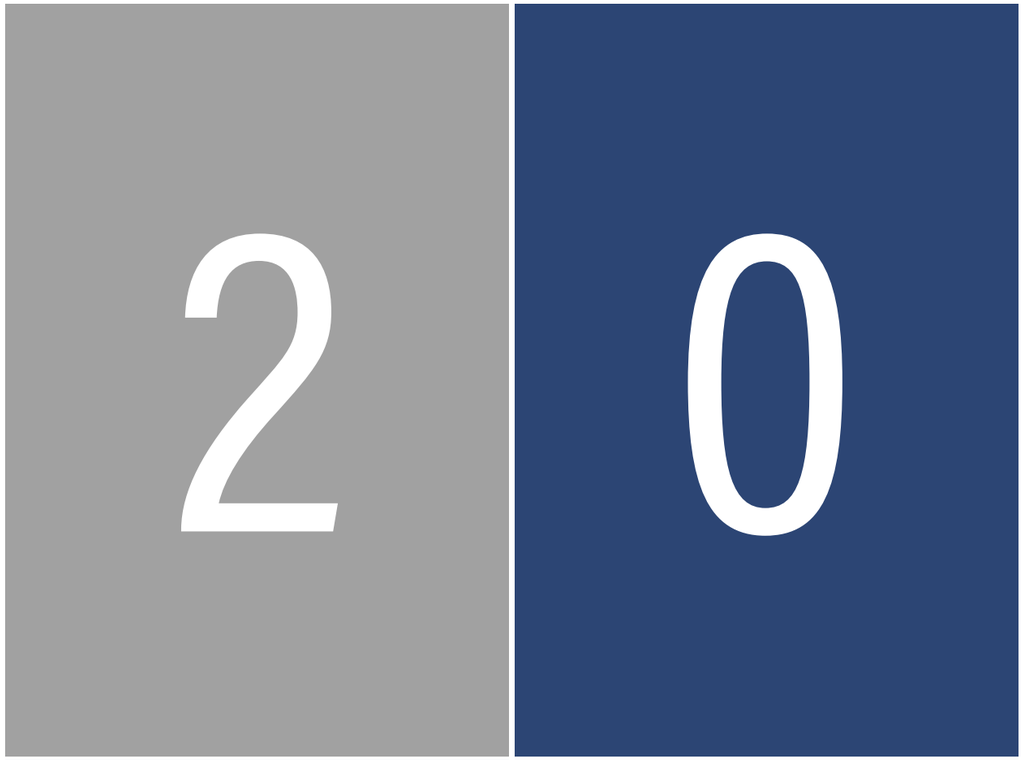
PROFESSIONAL STANDARDS BUREAU
ANNUAL REVIEW

'21



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FOREWORD

In 2021, the Department continued conversations about police reform and accountability in the backdrop of the civil unrest experienced in 2020. As part of this, the Department showed its commitment to being a 21st Century leader in policing.

Notably, Professional Standards Bureau (PSB) remains the critical entity within the Department to ensure that the community's concerns are investigated, and when appropriate, addressed with the involved employee.

Additionally, Professional Standards Bureau leads the thorough and intensive effort to investigate every aspect of Categorical Uses of Force by members of this Department, including those that occurred during last year's Safe L.A. civil unrest.

Combined, these investigations into the uses of force and community members' complaints provide critical accountability and ensure personnel meet the highest standards in the performance of their duties.

WHAT YOU WILL FIND IN THIS ANNUAL REVIEW

The Professional Standards Bureau 2021 Annual Review contains an explanation of the complaint process, important statistics about the quantity and source of complaints, demographics of officers and complainants, and an explanation of progressive discipline.

In keeping with the transparency offered in last year's 2020 PSB Annual Review, additional statistics are provided for topics of current concern. These include not only details on complaints for employees failing to wear face coverings as directed, but a thorough review of incidents associated with the Safe L.A. Mobilization of 2020. Indeed, 2021 provided the opportunity to 'close out' the final adjudications and penalties for the vast majority of these 2020 incidents.

Also provided are important statistics and information about the Department's Biased Policing Mediation Program, as well as the use of Body-Worn Video or Digital In-Car Video to assist in the adjudication of complaints.

Lastly, a summary on the Board of Rights disciplinary process is included, along with complete statistics on all Boards of Rights presented in 2021. To assist readers with context of board compositions, the chart also specifies if the Board was opted or directed and whether it was comprised of all-civilian hearing examiners or a traditional panel (two sworn command staff and one civilian examiner).

COMPLAINT PROCESS: A BRIEF INTRODUCTION

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 (PSB).

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.

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.

Even if the complaint is resolved to the complainant's satisfaction, the complaint is still recorded, investigated, and classified as depicted on the following page. The supervisor forwards the documentation of the complaint and preliminary investigation to the watch commander or officer-in-charge of the unit 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 PSB's Internal Affairs Division (IAD).

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.

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.

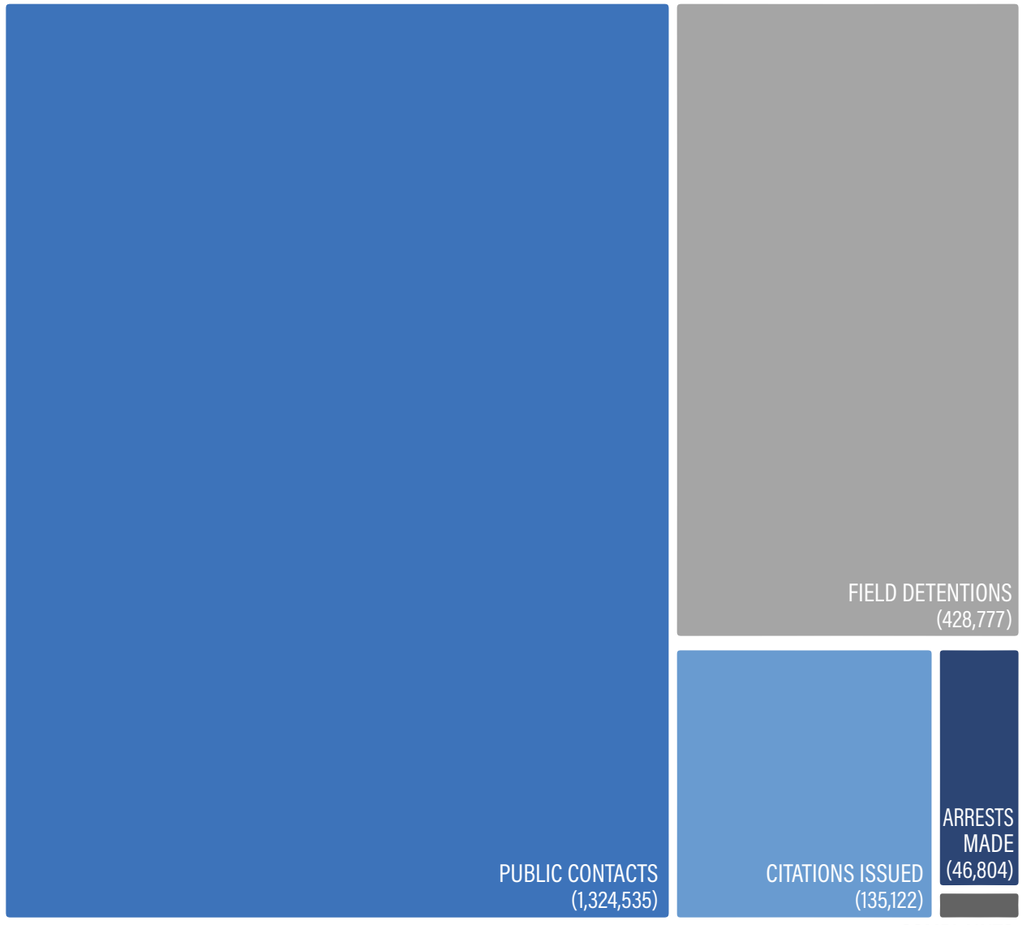
The commanding officer summarizes the investigation and provides his or her recommended findings to the bureau chief and Professional Standards Bureau. The bureau chief may recommend findings different than those recommended by the commanding officer.

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.

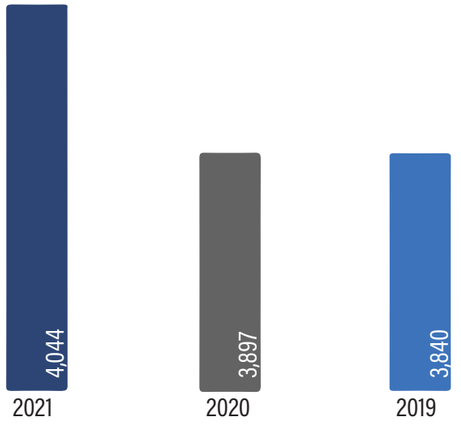
A Board of Rights can impose suspension days greater than 22 days and remove an officer from employment.



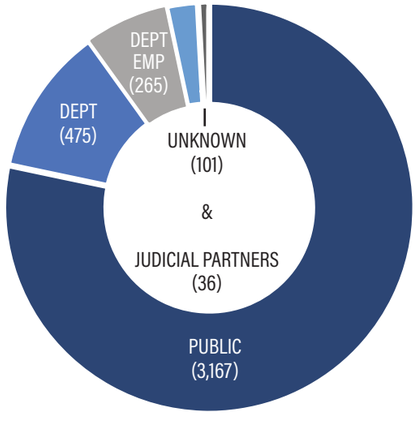
The infographic above depicts the relative proportion of the Department's interactions with community members and the number of complaints that result.

The below charts depict (1) the trend in the numbers of complaints by year; and, (2) the sources of 2021 complaints.

TOTAL COMPLAINTS BY YEAR



COMPLAINTS BY SOURCE IN 2021



DISCIPLINARY DEMOGRAPHICS FOR COMPLAINANTS AND ACCUSED EMPLOYEES

TRANSPARENCY. CONTINUED.

The Department is continuing to release the demographics, by stated race and gender, of all public complainants for 2021.

Demographic statistics for employees with sustained complaints are also provided, by their identified gender and race on the Department's personnel roster.

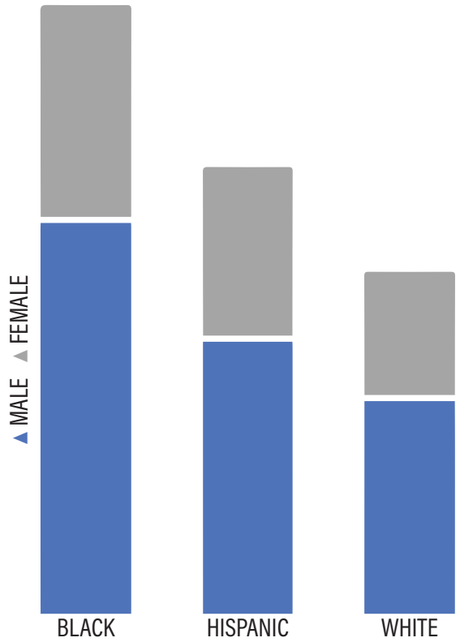
Importantly, the employee's race and gender are included when the employee was identified during the course of the investigation.

NOTE: In the charts that follow, blue sections of the column represent males and gray sections represent females.

Additionally, the employee's type of assignment is included for sustained complaints.

The statistics in this section represent the totals for all complaints closed in 2021.

The Safe L.A. featured article includes demographic data on complainants that are unique to that specific occurrence.

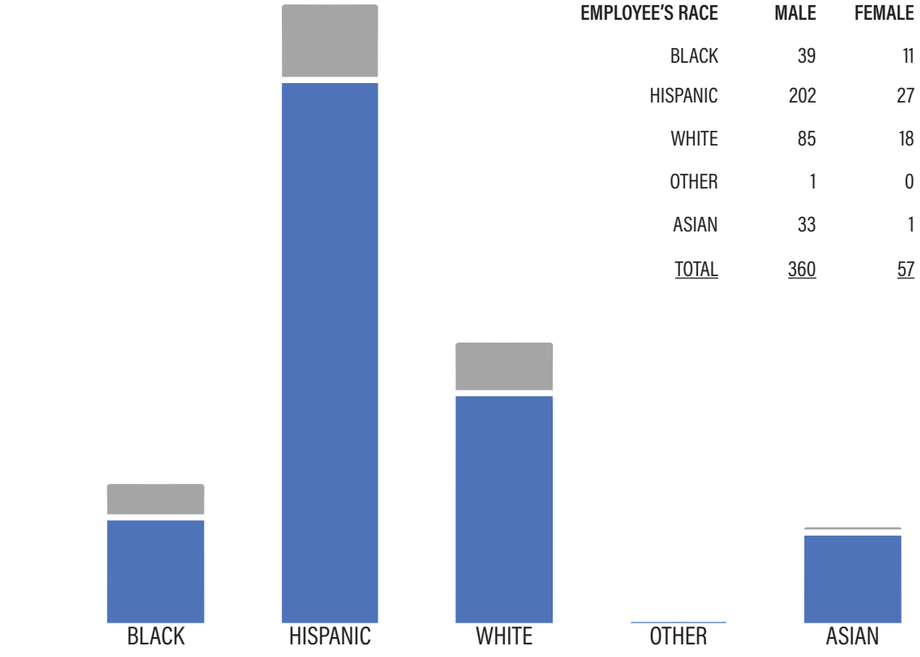


RACE & GENDER FOR PUBLIC COMPLAINANTS IN 2021

COMPLAINANT'S STATED RACE	MALE	FEMALE	TOTAL
BLACK	660	357	1,017
HISPANIC	460	284	744
WHITE	360	207	567
OTHER	75	34	109
ASIAN	39	44	83
TOTAL	1,594	926	2,520

RACE & GENDER FOR EMPLOYEES WITH SUSTAINED COMPLAINTS IN 2021

EMPLOYEE'S RACE	MALE	FEMALE	TOTAL
BLACK	39	11	50
HISPANIC	202	27	229
WHITE	85	18	103
OTHER	1	0	1
ASIAN	33	1	34
TOTAL	360	57	417



SUSTAINED COMPLAINTS BY THE ACCUSED EMPLOYEE'S WORK FUNCTION

NUMBER OF EMPLOYEES BY WORK FUNCTION	2021	2020	2019
PATROL	202	166	180
ADMINISTRATIVE	82	61	105
SPECIALIZED ENFORCEMENT	28	23	39
CASE-CARRYING INVESTIGATOR	19	20	25
TRAFFIC	9	12	22
COMMUNICATIONS	7	8	23
CUSTODY	12	12	13
UNASSIGNED/UNKNOWN	14	5	13
TECHNICAL SERVICE MAINTENANCE	2	6	3
RESERVE POLICE OFFICER	0	1	1
TOTALS	**375**	**314**	**424**

*UNASSIGNED/UNKNOWN IS USED WHEN THE DEPARTMENT'S DEPLOYMENT ROSTER DOES NOT CONTAIN A RECOGNIZED WORK FUNCTION, SUCH AS WHEN THE EMPLOYEE WAS NOT IDENTIFIED DURING THE INVESTIGATION OR HAS SEPARATED FROM THE DEPARTMENT.

INVESTIGATIONS BY CHAIN OF COMMAND & INTERNAL AFFAIRS DIVISION

Every complaint goes through multiple levels of review as it passes through the stages of the complaint process. The Complaint Classification Section (CCS), Professional Standards Bureau, conducts the first review after the complaint is generated. Personnel from CCS are responsible for reading the summary of initial investigation done at complaint intake, conducting supplemental preliminary investigation—if necessary—and assigning the complaint to the employee's Chain-of-Command (COC) or Internal Affairs Division (IAD) for investigation.

Complaints tasked for COC investigations are subject to the same standards as those assigned to IAD. While investigators assigned to IAD have the opportunity to receive specific and additional training related to complaint investigations, all supervisors must ensure the content of their investigations meets the rigorous level expected of Department work products.

PROGRESSIVE DISCIPLINE

PROGRESSIVE DISCIPLINE EXEMPLIFIES CORE VALUES

The Department is committed to demonstrating its core values, such as Respect for People and Quality Through Continuous Improvement, through the discipline process.

Professional Standards Bureau fulfills a critical role in that process by facilitating the complaint process—allowing the Department to identify any instances where personnel may have fallen short of the organization's high expectations.

The complaint system anchors the mechanism for imposing progressive discipline.

WHAT IS PROGRESSIVE DISCIPLINE?

Progressive Discipline is a concept of using escalating actions to correct employee behavior. In other words, a first offense merits a punishment that is less severe than a secondary offense.

The starting point, however, depends on the seriousness of the transgression and the likelihood of achieving the desired behavior modification at any given punishment.

For allegations of misconduct that are Sustained, Progressive Discipline is incorporated through the penalty recommendation contained in the Letter of Transmittal.

When recommending any given penalty, commanding officers are guided by the Department's Penalty Guide—a document providing ranges of punishment for specific allegations.

The Penalty Guide explicitly provides distinct ranges based on patterns of behavior; that is, a first offense has a lower range than a second offense.

A complaint may also contain allegations concerning behavior that is not ideal but is also not definitively misconduct.

In this instance, a commanding officer may recommend classifying the complaint as Non-Disciplinary with an adjudication of Actions Could Have Been Different.

This adjudication affords the commanding officer the ability to provide corrective action directly within their command, including:

- Counseling;
- Training;
- Employee Comment Sheet (Comment Card), Form 01.77.00;
- Notice to Correct Deficiencies, (City) Form General 78; or,
- Referral (e.g., to Behavioral Sciences Section or Office of the Ombuds).

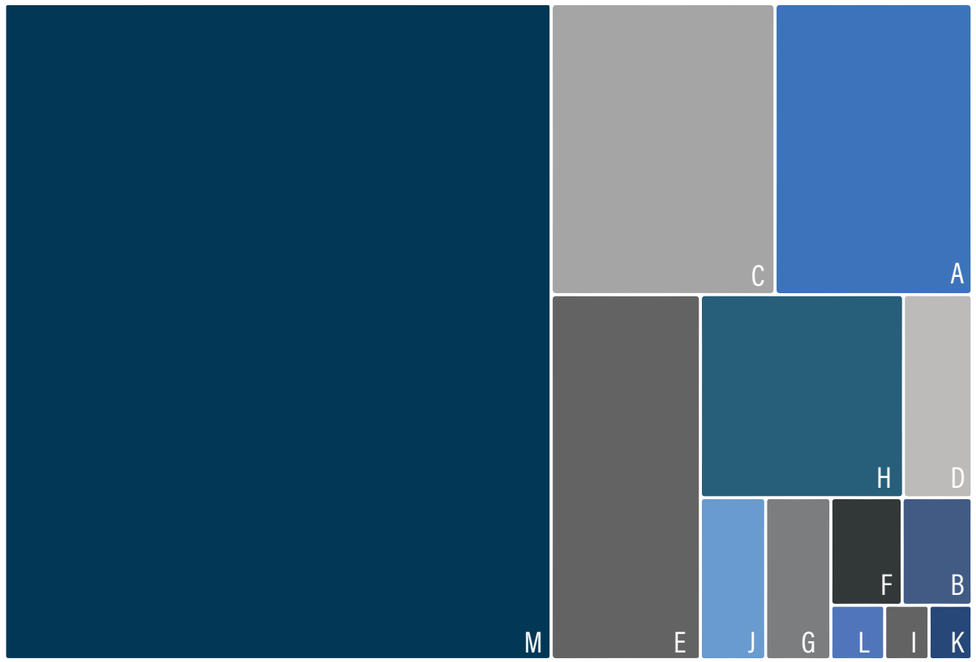
In 2021, the Department saw an increase in adjudications of Actions Could Have Been Different.

Allegations framed for failing to wear a face covering comprise a significant part of that increase, and reflect a training-led effort to ensure compliance with ever-changing public health guidance.

NON-SUSTAINED COMPLAINT ALLEGATION ADJUDICATIONS

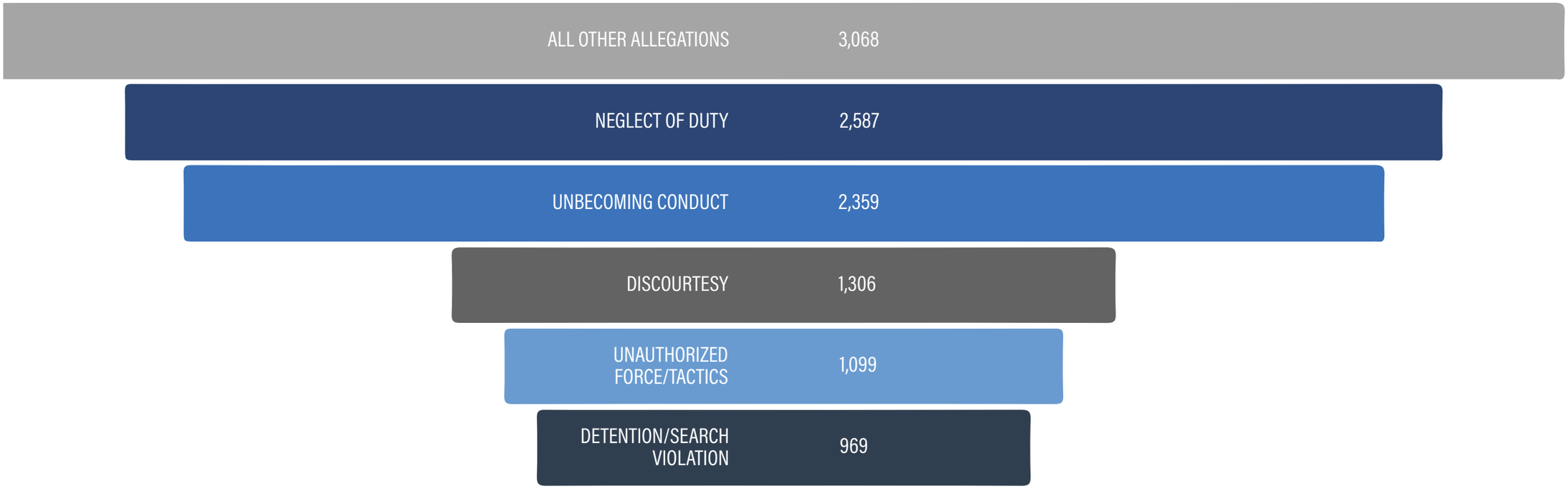
The following chart depicts the adjudication of allegations for complaints closed in the corresponding year that were other than sustained.

NON-SUSTAINED ALLEGATION ADJUDICATION	2021	2020	2019	2018
A. ACTIONS COULD HAVE BEEN DIFFERENT	958	527	684	578
B. ALTERNATIVE COMPLAINT RESOLUTION (ACR)	125	154	122	157
C. DEMONSTRABLY FALSE	1,089	1,143	1,402	736
D. EXONERATED	232	249	349	281
E. INSUFFICIENT EVIDENCE TO ADJUDICATE	910	493	561	468
F. MEDIATED	128	97	69	54
G. NO DEPARTMENT EMPLOYEE	175	163	189	176
H. NO MISCONDUCT	688	692	590	659
I. NOT GUILTY	41	24	22	38
J. NOT RESOLVED	176	153	252	207
K. OUT OF STATUTE	39	7	44	12
L. POLICY OR PROCEDURE	49	41	46	51
M. UNFOUNDED	5,993	4,760	4,453	4,110
TOTAL	**10,603**	**8,503**	**8,783**	**7,527**



VISUALIZATION OF 2021 NON-SUSTAINED ADJUDICATIONS

COMPLAINT ALLEGATIONS BY TYPE



NEGLECT OF DUTY

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.

DISCOURTESY

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

UNAUTHORIZED FORCE OR TACTICS

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

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 OR SEARCH VIOLATION

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

Other allegations in 2021 include those relating to:

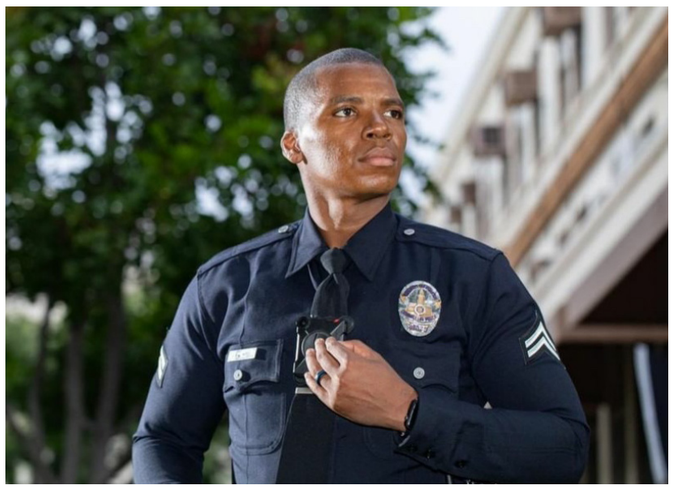
- Alcohol abuse;
- Domestic incidents;
- Failure to qualify or attend a court appearance;
- Causing an on-duty traffic collision;
- Failing to activate Body-Worn Video; or,
- Other policy violations.

BODY-WORN VIDEO IN THE LOS ANGELES POLICE DEPARTMENT

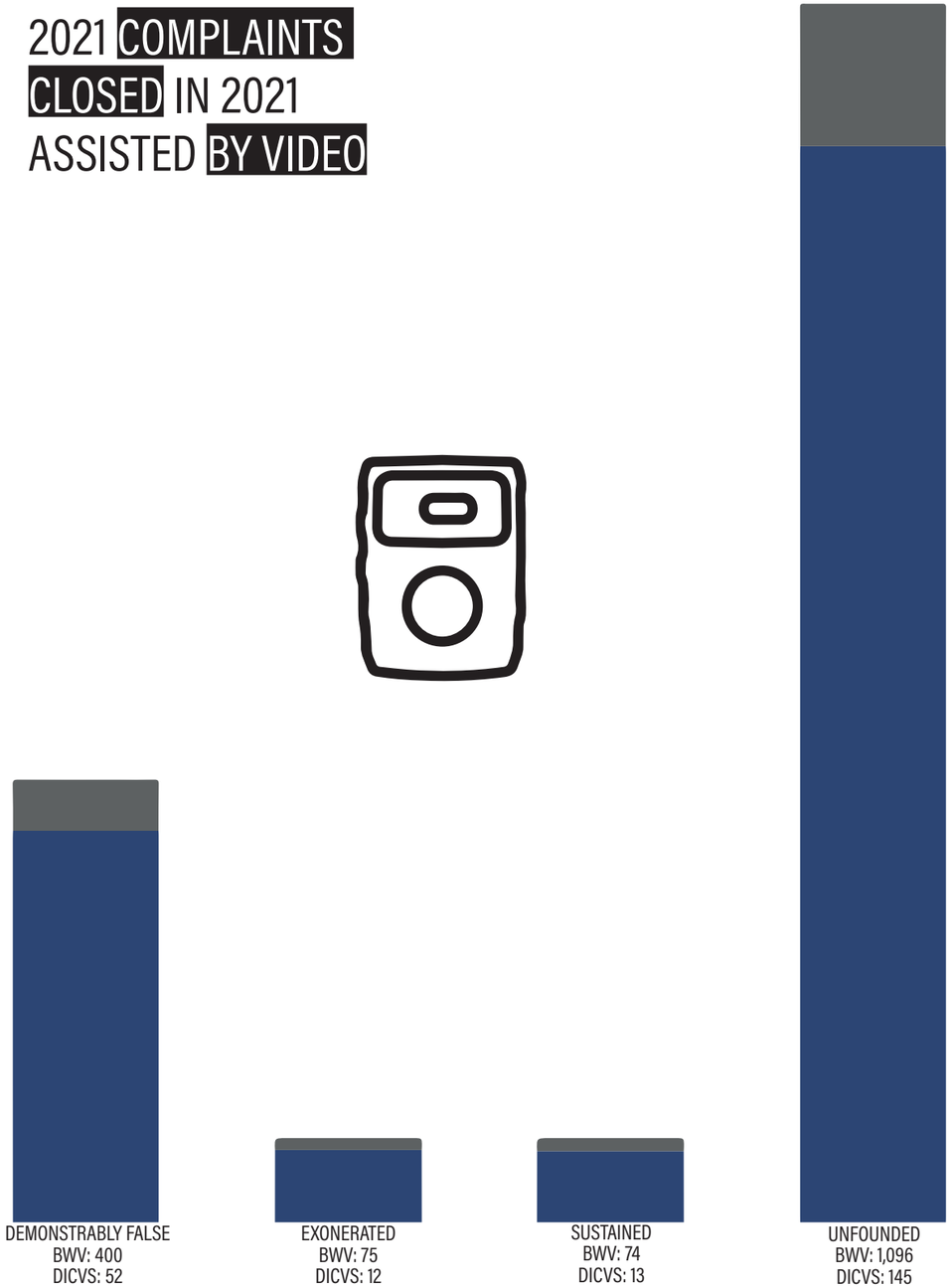
AS AN ACCOUNTABILITY MEASURE. AND AN OBJECT FOR ACCOUNTABILITY.

The Department's wide-scale implementation of Body-Worn Video (BWV) and the Digital In-Car Video System (DICVS) serves as a strong accountability metric to the public. Video evidence provides an objective view of an incident that the community can trust to impartially assist in allegations of misconduct. The Department also relies on this video evidence to adjudicate complaints, including those closed as Demonstrably False -- or when the alleged actions were disproved through the use of video.

As Body-Worn Video is incredibly important to providing accountability, the Department also expects its officers to be accountable in activating the device as required by policy. Officers are subject to regular and frequent inspections as well as audit of their BWV activations. When deviations from policy are discovered, officers are subject to progressive discipline for failing to abide by Body-Worn Video policy.



2021 COMPLAINTS CLOSED IN 2021 ASSISTED BY VIDEO



BIASED POLICING COMPLAINTS

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 third 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 51 complaint mediations in 2021, covering 95 allegations.

Like many organizations, staffing shortages—both internally and externally—have impacted the number of mediations that were able to be conducted.

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.

Additionally, Professional Standards Bureau is providing online refresher training to all Department supervisors for conducting Alternative Complaint Resolutions for Biased Policing complaints. This process provides an additional option for the community member/complainant to obtain immediate resolution for their concern.

ADJUDICATIONS OF BIASED POLICING COMPLAINT ALLEGATIONS

Included in the chart below are the adjudications of the Biased Policing allegations closed in 2021. Importantly, the dispositions specified below refer only to the Biased Policing allegation(s) in a complaint.

When an investigation determines that an allegation for Biased Policing may contain an element of Discourtesy or Unbecoming Conduct, for example, these additional allegations are added and may be sustained.

For the Biased Policing allegations depicted below, the dispositions have the following meanings:

Unfounded: By a preponderance of the evidence, the allegation of Biased Policing did not occur.

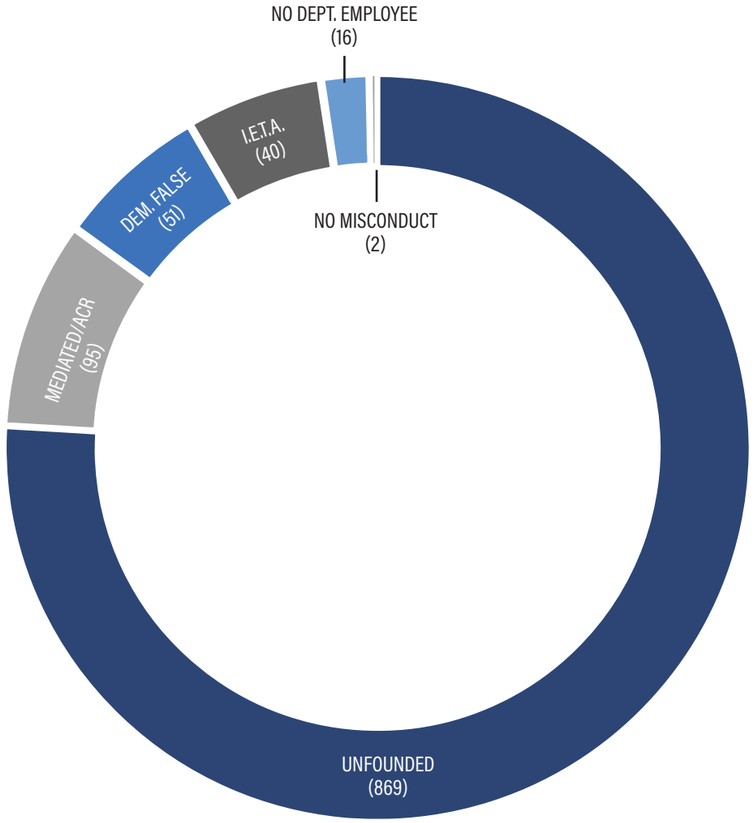
Mediated/ACR: The complainant and officer agreed to mediate the complaint or use Alternative Complaint Resolution (ACR) procedures to resolve the concern.

Demonstrably False (Dem. False): The investigation, often aided by video evidence, demonstrably disproves the allegations.

Insufficient Evidence to Adjudicate (I.E.T.A.): The investigation did not yield enough evidence to otherwise adjudicate the allegation. This may also occur when the allegation is against an officer that was unable to be identified.

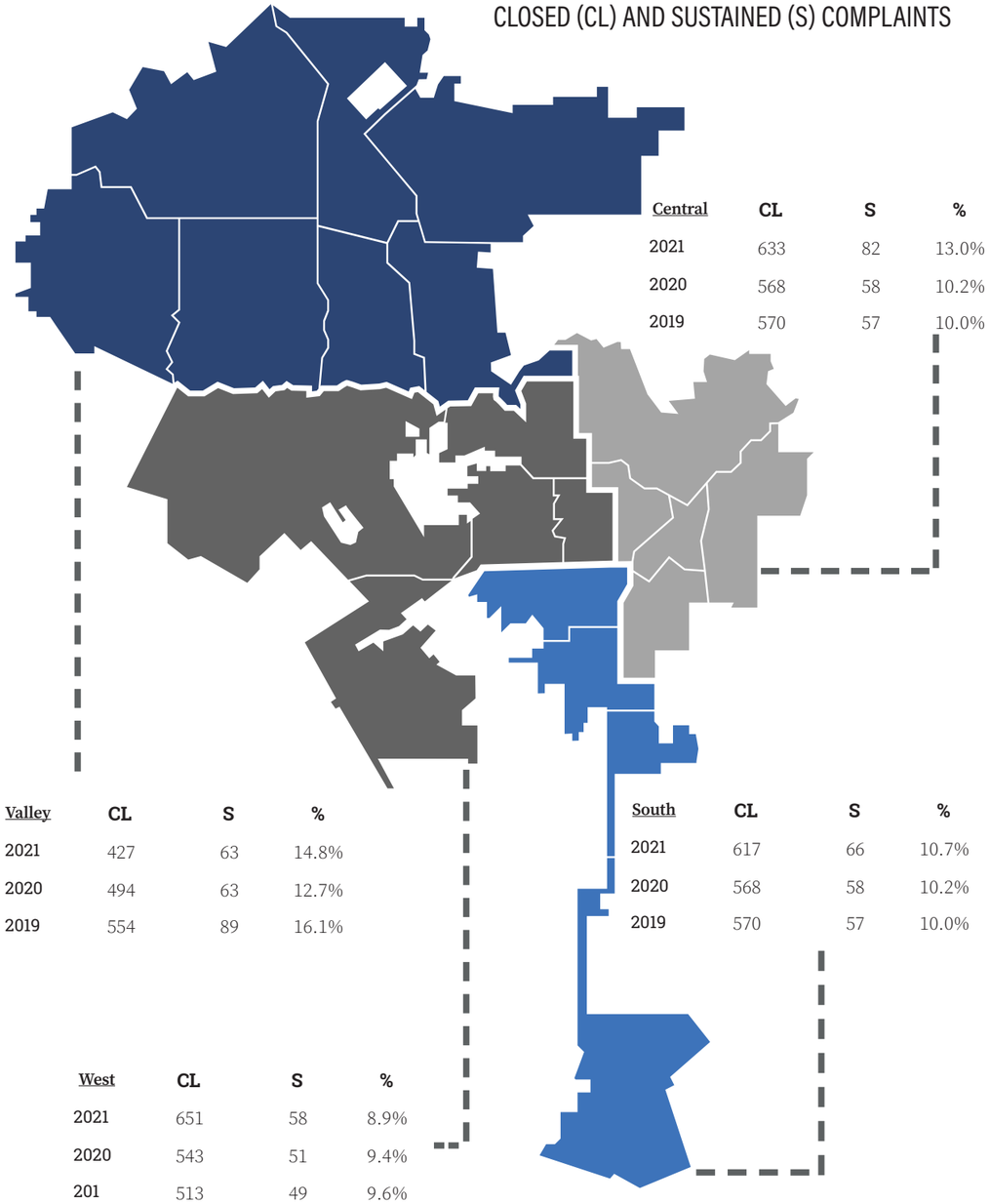
No Department Employee: The accused individual is not an employee of the Los Angeles Police Department.

No Misconduct: The action in the allegation occurred, but did not rise to the level of misconduct.



2021 GEOGRAPHIC BUREAU OF ASSIGNMENT

CLOSED (CL) AND SUSTAINED (S) COMPLAINTS



Central	CL	S	%
2021	633	82	13.0%
2020	568	58	10.2%
2019	570	57	10.0%

Valley	CL	S	%
2021	427	63	14.8%
2020	494	63	12.7%
2019	554	89	16.1%

South	CL	S	%
2021	617	66	10.7%
2020	568	58	10.2%
2019	570	57	10.0%

West	CL	S	%
2021	651	58	8.9%
2020	543	51	9.4%
201	513	49	9.6%

For the employees belonging to geographic bureaus, within the Office of Operations, the percentage of sustained complaints relative to closed complaints is given to assist readers in understanding the frequency with which complaints contain allegations that were proven to occur.

COVID-19 FACE COVERING COMPLAINTS

FAILING TO WEAR FACIAL COVERINGS AS REQUIRED

The Department continued to prioritize the health and safety of the community and its personnel during the COVID-19 pandemic. As such, in 2021, the Department maintained a requirement to wear a facial covering to minimize the spread of the respiratory virus.

Consistent with the Department's commitment to Quality Through Continuous Improvement, employees who failed to wear a facial covering remained subject to a complaint and the progressive discipline process.

Complaints for failing to wear a face covering were both accepted from members of the public and initiated by the Department during customary reviews of critical incidents.

The chart to the right depicts the adjudication of complaints with face covering failure allegations in 2021. Reporting is done based on the number of complaints, rather than on the number of individuals involved in each complaint.

ADJUDICATION	NUMBER OF COMPLAINTS WITH THIS ADJUDICATION
ACTIONS COULD HAVE BEEN DIFFERENT	70
ALTERNATIVE COMPLAINT RESOLUTION	10
DEMONSTRABLY FALSE	5
DUPLICATE	4
EXONERATED	4
INSUFFICIENT EVIDENCE TO ADJUDICATE	19
NO DEPARTMENT EMPLOYEE	3
NO MISCONDUCT	22
NOT RESOLVED	1
POLICY/PROCEDURE	1
SUSTAINED	1
UNFOUNDED	13
TOTAL	**153**

SAFE L.A. MOBILIZATION: RESULTS OF COMPLAINT & FORCE INVESTIGATIONS

BACKGROUND

Between May 30, 2020, and June 10, 2020, the Los Angeles Police Department (Department) was mobilized in response to civil unrest that took place in the City of Los Angeles, after the arrest and death of Mr. George Floyd in Minneapolis, Minnesota.

On June 7, 2020, the Commanding Officer, Professional Standards Bureau (PSB), established the SAFE L.A. 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 total number of investigations verified by the Task Force, after consolidation of the duplicates, was 222 complaint investigations.

Although the Safe L.A. civil unrest concluded in June of 2020, the Department initiated complaint investigations throughout 2021 as Claims for Damages or Lawsuits were filed regarding the event.

SAFE L.A. TASK FORCE CRITERIA - ASSIGNMENT OF INVESTIGATIONS

The Task Force was assigned cases that involved more serious allegations of misconduct, including but not limited to Unauthorized Force, Detention Violation, Unauthorized Tactics, and Biased Policing. The Task Force also was assigned to investigate high-profile cases that have attracted media attention and any other cases at the direction of the Department.

Cases that involve less serious allegations of misconduct, including but not limited to discourtesy, improper remarks, neglect of duty and unbecoming conduct were assigned to non-Task Force PSB investigators and, in six instances, Office of the Inspector General investigators.

NOTE: The charts that follow include <u>all</u> Safe L.A. investigations conducted both by the Task Force and non-Task Force investigators.

TYPES OF ALLEGATIONS MADE IN SAFE L.A. COMPLAINTS

The following chart depicts the number of each type of allegation contained in the closed Safe L.A.-related complaints, as recorded as of January 18, 2022.

SAFE L.A. ALLEGATION TYPES	NUMBER OF ALLEGATIONS	PERCENTAGE OF ALLEGATIONS
BIASED POLICING	23	3.23%
BODY-WORN VIDEO/IN-CAR VIDEO VIOLATION	66	9.27%
DETENTION VIOLATION	53	7.44%
DISCOURTESY	50	7.02%
FALSE STATEMENTS	1	0.14%
FINANCIAL DISHONESTY	2	0.28%
NEGLECT OF DUTY	134	18.82%
OTHER POLICY/RULE	51	7.16%
SEARCH VIOLATION	8	1.12%
SEXUAL MISCONDUCT	4	0.56%
SHOOTING VIOLATION	1	0.14%
UNAUTHORIZED FORCE/TACTICS	250	35.11%
UNBECOMING CONDUCT	68	9.55%
UNEQUAL TREATMENT - WORKPLACE	1	0.14%
TOTAL	**712**	**100%**

SUSTAINED SAFE L.A. COMPLAINTS AND IMPOSED PENALTIES

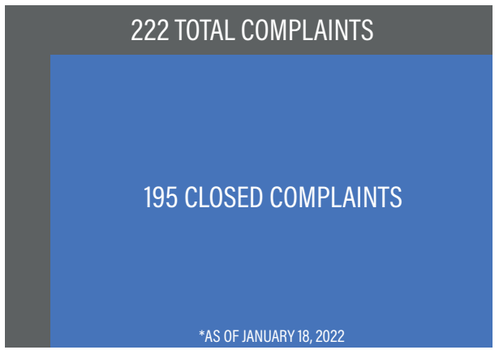
The following chart depicts the Safe L.A. complaints that were sustained, along with the allegations contained within, and the penalties imposed on the officer. Data is as of January 18, 2022.

INVESTIGATION	ALLEGATION TYPE	PENALTIES
CASE A	BODY-WORN/DIGITAL IN-CAR VIDEO VIOLATION	OFFICIAL REPRIMAND
CASE B	BODY-WORN/DIGITAL IN-CAR VIDEO VIOLATION	SUSPENSION - 3 DAYS
	BODY-WORN/DIGITAL IN-CAR VIDEO VIOLATION	
CASE C	BODY-WORN/DIGITAL IN-CAR VIDEO VIOLATION	OFFICIAL REPRIMAND
CASE D	NEGLECT OF DUTY	UNABLE TO IMPOSE PENALTY
CASE E	NEGLECT OF DUTY	ADMONISHMENT
CASE F	NEGLECT OF DUTY	UNABLE TO IMPOSE PENALTY
CASE G	BODY-WORN/DIGITAL IN-CAR VIDEO VIOLATION	SUSPENSION - 3 DAYS
CASE H	SHOOTING VIOLATION	OFFICIAL REPRIMAND
CASE I	BODY-WORN/DIGITAL IN-CAR VIDEO VIOLATION	OFFICIAL REPRIMAND

Unable to Impose Penalty occurs when an employee separates from the Department before the penalty can be imposed.

DISPOSITIONS OF SAFE L.A. COMPLAINTS

DISPOSITION	NUMBER OF DISPOSITIONS
ACTIONS COULD HAVE BEEN DIFFERENT	63
DEMONSTRABLY FALSE	22
DUPLICATE	4
EXONERATED	11
INSUFFICIENT EVIDENCE TO ADJUDICATE	192
NO DEPARTMENT EMPLOYEE	23
NO MISCONDUCT	35
NOT RESOLVED	14
POLICY/PROCEDURE	7
SUSTAINED	10
UNFOUNDED	331
TOTAL	**712**



DEMOGRAPHICS OF SAFE L.A. COMPLAINANTS

	FEMALE	MALE	NON-BINARY	TOTAL
ASIAN	2	3	-	5
BLACK	10	15	-	25
HISPANIC	14	18	-	32
OTHER/ UNKNOWN	26	25	-	51
WHITE	19	33	1	53
TOTAL	**71**	**94**	**1**	**166**

ADJUDICATION PROCESS

In an effort to promote consistency and accountability, PSB established and appointed two Adjudication Teams for the Task Force complaint investigations. Each team consisted of one commander and two captains. If the accused employees were "unknown," the cases were sent directly to PSB for close-out. If the officers were identified, the employee's command was notified, and the employee was served with the Complaint Adjudication Form.

If a complaint was sustained, each team was responsible for notification of the allegation type(s) and recommendation to the involved employee's command. All cases were then sent to PSB for final review and close-out. The final review by PSB may include concurrence and approval with recommended adjudication classifications, military endorsement of recommended adjudication classifications, or a request for supplemental investigations.

The Office of the Inspector General (OIG) had full access to these investigations and has been monitoring both the investigations and the adjudications. If the OIG identified the need for additional investigation, that additional work was completed prior to the adjudication or closing of the case.

After the close-out of each complaint investigation, a reply letter was mailed to each identified complainant with the disposition of their allegation(s) and whom they may contact if they had any further questions or concerns.

CATEGORICAL USE OF FORCE INVESTIGATIONS

Immediately upon the determination that any of the complaint allegations meet the criteria for a Categorical Use of Force (CUOF), the investigation was assigned to Force Investigation Division (FID). All CUOF investigations were investigated and adjudicated in accordance with the Department's established procedures. Listed below is a brief synopsis of each CUOF investigation identified by the Task Force and investigated by FID.

Initially, there were six FID investigations. During two of the investigations, FID was unable to substantiate that a UOF occurred, and the Board of Police Commissioners (BOPC) was presented with a formal request to cancel the investigation. The below section provides the adjudication recommendation of each of the remaining four CUOF incidents.

CATEGORICAL USES OF FORCE: CIRCUMSTANCES AND RECOMMENDED ADJUDICATIONS

FID CASE NO. F022-20, Officer – Involved Shooting – No Hit. On May 30, 2020, officers were positioned on a skirmish line on 6th Street and Broadway in downtown Los Angeles. The suspect drove his vehicle toward the officers. One officer fired a 40-millimeter Less Lethal Munition (LLM) at the suspect, penetrating the front passenger window. The suspect continued to drive toward the officers in the skirmish line and one officer fired one round from his pistol, in the direction of the suspect. The suspect was not struck by gunfire or the 40-millimeter round. No officers were injured. This Lethal Use of Force resulted in an Administrative Disapproval by the Board of Police Commissioners. The Department initiated a personnel complaint and recommended an adjudication of Sustained with an Official Reprimand.

FID CASE NO. F028-20, Law Enforcement Related Injury (LERI). On May 30, 2020, officers were assigned to a Mobile Field Force (MFF) and assigned to the intersection of Beverly Boulevard and the Grove Drive. Officers used bean bag shotgun LLMs and 40-millimeter LLMs to disperse protesters, and a male and a female were struck in the head with LLMs. The male was admitted to Cedars-Sinai Medical Center for an injury to his head. The use of the LLMs received an Administrative Disapproval by the Board of Police Commissioners. The Department initiated a personnel complaint and recommended an adjudication of Sustained with an Official Reprimand penalty.

FID CASE NO. F029-20, LERI. On May 30, 2020, officers were assigned to a MFF in the intersection of 3rd Street and Edinburgh Avenue. The suspect pushed and kicked an officer, causing him to fall on his back and become injured. Another officer deployed a 40-millimeter LLM at the suspect and struck him in the groin area. The suspect was admitted to Cedars-Sinai Medical Center for an injury to his groin. The use of the 40-millimeter LLM was found to be In Policy.

FID CASE NO. F037-20, LERI. On June 2, 2020, Southwest and 77th Street Area officers were assigned to a MFF in Hollywood Area. On June 11, 2020, the Los Angeles Times published an article claiming a male had been struck in the testicles by a "rubber bullet" and was admitted to St. Joseph's Medical Center. The use of the 40-millimeter LLM received an Administrative Disapproval by the Board of Police Commissioners. The Department initiated a personnel complaint and recommended an adjudication of Sustained with an Admonishment penalty.

BOARD OF RIGHTS HEARINGS / RESULTS

The Board of Rights (BOR/Board) 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 selected through a screendown process. 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 Chief of Police 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 Chief of Police 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.

2021 BOARD OF RIGHTS HEARING RESULTS

ALLEGATION(S)	TYPE	PANEL	CHIEF'S REC.	FINAL DECISION
False Statements	Directed	Civilian	BOR	Removal
Unauthorized Force/Tactics, Misleading Statements	Directed	Civilian	BOR	Removal
Neglect of Duty	Directed	Trad.	BOR	12 Days
Unbecoming Conduct	Directed	Civilian	BOR	Removal
Neglect of Duty	Directed	Civilian	BOR	10 Days
Other Policy/Rule	Directed	Civilian	BOR	22 Days
False Statements, Insubordination	Directed	Civilian	BOR	45 Days
Narcotics/Drugs	Directed	Civilian	BOR	Removal
Driving While Impaired	Directed	Civilian	BOR	22 Days
Unbecoming Conduct	Directed	Civilian	BOR	Not Guilty
Domestic Incident	Directed	Trad.	BOR	5 Days
Unbecoming Conduct	Directed	Civilian	BOR	Not Guilty
Neglect of Duty, BWV/DICVS Violation, False Statements	Directed	Civilian	BOR	65 Days
Unbecoming Conduct, Neglect of Duty, False Statement	Directed	Civilian	BOR	Removal
Unbecoming Conduct	Directed	Civilian	BOR	10 Days
Other Policy/Rule, Insubordination	Directed	Civilian	BOR	Admonishment
Discourtesy	Directed	Civilian	BOR	Not Guilty
Unbecoming Conduct	Directed	Civilian	BOR	6 Days
Neglect of Duty, Unbecoming Conduct	Directed	Civilian	BOR	65 Days
Improper Remark	Directed	Civilian	BOR	55 Days
Unbecoming Conduct	Directed	Trad.	BOR	Removal
Narcotics/Drugs, False Statements, Financial Dishonesty	Directed	Civilian	BOR	Removal
Neglect of Duty, False Statements, Unbecoming Conduct	Directed	Civilian	BOR	Removal
Unbecoming Conduct	Directed	Trad.	BOR	65 Days
Other Policy/Rule	Directed	Civilian	BOR	Removal
False Statements	Directed	Civilian	BOR	60 Days
Sexual Misconduct	Opted	Civilian	10 Days	3 Days
Neglect of Duty	Opted	Civilian	10 Days	Not Guilty
Neglect of Duty	Opted	Civilian	10 Days	8 Days
Detrimental Workplace Behavior, Improper Remark	Opted	Civilian	15 Days + Demo	5 Days
Detention Violation, Discourtesy	Opted	Civilian	8 Days	8 Days
Neglect of Duty, Unbecoming Conduct	Opted	Civilian	5 Days	1 Day
Unbecoming Conduct, Neglect of Duty	Opted	Civilian	5 Days	Not Guilty
Neglect of Duty	Opted	Trad.	10 Days + Demo	Not Guilty
Neglect of Duty	Opted	Civilian	2 Days	Not Guilty
Neglect of Duty	Opted	Civilian	2 Days	Reprimand
Discourtesy	Opted	Civilian	2 Days	Reprimand
Other Policy/Rule	Opted	Civilian	15 Days + Demo	15 Days
Detrimental Workplace Behavior	Opted	Civilian	2 Days	Reprimand
Unbecoming Conduct, Neglect of Duty	Opted	Civilian	5 Days	3 Days
Neglect of Duty	Opted	Civilian	10 Days	7 days
Unauthorized Force	Opted	Civilian	5 Days	Reprimand
Unauthorized Tactics	Opted	Civilian	2 days	1 Day

2021 PSB ANNUAL REVIEW

MICHAEL P. RIMKUNAS
Deputy Chief
Professional Standards Bureau

RAFAEL RAMIREZ
Commander
Professional Standards Bureau