

PSB ANNUAL REVIEW 2020

Chief of Police
Michel R. Moore

Professional Standards Bureau
Deputy Chief
Michael P. Rimkunas



This photograph was taken prior to the COVID-19 pandemic.



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14

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Professional Standards Bureau
2020 Annual Review

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Mission Statement

It is the mission of the Los Angeles Police Department to safeguard the lives and property of the people we serve, to reduce the incidence and fear of crime, and to enhance public safety while working with our diverse

communities to improve their quality of life. Our mandate is to do so with honor and integrity, while at all times conducting ourselves with the highest ethical standards to maintain public confidence.

Core Values

Service to Our Communities

We are dedicated to enhancing public safety and reducing the fear and the incidence of crime. People in our communities are our most important customers. Our motto "To Protect and to Serve" is not just a slogan - it is our way of life. We will work in partnership with the people in our communities and do our best, within the law, to solve community problems that affect public safety. We value the great diversity of people in both our residential and business communities and serve all with equal dedication.

Reverence for the Law

We have been given the honor and privilege of enforcing the law. We must always exercise integrity in the use of the power and authority that have been given to us by the people. Our personal and professional behavior should be a model for all to follow. We will obey and support the letter and the spirit of the law.

Commitment to Leadership

We believe the Los Angeles Police Department should be a leader in law enforcement. We also believe that each individual needs to be a leader in his or her area of responsibility. Making sure that our values become part of our day-to-day work life is our mandate. We must each work to ensure that our co-workers, our professional colleagues, and our communities have the highest respect for the Los Angeles Police Department.

Integrity in All We Say and Do

Integrity is our standard. We are proud of our profession and will conduct ourselves in a manner that merits the respect of all people. We will demonstrate honest,

ethical behavior in all our interactions. Our actions will match our words. We must have the courage to stand up for our beliefs and do what is right. Throughout the ranks, the Los Angeles Police Department has a long history of integrity and freedom from corruption. Upholding this proud tradition is a challenge we must all continue to meet.

Respect for People

Working with the Los Angeles Police Department should be challenging and rewarding. Our people are our most important resource. We can best serve the many and varied needs of our communities by empowering our employees to fulfill their responsibilities with knowledge, authority, and appropriate discretion. We encourage our people to submit ideas, we listen to their suggestions, and we help them develop to their maximum potential. We believe in treating all people with respect and dignity. We show concern and empathy for the victims of crime and treat violators of the law with fairness and dignity. By demonstrating respect for others, we will earn respect for the Los Angeles Police Department.

Quality Through Continuous Improvement

We will strive to achieve the highest level of quality in all aspects of our work. We can never be satisfied with the "status quo." We must aim for continuous improvement in serving the people in our communities. We value innovation and support creativity. We realize that constant change is a way of life in a dynamic city like Los Angeles, and we dedicate ourselves to proactively seeking new and better ways to serve.

FOREWARD

Maintaining the highest ethical standards



Michel R. Moore
Chief of Police

Let there be no doubt that the year 2020 was challenging for the policing profession across the country. Equally certain was my commitment to upholding this Department's Core Values and fulfilling our mission while conducting ourselves with the highest ethical standards.

In the face of damaged trust, I pledged this Department would incorporate more aspects of procedural justice, increase community transparency, and, above all, maintain accountability.

Professional Standards Bureau worked tirelessly over the past year to bring these promises to fruition. As the entity responsible for investigating all allegations of misconduct and more-serious uses of force, Professional Standards Bureau provided oversight for all critical encounters. This annual report contains:

- An overview of our disciplinary process;
- An explanation for how we use accountability tools, such as Body-Worn Video cameras;
- An introduction to our procedural justice-focused, trust-building Biased Policing mediation program;
- A summary of our investigatory process for the more-serious uses of force; and,
- Important trends and statistics.

In addition to the above, I want to be transparent about some of the unique issues that faced the Department last year. In the wake of protests for racial justice, the Department mobilized all available resources, and officers were deployed in mobile field forces to assure the safety of the community and the peaceful protestors, as well as to deter violence and criminal activity.

This mobilization effort required personnel to face new challenges, and, in some instances, we heard from the community that their actions needed closer review. As such, this Annual Review will include a section dedicated to discussing the personnel complaints that arose from the "SAFE L.A." mobilization.

Furthermore, 2020 also brought about a global pandemic. From the start, our personnel were activated to assist in any capacity they could. Professional Standards Bureau employees—including sworn investigators and sworn administrative staff—answered the call by providing critical site protection and security for temporary shelters that assisted our unhoused neighbors.

Later, these same employees were tasked with managing community feedback—and personnel complaints—about pandemic protocols. Undoubtedly, public interest in employee compliance with public health guidance ran strong.

In the interest of transparency, this annual review also provides information and statistics for compliance with mask mandates.

OVERVIEW OF THE DEPARTMENT DISCIPLINARY SYSTEM THE PROCESS

The disciplinary process begins with a complaint. Any member of the public or a Department employee may make a complaint alleging misconduct against any Los Angeles Police Department (LAPD or Department) employee.

The complaint may be made by virtually any method including in person at an Area station, by telephone, by letter, or electronically. Complainants can identify themselves or remain anonymous throughout the investigation.

Department supervisors are required to initiate a personnel complaint investigation whenever they are notified of, or become aware of, potential misconduct by any Department employee. Failure to do so can result in disciplinary action against the supervisor. In addition, a non-supervisory employee is required to report potential misconduct to a supervisor or Professional Standards Bureau.

These reporting requirements are based on policies approved by the Board of Police Commissioners and mandates set forth in the Consent Decree between the City of Los Angeles and the United States Department of Justice.

A complaint can allege any type of misconduct from a discourteous remark to the commission of a crime.

In addition, the Department may initiate a complaint investigation against an employee for violations of Department policy and procedure such as failing to qualify with a service firearm, failing to appear in court to testify, employing inappropriate tactics in a use of force, and unprofessional behavior toward another Department employee.

COMPLAINT INTAKE

A complaint is alleged by a community member, the Department, or third party. A supervisor initiates a preliminary complaint investigation.

ADJUDICATION

The employee's commanding officer reviews the completed investigation and determines if a preponderance of evidence supports a sustained finding.

APPEAL PROCESS

The employee may appeal the proposed discipline through the administrative process..

Complaints are accepted unless the sole reason for the complaint is either (1) a disputed citation, (2) delay in providing service, (3) low flying airship, (4) complaint by inmate regarding accommodations, food, etc., or (5) vehicle impound and the initial conversation with the complainant does not identify any misconduct.

Once the complaint is accepted, the supervisor receiving the complaint initiates a preliminary investigation, attempts to resolve the matter to the satisfaction of the complainant, and documents the complaint on a Complaint Form.

INVESTIGATION

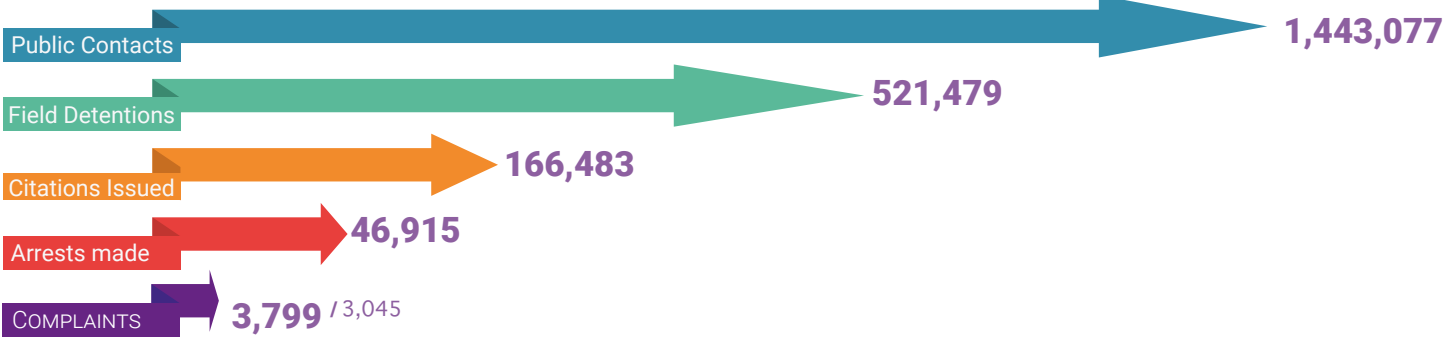
The complaint is assigned to the employee's chain of command or Internal Affairs to investigate.

PENALTY DETERMINATION

If appropriate, a penalty is imposed by the Chief of Police.

Even if the complaint is resolved to the complainant's satisfaction, the complaint is still recorded, investigated, and classified as depicted below. The supervisor forwards the documentation of the complaint and preliminary investigation to the watch commander for review.

Once a complaint has been entered into the Department's Complaint Management System (CMS), the case is assigned for investigation by either the employee's chain of command (a supervisor within the division or bureau where the employee is assigned) or by investigators in Professional Standards Bureau (PSB)'s Internal Affairs Division.



In 2020, the Department recorded a total of 3,799 employee complaints. Of this, 3,045 were initiated from a member of the public. This figure represents 0.21% of Public Contacts resulting in a public-initiated complaint.

Whether assigned to IAD or the employee's chain of command, the investigators conduct interviews of the complainant, any relevant witnesses, and the accused employees. They also search for and collect any available physical evidence and will examine the complaint history of the employee to identify any patterns of prior misconduct. In limited circumstances, investigators assigned to PSB may conduct surveillance to determine whether the employee is still engaged in the alleged misconduct.

By law, investigations and disciplinary proceedings are generally confidential unless an accused officer waives his or her statutory right to confidentiality.

After an investigation is complete, the accused officer's Commanding Officer must review the investigation and determine whether the allegations are supported by a preponderance of the evidence. If the Commanding Officer finds that an allegation should be sustained based on the evidence, he or she must

then recommend an appropriate penalty or non-disciplinary disposition.

The Commanding Officer summarizes the investigation and provides his or her recommended findings to the Bureau Chief and Professional Standards Bureau. The Bureau Chief may recommend findings different than those recommended by the Commanding Officer.

When a Disciplinary complaint is sustained, the potential penalties are as follows:

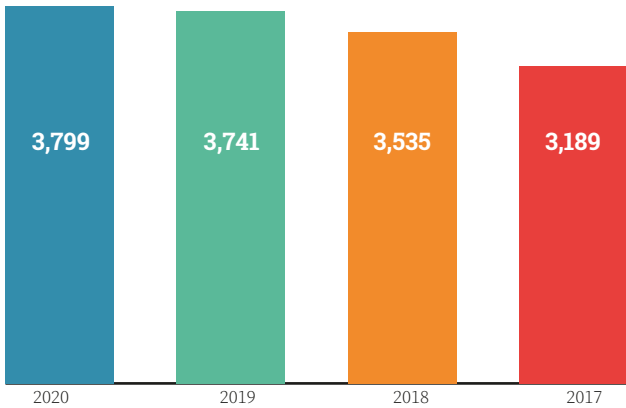
FOR SWORN PERSONNEL: (1) No penalty; (2) admonishment; (3) official reprimand; (4) suspension; (5) Board of Rights for removal; (6) demotion; (7) suspension and demotion; or, (8) termination on probation.

FOR CIVILIAN PERSONNEL: (1) Admonishment; (2) official reprimand (used for misconduct for which no other penalty is appropriate); (3) suspension; (4) discharge; or, (5) termination on probation.

For sworn employees, the Chief of Police may recommend discipline up to 22 suspension days or direct an officer to a Board of Rights.

A Board of Rights can impose suspension days greater than 22 days and remove an officer from employment.

Complaints Initiated by Year



Closed Allegations by Year and Number Sustained

	2020	2019	2018	2017
ALLEGATIONS	9,144	9,671	8,434	9,367
SUSTAINED	641	885	897	763
% SUSTAINED	7%	9.1%	10.6%	8.1%

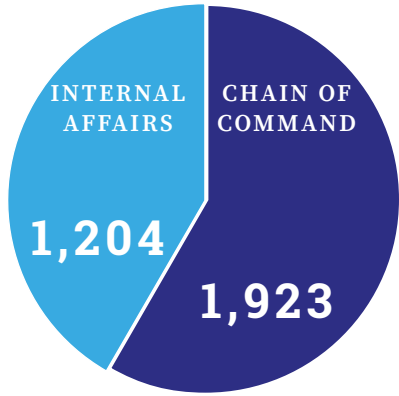
INVESTIGATIONS BY INTERNAL AFFAIRS

Certain types of complaints are assigned to Internal Affairs Division for investigation based on the need for specialized experience, need to avoid potential conflicts within a command, or seriousness of the offense.

Department policy requires IA investigators to handle any complaint where:

- An employee is accused in a claim for damages filed with the City or a lawsuit;
- When arrested or criminally charged with a serious offense;
- When there are allegations of:
 - * Unauthorized force;
 - * Discrimination;
 - * Unlawful search or seizure;
 - * Dishonesty;
 - * Improper behavior involving narcotics or drugs; sexual misconduct;
 - * Domestic violence;
 - * Theft; or
 - * Acts of retaliation or retribution against an employee or the public;
- Incidents in which a member of the public is unnecessarily charged by an officer with interfering, resisting arrest, assault on an officer, or disorderly conduct; or,
- When a judicial finding of employee misconduct was made in the course of a judicial proceeding.

Complaints Closed by Internal Affairs Division vs Chain of Command in 2020



*7 investigated by the Office of the Inspector General

DISPOSITION OF ALLEGATIONS THAT WERE NOT SUSTAINED

NON-SUSTAINED ADJUDICATIONS	2020	2019	2018	2017
Actions Could be Different	526	684	578	453
Alternate Complaint Resolution	154	122	157	112
Demonstrably False	1,143	1,402	736	400
Exonerated	246	349	281	496
Insufficient Evidence to Adjudicate	493	561	468	547
Mediated	97	69	54	40
No Department Employee	163	189	176	174
No Misconduct	692	590	659	649
Not Guilty	24	22	38	34
Not Resolved	153	252	207	291
Not Sustained	-	2	-	-
Other Judicial Review	2	-	2	-
Out of Statute	7	44	12	21
Policy/Procedure	41	46	51	52
Unfounded	4,757	4,453	4,110	5,331
Withdrawn by COP	4	1	7	4
Total	8,502	8,786	7,536	8,604

The chart above depicts the adjudications for complaints that were NOT SUSTAINED. This includes those where the action alleged was found to have occurred, but was either not misconduct or did not rise to the level of a disciplinary action.

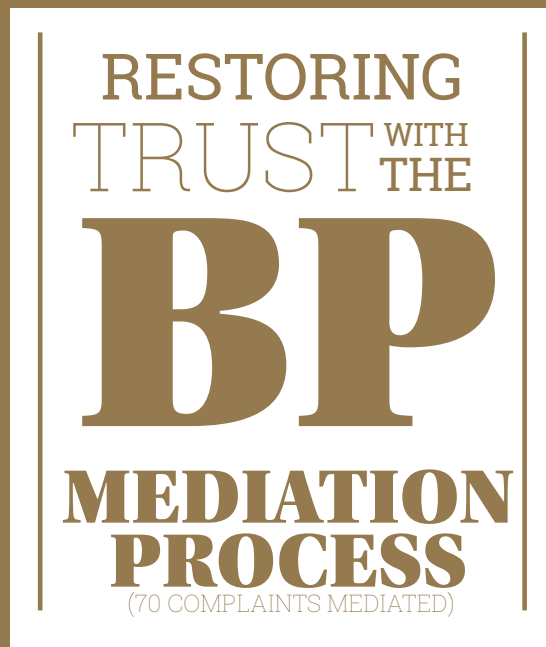
Of note, as discussed on Page 15, DEMONSTRABLY FALSE reflects the adjudication of complaints where the officers' Body Worn Video or other evidence clearly shows the alleged conduct did not occur.

EMPLOYEES INVOLVED IN 2020 COMPLAINTS



ALTERNATIVE RESOLUTIONS

BIASED POLICING MEDIATION



Respect for People is a fundamental core value of the Los Angeles Police Department. Community member contacts with law enforcement can shape community perceptions and levels of trust over generations. Policing one of the most diverse and progressive cities in the United States requires responsive and innovative solutions to situations where people believe they have not been treated fairly.

Complaint mediation provides an option for both community members and Department employees to share perspectives and learn from one another. Since its inception in 2014, mediation has opened doors for communication and provided opportunities to engage in new ways. Post mediation surveys show the majority of participants have a greater understanding of the other party as a result of the mediation session. Every mediation session has the potential to expand trust-building equity with the community through respect, neutrality and voice.

Complaint mediation involves the community member and employee accused of misconduct meeting at a neutral location where they engage in a confidential conversation facilitated by 3rd party mediators from the Los Angeles City Attorney’s Office, Dispute Resolution Program, (LACA, DRP). The mediators are specially trained volunteers who receive Dispute Resolution Program Act (DRPA) certification training from the LACA, DRP. The role of the mediators is to ensure each party is respected, heard and has the opportunity to safely participate in a good-faith conversation.

COVID-19 and civil unrest brought a unique set of challenges to the mediation program. Thanks to Zoom, the mediation program continued with a total of 70 mediations in 2020; the highest number of mediations held in a year to-date. Initially, there was concern that the lack of a face-to-face meeting would impact the effectiveness of mediation. As it turned out, the accessibility of Zoom enabled more community members to participate and they found the process just as fulfilling. Accommodations were made for those who did not have access to technology. Those accommodations included lending computers, internet access and physical space.

Professional Standards Bureau, in partnership with the LACA, DRP, is committed to enhancing public trust and ensuring the quality of service to the valued communities we serve. Complaint mediation provides a forum to cultivate relationships and learn from one another.

2020 BIASED POLICING COMPLAINT & ALLEGATIONS CLOSED

2020 BIASED POLICING COMPLAINTS	COMPLAINTS	ALLEGATIONS
Total	394	764
DISPOSITION OF ALLEGATIONS		
Demonstrably False	-	54 (7.1%)
Insufficient Evidence to Adjudicate	-	20 (2.6%)
Mediated	-	80 (10.5%)
No Department Employee	-	28 (3.7%)
Out of Statute	-	2 (0.3%)
Unfounded	-	580 (75.9%)

2020 BIASED POLICING MEDIATION PARTICIPATION DATA

	OFFERED MEDIATION TO EMPLOYEE	OFFERED MEDIATION TO COMPLAINANT	EMPLOYEE DECLINED	COMPLAINANT DECLINED
Number of Individuals	168	61	23	12

“IT WAS VERY FAIR IN LISTENING TO ALL PARTIES’ CONCERNS.”
-49 YEAR OLD BLACK FEMALE
COMMUNITY MEMBER

“THIS WAS MY FIRST TIME DOING A MEDIATION AND I THINK IT’S A GOOD THING WE ARE ABLE TO COMMUNICATE WITH A MEMBER OF THE COMMUNITY ON A PERSONAL LEVEL TO COME OUT WITH A CONCLUSION AND A BETTER UNDERSTANDING OF WHAT HAPPENED.”
-30 YEAR OLD HISPANIC MALE
OFFICER

“THIS WAS TRULY AN EYE-OPENING TEST FOR ME AND I WILL BE A BETTER PERSON AND HANDLE SITUATIONS WITH LAW ENFORCEMENT BETTER.”
-26 YEAR OLD BLACK MALE
COMMUNITY MEMBER

“I FEEL THAT WE SHOULD HAVE MORE MEDIATIONS BEFORE A SITUATION HAPPENS. I ENJOYED THIS.”
-41 YEAR OLD BLACK MALE
COMMUNITY MEMBER

THE HEARING

Board of Rights Administrative Hearing

The Board of Rights (BOR) is an administrative tribunal tasked with appraising all of the information accumulated concerning alleged misconduct and reaching an equitable decision.

The purpose of the hearing is to ascertain the truth. The BOR procedure, delineated under section 1070 of the City Charter, is designed as a safeguard for police officers against political interference and pressure, personal prejudice, intimidation, and false accusation by providing non-probationary, sworn officers due process rights.

Cases are heard by a BOR only after the LAPD conducts its own internal investigation and the Chief of Police (COP) determines that an officer has committed misconduct warranting serious disciplinary action.

The Board consists of three members, all randomly selected. A Department Advocate is assigned to present the LAPD's case to the board members. The accused officer is represented by counsel (an attorney) or another representative of their choice.

A Traditional (Trad.) board is one consisting of one civilian member and two sworn command staff members. A Civilian board has all three positions filled by civilians. Officers may choose a TRADITIONAL or CIVILIAN board.

The Board ultimately decides whether the accused officer is guilty of each charge referred by the Department and, depending on these findings, may recommend disciplinary action such as demotion, unpaid suspension, or removal (termination) from employment.

There are two types of hearings conducted under the BOR process: **Directed** and **Opted**. In a Directed hearing, the COP has referred the accused officer to the BOR with a recommendation that the individual be removed (terminated) from employment. If the Board determines the accused officer is guilty of one or more counts, they then recommend to either uphold the removal or impose a lesser penalty.

In an Opted hearing, the accused officer has been served by the COP with a demotion or a suspension of up to 22-days, after which the officer exercises the option to dispute the matter in front of a BOR. If the Board determines the accused officer is guilty of one or more counts, they then recommend a penalty that can be less than, the same, or greater than the penalty recommended by the COP.

At the conclusion of either BOR, the Board's decision is delivered to the COP who shall either uphold the penalty arrived at by the Board or impose a lesser penalty. The COP cannot, however, impose a greater penalty than the one arrived at by the BOR.

CIVIL SERVICE HEARINGS

Department civilian employees have a different appeal process from that of sworn employees.

When complaints of misconduct are sustained, and the COP imposes a penalty of suspension days or discharge (also referred to as removal), the penalty is immediately effective the day following service of the Notification of Discharge and/or Suspension.

The employee then has five calendar days to file for a Civil Service Hearing

PENALTY	2020	2019	2018	2017
Admonishment	113	131	151	103
Demotion	1	4	1	4
Sustained - No Penalty	30	100	103	43
Official Reprimand	67	77	72	100
Suspension	99	138	109	86
Termination	12	16	18	17
Unable to Impose	38	58	53	39
Total	360	524	507	392

The chart above shows the number of officers who received a specific penalty for a complaint containing a SUSTAINED allegation that was closed in the year shown. For example, for complaints closed in 2020, 113 officers received an admonishment.

to appeal discharges or suspensions in excess of five working days (suspensions of five days or less cannot be appealed but the employee can file a grievance).

At the hearing, the Department Advocate presents the case to a single, randomly selected civilian hearing officer. The accused employee is represented by an attorney or union representative of their choice.

The hearing officer is required to make findings/recommendations on three issues: 1) To determine if the Department complied with due process; 2) To sustain or not sustain the counts; and, 3) Determine the penalty was appropriate.

Once both sides have presented their cases, the hearing examiner has 30 days to submit their findings via a written report to the Commission Executive at the Personnel Department. The Advocate and the accused, along with their defense representative, will be summoned to attend a Civil Service Commission Meeting, which is held in a public forum.

The five Commissioners, having reviewed the hearing officer's findings, have the option of making additional inquiries to both parties, but only on issues on record during the hearing. At the conclusion, by a majority vote, the Commissioners either sustain or not sustain, the hearing officer's recommendations.

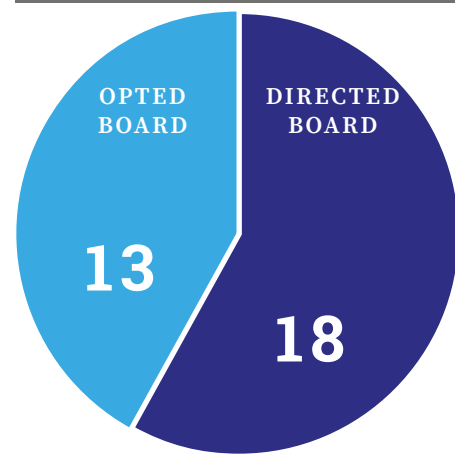
The report is non-binding on the Commissioners, so they can overturn the recommendations and impose their own. However, the Commissioners cannot change the recommended penalty imposed by the Appointing Authority (COP); therefore, if they determine the counts should be sustained but believe a lesser penalty would be more appropriate, they can delay their vote to allow the Advocate time to confer with the COP about a possible penalty reduction.

If no agreement is reached, the Commission makes a final decision to either sustain the counts and the penalty imposed by COP, or to not sustain the counts and return the employee to work without penalty. Their final decision is binding.

2020 BOARD OF RIGHTS DECISION (CHIEF OF POLICE'S RECOMMENDATION VS. FINAL DECISION)

ALLEGATION(S) NOT RESULTING IN TERMINATION	TYPE	PANEL	CHIEF'S RECOM.	FINAL DECISION
Neglect of Duty	Directed	Trad.	BOR	2 Days
Unauthorized Tactics	Directed	Trad.	BOR	10 Days
Unbecoming Conduct	Directed	Civilian	BOR	44 Days
Domestic Incident	Directed	Civilian	BOR	22 Days
Domestic Altercation/Neglect of Duty/Unbecoming Conduct	Directed	Civilian	BOR	20 Days
False Statements	Directed	Civilian	BOR	65 Days
Domestic Incident/Unbecoming Conduct	Directed	Civilian	BOR	1 Day
Unbecoming Conduct	Directed	Civilian	BOR	2 Days
Body Worn Video/DICVS Violation	Directed	Civilian	BOR	3 Days
Body Worn Video/DICVS Violation	Directed	Civilian	BOR	3 Days
Unauthorized Tactics/Shooting Violation	Directed	Civilian	BOR	55 Days
Discourtesy	Opted	Trad.	15 Days & Demoted	15 Days & Demoted-
Improper Remark	Opted	Civilian	5 Days	Not Guilty
Neglect of Duty	Opted	Trad.	5 Days	5 Days
Neglect of Duty	Opted	Civilian	2 Days	Not Guilty
Neglect of Duty	Opted	Civilian	22 Days	Not Guilty
Neglect of Duty	Opted	Civilian	10 Days	5 Days
Neglect of Duty	Opted	Civilian	5 Days	5 Days
Improper Remark/Detrimental Workplace Behavior	Opted	Civilian	10 Days	6 Days
Unbecoming Conduct	Opted	Civilian	1 Day	1 Day
Unauthorized Tactics/Discourtesy	Opted	Civilian	22 Days & Demoted	26 Days
Discourtesy	Opted	Civilian	5 Days	1 Day
Neglect of Duty	Opted	Civilian	5 Days	1 Day

There were also seven (7) Board of Rights that were Directed that resulted in removal from employment. One of those employees had an additional Opted board pending when Directed to a board for additional allegations (included in the tally below for both types).



2020 BOARD OF RIGHTS HEARINGS

In 2020, the Department directed 18 employees to a Board of Rights Hearing.

Additionally, 13 employees opted for a Board of Rights Hearing to appeal the imposed disciplinary penalty.

DISCIPLINARY DEMOGRAPHICS

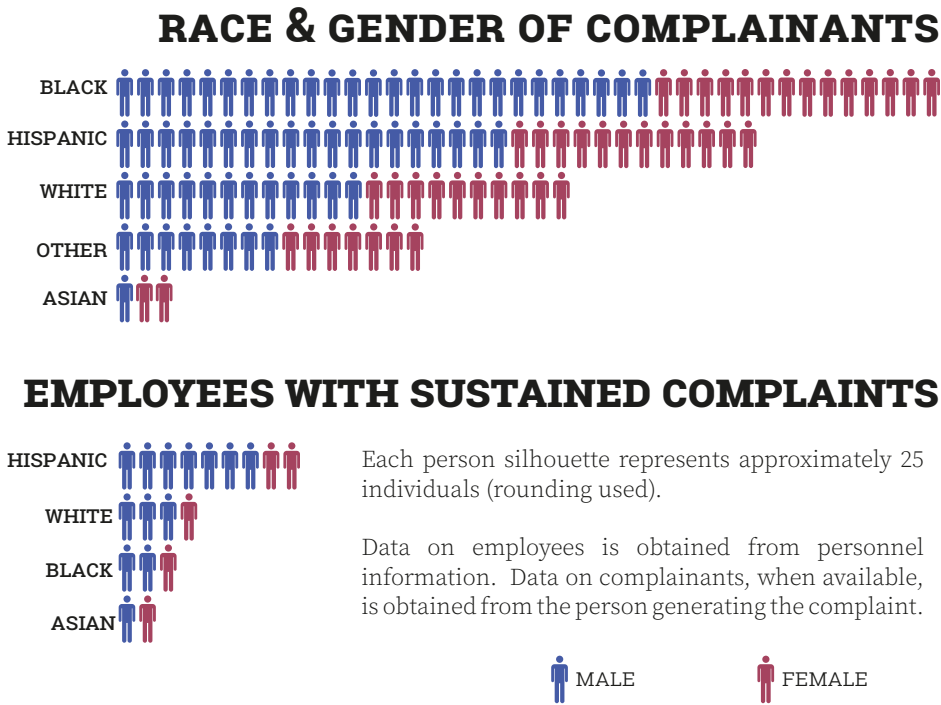
A look into the demographics of complainants and accused: **Transparency. Delivered.**

As the Department continues to focus on diversity, equity, and inclusion efforts, it is important for us to be transparent about the demographics of those involved in our complaints—both of the public and the accused employees.

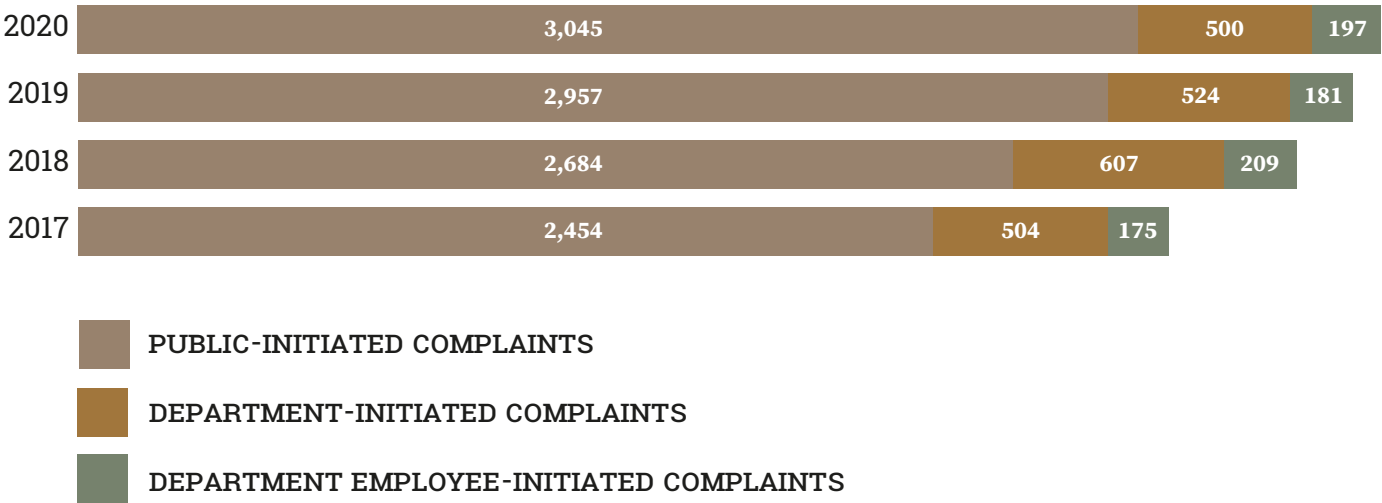
The infographics on this page provide the race and gender breakdown for public complainants and for the employees involved in all complaints.

Additionally, the source of complaints is provided.

In the coming years, Professional Standards Bureau will be able to use new classification data to provide more detail, such as cross-sectional information on the types of allegations and adjudication results.



COMPLAINTS BY SOURCE



BODY WORN VIDEO CAMERAS

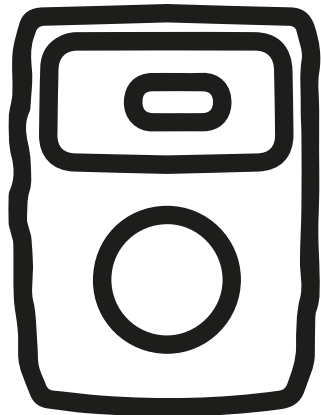
Technology in Policing: **ACCOUNTABILITY AND TRANSPARENCY**

The Department equips its officers with Body Worn Video (BWV) cameras and requires their use during most encounters with the public. In addition to having evidentiary value that assists in criminal investigations, these cameras also provide a meaningful transparency measure to the public. The video footage provides an indisputable record of what occurred. From this, the public can be assured that any allegations of misconduct are investigated appropriately and fairly--and with evidence of the interaction to support claims, as applicable. There were 2,939 *allegations* (32%) whose adjudication was assisted by BWV footage.

Conversely, in many cases, the Department can use the video’s objective truth to disprove allegations made against employees. When the Department is able to review an entire incident and prove, through the recorded encounter that the conduct or behavior alleged did not occur, the a supervisor can summarize the findings and immediately submit the complaint for close-out with an adjudication of “Demonstrably False.” The chart on the following page demonstrates that the implementation of BWV cameras has allowed an increasing number of complaints to be disproven at intake--best utilizing investigative resources.

The Department also releases video footage from all serious (“Categorical”) Uses of Force to provide transparency on the incident and the force used.

2020 CLOSED COMPLAINTS ADJUDICATION ASSISTED BY OFFICER VIDEO



2020 COMPLAINT ADJUDICATION	BODY WORN VIDEO ASSISTED	DIGITAL IN-CAR VIDEO SYSTEM ASSISTED
Demonstrably False	395	67
Exonerated	82	7
Sustained	61	13
Unfounded	943	133
SUMMARY	1,481	220

CATEGORICAL USES OF FORCE (CUOF)

The Department’s guiding principle when using force is reverence for human life. Officers are taught to control an incident by using time, distance, communication, and available resources to de-escalate the situation whenever it is safe, feasible, and reasonable to do so.

Certain types of force are considered a Categorical Use of Force (CUOF), including:

- An incident involving the use of deadly force by a Department employee;
- A use of force incident resulting in an injury requiring hospitalization that -- referred to as a Law Enforcement Related Injury (LERI); and,
- All intentional head strikes with an impact weapon or device and all unintentional head strikes that result in serious bodily injury, hospitalization, or death.

These CUOFs are investigated by the Force Investigation Division of PSB and presented for adjudication to the Use of Force Review Board, the Chief of Police, and, ultimately, the Board of Police Commissioners.

When a CUOF is determined out-of-policy (for the tactics, drawing/exhibiting a firearm, or application of force), the CUOF receives an “Administrative Disapproval”.



Administrative Disapproval
of Categorical Uses of Force

COMPLAINTS ISSUED FOR ADMINISTRATIVE DISAPPROVAL

By the Numbers

- 22 Complaints Issued
- 26 Officers Involved*
- 7 SUSPENDED
- 10 OFFICIAL REPRIMANDS
- 1 RESIGNATION
- 1 TERMINATION
- 8 PENDING

*One officer is included in two separate complaints.

2020 COMPLAINT ALLEGATIONS BY TYPE

DISCOURTESY #1,357

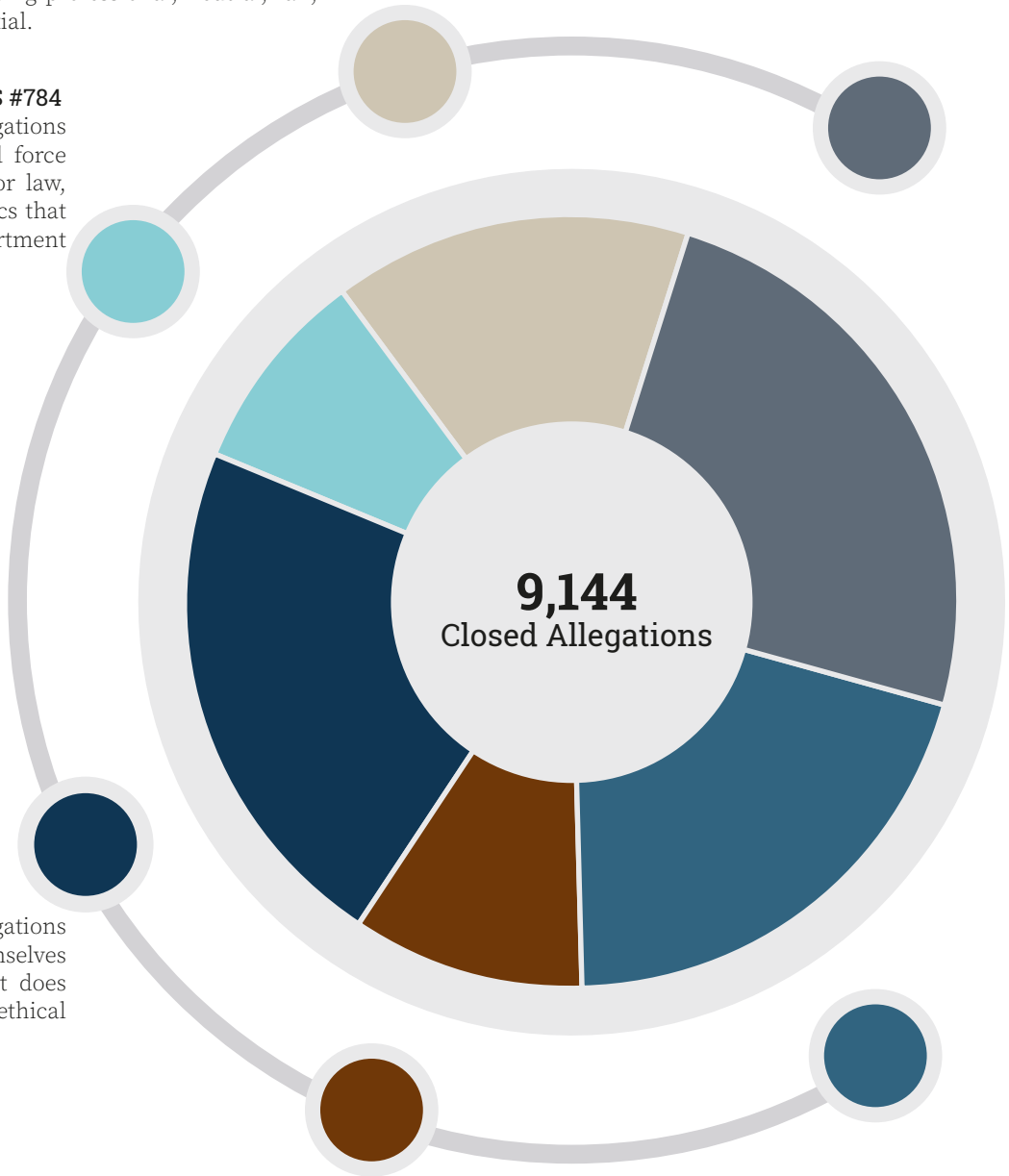
This category includes discourteous conduct or improper remarks. The Department expects all employees to demonstrate procedural justice, which requires being professional, neutral, fair, and impartial.

NEGLECT OF DUTY #2,246

Alleges the employee failed to act or perform a task when required to by law, policy, or procedure. An example of this allegation might include an officer failing to take a crime report for a victim.

UNAUTHORIZED FORCE/TACTICS #784

This category includes allegations that a Department employee used force that was unauthorized by policy or law, or performed an action using tactics that substantially deviated from Department training.



UNBECOMING CONDUCT #2,009

This category includes allegations that an employee conducted themselves in a manner, on- or off-duty, that does not comport with the highest ethical standards of the Department.

DETENTION/SEARCH VIOLATION #894

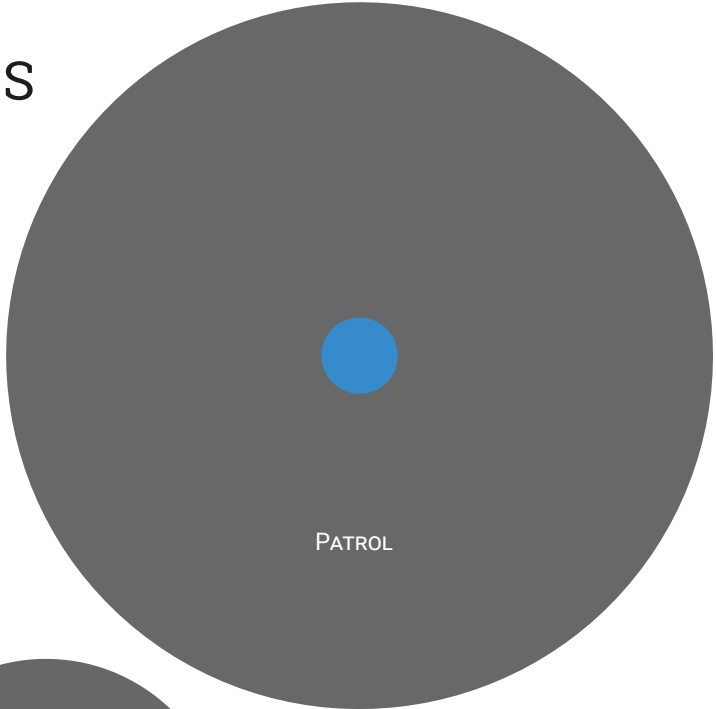
Allegations that an employee conducted an unlawful detention or unauthorized search. An example of this allegation includes a claim that an officer detained an individual without reasonable suspicion.

ALL OTHER ALLEGATIONS #1,854

Other allegations include those relating to alcohol abuse, domestic incidents, failure to qualify or attend a court appearance, causing a traffic collision, failing to activate Body Worn Video, or other policy violations.

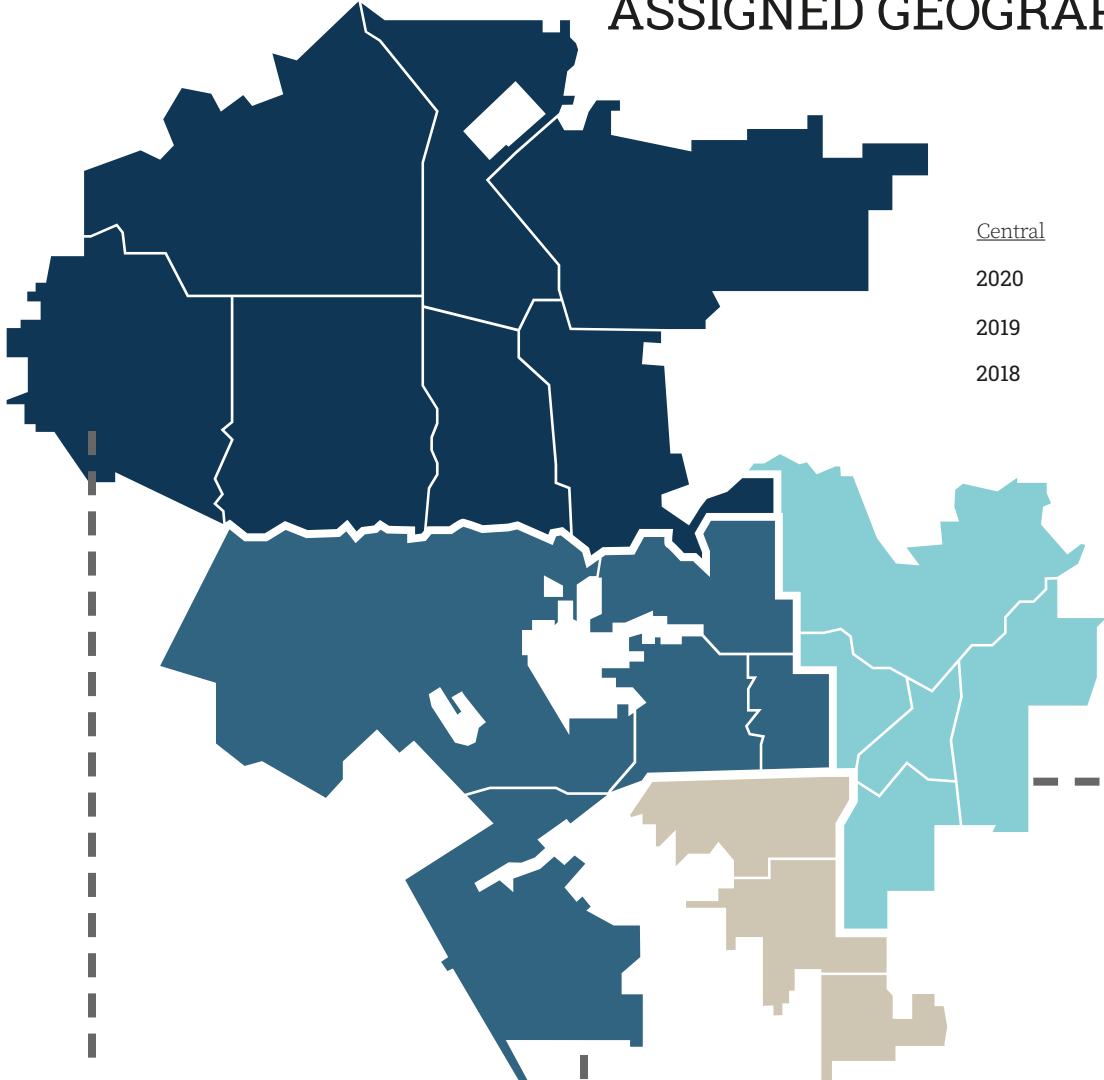
COMPLAINTS BY
ACCUSED EMPLOYEE'S
WORK FUNCTION

CLOSED (CL) VERSUS SUSTAINED (S)



	2020		2019		2018	
	CL	S	CL	S	CL	S
Patrol	1,535	166	1,586	180	1,417	212
Unknown	781	5	869	13	826	22
Administrative	449	61	519	105	419	85
Special Enforcement	314	23	368	39	367	38
Case Investigator	253	20	232	25	206	28
Traffic	183	11	171	22	140	16
Communications	51	8	76	23	52	11
Custody	41	12	43	13	37	15
Tech/Maintenance	13	6	4	3	21	10
Reserve Officer	10	1	11	1	5	1
	3,630	313	3,879	424	3,490	438

COMPLAINTS BY OFFICERS'
ASSIGNED GEOGRAPHIC BUREAU



<u>Central</u>	CL	S	%
2020	541	55	10.2%
2019	614	70	11.4%
2018	611	93	15.2%

<u>Valley</u>	CL	S	%
2020	494	63	12.7%
2019	554	89	16.1%
2018	436	74	17.0%

<u>West</u>	CL	S	%
2020	543	51	9.4%
2019	513	49	9.6%
2018	503	62	12.4%

<u>South</u>	CL	S	%
2020	568	58	10.2%
2019	570	57	10.0%
2018	472	71	15.0%

UNPRECEDENTED

A year like no other
Exploring the
challenging
time of 2020

SAFE L.A. MOBILIZATION
Complaint Task Force & Information on
Complainants and Allegations

CORONAVIRUS HEALTH MANDATES
Department Policy and Complaints
Related to Officer Deviations

2020

Tumultuous. A year that started with a once-a-century global pandemic was compounded by widespread protests—and at times, rioting and violence. To provide for public safety and protect the rights of peaceful protestors, the Department declared a mobilization of all sworn employees termed Safe L.A. During this mobilization, employees were switched to an “A/B” schedule of twelve-hour shifts with their days off cancelled.

The purpose of the mobilization was to ensure the Department had the resources needed to protect the First Amendment rights of protestors while maintaing public safety in the face of a few violent actors. Indeed, the Department facilitated marches, rallies, and mass gatherings by instituting street closures, ensuring counter-protestors did not become violent, and ensuring property in the community did not become damaged. To address the few individuals whose goal was to create havoc, the Department attempted to surgically address their criminal behavior to allow the peaceful and lawful protestors the opportunity to continue to express their voice. As the After Action Reports on this event stated, this was an unprecented challenge to confront. The Department accepted complaints related to actions taken during this mobilization, as well as for the force used by officers. While many of these complaints remain under investigation, an in-depth look into the process for investigating these allegations begins on page 22.

The pandemic resulted in a significant number of public health-related orders and restrictions. Despite the vast majority of businesses and City departments allowing employees to work remotely, the critical nature of public safety required Department personnel to continue in-person working. Even so, the Department prioritized the health and safety of its employees—and worked to ensure its personnel and the public were protected against unnecessary risk of exposure to COVID-19. In May of 2020, the Department required all employees to wear a face covering when their duties required contact with other employees or the public. This directive further reminded all supervisors that complaints from the public related to an employee failing to wear a face covering in public would be handled in the same manner as any other public complaint. The Notice also specified that reports of non-compliance would be investigated and subject to progressive discipline.

The chart to the right depicts the breakdown of how the complaints have been adjudicated. Reporting is done based on the number of complaints, rather than on the number of individuals. This is because some adjudicated complaints had different recommended adjudications among employees, and also because “non-Department employee” and “Insufficient Evidence to Adjudicate” complaints were unable to determine how many individuals/employees were involved. Insufficient Evidence to Adjudicate was used to adjudicate complaints when the Department exhausted all available resources but was not able to determine which, if any, Department employees were involved.

ADJUDICATION	# OF COMPLAINTS
Actions Could Have Been Different	55
Insufficient Evidence to Adjudicate	17
Alternative Complaint Resolution	9
No Misconduct	5
Unfounded	4
Policy/Procedure	2
Exonerated	2
Demonstrably False	1
Sustained - Admonishment	1
Non-Department Employee	1
Not Yet Adjudicated	18
Total	115



SAFE LA COMPLAINTS

Safe L.A. Complaint Task Force



The civil unrest resulted in an estimated \$167 million loss or damage to private property.

Approximately \$1.5 million in damages resulted to City property.

On June 7, 2020, the Commanding Officer, Professional Standards Bureau (PSB), established the SAFE LA Task Force (Task Force) in an effort to respond efficiently and promptly to personnel complaints generated as a result of the Department's response to these incidents Citywide.

The primary responsibilities of the Task Force are to identify any personnel complaints initiated as a result of the Department's response to the civil unrest, track all complaints and consolidate any duplicate complaints, and prioritize the order in which the investigations are conducted based on the severity of the allegations.

If the complaints involved allegations of force used, the Task Force determined whether or not the allegations meet the criteria for a Categorical Use of Force (CUOF) investigation.

Professional Standards Bureau conducted intakes on 509 complaints specific to these incidents through various reporting methods such as: the PSB complaint e-mail address, various social media outlets, the PSB complaint hotline, Claims

for Damages and Lawsuits, and in-person at a police station or in the field.

The Office of the Inspector General (OIG) received 2,850 complaints specific to these incidents. Of the 2,850 complaints, 2,575 of them were copies of a form letter that was posted to social media where a complainant requested that people make copies and mail them in.

The sources of complaints for all those initiated were: public complaints of involved parties, public complaints from third parties at scene, public complaints from third parties not at scene, Department-initiated, and Claims for Damages and lawsuits.

While many of the complaints received included multiple independent complainants due to highly publicized media footage, the total number of investigations verified by the Task Force after consolidation of the duplicates was 219 complaint investigations. Of those 219 complaints, 73 were Use of Force (UOF) related, with six (6) cases ultimately being identified as CUOF incidents.



There were 106 demonstration-related injuries to police officers and 97 assaults or batteries on officers. Five assaults were the attempted murder of a police officer.

Assignment and Classification of Allegations

The Task Force has been assigned 109 of the 219 cases. The Task Force was assigned cases that involved more serious allegations of misconduct, including but not limited to unauthorized force, detention violations, unauthorized tactics, and biased policing.

The Task Force also was assigned to investigate high-profile cases that have attracted media attention, cases involving command staff, and any other cases at the direction of the Department.

The allegation types for these complaints included: unauthorized force, neglect of duty, other policy/rule, Body Worn Video/Digital In-Car Video System violation, discourtesy, detention violation, unbecoming conduct, unauthorized tactics, biased policing, and a search violation.

The framing of the allegations may change throughout the investigation and additional allegations may follow as the investigation unfolds. The exact allegation types are formed in the final stages of each complaint investigation.

These preliminary allegation types are based on the complainant's statements at intake, in addition to any allegations framed by the Department as a result of the investigation itself.

Once the Task Force cases are formally closed out in the Complaint Management System (CMS), an updated and more accurate number of allegation types will be readily available. The number of preliminary allegation types can only be estimated based solely from information received at the time of the complaint intake.

SUMMARY OF ALLEGATIONS FROM CLOSED COMPLAINTS			
Unfounded	340	Insufficient Evidence to Adjudicate	151
Non-Disciplinary	111	No Department Employee	21
Demonstrably False	21	Sustained	15
Not Resolved	14	Exonerated	10
Duplicate	4	TOTAL	687

SAFE LA COMPLAINT INFORMATION

Majority of Complainants Were Not Local Residents

Approximately two-thirds of complainants were not City of Los Angeles residents. More than half were out-of-state (or state unknown). The following chart provides the complainant's area of residence (after consolidating duplicate complaints).

COMPLAINANT'S AREA OF RESIDENCE	NUMBER OF COMPLAINANTS
CITY OF LOS ANGELES	58
OTHER CALIFORNIA CITY	47
OTHER STATE/UNKNOWN	139

Employees Cited in Complaints Had Wide Range of Experience

Employees named in complaints had a wide variety of years of experience. The following chart provides the number of accused employees in each five-year (5) range of service history.

EMPLOYEE'S YEARS OF SERVICE	NUMBER OF EMPLOYEES
0-5 YEARS	54
6-10 YEARS	41
11-15 YEARS	59
16-20 YEARS	24
21-25 YEARS	25
25+ YEARS	20

Preliminary Type and Number of Allegations Made

TYPE OF ALLEGATION	TOTAL NUMBER OF ALLEGATIONS	PERCENTAGE OF ALL ALLEGATIONS
UNAUTHORIZED FORCE	209	29%
NEGLECT OF DUTY	143	19%
BWV/DICVS VIOLATION	79	11%
UNBECOMING CONDUCT	70	10%
DETENTION VIOLATION	53	7%
DISCOURTESY	52	7%
OTHER POLICY/RULE	51	6%
UNAUTHORIZED TACTICS	41	3%
BIASED POLICING	2`	1%
SEARCH VIOLATION	8	1%
TOTAL (AS OF Q1 2021)	727	100%

FACTS

**PROFESSIONAL STANDARDS BUREAU
2020 ANNUAL REVIEW**