
Los Angeles County Sheriff's Department

AV/DOJ SETTLEMENT AGREEMENT: SUMMARY



AV/DOJ Compliance Unit

The Settlement Agreement mandates include a variety of policy and procedural changes, additional training, improved community outreach efforts, expanded data collection and analysis, and improvements to the Department's database systems (CAD/PPI).

TRAINING:

Depending upon the nature of the issue(s) addressed and varying responsibilities attached to specific roles in the organization, deputies, supervisors and/or managers will be required to attend several new trainings and apply the new skills consistently in carrying out their duties. The Monitors will work with us to develop appropriate metrics to verify that this training has been retained and is being consistently applied.

Deputies will be required to attend training that emphasizes Fourth Amendment and related legal restrictions on searches and seizures. The subject matter will include consent searches, the definition of truly voluntary consent, backseat detentions, probation and parole searches, and legal requirements for the scope and level of police intrusion, including the differences between probable cause, reasonable suspicion, and mere speculation. The training will emphasize the philosophy of community-oriented policing, including problem-oriented policing methods, implicit bias, stereotype threat, Section 8 related activity, and maintaining professionalism during interactions with the public on traffic stops. Additionally, use of force training will include de-escalation techniques, the importance and impact of ethical decision making and peer intervention, role-playing scenarios and interactive exercises that illustrate proper use of force decision making.

Supervisors and managers will receive instruction in new data collection protocols. Training will also be provided on public complaint reviews, administrative investigations, and ensuring complete use of force investigations. Additional training will be provided on how to effectively direct deputies to minimize uses of force and to intervene effectively to prevent or stop unreasonable force, using LASD's accountability and disciplinary systems after encountering a potentially unreasonable use of force, and supporting deputies who report unreasonable or unreported force, or who are retaliated against for using only reasonable force or attempting to prevent unreasonable force.

EXPECTATIONS AND RESPONSIBILITIES:

STOPS, SEIZURES, AND SEARCHES

- I. Investigatory Stops and Detentions
 - Deputies are expected to ensure their stops and detentions are conducted in accordance with the Constitution, and both state and federal law, and that these are consistently and sufficiently documented in their Mobile Digital Computer (MDC).
 - Stop data from the MDC will be collected and analyzed to ensure compliance with relevant MPP sections and Unit Orders.
- II. Searches
 - Requests for consent searches must be reasonable, un-biased, and shall be recorded when equipped with LASD issued body worn video recording equipment.
- III. Supervisory Review
 - Supervisors and management staff are expected to ensure that unlawful stops, searches, and seizures are detected and effectively addressed.
 - Supervisors are required to conduct weekly reviews of their assigned deputy's Deputy Daily Work Sheets (DDWS) and other documentation for completeness and legal sufficiency.
 - Supervisors and command staff shall take appropriate action to address all violations or deficiencies in stops, searches, and seizures, including non-disciplinary corrective action.
 - All DDWS reviews and corrective action taken will be documented and retained for the Monitor in order to show compliance.

BIAS-FREE POLICING

Bias-Free Policing

- All LASD personnel shall ensure that members of the public receive equal protection of the law without bias.
- LASD will ensure clear guidance on prohibited conduct is provided for AV deputies, through policy, training, and supervision.
- LASD will provide training to AV personnel that illustrates how both intended and unintended bias may occur in law enforcement activity, and how this impacts effective crime prevention and police legitimacy.
- All LASD personnel shall take reasonable steps to provide timely, meaningful language assistance services to Limited English Proficient individuals they encounter.
- LASD will incorporate requirements regarding bias-free policing and equal protection into its performance assessment processes.

ENFORCEMENT OF SECTION 8 COMPLIANCE

LASD's revised policies will include, among other things;

- A Housing Non-discrimination Policy which reflects LASD's commitment to the requirements of the FHA and explains how to file a complaint of discrimination in housing.
- Protocols for reviewing requests from a housing authority for deputy accompaniment on compliance checks that outline factors to be considered when assessing the need for deputy accompaniments and the number of deputies necessary for accompaniment.
- Protocol for LASD's own independent investigations following referral of a housing authority allegation of fraud in the voucher program to ensure that those investigations are not being used to harass residents in their homes or motivate residents to relocate from their homes.
- Guidance on proper procedures for sharing information with a housing authority and guidelines for referral of cases for criminal prosecution for fraud based solely on compliance with the Section 8 contract.
- Requirements for all deputies to document calls, observations, or incidents involving voucher holders using stat code 787. Deputies shall not be authorized to inquire into an individual's Section 8 status during routine law enforcement activity.

DATA COLLECTION AND ANALYSIS

LASD will be implementing enhanced data collection, analysis, and reporting of traffic stops, use of force, and complaints to increase community confidence in law enforcement activity in the Antelope Valley. An ongoing assessment will be conducted in order to identify shortcomings, evaluate improvements, identify trends and patterns that may indicate bias or practices that otherwise run counter to constitutional and effective policing. Additionally, data analysis will be used to identify reporting districts with potentially problematic trends, and aid in determining whether law enforcement activity has a disparate impact on any racial or ethnic group. The results and the actions taken to correct problems will be summarized in reports posted on LASD's website for the public.

COMMUNITY ENGAGEMENT

LASD agrees to promote and strengthen partnerships with the community by actively and strategically engaging the community. Selected strategies include, but are not limited to:

- I. Community and Problem-Oriented Policing
 - All sworn personnel at the AV Stations shall actively attend community meetings and events. The tracking of attendance will be vital to showing compliance.

- Training provided to all AV sworn personnel will include, but not be limited to, methods and strategies to improve public safety and crime prevention through community engagement; developing effective partnerships between the police and community based on targeted problem solving and prevention; leadership, ethics, and interpersonal skills; conflict resolution and verbal de-escalation of conflict; and cultural awareness and sensitivity training.
- II. Antelope Valley Community Advisory Committees (CAC's)
 - AV Stations shall maintain a CAC membership that is representative of the diverse communities in the Antelope Valley, and hold quarterly public meetings to discuss the Monitor's reports and to receive community feedback.
 - CAC's will advise the Sheriff and/or the station commanders on strategies and training to improve community relations, bias-free policing, and access to the civilian complaint system.
- III. Community Survey
 - A reliable, comprehensive, and representative annual survey of members of the Antelope Valley community, station personnel, and detained arrestees, will be conducted by the Monitors concerning the public's experiences with, and perceptions of, the AV Stations.

USE OF FORCE

As part of this agreement, LASD will revise and implement policies that ensure all LASD personnel carry out their responsibilities in accordance with the Constitution and all provisions of this agreement.

- I. Policies and Deputy Training
 - LASD will ensure deputies are held accountable to use force only when objectively reasonable, and in a manner that avoids unnecessary injury to deputies and civilians.
 - All LASD staff shall use only that level of force necessary for the situation; and then only as a last resort.
 - When possible, all deputies shall use advisements, warnings, and verbal persuasion, before resorting to force; and de-escalate force immediately as resistance decreases.
 - Deputies shall not use retaliatory force, particularly against subjects who express criticism of, or disrespect for deputies.
 - Deputies shall not interfere with, threaten, intimidate, block or otherwise discourage a member of the public, who is not violating any other law, from taking photographs or recording video of police action.
- II. Supervisors and managers will be required to bring an increased level of scrutiny in investigating and assessing any use of force incidents.

- Investigative Supervisors shall conduct a thorough investigation for all uses of reportable force and complete a “Supervisor’s Report on Use of Force.”
- The report shall include the supervisor’s narrative description of the incident, including a complete and comprehensive description of the evidence that objectively examines and evaluates the deputy’s conduct based on the supervisor’s independent review of the facts and circumstances of the incident.
- The report shall also include the supervisor’s evaluation of force, a determination of whether the deputy’s actions appear to be within LASD policy and consistent with state and federal law, and an assessment of the incident for tactical and training implications; and documentation of any training or tactical concerns, and/or corrective action taken or recommended.
- LASD will hold supervisors accountable for not detecting, adequately investigating, or responding to force that is unreasonable or otherwise contrary to LASD policy.

PERSONNEL COMPLAINT REVIEW

- I. Complaint Intake
 - Refusing to accept a personnel complaint, discouraging the filing, or providing false or misleading information about filing a complaint, shall be grounds for discipline.
 - Any Limited English Proficient individual who wishes to file a complaint about a LASD deputy or employee shall be provided with a complaint form and informational materials in the appropriate non-English language and/or be provided appropriate translation services in order to file a complaint.

- II. Complaint Classification
 - Supervisors will ensure that personnel complaints are not misclassified as service complaints.

- III. Personnel Complaint Audits
 - Audits will be conducted to check for proper complaint classification.

ACCOUNTABILITY

- I. The Personnel Performance Index (PPI) will be enhanced to capture additional data, including but not limited to stops, searches, and arrests, individual compliance with community engagement requirements, and criminal obstruction arrests.

- II. Performance Mentoring Programs (PMP)
 - LASD will continue to provide mentorship to deputies through their Division, as well as the Department-wide, Performance Mentoring Programs.
 - LASD will support and implement a plan to ensure the Department-wide PMP provides mentoring of AV personnel within 30 days after the need for mentoring is identified, and appropriate procedures for supervising deputies whose performance fails to improve subsequent to mentoring.