

**CANCEL**

# THE CONTRACT

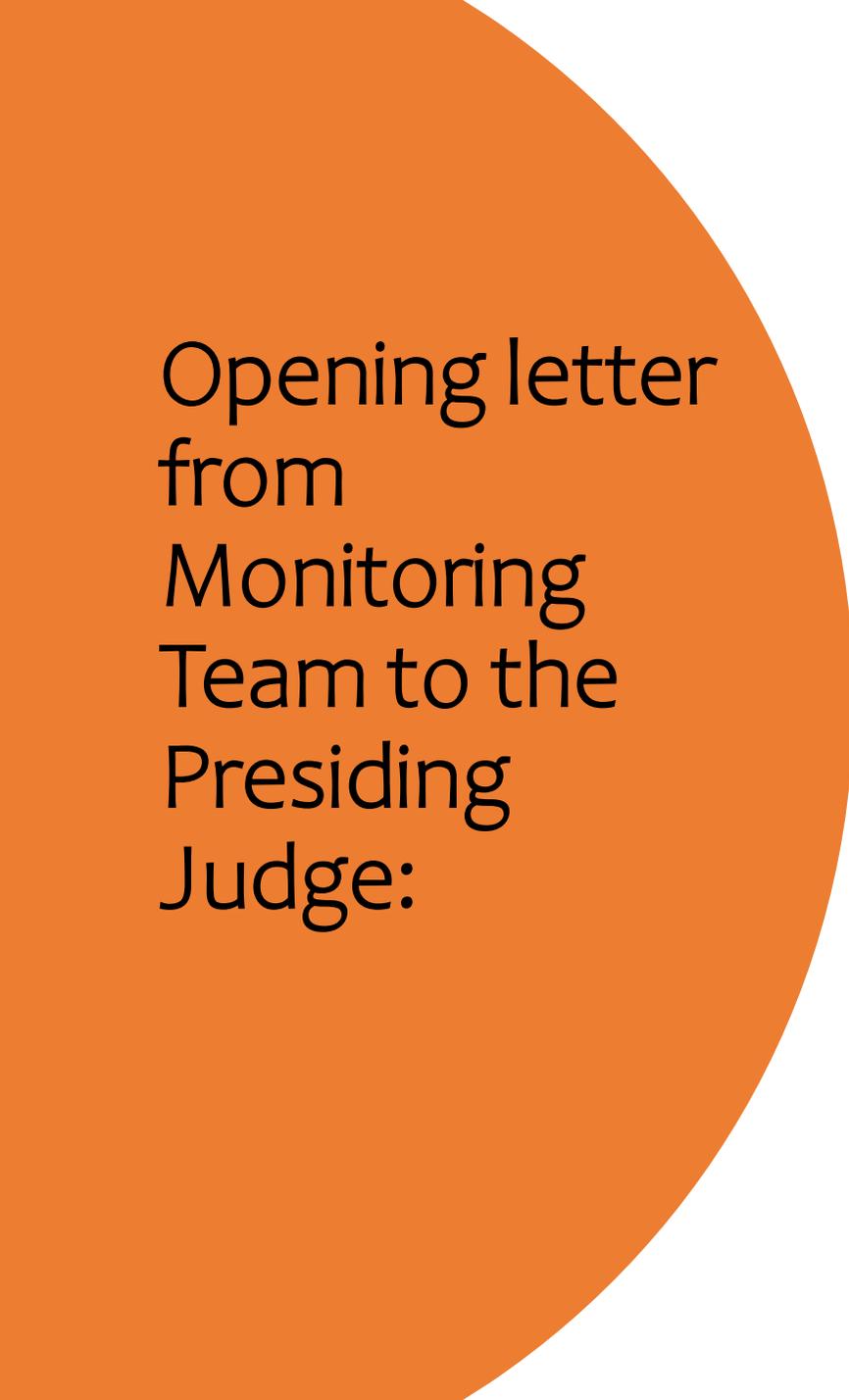
*Antelope Valley*

Powered by  **REFORM:**  
L.A. JAILS

AV Settlement  
Agreement  
Monitoring Team 10<sup>th</sup>  
Semi-Annual Report  
July 24, 2020

Report Summary and  
Highlights

October 17, 2020



Opening letter  
from  
Monitoring  
Team to the  
Presiding  
Judge:

“...disturbing lack of progress on key areas including use of force, complaints, crime prevention strategies, and community engagement practices as well as our concerns about a lack of accountability and follow-through at the highest levels of LASD administration.”



5 years in:

Out of  
Compliance on  
all major SA  
areas

- Stops
- Use of Force
- Complaints
- Community Engagement



# “Stops”

- Combined, the two AV stations conducted 39,232 discretionary stops in 2019 (vehicle, bicycle, or pedestrian):
  - The majority of individuals stopped in each six-month period were Latino (44%, 46%) (AV Latino population is 48%)
  - followed by Black w greatest disparity (32%, 32%), (AV Black population is 17%)
  - White stops were 22% and 21% (AV white population is 29%)
- Stops of Black drivers are less likely to result in a citation but more likely to result in a misdemeanor arrest than stops of Latinos and whites.
- Misdemeanor arrests of Black people are often for driving without a license, registration violations, or not having insurance.
- Misdemeanor arrests for white people tend to be for drug violations.

# “Stops”

- Stops of Black drivers are more likely to involve a search than stops of Latinos and whites
- Black people are more likely to experience a backseat detention than Latinos and whites.
- Black and Latino people are more likely to be asked about their probation and parole status than Whites, slightly less likely to be on probation or parole when asked, and more likely to be both asked and not to be on probation or parole.
- Contraband discovery rates are lower for Black people

# “Stops”

- Out of compliance on 18 of 23 Settlement Agreement requirements related to Stops, including:
  - Stops and detentions are based on reasonable suspicion
  - Backseat detentions require reasonable suspicion and reasonable safety concerns.
  - Deputies respond to complaints about backseat detentions
  - Deputies do not conduct arbitrary searches.
  - Supervisors and station commanders address all violations and deficiencies in stops and searches.
- Stops disparities analysis identified groups of deputies responsible for a large portion of the enforcement efforts.
- deputies too often failed to list an adequate justification for stop or enforcement actions and/or enter the correct clearance codes.

# “Use of Force”

- In Lancaster, between August 2016 and July 2017, there were 131 UOF incidents. But between August 2018 and July 2019, there were **246 incidents**,
  - 53% Increase
- in Palmdale, between August 2016 and July 2017, there were 79 UOF incidents. But between August 2018 and July 2019, there were **139 incidents**,
  - 57% increase

# “Use of Force”

- LASD is out of compliance on 13 of 19 Settlement Agreement requirements related to UOF, including:
  - De-escalation of force
  - Deputies held accountable for uses of force that violate policy or law
  - Management review of UOF investigations
- UOF protocols not updated or approved by DOJ after 5 years
  - the MT has been repeatedly told the draft policy was under final review by Department executives.
  - The Department has recently asked Monitors to temporarily table the discussions on their UOF policy because of changes the Department is now considering.
- The MT has informed the Department of its determination that the provided training documents do not meet SA requirements.
- The Monitors have conducted two compliance audits associated with the de-escalation, use, reporting, investigation, and adjudication of force by AV deputies (forthcoming)

# “Complaints”

- Out of compliance on 11 of 17 Settlement Agreement requirements related to Complaints, including:
  - Public access to complaint forms
  - Witnesses interviewed separately; interviews documented
  - Every allegation of misconduct investigated, even if not specifically articulated by complainant
  - Impeding the filing of a complaint grounds for discipline



# “Complaints”

- Concerns include:
  - **Service Complaint Report (SCR) Handbook** still in draft form after 3 years of discussions
  - **Manual of Policy and Procedures**, which must meet DOJ reforms, draft was withdrawn from review in June 2019 with no replacement since.
  - **Destruction of personnel complaint material** within one year (inconsistent with the California Penal Code and the Department’s policy)

“Taken together, these issues call into question whether the Sheriff’s Department is committed to and serious about properly processing and documenting complaints from community members.”

# “Problematic Examples”

During a ride-along in February 2020, a member of the MT encountered a stop that was problematic in several ways:

There was a call of a stolen car that was found in a shopping center parking lot with two occupants inside. The deputy rolled “Code 3” to the call, i.e., with lights and sirens. When the deputy arrived on the scene, three other deputies were there already with their firearms drawn and pointed toward the suspect vehicle.

In the next few minutes, more than 20 deputies arrived and all had their firearms drawn, including two shotguns. Eventually two teenagers, one of whom was a mother with a baby, exited the car. The mother was detained and separated from her baby momentarily but later released. The other teenager, a boy, was taken into custody without incident. Several bystanders were filming the incident, and one of them was arrested and later charged with obstructing a police officer and resisting arrest.

# “One Positive Outcome”

- Reviews found no evidence that LASD conducted any accompaniment of Section 8 compliance checks or engaged in any other Section 8-related activity in this reporting period.



# Major Outstanding Issues

1. Despite County BOS demanding reform from LASD, it is County Counsel defending LASD from having to comply with DOJ terms.
2. The Parties have not resolved the issue of whether the SA applies to non-AV station commands that provide law enforcement services in the AV (specialized units: drug, gang, etc).

“Not including uses of force involving those units lacks transparency and will result in further distrust between the Department and AV communities. It also interferes with the ability of the MT to effectively evaluate what is occurring in terms of the use of force by LASD in the AV”