



# **Semi-Annual Public Report Covering Period of**

**January 1, 2002-June 30, 2002**

**CONSENT DECREE**  
**SEMIANNUAL PUBLIC REPORT**  
**January 1, 2002-June 30, 2002**

This semi-annual public report has been prepared pursuant to Consent Decree paragraph 156. That paragraph states:

*The LAPD shall prepare and publish on its website semiannual public reports required by this paragraph. Such reports shall include aggregate statistics broken down by each LAPD geographic area and for the Operations Headquarters Bureau, and broken down by the race/ethnicity/national origin of the citizens involved, for arrests, information required to be maintained pursuant to paragraphs 104 and 105, and uses of force. Such reports shall include a brief description of each of the following that was completed during that period: (i) report of a specified audit completed, audits completed pursuant to paragraphs 111, 113, 125, 126, 130, 133 and 134, and any significant actions taken as a result of such audits or reports, (ii) a summary of all discipline imposed during the period reported by type of misconduct, broken down by type of discipline, bureau and rank, and (iii) any new policies or changes in policies made by the Department to address the requirements of this Agreement. Such reports shall also include the reports prepared pursuant to paragraphs 173 and 175.*

**Section I**

Statistics

**Section II**

New Policies/ Changes in Policies

**Section III**

Audit Summaries

**Section IV**

Other Reports

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**I.     Statistics**

Arrests by **LAPD GEOGRAPHIC AREA** From January 1, 2002 to June 30, 2002

Arresting Division/ Race	Asian	Black	Hispanic	Caucasian	Other	Total
<i>Central Bureau</i>						
Central	8	1590	1079	361	374	3412
Rampart	18	934	2465	400	520	4337
Hollenbeck	3	53	1424	38	207	1725
Northeast	50	173	1799	364	319	2705
Newton	1	1054	1344	44	256	2699
Central Traffic Division	0	88	669	31	87	875
<i>South Bureau</i>						
Southwest	0	2111	1032	27	340	3510
77 <sup>th</sup> Street	2	2505	940	39	456	3942
Southeast	2	1935	887	38	464	3326
Harbor	9	395	1267	452	240	2362
South Traffic Division	0	248	248	33	32	561
<i>West Bureau</i>						
Wilshire	23	1062	1248	236	499	3068
Hollywood	13	1270	1288	1312	654	4537
West L.A.	7	511	474	703	171	1866
Pacific	25	1152	1399	1810	368	4754
West Traffic Division	4	44	163	178	72	461
<i>Valley Bureau</i>						
Foothill	26	343	1927	511	261	3068
North Hollywood	8	224	1590	655	246	2723
Devonshire	51	362	1658	739	366	3176
West Valley	3	263	1004	935	361	2566
Van Nuys	13	508	1594	698	415	3228
Valley Traffic Division	0	51	792	283	73	1199

*Source: LAPD, Information Technology Division*

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Operations-Headquarters Bureau Arrests January 1, 2002 to June 30, 2002

ARR DIV/ RACE	ASIAN	BLACK	HISPANIC	CAUCASIAN	OTHER	TOTAL
<i>Operations- Headquarters Bureau</i>						
Detective Headquarters Division		2		2		4
Detective Support Division		93	92	59	73	317
Financial Crimes Division	3	29	38	23	27	120
Robbery Homicide Division		12	22	7	15	56
Burglary Auto Theft Division		9	39	7	9	64
Juvenile Division		109	403	37	38	587
Metro		599	273	112	138	1122
Air Support Division		1	2	1		4
Jail Division	2	92	91	17	28	230
Narcotics Division	7	464	719	252	207	1649
Organized Crime and Vice Division		6	3	5	5	19
Transit Group	1	18	142	4	2	167

*Source: LAPD, Information Technology Division*

***Field Data Capture (pursuant to paragraphs 104 and 105)*** –As mandated by the Consent Decree, the Department began capturing the motor vehicle and pedestrian stop information required by Consent Decree Paragraphs 104 and 105 on November 1, 2001. That information is currently being processed electronically by a private vendor and the aggregate statistical information will be posted on this site pursuant to Paragraph 156. A supplemental report will be posted on this site once the information has been processed.

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**NON-CATEGORICAL USE OF FORCE STATISTICS**  
**NOVEMBER 1, 2001 TO MAY 31, 2002**

BUREAU	AREA	ASIAN (A)	BLACK (B)	CAUCASIAN (C)	LATIN (L)	OTHER (O)
CENTRAL	Central	2	19	1	4	0
	Hollenbeck	1	0	1	25	0
	Newton	0	16	1	8	0
	Northeast	0	5	10	14	0
	Rampart	1	11	6	26	0
	CTD	0	0	1	1	0
	OCB-SEU	0	1	1	6	0
SOUTH	77th	0	44	0	11	0
	Harbor	0	7	5	11	0
	Southeast	0	62	0	11	1
	Southwest	0	49	1	5	0
	STD	0	4	0	0	0
	OSB-SEU	0	2	0	0	0
VALLEY	Devonshire	3	5	6	11	0
	Foothill	0	7	6	16	0
	North Hollywood	0	1	13	15	0
	Van Nuys	0	5	15	11	0
	West Valley	0	9	18	13	0
	VTD	0	0	2	3	0
WEST	Hollywood	1	13	19	10	0
	Pacific	0	11	8	4	0
	West Los Angeles	2	4	8	4	0
	Wilshire	2	24	4	13	0
	WTD	0	1	0	0	0
OHB	CID	0	1	0	0	0
	DHD	0	0	0	1	0
	DSD	0	0	1	0	0
	Jail	0	4	0	0	0
	Juvenile	0	0	0	3	0
	Metro	0	11	3	14	0
	Narcotics	0	3	1	0	0
	OCVD	0	0	0	1	0
	TBD	0	0	0	2	0
	TCS	0	0	1	0	0
	TRD	1	2	1	0	0

NOTE: The numbers reflect the reports that have been processed to date.

Requested by: Consent Decree Task Force  
Prepared by: Use of Force Section  
Date: June 27, 2002

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**CATEGORICAL USE OF FORCE STATISTICS**  
**NOVEMBER 1, 2001 TO MAY 31, 2002**

**NUMBER OF SUSPECTS BY DESCENT FOR GEOGRAPHICAL  
AREA**

BUREAU	AREA	ASIAN (A)	BLACK (B)	CAUCASIAN (C)	LATIN (L)	OTHER (O)
CENTRAL	Central	0	1	0	0	0
	Hollenbeck	0	0	0	2	0
	Newton	0	2	0	2	0
	Northeast	0	0	0	3	0
	Rampart	0	0	0	4	0
	CTD	0	0	0	1	0
	OCB-SEU	0	0	0	0	0
SOUTH	77th	0	3	0	0	0
	Harbor	0	0	0	1	0
	Southeast	0	4	0	0	0
	Southwest	0	1	0	1	0
	STD	0	2	0	0	0
	OSB-SEU	0	0	0	0	0
VALLEY	Devonshire	0	0	0	0	0
	Foothill	0	1	1	0	0
	North Hollywood	0	0	1	2	0
	Van Nuys	0	1	1	0	0
	West Valley	0	0	2	1	0
	VTD	0	0	0	0	0
WEST	Hollywood	0	0	1	1	0
	Pacific	0	1	0	1	0
	West Los Angeles	0	0	1	0	0
	Wilshire	0	1	0	1	0
	WTD	0	0	0	0	0
OHB	CID	0	0	0	0	0
	DHD	0	0	0	0	0
	DSD	0	0	0	1	0
	Jail	0	1	0	0	0
	Juvenile	0	0	0	0	0
	Metro	1	0	0	2	0
	Narcotics	0	0	0	0	0
	OCVD	0	0	0	0	0
	TBD	0	0	0	0	0
	TCS	0	0	0	0	0
	TRD	0	0	0	0	0

NOTE: The numbers reflect the reports that have been processed to date.

Requested by: Consent Decree Task Force

Prepared by: Use of Force Section

Date: June 27, 2002

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# Sustained Allegations by Bureau

For Complaints Closed Between January 1, 2002 and June 30, 2002.

<b>Classification</b>	<b>Total</b>	<b>OCB</b>	<b>OSB</b>	<b>OWB</b>	<b>OVB</b>	<b>OHB</b>	<b>HRB</b>	<b>F&amp;S</b>	<b>ICSB</b>	<b>OCOP</b>	<b>PC</b>	<b>UNK</b>
Neglect of Duty	<b>1011</b>	222	161	125	177	157	20	51	87	6	4	1
Unbecoming Conduct	<b>726</b>	196	165	142	64	76	15	31	26	9	0	2
Preventable Traffic Collision	<b>329</b>	61	76	59	54	53	7	7	2	8	2	0
Discourtesy	<b>159</b>	33	27	17	14	20	0	15	33	0	0	0
Failure to Qualify	<b>134</b>	28	34	7	36	18	4	1	1	5	0	0
Failure to Appear	<b>125</b>	21	44	34	18	8	0	0	0	0	0	0
Other Policy/Rule	<b>118</b>	5	4	1	3	6	3	94	1	1	0	0
Domestic Violence	<b>88</b>	15	8	2	4	26	0	10	23	0	0	0
False Statements	<b>85</b>	29	39	4	3	7	0	3	0	0	0	0
Improper Remark	<b>83</b>	11	11	18	10	15	7	6	3	1	0	1
False & Misleading Statements	<b>68</b>	32	9	8	7	10	0	0	2	0	0	0
Unauthorized Tactics	<b>49</b>	10	5	8	12	13	0	1	0	0	0	0
Insubordination	<b>38</b>	8	2	12	1	8	0	7	0	0	0	0
False Imprisonment	<b>32</b>	27	3	2	0	0	0	0	0	0	0	0
Unlawful Search	<b>28</b>	24	0	4	0	0	0	0	0	0	0	0
Theft	<b>27</b>	18	0	1	3	1	0	2	0	1	0	1
Alcohol Related	<b>27</b>	1	4	11	7	2	0	1	1	0	0	0
Dishonesty	<b>25</b>	3	1	0	0	2	2	1	2	0	14	0
Narcotics/Drugs	<b>19</b>	2	5	2	0	9	0	1	0	0	0	0
Unauthorized Force	<b>18</b>	17	0	0	0	0	0	1	0	0	0	0
Ethnic Remark	<b>17</b>	9	2	1	0	1	1	2	0	0	0	1
Sexual Misconduct	<b>14</b>	2	4	0	5	0	1	2	0	0	0	0
Shooting Violation	<b>13</b>	4	2	4	0	3	0	0	0	0	0	0
Gender Bias	<b>10</b>	9	0	1	0	0	0	0	0	0	0	0
Accidental Discharge	<b>9</b>	3	1	1	2	1	1	0	0	0	0	0
Service	<b>2</b>	0	0	0	0	0	0	1	1	0	0	0
Off-duty Altercation	<b>1</b>	0	0	0	0	0	0	0	0	1	0	0
Misleading Statements	<b>1</b>	0	0	0	0	1	0	0	0	0	0	0
<b>Grand Total</b>	<b>3256</b>	<b>790</b>	<b>607</b>	<b>464</b>	<b>420</b>	<b>437</b>	<b>61</b>	<b>237</b>	<b>182</b>	<b>32</b>	<b>20</b>	<b>6</b>

## Key to Bureau Abbreviations

F&SB	Fiscal & Support Bureau	HRB	Human Resources Bureau	ICSB	Information Communication Services Bureau
OCB	Operations-Central Bureau	OCOP	Office of Chief of Police	OHB	Operations-Headquarters Bureau
OSB	Operations-South Bureau	OVB	Operations-Valley Bureau	OWB	Operations-West Bureau
PC	Police Commission	RMB	Risk Management Bureau	UNK	Unknown

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# Sustained Allegations by Discipline Imposed

For Complaints Closed Between January 1, 2002 and June 30, 2002.

<b>Classification</b>	<b>Total</b>	<b>REM</b>	<b>TERM</b>	<b>RESIGN</b>	<b>DEMOT</b>	<b>RBOR</b>	<b>RCOMP</b>	<b>SUSP</b>	<b>INACT</b>	<b>OR</b>	<b>ADMON</b>	<b>WARN</b>	<b>NP</b>	<b>NA</b>
Neglect of Duty	<b>1011</b>	93	0	210	1	11	2	300	0	108	179	3	69	35
Unbecoming Conduct	<b>726</b>	72	1	246	0	20	0	283	4	44	16	1	21	18
Preventable Traffic Collision	<b>329</b>	1	0	10	0	0	0	92	0	25	184	0	14	3
Discourtesy	<b>159</b>	2	0	36	0	0	0	63	0	15	32	1	8	2
Failure to Qualify	<b>134</b>	0	0	9	0	1	0	15	1	8	87	0	13	0
Failure to Appear	<b>125</b>	3	0	0	0	0	0	36	0	10	64	0	9	3
Other Policy/Rule	<b>118</b>	1	0	96	0	0	0	10	0	1	9	0	1	0
Domestic Violence	<b>88</b>	18	13	12	0	0	0	44	0	1	0	0	0	0
False Statements	<b>85</b>	37	1	28	0	1	0	13	0	2	0	0	3	0
Improper Remark	<b>83</b>	5	0	15	0	0	0	43	0	12	6	0	0	2
False & Misleading Statements	<b>68</b>	15	0	42	1	4	0	5	0	1	0	0	0	0
Unauthorized Tactics	<b>49</b>	0	0	6	0	0	0	21	0	9	5	0	6	2
Insubordination	<b>38</b>	13	0	12	0	1	1	10	0	1	0	0	0	0
False Imprisonment	<b>32</b>	0	0	30	0	2	0	0	0	0	0	0	0	0
Unlawful Search	<b>28</b>	0	0	23	0	0	0	2	0	1	0	0	1	1
Theft	<b>27</b>	2	0	22	0	0	0	1	0	0	0	0	0	2
Alcohol Related	<b>27</b>	1	0	5	0	1	0	18	0	0	0	0	0	2
Dishonesty	<b>25</b>	0	1	6	0	0	14	3	0	0	0	0	0	1
Narcotics/Drugs	<b>19</b>	6	2	10	0	0	0	0	0	0	0	0	0	1
Unauthorized Force	<b>18</b>	0	0	14	0	0	0	1	0	1	0	0	2	0
Ethnic Remark	<b>17</b>	1	0	10	0	0	0	2	0	1	1	0	0	2
Sexual Misconduct	<b>14</b>	5	0	6	0	0	0	3	0	0	0	0	0	0
Shooting Violation	<b>13</b>	0	0	1	0	0	0	8	0	3	0	0	0	1
Gender Bias	<b>10</b>	0	0	9	0	0	0	1	0	0	0	0	0	0
Accidental Discharge	<b>9</b>	0	0	0	0	0	0	6	0	3	0	0	0	0
Service	<b>2</b>	1	0	0	0	0	0	0	0	0	0	0	1	0
Off-duty Altercation	<b>1</b>	0	0	1	0	0	0	0	0	0	0	0	0	0
Misleading Statements	<b>1</b>	0	0	1	0	0	0	0	0	0	0	0	0	0
<b>Grand Total</b>	<b>3256</b>	<b>276</b>	<b>18</b>	<b>860</b>	<b>2</b>	<b>41</b>	<b>17</b>	<b>980</b>	<b>5</b>	<b>246</b>	<b>583</b>	<b>5</b>	<b>148</b>	<b>75</b>

## Key to Discipline Abbreviations

ADMON	Admonishment	DEMOT	Demotion	INACT	Inactive
NA	No Action	NP	No Penalty	OR	Official Reprimand
RBOR	Removed on Prior Board	RCOMP	Discharged on Prior Complaint	REM	Discharged/Removed/Transferred
RESIGN	Resign/Retire	SUSP	Suspension	TERM	Termination on Probation
WARN	Warning				

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# Sustained Allegations by Rank

For Complaints Closed Between January 1, 2002 and June 30, 2002.

Classification	Total	STAFF	CAPT	LT	SGT	DET	PO3	PO2	PO1	RES	UNK	CIVIL
Neglect of Duty	1011	0	2	3	84	136	140	413	23	8	33	169
Unbecoming Conduct	726	0	0	2	82	57	149	334	9	16	9	68
Preventable Traffic Collision	329	0	3	4	25	28	94	156	6	2	3	8
Discourtesy	159	0	0	2	1	20	27	61	1	0	2	45
Failure to Qualify	134	0	1	2	19	19	21	58	2	12	0	0
Failure to Appear	125	0	0	1	3	0	26	89	6	0	0	0
Other Policy/Rule	118	0	0	0	3	2	8	6	3	0	1	95
Domestic Violence	88	0	0	0	7	0	34	12	2	0	0	33
False Statements	85	0	0	0	4	5	5	61	3	1	0	6
Improper Remark	83	0	1	3	24	13	7	15	0	0	1	19
False & Misleading Statements	68	0	0	2	9	4	11	32	0	0	0	10
Unauthorized Tactics	49	0	0	0	4	2	9	29	2	0	2	1
Insubordination	38	0	0	0	1	5	9	12	0	0	0	11
False Imprisonment	32	0	0	0	0	3	0	29	0	0	0	0
Unlawful Search	28	0	0	1	0	0	1	25	0	0	1	0
Theft	27	0	0	0	2	0	3	17	0	0	2	3
Alcohol Related	27	0	0	0	0	7	1	13	2	0	0	4
Dishonesty	25	0	0	0	2	0	0	3	1	0	0	19
Narcotics/Drugs	19	0	0	0	0	0	3	8	2	0	0	6
Unauthorized Force	18	0	0	0	1	0	0	17	0	0	0	0
Ethnic Remark	17	0	0	0	9	2	1	0	0	0	2	3
Sexual Misconduct	14	0	0	0	0	0	3	7	0	0	0	4
Shooting Violation	13	0	0	0	1	0	3	7	2	0	0	0
Gender Bias	10	0	0	0	9	0	0	1	0	0	0	0
Accidental Discharge	9	0	1	0	0	0	2	6	0	0	0	0
Service	2	0	0	0	0	0	0	0	0	0	0	2
Off-duty Altercation	1	0	0	0	1	0	0	0	0	0	0	0
Misleading Statements	1	0	0	0	0	1	0	0	0	0	0	0
<b>Grand Total</b>	<b>3256</b>	<b>0</b>	<b>8</b>	<b>20</b>	<b>291</b>	<b>304</b>	<b>557</b>	<b>1411</b>	<b>64</b>	<b>39</b>	<b>56</b>	<b>506</b>

## Key to Rank Abbreviations

STAFF	Staff Officer (Commander, Deputy Chief, Chief of Police)	PO1, PO2, PO3	Police Officer (1, 2, 3)
CAPT	Captain	RES	Reserve Officer
LT	Lieutenant	UNK	Unknown Officer
SGT	Sergeant	CIVIL	Civilian Employee
DET	Detective		

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**II. New Policies/Changes in Policies**

- 1) Consent Decree Paragraph 110 requires the Department to publish a manual on the use of confidential informants. On February 26, 2002 the Department published and distributed the LAPD Confidential Informant Manual required by paragraph 110.
- 2) Management Systems Reengineering Project (MSRP) - On December 16, 2001, the City acted to establish the Management Systems Reengineering Project (MSRP). The MSRP is a unique structure within the City, which combines LAPD and ITA resources to ensure close coordination and communication between these essential TEAMS II development entities. The MSRP has primary responsibility for the development and implementation of the TEAMS II Development Program, including but not limited to the Risk Management Information System (RMIS), Complaint Management System (CMS), Use of Force System (UOFS), central access control module, personnel tracking system, and interfaces with existing systems.
- 3) On June 18, 2002, the Police Commission approved conceptual changes to the misconduct complaint investigation and adjudication process. Implementing orders and procedures are currently being drafted and are expected to be considered by the Police Commission in fall 2002. These changes are anticipated to further streamline the complaint investigation process.
- 4) Although not required to engage outside professional services for the evaluation of other law enforcement programs and LAPD policies and procedures for dealing with persons who may be mentally ill required pursuant to paragraph 111, the City engaged the services of Lodestar to assist in the review. The contract with Lodestar was executed December 10, 2001, with work on the project initiated on December 11, 2001. The five law enforcement programs reviewed as part of the study were San Diego, California; Memphis, Tennessee; Seattle, Washington; New York, New York; and Portland, Oregon.

Lodestar submitted its final report to LAPD on May 28, 2002. The LAPD evaluated that report and submitted its recommendations to the Police Commission on July 15, 2002, consistent with the requirements of Consent Decree paragraph 112. The Police Commission has scheduled consideration of the LAPD's recommendations for its July 30, 2002, meeting. The Consent Decree provides the Police Commission with time necessary to thoroughly review the recommendations, and therefore the Commission may continue its review and consideration of the issue as it deems necessary and appropriate.

- 5) The Police Commission approved the selection of RAND to perform the independent audit of LAPD training programs pursuant to Consent Decree paragraph 133. The RAND contract was executed on July 3, 2002, and work on the project has been initiated. The contract includes the submittal of a preliminary findings report on December 10, 2002, with the draft final report being submitted on March 31, 2003.

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**III. Audit Summaries**

*Audit Division personnel completed an audit of Search Warrant Applications and Supporting Affidavits for the third quarter of fiscal year 2001/2002, pursuant to paragraphs 71, 72 and 128 of the Consent Decree. Special Order No. 25, published August 10, 2001, established a search warrant log with the requirements set forth in paragraph 72; therefore the audit included Department compliance with SO No. 25.*

Deployment Period No. 10 and October were selected as the audit period because they yielded the greatest representation of Department commands preparing search warrants and Ramey warrants. Eighty-six search warrants and Ramey warrants were reported by 22 commands during this period. Thirteen of the 86 warrants were sealed by the court and were subsequently excluded from the audit. The remaining 73 warrants were audited in the following areas:

- Correct Usage of Warrant Tracking Log, Form 08.17.05;
- Completeness/Authenticity;
- Inconsistent Information;
- Lack of Articulation of Legal Basis for Warrant;
- Examination for "Canned" Language;
- Appropriateness of Underlying Action, Legality, and Conformance with LAPD Procedures; and,
- Supervisory Oversight.

**The audit revealed the following significant findings:**

- Sixty-six percent of the Department used the official Warrant Tracking Log, Form 08.17.05, by deployment period, as required.
- Ninety-two percent of the warrants had been returned and filed with the court. Fifty-three percent of the warrants were returned within ten days of issuance, as required.
- Fifty-six percent of the warrant packages in which property was seized included both a property report and a receipt for property taken into custody. Of these, 56 percent contained discrepancies between the property report and receipt for property.
- Ninety-six percent of the warrant packages contained documentation of an on-scene supervisor.
- Sixty percent of the warrants had a written game plan and 56 percent had a debriefing critique.
- Thirty-three percent of the affidavits had a supervisor's initials on the bottom of each page as required by SO No. 25, 01.

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The audit revealed that there is no system currently in place for the courts to track search warrants until after the warrant is returned (post-service) and a search warrant number is issued by the court. A recommendation of this audit was to develop a countywide computerized tracking system to record all warrants granted, signed and served within the county.

The audit also revealed that there is no mandate that supervisors and commanding officers document their review and oversight of this process. Consequently, supervisory oversight was largely not auditable because of the lack of documentation of supervisor and commanding officer review of game plans and after action reports/critiques. A recommendation of the audit was that Management Services Division (MSD) amend SO No. 25, 2001, to include clear requirements for documentation of supervisory review and command oversight.

Additionally, correspondence was forwarded to all bureau commanding officers in whose command discrepancies were noted, detailing the discrepancies and requesting that appropriate action be taken. It was further requested that the respective bureau commands submit correspondence to Administrative Group by August 30, detailing the results of their follow-up.

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*Audit Division (AD) personnel conducted an audit of Department compliance with paragraphs 55a through 60, 62 and 63 of the Consent Decree as they relate to Categorical Use of Force (UOF) investigations. The second quarter, Fiscal Year (FY) 2001/02 was selected as the audit time period to allow sufficient implementation time for Consent Decree paragraphs 55a through 69.*

On February 13, 2002, Use of Force Review Section personnel queried the UOF tracking system for all Categorical UOF incidents that occurred between October 1 and December 31, 2001. The query identified 24 Categorical UOF incidents that occurred during the established time period, which included a total of 33 involved officers.

Consent Decree paragraph 129 (a-e) mandates that the Department conduct periodic audits of Categorical UOF investigations and establishes the criterion for that assessment.<sup>1</sup> At the time of this audit, only one investigation in the identified population had been through the entire review process and adopted by the Police Commission. Therefore, the intent of this audit was to focus on the Department's compliance with Consent Decree paragraphs 55 through 69. However, not all of those paragraphs were applicable. Specifically, the following paragraphs were not reviewed:

- ¶61 - Separation of Officers
- ¶64 - Manager's Considerations in Reviewing Incident
- ¶65 - Self-reporting Uses of Force
- ¶66 - Report Form for Non-Categorical Uses of Force
- ¶67 - Police Commission Review
- ¶68 - Supervisory Investigation of Non-Categorical Uses of Force
- ¶69 - Use of Force Board

The audit revealed 100 percent compliance with all mandates with the below exceptions:

**Immediate Notification (Paragraph 56)**

Paragraph 56 requires that immediate notification of a Categorical UOF be made to Chief of Police, Critical Incident Investigation Division (CIID), the Commission and the Inspector General.<sup>2</sup> The Department Command Post (DCP) notification logs were reviewed to determine whether notifications were made. The logs indicated that CIID and the Inspector General were notified in all 24 of the audited incidents. However, the logs only verified that the Chief of Police was notified by the DCP in 13 of the 24 incidents (54%). It is possible the Chief was notified of the remaining 11 incidents by someone other than the DCP, but DCP protocol requires the DCP to notify the Chief on Categorical UOF incidents, and DCP staff was unable to locate notification logs that documented those notifications.

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<sup>1</sup> Paragraph 129 (a-e) directs that the audit of Categorical UOF investigations assess the timeliness, completeness, and adequacy of the investigation.

<sup>2</sup> The Commission has opted to have their notification made to the Inspector General.

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Manager's Analysis of Supervisor Presence or Absence at Categorical UOF (Paragraph 62)

The audit revealed that CIID has received correspondence indicating compliance in this area for only 11 of the 24 (46%) cases that required a manager's analysis of a supervisor's presence or absence at a Categorical UOF incident. None of the correspondence was submitted within seven days of the occurrence, as required. In spite

of CIID's written requests for the commanding officers (C/Os) to submit the reports, 13 commands have not yet submitted an analysis.

Referral to Behavioral Science Services (Paragraph 63)

The Consent Decree requires that the Department, "continue its practice of referring all officers involved in a Categorical Use of Force resulting in death or the substantial possibility of death to Behavioral Science Services (BSS) for a psychological evaluation...." However, a Human Resources Bureau Notice issued on October 19, 2001, required that **all** officers involved in **any** Categorical UOF be referred to BSS. The notice was superseded by a Department directive issued on December 11, 2001, requiring a directed referral to BSS for all officers involved in a Categorical UOF resulting in **death** or **serious** injury.

The audit revealed that all nine officers, who were required to attend a BSS appointment, did so as required by the Consent Decree. However, five of the nine officers worked one or more days in a field assignment between the date of the incident and the date of the BSS appointment. Four of the five officers were in a detective assignment within Operations-West Bureau.

The following actions were taken to address the findings of the audit:

- The issue of notification to the Chief of Police is currently being evaluated and addressed by Department Command Staff.
- To ensure compliance and resolution of the issue of Area C/O failure to submit an analysis of a supervisor's presence or absence at a Categorical UOF incident in a timely manner, CIID will forward a copy of the request to the respective Bureau C/Os.
- To resolve this issue of involved officers waiting inordinately high numbers of days before their BSS appointments, the Department has directed BSS staff to place a higher priority on those appointments so the officers are scheduled between two and five days of the incident.

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*Audit Division (AD) personnel conducted an audit of the process in which the Department reviews Categorical Use of Force (UOF) investigations. The purpose of the audit was to address the issues that are contained in Consent Decree paragraphs 67 and 69.*

**Consent Decree Paragraph 67 mandates that the Department provide the Police Commission with a copy of all Categorical UOF investigations, including all reports prepared by the Chief of Police regarding such incidents, at least 60 days before the running of any statute of limitations that would restrict the imposition of discipline related to the incident.**

Paragraph 69 of the Consent Decree, as it applies to Categorical UOF incidents, requires that the Department continue to have the Use of Force Review Board review all Categorical uses of force.

The audit utilized all Categorical UOF incidents that occurred on or after April 8, 2001, (the inception date of Critical Incident Investigation Division) and had been forwarded to the Police Commission. This provided the greatest cross section of cases that had cleared each stage of the review process. On March 8, 2002, the UOF Review Section personnel queried the UOF tracking system and identified 25 Categorical UOF incidents that met the established criteria. As of March 8, 2002, none of the identified incidents had been finalized by the Police Commission.

*The audit revealed that all incidents in the identified population were forwarded to the Police Commission at least 60 days before the running of any statute of limitation, as required. Overall, the Police Commission received the incidents an average of 44 days prior to the required due date. Additionally, the audit confirmed that the Use of Force Review Board has reviewed each Categorical UOF incident in the identified population, as required.*

There were no recommendations made or actions taken as a result of this audit.

#### **IV. Other Reports**

Independent Monitor's Quarterly Report (paragraph 173)- See [www.LAPDOnline.org](http://www.LAPDOnline.org)  
Homepage for this report

City's Compliance Report (paragraph 175)- See [www.LAPDOnline.org](http://www.LAPDOnline.org)  
Homepage for this report