

Trends in Deputy Misconduct: A Reflection on 2012-2022

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The empirical literature surrounding police misconduct suggests that individually based reforms aimed at transforming officers do not typically lead to sustainable change. Comprehensive organizational change is needed to redirect departmental culture away from one that is conducive to or permissive of acts of misconduct (Armacost, 2003; Walker & Macdonald, 2008). When the community lacks faith and trust in the police due to instances of misconduct, or perceived misconduct, individual and occupational legitimacy are threatened (Sunshine & Tyler, 2003). Community members who perceive the police as lacking legitimacy are often less willing to comply with police directives, report crime, or aid in investigations (Tyler, 2004). Even when an outcome is negative for a community member, if the decision-making process is clear and transparent, and the citizen is treated with respect, the citizen is often still satisfied with the interaction (Tyler, 2006). Research has identified correlates of police misconduct at the individual, organizational, and neighborhood levels (Ivković, 2005), including the “code of silence” that is characteristic of the police occupational culture (Skolnick, 2002). However, gaps in our understanding of misconduct remain due to limited access to data in each of these domains (Wolfe & Piquero, 2011).

Purpose

The current study includes an examination of the organizational structure, policies, and procedures that govern the Los Angeles County Sheriff Department’s (LASD) response to deputy misconduct.

Research Questions

1. How does the LASD organizational culture impact the likelihood, development, or prevalence of deputy misconduct?

2. Is there operational fidelity between policy and practice at all stages in the hiring and training of deputies?

Sub-Goals

1. Evaluation and recommendations related to cultural morale.
2. Assessment of resource allocation and resource review.
3. Training and hiring protocol and best-practices solutions.
4. Fidelity of policy and procedure for the external and internal complaint process.

Methods

Data for this project were gathered using a mixed methods triangulation approach, in order to assess the holistic nature of the department from both quantitative data, as well as contextual information gleaned from qualitative interviews and policy review.

The first part of the quantitative data came from the Administrative Investigations instrumentation, provided by the Los Angeles Sheriff Department (LASD) between January 1, 2012 and July 31, 2022. The data includes investigations linked to public complaints, as well as investigations not linked to public complaints. Investigations not linked to a public complaint are misconduct reported from an internal source, or external agency. All complaints analyzed have been concluded and no pending investigations are analyzed. The datafile includes 21,818 allegations of misconduct in this ten-year timeframe. It included 5,761 unique case identities, of which 322 are from allegations linked to public complaints, and 5,439 are allegations not linked to public complaints.

Further qualitative assessment was conducted on 100 randomly sampled Internal Affairs Bureau (IAB) summaries from eight (8) of the 24 stations (33%). These IAB summaries were quantitatively and qualitatively reviewed using interrater reliability to

explore the context and relevance of the decision-making process for how complaints are handled throughout the agency.

The next step in the analysis was to conduct individual interviews with station captains, or watch commanders, from the 24 stations. In total, 21 of the 24 stations participated resulting in a response rate of 87.5%, well above comparable relevant studies. In addition, the final sample for the interviews was 24 individuals (some stations had the captain and watch commander participate, others had multiple watch commanders participate). Data were analyzed reflexively using qualitative software that resulted in over 200 unique codes which were then collapsed into key themes based on topic area.

In addition, a review of relevant policies was conducted to identify any areas in need of clarification, and opportunities for refined policy language to better address the department's efforts to identify, investigate, and reduce the occurrence of deputy misconduct. These takeaways will help to guide future evaluations and development of policy and subsequent recommendations for implementation.

Finally, a review of relevant resources and budgeting was conducted to identify opportunities for resource reallocation. A preliminary cost benefit analysis was conducted to evaluate the most effective way forward to address concerns raised in the other areas of the study. These takeaways will help to guide options to address policy changes and offer support to the individuals stations based on specific needs and requests.

Data Trends: Quantitative Risk Management Data

The sample resulted in the following demographic descriptive statistics:

- 48 complaints per month average¹.
- Average timeline from allegation to disposition was 144 days
- In allegations linked to a public complaint, the top four categories of misconduct are: 20.03% Performance Standards, 18.77% Obedience to Laws, Regulations, and Order, 14.71% General Behavior, and 7.76% Conduct Toward Others.

¹ This figure only includes information from the datafile provided and does not include any performance log entries.

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- In allegations **NOT** linked to a public complaint, the top four categories of misconduct are: 21.87% Obedience to Laws, Regulations, and Order, 21.03% Performance Standards, 7.24% General Behavior, 3.87% Inappropriate Conduct Toward Others.

Individual Characteristics

The demographics of the Subjects NOT linked to public complaint:

- Average Age: 46.5
- Minimum Age: 23
- Maximum Age: 80
- Sex: 83.88% Male, 14.90% Female, 1.22% Unknown

Sex



■ Male ■ Female ■ Unknown

- Race: 35.12% White, 9.85% Black, 48.39% Hispanic, 3.73% AAPI, 1.09% Filipino, .37% American Indian, 1.44% Unknown
- Rank: 81.31% Deputy Sheriff, 12.04% Sergeant, 3.25% Lieutenant, 1.39% Captain, >2% Commander, Asst. Sheriff, Undersheriff, UC, or DIV CF

Rank



■ Deputy Sheriff ■ Sergeant ■ Lieutenant
■ Captain ■ Other

The demographics of the Subjects linked to public complaint:

- Average Age: 48.35
- Minimum Age: 23
- Maximum Age: 75
- Sex: 89.69% Male, 10.31% Female

Sex



■ Male ■ Female

- Race: 42.20% White, 10.21% Black, 43.65% Hispanic, 2.40% AAPI, .60% Filipino, .43% American Indian, .51% Unknown
- Rank: 88.85% Deputy Sheriff, 7.89% Sergeant, 2.14% Lieutenant, .77% Captain, >.5% Deputy Sheriff Hourly, or Unknown but sworn

Rank



■ Deputy Sheriff
■ Sergeant
■ Lieutenant
■ Captain
■ Other (Deputy Sheriff Hourly, Unknown but Sworn)

Organizational Agency Factors

The organizational aspects of the Subjects NOT linked to public complaint:

Divisions

- 12.24% Central Patrol Division
- 11.36% Custody Services Division (Gen Pop)
- 9.35% Custody Services Division (Special Programs)
- 9.03% Court Services Division
- 8.39% Custody Ops. Division
- 7.53% South Patrol Division
- 6.90% North Patrol Division
- 5.56% East Patrol Division

Units

- 7.54% Twin Towers
- 6.96% Men's Central Jail
- 4.36% Century Station
- 4.27% East LA Station
- 3.43% Compton Station

The organizational aspects of the Subjects linked to public complaint:

Divisions

- 16.38% from Central Patrol Division

- 15.27% from North Patrol Division
- 8.83% from South Patrol Division
- 7.98% from Region I
- 7.63% from Region II
- 6.78% from East Patrol Division

Units

- 9.52% East LA Station
- 6.60% Transit Services Bureau
- 6.09% Lancaster Station
- 5.32% Malibu/Lost Hills Station
- 4.89% Palmdale Station
- 4.72% Century Station

Interactions between Complainant x Subject x Supervisor

- Subject race is positively and significantly correlated to supervisor race
 - This relationship further supported an interaction between race and allegation to finding
 - If the race of the subject and supervisor were the same, the departure was more likely to be a downward departure from allegation to finding than different race relationships m
- Subject race is negatively and significantly correlated to complainant race
 - Similarly, if the race of the subject and the race of the complainant was the same, the allegation was less serious than if they were not homogenous

Allegation to Findings: Departures

- Upward or downward departures
 - Common in sentencing literature- shows that both are used based on history of the defendant and the type of offense
- We see a mimicked trend in the allegations to findings in the ten years of data
 - Specifically, we see a significant amount of downward departures- with allegations often being more serious than the finding
 - Also known as variance, we expect to see departures as evidence directs the relationship
- More serious allegations had less downward departures than less serious allegations
- Statistically insignificant allegations had upward departures
 - More than zero cases

IAB Summaries: Overall Trends

- Supportive of the quantitative data
 - Similar demographics, ranks, and allegations as the risk management quantitative files
- Qualitative trends
 - Inconsistencies in reporting, and level of detail in IAB summaries
 - Many of the reviewed cases included breakdowns in communication when notifications are required to be made. Findings reiterate the importance of effective collaboration between deputy personnel and support staff (i.e., dispatch)
 - Some investigations came to light because external parties came forward or sought out station leadership to file complaints. This illustrates the importance of audit processes and detection mechanisms for phones, radio frequencies, and station documentation
- Big takeaways
 - Variation in protocol and evidence based on variance in incidents
 - No evidence of routine intentional inconsistencies

Interpretation of Findings and Implications for Data Improvements

- Overall, we do not see major outliers or inconsistencies in data and misconduct
- However, better data collection methods, tracking, and consistent analysis could be done to more effectively track and correct behaviors in a dynamic manner
- Six steps for data improvements:
 1. Identify the issues with coding and measurement.
 2. Correct measurement and coding and align with policies and procedures.
 3. Streamline data collection from multiple excel or .csv files into one master file with multiple layers.
 4. Plan a quarterly approach and methods to run random analysis and assessment for reliability, fidelity, and validity purposes.
 5. Analyze and interpret data.

6. Act on the results.

Policy and Procedure Themes

- Existing policy language is ambiguous, and in turn leaves much of the interpretation up to the employee. This is evident in the specific policy drafted to address subgroups, which does not differentiate between station symbols and insignia, versus the presence of subgroup identifiers and unacceptable/unauthorized behaviors. Considering the insight gained during the interview process, it should be clear that station insignia is permissible.
- Language pertaining to the validity of complaints, strength of evidence, disciplinary procedures, and related dispositions is unclear in terms of categorical differences, and guidelines or thresholds. Disposition codes and other outcome categories should be clearly operationalized and collapsed and aim to remove any catch-all categories (e.g., "other") which may lead to less detailed investigative practices on the front end.
- There are opportunities throughout the training process, both initial and continuous, to reiterate the stance on misconduct. This should be discussed during the hiring and training stages and offered as refresher training for staff to ensure that the department's position is communicated often.
- Although the policy on subgroups is available on the department's website, it may be unclear to community members what steps are being taken if these complaints are received. Further, educating the community on department traditions, station insignia, and any other relevant insight may provide clarity, and minimize misconceptions associated with this topic. The department should continue to communicate their stance on this issue and remain transparent about any investigations that fall under this umbrella.
- Although policies and procedures clearly delineate who is responsible at each stage of the disciplinary process, there is little-to-no language focused on accountability at the supervisor or investigator level to ensure that dispositions and related discipline align with the case findings and evidence presented. This would ensure that disciplinary outcomes are not downgraded, and outliers (e.g., subgroup activity) are detected.

Interviews with Stations: Trends and Themes

Interviews with station personnel resulted in the emergence of several key themes relating to discipline, leadership, and the presence of subgroups. Interviews were analyzed qualitatively to identify frequently discussed topics and the recurrence of insights across diverse service areas.

Approaches to Discipline

Although approaches to discipline may vary based on the incident and other contextual variables, station leaders advocate for an education-based, individualized disciplinary process that focuses on opportunities to correct and improve behavior. Discipline is gradual, but first emphasizes individual (training classes) and group (briefing) education, informal counseling, and ongoing support to ensure that personnel are held accountable, but provided with educational opportunities, when appropriate. Leaders also recognize the severity and magnitude of more serious offenses, and why a less punitive approach would not be appropriate in those cases.

Identifying and Amplifying Skills

Station leadership supervise employees across various ranks, tenures, and experience levels, and are tasked with ensuring that personnel work together to guarantee that station operations are both efficient, and effective. A central theme of identifying and amplifying individual skills with the objective of achieving collective goals is key to the success at the station level, while also fostering growth and skill development at the individual level. Each employee brings different strengths; therefore, it is critical that station leadership elevates these qualities, and identifies subject matter experts that can assist with station education and decision-making.

Leadership Styles

When asked about the way they approach leading station employees, respondents discussed their leadership philosophies, as well as how past mentors shaped their current leadership styles. A primary theme that emerged centered on the importance of frequent, transparent communication, including providing insight regarding decisions that may be seen as unpopular (e.g., shutting down a pursuit). Successful leaders must be adaptable to change and committed to the mission and goals of the

organization. Station leaders act as information conduits when policy changes are enacted and must convey this information in such a way that the purpose and importance are easily understood.

Leaders need to be approachable, positive, caring, and encouraging, while at the same time serving as a source of strength when challenges arise. These qualities are key to establishing trust, and a culture of providing support when needed. Notably, leaders stressed the importance of providing support even when it concerns discipline. Specifically, it is the responsibility of station leadership to hold employees to a high standard and confront issues that arise, while at the same time encouraging growth and improvement. Finally, respondents spoke to the importance of collaborative leadership across all ranks and roles. Tapping into expertise and diverse perspectives leads to more comprehensive, impactful decisions essential to both community and deputy safety.

Tailored Policing

The Los Angeles County Sheriff's Department provides public safety services to a vast geographic area, and within it, a diverse community with unique needs, challenges, and expectations. Discussions with participants revealed that much of their time is dedicated to understanding, and interacting with community members, key stakeholders, and in those jurisdictions with contract cities, attending council meetings and other events. Policing services are tailored to community needs and priorities and require an intimate knowledge of the nuances that exist. Station leadership invest a great deal of time outside of the station walls to better understand how to service the community while maximizing resources, fostering positive police-community relations, and prioritizing public safety.

Key Roles: Selection, Importance, and Concerns

Among the primary concerns expressed by interview participants was the selection process for Field Training Officers and Lieutenants (specifically the Watch Commander role), as well as shifts in the promotional process overall as it relates to coveted testing. Although it is understood that this shift in policy occurred to ensure fairness and equity in promotions, there is concern that critical input from station personnel has been removed from the decision-making process. Because Field Training Officers are tasked with guiding trainees once they

arrive, it is imperative that they possess enough station experience prior to being given that responsibility.

Further, station leadership has firsthand knowledge of those who have served as field supervisors, including their approach to mentorship, leadership philosophy, and the ability to adapt to challenging circumstances. Most importantly, the Watch Commander role is critical to effective station operations, tasked with making some of the most important decisions affecting public and deputy safety. According to respondents, without input from existing station leadership, someone who is not ideal for the role may be promoted. Recognizing the importance of fairness and the removal of bias from the promotional process, respondents recommend incorporating station feedback at some point in the process to be included during applicant evaluation. Several stations commented on the fact that someone may be an excellent test-taker, but perhaps not ready for a role of this magnitude based on other factors.

Staffing Issues

Stations of varying call volume and jurisdiction size are facing staffing issues, often requiring mandatory overtime for line deputies, Sergeants to serve in the Watch Commander role, and Lieutenants working overtime spots in different jurisdictions to assist when there are shortages. Upon inquiring about the reasons participants believe such issues exist, several discussed hiring requirements (e.g., degree requirement) that may eliminate key recruitment demographics from applying for the position. Additionally, many external agencies are competing for lateral applicants, offering sign-on bonuses, resources, and reduced workload.

Training

Coupled with staffing issues are concerns related to turnover of trainees, whether voluntary, or due to inability to meet standards during the training period. Participants noted that in the past trainees would proactively participate in ride-alongs to become familiar with the jurisdiction, establish connections with station personnel, and better understand radio communications, policies, and procedures. This has become less of a common practice, and anecdotally, has affected the level of preparedness in the field. Finally, several participants recommended a requirement for all trainees to spend shifts in different department units to better understand operations, and how each unit

works interdependently to keep the department functioning.

Deputy Subgroups

Among the questions posed to interview participants was that regarding the presence of deputy subgroups, tattoos, as well as any possible connection between tattoos and deputy misconduct. Several central themes emerged during these discussions, such as camaraderie, station pride, work ethic, and station support.

Comradeship and Pride

There is a clear understanding that personnel who work at a specific station, as well as those on a specific shift at each station, are characterized by a strong bond that reflects the closeness of their working relationship. There is a sense of relatability shared among personnel, as those who have worked in the same environment understand the challenges of the role and are able to provide a level of support that perhaps family and non-department friends are unable to give. Station tattoos have long been a tradition among sworn personnel, like that of military branches or units who wear tattoos as a symbol of pride, and to commemorate a point in time. While conducting interviews in the field, the researchers observed station insignia on the walls, which often reflected attributes of the communities they serve, or other identifying characteristics.

Perceptions of Work Ethic

When asked about behavior that is respected at the station level, many interview participants discussed the importance of hard work, and being seen as someone who can be relied upon to pull their own weight. Stations vary in terms of call volume and community needs, but the understanding that personnel will not leave another station member to compensate for their poor work ethic is clear. Hard work, and the perception of being a good partner is respected, whereas any type of misconduct would tarnish the badge, and the reputation of the station.

Individual Behavior vs. Group Behavior

Participants were asked to discuss the correlation between tattoos and misconduct, if any, as well as potential impacts that declining to receive a tattoo would have on station operations. Among participants who spoke to this relationship, all remarked that the presence or absence of a tattoo does not impact the level of support or respect for the individual. One participant declined to receive a

station tattoo many years prior but stated that it made no difference in terms of station dynamics, nor did they feel excluded as a result.

Finally, one hundred percent of interview participants felt that there was a false correlation drawn between the presence of tattoos, and the occurrence of misconduct. Misconduct is an individual behavior and occurs independent of tattoo status. Rather, cases involving the presence of a tattoo and allegations of misconduct are coincidental.

Resources: Cost Benefit Analysis

The main costs incurred by the Los Angeles Sheriff Department (LASD) include:

- Expenditure on contracted services including \$75 million to address conditions in county jails and comply with the consent decree,
- Staffing and administrative costs incurred by LASD, including the option to hire, training, support, expert advice and oversight, and monitoring; and,
- The costs of excess overtime and staffing and,
- Public safety programs

The benefits of the reallocation of resources potentially included those to:

- Staffing – including the net monetary benefits to those helped incentivize hiring with hiring/signing bonuses
- Technology – including updated vehicles with fully installed programs and systems, body worn cameras, GPS
- Quality of Life – including updated stations, cleaning crews, cosmetic maintenance, morale budget
- Health – mental health training, physical health equipment and time, access to care

Policy and Procedure Recommendations

Upon reviewing the available data and conducting field interviews with station personnel, the following modifications to policy and procedures should be considered:

- The department should revisit the deputy trainee field training program and consider expanding it to include time spent in other units of the department. This should include communications, detective bureau, and other

specialized units. This will broaden understanding, foster collaboration, and potentially improve training performance.

- Revisit the Field Training Officer requirements to ensure that there is sufficient field and training experience, placement is tailored, and Field Training Officers are also required to undergo leadership training prior to supervising trainees.
- Foster growth by using leadership styles and education to empower leaders to mentor effectively. Identify best practices from experienced leaders and use those to develop mentorship training, as well as creative approaches to discipline that incorporate such practices.
- Implement audit processes for informal counseling or PLE entries at the station level to ensure that incidents are following the disciplinary guidelines, and those that should be handled externally are being routed to the proper channels.
- Reintroduce feedback from station leadership into the promotional process. This insight is critical to selection and proper fit and should accompany other hiring practices that promote diversity and equity.
- Consider the weight placed on assessment scores during the promotional process and incorporate an evaluation of leadership qualities and role readiness. Diversity of assignments, length of tenure, and feedback from former supervisors and trainees should also be considered.
- Extend the training requirements for newly promoted members of department leadership to include developing and nurturing a leadership philosophy, working alongside/shadowing a department leadership mentor, and the creation and presentation of a leadership philosophy to supervisor training staff.
- Currently the series of early warning tools (known as the Sheriff's 11) is underutilized and should be reevaluated to determine if new information should be captured based on policy and procedure changes. Department leadership should use these tools to proactively identify personnel in need of additional mentorship and

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training, and to identify any concerning behavioral patterns that can be addressed.

Future Directions and Next Steps

- Review disciplinary guidelines in detail for all areas of opportunity to incorporate checks and balances, audit processes, and potentially a triage system similar to that of Policy of Equality violations. Although station-level knowledge and discretion are critical during the disciplinary process, additional measures can ensure consistency, efficiency, and address workload concerns.
- Conduct an in-depth review of promotional processes to identify areas in need of leadership skills assessments and other evaluations of skills outside of assessment-based performance. This should be done in collaboration with union personnel to ensure that equity and inclusion are still prioritized during the hiring process.
- Training guidelines should be reevaluated to ensure that exposure to other departments is prioritized, as is pre-training experience gained through ride-alongs. Further, feedback from trainees who have exited the training process should be utilized to identify and implement best practices, while also being mindful of the rigors of the role and the importance of public and officer safety.
- Conduct focus groups, interviews, and surveys with each station to identify station-specific concerns, potential changes to practice, and offer recommendations in alignment with departmental goals and best practices in policing. Each station is unique, and recommendations should be tailored to the unique characteristics of each jurisdiction.
- Conduct a thorough review of budget and funding resources to allow for reallocation of funds with *best practices* and department needs calculated against the community needs and support.

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