

ROLL CALL TRAINING ONLINE

Deployment Period 05-2018

LESSON PLAN

TOPIC: Specialized
SUBJECT: Expanded Automated Field Data Report
PREPARED BY: Field Training Services Unit,
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Date Prepared: 05-18
REFERENCES: California Code of Regulations, Title II. Law, Chapter 19
Los Angeles Police Department Manual 1/345
Government Code Section 12525.5
Office of the Chief of Police Notice, May 31, 2018

Introduction

In 2001, the Department established a policy prohibiting racial profiling in response to the growing perception that law enforcement action is too often based exclusively on racial stereotypes.

The Field Data Report was activated and LAPD officers began collecting data on vehicle and pedestrian stops to document their actions.

Adopted in November 2017, California Assembly Bill 953 expands the definition of racial profiling to include identity profiling and broadens the scope of data collection for the AFDR. The revised AFDR will include additional fields and drop-down menus to capture the required data. An instructional tutorial will be made available through the AFDR/ Incident Tracking application on the Department LAN.

Accessibility to the AFDR system will also be available via a new mobile phone application. When an electronic AFDR cannot be access, a paper form will be available to document a stop and the date later input into the system. Until the new AFDR in implemented on July 1, 2018, officers shall continue to complete an AFDR as currently required.

Data Collection

The data collected will be made public on the DOJ website “Open Justice” to allow for study and analysis by:

- Law enforcement
- The Racial Profiling and Identity Profiling Advisory Board (RIPA)
- Advocates

- Academics
- Community members

This data may reveal patterns to illuminate whether racial or identity profiling has or has not occurred and will be critical to the development of additional training for peace officers.

Overview of Data to be Collected

The data that must be collected can be broken down into three categories:

- Information Regarding the Stop
 - Date, Time, And Duration of Stop
 - Location of Stop
 - Reason for Stop
 - Actions Taken During Stop
 - Contraband or Evidence Discovered
 - Property Seized
 - Result of Stop
- Information Regarding the Person Stopped
 - Perceived Race or Ethnicity
 - Perceived Age
 - Perceived Gender
 - Perceived to be LGBT
 - Limited or No English Fluency
 - Perceived or Known Disability
- Information Regarding the Officer
 - Years of Experience
 - Type of Assignment

AFDR COMPLETION REQUIREMENTS

The new AFDR completion requirements impact **all** sworn personnel assigned to any field, specialized, or investigative assignment (e.g., patrol, task force, detective, and plain clothes assignments). The AFDR completion requirements will also include any officer working overtime and off-duty in uniform for a private entity pursuant to a Memorandum of Understanding or other contractual relationship with the Department. These off-duty assignments include, but are not limited to, Dodgers games, Movie Jobs (active duty employees) Staples Center Events, USC or NFL Football games, and the Metropolitan Transit Authority Details.

Procedures

An AFDR must be completed for **every person stopped or detained**, regardless of the nexus for the encounter (e.g., radio call, observation, task force) unless the encounter falls under one of the following exceptions:

Interactions Completely Exempt from Reporting:

- Mass evacuations
 - Stops that occur during public safety mass evacuations, including bomb threats, gas leaks, flooding, earthquakes, and other similar critical incident.
- Active shooter
 - Stops that occur during an active shooter incident, meaning an individual is actively engaged in killing or attempting to kill people in a populated area, are exempt from reporting;
- Routine security screenings at entrance/exits
 - Stops that occur during or as a result of routine security screenings required of all persons to enter a building, school or special event, including metal detector screenings and any secondary searches that result from that screening from that screening are exempt from reporting;

Interactions Reportable Only if Officer Takes Additional Actions toward the Person Stopped:

- Stops that occur during a crowd control situation in which pedestrians are directed to remain at a location or routed to a different location for public safety purposes;
- Interactions during which persons are detained at a **residence only**, so that officers may check for proof of age for purposes of investigating underage drinking;
- Checkpoints or roadblocks where an officer detains a person as the result of a blanket regulatory activity that is not based on an individualized suspicion or personal characteristic;
- Passenger(s) of traffic stops who are not the subject of an investigation or enforcement action;
- The targeted subject(s) of a warrant or search condition in their residence. Any specified action with a person in the home who is not the subject of the warrant or search condition must be reported; or,
- Consensual encounters that do not result in a search. If any search (person or property) is conducted, an AFDR is required (even if the search is consensual).

Specified Actions that Trigger a AFDR:

Search of person conducted	Electronic Control Device
Search of property was conducted	Impact projectile discharged
Ordered from vehicle	Canine bit/ held person
Physically removed from vehicle	Baton/ impact weapon used
Field sobriety test	Chemical spray used contact
Curbside detention	Other physical/ vehicle contact
Handcuffed or flex cuffed	Person photographed
Patrol car detention	Requested consent to search person
Canine deployed	Requested consent to search property
Firearm pointed at person	Property was seized
Firearm discharged/ used	Vehicle impounded
Admission obtained from student	

Stops involving multiple persons, officers and agencies

Multiple Persons

An AFDR must be completed for every person stopped or detained

- Officers will fill in the “Watch Info” fields once per incident
- Additional persons can be added to the AFDR by selecting the “Add Person” box

Multiple Officers

- Only one officer completes the AFDRs
- Officer with highest level of engagement, contact, or interaction completes the AFDRs
 - Must include all actions taken, including those of other officers

Multiple Agencies

- Only primary agency completes all AFDRs
- Agencies decide which is the primary agency
- If a non-reporting agency such as the Federal Bureau of Investigation or Los Angeles County Probation Department is the primary agency involved, a reporting agency is responsible for completing the AFDR

Stops involving students in K-12 public schools

Officers will need to check the corresponding boxes on the form if the interactions are with students in a public school.

The AFDR has additional data fields to collect perceived demographic and other detailed data on police interaction with members of the public. A narrative field has also been added to provide details beyond checked boxes.

Perception

Perception is considered to be the process in which an officer recognizes and interprets sensory information to draw a conclusion about the person being stopped or detained. This includes the perceived race or ethnicity, gender, LGBT, age and disability of the person stopped. It can be decided prior to, during, or after the stop.

General Rules:

- Must be based on personal observation
- Cannot ask the person
- Cannot refer to ID or other written form to verify

Narrative

The new AFDR system will require Department personnel to complete a narrative as it relates to the reason for the stop and basis for the search. This brief explanation shall include additional details beyond the general data values selected from the drop-down menu. The narrative should be written in plain language without Department code or abbreviations.

Protecting Personal Information

In the narrative, officers shall not report any unique identifying information which is likely to reveal the identity of the stopped or the identity of the officer who collected the data.

Identifying information includes:

- Name of individual, license plate number, date of birth
- Name of the officer, serial number, badge number

Supervisor Responsibilities

Supervisors are responsible for reviewing and approving ADFRs in a timely manner. Based on their discretion, supervisors may edit or direct the completing officer to revise the narrative portions of the AFDR to ensure the anonymity of all parties involved.

CONCLUSION

The Department shall continue to prohibit discriminatory conduct on the basis of race, color, ethnicity, national origin, gender, sexual orientation, or disability in the conduct of law-enforcement activities.