

INTRADEPARTMENTAL CORRESPONDENCE

October 26, 2022
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: THE RACIAL AND IDENTITY PROFILING ACT OF 2015 AUDIT
(Audit No. 21-004)

RECOMMENDED ACTION

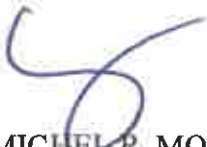
It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Racial and Identity Profiling Act of 2015 Audit.

DISCUSSION

Audit Division (AD) conducted a Racial and Identity Profiling Act of 2015 Audit to determine the Department's compliance with regulations for the collection and reporting of the stop data in accordance with Assembly Bill 953 during the audit period of March 1, 2020, through March 31, 2021.

If additional information regarding this audit is required, please contact Senior Management Analyst II Sharon Sargent, Acting Commanding Officer, Audit Division, at (213) 486-8480.

Respectfully,



MICHEL R. MOORE
Chief of Police

Attachment

LOS ANGELES POLICE DEPARTMENT

***The Racial and Identity Profiling Act of 2015
Audit
(AD No. 21-004)***



Conducted by
AUDIT DIVISION

MICHEL R. MOORE
Chief of Police

October 2022

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AD No. 21-004

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THE RACIAL AND IDENTITY PROFILING ACT OF 2015 AUDIT
Conducted by Audit Division
2021

OVERVIEW

Audit Division (AD) conducted the Racial and Identity Profiling Act (RIPA) of 2015 Assembly Bill (AB) 953 Audit to evaluate the Department's conformance with Government Code Section 12525.5.¹ This is AD's first RIPA audit. The RIPA code section requires State and local law enforcement agencies to annually report stop data and public personnel complaints to the Department of Justice (DOJ).

Assembly Bill 953 also requires the Racial and Identity Profiling Advisory Board (RIPA Board) to investigate and analyze State and local law enforcement agencies' racial and identity profiling policies and practices throughout California. These reporting requirements, which were established by the Attorney General, are intended to reduce racial and identity profiling and improve racial sensitivity among law enforcement personnel. The RIPA Board's findings and policy recommendations are released annually.

This audit evaluated the Department's conformance with RIPA mandates by using stop data reporting obtained through the Department's Automated Field Data Report (AFDR) system. The AFDR system captures data required by the DOJ and the Biased Policing Complaint Process. These results are shown under Objective No. 1(a-b), and Objective Nos. 2-3. Separately, auditors evaluated compliance of the Department's own policies and procedures relative to the Department's stop data completion and review processes. These results are detailed under Objective Nos. 1(a)(1), 1(c), and 4.

In summary, auditors found the following:

- Officers completed AFDRs with all 15 required data elements and did not include personally identifiable information 99 percent of the time [*Objective No. 1(a)*];
- Officers assigned or generated an incident number for AFDRs 98 percent of the time [*Objective No. 1(a)(1)*];
- Officers completed AFDRs in accordance with the California Code of Regulations and in a timely manner 99 percent of the time [*Objective No. 1(b)*];
- Body Worn Video and Digital In-Car Videos appeared to be consistent and reconciled with the AFDRs 80 percent of the time [*Objective No. 1(c)*];
- Auditors verified that the Department's Biased Policing Complaint process complied with DOJ reporting requirements and included the allegations involving racial or identity profiling [*Objective No. 2*];
- The Department developed and maintained ongoing training in accordance with RIPA [*Objective No. 3*]; and,
- Supervisors conducted reviews of the AFDRs to ensure that a legal basis was articulated and did not include personally identifiable information 99 percent of the time² [*Objective No. 4*].

¹ This audit was conducted in accordance with the U.S. Government Accounting Office, *Generally Accepted Government Auditing Standards*, July 2018 Revision.

² Auditors determined that if it was articulated that the legal basis for the stop or search was based on reasonable suspicion or probable cause, it met the standard.

BACKGROUND

In 2015, the Governor of California signed AB 953 which requires law enforcement agencies to collect specified demographic data. As outlined in Penal Code Section 13519.4, AB 953 also established the RIPA Board with the goal of strengthening relationships between law enforcement and the California communities they serve through collaboration, transparency, and accountability.

The DOJ is responsible for collecting the data mandated by AB 953 as well as information related to community complaints from agencies including community member complaints against peace officers. This includes reporting the total number of yearly complaints received, total number of complaints alleging either felony or misdemeanor criminal conduct, and the amount in each category. Law enforcement agencies must report both the status of a complaint and its resolution (sustained, exonerated, not sustained, unfounded, or pending).

The Department reports its stop data to the DOJ through the AFDR system which captures data electronically. After a supervisor reviews an AFDR, the data is sent to the DOJ approximately one week from the initial contact. The Biased Policing Complaint data is reported to the DOJ at the end of each calendar year.³

SCOPE AND METHODOLOGY

The audit evaluated the Department's compliance with regulations for stop data collection and reporting between March 1, 2020, and March 31, 2021. Auditors obtained a data run of both officer-initiated stops and detentions resulting from calls for service recorded in the AFDR System. Auditors identified a population of 458,740 AFDRs completed during this period and obtained a statistically valid sample of 401 AFDRs to review for Objective Nos. 1(a) and 1(b).⁴ Due to the large number of AFDRs and associated videos, auditors used a random stratified sample of 210 AFDRs for Objective No.1(c).

For Objective No. 2, auditors reviewed the 2020 Annual Report of Biased Policing Complaints that were alleged during the audit period. Auditors verified the numbers reported by reconciling them to their source data.⁵

For Objective No. 3, auditors assessed whether the Department developed and maintained training in accordance with RIPA. Finally, for Objective No. 4, auditors reviewed each of the 401 AFDRs identified in Objective No.1 (a-b) to determine if a supervisory review was conducted.

³ According to the Professional Standards Bureau (PSB), complaint data is sent to the DOJ every February.

⁴ Auditors applied a one-tail test with a 95 percent confidence level and an error rate of five percent for the sample selection.

⁵ See the *State of California Form JDIS 724, 2020 Annual Report of Civilians' Complaints Against Peace Officers*, NCIC No. 4200.

Table Nos. 1 and 2 summarize the findings by objective:

Table No. 1 – RIPA Summary of Findings by Objective

Objective No.	Description of Objectives	Number Meeting Standards / Evaluated	Percent Meeting Standards
1	Completion and Reporting of the AFDR		
1(a)	Completion of the AFDR	396/401	99%
1(b)	Reporting of the AFDR	399/401	99%
2	Review of Biased Policing Complaint Process	MET	N/A
3	Evaluation of Training	MET	N/A

Table No. 2 – Department Summary of Findings by Objective

Objective No.	Description of Objectives	Number Meeting Standards / Evaluated	Percent Meeting Standards
1	Completion and Reporting of the AFDR		
1(a)(1)	Reporting of the Incident Number	394/401	98%
1(c)	Reconciliation of the AFDR to video	156/194	80%
4	Supervisory Review of the AFDR	396/401	99%

DETAILED FINDINGS

Objective No. 1 – Completion and Reporting of the AFDR

The overall Objective assessed officers' completeness of stop data on the AFDR which is a central component of the Department reporting to the DOJ.

Objective No. 1(a) – Completion of the AFDR

This Objective examined whether officers completed the AFDR by including the minimum required data elements.⁶

⁶ The Originating Agency Identifier is a number assigned by the FBI that AD did not include among the minimum required data elements because it was not applicable to the Department.

Criteria

The *California Code of Regulations* details the following data elements regarding stops that shall be collected by peace officers:

1. Date, Time, and Duration of Stop;
2. Location of Stop;
3. Perceived Race or Ethnicity of Person Stopped;
4. Perceived Gender of Person Stopped;
5. Person Stopped Perceived to be LGBT;
6. Perceived Age of Person Stopped;
7. Person Stopped has Limited or No English Fluency;
8. Perceived or Known Disability of Person Stopped;
9. Reason for Stop;
10. Stop Made in Response to a Call for Service;
11. Actions Taken by Officer During Stop;
12. Result of Stop;
13. Officer's Identification Number;
14. Officer's Years of Experience; and,
15. Type of Assignment of Officer⁷

The *Government Code* requires that:

State and local law enforcement agencies shall not report the name, address, social security number, or other unique personal identifying information of persons stopped, searched, or subjected to a property seizure, for purposes of this section. Notwithstanding any other law, the data reported shall be available to the public, except for the badge number or other unique identifying information of the peace officer involved. Law enforcement agencies are solely responsible for ensuring that personally identifiable information of the individual stopped or any other information that is exempt from disclosure pursuant to this section is not transmitted to the Attorney General in an open text field.⁸

⁷ See *California Code of Regulations*, Title 11, "Law," Division 1, "Attorney General," Chapter 19, "Racial and Identity Profiling Act of 2015 Regulations," Article 3. "Data Elements to be Reported," § 999.226.

⁸ See *California Government Code*, Title 2, "Government of the State of California," Division 3, "Executive Department," Part 2, "Constitutional Officers," Chapter 6, "Attorney General," Article 2, "General Powers and Duties," Section 12525.5(d).

Audit Procedures

Auditors reviewed the selected AFDRs to determine whether officers performed the following:

1. Completed an AFDR using the 15 minimum required data elements; and,
2. Did not list personally identifiable information (name, address, vehicle license plate number, social security number) or other information exempted from disclosure on the AFDR.

If an AFDR included the 15 data elements above and did not list any personally identifiable information or any information exempted from disclosure, the Department met the standard for this Objective.

Findings

Of the 401 AFDRs, 396 (99 percent) met the standard. Five AFDRs included personally identifiable information (in each case, vehicle license plate numbers) and details appear in Table No. 3:

Table No. 3 – Objective No. 1(a) Findings

Bureau	Area/Division	Date of Stop
Operations-South Bureau	Southwest	2/27/2021
		3/20/2021
Operations-West Bureau	Pacific	3/14/2021
Transit Services Bureau	West Traffic	7/27/2020
		3/24/2020

Objective No. 1(a)(1) – Reporting of the Incident Number

Although this Objective is not a RIPA requirement, Department policy requires that incident numbers are recorded on certain reports. Incident numbers allow for crime data systems to link one or more Division of Record numbers to incidents generated by the Communications Division. The AFDR has a designated data field to document incident numbers.

Criteria

The *Human Resources Bureau Notice* states:

...The full ten-digit incident number, which includes the Julian Date, shall be recorded in the upper left-hand corner of all related reports to an incident...

Officers completing reports as a result of officer-initiated activities shall use the incident number generated when they are Code 6.⁹

⁹ See *Human Resources Bureau Notice*, December 26, 2002, "Documenting Incident Numbers on Reports."

Audit Procedures

Auditors reviewed each AFDR to determine whether each contained an assigned incident number.¹⁰ If the AFDR contained the incident number, the Department met the standard for this Objective.

Findings

Of the 401 AFDRs reviewed, 394 (98 percent) met the standard, while seven did not contain an incident number. The following are the locations of the findings and the number associated with each: South Traffic (1), Traffic Group (2), Valley Traffic (3), and Central Traffic (1). Auditors notified Transit Services Bureau of these findings for appropriate action.

Auditors noted that seven (1.75 percent) of the 401 AFDRs reviewed did not have an associated incident number documented on the AFDR. While incident numbers are not required as part of the RIPA reporting requirements, they are essential to the Department's internal tracking and review process. It was noted that the Department published the Chief of Detectives Notice, "Prohibition on Using Blanket Incident Numbers," on September 21, 2021, subsequent to this audit period's closure. The Notice highlighted the importance of unique incident numbers for investigative reports, investigative efforts, or enforcement operations.

Objective No. 1(b) – Reporting of the AFDR

This Objective evaluated the Department's compliance with the *Government Code*, Article 4, Reporting Requirements – General Reporting Requirements. This Objective also evaluated the timely completion of the AFDR in accordance with the Department Manual.

Criteria

The *Government Code* states:

Each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year.¹¹

The *California Code of Regulations* requires that:

.... (4) When two or more reporting agencies are involved in a stop, only the primary agency shall submit a report. The primary agency is the agency with investigative jurisdiction based on local, county, or state law or applicable interagency agreement or

¹⁰ Auditors reviewed AFDRs for an incident number and did not make it a finding if the incident number did not contain 10-digits as the Department no longer uses 10-digit incident numbers.

¹¹ See *California Government Code*, Title 2, "Government of the State of California," Division 3, "Executive Department," Part 2, "Constitutional Officers," Chapter 6, "Attorney General," Article 2, "General Powers and Duties," Section 12525.5(a)(1).

memoranda of understanding. If there is uncertainty as to the primary agency, the agencies shall agree on which agency is the primary agency for reporting purposes. If a stop is done in conjunction with a reporting agency and an agency that is not subject to the reporting requirements of this chapter, the reporting agency is required to submit data on the stop, even if it is not the primary agency responsible for the stop.

(5) If more than one peace officer of a reporting agency conducts a stop, only one officer shall collect and report the information required to be reported in this chapter. The officer with the highest level of engagement with the person stopped shall submit the full report for all data elements, regardless of whether that officer performed the specific action(s) reported.

(6) If multiple persons are stopped during one incident, then applicable stop data shall be submitted for each person within a single report, except that passengers in a vehicle that is stopped shall be reported only as set forth in subdivision (b) of this section...

(9) An officer shall complete all stop reports for stops made during his or her shift by the end of that shift, unless exigent circumstances preclude doing so. In such circumstances, the data shall be completed as soon as practicable.¹²

Further, the *Department Manual* requires that:

... All AFDR reports shall be completed by end of watch or, if exigent circumstances exist, as soon as practicable.¹³

Audit Procedures

Auditors reviewed 401 AFDRs to determine if each was:

1. Reconciled with the Annual Report submitted to the DOJ;
2. Submitted only once by the Primary Agency when the AFDRs involved two or more agencies;
3. Submitted only once when AFDRs involved more than one officer;
4. Submitted for each person when AFDRs involved stops with multiple individuals; and,
5. Completed by end of watch or, if exigent circumstances existed, as soon as practicable.¹⁴

Auditors reviewed 401 AFDRs and determined that the Department was the primary agency. If the AFDRs were handled in accordance with the five criteria above, the Department met the standard for this Objective.

¹² See *California Code of Regulations*, Title 11, "Law," Division 1, "Attorney General," Chapter 19, "Racial and Identity Profiling Act of 2015 Regulations," Article 4. "Reporting Requirements," § 999.227, (a) "General Reporting Requirements."

¹³ See *Department Manual*, 4th Quarter 2020, Vol 4, "Line Procedures," Section 202.02, "Automated Field Data Reports/Completion and Tracking."

¹⁴ The Department Manual does not define "practicable," therefore, after Department consultation, auditors established a benchmark of five calendar days to measure "practicable."

Findings

Of the 401 AFDRs reviewed, 399 (99 percent) met the standard. Two AFDRs were completed five calendar days after the end of watch and are detailed in Table No. 4. The Office of Operations (OO) was informed of the following findings for appropriate action:

Table No. 4 – Objective No. 1(b) Findings

Bureau	Area/Division	Date of Completion
Central	Newton	The officer completed the AFDR five days and 15 hours after the End of Watch
West	Pacific	The officer completed the AFDR 34 days and 11 hours after the End of Watch

Objective No. 1(c) – Reconciliation of the AFDR to Video

Although this Objective is not required by RIPA, auditors reviewed each AFDR with its corresponding video(s) to determine whether the AFDRs were accurately completed.

Criteria

The *Department Manual* requires that:

Officers shall activate their Body Worn Video (BWV) device, prior to initiating any investigative or enforcement activity involving a member of the public, including all:

- Vehicle stops;
- Pedestrian stops (including officer-initiated consensual encounters);
- Calls for service;
- Code 3 responses (including vehicle pursuits) regardless of whether the vehicle is equipped with In-Car Video equipment;
- Foot pursuits;
- Searches;
- Arrests;
- Uses of force;
- In-custody transports;
- Witness and victim interviews (except as specified below);
- Crowd management and control involving enforcement or investigative contacts; and,
- Other investigative or enforcement activities where, in the officer's judgment, a video recording would assist in the investigation or prosecution of a crime or when a recording of an encounter would assist in documenting the incident for later investigation or review...

If an officer is unable to activate his or her BWV, prior to initiating any of these enforcement or investigative activities, the officer shall activate the device as soon as it is practical and safe to do so....¹⁵

Audit Procedures

Auditors selected a stratified random sample of 210 AFDRs from Objective 1(b) to determine if the AFDR data reconciled with the officers' BWV or DICV. Of the 210 AFDRs and corresponding videos reviewed, 16 AFDRs were excluded because the video did not provide enough information to make a determination or were not located by auditors. This resulted in a sample of 194 AFDRs with corresponding videos for review.

If the AFDR data reconciled with the corresponding video and no inconsistencies were noted, the Department met the standard for this Objective.

Findings

Of the 194 AFDRs and videos reviewed, 156 (80 percent) met the standard, while 38 AFDRs contained discrepancies between the AFDR and the video(s). The discrepancies observed were as follows:

- Searches of individuals or property were conducted but not documented;
- Data relative to detained individuals was missing;
- Consent to search was not corroborated;
- Inaccurate stop times were recorded; and,
- Officers pointed their firearm at detainees without documenting this on the AFDR.

These findings were provided to the audited entities for appropriate action and were identified in the following bureaus, division, and group: Central Bureau (7), Valley Bureau (7), South Bureau (15), West Bureau (5), Metropolitan Division (1), and Traffic Group (3).

Objective No. 2 – Review of Biased Policing Complaint Process

This Objective examined whether the Department maintained and reported to DOJ complaints that alleged biased policing.

Criteria

Assembly Bill 953 requires that California law enforcement agencies collect and report data on complaints that allege racial or identity profiling. The California Penal Code was amended to support AB 953, which requires law enforcement agencies to collect and report the specific types of complaints related to alleged racial or identity profiling. This includes whether the alleged

¹⁵ See *Department Manual*, 4th Quarter 2020, Vol. 3, "Management Rules and Procedures," Section 579.15, "Objectives of Body Worn Video."

profiling is based on, to any degree, actual or perceived, race (including color), ethnicity, national origin, religion, gender identity or expression, sexual orientation, or mental or physical disability.¹⁶

In addition to providing the total number of complaints reported, law enforcement agencies must also report the status or resolution of the complaint (sustained, exonerated, not sustained, unfounded, or pending). The *Penal Code* requires that:

Each department or agency in this state that employs peace officers shall establish a procedure to investigate complaints by members of the public against the personnel of these departments or agencies and shall make a written description of the procedure available to the public.¹⁷

Audit Procedures

Auditors obtained the Department's 2020 Annual Report of Civilians' Complaints Against Peace Officers submitted to the DOJ and compared the number of complaints recorded by the Department to the number of complaints reported in the Annual Report to the DOJ. Auditors then reviewed the Annual Report for complaint-related data required under AB 953 and looked for Departmental procedures published to the Department's website to investigate these complaints.

If the Department delineated procedures to investigate complaints, and these procedures were publicly available on the Department's website, the Department met the standard for this Objective.

Findings

The Professional Standards Bureau (PSB) oversees the Department's Complaint Management System (CMS). Members of the public submit their complaints in multiple ways, (by mail, in person at stations, by phone, or online). These complaints are saved in the CMS. The CMS does not identify the type of specific biased complaint at intake. The PSB reviews all complaints received into the CMS and directs complaint details pertaining to biased policing, including type of alleged bias, into a separate database.

The Department received 389 Racial and Identifying Profiling Complaints in 2020¹⁸. At the conclusion of the audit period, 353 complaints were pending (on-going investigation) and the

¹⁶ See *California Penal Code*, Part 4, "Prevention of Crimes and Apprehension of Criminals," Title 3, "Criminal Statistics," Chapter 1, "Department of Justice," Article 1, "Duties of the Department," Section 13012 (5)(A).

¹⁷ See *California Penal Code*, Part 2, "Of Criminal Procedure," Title 3, "Additional Provisions Regarding Criminal Procedure," Chapter 4.5, "Peace Officers," Section 832.5.

¹⁸ Auditors obtained data for the annual complaints from the PSB.

disposition of the remaining complaints are as follows: zero sustained, one exonerated, 19 not sustained, and 19 unfounded.¹⁹

The specific types of alleged racial or identity profiling complaints, as required by RIPA, are listed in Table No. 5. It should be noted that in order to update this information, Internal Affairs Division reports that they must perform a manual recount. Table No. 5 shows the types of complaints the Department received in 2020:

Table No. 5 – Racial and Identifying Complaints by Type

Description	Number
Race and Ethnicity	339
Nationality	10
Gender	7
Age	2
Religion	3
Gender Identity or Expression	1
Sexual Orientation	2
Mental Disability	2
Physical Disability	2
Total	368²⁰

Objective No. 3 – Evaluation of Training

This Objective examined whether the Department developed training in accordance with RIPA and whether officers completed this training.

Criteria

The *Penal Code* requires that:

(a) The commission shall develop and disseminate guidelines and training for all peace officers in California as described in subdivision (a) of Section 13510 and who adhere to the standards approved by the commission, on the racial and cultural differences among the residents of this state. The course or courses of instruction and the guidelines shall stress understanding and respect for racial, identity, and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a diverse racial, identity, and cultural environment.

(b) The course of basic training for peace officers shall include adequate instruction on racial, identity, and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial, identity, and cultural groups. In developing the training, the commission shall consult with appropriate groups and

¹⁹ The PSB provided AD with the DOJ Annual Citizens Report in April 2021. Since complaints are often carried over to future DOJ reports, the total number indicated is not expected to correspond with the totals per category.

²⁰ Twenty-one complaints were excluded because they were either unspecified or the type of complaint was not a DOJ category (e.g. Homelessness, language limitation, etc.).

individuals having an interest and expertise in the field of racial, identity, and cultural awareness and diversity...

(h) The curriculum shall be evidence-based and shall include and examine evidence-based patterns, practices, and protocols that make up racial or identity profiling, including implicit bias.²¹

Audit Procedures

Auditors obtained the Racial and Cultural Diversity training documents and curriculum from Police Training and Education (PTE). Auditors then reviewed the course descriptions to determine if the curriculum was evidence-based and included patterns, practices, and protocols in accordance with the State of California Penal Code. If the Department developed training in accordance with RIPA requirements and officers completed the training, the Department met the standard for this Objective.

Findings

The PTE reported that all sworn Department employees have attended some form of Racial or Cultural Differences training beginning in the Police Academy. Auditors reviewed PTE's training history documents which showed evidence of this training between 1995 and 2021. Auditors verified that, in accordance with the State mandates, the Department maintained racial and cultural diversity training that included evidence-based curricula as detailed above. The training courses listed below include the year in which the course was developed:

- Constitutional Policing (2010);
- Fair and Impartial Policing (2014-2015); and,
- Biased Policing and Leadership (2020).

Objective No. 4 – Supervisory Review of the AFDR

The *California Code of Regulations* states that:

(10) In order to ensure compliance with these regulations, a reporting agency, its officers, or both may review the stop data to correct errors before submitting the stop data to the Department. Once the stop data is submitted to the Department, however, an agency can only revise the stop data through the Department's error resolution process.²²

²¹ See *California Penal Code*, Part 4. "Prevention of Crimes and Apprehension of Criminals," Title 4, "Standards and Training of Local Law Enforcement Officers," Chapter 1, "Commission on Peace Officer Standards and Training," Article 2, "Field Services and Standards for Recruitment and Training," Section 13519.4.

²² See *California Code of Regulations*, Title 11, "Law," Division 1, "Attorney General," Chapter 19, "Racial and Identity Profiling Act of 2015 Regulations," Article 4. "Reporting Requirements," § 999.227, (a) "General Reporting Requirements."

While RIPA guidelines indicate that officers may review AFDRs for errors, Department criteria requires supervisors to review each AFDR to ensure proper completion.

Criteria

The *Department Manual* requires that:

Supervisor's Responsibilities. Supervisors shall be responsible for:

Reviewing AFDRs in a timely manner to ensure that officers are properly completing the AFDR in accordance with the Officer AFDR Completion Guide and Supervisor AFDR Completion Guide; and,

Editing or directing the completing officer to revise the narrative portions of the AFDR, when appropriate...

The supervisor shall ensure that a legal basis for the detention and search (if applicable) is adequately articulated. In addition, the supervisor shall protect the anonymity of all parties involved...

Watch Commander's Responsibilities. Watch commanders shall be responsible for ensuring that supervisors review AFDRs for completeness and accuracy **in a timely manner**...

Commanding Officer's Responsibilities. Commanding officers shall be responsible for ensuring that:

All employees in their command adhere to established guidelines for the completion of the AFDRs; and,

ALL AFDRs are reviewed by a supervisor in a timely manner.²³

Audit Procedures

Auditors tested this Objective by reviewing the Department's requirements, supervisory review, and AFDR approval process. Supervisory review was defined as applicable to the responsibilities of the supervisor, watch commander, and commanding officer.

Auditors performed the following procedures:

1. Checked the selected AFDRs to determine if they were reviewed by a supervisor

²³ See *Department Manual*, 4th Quarter 2020, Volume 4, "Line Procedures," Section 4/202.02, "Automated Field Data Reports/Completion and Tracking."

- for proper completion by the officer;
2. Determined if the supervisory review was performed in a timely manner by comparing the date of review to the officer's date of completion;
3. Determined if a legal basis for the detention or search was adequately articulated when applicable. If not, auditors considered whether the supervisor requested additional information from the originating officer; and,
4. Determined if the supervisor verified that there were no identifying characteristics of the person stopped and listed in the AFDR.

If the AFDR was reviewed by a supervisor in a timely manner, and the legal basis for the detention or search was articulated when applicable, and the AFDR did not include identifying characteristics of the person stopped, the Department met the standard for this Objective.²⁴

Findings

Of the 401 AFDRs reviewed by a supervisor, 396 (99 percent) met the standard. Five AFDRs included personally identifiable information (in each case, vehicle license plate numbers) and were reported under Objective No.1(a).²⁵ Auditors reported these findings to OO for appropriate action.

OTHER RELATED MATTERS

When auditors reviewed BWV to reconcile the video with the AFDR information, on occasion auditors could not hear the audio at the beginning of a stop due to the two-minute buffering delay. In these situations, auditors were unable to determine whether the activities of the involved employees during the incident were consistent with Department policies and procedures.²⁶ The affected command was informed of these issues, and AD encourages the Department to continue performing inspections to help ensure that officers activate their BWV in accordance with Department policies and procedures.

RECOMMENDATIONS

It is recommended that the Department:

1. Implement roll call training to emphasize the importance of completely and accurately documenting stop data as required by the California Department of Justice [Objective No.1(a) and Objective No. 4]; and,
2. Take steps to ensure that incident numbers are properly documented by Department personnel on the appropriate Department Forms [Objective No. 1(a)(1)]. Each approving

²⁴ Although the criteria states "timely manner," it has not been defined. Therefore, Auditors utilized the access log to determine the date the AFDR was completed and compared it to the date of the supervisory review for informational purposes only.

²⁵ See Recommendations No. 1 and 2.

²⁶ When auditors were unable to make a determination, the AFDR was not included as a finding.

supervisor should ensure that each AFDR contains an incident number, prior to approving it. According to the Department's Diversity, Equity, and Inclusion Division (DEID), they are working on creating a more practical AFDR application to capture data more accurately.

ACTIONS TAKEN/MANAGEMENT RESPONSE

The audited entities were in general agreement with the findings and submitted 15.2 responses which are attached as addenda to this report.

Auditors met with DEID for guidance regarding the findings in this report. While DEID was not the audited entity, auditors indicated a concern that language in the Department Manual states the following:

...All AFDR reports shall be completed by end of watch or, if exigent circumstances exist, as soon as practicable,"

Auditors and DEID agreed that this language is open to interpretation. As a result, AD was unable to measure aspects of the audit that were originally intended. In response, DEID reported that it drafted a Special Order and Field Notebook Divider related to stops and completion of AFDRs. The Special Order includes specific language directing reports to be completed by the end of watch. Auditors believe that the Special Order and Field Notebook Divider will improve the intake process [Objective Nos.1(a-b)].

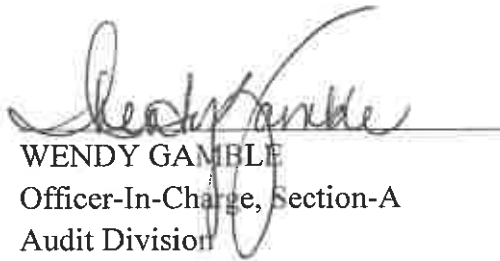
Auditors discussed that a program should be created to integrate stop data with other platforms. Ideally, the systems would communicate with each other and flag mistakes such as stop information (date, time) and duplicate incident numbers. This program would help ensure consistency among applications that gather stop information. The DEID reported that the RIPA team submitted a Fiscal Year 2022-23 budget request for a vendor to update the AFDR system. The DEID further noted that the DOJ RIPA requirements are expected to change in 2023. Therefore, a new system, not a current system modification, would better support the Department's needs. If approved, such an update could better integrate the RIPA data into other Department systems [Objective Nos.1(a-c), Objective No. 2].

APPENDIX I

Audit Division Contact: Police Performance Auditor Adama D Franklin, (213) 486-8382 or N5815@LAPD.Online



ADAMA D. FRANKLIN
Police Performance Auditor, Project Manager
Audit Division



WENDY GAMBLE
Officer-In-Charge, Section-A
Audit Division



KAREN LEONG, Lieutenant II
Acting Commanding Officer
Audit Division

INTRADEPARTMENTAL CORRESPONDENCE

October 20, 2021

8.1.3

TO: Commanding Officer, Transit Services Bureau

FROM: Commanding Officer, Traffic Group

SUBJECT: RIPA AUDIT VALIDATION REQUEST
(TRAFFIC GROUP PROJECT NO. 21-112)

As directed by Transit Services Bureau, Traffic Group (TRFG) reviewed the Racial and Identify Profiling Act (RIPA) audit findings to ensure the information was valid. If the findings were found to not be valid, then a compelling and reasonable explanation was to be provided.

The following issues were identified by Audit Division:

Area	AFDR	Reconciliation of the AFDR to the Video	Finding Description
Valley Traffic	32046115	No	The AFDR listed the stop time at 16:30 hours, however, the body worn video was recorded at 21:07 hours, therefore, there is inconsistency.
	32113556	No	The incorrect incident number and infraction code was not listed on the AFDR. Other Related Matter: The same incident number (210218001779) was used for 10 unrelated public contacts.
West Traffic	32311845	No	The AFDR did not indicate that person 2 was detained.
	32045952	No	The license plate number was identified
	31895114	No	The license plate number was identified
Central Traffic	32289833	No	The infraction code was not listed on the AFDR. Also, curbside detention was listed when the driver remained in the car. Auditors were unable to determine what constitutes "curbside".

Valley Traffic Division:

AFDR No. **32046115** audit discovered that the stop time was inconsistent with the BWV times. Review of the BWV and AFRD systems revealed that both systems times were correct at 1630 hrs. The original AFDR is correct. **RIPA Audit is incorrect. (Will be Removed from Findings)**

AFDR No. **32113556** audit discovered that the wrong incident and infraction code was listed in the system. Additionally, the officer used the same incident number on 10 unrelated public contacts. A review of the citation, officer's log, AFDR system, and the BWV revealed that the officer inputted the correct incident number and infraction code in the AFDR system and logs but documented the incorrect incident in Evidence.com. Furthermore, the officer did use one incident for multiple public contacts. **RIPA Audit is correct.**

West Traffic Division:

AFDR No. **32311845** audit discovered that the AFDR did not indicate that person 2 was detained. Review of the Evidence.com revealed that two separate people were caught on one video. They were independent of each other and therefore required two separate AFDRs. The other AFDR number is as follows: 32311544. **RIPA Audit is correct**

AFDR No. **32045952** audit discovered that the license plate number was identified. Review of the AFDR system revealed that the officer included the license plate number under the address section of the AFDR system. **RIPA Audit is correct.**

AFDR No. **31895114** audit discovered that the license plate number was identified. Review of the AFDR system revealed that the officer included the license plate number under the address section of the AFDR system. **RIPA Audit is correct.**

Central Traffic Division:

AFDR No. **32289833** audit discovered that the AFDR was missing an infraction code and incorrectly checked curbside. Review of the BWV and AFDR systems revealed that the officer did not include the infraction code and checked the "curbside" detention to document the vehicle stopped next to the curb (a subsequent follow-up determined the correct meaning of curbside detention refers to an officer directing a person to sit on the ground). **RIPA Audit is correct**

In conclusion, Audit Division identified six (6) potential discrepancies in Traffic Group commands. Traffic Group discovered one (1) inconsistency with Audit Division and five (5) that Audit Division was correct.

If you have any questions, please contact Sergeant Roger Nunez, Traffic Group Aide, at (213) 486-0680.



AL PASOS, Commander
Commanding Officer
Traffic Group

INTRADEPARTMENTAL CORRESPONDENCE

November 17, 2021
11.2

TO: Commanding Officer, Audit Division

FROM: Assistant to the Director, Office of Operations

SUBJECT: 2021 RACIAL AND IDENTITY PROFILING ACT AUDIT RESPONSE

Audit Division (AD) conducted the Racial and Identity Profiling Act of 2015 Audit to evaluate the Department’s conformance with Government Code Section 12525.5. This code section requires State and local law enforcement agencies to annually report stop data of individuals to the Department of Justice (DOJ); stop data is captured through the Department’s Automated Field Data Reports (AFDR). These reports also include public personnel complaints.

Table No. 1 and 2 summarizes the findings by objective:

Table No. 1 – RIPA Summary of Findings by Objective

Objective No.	Description of Objectives	Number Meeting Standards / Evaluated	Percent Meeting Standards
1	Completion and Reporting of the AFDR		
1(a)	Completion of the AFDR	396/401	99%
1(b)	Reporting of the AFDR	401/401	100%
2	Review of Biased Policing Complaint Process	MET	N/A
3	Evaluation of Trainings	MET	N/A

Additionally, this audit further evaluated compliance with Department policies and procedures with regards to the stop data completion and review process.

Table No. 2 – Department Summary of Findings by Objective

Objective No.	Description of Objectives	Number Meeting Standards / Evaluated	Percent Meeting Standards
1	Completion and Reporting of the AFDR		
1(a)(a)	Completion of the AFDR	394/401	98%
1(c)	Reconciliation of the AFDR to video	156/194	80%
4	Supervisory Review of the AFDR	MET ¹	N/A

¹ Objective No.2 was not measured in percentages. It was determined that supervisors *met* the criteria by conducting a supervisory review of the AFDRs. Auditors then further evaluated a sample of the AFDRs for consistency.

Although Objective No. 1(c) is not required by the RIPA, it was included in the testing. Auditors reviewed each AFDR with its corresponding video to determine if the AFDR was accurately documented, as well as in compliance with policies on stops and searches, video activation, and other actions. The following was noted:

- **Objective No. 1(c) – Reconciliation of the AFDR to Video:** Audit Division noted that AFDRs were consistent when reconciled to their corresponding videos (Body Worn or Digital In-Car Video) 80 percent of the time.

The Office of Operations (OO) Inspections Unit is in general agreement with the findings related to OO and will address the deficiencies as follows:

- Collaborate with the Department's Racial and Identity Profiling Act team to provide clarification and training to Department personnel on proper documentation in the AFDR system.
- The Department's Racial and Identity Profiling Act team is working to create a more practical AFDR application to capture data more accurately.

If you have any questions, please contact Police Performance Auditor IV Yadira Huerta, Office of Operations, at (213) 486-6960.



T. SCOTT HARRELSON, Commander
Assistant to the Director, Office of Operations

INTRADEPARTMENTAL CORRESPONDENCE

October 11, 2021

1.13

TO: Commanding Officer, Audit Division

FROM: Commanding Officer, Professional Standards Bureau

SUBJECT: RACIAL AND IDENTITY PROFILING ACT AUDIT RESPONSE

Audit Division (AD) conducted the Racial and Identity Profiling Act Audit to evaluate the Department's conformance with Government Code Section 12525.5. This code section requires State and local law enforcement agencies to annually report stop data of individuals to the Department of Justice (DOJ); stop data is captured through the Department's Automated Field Data Reports (AFDR). These reports also include public personnel complaints.

For this audit, Audit Division verified the accuracy of the citizen complaints alleging racial and identity profiling reported by reconciling the number of complaints reported to the number included in the Annual Report. Additionally, Auditors verified that the Annual Report captured the complaint-related data required by AB 953.

Audit Division found that Professional Standards Bureau was in compliance with these objectives. Professional Standards Bureau concurs with this finding.

If you or your staff have any questions, please contact Detective Michael Hackman, Professional Standards Bureau, at (213) 996-2785.

Respectfully,



MICHAEL P. RIMKUNAS, Deputy Chief
Commanding Officer
Professional Standards Bureau

INTRADEPARTMENTAL CORRESPONDENCE

October 13, 2021

1.15

TO: Commanding Officer, Audit Division

FROM: Commanding Officer, Counter-Terrorism and Special Operations Bureau

SUBJECT: RACIAL AND IDENTITY PROFILING ACT OF 2015 AUDIT

Counter-Terrorism and Special Operations Bureau (CTSOB) concurs with the findings of the Racial and Identity Profiling Act (RIPA) of 2015 (AB 953) audit, however, there was one deficiency noted for a command under CTSOB (Metropolitan Division) wherein the time on the Automated Field Data Report (15:28 hours) did not match the actual time of the detention as reflected on the video (17:27 hours).

There were two other related matters:

1. The officer deactivated (and then reactivated) the body worn video during the stop; and
2. The same incident number was used for two different, but related, videos.

The issues identified in the audit are administrative matters and will be addressed through informal training at the divisional level.

If you have any questions please contact Lieutenant Lonnie Tiano, Counter-Terrorism and Special Operations Bureau, at (213) 486-8780.



DAVID J. KOWALSKI, Deputy Chief
Commanding Officer
Counter-Terrorism and Special Operations Bureau

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO.

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON

SUBJECT: AUTOMATED FIELD DATA REPORTS/COMPLETION AND TRACKING – REVISED; AND, OFFICER COMPLETION GUIDE – REVISED

PURPOSE: The purpose of this Order is to revise Department Manual Section 4/202.02, *Automated Field Data Reports/Completion and Tracking*, consistent with California Assembly Bill 953. This Order also revises the Officer (AFDR) Completion Guide within the Incident Reporting Control System (IRCS) to reflect the guidelines prescribed in Government Code Section 12525.5.

PROCEDURE:

- I. AUTOMATED FIELD DATA REPORTS/COMPLETION AND TRACKING – REVISED.** Department Manual Section 4/202.02, *Automated Field Data Reports/Completion and Tracking*, has been revised. Attached is the Department Manual section with the revisions in italics.
- II. OFFICER COMPLETION GUIDE – REVISED.** The Officer (AFDR) Completion Guide has been revised. The new content which augments the Officer (AFDR) Completion Guide is attached. The Guide in its entirety is accessible via the AFDR/Incident Tracking link under the Applications setting on the Department's Local Area Network (LAN) Homepage, within the IRCS. The AFDR tab within the IRCS provides a drop-down menu, wherein the Officer (AFDR) Completion Guide is denoted as, "Officer Guide." The revised Officer Guide provides comprehensive, cell-by-cell instruction for completion of the AFDR.

AMENDMENTS: This Order amends Section 4/202.02 of the Department Manual and the Officer (AFDR) Completion Guide.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.


MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION "D"

**DEPARTMENT MANUAL
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202.02 AUTOMATED FIELD DATA REPORTS/COMPLETION AND TRACKING.

Officer's Responsibilities. Sworn personnel assigned to any field, specialized, or investigative assignment (e.g., patrol, task force, detective, and plain clothes assignments) **shall** complete an Automated Field Data Report (AFDR), Form 15.52.00, for **every person detained or searched**, regardless of the initial reason for the encounter (e.g., traffic *stop*, *pretextual stop*, radio call, *officer's observation*, task force). All AFDR reports **shall** be completed *immediately after the encounter*. If exigent circumstances exist, *the AFDR shall be completed* as soon as practicable, *but no later than the end of watch*.

Note: Personnel involved in a categorical use of force (CUOF) incident shall complete an AFDR for the incident pursuant to the direction of Force Investigation Division (FID).

Note: Incidents where an officer intentionally pointed a firearm at an individual shall be documented in the "Action Taken" box of the AFDR.

Overtime and Off-Duty Assignments. The same AFDR completion requirements also apply to officers working any:

- Overtime assignment to include, but not limited to, Cash Overtime Allotment for Scheduling and Timekeeping (COAST), Metropolitan Transit Authority (*MTA*), or bureau/Area/division overtime details; and,
- Off-duty, uniformed assignment that is pursuant to a Memorandum of Understanding or other contractual relationship with the Department. These off-duty, uniformed assignments include, but are not limited to, Dodgers games, *Crypto.com Arena* events, and the USC or NFL football game details.

Exceptions to Completion Requirements. Officers are not required to complete an AFDR in the following circumstances:

- Detentions that occur during public safety mass evacuations, including bomb threats, gas leaks, flooding, earthquakes, and other similar critical incidents;
- Detentions that occur during an active shooter incident, such as when an individual is actively engaged in killing or attempting to kill people in a populated area;
- Detentions or searches 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;
- Detentions 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;

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- 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 in which 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 [e.g., any person(s) being asked to exit the vehicle simply because it is being impounded];
- The targeted subject(s) of a warrant, search condition, home detention, or house arrest while in their residence; or,
- Consensual encounters that do not result in a search.

Perception. As set forth below, officers shall report their perceptions of specified characteristics regarding the person stopped, detained, or searched. Perception is considered to be the process through which an officer recognizes and interprets sensory information to draw a conclusion about the person being detained or searched. An officer's perception shall be based on personal observations only; he or she shall not ask another person for input or refer to an identification document or other written form to verify information about an individual. Perception can be decided prior to, during, or after the detention.

With respect to the person being detained or searched, the officer shall report his or her own perception regarding the following:

- Perceived race or ethnicity of the person detained;
- Perceived age of the person detained;
- Perceived gender of the person detained;
- Whether the person detained is perceived to be lesbian, gay, bisexual, transgender, *or questioning*;
- Whether the person detained is perceived to have limited or no English fluency; and,
- Whether the person detained is perceived or known to have a disability.

Multiple Officers. When there are multiple officers at the scene and interacting with the detained or searched person(s):

- Only one officer shall submit the AFDR;
- The officer with the highest level of engagement (*i.e.*, contact or interaction) is responsible for completing the AFDR; and,
- All actions taken by each officer in the detention or search shall be included in the AFDR.

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Note: The primary unit of a call for service or self-initiated contact with a member of the public shall ensure that an AFDR is completed for the incident.

Multiple Agencies. If more than one agency is involved in the detention or search, the primary agency shall complete all of the AFDRs. 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, such as the Los Angeles Police Department or Los Angeles Sheriff's Department, is responsible for completing the AFDR(s).

Completion Requirements. Officers shall complete an AFDR electronically on the Department's Local Area Network (LAN), mobile phone application or Mobile Digital Computer (MDC). Current electronic versions of the Officer AFDR Completion Guide and the Supervisor AFDR Completion Guide are available *on the LAN* to provide guidance in completing the AFDR.

Note: Refer to Department Manual Section 4/296.01, for business cards completion requirements.

Note: If it is determined that an AFDR requires removal from the system, after the AFDR has been uploaded into the server, an Intradepartmental Correspondence, Form 15.02.00, shall be sent to the Commanding Officer, Application Development and Support Division.

If the AFDR system is inoperable or the officer is unable to access the AFDR system, the officer shall complete the California Department of Justice (Cal DOJ) Stop Data Collection Form. The purpose of this form is to document the AFDR detention or search data, so that the officer can accurately input this information into the AFDR System at a later time when access is gained, or at the officer's next regularly scheduled start of watch. *Officers are encouraged to reference the Officer AFDR Completion Guide, when completing the delayed entry AFDR, for accuracy.* Officers shall retain the hard copy of the Cal DOJ Stop Data Collection Form, until the data is entered into the AFDR System. Once the data is entered into the AFDR System, the hard copy Cal DOJ Stop Data Collection Form shall be disposed of in a Department shredder.

Note: The AFDR Completion Guides and the Cal DOJ Stop Data Collection Form are accessible in the AFDR/Incident Tracking System link within the Applications setting on the Department's LAN or within the AFDR folder in the LAPD Applications Launcher (LAN or MDC).

Recording AFDR Information on Various Activity Reports and Logs. Officers completing an Electronic Daily Field Activities Report (e-DFAR) shall document the number of *the* AFDR (if

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any are required to be completed) for each incident.

Officers completing a Daily Field Activities Report (DFAR) or Traffic Daily Field Activities Report (TDFAR), Form 15.52.01, or appropriate log used by specialized divisions to record field activities shall record:

- The number of persons contacted during the stop. For example, the C# field on the DFAR/TDFAR shall indicate the number "1" if a single person is contacted;
- The number of AFDRs completed during the activity/incident. For example, the F# field on the DFAR/TDFAR shall indicate the number "1" if one AFDR is completed; and,
- The AFDR number generated by the system. For example, the Disposition field on the DFAR/TDFAR shall indicate "AFDR #12345678."

Supervisor's Responsibilities. Supervisors shall be responsible for:

- Reviewing AFDRs in a timely manner to ensure that officers are properly completing the AFDR in accordance with the Officer AFDR Completion Guide and Supervisor AFDR Completion Guide; and,
- Editing or directing the completing officer to revise the narrative portions of the AFDR, when appropriate.

The AFDR system includes data fields that require Department personnel to complete a narrative as it relates to the reason for the stop and basis for the search. The supervisor shall ensure that a legal basis for the detention and search (if applicable) is adequately articulated, *as well as ensure the stop is accurately denoted as pretextual, when the explanation for the stop supports such a determination.* In addition, the supervisor shall protect the anonymity of all parties involved by:

- Ensuring there are no identifying characteristics listed of the person(s) or suspect(s) being stopped (e.g., name of individual, license plate number, date of birth, booking number); and,
- Ensuring there are no identifying characteristics listed of the officer(s) involved (e.g., name, serial number, badge number).

Watch Commander's Responsibilities. Watch commanders shall be responsible for ensuring that supervisors review AFDRs for completeness and accuracy **in a timely manner.**

Commanding Officer's Responsibilities. Commanding officers shall be responsible for ensuring that:

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- All employees in their command adhere to established guidelines for the completion of the AFDRs; and,
- **All AFDRs are reviewed by a supervisor in a timely manner.**

Force Investigation Division's Responsibilities. During the investigation of a CUOF incident, FID shall provide direction to the officer(s) involved to ensure the timely completion of the AFDR for the incident.

Application Development and Support Division's Responsibilities. Application Development and Support Division shall process and maintain the AFDR data in an electronic database.

Diversity Equity and Inclusion Division's Responsibilities. Diversity Equity and Inclusion Division shall maintain and update the Officer AFDR Completion Guide and Supervisor AFDR Completion Guide, as necessary.

OFFICER (AFDR) COMPLETION GUIDE

The following procedures are meant to provide guidance on the purpose of each data element to enhance consistency and accuracy across all corresponding reports and related videos. All AFDR reports shall be completed immediately after the qualifying encounter. If exigent circumstances exist, the AFDR shall be completed as soon as practicable but no later than the end of watch.

GENERAL INFORMATION

Watch Info

Watch

Document the watch worked (e.g., W2, W4).

S.O.W and E.O.W

Document the start and end of watch times.

Serial No.

Document the serial number of each officer.

Name

This is auto-populated based on the serial number entered.

Type of Assignment

The assignment of the officer(s) at the time of the stop. One of the following shall be selected:

1. Patrol, Traffic, Field operations;
2. Gang Enforcement;
3. Compliance Check (e.g., parole, probation, PRCS, mandatory supervision);
4. Special Events (e.g., sports, concerts, protests);
5. Roadblock/Checkpoint (e.g., DUI sobriety checkpoint);
6. Narcotics/Vice;
7. Task Force;
8. K-12 Public School (This includes school resource officers or school police officers)
9. Investigative/Detective; or,
10. Other (If selected, the officer shall specify the type of assignment in the "Assignment" field).

Assignment

The officer shall input their unit designation in this field.

Stop Info

FDR #

The FDR number will be auto-generated upon completion of the form.

Incident No.

The system will auto populate this field with the 14-digit incident number. If needed, the officer can also manually enter the 14-digit incident number (i.e., 19032600001234).

Duration of Stop

The duration of the stop is calculated from the approximate time the stop began (i.e., when the individual was first detained, or if no initial detention, from when the individual was first searched) to when the stop ends (i.e., when the individual was free to leave or taken into physical custody). The duration of the stop is documented in minutes and is auto populated. If the length of stop is auto populated incorrectly, the officer can enter the correct stop length.

Date

Document the date the stop occurred.

Time

Document the approximate time the stop occurred.

Address

This data element refers to the physical location of the stop:

1. Block number and street name;
2. Closest intersection; or,
3. Highway and closest highway exit.

If none of the above exist, then the officer shall use a road mark, landmark, or other description.

Note: The officer **SHALL NOT** provide an exact address for this data element, if the location is a residence.

RD

The corresponding RD will auto populate based upon the information put in the "address" section. If the stop occurred outside of LAPD's jurisdiction, include the reason why on the Computer Aided Dispatch (CAD).

Call for Service

The officer shall select "yes" or "no" to denote whether the stop was made in response to a call for service (i.e., radio call or Communications Division dispatch).

Public School

Select the checkbox if the stop occurred at a school. If checked, enter the school name in the "School Name" field.

K-12 Student

Use the checkbox to indicate if the incident involved a student enrolled in kindergarten through 12th grade.

Pretext Stop

The officer shall select "Yes" or "No" to denote whether the stop was a pretextual stop. A "pretextual" or "pretext" stop is one where officers use reasonable suspicion or probable cause of a minor traffic or code violation as a pretext to investigate another, more serious crime that is unrelated to that violation.

Person #1

Note: An officer's perception shall be based on his or her personal observations only. For the purposes of completing the AFDR, an officer shall not ask the person stopped

OFFICER (AFDR) COMPLETION GUIDE

his/her race or ethnicity or ask questions or make comments or statements designed to elicit this information.

Race

The officer shall select all of the following which apply. If a person appears to be both Black and Hispanic, the officer shall select both "Black/African American" and "Hispanic."

1. **Asian:** Refers to a person having origins in any of the original peoples of the Far East or Southeast Asia, including Cambodia, China, Japan, Korea, Malaysia, the Philippine Islands, Thailand, and Vietnam, but who does not fall within the definition of "Middle Eastern or South Asian" or "Pacific Islander."
2. **Black/African American:** Refers to a person having origins in any of the Black racial groups of Africa.
3. **Hispanic:** Refers to a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
4. **Middle Eastern or South Asian:** Refers to a person of Arabic, Israeli, Iranian, Indian, Pakistani, Bangladeshi, Sri Lankan, Nepali, Bhutanese, Maldivian, or Afghan origin.
5. **Native American:** Refers to a person having origins in any of the original peoples of North, Central, and South America.
6. **Pacific Islander:** Refers to a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands, but who does not fall within the definition of "Middle Eastern or South Asian" or "Asian."
7. **White:** Refers to a person of Caucasian descent having origins in any of the original peoples of Europe and Eastern Europe.

Gender

For the purposes of the AFDR, the officer shall not ask the person stopped his or her gender or refer to the person's driver's license or other identification. It is understood that the officer's observation may not reflect the gender specified on the person's identification. The officer, however, shall select from the following for gender:

1. Male
2. Female
3. Transgender Male
4. Transgender Female
5. Non-Conforming

Age

It is understood that the officer's observation may not reflect the age specified on the person's identification. The officer shall nonetheless make his or her determination based on personal observation only. For the purposes of completing the AFDR, an officer shall not ask the person stopped his or her age or use the age specified on the person's identification. When completing this field, the officer shall use an Arabic numeral (e.g., 1, 2, 3, 4) rounded up to the closest whole number.

Could you perceive the race/ethnicity prior to the stop?

The officer shall select "Yes" or "No" if he/she was able to perceive race/ethnicity prior to the stop.

Perceived LGBTQ

This refers to the officer's perception that the person stopped is LGBTQ. The term "LGBTQ" refers to lesbian, gay, bisexual, transgender, or questioning. When reporting this data element, the officer shall select "Yes" or "No" and shall make his or her determination based on personal observation only, without asking whether the person is LGBTQ.

Note: A selection of "yes" does not imply judgement by the officer. It is merely a perception based upon the officer's cursory observation, experience and/or training.

Limited or Non-English Speaking

This refers to the officer's perception that the person stopped has limited or no fluency in English.

Disability

If the officer perceives the person stopped has a disability, the officer shall select one from the following:

1. Difficulty hearing
2. Speech impairment
3. Blind/limited vision
4. Mental health
5. Intellectual disability
6. Hyperactivity/impulsive
7. Other disability

The officer shall select "None" if he or she did not perceive the person stopped had a disability.

Type of Stop

The officer shall select the following to indicate that the field data information is associated to one of the following:

- A. Vehicle Driver
- B. Vehicle Passenger
- C. Pedestrian
- D. Bicycle

Reason for Stop

This refers to the primary/initial reason why the officer stopped the person.

Note: When reporting this data element, the officer shall identify only the primary/initial reason for stopping a person by selecting one of the following data values. Justifications that did not inform the officer's primary/initial reason for the stop shall not be selected.

1. **Traffic Violation:** When selecting this data value, the officer shall also identify the applicable California Vehicle Code section and subdivision using the Department's standard California Justice Information Services (CJIS) Offense Table. When the person stopped is the driver, the officer shall also designate the primary type of violation:

OFFICER (AFDR) COMPLETION GUIDE

- A. Moving violation;
- B. Equipment violation; or,
- C. Non-moving violation, including registration violation.

2. Reasonable Suspicion: This field should be selected when the officer has reasonable suspicion that the person stopped was engaged in criminal activity. This data value should not be selected if "Traffic Violation" is the reason for the stop. When selecting this data value, the officer shall select all applicable circumstances in the "Basis for Suspicion" field that gave rise to the officer's reasonable suspicion. The officer can choose from the following selections:

- A. Officer witnessed commission of a crime;
- B. Matched suspect description;
- C. Witness or victim identification of suspect at the scene;
- D. Carrying suspicious object;
- E. Actions indicative of casing a victim or location. Suspected of acting as a lookout;
- F. Actions indicative of a drug transaction;
- G. Actions indicative of engaging in a violent crime; or,
- H. Other reasonable suspicion of a crime.

In addition, using the Department's standard CJIS Offense Table, the officer shall identify the primary code section and subdivision of the suspected violation of law that formed the basis for the stop and document that in the "Code/Description" field.

3. Parole/Probation: The officer shall select this data value if the officer stopped the person because the officer knows that the person stopped is a supervised offender on parole, on probation, on post-release community supervision (PRCS), or on mandatory supervision. The officer shall not select this data value if the officer learns that the person has this status **after** the person is stopped.

4. Arrest Warrant/Wanted Person: The officer shall select this data value if the officer stopped the person because the officer knows that the person stopped is the subject of an outstanding arrest warrant or is a wanted person. The officer shall not select this data value if the officer learns that the person is the subject of an outstanding arrest warrant or is a wanted person **after** the person is stopped.

5. Possible Truancy: The officer shall select this data value if the person stopped is being investigated to determine whether the person is a truant.

6. Consensual Encounter with Search: A consensual encounter is an interaction in which the officer does not exert any authority over or use any force on a person, and the person is free to leave. The officer shall only select this data value if a consensual encounter results in a search, regardless of whether the resulting search is consensual.

Example: During the interview of a witness (in which the person is free to leave), the officer asks to search the witness' bag, and the person consents. This encounter would be documented as a "consensual encounter resulting in a search."

Note: Refer to Administrative Order No. 22, dated November 20, 2020, for further detail on consensual searches.

7. School Violation: The officer shall select the following reasons for the stop **only** if the stop involved a K-12 student:

- I. Education Code Violation; or,
- II. School Policy Violation.

8. Possible Danger to Self & Others/5150: The officer shall select this data value if the reason for the stop was due to the person harming themselves or others.

Explanation (of reason for stop):

This explanation is narrative and should include detail beyond the general data values selected above. Do not include any personally identifying information of the individual stopped or unique identifying information of any officer in this description.

Examples:

1. If the officer selected "Reasonable suspicion that the person was engaged in criminal activity/Actions indicative of a drug transaction," the officer must use this field to briefly note the specific action(s) indicative of criminal activity or a drug transaction.
2. If the officer selected "56.15 LAMC (riding a bicycle on the sidewalk) from the Department's standard CJIS Offense Table, the officer shall use this field to briefly note the specific nature of the violation (i.e., what specifically did the officer observe where the bicyclist showed willful or wanton disregard for the safety of persons and property).
3. If an officer completes a stop that falls under a pretextual stop as defined in Department Manual Section 1/240.06, Policy - Limitation on Use of Pretextual Stops, the explanation should contain both the lawful basis for the stop, as well as the true impetus (i.e., pretextual concern) for the stop.

Code/Description for the reason to stop:

Using the Department's standard CJIS Offense Table, identify the code to indicate the reason for the stop. The code selected may differ from the final "Arrest Code" selected. The code selected as the reason for the stop reflects the probable cause for the stop.

Action Taken

The reporting officer shall select **all** of the following data values that apply, even if any or all of the actions were undertaken by another officer:

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1. **None.** No action was taken. If "None" is selected, no other data values can be selected.
2. **Req. consent to search person.** If consent to search is selected, the officer shall also note "Yes" or "No" in the consent granted search person field.
3. **Search of person was conducted.** This data value should be selected if a search of the person was conducted, **regardless** of whether the officer asked for or received consent to search the person. If selected, the officer shall also select from the following to indicate the basis for the search:
 - Consent Given
 - Officer/Public Safety
 - Search Warrant
 - Parole/Probation
 - Suspected Weapons
 - Visible Contraband
 - Odor of Contraband
 - Canine Detection
 - Evidence of Crime
 - Incident to Arrest
 - Exigent Circumstances
 - Vehicle Inventory
 - School Policy Violation
4. **Req. consent to search prop:** The officer shall select "Yes" or "No" in the consent granted search property field to document if consent to search property was provided.
5. **Search of property was conducted:** This data value should be selected if a search of the person's property was conducted, **regardless** of whether the officer asked for or received consent to search the property. If selected, the officer shall also select from the following to indicate the basis for the search:
 - Consent Given
 - Officer/Public Safety
 - Search Warrant
 - Parole/Probation
 - Suspected Weapons
 - Visible Contraband
 - Odor of Contraband
 - Canine Detection
 - Evidence of Crime
 - Incident to Arrest
 - Exigent Circumstances
 - Vehicle Inventory
 - School Policy Violation
6. **Ordered from vehicle:** This refers to any instance where a verbal order was used to direct a person to exit the vehicle.
7. **Physically removed from vehicle:** This refers to any instance where a person was removed from the vehicle by physical contact.
8. **Field sobriety test:** This refers to any instance when a field sobriety test was conducted.
9. **Curbside detention:** This refers to any instance where a person was directed to sit on the sidewalk, curb, or ground.
10. **Handcuffed or flex cuffed:** This refers to any instance when a person is restrained via handcuffs or flex cuffs, regardless of length of time restrained.
11. **Patrol car detention:** This refers to any detention where a person is detained in a patrol vehicle during the investigation.
12. **Canine used:** This refers to whether or not a Department canine participated in the detention or investigation (e.g., a search).
13. **Firearm pointed at person:** This refers to any instance where an officer points their firearm at a person. Low-ready positions are not considered pointing a firearm at a person.
14. **Firearm discharged/used:** This only refers to instances where the officer discharges their firearm.
15. **Electronic control device used:** This refers to instances where an electronic control device, such as a TASER, is activated (i.e., a Warning Arc) and/or fired (i.e., a discharge of the probes or electrodes) by an officer, **regardless** if the electrical charge or probes made contact with the suspect.
16. **Impact projectile used:** This refers to instances where an officer discharges an impact projectile (e.g., blunt impact projectile, rubber bullets, bean bags, or 40mm), **regardless** if the projectile makes contact with the suspect.
17. **Canine bit or held person:** This refers to a Department canine biting or physically holding a person via a bite, to restrict their movement.
18. **Baton or other impact weapon used:** This refers to instances where officers used the baton (i.e., initiated a thrust/punch, chop, or strike) or other impact weapon **regardless** if the baton made contact with the suspect.
19. **Chemical spray used:** This refers to instances where an officer used (i.e., via depressing the spray lever) chemical spray (e.g., pepper spray, mace, or other chemical irritants) **regardless** if the chemical made contact with the suspect.
20. **Other physical or vehicle contact:** This refers to any of the following contacts by the officer when the purpose of such contact is to restrict movement or control a person's resistance: Any physical strike by the officer; instrumental contact with a person by an officer; or the use of significant physical contact by the officer. Examples of such contacts include, but are not limited to, hard hand controls, the forcible taking of a subject to the ground, or use of vehicle contact during apprehension.
21. **Person photographed:** This refers to any photographs that were taken (i.e. via Department camera or cell phone, or the officer's personal camera or cell phone) of the detainee(s) or their passengers - if applicable, during the contact.

Note: Personnel are reminded of California Penal Code Section 647.9, Office of the Chief of Police

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Notice, dated November 4, 2020, Administrative Order No. 6, dated August 4, 2022, and Department Manual Sections 3/405, 3/566 and 3/566.10 – regarding crime scenes, individual privacy and the use of cellular devices (i.e., Department-issued and personally owned).

22. **Property was seized:** This refers to any personal property of the detainee(s) that officers took custody of as evidence or contraband.
23. **Vehicle impounded:** This refers to instances when the vehicle operated by the detainee is impounded.
24. **Admission obtained from student:** This refers to instances when a juvenile detainee admits to a violation of a statute or code.

Basis for Search and Explanation

When reporting the "Basis for Search," the officer shall also provide a brief narrative addressing the reason for the search. This explanation shall include additional detail beyond the general data values selected for "Basis for Search." Officers shall not include any personal identifying information of the persons stopped or unique identifying information of any officer in this explanation.

Example: If the officer selected "Suspected weapons" as the "Basis for Search," the officer must explain the specific nature of the suspected weapons (i.e., What were the specific objects, shapes, and/or movements observed that made the officer suspicious and what type of weapons were suspected).

Note: If the basis for the search is "Condition of parole/probation/PRCS/mandatory supervision," an explanation is not required.

Contraband/Evidence

The officer shall indicate whether contraband or evidence was discovered during the stop, including any discovered in plain view or as the result of a search, and the type of contraband or evidence discovered, by selecting all following data values that apply:

- A. None: If "None" is selected, no other data values can be selected
- B. Firearm(s)
- C. Ammunition
- D. Weapon(s) other than a firearm
- E. Drugs/narcotics
- F. Alcohol
- G. Money
- H. Drug paraphernalia
- I. Suspected stolen property
- J. Electronic device(s) (e.g., cell phones, laptops)
- K. Other: This refers to other contraband or evidence

Result of Stop

This refers to the outcome of the stop. When reporting this data element, the officer shall select **all** below data values that apply.

1. No Action: If "No Action" is selected, no other data values can be selected.
2. Warning (Verbal or Written): If a written warning is given, the officer shall document the warning code violation in the "warning code" field.
3. Citation for Infraction: If a citation is given, the officer shall document the citation number as well as the infraction code in the respective fields.
4. In-Field Cite and Release: If selected, the In-Field Code will be documented in the "In-Field Code" box as well as the RFC #.
5. Warrant Arrest: This refers to a custodial arrest pursuant to an outstanding warrant. When selecting this data value, the officer shall also document the Booking Number for any warrant arrests.
6. Arrest w/o Warrant: This refers to a custodial arrest without a warrant. The officer shall also document the Arrest Code and Booking Number. The arrest code may be different from the code documented in the "Code/Description for the reason to stop" field.

Note: The booking number is for Department internal tracking purposes only. The booking number is not sent to the DOJ.

7. Field interview (FI) card completed.
8. Non-criminal Transport or Caretaking Transport: This includes transport by an officer, transport by ambulance, or transport by another agency without an arrest.
9. Contacted Parent/Legal Guardian: Contact also includes any other person responsible for the minor.
10. Psychiatric Hold (pursuant to Welfare & Institutions Code Sections 5150 and/or 5585.20).
11. Contacted U.S. Department of Homeland Security (e.g., Immigration and Customs Enforcement, Customs and Border Protection).
12. Referral to School Administration.
13. Referral to School Counselor or other support staff.

Additionally, for warnings, citations, cite and release, and custodial arrests (with the exception of an arrest pursuant to an outstanding warrant), the officer shall use the Department's standard CJIS Offense Table to identify the code, including the section number and appropriate subdivision, that is the basis for their actions. If more than one code section forms the basis for the warning, citation, cite and release or custodial arrest, the officer shall identify all applicable code sections and subdivisions. If the result of the stop is based on an ordinance, the officer shall select "local ordinance viol" from the Department's CJIS Offense Table without the need for the specific section number.

Additional Persons

If additional persons are detained or other consensual encounters with a search occur, the officer shall select "Add person" until stop data is completed for all individuals stopped.

The officer shall select "save" upon completion of entering stop data.