

PROFESSIONAL STANDARDS BUREAU

2023 ANNUAL REVIEW

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THE COMPLAINT PROCESS

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

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

Department supervisors are required to initiate a personnel complaint investigation whenever they are notified of, or become aware of, potential misconduct by any Department employee. Failure to do so can result in discipline against the supervisor.

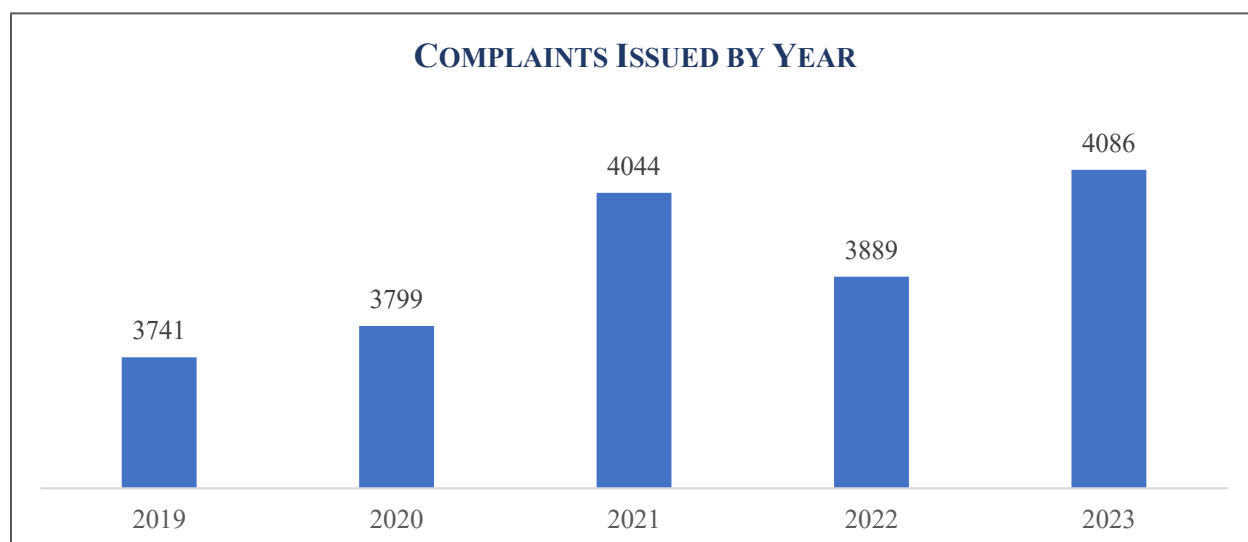
A nonsupervisory employee is required to report potential misconduct to a supervisor or Professional Standards Bureau (PSB). A complaint can allege any type of misconduct from a discourteous remark to the commission of a crime.

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, Form 01.28.00.

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.

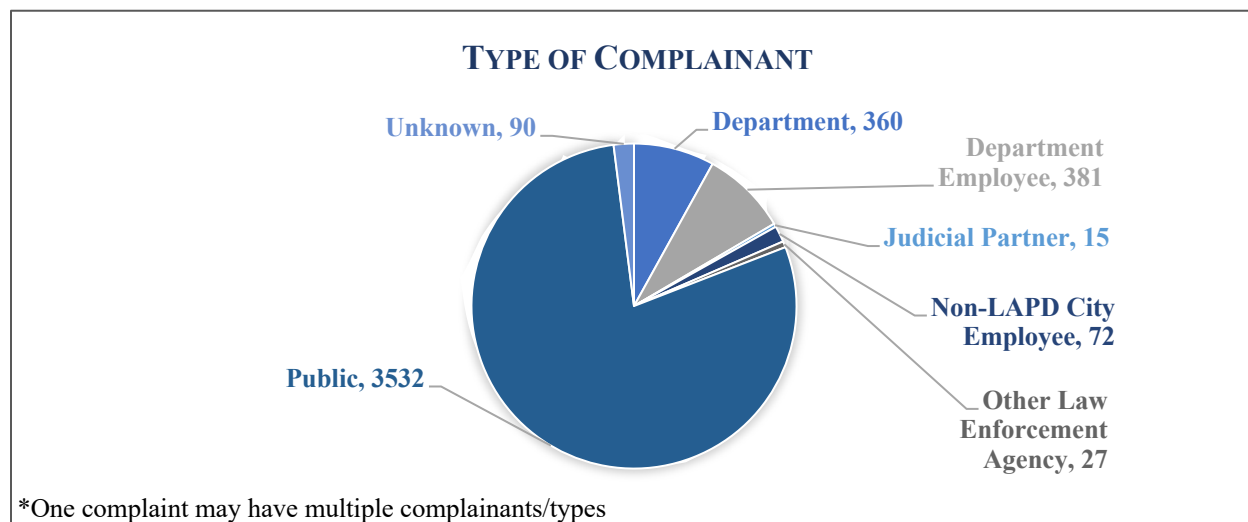
Once a complaint has been entered into the Department's Complaint Management



System (CMS), the case is assigned for investigation to 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).

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.



Regardless of the investigating entity, the investigators conduct interviews of the complainant, any relevant witnesses, and the accused employees.

Investigators also search for and collect any available physical evidence and will document the complaint history of the employee to assist the adjudicator in identifying any patterns of prior misconduct.

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

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

For sworn personnel:

- No penalty;
- Admonishment;
- Official reprimand;
- Suspension and/or Demotion;
- Board of Rights for removal; or,
- Termination on probation.

For civilian personnel:

- No penalty;
- Admonishment;
- Official reprimand;
- Suspension;
- Discharge; or,
- Termination on probation.

The Chief of Police can impose suspension days up to 22 days. A Board of Rights can impose suspension days greater than 22

days—up to 65 Days—and remove an officer from employment.

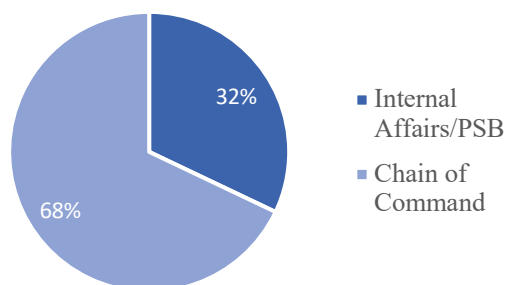
INVESTIGATIONS BY CHAIN OF COMMAND AND INTERNAL AFFAIRS DIVISION

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 then assigning the complaint to the involved employee's Chain-of-Command (COC) or Internal Affairs Division (IAD) for investigation.

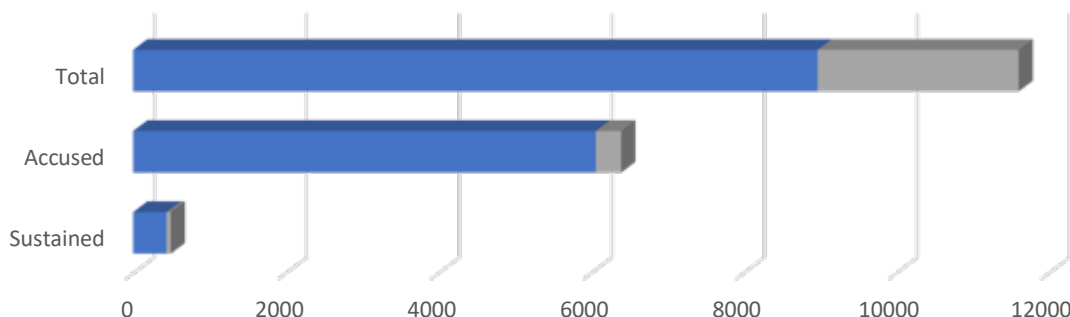
Complaints tasked for COC investigations are subject to the same standards as those assigned to IAD. While investigators assigned to IAD have the opportunity to

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.

INVESTIGATIVE ASSIGNMENT



EMPLOYEE INVOLVEMENT IN COMPLAINTS: SWORN & CIVILIAN IN 2023



	Sustained	Accused	Total
■ Sworn	436	6063	8970
■ Civilian	56	333	2634

PROGRESSIVE DISCIPLINE

WHAT IS PROGRESSIVE DISCIPLINE?

Progressive Discipline is the 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.

PROGRESSIVE DISCIPLINE USED IN ADJUDICATIONS

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 Department's Penalty Guide explicitly incorporates the principle of Progressive Discipline by providing distinct ranges based on patterns of behavior; that is, a first offense has a lower range than a second offense.

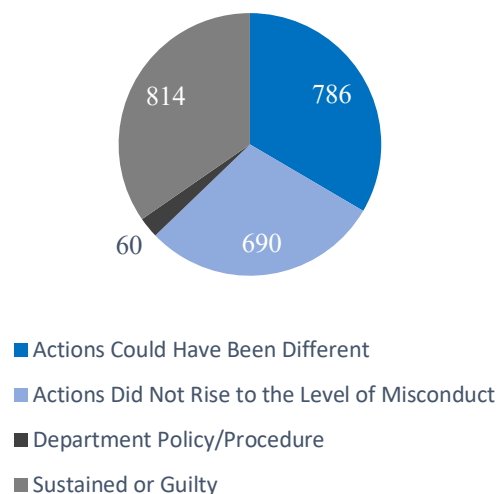
A complaint may also contain allegations concerning behavior that is not ideal but is also not definitively misconduct. In this instance, a commanding officer may recommend classifying the complaint as Non-Disciplinary with an adjudication of *Actions Did Not Rise to the Level of Misconduct* or *Actions Could Have Been Different*.

An *Actions Could Have Been Different* 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 the Ombuds Office).

In 2023, commanding officers continued their use of progressive concepts through adjudications of *Actions Could Have Been Different* or *Actions Did Not Rise to the Level of Misconduct*.

CLOSED PROG. DISCIPLINE VS. SUSTAINED ALLEGATIONS



DEMONSTRATIONS OF BIAS

The Los Angeles Police Department remains committed to providing the highest-quality service, delivered in a bias-free manner. Respect for People is a fundamental core value of the Los Angeles Police Department.

The Department recognizes that not only do community contacts with law enforcement shape perceptions of the police over generations, but the level of transparency provided for their critical concerns directly impacts the community's trust in their police.

To best reflect the Department's unwavering commitment to prohibiting bias in any form, the Department is continuing to provide statistical data on *Demonstrations of Bias* – a superset containing not only *Biased Policing* allegations, but any complaint allegation that indicated or demonstrated biased conduct, such as *Discourtesy – Gendered Remark*.

For 2023, there were four complaints closed with sustained allegations that had underlying conduct indicating a bias based on a protected class. A summary of those complaints is as follows:

- An on-duty employee was discourteous when the employee misgendered a community member. The employee was suspended for one day.
- An on-duty employee made an improper remark to a coworker about another employee's perceived sexual orientation. The employee received an official reprimand.
- An off-duty employee made an inappropriate ethnic remark via text

message. The employee was terminated from employment.

- An on-duty employee made an improper remark by using a gender-disparaging term about the employees they worked with. The employee separated from the Department before penalty imposition.

Four allegations of Biased Policing were adjudicated *Sustained* during 2023. These allegations are in complaints that have not yet closed and are not reflected in the closed complaint data (*see Page 8*).

POINT OF EMPHASIS: CLOSED ALLEGATIONS VS. ADJUDICATED ALLEGATIONS

The Department's complaint process is thorough and designed to include important procedural safeguards.

After a complaint receives a final adjudication, the complaint is scrutinized by a specialized unit within Professional Standards Bureau called the Review and Evaluation Section. Employees assigned to this section ensure the investigation meets the high standards of the Department, the adjudications are supported by the evidence, and all paperwork and statistical information is appropriately documented.

A complaint is not deemed "closed" in the Complaint Management System until this final administrative review has occurred. For the highest quality reporting data, statistics are customarily provided based on complaints "closed" in a specific year.

BIASED POLICING: BACKGROUND

The Department maintains a zero-tolerance policy for Biased Policing. As shown to the right, employees may not consider or rely on any protected characteristics—actual or perceived—as the basis for conducting any law enforcement activities.

In 2023, the Department closed 746 Biased Policing complaints, including 1,495 allegations of Biased Policing. This reflects a 18.6 percent increase in complaints from 2022 and a 88.9 percent increase from 2020.

In response, the Department has strengthened programs to rebuild community trust in these critical moments, such as complaint mediation.

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.

Complaint mediations prove to be successful in providing an option for both community members and Department employees to share

perspectives and learn from one another. Since its inception, mediation has fostered communication and provided opportunities to engage in new ways.

Post mediation surveys continue to show the majority of participants have a greater understanding of the other party as a result of the mediation session.

DEPARTMENT MANUAL

VOLUME I

Revised by Special Order No. 12, 2021

345. POLICY PROHIBITING BIASED POLICING. *The Los Angeles Police Department (LAPD or the Department) expressly prohibits all forms of biased policing. This policy re-emphasizes the Department's commitment to serving all members of the public in a just, transparent and equitable manner, consistent with their civil and individual rights, and in accordance with existing policies and procedures.*

Discriminatory conduct on the basis of an individual's actual or perceived race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, immigration or employment status, English language fluency or homeless circumstance, is prohibited while performing any law enforcement activity. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state law. Officers shall not initiate police action where the objective is to discover the civil immigration status of any person and shall strictly adhere to the Department's immigration enforcement guidelines as outlined in Department Manual Sections 4/264.50 and 4/264.55.

Department personnel may not consider or rely on any of the following actual or perceived characteristics or identifiers in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group:

- race
- religion
- color
- ethnicity
- national origin
- age
- gender
- gender identity
- gender expression
- sexual orientation
- disability (to any extent or degree)
- immigration status
- employment status
- English language fluency or
- homeless circumstance

Law enforcement activities include, but are not limited to, traffic or pedestrian stops, actions during a stop, (such as asking questions), frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

Department personnel seeking one or more specific persons who have been identified or described in part by one or more of the above characteristics may rely, in part, on the specified identifier or description only in combination with other appropriate identifying factors; and may not grant the specified identifier or description undue weight.

A failure to comply with this policy is counterproductive to professional law enforcement and is considered to be an act of serious misconduct. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established Department procedures.

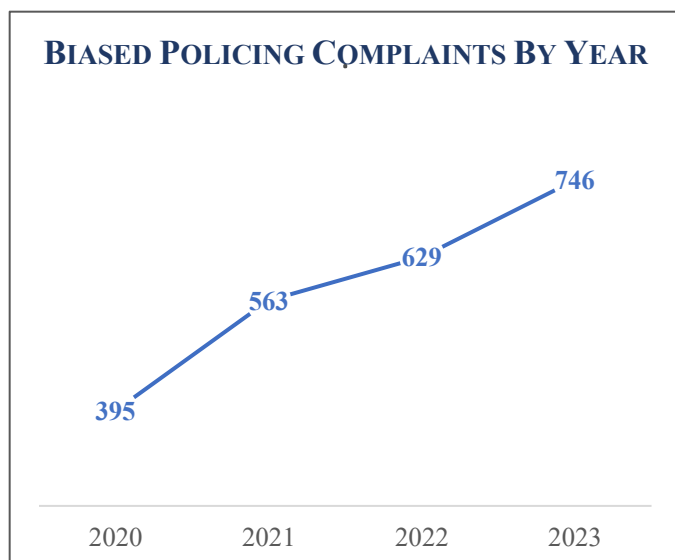
Every mediation session has the potential to expand trust-building equity with the community through respect, neutrality, and voice.

During 2022, Professional Standards Bureau facilitated 26 mediations. Additionally, 181 complaints were resolved through Alternative Complaint Resolution (ACR).

The ACR program is similar to a mediation but is a less formal option facilitated by a Department supervisor to provide an immediate resolution to the community member’s concern.

In total, 207 complaints—containing 382 allegations—were resolved through one of these alternative, trust-building processes.

2023 BIASED POLICING STATISTICS



Biased Policing Allegation Dispositions in 2023 Closed Complaints	Number Closed
Alternate Complaint Resolution	87
Demonstrably False	755
Insufficient Evidence to Adjudicate	22
Mediated	40
No Department Employee	2
No Misconduct	4
Not Resolved	2
Other Judicial Review	0
Out of Statute	4
Policy Procedure	1
Sustained ^{NOTE}	0
Unfounded	578
Total	1495

2023 SUSTAINED BIASED POLICING ADJUDICATIONS

In 2023, the Department sustained four (4) allegations of Biased Policing in two (2) complaints that involved three (3) employees. The Chief of Police directed the three employees to a Board of Rights Hearing with a recommendation of removal (termination). As the employees’ administrative hearings are pending and these complaints are not administratively closed, no further details may be provided at this time.

Note: The “sustained” allegation count in the closed complaint data does not include the four adjudications that have not yet reached administrative closure.

BOARD OF RIGHTS

The Board of Rights (BOR or Board) is an administrative tribunal tasked with evaluating all the evidence available for alleged misconduct and reaching an equitable decision during a BOR hearing.

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 screen-down 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* 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 ("Demo"), unpaid suspension, or removal from employment (termination).

There are two types of hearings conducted under the BOR process: Directed and Opted.

In a *Directed* hearing, the COP has referred the accused officer to the BOR with a recommendation that the individual be removed (terminated) from employment.

If the Board determines the accused officer is guilty of one or more counts, they then recommend to either uphold the removal or impose a lesser penalty.

In an *Opted* hearing, the accused officer has been served by the COP with a demotion or a suspension of up to 22-days, after which the officer exercises the option to dispute the matter in front of a BOR.

If the Board determines the accused officer is guilty of one or more counts, they then recommend a penalty that can be less than, the same, or greater than the penalty recommended by the COP.

At the conclusion of either BOR, the Board's decision is delivered to the COP who shall either uphold the penalty arrived at by the Board or impose a lesser penalty.

The COP cannot, however, impose a greater penalty than the one arrived at by the BOR.

ALL-CIVILIAN BOARDS: POINT TO NOTE

Since the passage of City Ordinance 186100 in 2019, the Department has observed the all-civilian Board of Rights pilot program does not ensure sufficient accountability for employees found guilty of serious misconduct.

The Department has recommended that the Ordinance permitting all-civilian Boards of Rights be repealed.

BOARD OF RIGHTS RESULTS

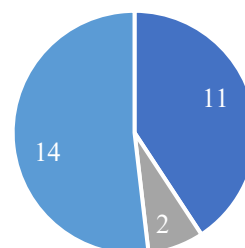
The results of the Board of Rights hearings are found below, in chronological order of the hearing date.

RESULTS FROM DIRECTED BOARDS COMPLETED IN 2023

Complaint Year	Allegation Type(s)	BOR Type	Chief's Recommendation	Final Decision
2021	Neglect of Duty	CIVILIAN	BOR	12 Days
2019	Unbecoming Conduct, Financial Dishonesty	CIVILIAN	BOR	65 Days
2021	Unbecoming Conduct, Neglect of Duty, Alcohol Related	CIVILIAN	BOR	Removal
2021	Discourtesy, Unbecoming Conduct	CIVILIAN	BOR	Removal
2020	Unauthorized Tactics, Unauthorized Force	CIVILIAN	BOR	Removal
2021	Unbecoming Conduct, Misleading Statements	CIVILIAN	BOR	60 Days
2020	Domestic Altercation, Misleading Statements, False Statements	CIVILIAN	BOR	Removal
2021	Neglect of Duty	CIVILIAN	BOR	15 Days
2019	Domestic Altercation	CIVILIAN	BOR	27 Days
2020	False Statements, Search Violation	CIVILIAN	BOR	Removal
2021	Unbecoming Conduct, Insubordination	CIVILIAN	BOR	22 Days
2018	False Statements, Financial Dishonesty	CIVILIAN	BOR	Removal
2021	Domestic Altercation, Narcotics/Drugs	CIVILIAN	BOR	Removal
2020	False Statements	CIVILIAN	BOR	Not Guilty
2021	Neglect of Duty, False Statements	CIVILIAN	BOR	Removal
2022	Narcotics/Drugs	CIVILIAN	BOR	Removal
2020	Insubordination, False Statements, Unbecoming Conduct	CIVILIAN	BOR	Removal
2021	Unauthorized Force, Discourtesy	CIVILIAN	BOR	10 Days
2021	Unbecoming Conduct, Neglect of Duty, Misleading Statements	CIVILIAN	BOR	60 Days
2021	Unauthorized Force	CIVILIAN	BOR	10 Days
2020	Unbecoming Conduct, False Statements	CIVILIAN	BOR	Removal
2020	False Statements	CIVILIAN	BOR	Not Guilty
2022	False Statements	CIVILIAN	BOR	Removal
2019	False Statements, Neglect of Duty	CIVILIAN	BOR	Removal
2019	Neglect of Duty	CIVILIAN	BOR	17 Days
2022	Unbecoming Conduct, Discourtesy, Neglect of Duty	CIVILIAN	BOR	22 Days
2022	Discourtesy, Body Worn/DICVS Violation	CIVILIAN	BOR	Removal

In 2023, there were 27 *Directed* Board of Rights Hearings.

Of those, 2 were found *Not Guilty*, 11 resulted in a lesser penalty, and 14 resulted in removal.



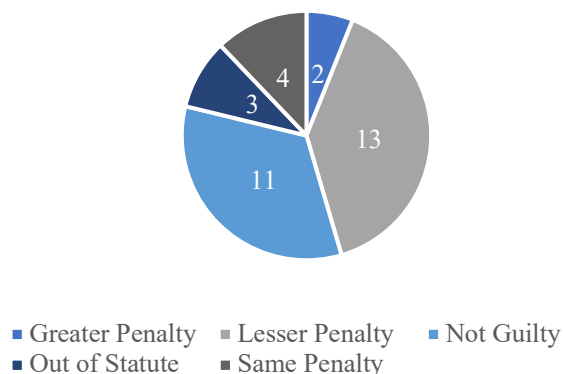
■ Lesser Penalty ■ Not Guilty ■ Removal

RESULTS FROM OPTED BOARDS COMPLETED IN 2023

Complaint Year	Allegation Type(s)	BOR Type	Chief's Recommendation	Final Decision
2021	Neglect of Duty	CIVILIAN	5 Days	Not Guilty
2020	Insubordination	CIVILIAN	2 Days	2 Days
2020	Neglect of Duty, Improper Remark	CIVILIAN	2 Days	Not Guilty
2021	Neglect of Duty	CIVILIAN	5 Days	5 Days
2018	Unbecoming Conduct	TRADITIONAL	5 Days	Out of Statute
2021	Detrimental Workplace Behavior, Misleading Statements	CIVILIAN	15 Days + Demo	Demotion
2021	Discourtesy, Unbecoming Conduct, Neglect of Duty	CIVILIAN	5 Days	4 Days
2022	Driving While Impaired	CIVILIAN	22 Days	Not Guilty
2020	Neglect of Duty, Unbecoming Conduct	CIVILIAN	10 Days	Not Guilty
2022	Improper Remark	CIVILIAN	5 Days	Not Guilty
2018	Neglect of Duty	CIVILIAN	10 Days	Out of Statute
2018	Neglect of Duty	CIVILIAN	10 Days	Out of Statute
2021	Neglect of Duty	CIVILIAN	2 Days	OR
2021	Unauthorized Force	CIVILIAN	2 Days	1 Day
2021	Unbecoming Conduct, Improper Remark	CIVILIAN	5 Days	3 Days
2021	Neglect of Duty	CIVILIAN	4 Days	Not Guilty
2021	Neglect of Duty	CIVILIAN	5 Days	Not Guilty
2020	Unbecoming Conduct	CIVILIAN	6 Days	OR
2022	Vehicle Pursuit Related Violation	CIVILIAN	4 Days	2 Days
2022	Shooting Violation, Unauthorized Tactics	CIVILIAN	10 Days	5 Days
2022	Shooting Violation, Unauthorized Tactics	CIVILIAN	10 Days	10 Days
2022	Other Policy/Rule	CIVILIAN	2 Days	3 Days
2020	Neglect of Duty	CIVILIAN	2 Days	2 Days
2020	Neglect of Duty	CIVILIAN	2 Days	OR
2022	Neglect of Duty	CIVILIAN	2 Days	Not Guilty
2020	Unbecoming Conduct	CIVILIAN	22 Days	Not Guilty
2020	Improper Remark	CIVILIAN	5 Days + Demo	Not Guilty
2022	Unauthorized Tactics	CIVILIAN	2 Days	OR
2021	Unauthorized Force	CIVILIAN	22 Days	5 Days
2020	Neglect of Duty, Unbecoming Conduct	CIVILIAN	6 Days	Removal
2021	Neglect of Duty	CIVILIAN	2 Days	OR
2021	Neglect of Duty, Search Violation, Detention Violation	CIVILIAN	10 Days	5 Days
2023	Shooting Violation	CIVILIAN	2 Days	Not Guilty

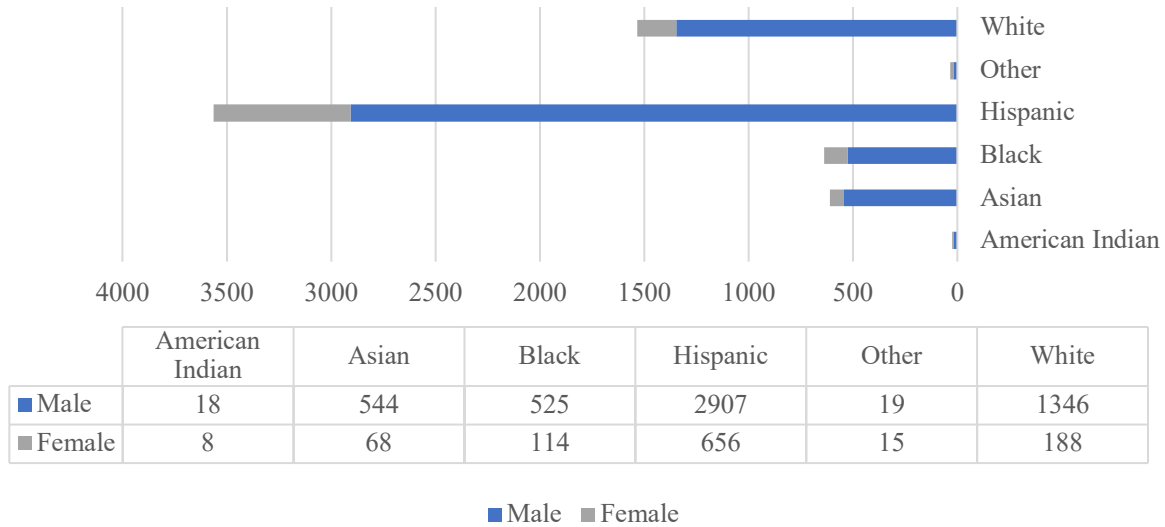
In 2023, there were 33 *Opted* Board of Rights Hearings.

Of those, 11 were found *Not Guilty*, 2 were found *Out of Statute*, 13 received a lesser penalty, 4 received the same penalty, and 2 received a greater penalty.

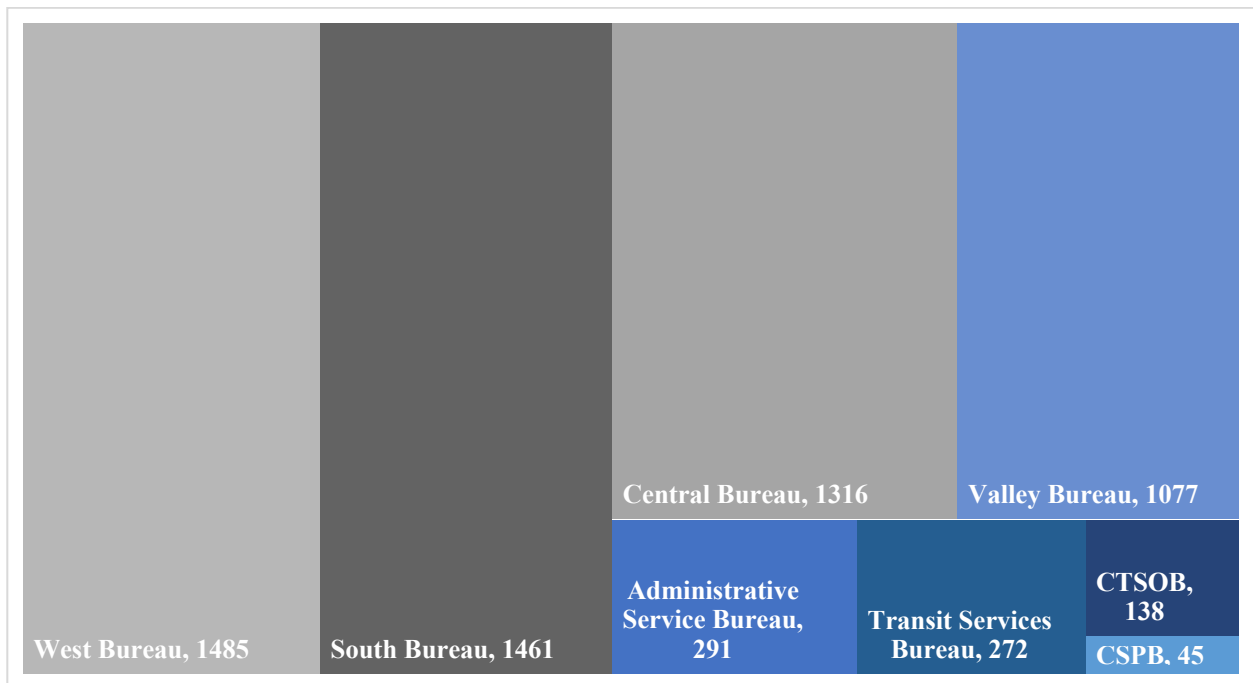


ACCUSED EMPLOYEE STATISTICAL INFORMATION

DEMOGRAPHICS OF ACCUSED EMPLOYEES



ACCUSED BUREAU OF ASSIGNMENT (GEOGRAPHIC & SPECIALIZED RESPONSE)



APPENDIX: CLOSED 2023 COMPLAINT RAW DATA

SUSTAINED VS. NOT SUSTAINED DATA FOR ALL CLOSED ALLEGATIONS IN 2023

The chart below depicts the number of allegations by allegation type for all closed complaints in 2023. The total number of allegations is delineated by sustained and not sustained (including any adjudication other than sustained, including non-disciplinary classifications).

Allegation Type (Closed in 2023)	Sustained	Not Sustained	Total Allegations	% Sustained
Alcohol Related (Not DUI)	9	4	13	69.2%
Biased Policing ^{NOTE}	0	1495	1495	0.0%
Body Worn/Digital In-Car Video Violation	25	46	71	35.2%
Detention Violation	3	716	719	0.4%
Detrimental Workplace Behavior	33	831	864	3.8%
Discourtesy	45	1336	1381	3.3%
Domestic Altercation/Incident	32	88	120	26.7%
Driving While Impaired	28	9	37	75.7%
Driving/Traffic Collision	2	6	8	25.0%
False Statements	20	112	132	15.2%
Financial Dishonesty	4	45	49	8.2%
Failure to Appear/Qualify	16	51	67	23.9%
Improper Remark	16	146	162	9.9%
Insubordination	18	6	24	75.0%
Misleading Statements	12	9	21	57.1%
Narcotics/Drugs	3	12	15	20.0%
Neglect of Duty	298	2963	3261	9.1%
Negligent Discharge	8	0	8	100.0%
Other Policy/Rule	20	132	152	13.2%
Safety Belt Violation	22	37	59	37.3%
Search Violation	3	387	390	0.8%
Sexual Misconduct	2	130	132	1.5%
Shooting Violation	7	0	7	100.0%
Unauthorized Force	13	660	673	1.9%
Unauthorized Tactics	16	273	289	5.5%
Unbecoming Conduct	135	2489	2624	5.1%
Unequal Treatment Violation - Workplace	0	65	65	0.0%
Unwelcome Sexual Advance - Workplace	1	13	14	7.1%
Vehicle Pursuit - Related Violation	23	19	42	54.8%

Note: Duplicate and consolidated allegations were removed from the following figures.

Note: The “sustained” allegation count in the closed complaint data does not include the four adjudications that have not yet reached administrative closure.

PENALTIES IMPOSED IN SUSTAINED COMPLAINTS

The chart to the right depicts the frequency of penalties imposed for sustained complaints that were closed in 2023.

“No Penalty” for a sustained complaint indicates that the complaint was classified as disciplinary and the allegation was proven to be true, but corrective action other than suspension was deemed most appropriate.

A penalty is recorded as “unable to impose” when the employee retired or resigned from the Department prior to imposition of a penalty.

Frequency of Penalty Imposed	2023
Admonishment	78
Demotion	2
No Penalty(S-NP Only)	13
Official Reprimand	152
Suspensions	166
1-9 days	110
10-19 days	30
20-29 days	20
30-39 days	1
40-49 days	0
50-59 days	1
60-65 days	4
Removal/Termination	18
Unable to Impose Penalty	68

Thank you for reading the 2023 PSB Annual Review.