reasonably suspect* a detainee *might be armed or dangerous.*”<sup>7</sup> A full search of a person or their property, on the other hand, must generally be justified by probable cause – a higher level of suspicion. Officers may also

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<sup>7</sup> “Personal Searches – Part I, The Pat Down Search,” Training Bulletin Volume XXXVI, Issue 1, Los Angeles Police Department, February 2004. Emphasis in original.

conduct a search if a person has search terms as part of their supervision status – for example, if the person is on parole or probation with search conditions – or if they receive voluntary consent from a person to do so.

The OIG’s review found that the Department does not have a specific policy related to stops or searches, though its policy on biased policing does briefly reference the legal requirements discussed above. Specifically, the policy states that “[a]ll law enforcement contacts and activities, including, but not limited to, calls for service, investigations, police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state law.”<sup>8</sup>

The Department also maintains a series of training and legal bulletins that further codify these rules.<sup>9</sup> As discussed in a later section, the OIG recommends that these rules and guidelines be consolidated into one policy manual section to ensure consistency and to reinforce the importance of these principles.

### **B. The Racial and Identity Profiling Act of 2015 (RIPA)**

As discussed in previous OIG reports, the Racial and Identity Profiling Act of 2015, or RIPA, mandates that California law enforcement agencies collect and submit to the State detailed data on most detentions conducted by their officers.<sup>10</sup> They must also document consensual encounters involving a search. As an agency with 1,000 or more police officers, the LAPD was required to begin collecting this data on July 1, 2018.

Unlike many other agencies, the Department was already collecting some stop data and had been doing so since 2004 as a result of the 2000 federal Consent Decree, which required the collection of detailed data as part of its package of reforms. The Department collects stop data using Automated Field Data Reports (AFDRs) and maintains a stop database that allows supervisors to conduct basic analyses of the number, types, and locations of stops being conducted by officers.

The implementation of RIPA required the Department to expand the circumstances and amount of data that officers must record when stopping or searching individuals. The new state-mandated system requires the entry of up to 43 data elements for each individual detained or searched, including the following information:

- Date, time, and duration of the stop
- Location of the stop
- Perceived race or ethnicity of the person stopped
- Perceived gender of the person stopped

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<sup>8</sup> LAPD Manual 1/345, “Policy Prohibiting Biased Policing.”

<sup>9</sup> See, for example, “Legal Contacts with the Public.” Training Bulletin Volume XXXVIII, Issue 1, Los Angeles Police Department, April 2006.

<sup>10</sup> The law exempts certain types of detentions and searches, such as those conducted pursuant to regular security screening or a street checkpoint. Also, passengers in a vehicle that is stopped for a vehicle code violation do not need to be recorded unless officers take post-stop action involving those passengers such as removing them from the vehicle or conducting a search. For a full description of the RIPA parameters, please see the Stop Data Regulations promulgated by the Office of the Attorney General at <https://oag.ca.gov/ab953/regulations>.

- Whether the person stopped is perceived to be LGBTQ
- Perceived age of the person stopped
- Whether the person stopped has limited or no English fluency
- Perceived or known disability of the person stopped
- Reason for the stop
- Whether the stop was made in response to a call for service
- Actions taken by officer during the stop
- Reason for any searches
- Results of the stop, including contraband or other evidence discovered
- Officer’s years of experience and type of assignment

Currently, officers must complete each required AFDR prior to the end of their shift. Data for each stop conducted may be entered through an app on an officer’s Department-issued smartphone, which also pulls in general incident information to streamline the data-entry process, or on the computer. For those instances where smartphone or computer access is not available, officers may also use the standardized RIPA paper form, which is attached in the Appendix.

1. Complaints of Biased Policing

The RIPA legislation also sets forth requirements for the reporting of complaints received by each agency that relate to racial or identity profiling, which LAPD calls biased policing. The OIG requested and received data regarding the number and type of biased policing complaints received by the Department in 2019. Overall, the Department received 431 such complaints in 2019, encompassing 460 complainants, as shown below.<sup>11</sup> About two-thirds (68 percent) of biased policing complainants were Black, with Black males making up over half of all biased policing complainants. Much smaller numbers of such complaints were submitted by members of other demographic groups.

	Female		Male		NonBinary		Unknown		Grand Total	
	#	%	#	%	#	%	#	%	#	%
Black	72	16%	240	52%			2	0%	314	68%
Hispanic	20	4%	43	9%					63	14%
White	8	2%	8	2%					16	3%
Other	4	1%	16	3%					20	4%
Unknown	7	2%	23	5%	1	0%	16	3%	47	10%
Grand Total	111	24%	330	72%	1	0%	18	4%	460	100%

Source: Internal Affairs Group, LAPD

Figure 1: Biased Policing Complainants by Race and Gender

<sup>11</sup> This number is based on preliminary information received at the time of the complaint and includes cases that are still pending. It therefore differs slightly from the number of complaints listed in the Department’s Annual Complaint Report.

In looking at the underlying circumstances of each complaint as well as the alleged misconduct, the OIG found that a substantial majority of complainants (about 70 percent) made allegations about being improperly stopped or detained, most commonly in relation to a traffic stop. This dynamic was driven primarily by Black and Hispanic complainants, who were much more likely to initiate a complaint about a stop than White complainants, who were more likely to initiate a complaint about the response to a radio call. For more detail, please see the Appendix.

## 2. Best Practices

Although the stop data collection program makes up the largest component of the RIPA legislation, the law also includes a series of additional provisions including the creation of a RIPA Board charged with producing annual reports analyzing the statewide data that has been collected and making recommendations for improvement.<sup>12</sup> The RIPA Board's most recent report looks at stop data from 2018 and makes a series of best practice recommendations. As part of this analysis, the report analyzes various policies related to biased policing and sets forth recommendations for model bias-free policies.<sup>13</sup>

The OIG also recommends that the Department review the RIPA Board's report to ensure that the LAPD's biased policing policy is consistent with statewide best practices. As part of this, the Department should update its biased policing policy to incorporate language from the State law.<sup>14</sup> Specifically, the policy should explicitly indicate that officers may not consider race or other protected identity classifications in deciding upon the scope or substance of law enforcement activities following a stop. The activities to be incorporated should include asking questions, conducting searches of a person or property (including pat-down, nonconsensual, and consensual searches), seizing any property, removing vehicle occupants during a traffic stop, issuing citations, and making arrests.

### **C. Prior OIG Reports**

The OIG's analysis of 2019 stops conducted by the Department follows a series of other OIG reports related to stops.<sup>15</sup> These prior reports touch on various aspects of the Department's stop practices and have made a series of recommendations related to the Department's management

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<sup>12</sup> See California Penal Code Section 13519.4(j)(3)(E).

<sup>13</sup> Annual Report 2020, Racial and Identity Profiling Board, January 2020, Page 43.

<sup>14</sup> See California Penal Code Section 13519.4(e). " 'Racial or identity profiling,' for purposes of this section, is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest."

<sup>15</sup> See "[Review of National Best Practices](#)," Office of the Inspector General, May 2017; "[Review of Arrests for Violations of California Penal Code Section 148 PC \(a\) \(1\)](#)," Office of the Inspector General, August 2018; "[Review of Gang Enforcement Detail Stops](#)," Office of the Inspector General, February 2019; and "[Follow-Up Review of National Best Practices](#)," Office of the Inspector General, October 2019. All reports can be found on the OIG's website at [oig.lacity.org](http://oig.lacity.org).

and oversight of stops, as well as its collection and analysis of RIPA data. As a result of these recommendations as well as its own findings, the Department has recently taken a number of steps to improve and enhance its stop practices, including:

- The provision of training courses and materials related to stops, the completion of AFDRs, and Fourth Amendment principles, with a particular focus on conducting consensual encounters and consensual searches;
- The development of a training bulletin and other materials on the application of procedural justice principles during stops;<sup>16</sup>
- The implementation of protocols for the audit and inspection of videos and other records related to stops;
- The creation of a RIPA Steering Committee to guide the Department’s analysis of its stop data. To date, the Committee has overseen the initiation of a series of data dashboards to facilitate basic analysis of data across various dimensions, such as by division, race, gender, actions conducted, and stop results. As referenced in this report, the Department has also engaged the California Policy Lab, a project of the University of California, to conduct a quantitative analysis of its stop data. The results of that analysis are forthcoming.

#### **D. Recent Changes**

In discussing these issues, the OIG noted that the Department has recently taken steps that significantly impact the number and nature of certain types of stops. First, the Department completed a realignment of Metropolitan (“Metro”) Division’s tactical support platoons, which previously played a major role in the Department’s violent crime suppression activities, in October 2019. Following this change, which refocused efforts on training and investigative activities, the number of stops conducted by Metro fell by over 90 percent. Second, the Department discontinued its use of the statewide CalGang criminal intelligence database in July 2020. The OIG found that some of the post-stop actions identified above appeared to be driven by officers’ attempts to identify factors supporting a person’s identification as a gang member and subsequent entry into the system. As such, it is likely that these two changes will have a significant impact on how stops are currently being conducted.

While this report primarily considers stops conducted in 2019, the OIG also conducted a preliminary review of more recent data to determine the impact of the above changes as well as the possible effects of major dynamics affecting policing in 2020. These dynamics include, for example, the COVID-19 pandemic and associated measures to protect public health, as well as widespread protests about racial inequity and related demands for changes to policing.

This review revealed very significant decreases in the overall number of stops conducted by the Department in 2020. The decreases began in March 2020, with another steep drop in June 2020. Although stops rose slightly beginning in July, they have remained much lower than in the prior year, resulting in a year-to-year reduction of approximately 31 percent in officer-initiated stops

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<sup>16</sup> The concept of procedural justice in policing focuses on the connection between police legitimacy and the perception by members of the public that they are being treated fairly and respectfully during an encounter.

as of the end of September 2020. Stop reductions occurred in every area of the city and for every type of stop, although decreases in stops for equipment and regulatory violations and were steeper, for example, than reductions in stops for driving violations. At least some of this reduction is likely due to State or City-wide moratoria on enforcing certain types of violations due to COVID-19, such as recently expired drivers’ licenses or registration. The OIG also noted that stops by gang officers showed smaller decreases, comparatively, than stops by other types of units.

The decrease in LAPD stops means that over 150,000 fewer people were impacted by officer-initiated stops in 2020, year-to-date, than in 2019. In looking at the characteristics of the stops that were conducted, however, the OIG noted that certain aspects – such as the overall proportion of people stopped by race, as well as search and hit rates – did not appear to change substantially. As a result, there continues to be significant disparity in stop frequency, post-stop activity, and stop outcome by race. For an overview of 2020 data, please see the Appendix.

### III. REVIEW OF STOP DATA – DETAILED SUMMARY

#### A. Stops Made by Type

During the year 2019, LAPD personnel reported making a total of 625,389 stops, involving a total of 712,408 people detained (per definitions set forth by RIPA).<sup>17</sup>

Stops by Call for Service				
	# of Incidents	% of Stops	# of People	% of People
No Call for Service	590,580	94%	672,569	94%
Call for Service	34,809	6%	39,839	6%
Grand Total	625,389	100%	712,408	100%

\*Does not include a total of 148 people stopped during school-based stops.

Figure 2: Stops by Call for Service

Approximately 6 percent of reported stops were listed as being the result of a call for service, while the remaining 94 percent were not. In order to focus on officer-initiated stops rather than those for which officers were responding to a call for service, and therefore had more limited discretion in the actions that they took, the OIG excluded stops resulting from calls for service from further analysis.<sup>18</sup>

<sup>17</sup> The OIG excluded school-based stops in 2019, of which there were 118 involving a total of 148 people stopped.

<sup>18</sup> The Department has raised concerns that officers may not always accurately note information about whether a stop is officer-initiated or not, and recently took steps to make entry into this field a required component of the stop form (it was previously an optional checkbox). The OIG’s own review of a random sample of stops found that 12 out of 21 (57 percent) of stops involving a call for service were not marked as such. As a result, it is likely that at least some portion of the stops in the “No Call for Service” category in 2019 were incorrectly categorized. Calls for service were more likely to involve stops based on a traffic collision or reasonable suspicion of a crime than stops for traffic violations, however.

Stops by Reason Provided					
No Call for Service					
Stop Category	Reason Provided	# of People	% of People	# of Inciden..	% of Stops
Traffic Violation	Traffic Violation	518,791	77%	477,291	81%
Reasonable Suspicion	Reasonable suspicion of crime	127,948	19%	92,324	16%
Other Stop Reason	Arrest Warrant/Wanted Person	5,980	1%	5,046	1%
	Consensual encounter w/search	4,129	1%	3,321	1%
	Parole/Probation	10,363	2%	7,456	1%
	Possible Danger to Self&Others/5150	4,946	1%	4,880	1%
	Possible Truancy	412	0%	262	0%
Grand Total		672,569	100%	590,580	100%

Figure 3: Stops by Reason Provided

According to the data:

- The majority of the officer-initiated stops were made on the basis of one or more traffic violations. This category made up about 81 percent of stop incidents and 77 percent of people stopped.
- The second-largest category included stops that were reportedly made due to reasonable suspicion of a crime, which composed 16 percent of stop incidents and 19 percent of people stopped. This category is very broad, ranging from stops for minor quality-of-life violations to detentions for serious suspected violent crimes such as robbery, burglary, or murder.
- The remaining stops, which made up about four percent of stop incidents and people stopped, were reported to be made for other reasons, including parole or probation checks, information that the stopped person was a possible danger to themselves or others, a want or warrant, or possible truancy. This category also includes stops that were reported as consensual encounters involving some kind of search, which must be recorded per RIPA guidelines.<sup>19</sup>

The data indicates that stop incidents for traffic violations included fewer people, on average, than stop incidents for other violations. These differences may be due in part to the language of the RIPA legislation, which provides a number of circumstances under which a detention of a person need not be documented. The most notable of these exemptions, for the purposes of this report, relates to passengers of a vehicle that is stopped due to a traffic violation. Although vehicle passengers are technically considered to be detained under the law, officers are not required to document their detention unless they were the subject of additional actions taken by officers. The OIG also noted that there were a larger number of stops involving multiple people – such as stops related to a group of people allegedly engaged in disorderly conduct or gang-related activity – in the reasonable suspicion category.<sup>20</sup>

For the purposes of convenience, and in keeping with the analysis conducted by the RIPA Board and others, the remainder of this report primarily views stops through the lens of people stopped,

<sup>19</sup> The OIG noted that only 61 percent of stops marked as “Consensual Encounters with Search” were reported to actually involve searches. As such, it was not clear whether this category was being used properly.

<sup>20</sup> See “Number of People by Stop Category” in the Appendix.

rather than on a per-incident basis. As such, the term “stops,” as used throughout this report, will refer to people stopped rather than a stop incident involving one or more people.

The chart below shows the top 15 types of violations for which people were stopped.<sup>21</sup> These top 15 violation types account for the stop basis for 70 percent of people stopped in 2019. As shown in the chart, the majority of these were for minor vehicle violations, including several categories of equipment or regulatory violations. The most common type of stop was for an issue with a vehicle’s registration, followed by stops for issues with a vehicle’s license plate. Relatively few officer-initiated stops were based on suspicion of a set of more serious crimes that are known as Part I crimes. This includes Part I violent crimes, which were the basis for less than 2 percent of stops.

Top 15 Code Violations/Reasons Listed						
No Call for Service						
Violation Type	# of People	% of Stops	% Searched	% Received Citation	% Cited Out	% Arrested
Registration Violation	81,485	12.12%	14%	49%	0.3%	2.0%
License Plate Violation	71,376	10.61%	17%	40%	0.2%	1.9%
Speeding Violation	57,976	8.62%	6%	78%	0.1%	1.1%
Cell Phone Violation	44,316	6.59%	1%	87%	0.0%	0.2%
Turning Violation	32,618	4.85%	6%	66%	0.1%	1.5%
Crosswalk Violation	32,309	4.80%	10%	60%	0.2%	1.9%
Vehicle Lights	30,234	4.50%	13%	38%	0.1%	1.9%
Tinted/Obstructed Window	25,727	3.83%	25%	34%	0.1%	2.2%
Other Local Ordinance	25,649	3.81%	19%	31%	19.7%	5.7%
Fare Violation	12,144	1.81%	11%	47%	6.4%	6.1%
Bicycle Lights	11,431	1.70%	53%	20%	0.3%	6.6%
Open Container	11,035	1.64%	33%	34%	19.6%	4.0%
Parking Violation	10,780	1.60%	43%	17%	0.4%	2.7%
Stop Light Violation	10,582	1.57%	13%	49%	0.2%	2.8%
Parole/Probation	10,411	1.55%	83%	1%	0.6%	18.0%
All Other	204,496	30.41%	37%	29%	3.1%	17.6%
Grand Total	672,569	100.00%	22%	44%	2.2%	7.1%

Figure 4: Top 15 Code Violations/Reasons Listed

The chart also shows the ultimate outcome of each category of stop, a topic that will be discussed in greater detail later in the report. As shown, stops for various vehicle violations were less likely to result in a custodial arrest than stops related to other types of violations, and people stopped for regulatory or equipment violations were less likely to receive a traffic citation than

<sup>21</sup> Excludes stops marked as calls for service or school calls. The total number of discrete code violations reported by officers was 1,738. For convenience, the OIG ranked, analyzed, and coded the most commonly used code sections which, taken together, made up the basis for the top 70 percent of people stopped. Of those violations that made up the remaining 30 percent, no single code section made up more than about 1 percent of stops. It should be noted that each violation type may include one or more code sections.

people stopped for driving violations such as speeding or using a cell phone while operating a vehicle.

1. Stops by Division and Geographic Area

The number of officer-initiated stops varied widely by division of assignment. Overall, geographic patrol divisions made the largest number of total stops, followed by the four geographic traffic divisions, transit details, and Metro Division.<sup>22</sup> The OIG noted that patrol divisions such as 77<sup>th</sup> Street Area and Central Area stopped about four times as many people as did the patrol division with the lowest number of stops, which was Devonshire Area.<sup>23</sup> These variations, due in large part to differences in officer deployment as well as crime rates, may also explain some other disparities in stop statistics, as described throughout the report.

Stops by Area of Occurrence and Unit Type							
No Call for Service							
	Patrol- Other	Traffic	Metro	Gang	Transit	Other	Grand Total
Central Area	29,159	16,090	1,349	1,193	18,157	1,478	67,426
77th Street Area	22,654	12,990	7,033	11,347	1,138	3,036	58,198
Newton Area	20,458	15,268	6,661	10,467	3,503	1,162	57,519
Southwest Area	21,948	9,545	778	3,392	4,488	755	40,906
Southeast Area	18,360	7,529	4,096	5,748	727	1,592	38,052
Olympic Area	20,640	8,044	1,902	1,849	2,682	1,534	36,651
Hollywood Area	18,634	7,286	1,896	868	2,175	2,584	33,443
Wilshire Area	12,618	16,695	865	1,660	489	317	32,644
Rampart Area	11,830	7,623	1,156	2,438	3,248	887	27,182
Northeast Area	12,848	6,473	71	2,138	2,933	1,933	26,396
Pacific Area	14,094	8,916	1,480	846	382	551	26,269
Van Nuys Area	8,760	11,845	1,413	1,035	1,501	1,402	25,956
West Valley Area	12,550	8,963	891	1,116	693	250	24,463
Mission Area	12,504	7,972	959	1,492	158	873	23,958
Harbor Area	12,640	5,779	1,404	3,011	541	444	23,819
Hollenbeck Area	8,677	5,483	694	7,540	534	601	23,529
North Hollywood Area	10,365	6,264	2,610	812	2,571	865	23,487
Foothill Area	10,155	7,051	1,128	2,487	124	558	21,503
Devonshire Area	7,508	11,294	119	661	252	595	20,429
Topanga Area	12,790	4,619	55	1,159	452	417	19,492
West Los Angeles Area	7,299	6,349	6	779	305	603	15,341
Outside Area	1,918	332	269	3,171	38	178	5,906
Grand Total	308,409	192,410	36,835	65,209	47,091	22,615	672,569

Figure 5: Stops by Area of Occurrence and Unit Type

<sup>22</sup> Based on unit designation. As noted on page 10, the mission of Metro Division was refocused away from conducting stops in October 2019. As such, year-to-date stops by this division have fallen by more than 90 percent.

<sup>23</sup> See Appendix for detailed stops by division of assignment.

Because some of the divisions making the most stops are deployed on a regional or Department-wide basis, the OIG also looked at the geographic area where each stop occurred. This was accomplished using the reporting district listed for each person stopped. The chart above breaks down the total number of people stopped by the area of occurrence, as well as by the type of unit that made the stop.<sup>24</sup> Again, the data shows significant variation in the number of people stopped from area to area. The area with the highest number of stops (Central Area) reported more than four times as many stops as the area with the lowest number (West Los Angeles Area).

The OIG also looked at other contextual data, such as levels of reported crime and levels of homelessness, to see whether these might be associated with the number of stops recorded. As shown in the maps on the next page, the clearest association was between the number of stops made and violent crime. Other associations – for Central Area in particular – appeared to be related to transit-related activities and the number of people experiencing unsheltered homelessness in a given Area.

As shown, Central Area – which includes the Downtown Los Angeles business district as well as the area known as Skid Row – had the highest number of total people stopped, including the highest number of stops by patrol officers and the highest number of stops by officers working a transit detail.<sup>25</sup> A review of stops conducted in Central Area revealed a large number of stops at transit hubs such as Union Station and 7<sup>th</sup> Street Metro Station, as well as a large number of stops in the area known as Skid Row, which has a high rate of people experiencing homelessness.

The next four Areas with high stop levels – 77<sup>th</sup> Street, Newton, Southwest, and Southeast Areas – report the highest levels of violent crime in the Department’s jurisdiction. In examining stops by unit, the OIG also noted that that 77<sup>th</sup> Street, Newton, and Southeast Areas showed substantial numbers of stops conducted by Metro Division officers, as well as officers assigned to a Gang Enforcement Detail (GED). Hollenbeck Area also showed large numbers of stops conducted by GED officers.

During 2019, Metro<sup>26</sup> and GED officers were generally charged with conducting proactive policing as part of the Department’s crime suppression strategy. Officers in these units typically did not respond to radio calls but instead spent much of their shifts patrolling a designated high-crime area and conducting vehicle and pedestrian stops. This strategy and its impact on various aspects of the Department’s stop data are discussed throughout the report.

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<sup>24</sup> Units were categorized using a combination of their unit designation, the type of assignment listed, and the division of assignment. For example, units whose designation began with “31” were classified as a transit detail regardless of their division of assignment.

<sup>25</sup> Transit details are paid for through the Department’s contract with the Metropolitan Transit Authority and are primarily staffed by officers working overtime, away from their regularly-assigned division.

<sup>26</sup> These duties were primarily carried out by Metro’s four Tactical Support Platoons.

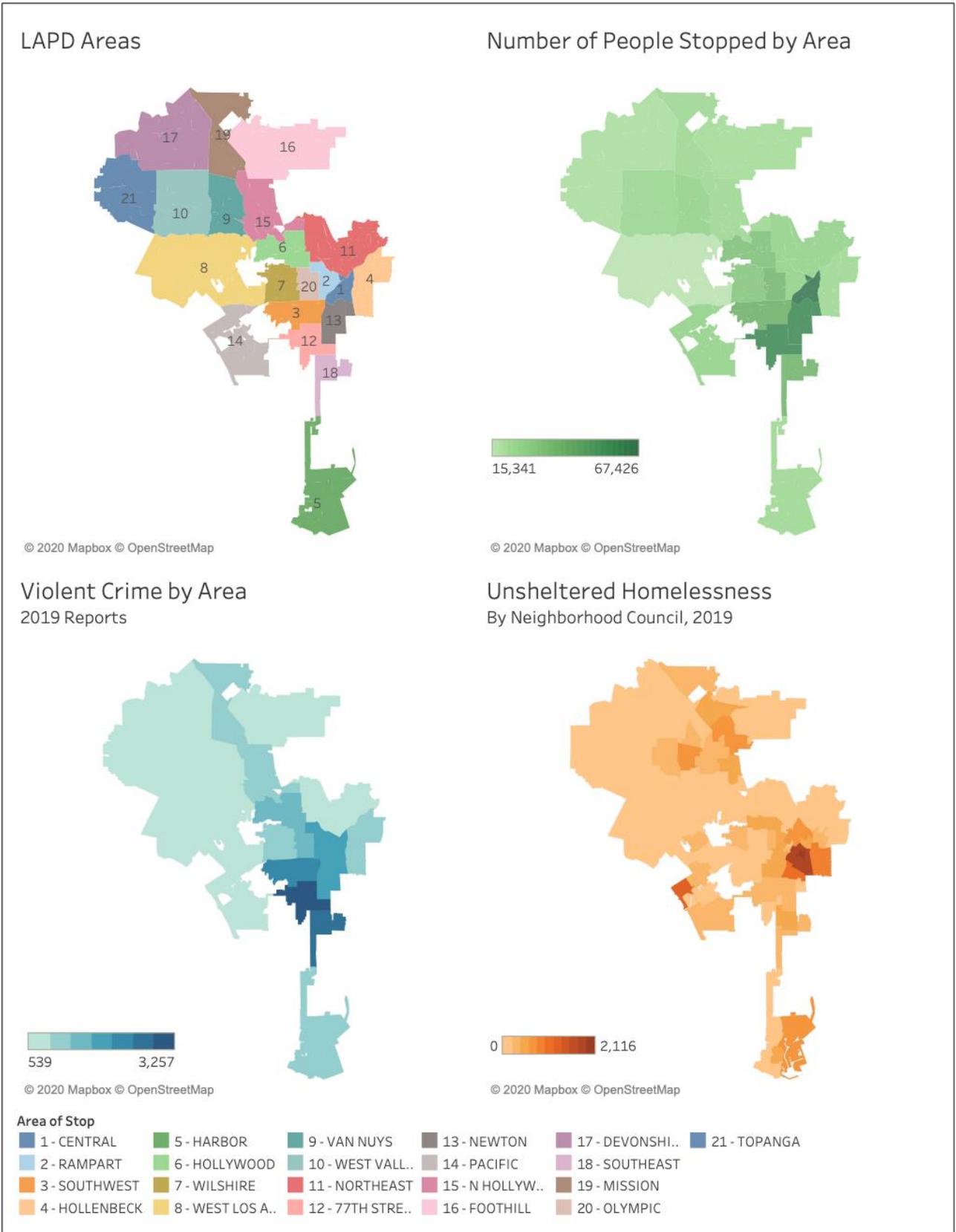


Figure 6: Area Maps

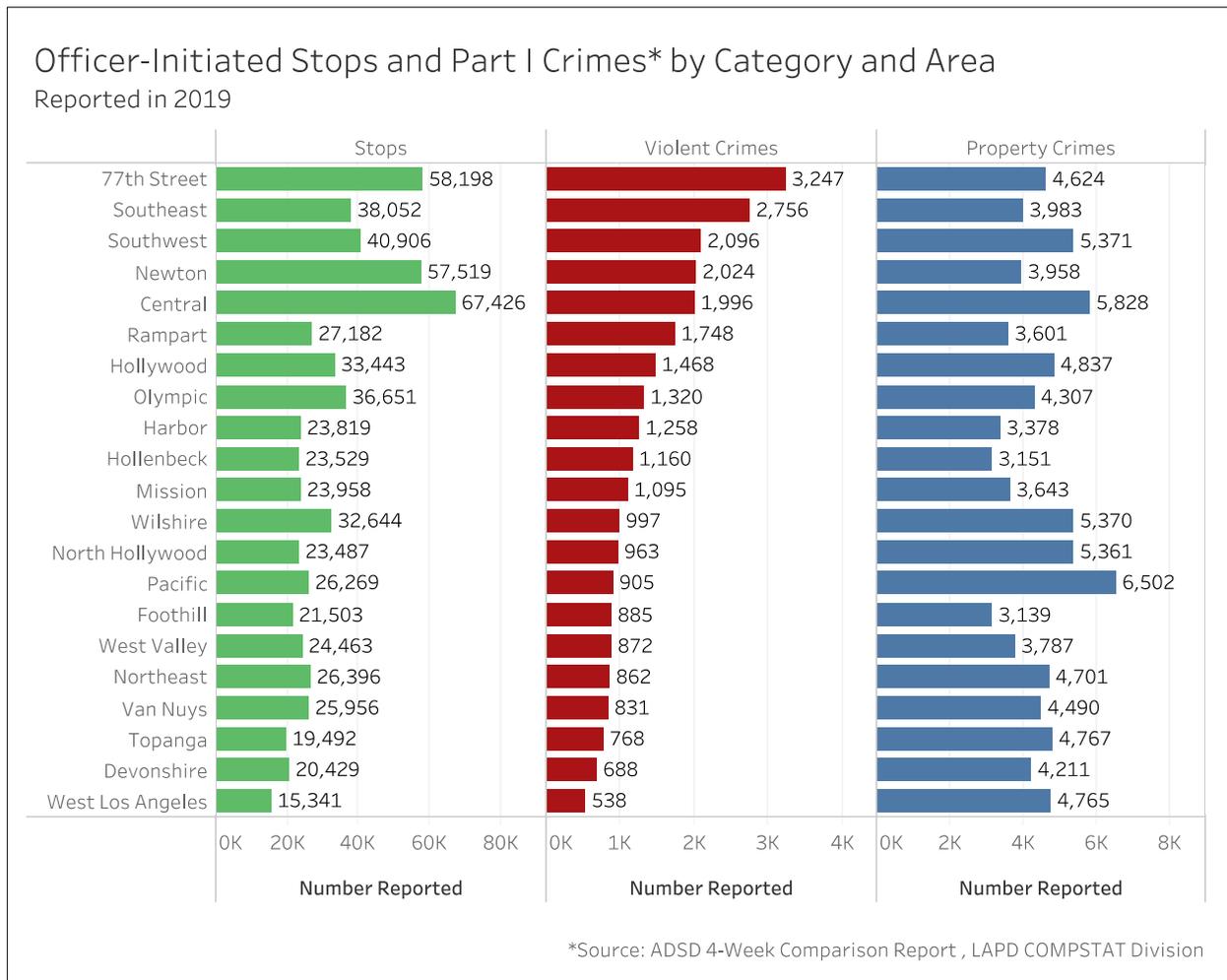


Figure 7: Officer-Initiated Stops and Part I Crimes by Category and Area

As previously discussed, in October 2019, the Department announced that it would be refocusing Metro Division’s four Tactical Support Platoons (TSPs) away from conducting crime suppression and making stops. Instead, these officers were assigned to other duties, including assisting Area detectives in identifying and apprehending those known to be committing violent crimes, as well as providing in-service training on tactics. As such, it should be noted throughout this report that although there is some focus on statistics related to Metropolitan Division in 2019, that Division currently makes very few stops as part of its regular duties.

## B. Stops by Race and Gender

### 1. Overview

When filling out a stop data form, officers are required to enter the perceived race or ethnicity (“race”) of each person they have stopped, as well as their perceived gender. The chart on the next page shows the information reported by officers for all non-call-for-service stops.

In the RIPA context, the term “perceived” is meant to capture what race or gender an officer thinks that a stopped person is, without having asked or attempted to verify, and it therefore may not represent the actual race or gender of that person. Officers may select multiple races or ethnicities when entering this data, in line with their perceptions. (For convenience of analysis,

the OIG has combined all of the instances when officers selected multiple racial groups into the Other category.) The LAPD has also added an additional category – not required by RIPA – that asks officers whether they knew the race of the person they stopped prior to actually making the stop.

As shown below, people perceived by officers to be Hispanic/Latino(a) (“Hispanic”) made up the largest group of people stopped, at about 46 percent, followed by people perceived to be Black/African American (“Black”) at 27 percent, and people perceived to be White at about 18 percent. Those perceived to be Asian, Middle Eastern or South Asian, Pacific Islander, and Native American made up much smaller proportions of people stopped, while people perceived as having more than one race made up about one half of one percent.

People Stopped by Perceived Race and Gender						
No Call for Service						
<u>Percent of People Stopped</u>						
	Female	Male	Gender Non-Conforming	Transgender Female	Transgender Male	Grand Total
Hispanic/Latino(a)	9.9%	36.2%	0.0%	0.0%	0.0%	46.1%
Black/African American	7.0%	20.2%	0.0%	0.0%	0.0%	27.3%
White	6.3%	12.1%	0.0%	0.0%	0.0%	18.4%
Asian	1.5%	2.3%	0.0%	0.0%	0.0%	3.8%
Middle Eastern or South Asian	0.9%	2.7%	0.0%	0.0%	0.0%	3.6%
Pacific Islander	0.1%	0.2%	0.0%	0.0%	0.0%	0.2%
Native American	0.0%	0.0%	0.0%		0.0%	0.1%
Multiple Listed	0.1%	0.4%	0.0%	0.0%	0.0%	0.5%
Grand Total	25.8%	74.1%	0.0%	0.1%	0.1%	100.0%

<u>Number of People Stopped</u>						
	Female	Male	Gender Non-Conforming	Transgender Female	Transgender Male	Grand Total
Hispanic/Latino(a)	66,584	243,464	27	127	147	310,349
Black/African American	47,347	135,945	33	161	146	183,632
White	42,255	81,058	14	56	77	123,460
Asian	9,907	15,403	7	4	8	25,329
Middle Eastern or South Asian	6,000	18,250	1	1	3	24,255
Pacific Islander	532	1,095	1	1	2	1,631
Native American	140	278	2		2	422
Multiple Listed	917	2,561	8	3	2	3,491
Grand Total	173,682	498,054	93	353	387	672,569

Figure 8: People Stopped by Perceived Race and Gender

With respect to gender, a significant majority – about three-quarters of all people stopped – were perceived by officers to be males. Most of the remaining quarter were perceived to be females,

with a very small number – less than one percent – perceived to be transgender or gender non-conforming.<sup>27</sup>

Based on the information provided, it appeared that the disproportion in the number of males stopped versus females stopped was more pronounced in the Black and Hispanic categories than in other categories. For example, while White males were about twice as likely to be stopped as White females, Hispanic males were nearly four times as likely to be stopped as Hispanic females.

## 2. Comparison of Stops and Population by Race/Ethnicity

One of the most important, yet complex, questions to be answered in analyzing stop data is the extent to which there are disparities or disproportions in who is being stopped across different races, and why such disparities are occurring. The chart below compares the race of the people stopped – again, during officer-initiated stops – to the race of the overall population of Los Angeles, based on Census data.<sup>28</sup>

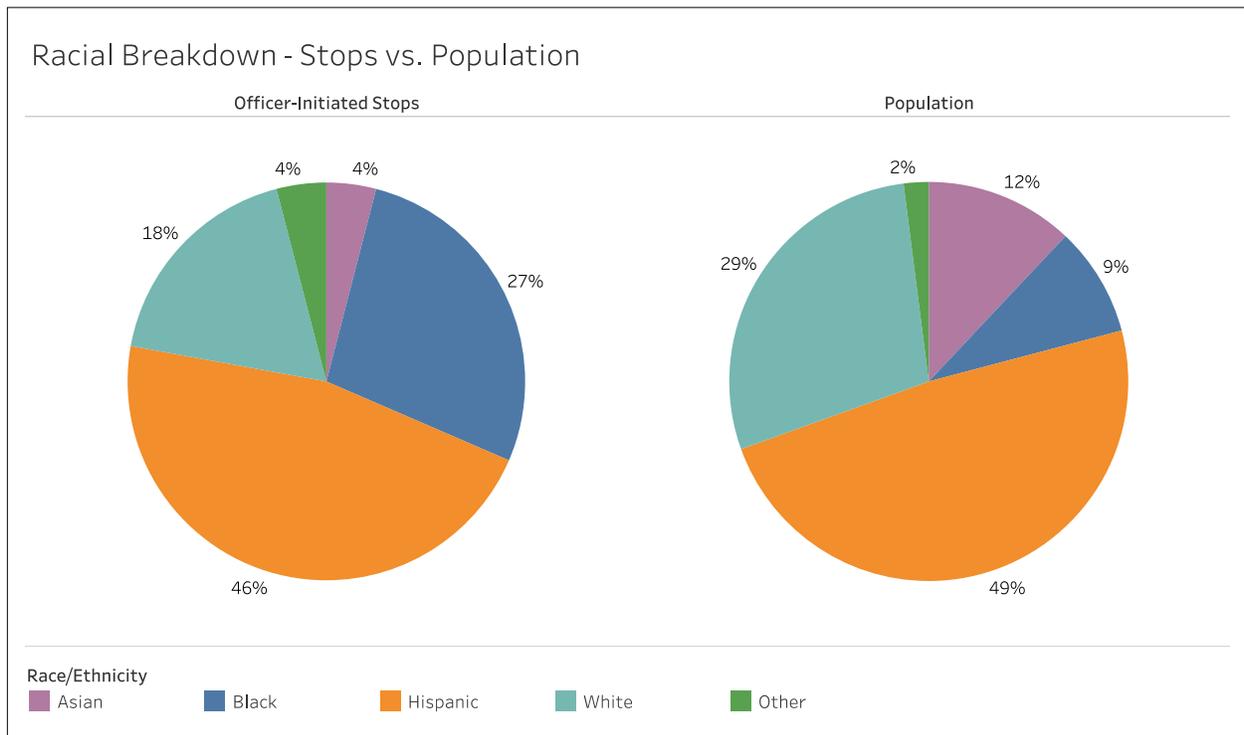


Figure 9: Racial Breakdown - Stops vs. Population

As shown, people identified as Black are significantly overrepresented in the population of people stopped when compared with their proportion of the overall residential population. More

<sup>27</sup> In light of these small numbers, and to minimize the potential for confusion in reporting on this data, the OIG made the following choices with regard to gender comparisons: people identified as “Transgender Man/Boy” were combined with the “Male” category; people identified as “Transgender Woman/Girl” were combined with the “Female” category; and people identified as “Gender nonconforming” (0.01 percent of people stopped) were excluded. Should further analysis of stops of any of these individuals be desired, the OIG can provide additional information.

<sup>28</sup> All population numbers are based on 2018 estimates, American Community Survey.

specifically, Black residents make up approximately 9 percent of the population of the City, but they make up 27 percent of the people stopped. Conversely, White and Asian people are significantly underrepresented when making the same comparison. White people make up 29 percent of City residents, but they account for only 18 percent of those stopped, while Asian people make up 12 percent of residents and only 4 percent of those stopped. Put simply, this means that when considering the population of the City overall, Black people are much more likely to be stopped than are White or Asian people.

While the disparity is clear, however, the reason for it is less so. As many analyses of stop data have acknowledged, the residential population of a city, even if accurate, is a less-than-perfect benchmark for comparison with stops for the following reasons:

- First, in a major commuter and tourist metropolis like Los Angeles, the residential population may not accurately reflect who is actually present in the city at any given time, particularly when taking into account drivers stopped for traffic stops.
- Second, the residential population does not capture the rates at which different groups commit various offenses or code violations, including traffic violations. Furthermore, the activities and circumstances which can result in officers making a stop may also be affected by other underlying disparities, such as racial disparities in local crime rates, poverty, homelessness, gang membership, and involvement with the criminal justice system.

For example, significant racial disparities in unsheltered homelessness may result in racially disproportionate rates of stops for issues such as tent violations, violations of open container laws, or even concerns related to a mental health crisis. Similarly, income disparities may result in racially disparate rates of stops for violations that may be impacted by poverty, such as problems with vehicle equipment or registration.

- Finally, the residential population does not take into account differences in Department deployment and crime strategies, which may direct more crime suppression resources into geographic areas with higher crime – particularly violent crime. As shown in the data, areas reporting higher levels of violent crime in Los Angeles also include higher proportions of communities of color. As such, even if rates of traffic or other violations are equal among racial groups, the Department’s crime strategies may nonetheless result in racial disparities in stops due to increased police visibility and activity in particular geographic areas.

In an attempt to address these concerns, researchers have worked to identify additional benchmarks that may provide more meaningful context when analyzing racially disparate stop data. These include, for example, comparisons of stop rates to other populations such as not-at-fault drivers in traffic collisions,<sup>29</sup> suspects in violent crimes, and people who were arrested during the same period. To further this type of analysis, the Department has engaged researchers at the California Policy Lab to conduct analysis of stop rates using contextual data such as crime

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<sup>29</sup> For example, the RIPA Board compared stops for traffic violations to State-wide data about not-at-fault drivers in traffic collisions, theorizing that this might be a good proxy for drivers across the state. As noted by the RIPA Board, however, this still did not indicate who might be committing various traffic violations.

rates, suspect and victim information, and geographic location, which should help to shed light on some of these questions.

Another step the Department has taken to better understand its own data is to ask officers whether they knew the race of the person they stopped prior to actually making the stop. In answering this question, officers indicated that did not previously know a person's race in about 85 percent of the stops they made. This number, not surprisingly, varied significantly by the reason for the stop. Officers making stops for traffic violations – most of which are likely vehicle stops in which it is more difficult to see the person driving – reported knowing the race of the person in only 9 percent of stops, while officers making stops in the Reasonable Suspicion and Other Stop Reason<sup>30</sup> category reported knowing this information in 35 percent and 38 percent of stops, respectively. These statistics tend to suggest that disparities in stops – particularly traffic stops – may be potentially driven not by officers' personal discretion in who to stop, but rather by other factors such as crime rates, enforcement strategies, or deployment patterns.

### 3. Stops by Race and Geographic Area

The first question considered by the OIG was whether racial disparities in stops – particularly with respect to stops of Black people – can be attributed to differential rates of enforcement across the City.<sup>31</sup> One common explanation for the disparity in stops has to do with the fact that a significant proportion of violent crimes, and therefore stops, occur in parts of the LAPD's South and Central Bureaus that are also home to the largest proportions of Black residents. As shown on page 14, the OIG did find that the numbers of stops varied significantly by geographic area, and it appears that at least some of these differences are due to variations in crime rates as well as differences in transit enforcement.

The chart below shows that the five geographic areas reporting the largest number of stops – Central, 77<sup>th</sup> Street, Newton, Southeast, and Southwest Areas – also show the largest proportions of Black people stopped. It is important to note that the combination of a high number of stops and a high proportion of stops of Black people in these areas means that they have a disproportionate impact on the overall makeup of the Department's stops for 2019.

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<sup>30</sup> As stated in various places in this report, the Other Stop Reason category includes stops that are based on a person's parole or probation status, information that the person being stopped is a possible danger to themselves or others, a want or warrant, or possible truancy. This category also includes stops that were reported as consensual encounters involving some kind of search, which must be recorded per RIPA guidelines.

<sup>31</sup> To facilitate the OIG's analysis, the remainder of this report combines people who were perceived to be Asian, Middle Eastern or South Asian, Native American, or Pacific Islander into the Other category, as well as those who were perceived to be represented by multiple races or ethnicities.

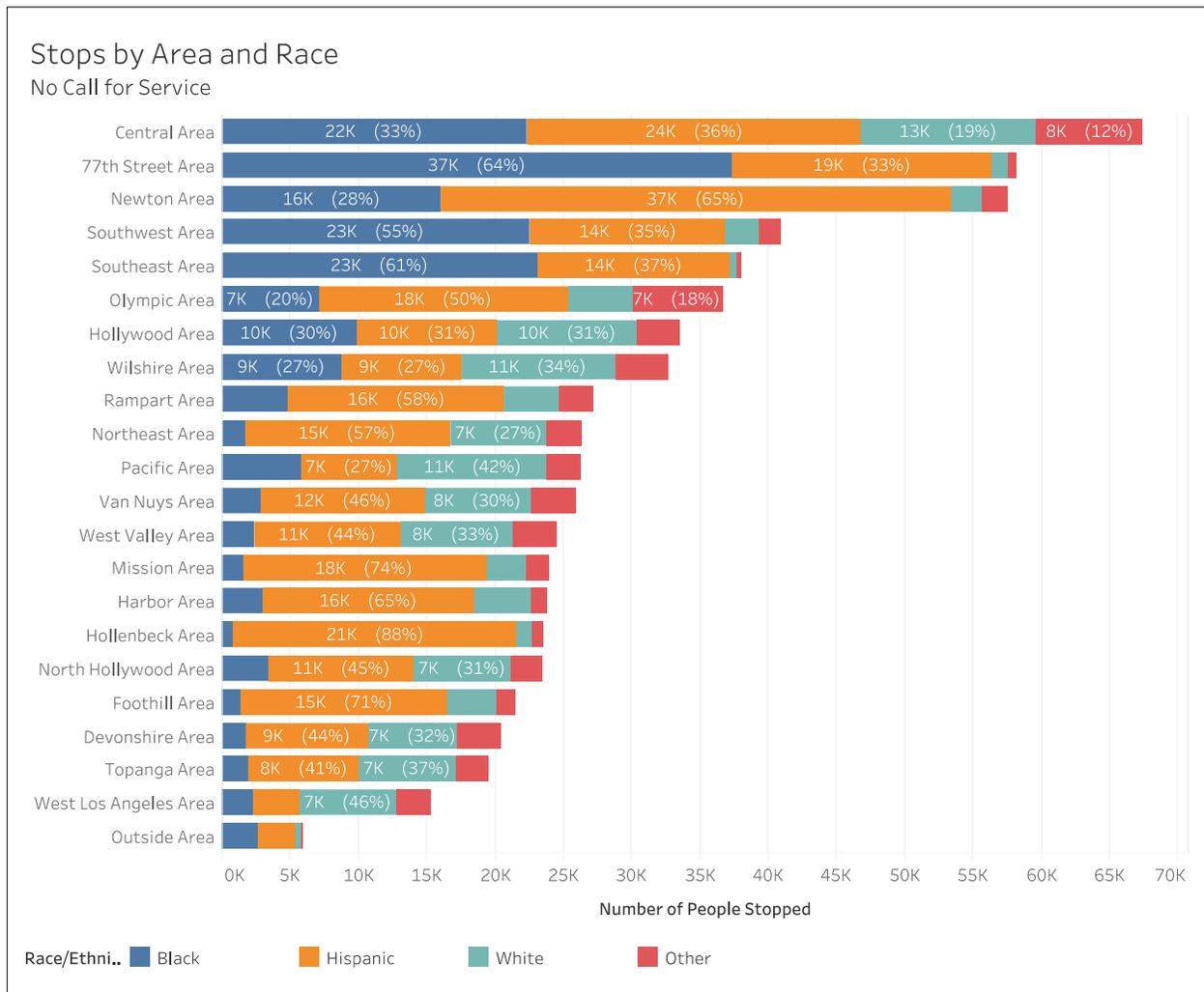


Figure 10: Stops by Area and Race

These areas also had the highest proportions of Black residents when compared with other Areas of the City. The OIG noted that stops of Black residents were nonetheless disproportionate in each of these five areas (as they were in the five areas with the next highest amounts of stops), even when their proportion of stops was compared to the proportion of the population. As such, it does not appear that geography alone can explain the disparity in stops. The chart on the next page shows racial breakdowns for the population and stops for the 10 areas with the highest total number of stops.<sup>32</sup>

The OIG notes again that demographics of residents are an imperfect benchmark for the analysis of stop rates, as they do not capture the racial makeup of the people who are actually committing various offenses in a given area, or the extent to which those offenses may be observed by or otherwise known to police.

<sup>32</sup> See Appendix for breakdown of all Areas.

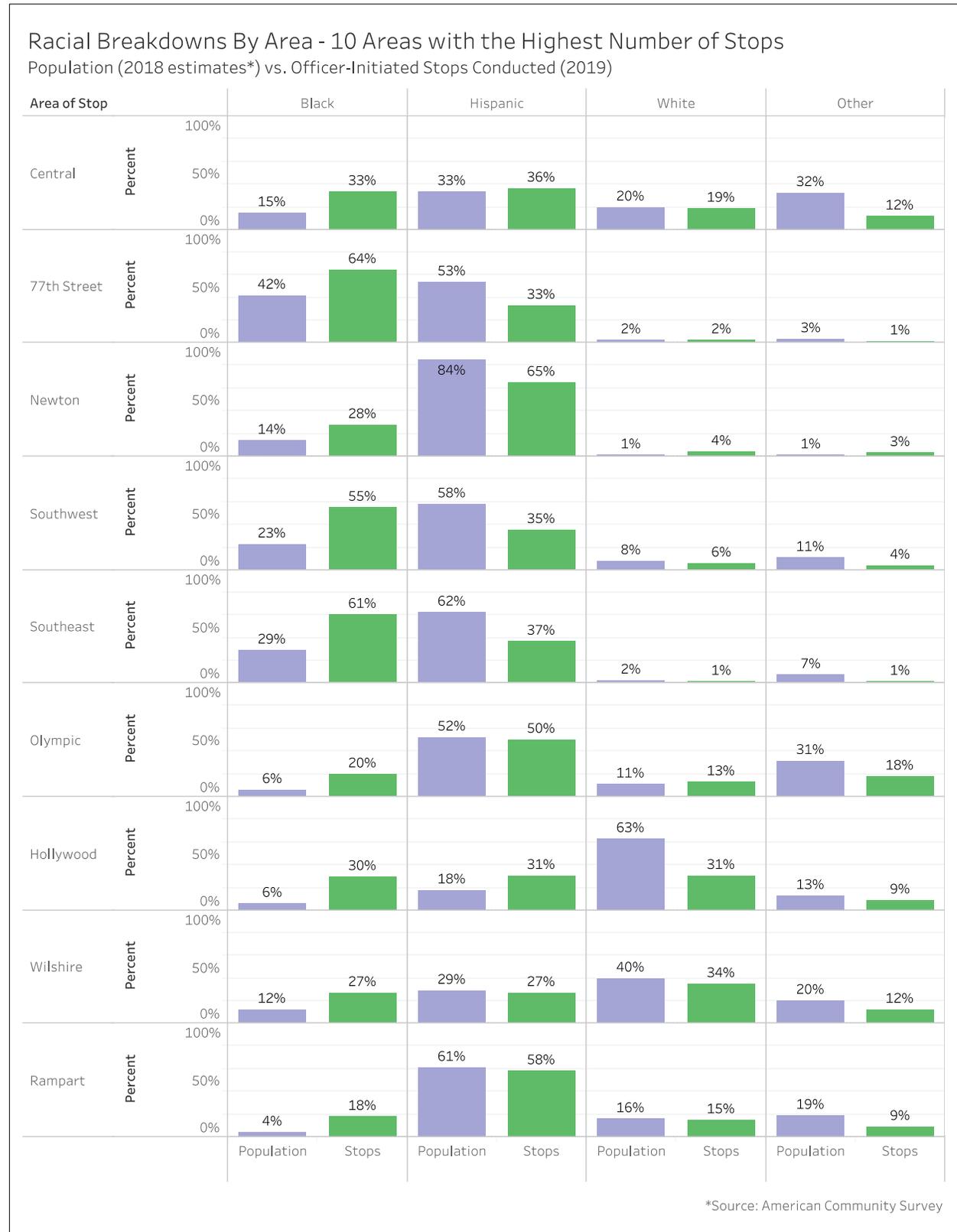


Figure 11: Racial Breakdowns by Area (Top 10)

#### 4. Stops by Involvement in Violent Crime

One possible benchmark to use in analyzing stops, which has been set forth by the Department and others as a potential explanation for stop disparities, is the race of suspects described or identified in reports of violent crimes, including gang crime. As shown below, an analysis using this data indicates that Black people are actually underrepresented in the number of total stops when compared to the rates at which they are identified as suspects in a violent crime. Conversely, Hispanic people, White people, and people of other races are overrepresented when using this statistic as a benchmark.

		Reported Race				
		Black	Hispanic	White	Other	Unknown
Stops	All Officer-Initiated	27%	46%	18%	8%	
Suspect Description - Reported	Homicide	34%	34%	6%	1%	26%
	Rape	32%	38%	15%	7%	7%
	Robbery	52%	35%	5%	2%	6%
	Aggravated Assault	36%	44%	9%	3%	8%
	All Violent Crimes	44%	39%	8%	2%	7%

*Total Violent Crime Suspects = 30,975*

Source: Los Angeles Suspect Violent Crime by Reported Race, 2019 Use of Force Year-End Report, LAPD

Figure 12: Reported Violent Crime Suspects by Race

This analysis might provide some insight into racial disparities in two notable ways. First, it may be possible that officers select particular people for a pretextual stop because the officers suspect them, based on prior knowledge or other intelligence, of possibly being involved in violent crime or being associated with a gang that is involved in violent crime.<sup>33</sup> Second, it is possible that officers make decisions during stops – such as the decision to remove a person from a vehicle, to search them, or to handcuff them – because the person is known (or discovered) to have been involved in a violent crime. Factors leading to such decisions might include, for example, indicators that the person is on parole for a violent crime or that they have an extensive history of violent crime convictions. As such, underlying disparities related to involvement in violent crime might explain some of the disparities in officers’ actions, even where a stop is made based on a minor violation.

Nonetheless, the OIG believes that, much like the residential population, the population of reported violent crime suspects represents an imperfect benchmark for the analysis of officer-initiated stops. As such, caution should be used in employing these statistics as a broad rationale for apparent racial disparities in stops and searches. First, stops for traffic violations make up the vast majority of officer-initiated stops and are the primary focus of the OIG’s review. While it

<sup>33</sup> There may also be instances when officers stop a person because they believe that he or she is wanted for a specific violent crime, but the reason for such a stop would properly be documented in the “wanted person/arrest warrant” category, which makes up only a small proportion of overall stops.

may be appropriate to tie certain kinds of reasonable suspicion stops to violent crime benchmarks, the connection between the small number of violent crimes and the much larger pool of traffic violations is much more tenuous.<sup>34</sup> On the whole, traffic violations are generally classified as minor and tend to be very common, with many drivers committing at least some traffic infractions on a regular basis, and they do not appear to be a good predictor of involvement in violent crimes.

Second, the available stop data already allows for the analysis of some factors – such as parole or probation status – used by officers to make their decisions. As discussed in the next section, the isolation of these factors does not fully explain the disparity in post-stop actions or the rate at which officers uncover evidence of serious crimes. Moreover, the OIG’s video review of stops found that officers in most cases did not appear to be familiar with the person being stopped. It also found that, in many cases, questioning or discretionary post-stop activity did not clearly appear to be based on a person’s specific behavior or background.

Finally, the use of data drawn from violent crime reports as the basis for explaining stop or search rates may be subject to various types of bias. This is true in terms of the reports themselves which, in many cases, represent allegations that have not been substantiated or proven, and may be subject to reporting bias. The Department must also take care to ensure that the use of suspect data does not open the door to the prohibited practice of racial profiling, which relies on the application of general statistics or stereotypes – rather than individualized, case-specific factors – to guide law enforcement decision-making.

The next sections of the OIG’s analysis will look at the reason for each stop broken down by race, as well as the Department unit conducting the stop, in order to better understand Department strategies underlying the overall stop numbers.

## 5. Stop Reasons by Race

As noted earlier in this report, not all stops can be compared equally. While all officer-initiated stops are generally the result of some discretion and analysis by officers, the seriousness and urgency of the suspected violation or crime may differ significantly. The report earlier set forth three major categories of stop reasons – Traffic Violations, Reasonable Suspicion, and an Other Stop Reason category that includes stops based on a person’s parole or probation status, information that the person being stopped is a possible danger to themselves or others, a want or warrant, or possible truancy. This category also includes stops that were reported as consensual encounters involving some kind of search, which must be recorded per RIPA guidelines. The chart below shows the racial breakdown of each type of stop conducted by the Department in 2019.

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<sup>34</sup> Stops for traffic violations are far more numerous than the overall number of violent crimes or violent crime suspects. For example, in 77<sup>th</sup> Street Area, there were 44,495 stops for traffic violations in 2019 as compared to 3,247 reports of violent crimes.

People Stopped by Stop Reason and Race					
No Call for Service					
	Black	Hispanic	White	Other	Grand Total
Traffic Violation	72%	77%	79%	88%	77%
Reasonable Suspicion	23%	19%	18%	10%	19%
Other Stop Reason	5%	4%	3%	2%	4%
Grand Total	100%	100%	100%	100%	100%

Figure 13: People Stopped by Stop Reason and Race

As shown, the racial makeup does change somewhat depending on the reason for the stop. For example, Black people are comparatively more likely to be stopped for a non-traffic reason than are other groups, and people in the Other category are comparatively more likely to be stopped for a traffic violation than other groups.

The chart on the following page drills down further into the most common types of violations that people were stopped for.<sup>35</sup> It indicates that the vast majority of officer-initiated stops, including stops of people in each racial group, were for violations that can generally be classified as minor – most commonly traffic violations.

It also shows racial differences in stops by the type of violation, particularly with respect to the top two categories of violations – driving and equipment violations. The data shows that stops of White people and people in the Other category were much more likely to be based on a driving violation – including speeding, cell phone violations, and other moving violations – than on any other category of violation. Overall, 47 percent of stops of White people and 55 percent of stops of people in the Other category were for this type of violation, while 24 percent of stops of Black people and 32 percent of Hispanic people were for driving violations.

Conversely, Black and Hispanic people were more likely than White people to be stopped for a vehicle equipment violation, such as an issue with a license plate, a vehicle light, or a windshield obstruction. Specifically, 24 percent of stops of Black people and 25 percent of stops of Hispanic people were for equipment violations, while 14 percent of stops of White people and 19 percent of stops of people in the Other category were for this type of violation. Black and Hispanic people were also comparatively more likely to be stopped for most other types of violations as well, such as transit or parking violations.

<sup>35</sup> Due to the large number of different violations listed by officers in connection with the stops they made – which number over 1,700 – the OIG coded only the most frequently-identified ones, which made up 85 percent of all stops.

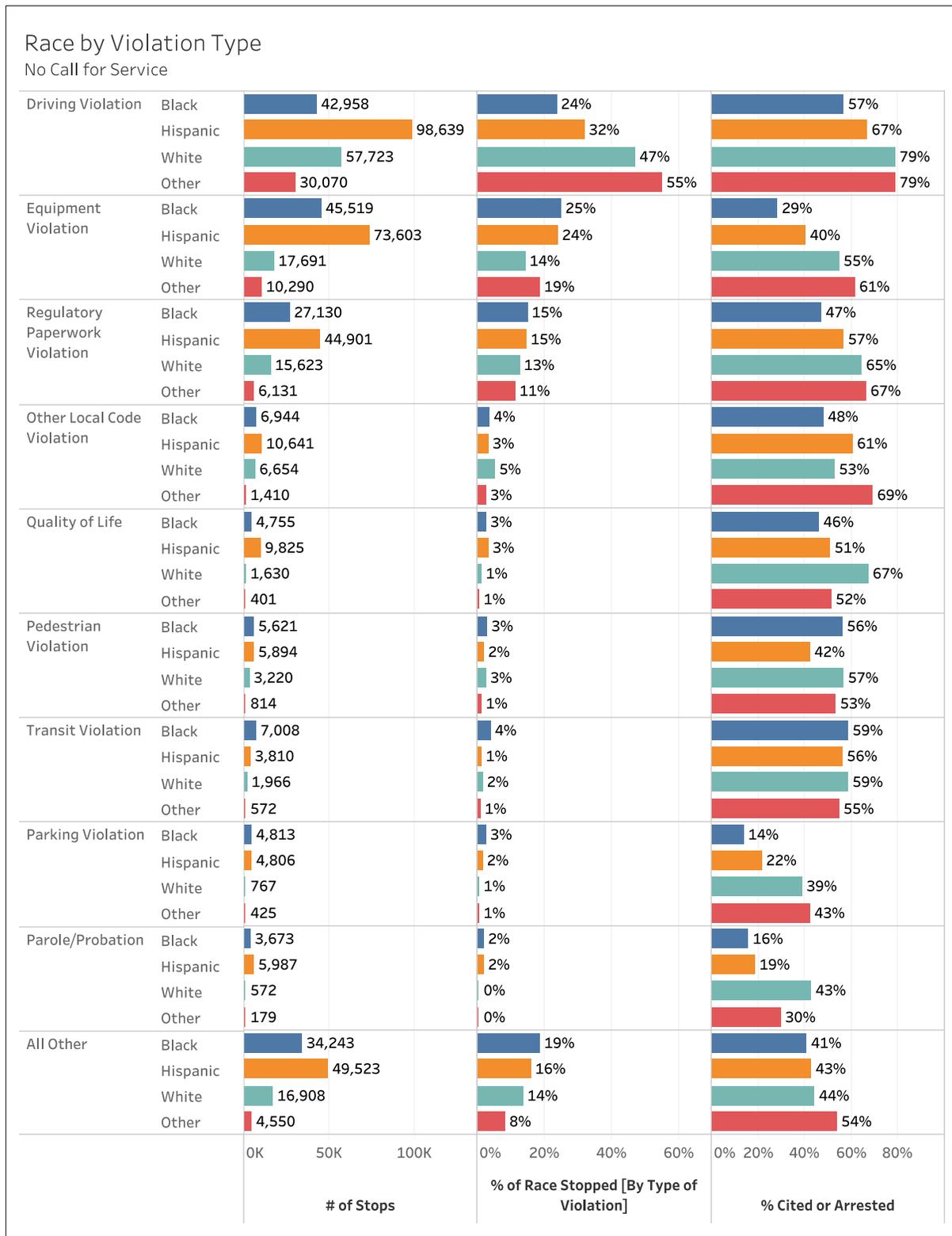


Figure 14: Race by Violation Type

Again, these numbers do not indicate the rate at which these groups commit these violations, but rather the rate at which they were stopped for them. Additionally, difficulties with maintaining vehicle equipment or regulatory paperwork (such as a vehicle’s registration) may often be

associated with a person’s socioeconomic circumstances, which may explain at least some of these differences in light of underlying racial disparities in poverty and income rates in Los Angeles.<sup>36</sup>

6. Race by Type of Unit Making Stop

The OIG’s analysis of Department stop data found that comparatively fewer stops of Black and Hispanic people for driving, equipment, and regulatory violations resulted in some enforcement action taken by officers, such as a citation or an arrest, than stops of White people or people in the Other category. While the lack of such an enforcement action in some instances may represent an officer simply giving a stopped person “a break,” it is also likely that at least some of these stops can be considered as pretextual. As discussed in the introduction, a stop may be pretextual when the officers who conduct it are using one violation as an opportunity to investigate the person whom they have stopped for one or more other, more serious crimes.

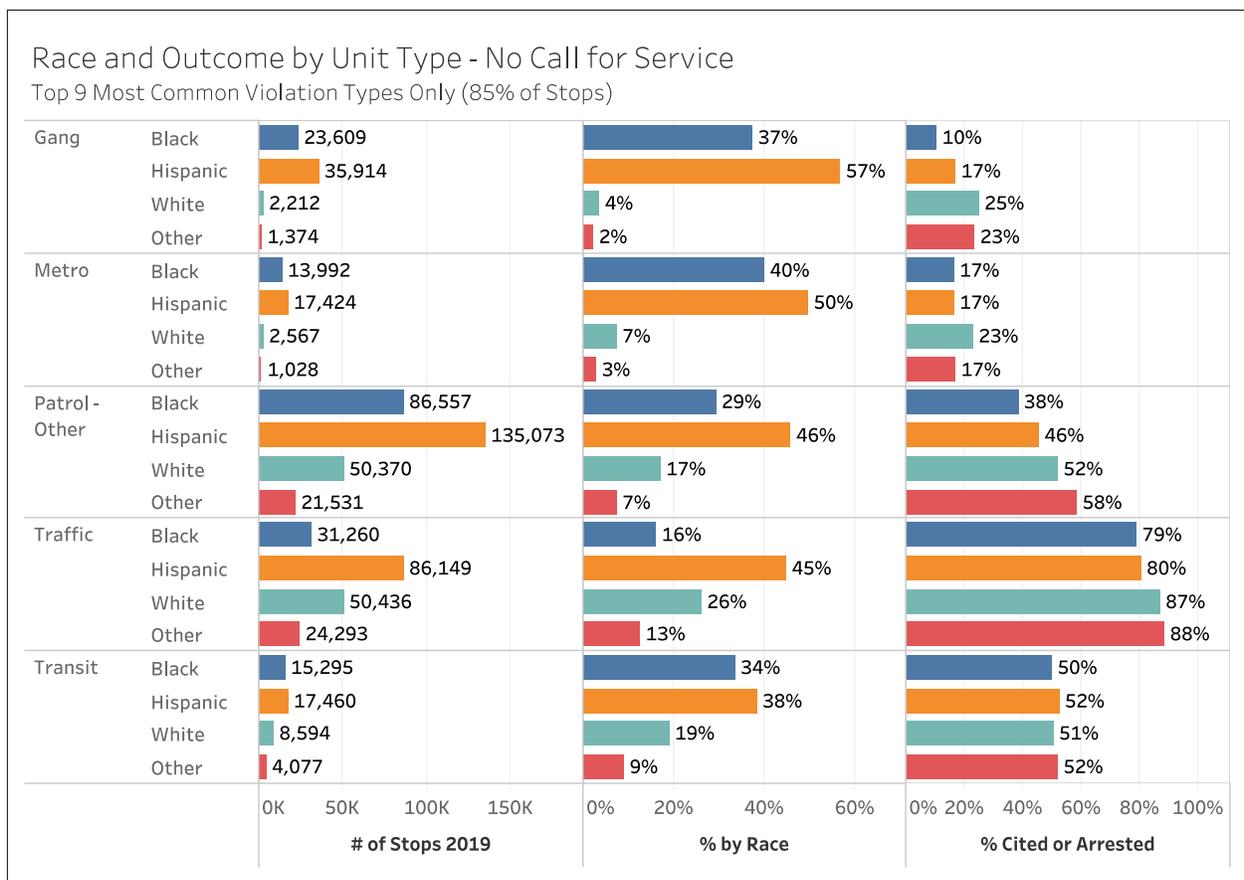


Figure 15: Result by Type of Violation – No Call for Service

The pretextual nature of some proportion of the Department’s stops is illustrated by the fact that much of the disparity in enforcement rates is accounted for by the practices of GED (gang) and Metro officers. These units, whose focus was conducting crime suppression activities in 2019,

<sup>36</sup> See, for example: “An Equity Profile of the Los Angeles Region,” PolicyLink and the USC Program for Environmental and Regional Equity (PERE), 2017, pages 35 and 40. Accessed at <http://bit.ly/laequityprofile>.

were much less likely to take enforcement action than traffic or transit units.<sup>37</sup> (As discussed in the following sections, stops by these units were also more likely to involve additional post-stop actions such as a search, the removal of occupants from a vehicle, or the completion of an FI card.)

As shown above, these units were also more likely to stop Black and Hispanic people than they were to stop White or Other people. This is due in part to deployment patterns, as the majority of their stops were in geographic areas with larger communities of color. The chart below, however, indicates that these proactive units were more likely to stop Black people than other units operating within the same geographic area. Based on the OIG’s review, it appears that this difference is the result of a general focus by these units on stopping suspected gang members or others who are suspected to be involved in violent crimes, with a goal of gathering intelligence and conducting further investigation.

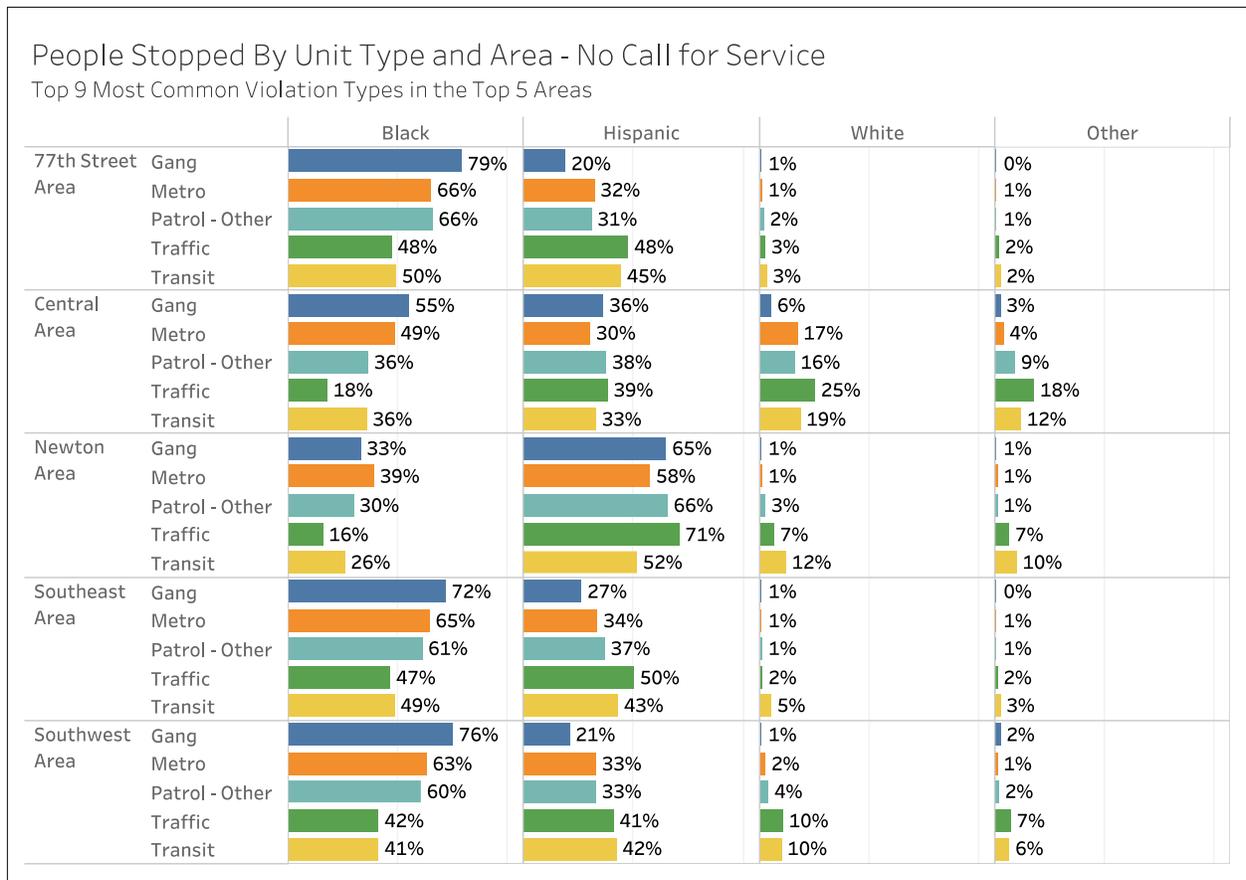


Figure 16: People Stopped by Unit Type, Race, and Area - No Call for Service

<sup>37</sup> As noted on page 10, due to a realignment in October 2019, the mission of Metro officers has been refocused away from conducting crime suppression stops.

**C. Searches and Other Post-Stop Activity**

The next area reviewed by the OIG was that of post-stop activity. As discussed above, officers are required to document whether they took each of a series of post-stop actions, such as removing a person from a vehicle, conducting a search, handcuffing or taking photographs of a person, or completing an FI card. Officers must also indicate if they used force, as well as the reason for – and result of – any stop and/or search conducted.

Each of these decisions has its own set of legal or policy considerations that officers must take into account. Taken as a whole, however, these post-stop actions can significantly increase the overall intensity and intrusiveness of each stop and may affect how the people stopped – as well as the community at large – perceive these incidents in terms of overall fairness. Recent research on stops has focused on the difference between routine traffic stops and those more accurately characterized as investigative or pretextual stops. While the use of investigative stops is generally legal and permissible, high rates of such stops may nonetheless have a significant cost to community trust.<sup>38</sup>

Stop Reason		Black	Hispanic	White	Other	Grand Total
No Call for Service						
Traffic Violation	# of People	132,584	237,554	97,833	48,737	516,708
	% Searched	22%	16%	4%	3%	14%
	% FI'd	16%	13%	5%	4%	12%
	% Handcuffed	10%	10%	3%	2%	8%
	% Removed from Vehicle*	18%	11%	3%	3%	11%
Reasonable Suspicion	# of People	42,650	59,774	22,003	5,492	129,919
	% Searched	47%	49%	32%	36%	45%
	% FI'd	38%	44%	45%	37%	42%
	% Handcuffed	34%	41%	32%	34%	37%
	% Removed from Vehicle*	100%	100%	100%	100%	100%
Other Stop Reason	# of People	8,398	13,021	3,624	899	25,942
	% Searched	73%	73%	55%	60%	70%
	% FI'd	38%	55%	50%	54%	48%
	% Handcuffed	44%	51%	55%	54%	50%
	% Removed from Vehicle*	100%	100%	100%	100%	100%
Grand Total	# of People	183,632	310,349	123,460	55,128	672,569
	% Searched	30%	25%	11%	7%	22%
	% FI'd	22%	21%	14%	8%	19%
	% Handcuffed	17%	18%	10%	6%	15%
	% Removed from Vehicle*	20%	13%	4%	4%	12%

\*Only includes stops for vehicle-related violations.

Figure 17: Rate of Post-Stop Actions by Race

<sup>38</sup> See, for example, “Principles of Procedurally Just Policing,” Quattlebaum, Megan and Meares, Tracey Louise and Tyler, Tom; 2018, Pages 37-40; and “Pulled Over: How Police Stops Define Race and Citizenship,” Epp, Charles R. et al., University of Chicago Press, 2014.

As such, much of the OIG’s analysis focused on comparing rates of post-stop activities across race and other groups, as well as the result of those activities, which is sometimes called the “hit rate.” The analysis of post-stop activity is also simpler to accomplish than that of stop frequency, as the underlying population of incidents, or benchmark, is known and can be used as a benchmark in examining disparities. Even so, the OIG again emphasizes that the stop data alone cannot capture the complexities of each incident, such as the full set of circumstances surrounding each stop, the involved officers’ varied observations and perceptions, the subjects’ actions, or other contextual factors that may drive officers’ decisions. The volume of the data collected, however, does allow for some broad analysis of stops across large groups of cases, which may serve to minimize the effects of these less quantifiable factors.

1. Searches

Department policy, in keeping with RIPA, requires that officers record whether they have performed a search of either a person or their property. Officers are further mandated to provide the basis for the search both by selecting a general category (consent, officer safety, etc.) and by including a more specific narrative. For example, they may not simply state that a pat-down search was due to “officer safety” but rather must include additional detail to justify the pat-down.

a. *Frequency and Type of Searches*

Overall, about 22 percent of all people stopped during officer-initiated stops in 2019 were subjected to at least one type of search. As shown in the chart below, search rates varied substantially by the type of stop, with stops for traffic violations having been much less likely to result in a search (about 14 percent) than stops in the Reasonable Suspicion category (about 45 percent) or the Other Stop Reason category (about 70 percent). This is likely due to the relatively minor nature of most traffic violations when compared to other types of incidents.

Stop Reason	Black		Hispanic		White		Other		Grand Total		
	F	M	F	M	F	M	F	M			
<b>Traffic Violation</b>	# of People		37,346	95,221	55,557	181,978	35,680	62,146	15,824	32,897	516,649
	% Searched		6%	28%	5%	19%	2%	6%	1%	4%	14%
<b>Reasonable Suspicion</b>	# of People		8,892	33,745	9,378	50,389	5,647	16,350	1,464	4,025	129,890
	% Searched		35%	50%	37%	52%	25%	34%	24%	40%	45%
<b>Other Stop Reason</b>	# of People		1,270	7,125	1,776	11,244	984	2,639	217	682	25,937
	% Searched		50%	78%	53%	77%	42%	60%	41%	66%	70%
<b>Grand Total</b>	# of People		47,508	136,091	66,711	243,611	42,311	81,135	17,505	37,604	672,476
	% Searched		13%	36%	11%	28%	6%	13%	3%	9%	22%

Figure 18: Search Rate by Race, Gender, and Stop Reason

The data also shows significant disparities in search rate by race and gender. As shown in the chart above, stops of Black and Hispanic males were much more likely to involve a search than stops of other groups. These differences were particularly pronounced during stops of traffic

violations, during which stops of Black males were more than four times as likely to result in a search, at 28 percent, than stops of White males, at 6 percent.

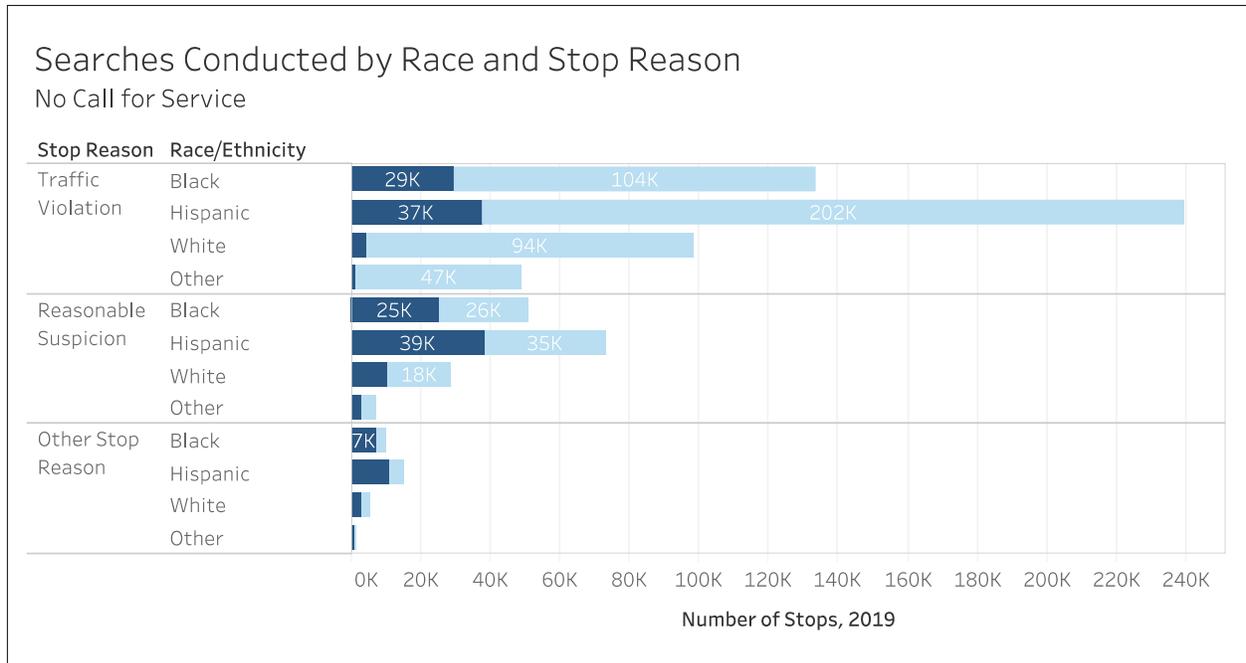


Figure 19: Searches Conducted by Race and Stop Reason

Taken overall, stops of Black people for traffic violations were more than 5 times as likely to result in a search (22 percent) than stops of White people for traffic violations (4 percent). Because Black people were also generally more likely to be stopped for traffic violations than other groups, this disparity in search rates also widened the disparity in total numbers of searches during a stop for a traffic violation, as shown in the chart above.

Finally, stops of Black and Hispanic people were more likely to include searches of both their person and property (rather than just a search of one or the other) than stops of White or Asian people.<sup>39</sup> This was particularly pronounced in the Traffic Violation category.

Although disparities were present in each type of stop, much of the OIG’s remaining analysis of searches focuses on stops based on traffic violations. This is for a number of reasons. First, stops for traffic violations are by far the most common type of stop conducted in the City, encompassing about three-quarters of all people stopped. Second, they tend to be the result of more minor violations that, without additional facts, would generally not warrant a search or, in most cases, an arrest. Finally, traffic violations tend to vary less in terms of severity than the offenses suspected in the other categories; this is particularly true with regard to the Reasonable Suspicion category, which might range from a minor code violation to a serious violent crime. This makes them somewhat easier to compare across cases.

<sup>39</sup> The search options as laid out by the RIPA regulations do not distinguish between pat-downs and full searches of a person, or between a search of a person’s vehicle or other property. Because these different searches may require different levels of suspicion, the OIG did separate these different types of searches during its qualitative analysis, as discussed on page 50.

Stop Reason Search Type		Black			Hispanic			White			Other			Grand Total
		F	M	Total	F	M	Total	F	M	Total	F	M	Total	
Traffic Violation	Person and Property	2%	15%	11%	2%	8%	7%	1%	2%	2%	0%	2%	2%	6%
	Person Only	2%	10%	8%	2%	9%	7%	1%	3%	2%	0%	2%	1%	6%
	Property Only	3%	3%	3%	2%	2%	2%	1%	1%	1%	0%	1%	0%	2%
	No Search Reported	94%	72%	78%	95%	81%	84%	98%	94%	96%	99%	96%	97%	86%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Reasonable Suspicion	Person and Property	12%	15%	15%	13%	14%	14%	9%	11%	11%	8%	12%	11%	14%
	Person Only	20%	34%	31%	21%	36%	34%	14%	22%	20%	14%	26%	23%	30%
	Property Only	3%	1%	1%	3%	1%	2%	2%	1%	1%	3%	2%	2%	1%
	No Search Reported	65%	50%	53%	63%	48%	51%	75%	66%	68%	76%	60%	64%	55%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Other Stop Reason	Person and Property	14%	29%	27%	15%	24%	23%	13%	19%	17%	9%	23%	20%	23%
	Person Only	29%	46%	43%	30%	51%	48%	26%	40%	36%	29%	41%	38%	44%
	Property Only	7%	2%	3%	7%	2%	3%	4%	1%	2%	3%	2%	2%	3%
	No Search Reported	50%	22%	27%	47%	23%	27%	58%	40%	44%	59%	34%	40%	30%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Figure 20: Type of Search by Race, Gender, and Stop Reason

*b. Reason for the Search*

The search numbers alone do not explain the reason why officers conducted each search, including what they observed or how the searched person was behaving, or the extent to which the search was discretionary, given the circumstances. The OIG reviewed the reasons listed for each search to assess the extent to which there were substantive differences in these factors that might explain some of the disparities.

One challenge presented in analyzing the RIPA data is that it combines all search reasons into one category. As such, if there are multiple searches during one stop incident, each of which was conducted for a different reason, it is not clear to which search(es) the identified category is meant to apply. Officers can also enter multiple search reasons for the same search. In all, the OIG found that about 40 percent of completed search fields included more than one search reason. To assist in analyzing these, the OIG adapted the following framework, developed by the RIPA Board, to categorize and rank different types of searches in terms of their relative discretion:

- **Consent Only:** Searches conducted based only on consent. (RIPA’s “Higher Discretion” category)
- **Higher Discretion:** Searches based on some combination of consent, officer safety, and/or the suspected presence of weapons. (Adapted from RIPA’s “Alternate Higher Discretion” category)
- **Parole/Probation:** Searches based on parole/probation status of subject; search does not fall into Lower Discretion category.
- **Lower Discretion:** Searches based on arrest, vehicle inventory, and/or search warrant. (RIPA’s “Lower Discretion” category)

- **Other Search Basis:** All other categories of searches; includes searches based on odor of contraband, visible contraband, canine detection, and evidence of crime.

The chart below shows the proportion of each demographic group searched broken down by the search categories above. The chart also shows the percentages of each type of search that were associated with any evidence being recovered. It should be noted that not all evidence recovered during stops results from a search. Some recovered evidence may have been in plain view of the involved officers or was otherwise identified in a manner outside the search process.

			Black		Hispanic		White		Other	
			F	M	F	M	F	M	F	M
<b>Traffic Violation</b>	% of Group	Consent Only	1%	7%	1%	5%	0%	1%	0%	1%
		Higher Discretion	1%	6%	1%	5%	0%	1%	0%	1%
		Parole or Probation	2%	9%	1%	4%	0%	1%	0%	1%
		Lower Discretion	1%	3%	1%	3%	1%	1%	0%	1%
		Other Search Basis	1%	5%	1%	2%	0%	0%	0%	1%
		No Search Conducted	94%	72%	95%	81%	98%	94%	99%	96%
	% Contraband (Searched Only)	Consent Only	8%	6%	7%	6%	16%	7%	5%	7%
		Higher Discretion	7%	9%	11%	9%	10%	10%	30%	8%
		Parole or Probation	11%	10%	14%	10%	12%	13%	5%	12%
		Lower Discretion	19%	23%	27%	23%	25%	30%	15%	30%
		Other Search Basis	51%	49%	51%	51%	61%	54%	35%	54%
		No Search Conducted								
<b>Reasonable Suspicion</b>	% of Group	Consent Only	1%	3%	2%	5%	1%	3%	1%	3%
		Higher Discretion	5%	16%	6%	16%	4%	8%	4%	10%
		Parole or Probation	1%	6%	1%	5%	1%	2%	0%	2%
		Lower Discretion	25%	17%	24%	19%	18%	18%	18%	22%
		Other Search Basis	3%	7%	3%	7%	1%	3%	2%	3%
		No Search Conducted	65%	50%	63%	48%	75%	66%	76%	60%
	% Contraband (Searched Only)	Consent Only	13%	17%	22%	22%	36%	24%	22%	19%
		Higher Discretion	11%	12%	11%	18%	8%	14%	11%	9%
		Parole or Probation	29%	24%	25%	22%	21%	18%	25%	22%
		Lower Discretion	28%	34%	35%	33%	31%	35%	27%	33%
		Other Search Basis	45%	52%	53%	54%	54%	51%	38%	50%
		No Search Conducted								
<b>Other Stop Reason</b>	% of Group	Consent Only	4%	4%	4%	7%	4%	5%	2%	5%
		Higher Discretion	12%	9%	12%	9%	13%	15%	17%	15%
		Parole or Probation	10%	41%	13%	40%	4%	13%	4%	18%
		Lower Discretion	22%	21%	22%	19%	20%	26%	19%	26%
		Other Search Basis	2%	3%	1%	1%	1%	1%		2%
		No Search Conducted	50%	22%	47%	23%	58%	40%	59%	34%
	% Contraband (Searched Only)	Consent Only	2%	6%	10%	10%	5%	13%	75%	12%
		Higher Discretion	8%	8%	5%	7%	5%	7%	8%	6%
		Parole or Probation	19%	18%	15%	10%	34%	21%	13%	15%
		Lower Discretion	17%	23%	22%	23%	22%	22%	10%	20%
		Other Search Basis	41%	39%	19%	49%	33%	26%		50%
		No Search Conducted								

Figure 21: Search Category by Stop Reason, Race, and Gender

As shown, differences in search rates among groups – primarily between Black or Hispanic males and members the other listed groups – could be seen for all types of searches, including searches categorized as involving a higher level of discretion.<sup>40</sup> Notably, for stops based on traffic violations, the rate of consent-only searches was much higher for Black males (7 percent) than White males (1 percent). There were similar disparities in the “Higher Discretion” category.

Another major difference was seen in the parole/probation search category. Although these types of searches may be less discretionary than some others overall, the OIG’s qualitative review noted that officers in proactive units – who were more likely to stop Black and Hispanic males than any other race/gender group – were also more likely to ask a person if they were on parole or probation during stops than were other units; this may contribute to some of the of disparities seen within parole/probation searches.

There were fewer racial differences in the proportion of people who were subjected to a “Lower Discretion” search than there were for the other categories of searches.

With regard to hit rates, as shown below, officers were most likely to report the recovery of contraband for a stop involving a search in the Other Search Basis or Lower Discretion categories. Perhaps not surprisingly, stops involving more discretionary searches were substantially less likely to produce contraband. The OIG’s analysis found that, overall, contraband hit rates were slightly lower for Black and Hispanic people than for other groups.<sup>41</sup>

	Traffic Violation				Reasonable Suspicion				Other Stop Reason				Grand Total
	Black	Hisp..	White	Other	Black	Hisp..	White	Other	Black	Hisp..	White	Other	
Consent Only	7%	7%	8%	6%	17%	22%	26%	20%	6%	10%	11%	19%	10%
Higher Discretion	9%	10%	10%	9%	12%	17%	13%	9%	8%	7%	6%	7%	12%
Parole or Probation	10%	10%	13%	12%	24%	22%	18%	22%	18%	10%	22%	15%	13%
Lower Discretion	22%	24%	29%	28%	32%	34%	34%	32%	22%	23%	22%	18%	29%
Other Search Basis	49%	51%	55%	53%	52%	54%	51%	48%	39%	46%	28%	50%	51%
Grand Total	17%	16%	19%	20%	27%	29%	29%	27%	18%	14%	17%	15%	21%

Figure 22: Search Results by Group and Stop Reason

<sup>40</sup> The OIG’s video review identified a small number of cases where officers indicated that they got consent for a search, but that the consent either could not be heard or was otherwise problematic. This finding is further discussed on page 50.

<sup>41</sup> For a full breakdown of search and contraband discovery rates by race and the reason for the search, please see the Appendix.

*c. Type of Contraband or Other Evidence Discovered*

To get a better sense of the results of searches conducted during stops for traffic violations, the OIG also looked at the type of contraband or evidence that was recovered as well as the ultimate action taken by officers as a result of the stop. The chart below shows contraband discovery rates by the most serious type of evidence discovered for each search. (Different types of contraband are ranked in seriousness from left to right, which means that a search that recovers both narcotics and a firearm will only be reported in the Firearm(s) category.)

		Suspected							
		None Reported	Firearm(s)	Other Weapons	stolen property	Drugs/ Narcotics	Drug Paraphernalia	Alcohol	Other
% Group Searched	Black	83.5%	1.6%	1.1%	0.2%	10.6%	0.7%	1.5%	0.8%
	Hispanic	84.0%	1.1%	2.2%	0.3%	7.3%	1.2%	2.7%	1.2%
	White	80.9%	1.0%	2.9%	0.8%	10.3%	2.0%	0.7%	1.3%
	Other	80.5%	2.1%	1.8%	0.4%	10.9%	1.8%	1.5%	1.1%
% Arrested	Black	7%	71%	18%	74%	10%	19%	7%	30%
	Hispanic	11%	80%	19%	83%	30%	20%	12%	36%
	White	19%	76%	30%	91%	60%	36%	23%	60%
	Other	16%	79%	18%	83%	51%	32%	0%	41%
% Cited Out	Black	0%	0%	1%	0%	1%	8%	2%	1%
	Hispanic	0%	0%	1%	0%	5%	8%	3%	1%
	White	1%	0%	0%	0%	9%	23%	7%	2%
	Other	1%	0%	4%	0%	4%	14%	4%	6%
# of People	Black	24,384	469	320	54	3,110	219	426	235
	Hispanic	31,126	409	816	109	2,708	441	997	437
	White	3,319	41	119	32	422	84	30	55
	Other	1,269	33	28	6	172	28	24	17
% Group Searched	Total	83.5%	1.3%	1.8%	0.3%	8.9%	1.1%	2.1%	1.0%
% Arrested	Total	10%	76%	19%	82%	23%	22%	11%	36%
% Cited Out	Total	0%	0%	1%	0%	3%	10%	3%	1%
# of People	Total	60,098	952	1,283	201	6,412	772	1,477	744

Figure 23: Type of Contraband Found and Action Taken by Race

Overall, the chart shows that searches of Black and Hispanic people during stops for traffic violations were slightly less likely be associated with the reported discovery of contraband than searches of White people or the Other group. In those cases when contraband was recovered, the chart shows very little racial variation in the rates of each type of contraband that was found. The most common type of contraband found was drugs or narcotics, while the least common was suspected stolen property.

As compared with drugs or narcotics, searches during stops for traffic violations were much less likely to be associated with the discovery of a firearm or other weapon. Firearms were identified in approximately 1.3 percent of searches overall, while other weapons were found in about 1.8 percent of stops with searches. Racial differences in discovery rates for these items were small.

The OIG found that the discovery of contraband or other evidence in the aggregate did not always result in an arrest. For each category of contraband, Black people were less likely to be arrested as a result of the item found than were other groups. This could be because the recovered item, such as a weapon, was actually found to be carried legally, or because the item

was too minor in nature to justify an arrest (as with a marijuana cigarette). Based on these results, it appears to be fairly rare that searches during traffic stops yield evidence of a serious crime.

## 2. Other Post-Stop Activity

As discussed earlier, the OIG also tracked and analyzed other post-stop activity on the part of officers in an effort to better understand the nature and character of the stops themselves. LAPD policy and the law grant officers wide discretion to conduct the activities discussed in this section, based on their assessment of each individual situation. While there is no requirement that officers provide an articulable basis for taking these actions, the decisions to take them must nonetheless be free of racial or identity profiling. Other than when using a specific suspect description, California law prohibits consideration or reliance “to any degree” on actual or perceived race, gender, or other protected characteristic in deciding to conduct post-stop activities, to include removing occupants from a vehicle, asking questions, and conducting consensual searches.<sup>42</sup> Department policy also prohibits the use of these protected classes while performing any law enforcement activity, including activities following stops or detentions.<sup>43</sup>

### a. *Orders to Exit the Vehicle*

The OIG found that, overall, the occupants in 12 percent of stops based on a vehicle violation were ordered to exit their vehicle. This number varied significantly by race, with officers ordering 18 percent of Black people out of their vehicle during such stops as compared to 3 percent of White people.

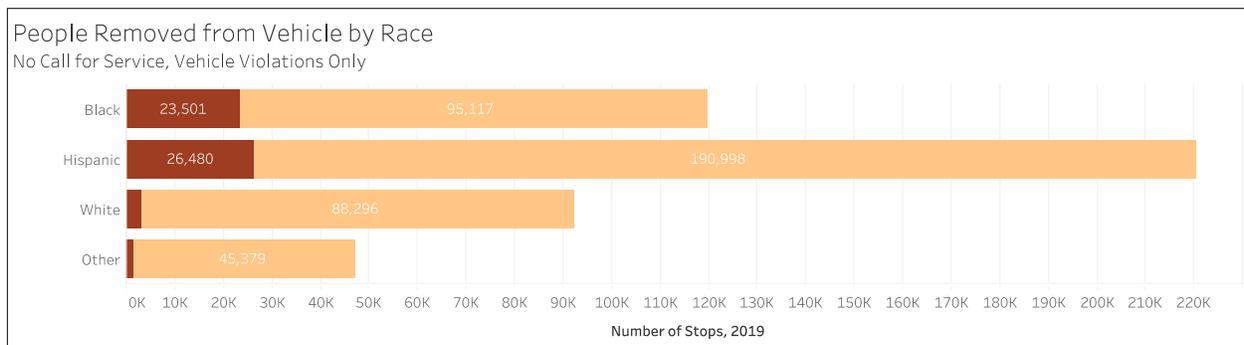


Figure 24: People Removed from Vehicle by Race

The OIG noted that proactive units such as gang and Metro units were more likely to remove a stopped person from their car than were other types of units, with gang units reporting that they removed 29 percent of people whom they had stopped in a car and Metro reporting that they removed up to 48 percent of such people.

It is imperative that officers are able to make decisions based on their assessment of the safety risks inherent in any stop. Department training, however, cautions officers not to routinely order all motor vehicle occupants out of their vehicles. Rather, officer discretion must be used to

<sup>42</sup> California Penal Code Section 13519.4(e)-(f).

<sup>43</sup> See LAPD Manual 1/345, “Policy Prohibiting Biased Policing.”

ensure that officer safety concerns are addressed while the impact on the community of removals from vehicles during stops is minimized.<sup>44</sup>

The decision to remove a person from a vehicle may often elevate the level of tension during a stop and could be perceived as frightening or humiliating to the people involved. Removing a person from a vehicle may also lead to officers entering the vehicle (i.e. to safely retrieve a person’s identification or other paperwork), which is something the OIG observed occurring in some vehicle stops reviewed. As such, the OIG recommends that the Department provide clear guidance about when it is appropriate to remove someone from a vehicle, as well as the officer safety factors to be considered when making this decision.

*b. Handcuffing*

About 22 percent of all people were handcuffed during an officer-initiated stop. The rate of handcuffing differed by the type of stop, with traffic violations much less likely to involve handcuffing than reasonable suspicion or other types of stops. As with other post-stop activities, Black and Hispanic people stopped for a traffic violation were more likely to be handcuffed during a stop, at about 10 percent each, than were White people or those from the Other group, at 2 and 3 percent, respectively. Also, as with other post-stop activities, units engaged in crime suppression were more likely to handcuff people detained than were other units.

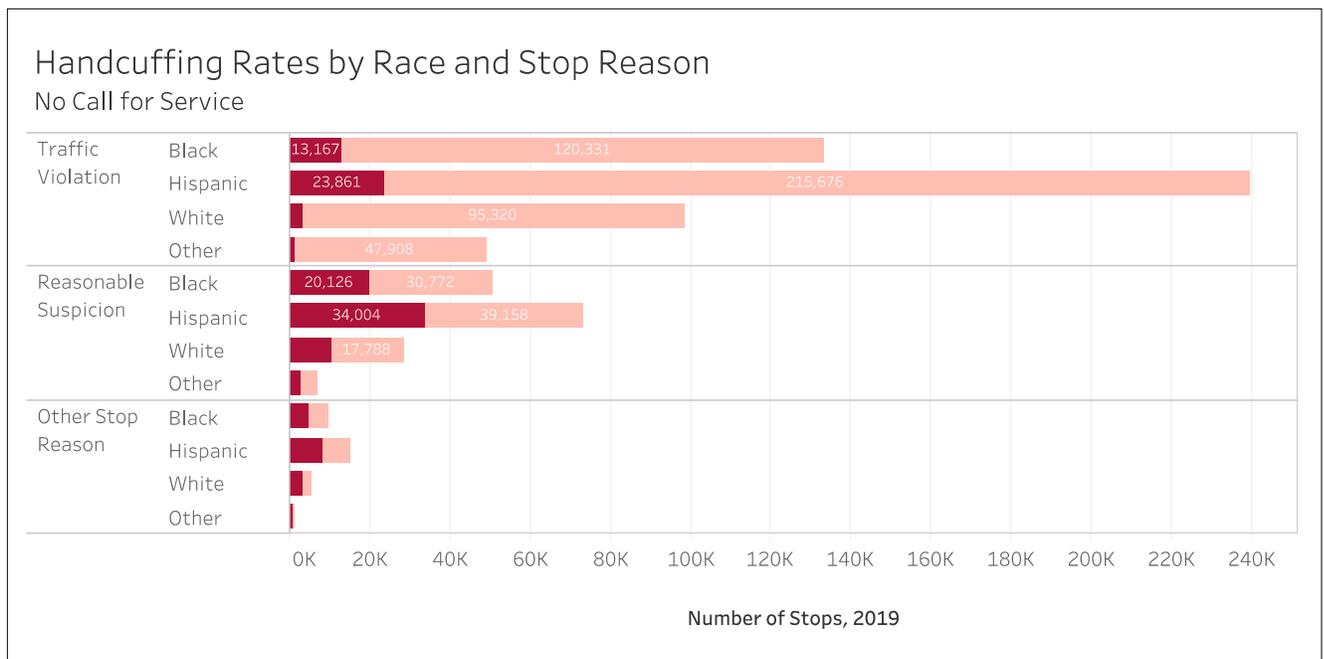


Figure 25: Handcuffing by Race and Stop Reason

Although RIPA does not require officers to document the reason for handcuffing a person during a stop, Department materials do state that officers must be able to justify any use of handcuffs during a detention, as this is an action that is generally “associated with a formal arrest.”<sup>45</sup>

<sup>44</sup> “Requesting Vehicle Occupants to Exit a Vehicle During Traffic Stops,” Operations Notice No. 42, 1995.

<sup>45</sup> “Laws of Arrest,” Learning Domain 15, Basis Course Workbook Series, Student Materials, Version 4.10, California Commission on Peace Officer Standards and Training (POST), June 2017.

According to Department training, the use of “handcuffs [...] will not automatically convert a legal detention into an illegal arrest. But since employment of these measures tends to suggest an arrest, an officer must carefully articulate why he/she used force or restraints in the particular situation.”<sup>46</sup>

An Operations Notice on the topic indicates that “[h]andcuffing a person as a matter of course, habit, or routine is inappropriate” and provides a list of factors that can be used to determine whether handcuffing is reasonable in a given situation.<sup>47</sup> The notice further indicates that “[t]raffic infraction violators (motorists, cyclists, pedestrians), juveniles who commit citable offenses, and others detained for non-violent offenses where an arrest and/or transport is not likely, should generally not be handcuffed unless an officer can clearly articulate a specific reason why the handcuffing was appropriate.”<sup>48</sup> Overall, of those people that were handcuffed during a stop for a traffic violation, approximately 22 percent were ultimately arrested. This number was higher for White people (34 percent) than it was for Black people (18 percent) or Hispanic people (23 percent).

The OIG recommends that the Department consolidate its guidance on handcuffing into the Department manual in order to ensure that the handcuffing of individuals who are stopped comports with Department expectations.

*c. Field Interview Reports*

FI cards are used to collect information for a variety of purposes, including tracking contacts made during stops and investigations, as well as arrests. This information is generally submitted for entry into a searchable database.<sup>49</sup>

Officers reported that they completed Field Interview Reports, also known as FI cards or FIs, in 19 percent of officer-initiated stops, including 12 percent of officer-initiated traffic stops. Black and Hispanic people stopped for traffic violations were more likely to be FI'd, at rates of 16 and 13 percent, respectively, than were White people and those from the Other group, at rates of 5 and 4 percent, respectively.<sup>50</sup> FI completion also differed significantly by the type of unit – according to the data, Metro officers filled out FI cards in 72 percent of stops for a traffic violation, while only one percent of stops conducted by traffic officers resulted in the completion of an FI card.

The FI card itself includes a number of fields that may be used to gather information about a person and the circumstances of the associated stop (or other type of encounter). Some of these fields, such as the incident number, the location of the interview, and the race and gender of the

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<sup>46</sup> “Distinguishing Between Detentions and Arrests,” Legal Bulletin, Los Angeles Police Department, Volume 19, Issue 1, March 15, 1995.

<sup>47</sup> “Handcuffing Protocols,” Operations Notice No. 2, Los Angeles Police Department, September 22, 2011.

<sup>48</sup> *Ibid.*

<sup>49</sup> Another major use of the FI card during 2019 was for the purpose of documenting factors to support the entry of a suspected gang member into the statewide CalGang database. As mentioned on page 10, the Department terminated the use of the CalGang system in July 2020.

<sup>50</sup> One notable exception to this was gang officers, who were comparatively more likely to complete an FI during a traffic stop of a White person (17 percent) than of a Black person (13 percent).

person interviewed, may overlap with AFDR fields. Other fields, however, are unique to the FI card and gather significant detail about the person being stopped. These fields include, for example, a person’s height, weight, clothing, identifiers such as tattoos, occupation, social security number, gang membership, school affiliation, and any companions present during the interview. Such information may be very helpful in the course of an investigation, or when necessary to document a suspicious encounter, but it may not be appropriate in the context of a routine traffic stop. The OIG observed that the completion of an FI card during a stop could serve to prolong the stop and to prompt officers to ask a series of intrusive questions that may not have been relevant to the stop or the basis underlying it.

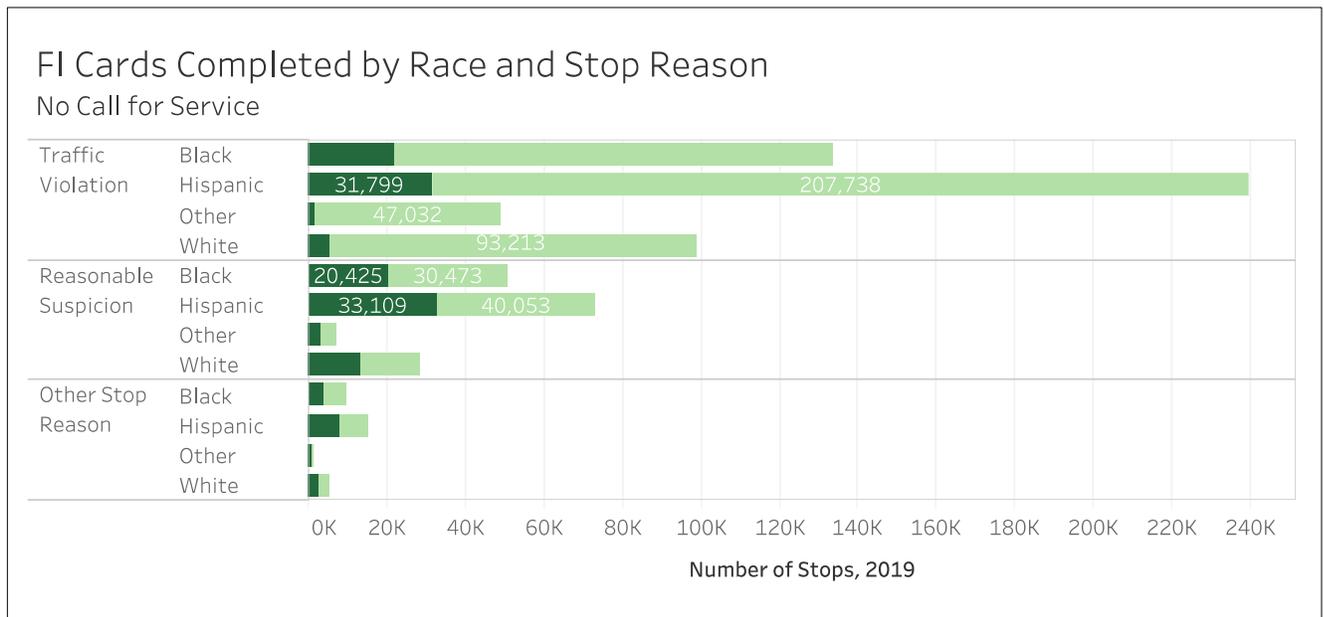


Figure 26: Completion of FI card by Race and Stop Reason

While the Department’s manual does identify some instances during which an FI card should be completed, such as when a person is being arrested or when a person is suspected of being a gang member, the general policy on FIs is fairly broad, indicating that “[w]hen an officer questions a person in the field, he or she may record the details of that interview on a Field Interview (FI) Report [...]. Specific facts that tend to indicate criminal activity shall be indicated on the FI.”<sup>51</sup>

The OIG recommends that the Department set forth clear policy guidelines delineating 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 they are not being completed at random or simply 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 also indicate that officers may not prolong a stop in order to complete an FI card,

<sup>51</sup> “Field Interviews – Revised; And, Field Interview Report, Form 15.43.00 – Revised,” Administrative Order No. 5, March 27, 2020. The policy also indicates that officers shall fill out an FI card “when a subject encountered meets the definition of ‘Homeless.’”

and that members of the public are not obligated to answer questions or display tattoos in order to facilitate the completion of such cards.<sup>52</sup>

#### **D. Stop Results**

The OIG looked at outcome of each Department stop in 2019, including whether any enforcement action was taken. This analysis revealed that:

- About 7 percent of those stopped in an officer-initiated encounter were ultimately taken into custody, either for a warrant (2 percent) or another reason (5 percent). People were much less likely to be arrested when they were stopped for a traffic violation (2 percent) than when they were stopped based on reasonable suspicion of another crime (22 percent) or for other reasons (27 percent). They were also more likely to be arrested during an incident involving a search than an incident that did not involve a search.
- Approximately 44 percent of all people stopped received a citation. Not surprisingly, the citation rate was much higher in stops for traffic violations (54 percent) than in stops based on reasonable suspicion (17 percent) or for other reasons (1 percent). In stops made on the basis of a traffic violation, people who were searched were relatively less likely to get a citation than those who were not.
- Only about 2 percent of people stopped were listed as having been “cited out” with a court summons, which is generally known as receiving a “Release from Custody” or RFC. This rate was higher for stops involving reasonable suspicion (10 percent) than for other types of stops (less than 1 percent).

The chart below shows rates of enforcement actions that were taken during stops broken down by race, the reason for the stop, and whether the stopped person was searched. When looking only at stops wherein a person was searched, the OIG noted significant differences in enforcement rates by race – Black and Hispanic people who were searched were much less likely to be the subject of an arrest or other enforcement action than were White people or people in the Other group who were searched.

This was true for nearly all types of enforcement actions, as well as every kind of stop, and it likely reflects the fact that Black and Hispanic people were also generally more likely to be searched. As noted earlier, the OIG also found that units focused on crime suppression were more likely to conduct post-stop activity and less likely to take an enforcement action than other types of units. For a further breakdown of enforcement actions by unit type, please see the Appendix.

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<sup>52</sup> See the discussion on page 51 for additional recommendations about FI cards based on the OIG’s video review.

Stop Outcome by Search, Race, and Stop Reason														
No Call for Service														
		Traffic Violation				Reasonable Suspicion				Other Stop Reason				Grand Total
		Black	Hispa..	White	Other	Black	Hispa..	White	Other	Black	Hispa..	White	Other	Grand Total
Search Conducted	% Arrested (Non-Warrant)	5%	10%	17%	14%	32%	32%	42%	44%	14%	16%	17%	21%	19%
	% Arrested (Warrant)	4%	5%	11%	8%	8%	7%	13%	7%	18%	16%	27%	21%	8%
	% Arrested	9%	14%	26%	21%	38%	38%	51%	49%	31%	31%	42%	38%	26%
	% Cited Out	1%	1%	2%	2%	5%	6%	12%	12%	0%	1%	3%	1%	3%
	% Received Citation	16%	20%	22%	21%	4%	5%	5%	4%	1%	1%	1%	1%	11%
	% Any Enforcement	25%	35%	49%	43%	46%	49%	67%	64%	32%	33%	46%	40%	39%
No Search Conducted	% Arrested (Non-Warrant)	1%	1%	0%	0%	6%	7%	5%	7%	6%	6%	3%	3%	1%
	% Arrested (Warrant)	0%	0%	0%	0%	2%	1%	1%	1%	10%	7%	8%	7%	0%
	% Arrested	1%	1%	0%	0%	8%	8%	6%	8%	15%	12%	11%	10%	2%
	% Cited Out	0%	0%	0%	0%	11%	14%	14%	19%	0%	1%	1%	3%	2%
	% Received Citation	47%	57%	71%	73%	27%	27%	24%	31%	3%	3%	2%	5%	54%
	% Any Enforcement	48%	58%	71%	73%	45%	48%	44%	57%	18%	16%	14%	18%	58%
Grand Total	% Arrested (Non-Warrant)	1%	2%	1%	1%	18%	19%	16%	20%	12%	13%	11%	14%	5%
	% Arrested (Warrant)	1%	1%	1%	0%	5%	4%	5%	3%	15%	14%	19%	15%	2%
	% Arrested	2%	3%	1%	1%	22%	23%	20%	23%	26%	26%	28%	27%	7%
	% Cited Out	0%	0%	0%	0%	8%	10%	13%	17%	0%	1%	2%	2%	2%
	% Received Citation	40%	51%	69%	71%	16%	16%	18%	21%	1%	2%	2%	3%	44%
	% Any Enforcement	43%	54%	71%	72%	46%	48%	51%	60%	28%	28%	32%	31%	54%

Figure 27: Stop Outcome by Search Status, Race, and Stop Reason

With regard to people who were arrested during Department stops, the OIG examined what they were arrested for and found that, after warrants, the most frequent reasons for arrests (across all categories of stops) were drug violations, Part I violent crimes, DUI-related charges, firearm violations, non-Part-I assaults, probation or parole violations, prostitution-related crimes, and theft. Arrests for these crimes (other than warrants) each made up less than 1 percent of stop cases.

Looking only at traffic stops, the most frequent reasons for arrests were DUI-related charges, drug violations, firearm violations, probation and parole violations, and theft. Arrests for Part I violent crimes or other assaults made up about 2 percent of all arrests made during traffic stops.

It appears that the relatively low rates of arrest during traffic stops for more serious types of crimes again points to the fact that conducting pretextual stops for minor traffic violations may have limited effectiveness in addressing those serious crimes. The chart on the next page, for example, compares actions taken during a stop to the outcome of the stop for the five most frequent vehicle violations.

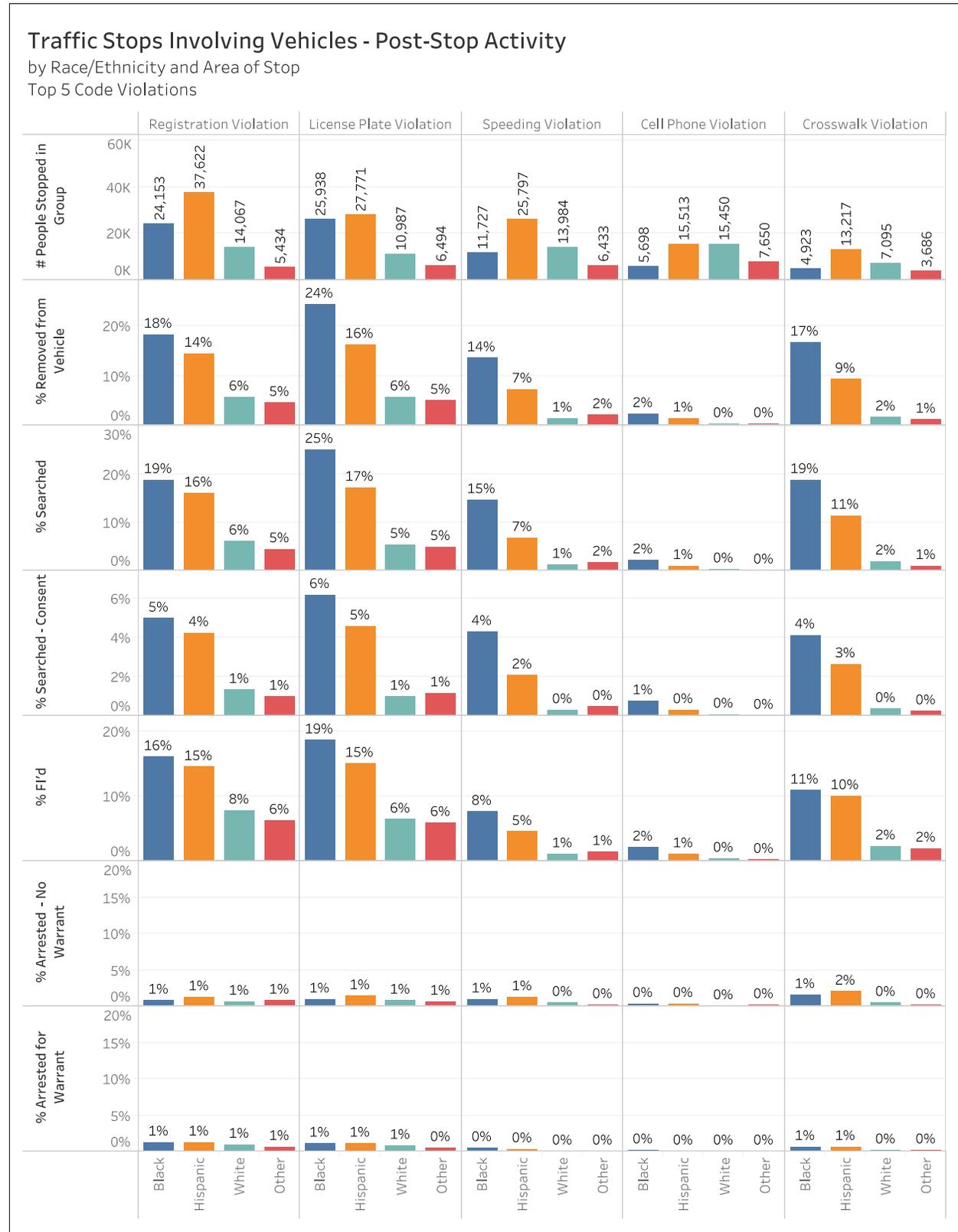


Figure 28: Traffic Stops for Top 5 Vehicle Violations

### E. Stops by Age

The OIG also looked at stops by the perceived age of the person stopped. According to the data, the largest category of people stopped, about 32 percent, were between the ages of 26 and 35, followed by people who were between the ages of 18 and 25. A relatively small proportion of those stopped – about 2 percent – were perceived to be under the age of 18.

In looking at the age categories by race, the OIG noted that Black and Hispanic people who were stopped skewed younger, while White and people in the Other category skewed older. As a result, those stopped who were 25 and younger – including minors – were more likely to be Black or Hispanic than other races.

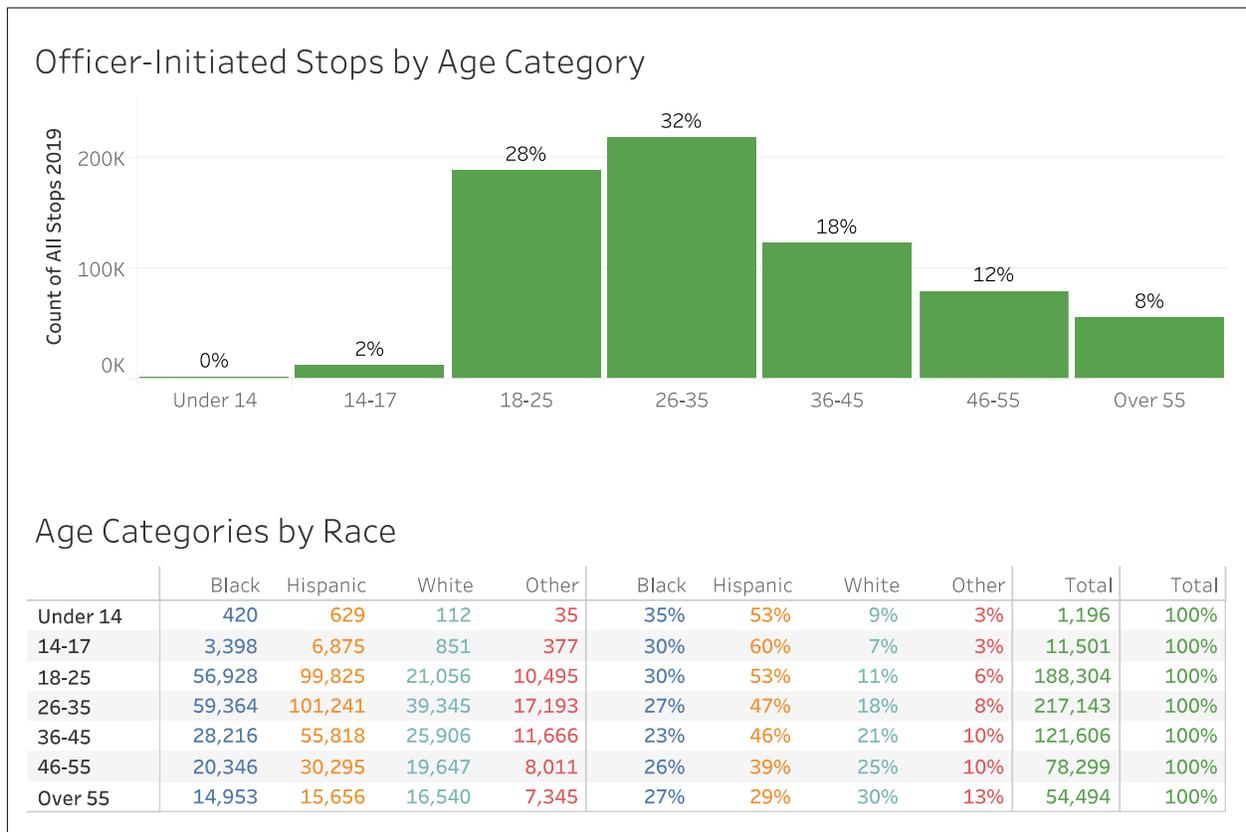


Figure 29: Officer-Initiated Stops by Age Category

The OIG also found comparatively high rates of post-stop activity, such as searches and removal from a vehicle in younger groups, and noted that racial disparities in these actions were present in each age category. In reviewing the outcomes of these activities, however, the OIG noted that Black and Hispanic youth between the ages of 14 and 17 were comparatively more likely to be found with contraband, including firearms, and to be arrested than White youth or youth in the Other category. When taking into account whether they were searched, however, Black and Hispanic youth in this category were less likely to be arrested than were other groups. For more detail about stops by age and race, please see the Appendix.

### F. Use of Force

Finally, the OIG examined the rate at which officers reported using force during a stop, as shown below.

Race/Ethnicity	Traffic Violation		Reasonable Suspicion		Other Stop Reason		Grand Total	
	#	% Group	#	% Group	#	% Group	#	% Group
Black	108	0.08%	123	0.29%	33	0.39%	264	0.14%
Hispanic	201	0.08%	167	0.28%	35	0.27%	403	0.13%
White	82	0.08%	37	0.17%	16	0.44%	135	0.11%
Other	52	0.11%	12	0.22%	3	0.33%	67	0.12%
Grand Total	443	0.09%	339	0.26%	87	0.34%	869	0.13%

Figure 30: Cases Involving a Use of Force by Race and Stop Reason

Overall, officers documented that they used one or more types of force, not including firearms, against a stopped individual in 869 cases, or approximately 0.13 percent of all officer-initiated stops.<sup>53</sup> Uses of force were more rare during traffic stops than other types of stops, involving a total of 443 people, or about 0.09 percent of stops, and there was no significant difference in use of force rates for different races.

In stops that did involve a use of force, officers reported using several different types of force including batons or other impact weapons, canine bites, chemical spray, electronic control devices (generally known as TASERS), impact projectiles (such as beanbag shotguns or less-lethal launchers), and some other types of force that were captured in a catch-all category labeled as “Other Physical or Vehicle Contact”. Uses of force that fell into this catch-all category were the most frequent types of force reported, followed by the use of an electronic control device. Although there were some minor racial differences in force rates for some categories, these were, in most cases, not statistically significant due to the small numbers involved overall.<sup>54</sup>

<sup>53</sup> Officers indicated that they discharged a firearm 78 times during stops in 2019, a number that substantially exceeds the number of discharges captured through the Department’s Categorical Use of Force process. Upon further investigation of a sample of these records, the OIG found that officers were checking this box in cases where shots were fired during or before a particular stop. This included, for example, instances when officers made a stop for a traffic violation in an area where shots had earlier been heard. Because this field did not appear to be used consistently in the manner intended by RIPA, it was excluded from further analysis.

<sup>54</sup> Black people were slightly more likely to be the subject of a canine bite or the use of an electronic control device than White people. No other statistically significant differences were identified.

		Baton or Other Impact Weapon Used	Canine Bit or Held Person	Chemical Spray Used	Electronic Control Device	Impact Projectile Fired	Other Physical or Vehicle Contact
Traffic Violation	Black	15	5	2	8	11	77
	Hispanic	20	7	2	21	13	159
	White	7	3	0	4	8	65
	Other	3	1	0	3	4	45
	Total	45	16	4	36	36	346
Reasonable Suspicion	Black	12	14	4	47	13	83
	Hispanic	3	17	4	38	14	131
	White	1	0	1	14	6	30
	Other	1	0	0	3	1	10
	Total	17	31	9	102	34	254
Other Stop Reason	Black	2	4	1	7	7	21
	Hispanic	3	3	1	12	9	22
	White	0	0	1	3	3	12
	Other	0	0	0	4	2	1
	Total	5	7	3	26	21	56
Grand Total		67	54	16	164	91	656

Figure 31: Cases by Type of Force, Race, and Stop Reason

Although the LAPD did not classify the pointing of a firearm at a person by an officer as a reportable use of force in 2019, RIPA guidelines did require documentation of this action.<sup>55</sup> According to the Department’s stop records, officers pointed a firearm in approximately 0.71 percent of all officer-initiated stops. The rate at which a firearm was pointed at a person during a stop was higher for Black and Hispanic people than for White people or people from the Other group. The rate also differed significantly depending on the reason for the stop, with stops for traffic violations much less likely to include this kind of action than stops for other reasons. Overall, approximately 55 percent of stops involving a firearm being pointed at a person also resulted in an arrest, with a lower rate – about 46 percent – for traffic stops.

Stop Reason	Black	Hispanic	White	Other	Grand Total
Traffic Violation	278 (0.21%)	404 (0.17%)	55 (0.06%)	28 (0.06%)	765 (0.15%)
Reasonable Suspicion	1,119 (2.62%)	1,848 (3.09%)	339 (1.54%)	107 (1.95%)	3,413 (2.63%)
Other Stop Reason	187 (2.23%)	309 (2.37%)	57 (1.57%)	19 (2.11%)	572 (2.20%)
Grand Total	1,584 (0.86%)	2,561 (0.83%)	451 (0.37%)	154 (0.28%)	4,750 (0.71%)

Figure 32: Firearm Pointed by Race and Type of Stop

<sup>55</sup> The Department currently requires that officers report the intentional pointing of a firearm at a person, and will incorporate statistics on this action into its year-end use of force report. “Policy on the Use of Force - Revised,” Special Order No. 23, August 23, 2020.

## **G. Conclusions and Next Steps**

As discussed in the Executive Summary, the OIG's analysis identified significant disparities in the actions taken by officers during stops, as well as in the results of those actions, when compared across different racial groups. Overall, Black people, and to a lesser extent, Hispanic people, were more likely to be the subject of a stop or search and more likely to be removed from their vehicle and handcuffed than were White people or people in the Other group. When searches were taken into account, Black and Hispanic people were also less likely to be found with contraband or to be arrested or cited than were the other groups. These trends were particularly pronounced in stops for minor crimes and in enforcement actions that were more discretionary in nature.

As a result, the OIG recommends that the Department refocus its crime prevention efforts away from conducting pretextual stops, which appear to have a disparate impact on certain racial groups, and which also appear to be relatively ineffective in identifying more serious crimes. Reducing pretextual stops is also in keeping with the Department's overall commitment to procedural justice. Researchers have noted that while federal law affords officers wide discretion to take pretextual actions during a stop, these actions tend to increase the overall intensity and intrusiveness of each stop. As such, many people who have been subjects of pretextual stops consider them to be humiliating, demeaning, and unfair, particularly when officers' actions during the stops did not appear to be warranted by the behavior of the stopped person.<sup>56</sup>

The OIG also recommends that the Department set a goal of eliminating racial disparities, particularly those that stem from more discretionary actions on the part of officers. The Department should conduct its own analysis of stop data to identify relevant trends, evaluate the effectiveness of its crime-fighting strategies, and identify areas for improvement. As part of this process, the Department should de-emphasize simplified productivity metrics, such as citations, stops, and FI cards, and develop and use alternate measures of effectiveness.

Additional recommendations are discussed in the next section of the report.

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<sup>56</sup> See "Pulled Over: How Police Stops Define Race and Citizenship," Charles R. Epp et al., University of Chicago Press, 2014. These findings are consistent with previous findings about LAPD stops. The 1992 Christopher Commission study of the LAPD, for example, referenced witnesses complaining of "being stopped for no apparent reason or for one that appears on the surface to be a pretext." In 2006, the Blue Ribbon Rampart Review Panel concluded that, under proactive policing, the cost to community trust was high; and, in the minds of many residents, the Department "[did] not distinguish between the few dangerous criminals and the majority of the community who are just trying to survive."

#### **IV. QUALITATIVE REVIEW OF STOP VIDEOS**

The second component of the OIG's review consisted of an analysis of body-worn and in-car video footage from three different samples of LAPD stops during 2019 which, in the aggregate, involved a total of 190 stopped people. These samples included the following:

- Department-Wide Stops: 102 randomly-selected officer-initiated stops (not including stops by Metro officers) conducted in 2019.<sup>57</sup> The OIG excluded and replaced all stops in its sample that stemmed from a call for service or lacked video coverage of the incident.
- Gang Identification Stops: 88 stops conducted in 2019 that were used as the basis for placing or keeping a person in the statewide CalGang database.<sup>58</sup> These stops were primarily conducted by officers assigned to a Gang Enforcement Detail (GED), but they included some stops by officers in other assignments as well.

The goal of the OIG's video-based, qualitative review of stops was to verify the accuracy and sufficiency of the information documented by officers in their AFDRs, and to assess each stop for compliance with relevant policies and legal standards. As such, the OIG checked and evaluated the officers' stated basis for each detention or encounter, as well as for each search that was conducted during the stop.

The OIG also collected and analyzed information about the manner in which each stop was conducted, including information about the types of questions asked and the actions taken by officers. Finally, the OIG assessed whether officers' body-worn and in-car cameras were activated in compliance with Department policy.

##### **A. Accuracy of AFDR Entries**

In assessing the Department's stop data for accuracy, the OIG's review of video found that AFDRs associated with a stop appeared to be fully accurate in about 61 percent of cases. In the remaining cases, however, the OIG identified one or more issues with the stop data, as shown below. These issues were noted more often in the Gang Identification sample than in the Department-Wide Stops sample.

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<sup>57</sup> The OIG also conducted a supplemental review of 183 randomly-selected crime suppression stops conducted by Metro officers in February 2019. Because Metro officers are no longer conducting stops in significant numbers, the OIG used this review primarily to supplement its general findings and does not provide detailed assessments here.

<sup>58</sup> These stops were based on an interval sample of 132 people entered into the CalGang database, as well as 18 people whose requests for removal from the database were denied by the Department in 2019. The OIG excluded from the analysis stops that occurred prior to 2019, resulted from a call for service, or had no video coverage.

The OIG notes that, following the OIG's initial review of these stops, and pursuant to its own audit of CalGang entries, the Department decided to terminate its use of the CalGang database. As a result, the OIG's discussion of these cases focuses primarily on the stop-related aspects of each incident, rather than aspects related to the CalGang system. For a full discussion of issues with the database and the subsequent decision to terminate the Department's use of the system, please see "Review of CalGang Database Entries by the Metropolitan Division and the Gang Enforcement Details," Los Angeles Police Department, July 10, 2020."

AFDR Issues Identified*						
AFDR Issues Noted	CalGang Sample		OIG Sample		Grand Total	
	# of Cases	% of All Cases	# of Cases	% of All Cases	# of Cases	% of All Cases
No Issues Noted	38	43%	78	76%	116	61%
Missing AFDR	11	13%			11	6%
Missing person	8	9%	1	1%	9	5%
Missing activity	23	26%	11	11%	34	18%
Inaccurate stop/search basis	18	20%	5	5%	23	12%
Other Inaccuracy	4	5%	9	9%	13	7%
Insufficient narrative	5	6%			5	3%
Grand Total	88	100%	102	100%	190	100%

\* Percentages add up to more than 100 percent.

Figure 33: AFDR Issues Identified

Overall, the OIG found that:

- In 11 of the 88 Gang Identification cases reviewed, officers did not fill out an AFDR for the underlying stop.<sup>59</sup> In another 9 cases from both the Gang Identification sample and the Department-Wide sample, officers filled out at least one AFDR for the incident but did not include all of the people who were stopped. Taken together, these issues resulted in 10 percent of the cases reviewed having a missing AFDR or person;
- 18 percent of AFDRs in stops reviewed by the OIG did not document the occurrence of at least one post-stop activity – most often a search – that could be seen taking place on a video recording of the stop;
- A little over 12 percent of AFDRs documented a stop or search basis that appeared inconsistent with the video;
- 7 percent contained another inaccuracy (such as regarding the result of the stop); and
- 3 percent of AFDRs included a narrative, either of the basis for a stop or the basis for a search, that did not sufficiently document the reason for the relevant action.

The impact of such inaccuracies can be significant, as errors or omissions in the documentation of stop-related activities will serve to undercount or distort this information and can impact the integrity of any analysis that relies on it. The OIG also notes that officers are obligated to record these facts by State law as well as Department policy. Inaccurate documentation of what occurred during a stop, including whether searches were conducted and the legal basis for those searches, could serve to undermine an officer’s credibility and may even be indicative of actions

<sup>59</sup> Because the Department-Wide sample was drawn from the overall population of AFDRs, it did not allow for the identification of cases where an AFDR had not been filled out. In auditing its stop data, the Department should consider taking measures to address the possibility that officers did not fill out a stop record as required.

that did not comport with applicable law and/or policy. As such, officers must be held accountable for accurately completing these records.

The OIG suggests a couple of possible reasons for the inaccuracies that it identified, noting that they both go beyond a general lack of rigor in the documentation of information. First, officers are required to complete their AFDRs by their end of watch and, therefore, may do so several hours after the time of a stop that they are documenting. Second, there appeared to be some areas of confusion with respect to the types of searches that must be documented, as discussed below. Importantly, the Department has already begun an ongoing process of internally auditing AFDRs for accuracy. The OIG recommends that this audit process include the identification of any areas of possible confusion in filling out AFDRs. The OIG also recommends that officers be required to complete their AFDRs immediately after a stop, when practical; when doing so is not practicable, they should review the associated video or take other steps to ensure the accuracy of information.

## **B. Stops and Searches**

The OIG also assessed officers' articulation of the basis for stops and searches that they conducted. Most of the stops reviewed by the OIG were for minor traffic violations that were easily corroborated by video, and there were generally few concerns with the reasonableness of the basis for the stop. In assessing reasonableness, however, the OIG noted that many stops for minor violations were drawn out in scope and time as a result of officers' post-stop activities. These included, for example, completing an FI card, conducting a search, and querying the stopped person(s) in various law enforcement databases. While there is no precise mechanism for determining when a stop has been unreasonably prolonged, officers must be mindful of the requirement to diligently investigate the suspected violation(s) underlying the stop and, absent additional reasonable suspicion, detain a person only as long as is necessary to address or resolve that violation.

With regard to searches, about 58 percent of the 190 stops in the samples reviewed by the OIG included one or more searches. Of these, about 53 percent included a pat-down, 31 percent included a search of a person (including examining a person's body for tattoos), and 28 percent included a search of a person's property, such as a bag or a vehicle. The rate of searches was higher for Gang Identification stops, with 86 percent of people who were stopped being patted down, 56 percent of them having their person searched, and 52 percent of them having their property searched.

The OIG identified a number of concerns related to the searches conducted by officers in the cases it examined, which occurred primarily during stops in the Gang Identification sample. The most common issue was a lack of documentation of searches that were conducted (this includes cases where no AFDR was filled out by officers). This issue was identified in 25 percent of pat-down searches, 25 percent of person searches, and 7 percent of property searches.<sup>60</sup> As such, the OIG could not assess the basis for the search in these cases.

The OIG identified two possible reasons for at least some of these omissions. First, because RIPA does not distinguish between pat-down searches and full searches of a person, it appears

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<sup>60</sup> This does not include a small number of cases where a search was not documented but appeared to be justified by voluntary consent or another reason, as depicted in the associated video.

that officers in several cases may not have realized that the former needed to be documented and justified on the stop form just as the latter did. Second, the OIG noted that many stops – primarily in the Gang Identification sample – included officers moving a person’s clothes (or directing the person to do so) in order to examine their tattoos. This included, in some cases involving male detainees, pulling up a detainee’s shirt to look at his torso. Such an action constitutes a search and, therefore, requires voluntary consent, probable cause that the officer will find evidence of a crime, or some other legal justification. The OIG noted, however, that this type of search was often not recorded, and that generally there did not appear any obvious probable cause for this action. Based on a review of the associated video, it appeared that officers may not have realized that this action constituted a search.

The OIG also identified a small number of additional searches for which the written justification appeared to be problematic. Of these, the most frequent issue, encompassing about 7 percent of searches, related to obtaining the requisite consent prior to conducting a search that was documented as a consent search. In these cases, the OIG noted instances where consent from the subject of the search could not be heard, or where the consent was provided after at least one search had already been conducted by the officers. Additionally, a small number of these cases involved a search reported as being consensual where officers’ language may have been interpreted to mean that the search was not, in fact, voluntary.

The OIG recommends that the Department take steps to strengthen the procedures for conducting consensual searches in order to ensure that consent from the subject of the search is both free and voluntary, and that it is clearly documented. As part of this process, officers should advise the person to be searched that they may refuse to consent and, should they grant their consent, that they may withdraw it any time. Officers should also clearly indicate the scope of the search for which they are requesting consent from the subject. Such measures were set forth as best practices in the report of the President’s Task Force on 21<sup>st</sup> Century policing in 2015, and the OIG notes that the Department has already begun to develop such a policy addressing consensual searches.

The Department should also continue to provide ongoing training to officers on Fourth Amendment principles and ensure that they maintain a comprehensive understanding of what constitutes a search under the law and for the purposes of RIPA.

### **C. FI cards**

With regard to the Gang Identification sample of stops, an FI card was completed by officers for each stop. The OIG reviewed these cards and identified a series of issues with the FI system overall, including the following:

- A general lack of consistency and organization in the maintenance of FI card files. The paper FI cards in 11 of the 88 cases in the sample (13 percent) could not be located by the Department in response to the OIG’s requests.
- Long delays between the FI card being filled out and the information that was documented on the card being entered into the digital FI database. About one-third of cases from 2019 that were reviewed by the OIG had not yet been entered into the system at the time of the review.

- Insufficient space to document relevant facts due to the small size of the physical card, as well as due to character limits in the case of digital FIs. As a result, some paper cards contained information that was not ultimately entered into the digital system.
- Issues with accuracy of the information being transferred into the CalGang database. As discussed in the Department's own audit, one of the most significant issues noted in these cases was the statement that a person had self-admitted to being a gang member. The OIG's review found that in 9 of the 36 cases (25 percent) where officers cited self-admission as a factor supporting a person's entry into the CalGang database, the person could only be observed on video admitting to membership in a gang at some time in the past; this fact was not made clear on the associated FI cards, however.<sup>61</sup>
- The inclusion of information about a detainee on an FI card that was gathered from sources other than the actual field interview of the detainee, such as officer knowledge, database research, or other sources. This could include, for example, previous knowledge of a person's gang involvement or even a previous self-admission of gang membership as noted above. In reviewing the Department's policy with regard to the completion of FI cards, it was not clear whether information gathered in this way should be added to the card and, if so, how such information should be labeled.

As discussed on below report, the OIG observed that an officer's decision to complete an FI card often had a qualitative impact on the scope and length of questioning during a stop, including with regard to traffic stops. The FI card appeared to be used by some officers as a general prompt for asking questions during the stop, ranging from questions about a person's job, tattoos, nicknames, and even social security number. While there may be instances where such in-depth questioning is warranted by the circumstances of the encounter, the Department should ensure that FI cards are not completed in an arbitrary or routine manner, and it should review the types of information that are intended to be captured by the form. The Department should also ensure that information collected on FI cards is not maintained indefinitely and that, barring special circumstances, these records are purged on a regular basis.<sup>62</sup>

The OIG also recommends that the Department work towards streamlining the FI card process by digitizing it and connecting it to existing AFDR and Computer-Aided Dispatch (CAD) data in order to reduce the burden on officers with regard to the completion of FI cards. This would also ensure timeliness of data entry, improved accuracy, and less redundancy, and it would facilitate more effective data analysis. In digitizing the system, the Department should also expand character limits as necessary to ensure the capacity for all relevant 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, including a process for ensuring timely entry of information from the paper forms into the FI database.

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<sup>61</sup> In another five cases, the OIG was unable to verify that the person actually admitted to being a gang member based on the available video or documentation, but this was not due to an issue with the FI card associated with the stop. These cases will be referred to the Department for further review.

<sup>62</sup> Current policy states that paper FI cards should generally be maintained for a period of 5 years, but there is no such retention policy for digital FI records.

#### **D. Camera Activation**

The OIG assessed each stop for officers' compliance with the Department's policies governing the use of body-worn video (BWV) and digital in-car video (DICV) cameras. Overall, BWV cameras were activated on time by 82 percent of BWV-equipped officers conducting a stop. An additional 2 percent of officers activated their BWV cameras late but provided written justification for their delay, as required by Department policy. About 15 percent of officers activated their cameras late but did not document a reason for the delay. Finally, 1 percent of officers did not activate their BWV and did not provide a reason.<sup>63</sup>

The OIG also checked each BWV to ensure that there was a full 2-minute buffer, which would indicate that the camera had been left on and running prior to its activation, as required by Department policy in most instances.<sup>64</sup> Approximately 87 percent of video clips contained a full buffer as expected, with the remaining 13 percent either having no buffer or having a buffer that was shorter than 2 minutes. The OIG also noted two stops during which an officer's BWV camera was de-activated prior to the conclusion of the stop; the OIG will refer these two cases to the Department for additional review.

Officers were found to be equipped with DICV cameras in 145 stops from the OIG's sample. Of those, the DICV system was activated on time in about 70 percent of the cases. In an additional 9 percent of cases, the DICV camera was turned on late, with about one-third of those including a written justification for the delay. In the remaining 22 percent of cases, the camera did not appear to be activated at all, with about 2 percent including a written justification for the lack of activation.

The OIG recommends that the Department continue to conduct ongoing audits and inspections of stop videos in order to check for the accuracy of the AFDR and any associated FI cards, as well as compliance with policies on stops and searches, video activation, and other actions.

#### **E. Stop Characteristics**

The OIG also tracked and analyzed various decisions made by officers in an effort to better understand the nature and character of the stops in its sample, including by different types of units. LAPD policy and the law grant officers wide discretion in conducting investigations, based on their assessment of each situation. Overall, as has been discussed throughout this report, the OIG noted that proactive policing units tended to conduct more detailed questioning and post-stop activity, resulting in stops that appeared more pretextual in nature. The OIG also noted several cases where the person detained was photographed. In six cases, this occurred

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<sup>63</sup> In this case, the OIG was able to complete its review based on the presence of other video of the incident. An additional 8 cases were excluded from the sample entirely, because none of the involved officers activated their cameras.

<sup>64</sup> Officers are permitted to fully turn their cameras off, thereby preventing a buffer from being recorded, in certain circumstances, such as when they are in locker rooms, restrooms, or other areas where recording is prohibited. See "Body-Worn Video Device Pre-Activation Buffer, Requirement to Leave Device Powered On – Reminder," Chief of Police Notice, January 27, 2020.

while the person was handcuffed, which is contrary to the Department's policy on photography during stops.<sup>65</sup>

Overall, about 67 percent of people in the Gang Identification sample of stops and 26 percent of people in the Department-Wide sample of stops were asked if they were on parole or probation, most commonly at the beginning of the stop. This was more likely to occur in stops of Black people in both of the OIG's samples of stops. Of those who were asked, nearly two-thirds (64 percent) indicated that they were not under parole or probation (and were not otherwise discovered to be parole or probation). The appropriateness of asking a detainee about their parole or probation status has recently been addressed by the Department in a training bulletin on procedural justice during stops, which provides guidance that such questioning should not occur at the beginning of the stop, and should only occur when warranted by the circumstances.<sup>66</sup> The OIG acknowledges that there may be a number of circumstances where it is appropriate to ask about parole or probation status, including for officer safety reasons.

As previously stated, and in order to better adhere to the principles of procedural justice and ensure that all stopped people are treated fairly, the OIG recommends that the Department work to curtail the use of pretextual stops for minor violations. Additionally, it should provide guidance to officers about the circumstances under which searches, removal from a vehicle, handcuffing, photography, and other post-stop actions are appropriate.

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<sup>65</sup> "Photographing Known or Suspected Gang Members," LAPD Manual, Volume 4, Section 269.60. The policy states, in relevant part, "Individuals photographed shall be unrestrained and on public property (e.g., not handcuffed or in the backseat of a police vehicle)."

<sup>66</sup> "Contacts with the Public – Part II Procedural Justice," LAPD Training Bulletin Volume XLIX, Issue 3, April 2020.

## V. RECOMMENDATIONS

### A. Crime Strategy

#### 1. 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.

#### 2. 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.

#### 3. Eliminate 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."

#### 4. 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.

#### 5. Revise Measures of Productivity<sup>67</sup>

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.

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<sup>67</sup> 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.)

## **B. Written Policy**

### 1. 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 its 2019 Annual Report and modify its policy to comply with relevant recommendations in the report.

### 2. 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.

### 3. Consensual Searches<sup>68</sup>

Require that officers receive affirmative, verbal consent for all consensual searches, and that they advise the person that they may both 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.

## **C. Field Interview Cards**

### 1. 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.

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<sup>68</sup> The OIG notes that the Department has already begun to develop a policy addressing consensual searches.

2. 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.

3. 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.

4. Retention Period

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

**D. Data Collection**

1. 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.

2. Identify Data Improvements<sup>69</sup>

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.

3. 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.

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<sup>69</sup> 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.)

## **E. Data Analysis and Transparency**

### 1. Publish Stop Data<sup>70</sup>

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.

### 2. Analyze Stop Data on an Ongoing Basis<sup>71</sup>

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.

## **F. Internal Audits and Accountability**

### 1. 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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<sup>70</sup> See also the OIG's previous recommendation relating to publishing stop data. *Id.*, pages 16-17. (Recommendation D-1.)

<sup>71</sup> See also the OIG's previous recommendation and discussion relating to RIPA Steering Committee. *Id.*, pages 20-21. (Recommendation D-4.)

**VI. APPENDIX**

**A. Stops Over Time**



Figure 34: 2019 Stops by Month and Stop Reason

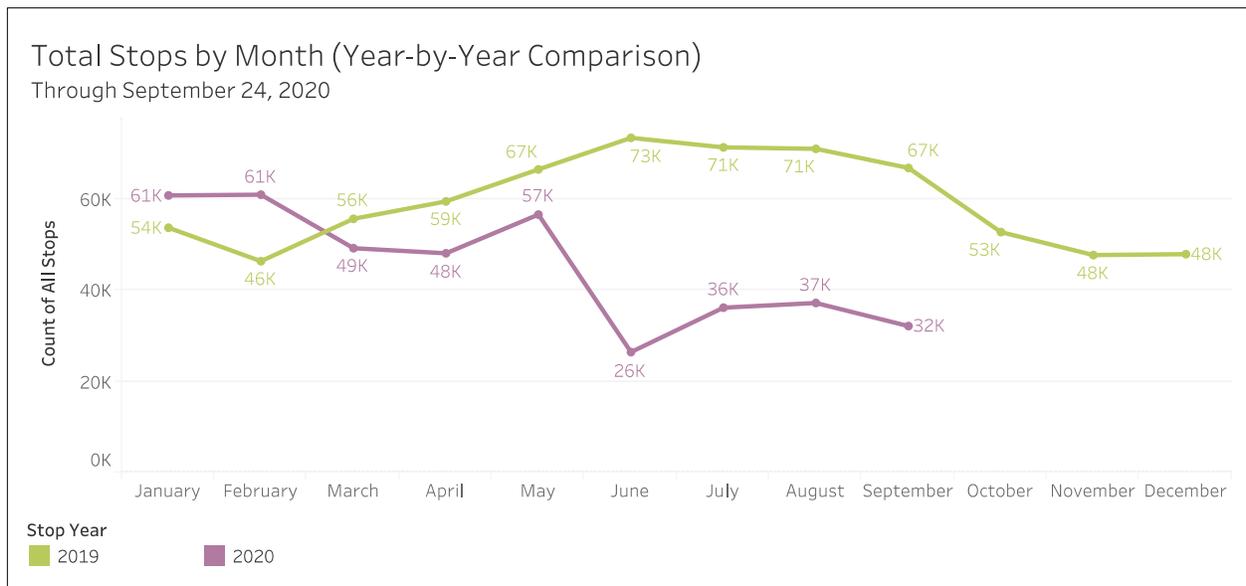


Figure 35: Total Stops by Month (Year-by-Year Comparison)

**B. Biased Policing Complaints**

Biased Policing Complaints by Complainant Race and Type Complaints Received in 2019													
		Black		Hispanic		White		Other		Unknown		Grand Total	
		#	%	#	%	#	%	#	%	#	%	#	%
Incident Type	Traffic Stop	174	55%	35	56%	3	19%	10	50%	16	34%	238	52%
	Radio Call	62	20%	15	24%	10	63%	6	30%	9	19%	102	22%
	Pedestrian Stop	54	17%	8	13%	1	6%	2	10%	6	13%	71	15%
	Other	24	8%	5	8%	2	13%	2	10%	16	34%	49	11%
	Total	314	100%	63	100%	16	100%	20	100%	47	100%	460	100%
Alleged Misconduct	Stopped/Detained	234	75%	47	75%	5	31%	13	65%	25	53%	324	70%
	Refused Service	16	5%	7	11%	3	19%			8	17%	34	7%
	Arrested	25	8%	1	2%	2	13%	3	15%	3	6%	34	7%
	Other	16	5%	2	3%	3	19%	1	5%	7	15%	29	6%
	Discourtesy	16	5%	6	10%	3	19%	1	5%	3	6%	29	6%
	Handcuffed	4	1%									4	1%
	Objectionable Remark							2	10%	1	2%	3	1%
	Impounded Vehicle	2	1%									2	0%
	Searched	1	0%									1	0%
	Total	314	100%	63	100%	16	100%	20	100%	47	100%	460	100%

Source: Internal Affairs Group, LAPD

Figure 36: Biased Policing Complaints by Complainant Race and Type

**C. People Stopped by Reason**

Number of People by Stop Category  
No Call for Service

Stop Category	One Person	Two People	Three or More People
Traffic Violation	94%	4%	2%
Reasonable Suspicion	78%	14%	8%
Other	86%	9%	5%

Figure 37: Number of People by Stop Category

People Stopped by Stop Reason and Race  
No Call for Service

	Black	Hispanic	White	Other	Grand Total
Traffic Violation	26%	46%	19%	9%	100%
Reasonable Suspicion	33%	46%	17%	4%	100%
Other Stop Reason	32%	50%	14%	3%	100%
Grand Total	27%	46%	18%	8%	100%

Figure 38: People Stopped by Stop Reason and Race

**D. Stops by Division**

Stops by Division Making Stop and Stop Reason No Call for Service								
Division	Traffic Violation		Reasonable Suspicion		Other Stop Reason		Grand Total	
	# of People	% of People	# of People	% of People	# of People	% of People	# of People	% of People
Valley Traffic Division	61,096	99%	620	1%	74	0%	61,790	100%
Central Traffic Division	53,510	99%	278	1%	29	0%	53,817	100%
West Traffic Division	50,836	99%	263	1%	67	0%	51,166	100%
South Traffic Division	39,852	99%	270	1%	22	0%	40,144	100%
Metropolitan Division	30,741	80%	7,028	18%	804	2%	38,573	100%
77th Street Area	22,909	62%	10,463	28%	3,353	9%	36,725	100%
Central Area	22,327	64%	10,606	30%	1,998	6%	34,931	100%
Newton Area	23,086	73%	6,213	20%	2,276	7%	31,575	100%
Southwest Area	21,215	74%	5,803	20%	1,575	6%	28,593	100%
Southeast Area	16,715	63%	8,472	32%	1,215	5%	26,402	100%
Olympic Area	17,671	73%	5,371	22%	1,002	4%	24,044	100%
Hollywood Area	13,899	60%	8,375	36%	1,025	4%	23,299	100%
Hollenbeck Area	11,842	65%	4,860	27%	1,455	8%	18,157	100%
Northeast Area	11,462	67%	4,488	26%	1,183	7%	17,133	100%
Harbor Area	11,585	70%	3,925	24%	1,047	6%	16,557	100%
Pacific Area	8,423	53%	6,755	42%	809	5%	15,987	100%
Rampart Area	6,676	43%	7,592	49%	1,246	8%	15,514	100%
Topanga Area	10,121	66%	4,510	29%	724	5%	15,355	100%
Mission Area	10,106	67%	4,030	27%	920	6%	15,056	100%
Wilshire Area	10,480	70%	3,614	24%	827	6%	14,921	100%
West Valley Area	11,102	77%	2,662	18%	668	5%	14,432	100%
Foothill Area	10,266	73%	3,176	22%	710	5%	14,152	100%
North Hollywood Area	6,951	57%	4,599	37%	738	6%	12,288	100%
Van Nuys Area	7,627	68%	3,153	28%	508	5%	11,288	100%
West LA Area	6,440	69%	2,438	26%	456	5%	9,334	100%
Devonshire Area	6,094	69%	2,359	27%	442	5%	8,895	100%
Traffic Group	7,922	99%	98	1%	3	0%	8,023	100%
All Other Divisions	4,793	41%	6,357	54%	680	6%	11,830	100%
Transit Services	961	37%	1,541	60%	86	3%	2,588	100%
<b>Grand Total</b>	<b>516,708</b>	<b>77%</b>	<b>129,919</b>	<b>19%</b>	<b>25,942</b>	<b>4%</b>	<b>672,569</b>	<b>100%</b>

Figure 39: Stops by Division Making Stop and Stop Reason

**E. Area Statistics**

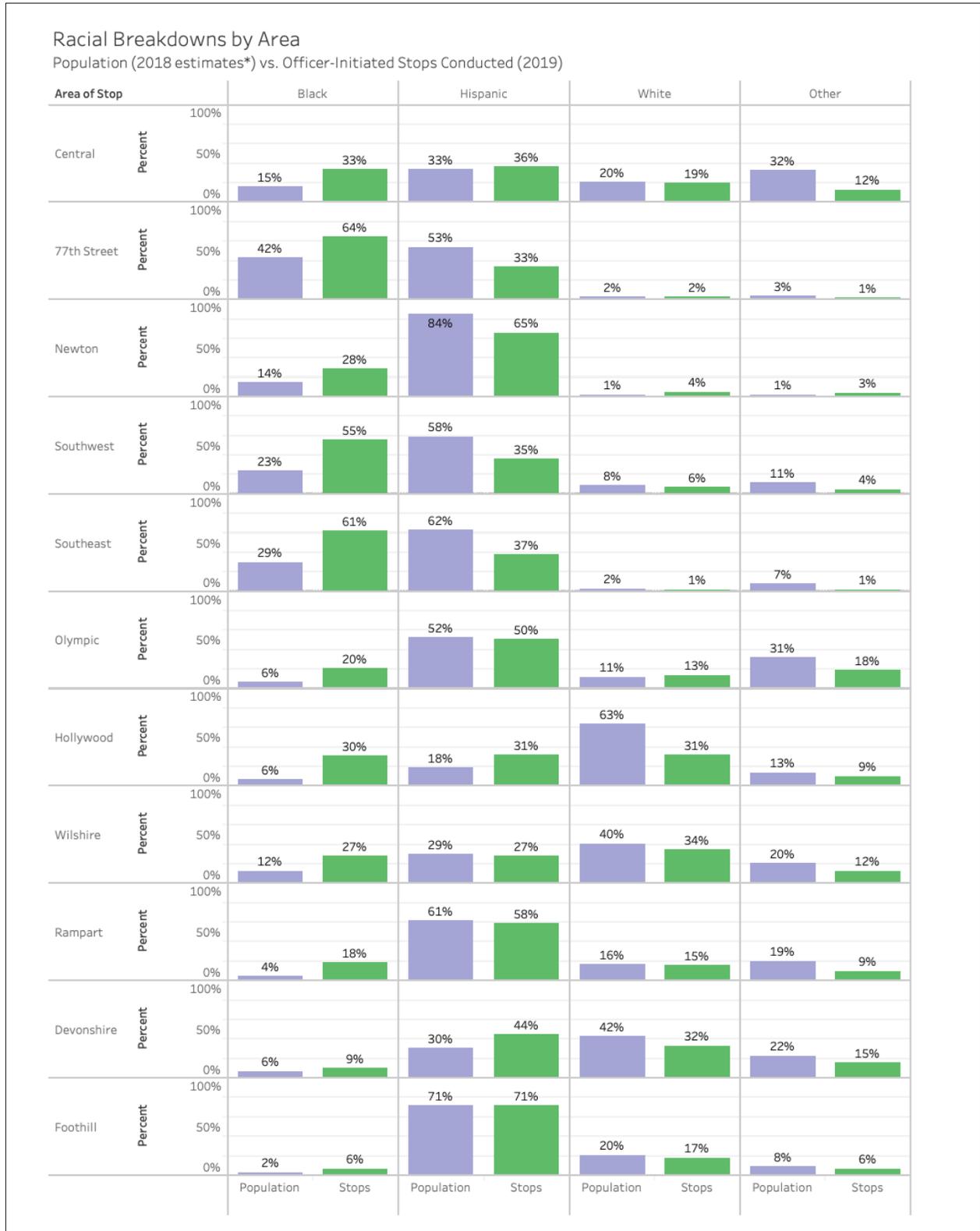


Figure 40: Racial Breakdowns by Area

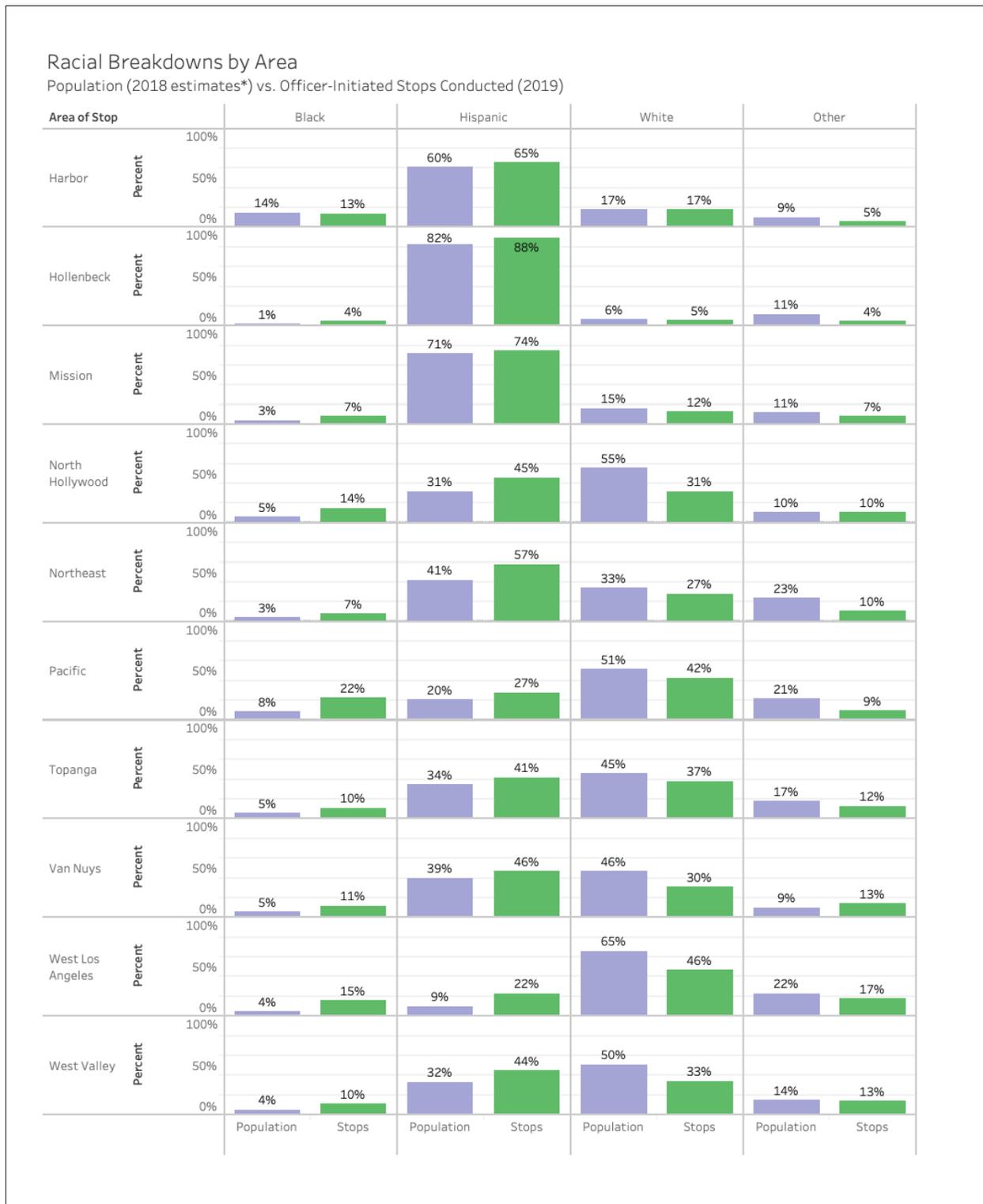


Figure 39: Racial Breakdowns by Area (pg. 2)

**F. Search Statistics**

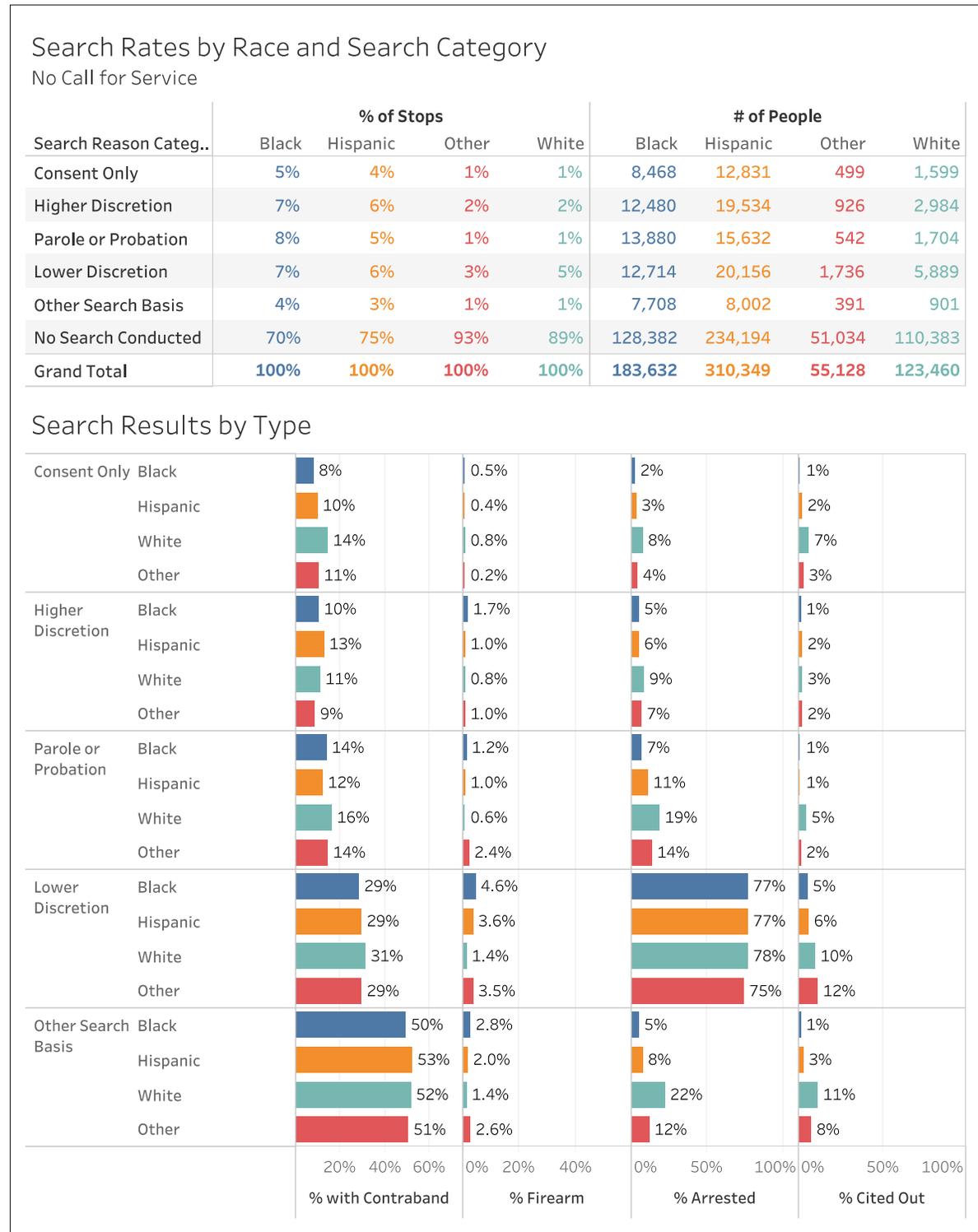


Figure 41: Search Rates by Race and Search Category

**G. Stops by Unit (Vehicle Violations)**



Figure 42: Stops for Vehicle Violations (No Call for Service)

**H. Stops by Age**

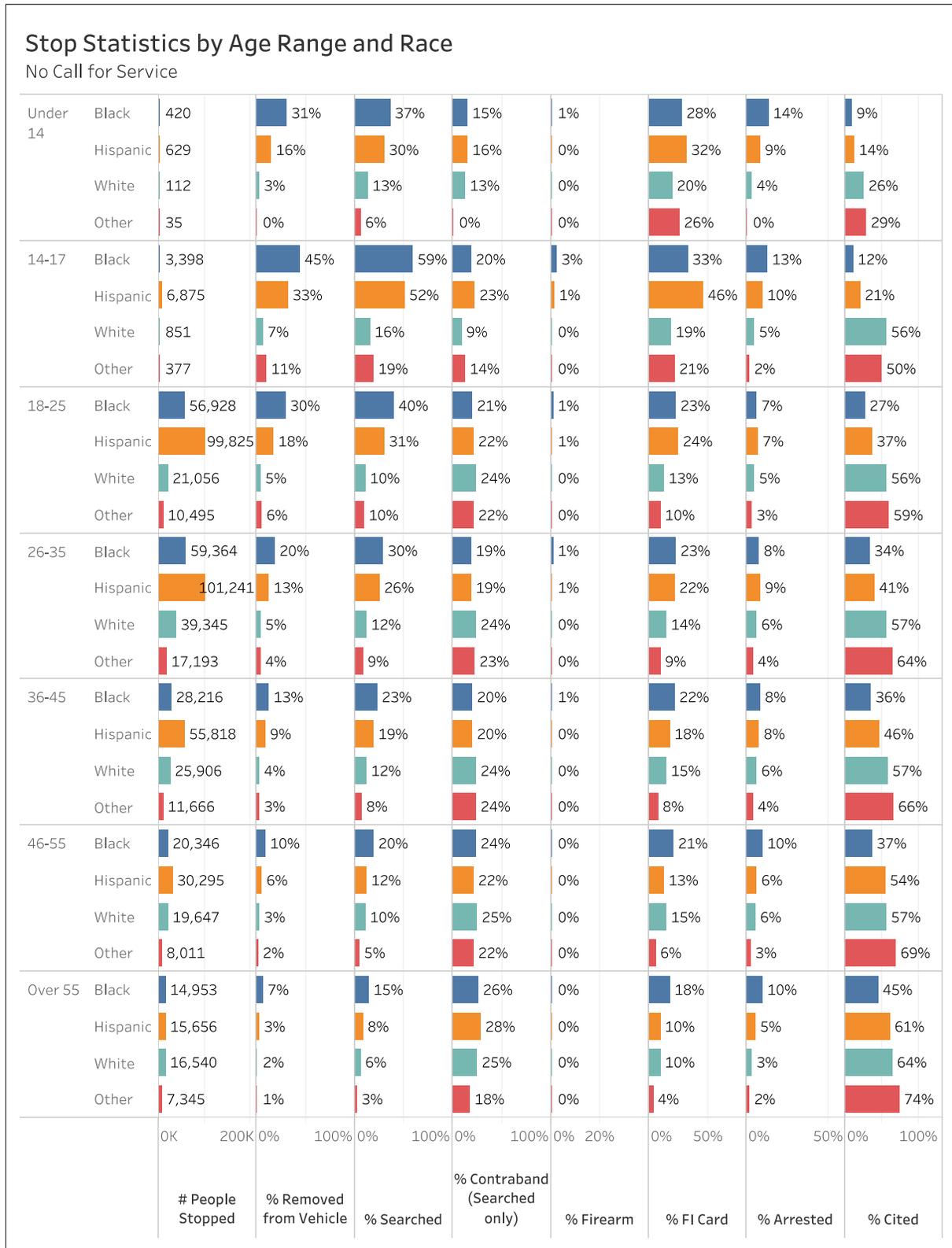


Figure 43: Stop Statistics by Age Range and Race

## I. RIPA Data Collection Form

STATE OF CALIFORNIA  
CJIS 2000  
(Orig. 05/2018)

DEPARTMENT OF JUSTICE  
PAGE 1 of 4

### STOP DATA COLLECTION FORM

#### Racial & Identity Profiling Act – Penal Code Sections 13012 and 13519, and Gov. Code 12525.5

**PLEASE NOTE:**

- The data collected on this form must be electronically submitted to the California Department of Justice (DOJ), Stop Data Collection System by entry into the Web Application or submission by Web Services or Secure File Transfer.
- Please contact your agency's local administrator for instructions on processing this record for submission to the DOJ. If needed, the DOJ can be reached at (916) 210-3305 or [StopDataSupport@doj.ca.gov](mailto:StopDataSupport@doj.ca.gov).
- If multiple persons are related to one stop, complete a separate form (sections III–IX) for each person and report as one incident.
- If the stop involves a student at a K–12 public school, then some fields may have additional options available for reporting. These items are noted with an asterisk (\*), and shown in *red italics*.

<b>I. REPORTING OFFICER</b>	<b>AGENCY ORI:</b>		<b>OFFICER ID:</b>		<b>OFFICER'S YEARS OF EXPERIENCE:</b>	
	<b>OFFICER'S TYPE OF ASSIGNMENT: (Select one)</b> <input type="checkbox"/> Patrol, traffic enforcement, field operations <input type="checkbox"/> Roadblock or DUI sobriety checkpoint <input type="checkbox"/> Investigative/detective <input type="checkbox"/> Gang enforcement <input type="checkbox"/> Narcotics/Vice <input type="checkbox"/> Other <input type="checkbox"/> Compliance Check <input type="checkbox"/> Task Force <i>If other, specify: _____</i> <input type="checkbox"/> Special Events <input type="checkbox"/> K–12 Public school					
<b>II. SETTING</b>	<b>DATE: (MM/DD/YYYY)</b>		<b>TIME: (HH:MM use 24 hr clock)</b>		<b>DURATION OF STOP: (minutes)</b>	
	<b>RESPONSE TO CALL FOR SERVICE?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No					
	<b>LOCATION:</b> (Report as: Block number and street name; or closest intersection; or highway and closest highway exit. If none of these are applicable, please report a road marker, landmark, or other description. Do not provide the exact address of a residence)					
	<b>CITY:</b> (If City is not applicable because stop occurred in unincorporated area, report the County)			<b>COUNTY:</b> (Only required when City is not applicable)		
<b>III. OFFICER PERCEPTION OF PERSON STOPPED</b>	<b>IF STOP OCCURRED AT A K–12 PUBLIC SCHOOL, REPORT SCHOOL NAME:</b>					
	<b>IS PERSON STOPPED A STUDENT? *</b> (Only complete if stop is at a K–12 public school) <input type="checkbox"/> Yes <input type="checkbox"/> No					
	<b>PERCEIVED RACE OR ETHNICITY: (Select all that apply)</b> <input type="checkbox"/> Asian <input type="checkbox"/> Middle Eastern or South Asian <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Black/African American <input type="checkbox"/> Native American <input type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino(a)					
	<b>PERCEIVED GENDER: (When applicable, you may select "Gender nonconforming" as the only value or in addition to one of the other values)</b> <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender man/boy <input type="checkbox"/> Transgender woman/girl <input type="checkbox"/> Gender nonconforming					
	<b>PERCEIVED TO BE LGBT?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		<b>PERCEIVED AGE: (approximate age; report as a whole number)</b>		<b>LIMITED OR NO ENGLISH FLUENCY?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>PERCEIVED OR KNOWN DISABILITY: (Select all that apply)</b> <input type="checkbox"/> Deafness or difficulty hearing <input type="checkbox"/> Mental health condition <input type="checkbox"/> None <input type="checkbox"/> Speech impairment or limited use of language <input type="checkbox"/> Intellectual or developmental disability, including dementia <input type="checkbox"/> * Disability related to hyperactivity or impulsive behavior <input type="checkbox"/> Blind or limited vision <input type="checkbox"/> Other disability						

**STOP DATA COLLECTION FORM**  
**Racial & Identity Profiling Act – Penal Code Sections 13012 and 13519, and Gov. Code 12525.5**

<b>IV. REASON FOR STOP</b>	<p><b>REASON FOR STOP:</b> <i>(Select the primary reason for stop)</i></p> <p><input type="checkbox"/> Traffic Violation: <i>(Specify type of traffic violation)</i>    <input type="checkbox"/> Moving    <input type="checkbox"/> Equipment    <input type="checkbox"/> Non-moving</p> <p>Code section related to violation: _____</p> <p><input type="checkbox"/> Reasonable suspicion that the person was engaged in criminal activity</p> <p>Select all that apply to describe the basis of suspicion:</p> <p><input type="checkbox"/> Officer witnessed commission of a crime</p> <p><input type="checkbox"/> Matched suspect description</p> <p><input type="checkbox"/> Witness or victim identification of suspect at the scene</p> <p><input type="checkbox"/> Carrying suspicious object</p> <p><input type="checkbox"/> Actions indicative of casing a victim or location</p> <p><input type="checkbox"/> Suspected of acting as a lookout</p> <p><input type="checkbox"/> Actions indicative of a drug transaction</p> <p><input type="checkbox"/> Actions indicative of engaging in a violent crime</p> <p><input type="checkbox"/> Other reasonable suspicion of a crime</p> <p>If known, Code for suspected violation: _____</p> <p><input type="checkbox"/> Known to be on parole/probation/PRCS/mandatory supervision</p> <p><input type="checkbox"/> Knowledge of outstanding arrest warrant/wanted person</p> <p><input type="checkbox"/> Investigation to determine whether the person is truant</p> <p><input type="checkbox"/> Consensual encounter resulting in a search</p> <p><input type="checkbox"/> * Possible conduct warranting discipline under Education Code (EC) 48900, et al</p> <p>Code Section:    <input type="checkbox"/> 48900    <input type="checkbox"/> 48900.2    <input type="checkbox"/> 48900.3    <input type="checkbox"/> 48900.4    <input type="checkbox"/> 48900.7</p> <p>When EC 48900 is selected, specify the subdivision: _____</p> <p><input type="checkbox"/> * Determine whether the student violated school policy</p>
	<p><b>REASON FOR STOP – BRIEF DESCRIPTION:</b> <i>(Provide a brief explanation, 250 character maximum. This explanation should include detail beyond the general data values selected above. Do not include any personally identifying information of the person stopped or unique identifying information of any officer in this description)</i></p>

**STOP DATA COLLECTION FORM**  
**Racial & Identity Profiling Act – Penal Code Sections 13012 and 13519, and Gov. Code 12525.5**

<b>V. ACTIONS TAKEN</b>	<p><b>ACTIONS TAKEN:</b> <i>(Select all that apply)</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; padding: 2px;"> <input type="checkbox"/> Person removed from vehicle by order  <input type="checkbox"/> Person removed from vehicle by physical contact  <input type="checkbox"/> Field sobriety test conducted  <input type="checkbox"/> Curbside detention  <input type="checkbox"/> Handcuffed or flex cuffed  <input type="checkbox"/> Patrol car detention  <input type="checkbox"/> Canine removed from vehicle or used to search  <input type="checkbox"/> Firearm pointed at person  <input type="checkbox"/> Firearm discharged or used  <input type="checkbox"/> Electronic control device used  <input type="checkbox"/> Impact projectile discharged or used  <i>(e.g., blunt impact projectile, rubber bullets, or bean bags)</i>  <input type="checkbox"/> Canine bit or held person                 </td> <td style="width: 50%; vertical-align: top; padding: 2px;"> <input type="checkbox"/> Baton or other impact weapon used  <input type="checkbox"/> Chemical spray used  <i>(e.g., pepper spray, mace, tear gas, or other chemical irritants)</i>  <input type="checkbox"/> Other physical or vehicle contact  <input type="checkbox"/> Person photographed  <input type="checkbox"/> Asked for consent to search person  <i>Specify if consent was given: <input type="checkbox"/> Yes <input type="checkbox"/> No</i>  <input type="checkbox"/> Search of person was conducted <b>**Complete BASIS FOR SEARCH</b>  <input type="checkbox"/> Asked for consent to search property  <i>Specify if consent was given: <input type="checkbox"/> Yes <input type="checkbox"/> No</i>  <input type="checkbox"/> Search of property was conducted <b>**Complete BASIS FOR SEARCH</b>  <input type="checkbox"/> Property was seized <b>**Complete PROPERTY SEIZURE</b>  <input type="checkbox"/> Vehicle impounded  <input type="checkbox"/> * <i>Admission or written statement obtained from student</i>  <input type="checkbox"/> None                 </td> </tr> </table>	<input type="checkbox"/> Person removed from vehicle by order <input type="checkbox"/> Person removed from vehicle by physical contact <input type="checkbox"/> Field sobriety test conducted <input type="checkbox"/> Curbside detention <input type="checkbox"/> Handcuffed or flex cuffed <input type="checkbox"/> Patrol car detention <input type="checkbox"/> Canine removed from vehicle or used to search <input type="checkbox"/> Firearm pointed at person <input type="checkbox"/> Firearm discharged or used <input type="checkbox"/> Electronic control device used <input type="checkbox"/> Impact projectile discharged or used <i>(e.g., blunt impact projectile, rubber bullets, or bean bags)</i> <input type="checkbox"/> Canine bit or held person	<input type="checkbox"/> Baton or other impact weapon used <input type="checkbox"/> Chemical spray used <i>(e.g., pepper spray, mace, tear gas, or other chemical irritants)</i> <input type="checkbox"/> Other physical or vehicle contact <input type="checkbox"/> Person photographed <input type="checkbox"/> Asked for consent to search person <i>Specify if consent was given: <input type="checkbox"/> Yes <input type="checkbox"/> No</i> <input type="checkbox"/> Search of person was conducted <b>**Complete BASIS FOR SEARCH</b> <input type="checkbox"/> Asked for consent to search property <i>Specify if consent was given: <input type="checkbox"/> Yes <input type="checkbox"/> No</i> <input type="checkbox"/> Search of property was conducted <b>**Complete BASIS FOR SEARCH</b> <input type="checkbox"/> Property was seized <b>**Complete PROPERTY SEIZURE</b> <input type="checkbox"/> Vehicle impounded <input type="checkbox"/> * <i>Admission or written statement obtained from student</i> <input type="checkbox"/> None
	<input type="checkbox"/> Person removed from vehicle by order <input type="checkbox"/> Person removed from vehicle by physical contact <input type="checkbox"/> Field sobriety test conducted <input type="checkbox"/> Curbside detention <input type="checkbox"/> Handcuffed or flex cuffed <input type="checkbox"/> Patrol car detention <input type="checkbox"/> Canine removed from vehicle or used to search <input type="checkbox"/> Firearm pointed at person <input type="checkbox"/> Firearm discharged or used <input type="checkbox"/> Electronic control device used <input type="checkbox"/> Impact projectile discharged or used <i>(e.g., blunt impact projectile, rubber bullets, or bean bags)</i> <input type="checkbox"/> Canine bit or held person	<input type="checkbox"/> Baton or other impact weapon used <input type="checkbox"/> Chemical spray used <i>(e.g., pepper spray, mace, tear gas, or other chemical irritants)</i> <input type="checkbox"/> Other physical or vehicle contact <input type="checkbox"/> Person photographed <input type="checkbox"/> Asked for consent to search person <i>Specify if consent was given: <input type="checkbox"/> Yes <input type="checkbox"/> No</i> <input type="checkbox"/> Search of person was conducted <b>**Complete BASIS FOR SEARCH</b> <input type="checkbox"/> Asked for consent to search property <i>Specify if consent was given: <input type="checkbox"/> Yes <input type="checkbox"/> No</i> <input type="checkbox"/> Search of property was conducted <b>**Complete BASIS FOR SEARCH</b> <input type="checkbox"/> Property was seized <b>**Complete PROPERTY SEIZURE</b> <input type="checkbox"/> Vehicle impounded <input type="checkbox"/> * <i>Admission or written statement obtained from student</i> <input type="checkbox"/> None	
	<p><b>BASIS FOR SEARCH:</b> <i>(Only applicable when the Actions Taken include "Search of person was conducted" and/or "Search of property was conducted. Select all that apply)</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Consent given</li> <li><input type="checkbox"/> Officer safety/safety of others</li> <li><input type="checkbox"/> Search warrant</li> <li><input type="checkbox"/> Condition of parole/probation/PRCS/mandatory supervision</li> <li><input type="checkbox"/> Suspected weapons</li> <li><input type="checkbox"/> Visible contraband</li> <li><input type="checkbox"/> Odor of contraband</li> <li><input type="checkbox"/> Canine detection</li> <li><input type="checkbox"/> Evidence of crime</li> <li><input type="checkbox"/> Incident to arrest</li> <li><input type="checkbox"/> Exigent circumstances/emergency</li> <li><input type="checkbox"/> Vehicle inventory <b>(for search of property only)</b></li> <li><input type="checkbox"/> * <i>Suspected violation of school policy</i></li> </ul>		
<p><b>BASIS FOR SEARCH – BRIEF DESCRIPTION:</b> <i>(Provide a brief explanation, 250 character maximum. This explanation should include detail beyond the general data values selected above. Do not include any personally identifying information of the person stopped or unique identifying information of any officer in this description. When the Basis for Search is "Condition of parole/probation/PRCS/mandatory supervision," this description is not required)</i></p>   			

**STOP DATA COLLECTION FORM**  
**Racial & Identity Profiling Act – Penal Code Sections 13012 and 13519, and Gov. Code 12525.5**

<b>VII. PROPERTY SEIZURE</b>	<p><b>BASIS FOR PROPERTY SEIZURE:</b> <i>(Only applicable when the Actions Taken include "Property was seized")</i></p> <p>Select all that apply:</p> <p><input type="checkbox"/> Safekeeping as allowed by law/statute</p> <p><input type="checkbox"/> Contraband</p> <p><input type="checkbox"/> Evidence</p> <p><input type="checkbox"/> Impound of vehicle</p> <p><input type="checkbox"/> Abandoned property</p> <p><input type="checkbox"/> * <i>Suspected violation of school property</i></p>	<p><b>TYPE OF PROPERTY SEIZURE:</b> <i>(Only applicable when the Actions Taken include "Property was seized")</i></p> <p>Select all that apply:</p> <p><input type="checkbox"/> Firearm(s)</p> <p><input type="checkbox"/> Ammunition</p> <p><input type="checkbox"/> Weapon(s) other than firearm</p> <p><input type="checkbox"/> Drugs/narcotics</p> <p><input type="checkbox"/> Alcohol</p> <p><input type="checkbox"/> Money</p> <p><input type="checkbox"/> Drug paraphernalia</p> <p><input type="checkbox"/> Suspected stolen property</p> <p><input type="checkbox"/> Cell phone(s) or electronic device(s)</p> <p><input type="checkbox"/> Vehicle</p> <p><input type="checkbox"/> Other contraband or evidence</p>
<b>VIII. CONTRABAND / EVIDENCE</b>	<p><b>CONTRABAND/EVIDENCE DISCOVERED (IF ANY):</b> <i>(Include any items discovered in plain view or as the result of a search)</i></p> <p>Select all that apply:</p> <p><input type="checkbox"/> None</p> <p><input type="checkbox"/> Firearm(s)</p> <p><input type="checkbox"/> Ammunition</p> <p><input type="checkbox"/> Weapon(s) other than firearm</p> <p><input type="checkbox"/> Drugs/narcotics</p> <p><input type="checkbox"/> Alcohol</p> <p><input type="checkbox"/> Money</p> <p><input type="checkbox"/> Drug Paraphernalia</p> <p><input type="checkbox"/> Suspected stolen property</p> <p><input type="checkbox"/> Cell phone(s) or electronic devices(s)</p> <p><input type="checkbox"/> Other contraband or evidence</p>	
<b>IX. RESULT OF STOP</b>	<p><b>RESULT OF STOP:</b></p> <p>Select all that apply:</p> <p><input type="checkbox"/> No action</p> <p><input type="checkbox"/> Warning (verbal or written)</p> <p style="padding-left: 40px;"><i>Code section(s) related to warning:</i> _____</p> <p><input type="checkbox"/> Citation for infraction</p> <p style="padding-left: 40px;"><i>(For local ordinances only)</i></p> <p><input type="checkbox"/> In-field Cite and Release</p> <p style="padding-left: 40px;"><i>Code section(s) related to cite and release:</i> _____</p> <p><input type="checkbox"/> Custodial arrest pursuant to outstanding warrant</p> <p><input type="checkbox"/> Custodial arrest without warrant</p> <p style="padding-left: 40px;"><i>Code section(s) related to arrest:</i> _____</p> <p><input type="checkbox"/> Field interview card completed</p> <p><input type="checkbox"/> Noncriminal transport or caretaking transport (including transport by officer, ambulance, or another agency)</p> <p><input type="checkbox"/> Contacted parent/legal guardian or other person responsible for the minor</p> <p><input type="checkbox"/> Psychiatric hold (Welfare &amp; Institutions Code sections 5150 and/or 5585.20)</p> <p><input type="checkbox"/> Referred to U.S. Department of Homeland Security (e.g., Immigration and Customs Enforcement, Customs and Border Protection)</p> <p><input type="checkbox"/> * <i>Referral to school administrator</i></p> <p><input type="checkbox"/> * <i>Referral to school counselor or other support staff</i></p>	