

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT



**DETENTIONS OF INDIVIDUALS AND DATA
COLLECTION AUDIT
NORTH PATROL DIVISION
LANCASTER SHERIFF'S STATION
No. 2017-14-A**

**JIM McDONNELL
SHERIFF**

January 31, 2018

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
Audit and Accountability Bureau**

**DETENTIONS OF INDIVIDUALS AND DATA COLLECTION
NORTH PATROL DIVISION – LANCASTER STATION
Project No. 2017-14-A
Audit Report**

PURPOSE

The Audit and Accountability Bureau (AAB) conducted the Detentions of Individuals and Data Collection North Patrol Division – Lancaster Sheriff's Station (Lancaster Station) Audit, under the authority of the Sheriff of Los Angeles County. The audit was performed to determine how the Los Angeles County Sheriff's Department (Department) Lancaster Station adhered to the Department's policies and procedures related to detentions and data collection. The audit also assessed the degree to which Lancaster Station has revised its procedures for documenting public contacts subsequent to the United States Department of Justice (DOJ) Civil Rights Division's investigation into allegations the Department engaged in unconstitutional policing. As a result, the DOJ and the Department entered into the Antelope Valley Settlement Agreement (AV Agreement). The AV Agreement contains several provisions which pertain to search and seizure as well as several requirements regarding the documentation of stops and detentions.¹ Currently, the Department is still in negotiations with monitors to establish an acceptable measurement of compliance.

The AAB conducted this audit under the guidance of Generally Accepted Government Auditing Standards.² The AAB determined the evidence obtained was sufficient and appropriate to provide a reasonable basis for the findings and conclusions based on the audit objectives.

BACKGROUND

In 2011, the DOJ investigated Lancaster and Palmdale Sheriff's Stations regarding accusations of discrimination against minority residents of the Antelope Valley area. The alleged discrimination involved law enforcement activities that may have been racially motivated. In June of 2013, the DOJ Civil Rights Division completed its investigation into allegations of unconstitutional policing and issued a DOJ Findings Letter.³

¹ United States of America v. The County of Los Angeles and The Los Angeles County Sheriff's Department, Case Number CV 15-03174, Section III. "STOPS, SEIZURES, AND SEARCHES", April 2015.

² United States Government Accountability Office – By the Comptroller General of the United States, December 2011, Government Auditing Standards, 2011 Revision.

³ U.S. DOJ Civil Rights Division, Letter (commonly referred to as "DOJ Findings Letter") addressed to then Sheriff Leroy D. Baca, RE: Investigation of Los Angeles County Sheriff's Department Stations in Antelope Valley, June 28, 2013.

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The DOJ Findings Letter stated in part:

Summary of Findings

- *We found, for example, that Antelope Valley deputies, in violation of the law, routinely detain community members, including domestic violence victims and minor traffic offenders, in the backseats of patrol cars without any individualized assessment of danger or suspicion.*

Discretionary Offenses

- *A large number of these stops, for minor offenses such as jaywalking, also resulted in questionable pat downs and consent searches.*
- *Over and over again, we heard disturbingly similar accounts of Antelope Valley deputies pulling over African-American and Latino pedestrians and drivers, searching their persons and/or cars, and releasing them without a citation or any information about why they were initially stopped.*

Deputies Detain Individuals Without Adequately Articulating Reasonable Suspicion

- *Our review found, however, that many log entries do not describe facts sufficient to support the predicate of reasonable suspicion required for a detention under Terry⁴, or other legal authority*

The AV Agreement was approved on April 28, 2015.

The Manual of Policy and Procedures (MPP) requires Department members performing law enforcement field related duties to create an electronic Deputy Daily Work Sheet (DDWS)⁵ through the Computer-Aided Dispatch (CAD)⁶ system.⁷ It further requires the logging of all significant public contacts and activity⁸ and shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop.⁹ This change in Department policy is a result of the AV Agreement.

⁴ *Terry v. Ohio (Terry)*, 392 U.S. 1, 21 (1968) - A decision by the United States Supreme Court which held that the Fourth Amendment prohibition on unreasonable searches and seizures is not violated when a police officer stops a suspect on the street and frisks him or her without probable cause to arrest, if the police officer has a reasonable suspicion that the person has committed, is committing, or is about to commit a crime and has a reasonable belief that the person "may be armed and presently dangerous."

⁵ A DDWS is a permanent electronic detailed report of a patrol unit's activity during a shift. The report is automatically generated based on the incidents assigned to or created by the patrol unit.

⁶ The CAD system is a multi-faceted computer system used by LASD to log and document patrol-related incidents including calls for service and deputy-initiated observations. The dispatch function maintains a permanent electronic record of patrol activity.

⁷ The MPP §5-09/520.20, Logging Public Contacts, May 2017.

⁸ "Significant public contacts and activity" are defined as: calls for service, self-initiated activity that results in arrest or citation, self-initiated activity that is enforcement/investigative in nature but does not result in arrest or citation, self-initiated activity which is not enforcement/investigative in nature but results in Department personnel taking some form of constructive action.

⁹ The MPP §5-09/520.25, Logging Field Activities, May 2017.

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The Department implemented policy changes based on the AV Agreement which now requires more detailed documentation and specific descriptive language describing factual circumstances of investigatory stops, detentions, and searches.

PRIOR AUDITS

This was the first Detention of Individuals and Data Collection North Patrol Division – Lancaster Station audit by AAB. In 2016, AAB conducted a Detention of Individuals and Data Collection Audit at Palmdale Station (Project No. 2016-2-A). The audit identified several areas in need of improvement relative to training and policy revisions. All recommendations have been implemented.

METHODOLOGY

Scope

This audit encompassed five objectives:

- Documenting Public Contacts – Objective No. 1 through No. 4 determined if deputies appropriately logged clearance related data for stops, searches, and seizures of individuals on their DDWS.
- DDWS Log Compliance Checks Supervisor Responsibilities – Objective No. 5 determined if sergeants conducted DDWS Log Compliance Checks.¹⁰

Auditors reviewed the MPP, Field Operations Support Services (FOSS) Newsletters, Department Statistical Code Guide - Radio Code Book, Lancaster Station Unit Orders, and the AV Agreement in the analysis of this audit.

Audit Time Period

For Objectives No. 1 through 4, the time period for this audit was August 1, 2017 to August 31, 2017.

For Objective No. 5, auditors separated the month of August 2017 into five individual weeks. The selected time period was the week of August 6 through 12, 2017.

¹⁰ Lancaster Station Unit Order #69 – Supplemental Supervisory Procedures – DDWS Review, “Sergeants shall audit at least one DDWS for each deputy under their supervision each week.”

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Audit Population

Pertaining to Objectives No.1 through 4, Data Systems Bureau (DSB)¹¹ provided auditors a data file containing all CAD incidents which were generated during the audit time period and were cleared using contact information codes by Lancaster Station. Data Systems Bureau compiled a file containing 1,897 entries. Of the 1,897 entries, 444 entries were analyzed for this audit.¹² The data file was then organized by contact information codes to obtain the population specific to each objective.

Pertaining to Objective No. 5, auditors reviewed the Employee Performance Evaluation Tracking System (EPETS), Assigned Raters Report¹³, and found 22 sergeants assigned as raters. Two sergeants were not responsible for conducting DDWS log checks for this time period, therefore, they were deselected. The 20 sergeants were responsible for submitting a DDWS Log Compliance Check form each week listing their assigned deputies. A total of 118 deputies' DDWS logs and the 20 sergeants' DDWS Log Compliance Check forms were analyzed.

SUMMARY OF AUDIT FINDINGS

The management and staff at Lancaster Station were accommodating and cooperative in providing the necessary information and in validating the findings.

Lancaster Station achieved varied results in all objectives. The results are summarized in Table No. 1 on the following page.

¹¹ The Data Services Bureau operates under the Technology and Support Division. Their function is to plan, develop, coordinate, and manage information technology for the Department.

¹² Auditors specifically analyzed Contact Information Codes – Contact Type, Authority to Conduct Search, and Reason for Contact.

¹³ The EPETS maintains and tracks evaluations and analytical reports on Department employees. Lancaster Station utilizes an "Assigned Raters Report" from the EPETS to determine which deputies are assigned to each sergeant (supervisor/rater) for the purposes of conducting the DDWS Log Compliance Checks.

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Table No. 1 - Summary of Audit Findings

Objective No.	Audit Objective	Met the Standard
DOCUMENTING PUBLIC CONTACTS		
1	BACKSEAT DETENTIONS – CONTACT TYPE CODE	
1(a)	BACKSEAT DETENTION: VEHICLE / PEDESTRIAN / BIKE STOPS	
	<i>To determine if the deputy articulated a reason for the Backseat Detention (BSD)¹⁴ in the narrative portion of the DDWS when using the “B” Contact Type Code (Observation Detention)</i>	76%
1(b)	BACKSEAT DETENTION: CALL FOR SERVICE	
	<i>To determine if the deputy articulated a reason for the BSD, in the narrative portion of the DDWS, when using the “C” Contact Type Code (Call for Service)</i>	50%
2	CONSENT SEARCH – CONTACT CLEARANCE CODE	
	<i>To determine if the deputy articulated a reason for seeking consent to search an individual, in the narrative portion of the DDWS, when using the “C” Contact Clearance Code</i>	22%
3	WEAPONS PAT DOWN – CONTACT CLEARANCE CODE	
	<i>To determine if the deputy articulated reasonable suspicion the individual detained was believed to be armed, in the narrative portion of the DDWS, when using the “W” Contact Clearance Code</i>	55%
4	REASONABLE SUSPICION – CONTACT CLEARANCE CODE	
	<i>To determine if the deputy articulated reasonable suspicion that the individual detained had been involved in criminal activity, in the narrative portion of the DDWS, when using the “R” Contact Clearance Code</i>	61%
DDWS LOG COMPLIANCE CHECKS		
5	SUPERVISOR RESPONSIBILITIES	
5(a)	GENERATING WEEKLY COMPLIANCE CHECKS OF DDWS	
	<i>To determine if the assigned sergeant submitted one weekly DDWS Log Compliance Check form¹⁵ for all deputies assigned to them</i>	50%
5(b)	SUPERVISORY AUDITS OF DDWS	
	<i>To determine if the assigned sergeant audited their deputies DDWS entries for completeness, accuracy and legal sufficiency</i>	25%
5(c)	DDWS DISCREPANCIES ADDRESSED WITH DEPUTY	
	<i>To determine if the assigned sergeant addressed discrepancies in their deputies’ DDWS</i>	25%

¹⁴ A BSD is when an individual is securely detained, by deputy personnel, in the backseat of a patrol vehicle.

¹⁵ The DDWS Log Compliance Check form is used by sergeants at Lancaster Station to document their checks of deputies DDWS logs.

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Objective No. 1 – Backseat Detentions – Contact Type Code

Objective No. 1(a) – Backseat Detentions: Vehicle / Pedestrian / Bike Stops

Criteria

Manual of Policy and Procedures, Section 5-09/520.10, Backseat Detentions (May 2017), states:

...Backseat detentions shall not be used except when the deputy has individualized reasonable suspicion that justifies a detention and an articulable reasonable belief that the detained person may pose a threat of physical harm or is an escape risk unless detained in the backseat.

...In instances where a backseat detention is due to weather conditions or the individual's desire for privacy, the deputy will ask the individual whether he or she would like the option of sitting in the backseat of the vehicle...

...the factual justification for the backseat detention "seizure" shall be articulated in the narrative portion of the deputy's log.

Field Operations Support Services Newsletter, Volume 13 Number 12 New MDC¹⁶ Codes for Logging Field Activity (December 2016), states:

Contact Type:

B= Back Seat Detention: Vehicle, Pedestrian, and Bicycle Stops...

*...The new back seat detention (BSD) codes shall be used as the primary code in the Contact Type field to document all BSD. **The justification for the BSD "seizure" shall be articulated in the narrative portion of the deputy's log, keeping in mind any 4th Amendment and/or Terry v. Ohio issues...***

...The "B" code shall be used when the BSD is due to a vehicle, pedestrian, or bicycle stop...

¹⁶ The Mobile Digital Computer (MDC) is the computer system found in patrol vehicles. The purpose is to provide a complete computer operating system in a mobile environment.

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United States of America v. The County of Los Angeles and The Los Angeles County Sheriff's Department, Case Number CV 15-03174, Section III. "STOPS, SEIZURES, AND SEARCHES", p.8, Item No. 44h, (April 2015), states:

LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

...where a backseat detention was conducted, a narrative articulating a reason, consistent with LASD policy and the law, as to why each backseat detention was necessary, as well as the reasonable suspicion for the investigation...

Audit Procedures

Auditors analyzed CAD entry incidents involving a BSD occurring during an "observation"¹⁷ detention by deputy personnel using "Contact Type Code - B". Auditors reviewed the narrative clearance to ensure deputy personnel articulated reasonable belief that the detained person(s) posed a threat of physical harm, were an escape risk, if there were inclement weather conditions, if the individuals desired privacy, or the detained individual voluntarily agreed to a BSD.

Of the 1,897 CAD entries, 124 entries contained a "B" code and were analyzed for this objective.

Findings

Ninety-four of the 124 (76%) "B" Contact Type Code entries met the standard for this objective. Thirty narratives did not articulate reasonable belief.

Objective No. 1(b) – Backseat Detentions: Call for Service

Criteria

Manual of Policy and Procedures, Section 5-09/520.10, Backseat Detentions (May 2017), states:

...Backseat detentions shall not be used except when the deputy has individualized reasonable suspicion that justifies a detention and an articulable reasonable belief that the detained person may pose a threat of physical harm or is an escape risk unless detained in the backseat.

¹⁷ An observation detention occurs when deputy personnel independently detain an individual based on reasonable suspicion or probable cause.

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...In instances where a backseat detention is due to weather conditions or the individual's desire for privacy, the deputy will ask the individual whether he or she would like the option of sitting in the backseat of the vehicle...

...the factual justification for the backseat detention "seizure" shall be articulated in the narrative portion of the deputy's log.

Field Operations Support Services Newsletter, Volume 13 Number 12 New MDC Codes for Logging Field Activity (December 2016), states:

Contact Type:

...C= Back Seat Detention: Call For Service

*The new back seat detention (BSD) codes shall be used as the primary code in the Contact Type field to document all BSD. **The justification for the BSD "seizure" shall be articulated in the narrative portion of the deputy's log, keeping in mind any 4th Amendment and/or Terry v. Ohio issues...***

...The "C" code shall be used when the BSD is due to a call for service...

United States of America v. The County of Los Angeles and The Los Angeles County Sheriff's Department, Case Number CV 15-03174, Section III. "STOPS, SEIZURES, AND SEARCHES", p.8, Item No. 44h, (April 2015), states:

LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

...where a backseat detention was conducted, a narrative articulating a reason, consistent with LASD policy and the law, as to why each backseat detention was necessary, as well as the reasonable suspicion for the investigation...

Audit Procedures

Auditors analyzed CAD entry incidents involving a BSD occurring during a "call for service."¹⁸ Auditors reviewed the clearance "Contact Type Code - C" to ensure deputy personnel articulated reasonable belief that the detained person(s) posed a threat of physical harm, were an escape risk, if there were inclement weather conditions, the individual desired privacy, or the detained individual voluntarily agreed to a BSD.

¹⁸ A "call for service" is request for police services and is sent to the patrol deputy by the station dispatcher.

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Of the 1,897 CAD entries, 44 entries contained a “C” code and were analyzed for this objective.

Findings

Twenty-two of the 44 (50%) “C” Contact Type Code entries met the standard for this objective. Twenty-two narratives did not articulate reasonable belief.

Objective No. 2 – Consent Search – Contact Clearance Code

Criteria

Manual of Policy and Procedures, Section 5-09/520.15, Consensual Encounters (March 2015), states:

Persons that are contacted during consensual encounters shall be free to leave at all times and the contact shall be voluntary. A consensual encounter can transform into a detention if a reasonable person believes that they are not free to leave.

Manual of Policy and Procedures, Section 5-09/520.25, Logging Field Activities (May 2017), states:

All significant public contacts and activity shall be appropriately logged on the Mobile Digital Computer’s Deputy’s Daily Work Sheet (DDWS). The Mobile Digital Computer’s DDWS logs shall contain only accurate information including, but not limited to, the race of each individual detained or searched, the result of the stop, and the date, time, and location of the stop.

Lancaster Station Unit Order #68, Supplemental Patrol Procedures (May 2017), states:

MDC Patrol Log Procedures

...When a consent search of an individual or vehicle is conducted and “Authority to Conduct Search” box is cleared with a “C” (consent), the reason for seeking consent shall be documented in the MDC narrative...

...Every stop with a “Consent” search will contain the reason for seeking consent verbiage.

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United States of America v. The County of Los Angeles and The Los Angeles County Sheriff's Department, Case Number CV 15-03174, Section III. "STOPS, SEIZURES, AND SEARCHES", p.8, Item No. 44j, (April 2015), states:

LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

...whether a consent search of an individual was conducted, and if so, the reason for seeking consent...

Audit Procedures

Auditors analyzed CAD entry incidents involving Consent Searches¹⁹ of individuals detained by deputy personnel. Auditors reviewed the clearance "Authority to Conduct Search Code - C" to ensure deputy personnel included the reason for seeking consent in the narrative portion of the clearance.

Of the 1,897 CAD entries, 114 entries contained a "C" code and were analyzed for this objective.

Findings

Twenty-five of the 114 (22%) "C" Contact Clearance Code entries met the standard for this objective. Eighty-nine narratives did not include the reason for seeking consent.

Objective No. 3 – Weapons Pat Down – Contact Clearance Code

Criteria

Manual of Policy and Procedures, Section 5-09/520.30, Statistical Codes for Traffic, Pedestrian, and Bicycle Stops (March 2015), states:

...The Mobile Digital Computer "Reasonable Suspicion" and "Pat Down" Contact Information Codes require justification for the stop or search and shall be noted in the narrative portion of the deputy's log.

¹⁹ A consent search occurs when an individual voluntarily submits to a detention and search by deputy personnel.

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Field Operations Support Services Newsletter, Volume 13 Number 12, New MDC Codes for Logging Field Activity (December 2016), states:

Authority to Conduct Search (Vehicle and Person fields):

*...W= Weapons Pat Down (Reasonable Suspicion Detainee is Armed)
The new “W” code shall be used when the detainee is reasonably believed to be armed...*

Audit Procedures

Auditors analyzed CAD entry incidents involving a Weapons Pat Down²⁰ occurring during a detention by deputy personnel which were cleared with the “Authority to Conduct Search Code – W.” Auditors reviewed the narrative portion of those incidents to ensure deputy personnel articulated justification for the search.

Of the 1,897 CAD entries, 139 entries contained a “W” code and were analyzed for this objective.

Findings

Seventy-six of the 139 (55%) “W” Contact Clearance Code entries met the standard for this objective. Sixty-three of the narratives did not articulate justification for the search.

Objective No. 4 – Reasonable Suspicion – Contact Clearance Code

Criteria

Manual of Policy and Procedures, Section 5-09/520.30, Statistical Codes for Traffic, Pedestrian, and Bicycle Stops (March 2015), states:

...The narrative portion of the logged incident shall also include the reason for the contact and a brief description of the action taken by deputies.

²⁰ A Weapon Pat Down, under *Terry*, occurs when deputy personnel have reasonable suspicion to believe a detainee is armed.

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Field Operations Support Services Newsletter, Volume 13 Number 12, New MDC Codes for Logging Field Activity (December 2016), states:

PC Stop – Reason for Contact:

...The “PC Stop – Reason for Contact code “R” (previously entitled “Reasonable Cause”) has been changed to “Reasonable Suspicion” to better conform to Terry v. Ohio case law. The “Reasonable Suspicion” justification for the stop shall be noted in the narrative portion of the deputy’s log...

Lancaster Station Unit Order #68, Supplemental Patrol Procedures (May 2017), states:

MDC Patrol Log Procedures

...Lancaster Station deputies shall document the following additional information about patrol activity in their MDC patrol log narrative:

A concise narrative, articulating specific facts and circumstances for conducting “reasonable suspicion” or “probable cause” stops and detentions...

United States of America v. The County of Los Angeles and The Los Angeles County Sheriff’s Department, Case Number CV 15-03174, Section III. “STOPS, SEIZURES, AND SEARCHES”, p.8, Item No. 44f, (April 2015), states:

LASD-AV deputies shall document the following information about patrol activity in their MDC patrol logs:

...a concise narrative articulating specific facts and circumstances that support reasonable suspicion or probable cause for investigative stops and detentions consistent with the radio clearance code (Noting a radio clearance code, or the code for the resulting citation or other result, will not be deemed sufficient articulation of legal support for the stop or search.)

Audit Procedures

Auditors analyzed CAD entry incidents involving Reasonable Suspicion²¹ stops of individuals detained by deputy personnel. Auditors reviewed the “Reason for Contact Clearance Code - R” to ensure deputy personnel had included the reasonable suspicion justification for making the stop in the narrative portion of the deputy’s log.

²¹ A Reasonable Suspicion detention under Terry case law occurs when police temporarily detain an individual in a public place without a valid arrest warrant having a “reasonable suspicion” that the individual has been involved in criminal activity.

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Of the 1,897 CAD entries, 23 entries contained an “R” code and were analyzed for this objective.

Findings

Fourteen of the 23 (61%) “R” Contact Clearance Code entries met the standard for this objective. Nine narratives did not include a reasonable suspicion justification for making the stop.

Objective No. 5 – Supervisor Responsibilities

Objective No. 5(a) – Generating Weekly Compliance Checks of Deputy Daily Work Sheets

Criteria

Lancaster Station Unit Order #69, Supplemental Supervisory Procedures (May 2017), states:

DDWS REVIEW

...Sergeants shall audit at least one DDWS log for each deputy under their supervision each week...

United States of America v. The County of Los Angeles and The Los Angeles County Sheriff’s Department, Case Number CV 15-03174, Section III. “STOPS, SEIZURES, AND SEARCHES”, p.12, Item No. 59, (April 2015), states:

Supervisory Review

...Sergeants shall audit at least one CAD log for each deputy under their supervision each week...

Audit Procedures

All supervisory DDWS Log Compliance Check forms obtained from Lancaster Station were reviewed and analyzed. In addition, the employee names listed on the form were reconciled with EPETS. Auditors reviewed the forms to determine if sergeants documented at least one weekly DDWS log for all deputies assigned to them per the report.

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Findings

Ten of the 20 (50%) sergeants met the standard for this objective. Ten sergeants did not document at least one weekly DDWS log for all deputies assigned to them.

Objective No. 5(b) – Supervisory Audits of Deputy Daily Work Sheets

Criteria

Lancaster Station Unit Order #69, Supplemental Supervisory Procedures (May 2017), states:

DDWS REVIEW

Sergeants assigned as raters shall audit their assigned deputies' stop, search, and seizure documentation for completeness, accuracy, and legal sufficiency. Sergeants shall audit at least one DDWS log for each deputy under their supervision each week...

Supervisors will be held accountable for appropriately and thoroughly reviewing reports and documentation related to stops, searches, and seizures...

United States of America v. The County of Los Angeles and The Los Angeles County Sheriff's Department, Case Number CV 15-03174, Section III. "STOPS, SEIZURES, AND SEARCHES", p.12, Item No. 59, (April 2015), states:

Supervisory Review

Sergeants assigned as raters shall regularly audit their assigned deputies' stop, search, and seizure documentation...

...Sergeants shall audit at least one CAD log for each deputy under their supervision each week...

Audit Procedures

Auditors reviewed all of the deputies' logs to determine if sergeants appropriately and thoroughly audited their assigned deputies DDWS detention related entries. Each detention related entry was reviewed for completeness, accuracy, and legal sufficiency.

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Findings

Five of the 20 (25%) sergeants met the standard for this objective. Fifteen sergeants did not appropriately and thoroughly audit their assigned deputies DDWS logs.

Objective No. 5(c) – Deputy Daily Work Sheet Discrepancies Addressed with Deputy

Criteria

Lancaster Station Unit Order #69, Supplemental Supervisory Procedures (May 2017), states:

DDWS REVIEW

...Supervisors shall take appropriate action to address all violations or deficiencies in stops, searches, and seizures including non-disciplinary corrective action for the involved deputy, and/or referring the incident for disciplinary action...

United States of America v. The County of Los Angeles and The Los Angeles County Sheriff's Department, Case Number CV 15-03174, Section III. "STOPS, SEIZURES, AND SEARCHES", p.12, Item No. 60, (April 2015), states:

Supervisory Review

If a deputy's stop, search, or seizure documentation does not provide sufficient detail or articulate sufficient legal and policy justification for the action, the supervisor shall review the action with the deputy to determine whether there was sufficient legal and LASD policy justification.

Audit Procedures

Auditors reviewed deputies' logs to determine if there were any detention related errors which were not captured by their respective sergeants. Auditors further analyzed if sergeants appropriately and thoroughly audited and documented all their assigned deputies DDWS log detention related entries for errors. Auditors lastly determined if sergeants documented corrective action for all deficiencies.

Findings

Five of the 20 (25%) sergeants met the standard for this objective. Fifteen sergeants did not address all deficiencies in their assigned deputies DDWS logs.

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ADDITIONAL INFORMATION

Auditors found trends in the following areas:

- *Clearance Inconsistencies (AV Agreement Item No. 44)* – There is no consistency with how deputies are documenting required justifications for detentions and contacts. Many clearance narratives are fragmented and do not conform to any conventional syntax.
- *Use of non-standard language (AV Agreement Item No. 44)* – Non-standard abbreviations for common words have developed due to the limited amount of characters available in the clearance narrative. When deputies clear their CAD incidents, they frequently use codes or language that does not completely convey to the reader what transpired during the incident in question.
- *Timely Log Compliance Checks (Lancaster Station Unit Order #69)* – Many of the DDWS Log Compliance Check forms audited were completed up to two months after the deputy worked the shift. If there were corrections to be made regarding an incident, the time period for correction would have been outside the seven-day window allowed to make corrections on the CAD system.
- *Labeling Conflict (LASD Statistical Code Guide²²)* – Auditors noted the Authority to Conduct Search field on the clearance screen is labeled as “SCH AUTH.” However, in the Statistical Code Guide it is labeled simply as “S”.

OTHER RELATED MATTERS

Other related matters are pertinent issues discovered during the audit, but were not objectives that are measurable against federal, state laws or Department policies and procedures.

No Assigned Rater

Regarding Objective No. 5, during the population selection period, auditors found a deputy who had been assigned to Lancaster Station for more than one year and was not assigned a rater in EPETS. This deputy completed four DDWS logs during the sample period which would have required a sergeant to complete at least one DDWS Log Compliance Check.

²² The Department’s Statistical Code Guide for Uniform Report Numbers and Mobile Digital Logs (SH-R-316) Rev. 06/17 is a manual issued to patrol personnel to assist in CAD related entries as well as other pertinent information.

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Policy Inconsistencies

Two policy inconsistencies were discovered by auditors. First, when an “843” statistical code was used, per FOSS Newsletter 16-16, the clearance information should be electronically cross-referenced to the handling unit’s original incident. Presently, the CAD system is not programmed to perform this function. Secondly, policy currently requires BSD time be entered into the clearance narrative. A data field created per MPP, Section 5-09/520.10, eliminates the need to articulate this information in the narrative.

Training Issues

The Department does not have a manual that is dedicated to addressing the various clearance codes and how to use them. The existing Statistical Code Guide does not provide adequate instruction or examples on the proper use of the various codes. The most current manual that addresses these codes is the Supervisor CAD Training Manual, dated July 1992.

CONCLUSION

During the course of this audit, auditors assessed the policies, procedures, and practices related to detentions of individuals and data collection. Several areas in need of improvement were identified.

RECOMMENDATIONS

The resulting recommendations coincide with the findings and conclusion from the objectives and other related matters. They are intended to provide Department management with a tool to correct deficiencies and improve performance.

1. It is recommended that deputies and supervisors receive additional training in how to properly clear CAD incidents to include the proper use of Contact Type and Authority to Conduct Search codes and how to properly articulate required justifications in the clearance narrative of CAD incidents. (Objectives No. 1, 2, 3, 4, and 5)
2. It is recommended that supervisors receive additional training in reviewing their assigned deputies DDWS logs completely and more accurately. This is to include proper documentation of corrective actions on the Compliance Log. (Objective No. 5)

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3. The CAD is an antiquated system and was not designed to support today's law enforcement requirements for data management. It is recommended the Department evaluate the current CAD, its supporting systems, and their continued use; specifically, the inability of the CAD system to electronically cross-reference the "843" statistical code clearance information to the handling unit's incident. (Objectives No. 1, 2, 3, 4, and 5)
4. It is recommended the MPP, Section 5-09/520.10, Backseat Detentions, be revised to eliminate the duplication of logging the length of time of the BSD in the narrative, as well as the CAD clearance screen. (Other Related Matters)

Views of Responsible Officials

On January 29, 2018, the Chief of the North Patrol Division submitted a formal response to AAB concurring with the audit findings. A copy of the audit was provided to the AV Agreement DOJ Monitoring Team who conveyed positive comments about the audit methodology and objectives. In addition, a copy was provided to the Office of the Inspector General (OIG) to offer them an opportunity to comment. The OIG did not provide any feedback.

**DETENTIONS OF INDIVIDUALS AND DATA COLLECTION
NORTH PATROL DIVISION – LANCASTER STATION
Project No. 2017-14-A**

This audit was submitted on this 31ST day of January 2018, by the Audit and Accountability Bureau.

Original signature on file at AAB

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