

## INTRADEPARTMENTAL CORRESPONDENCE

November 10, 2016

1.1

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** REPORT OF THE LOS ANGELES POLICE DEPARTMENT ON THE  
PREVENTION AND ELIMINATION OF BIASED POLICING

### **RECOMMENDED ACTION:**

That the Board of Police Commissioners APPROVE the attached report.

### **DISCUSSION:**

The attached document entitled, "Report of the Los Angeles Police Department on the Prevention and Elimination of Biased Policing" has been prepared in response to a request from the Board of Police Commissioners.

Should you have any questions regarding this matter, please contact Commander Jeffrey Bert, Community Policing and Policy Group, at (213) 486-6605.

Respectfully,



CHARLIE BECK  
Chief of Police

Attachment

# LOS ANGELES POLICE DEPARTMENT



## REPORT OF THE LOS ANGELES POLICE DEPARTMENT ON THE PREVENTION AND ELIMINATION OF BIASED POLICING

CHARLIE BECK  
Chief of Police

*November 15, 2016*

## Table of Contents

INTRODUCTION .....	1
PART ONE .....	2
I.    Explicit Bias, Implicit Bias, Biased Policing.....	2
II.   History of Reform at the LAPD and Commitment to Constitutional Policing....	3
III.  Perceptions of Safety and the LAPD in 2016 – Community Survey Results.....	6
PART TWO .....	13
IV.   Recruitment and Workplace Diversity.....	13
V.    Academy Recruit Training, In-Service Training, and Leadership Development.....	22
VI.   Community Policing’s Role in Reducing Bias .....	31
VII.  Commitment to Constitutional Policing .....	39
VIII. Complaint Investigations, Adjudication, Disciplinary Actions, and Mediation..	41
IX.   How the LAPD Compares to the Nation .....	51
PART THREE .....	56
X.    National Data on Biased Policing.....	56
PART FOUR.....	107
XI.   Going Forward – The Need for Constant Improvement.....	107
APPENDICES .....	108
Appendix A: Perceptions of Safety and Police in Los Angeles – Results of a Survey of Los Angeles Residents.....	108
Appendix B: LAPD Training Rosters - Quick Reference Chart.....	139

# **REPORT OF THE LOS ANGELES POLICE DEPARTMENT ON THE PREVENTION AND ELIMINATION OF BIASED POLICING**

## **INTRODUCTION**

On September 13, 2016, the Los Angeles Board of Police Commissioners (BOPC) requested the Los Angeles Police Department (LAPD or the Department) to prepare a public report setting forth how it addresses the issue of biased policing and provide in the report information on how police agencies in Baltimore, Chicago, Dallas, New York, and Philadelphia address this issue.<sup>1</sup>

The following is a comprehensive and detailed report on the programs and processes currently in place to prevent biased policing and the Department's efforts to eliminate any unlawful discrimination that may affect the public's trust and reduce the effectiveness of the LAPD's crime reduction programs. In addition, this report sets forth the processes in place in ten other major police agencies and data made available by these departments regarding biased policing.

This Report is divided into four parts which provide an understanding of bias and its implications in policing; the Department's programs and processes to prevent bias and eliminate discrimination, including applicant screening, recruit and in-service training, employee discipline, and work force diversity; the information obtained from the ten comparison agencies; and areas of opportunity to further expand LAPD's efforts to prevent bias and eliminate discrimination.

As detailed more fully below, the Department has made significant strides over the past decades to prevent and eliminate the type of bias and discriminatory actions that damaged its relationship with communities and compromised the legitimacy of policing in Los Angeles. Since that time, the LAPD has implemented and maintained numerous reforms through structural changes and procedural improvements as well as strong leadership and a cultural shift that emphasizes the strength of a diverse workforce and upholding the principles of constitutional policing.

The Department recruits, maintains and promotes officers with the highest ethical standards, utilizes extensive training programs that promote the elimination of both explicit and implicit bias, and holds officers accountable when they violate the public's trust by engaging in unlawful discrimination or explicitly biased conduct. In addition, the Department has maintained and improved upon the reforms instituted pursuant to a federal consent decree which includes rigorous investigations of all uses of force and allegations of misconduct, consistent auditing of compliance with Department policies, expansion of community-based policing programs, and institutionalizing constitutional policing in all of its operations and functions.

While the Department has significantly improved over the past decades, there is much work to be done to maintain and improve the level of public trust that is so essential for effective policing, especially with communities that have been subjected to historical discrimination and disadvantage. Accordingly, the Department is steadfastly committed to maintaining its reforms and expanding its efforts to promote mutual understanding and respect, engage in productive

---

<sup>1</sup> In addition, at the direction of the Chief of Police, the Department contacted the police agencies in San Diego, San Francisco, San Jose, Seattle, and the District of Columbia regarding their handling of biased policing complaints. The information obtained from these agencies is also included in this Report.

dialogue and strong partnerships with its diverse communities, and ensure lawful transparency and accountability while protecting the rights of all people.

## PART ONE

### **I. Explicit Bias, Implicit Bias and Biased Policing**

A bias, in a general sense, is a human trait that the brain utilizes to process information based on life experiences. This process occurs consciously or unconsciously and may include stereotypes and attitudes that the brain uses to categorize people by age, gender, race, or other criteria.

An explicit bias is when a person is consciously aware of his or her positive or negative stereotypes and attitudes about a particular group<sup>2</sup>, and may be positively or negatively developed as a result of life's experience. These explicit biases may manifest themselves in specific conduct that is explicitly discriminatory such as making inappropriate or derogatory racial comments, or treating someone more harshly based on their age, gender, race, religion or ethnicity than other similarly situated groups.

An implicit bias consists of the "below the level of consciousness" stereotypes, attitudes, and perceptions, with positive or negative feelings that have developed because of the "mental maps" created by the brain through life's experiences. Implicit biases are an "automatic positive or negative preference for a group, based on one's subconscious thoughts." Implicit biases may influence actions when an individual is unaware that a bias, rather than the facts or other circumstances of a situation, are driving his or her decisions.

Biased policing occurs when an officer engages in a law enforcement activity by discriminating against an individual on the basis of race, religion, color, ethnicity, national origin, gender, sexual orientation, disability or other personal characteristics protected under the law.<sup>3</sup> Officers are required to engage in law enforcement-related activities only when the specific non-discriminatory factors and circumstances allow the enforcement or investigative activity under the law. The LAPD specifically prohibits an officer from using any of the protected characteristics when conducting a law enforcement activity except when a suspect-specific characteristic is necessary to identify a person in combination with other identifying factors.

Whether an officer has engaged in a biased policing activity is often difficult to prove without direct evidence that the officer was motivated or specifically intended to discriminate against a suspect based on the suspect's race, ethnicity or another protected characteristic. Whether an officer was engaged in biased policing requires some definitive or readily provable evidence that a police action was not based on an independent and lawful basis absent an admission by the accused officer and instead motivated solely on a protected characteristic.

When there is evidence of an explicit bias, however, such as the use of a racial slur or derogatory remark, the Department is able to take direct action against the officer. This may result in denying an applicant an appointment to the police academy or disciplinary action, including

---

<sup>2</sup> Page 2, <https://www.justice.gov/crs/file/836431/download>, November 7, 2016

<sup>3</sup> LAPD Policy also specifically prohibits discriminatory conduct based on gender identity and gender expression.

termination, if the officer is a current employee. As explained in greater detail in Part Two of this Report regarding disciplinary investigations of biased policing allegations, officers who engaged in bias-related misconduct such as inappropriate remarks or discriminatory conduct have been investigated and received significant penalties including termination. Implicit bias, on the other hand, is more challenging to eliminate due to its subconscious nature but, as also set forth below, is addressed through training and other mechanisms.

The President's Task Force on 21<sup>st</sup> Century Policing identified the importance of reducing bias and eliminating discrimination in policing so that crime reduction efforts are effective. The President's Task Force stated that "decades of research and practice support the premise that people are more likely to obey the law when they believe those who are enforcing it have the legitimate authority to tell them what to do."<sup>4</sup> Legitimacy is given when the public believes law enforcement is acting in a neutral, unbiased manner.<sup>5</sup> This fair and impartial administration of the law enables a level of trust between the public and the police that supports its legitimate actions to protect communities from harm.

## II. History of Reform at the LAPD and Commitment to Constitutional Policing

The LAPD's history regarding past civil rights abuses and discrimination have been well documented in the public sphere and academic literature. While leading the nation in a number of law enforcement innovations in the last half century, the LAPD, like many law enforcement agencies at the time, did not treat the diverse communities it was obligated to serve in a fair, constitutional and non-discriminatory manner. Accordingly, these communities distrusted the police and the LAPD struggled to reduce unconscionable levels of crime and violence in those communities.

Since that time the LAPD undertook a number of reforms to address these unacceptable circumstances, sometimes under court-ordered supervision and timelines. Most notably the U.S. Department of Justice and the City of Los Angeles entered into a federal Consent Decree mandating numerous reforms designed to institutionalize constitutional policing principles, greater accountability and oversight, enhanced training, rigorous disciplinary investigations and adjudications especially involving citizen complaints, robust administrative tracking of uses of force and discipline, and stronger relationships with the community.

As part of the Consent Decree, the Department specifically examined the issue of racial profiling by systematically collecting data on pedestrian and motor vehicle stops in order to gain a better understanding of police contacts and perceptions of potential racial profiling. In 2006, an

---

<sup>4</sup> Page 10 President's Task Force on 21<sup>st</sup> Century Policing – Final Report, May 2015

<sup>5</sup> Page 10, Lorraine Mazerolle, Sarah Bennett, Jacqueline Davis, Elise Sargeant, and Matthew Manning, "Legitimacy in Policing: A Systematic Review," *The Campbell Collection Library of Systematic Reviews 9 (Oslo, Norway: The Campbell Collaboration, 2013)*. According to this research, the four central principles that define procedurally just behavior are:

1. Treating people with dignity and respect;
2. Giving individuals "voice" during encounters;
3. Being neutral and transparent in decision making; and,
4. Conveying trustworthy motives.

independent firm known as the Analysis Group, Inc. examined over 814,000 vehicle and pedestrian stops conducted over a two-year period and analyzed enforcement activities by LAPD officers after the stops were made (known as a “post-stop analysis”).<sup>6</sup> The analysis revealed that while some racial disparities were found in some divisions, there was no consistent pattern of race effects across divisions or races. Disparities were observed between gang and non-gang officer requests for post-stop requests to exit the vehicle and conduct a search for weapons (pat-downs) resulting in unexplained racial differences in stops by non-gang officers. Racial disparities were not consistently observed from gang officers. The analysts, however, could not conclude from the data that the disparities were a result of racially-biased policing because of the unavailability of relevant or key variables that were either not quantifiable or not available. For example, variables such as the suspect’s attitude or demeanor, differences in driving behavior, or the officer’s perceived threat of the suspect were not recorded or not quantifiable.

Despite the inability to draw definitive conclusions from the data, the Department of Justice and the City agreed to pursue a program to install Digital In-Car Video Systems (DICVS) in all patrol cars as a means to collect better evidence of police-community enforcement contacts and deter officers from stopping a suspect without lawful justification. The Department currently has DICVS operational in all patrol cars in LAPD’s South, Central, and West Bureaus. Valley Bureau is scheduled to be operational in Spring of 2017. In addition, the Department recently embarked on a plan to deploy 7,000 body-worn video cameras (BWV) to sworn field personnel. As of this Report, approximately 1,200 BWV cameras are deployed in six geographic areas and traffic divisions.

In May of 2009, Harvard University’s Kennedy School of Government published a report entitled “Policing Los Angeles Under a Consent Decree: The Dynamics of Change at the LAPD,” and set forth the results of its research and assessment of the LAPD after several years of reform under the Consent Decree. The Kennedy School report stated that the LAPD was “completing one of the most ambitious experiments in police reform ever attempted in an American City. . .” and concluded that the Department had changed significantly over the eight years of court-ordered supervision.<sup>7</sup> The Harvard Report also stated that the LAPD “knows how to improve, has improved, and will likely continue on that path, with or without the current level of scrutiny from the federal court.”<sup>8</sup>

In May of 2013, the federal district court ruled that the LAPD had substantially complied with all provisions of the Consent Decree and ended court-ordered monitoring of the Department. Since that time the Department has continued the reforms instituted under the Consent Decree including rigorous investigations and adjudications of uses of force and allegations of misconduct, consistent auditing and inspection of compliance with Department policies, expansion of community-based policing programs, and institutionalizing constitutional policing

---

<sup>6</sup> A database was created with information on 814,492 vehicle and pedestrian stops conducted from July 1, 2003 through June 30, 2004. Vehicle stops accounted for 72% of all stops and pedestrian stops constituted 28% of the database. Pedestrian and Motor Vehicle Post-Stop Data Analysis Report, Analysis Group Inc. July, 2006, Appendix B, p.51).

<sup>7</sup> Page i, <http://assets.lapdonline.org/assets/pdf/Harvard-LAPD%20Study.pdf>, November 8, 2016

<sup>8</sup> Page 2, <http://assets.lapdonline.org/assets/pdf/Harvard-LAPD%20Study.pdf>, November 8, 2016

in all of its operations and functions. In addition, the Department has made significant progress since the implementation of the Consent Decree in screening applications for evidence of racial or other impermissible bias and diversifying its workforce to be more reflective of the communities it serves.

### **Commitment to Constitutional Policing**

Through the implementation of the consent decree and other reforms, the LAPD has institutionalized its steadfast commitment to constitutional policing. This involved, among many things, structural changes in the organization, clear and direct policy requirements, updated training, enhanced accountability measures, and strong leadership to ensure that officers apply the law fairly and consistent with the rights and privileges guaranteed in the United States and California constitutions and other applicable laws. The manifestations of the Department's commitment to constitutional policing, which includes the prevention of bias and elimination of discrimination, is detailed throughout this report. Specifically, however, the Department recently made additional policy and structural changes to further promote and ensure that constitutional policing remains at the core of the organizations functions and mission.

In 2009, for example, Chief of Police Charlie Beck issued his five goals for the Department and made a Commitment to Constitutional Policing his top priority. This priority has been memorialized in Department policies, procedures, guidance and training utilized across functions and specific law enforcement missions. In 2010, the Chief Beck issued a notice entitled *Constitutional Policing and Biased Policing*, reminding employees that policing in a constitutional manner is the responsibility of each and every sworn member of the Department. He also reiterated the importance of fully complying with the anti-bias policies and his expectation that officers who violate these essential components of public trust will be held accountable.

Further evidence of the institutionalization of constitutional policing is in the interview and selection process of any lateral or paygrade- advancement position which requires that the candidates answer questions related to constitutional policing including impermissible bias.

Most recently, the Chief of Police elevated the civilian position of Special Assistant for Constitutional Policing to a three-star command with a Director at the Assistant Chief level. This new position as the Director of the Office of Constitutional Policing and Policy (OCP) enabled the appointment of the highest ranking civilian commander in the history of the LAPD which expressed the Department's strong commitment to civilian involvement and experience at the highest levels. The Director of OCP is responsible for, among other things, continuing the reforms implemented under the consent decree, providing advice and counsel to the Chief of Police and command staff on legal and constitutional issues, and overseeing police divisions responsible for community partnerships, public information, legal affairs, harm reduction (i.e. Risk Management), compliance, policy development and coordination, and legislative affairs. The nearly 300 sworn and civilian professionals that form OCP provide essential functions to ensure constitutional policing principles are applied throughout the LAPD.



### **III. Perceptions of Safety and the LAPD in 2016 – Community Survey Results**

The public's perceptions about the LAPD are an important element in understanding whether ongoing efforts to strengthen public trust are effective and where improvements are necessary. Most often, members of the community, the media, and the Department form perceptions about each other based on anecdotal information. Active supporters or vocal critics may not necessarily reflect the sentiment or concerns of the community or particular demographic groups.

In an effort to obtain empirical evidence of the community's perceptions of the LAPD, the Chief of Police initiated an effort to conduct the first-ever community surveys to measure City resident's attitudes about crime, safety and the LAPD. He specifically requested that an independent and objective survey -- one that was methodologically rigorous and would be analyzed independently of the police department—be conducted to have an accurate understanding of the respondents concerns and attitudes towards the Department.

The Department successfully obtained federal grant funding to retain an outside survey firm and researchers to conduct over 2,000 live telephone interviews, in English and Spanish, with a diverse set of Los Angeles residents to measure their concerns about the fear of crime, public trust in the police, and satisfaction with police services.<sup>9</sup> Research analysts examined the vast data collected to determine whether different attitudes existed because of age, gender, or race/ethnicity.<sup>10</sup> They also grouped the questions into specific concepts to measure (1) perceptions of public safety; (2) perceptions of police effectiveness; (3) perceptions of police satisfaction; and (4) perceptions of police fairness and integrity.

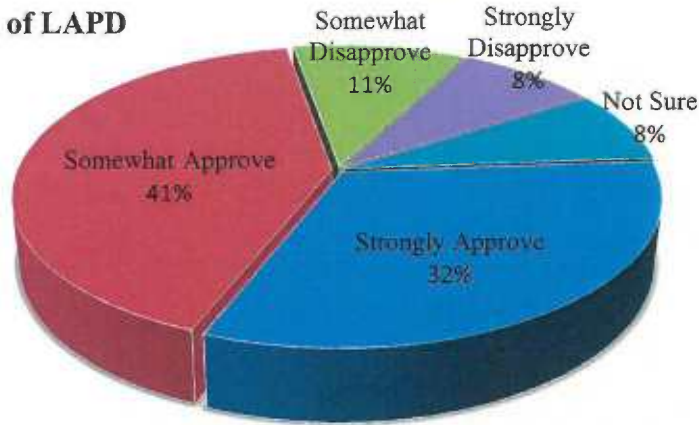
**[This portion of the page is intentionally left blank.]**

---

<sup>9</sup> The Survey of Los Angeles Residents was conducted from February 22 to March 3, 2016 by randomly selecting among a listed telephone sample of 2,004 adults ages 18 and older residing in Los Angeles. The live telephone interviews were conducted with landline and cellular phone respondents and were carried out in English or Spanish based on the respondent's preference. The findings are attached as APPENDIX A to this Report.

<sup>10</sup> The 2,004 survey respondents were a representative sample of residents in the city of Los Angeles. Thirty-nine percent were white, 35 percent Latino/Hispanic, 9 percent Black/African American, 10 percent Asian, and 5 percent other races or ethnicities. Fifty-one percent were female and 49% were male. Eighteen percent of the respondents were 18-29 years old, 17 percent were 30-39, 15 percent were 40-49, 18 percent were 50-59, 15 percent are 60-69, and 15 percent were over 70 years old. Almost two-thirds of the respondents have lived in Los Angeles for more than 21 years, 19 percent for 11-20 years, 11 percent for 4-10 years, 3 percent for 1-3 years, and only 1 percent for less than a year. Most of the respondents (48 percent) own their home while 45 percent were renters. Five percent live with family members and 2 percent were not sure.

### Level of Approval of LAPD



The chart above shows the results of the survey regarding the level of approval of the LAPD. Across the city 73.4 percent of residents strongly approve or somewhat approve of the job that the Department is doing. The Valley Bureau has the highest approval with 76.8 percent, followed by West Bureau at 73.5 percent, Central with 72.8 percent, and South with 66.5 percent. See Appendix A.

### Perceptions by Race and Ethnicity

**Approval of the LAPD** – In terms of race and ethnicity with respect to approval of the LAPD, 78.7 percent of white residents strongly approve or somewhat approve of the job the Department is doing, followed by 73.7 percent of Latinos/Hispanics, 71.6 percent of Asians, 61 percent of other races and ethnicities, and 57.1 percent of Black/African American residents.

**Los Angeles is Safer than Cities** – In terms of race and ethnicity regarding whether Los Angeles is safer than other cities, 58.8 percent of Latino/Hispanic residents strongly agree or agree that the city is safer than other large cities, followed by 57.7 percent of whites, 57.1 percent of Asians, 53.6 percent of Black /African Americans, and 45 percent of other races or ethnicities.

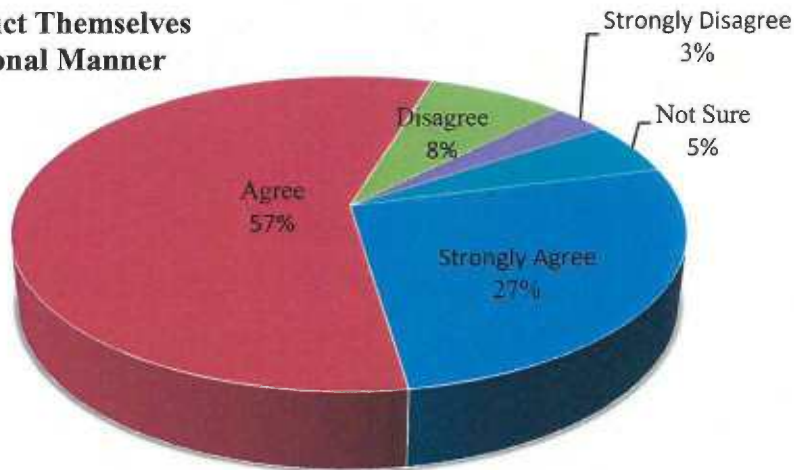
**Feelings of Safety** – In terms of feelings of safety by race and ethnicity, 78.1 percent of white residents feel very or somewhat safe, followed by 72.6 percent other races or ethnicities, 69.2 percent of Asians, 63.8 percent of Latinos/Hispanics, 63 percent of Black /African Americans.

**Police Responsiveness** – A measure of police responsiveness is the perception of residents regarding how police respond to concerns in their community. In terms of race and ethnicity, 76.7 percent of white residents feel that the police are very or somewhat responsive, followed by

71.7 percent of Asians, and similar percentages for Latinos/Hispanics, Black /African Americans, and other races and ethnicities (about 69 percent).<sup>11</sup>

**Police Interactions with People in Neighborhood** – In terms of race and ethnicity, 68.9 percent of white residents strongly agree or agree that the police do a good job of interacting with them followed by 61.9 percent of Asians, 61.2 percent of Latinos/Hispanics, and 53 percent of other races and ethnicities. Black/African Americans, however, less than 50 percent (46.4 percent) strongly agree or agree, while 42.4 percent strongly disagree or disagree.

**LAPD Conduct Themselves  
in Professional Manner**



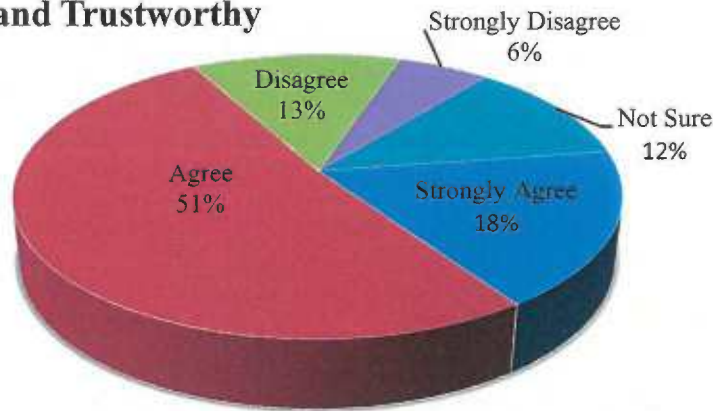
A fundamental question about police officers is how the public views their professionalism. The pie chart above shows that nearly 84 percent of Los Angeles residents strongly agree or agree that officers conduct themselves in a professional manner. In the Valley, 87.3 percent of residents perceive this, followed by West (84.7 percent), Central (80.8 percent), and South (79 percent).

In terms of race and ethnicity, 88.5 percent of white residents strongly agree or agree that the police conduct themselves in a professional manner. These are followed by 84.4 percent of Asians, 81 percent of Latinos/Hispanics, 79.2 percent of other races and ethnicities, and 74.6 percent of Black /African Americans.

---

<sup>11</sup> Across the city of Los Angeles, 72.3 percent of residents responded that they feel the LAPD is somewhat or very responsive. Nearly 76 percent of residents in West Bureau feel that the police are very or somewhat responsive, followed by those in the Valley (74.1 percent), Central (69 percent), and South (67.4 percent).

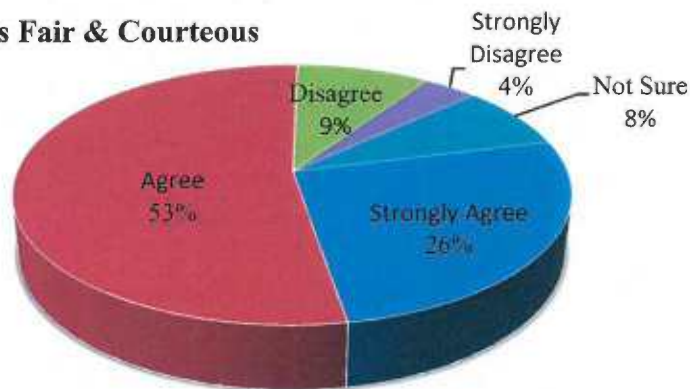
### LAPD Honest and Trustworthy



Another fundamental question about police officers is how the public views them with respect to honesty and trustworthiness (See above table). For this measure we found that nearly 69 percent of Los Angeles residents strongly agree or agree that officers are honest and trustworthy. In the Valley, 73.3 percent of residents perceive this, followed by West (70.1 percent), Central (67.4 percent), and South (60 percent).

In terms of race and ethnicity, a noticeable divide exists between Black/African Americans and whites, Hispanics, Asians and Others on this measure. Only 47.6 percent of Black/African Americans view officers as honest and trustworthy, while 74.4 percent of white residents strongly agree or agree that the police are honest and trustworthy. These are followed by 70.9 percent of Latinos/Hispanics, 68.2 percent of Asians, and 63.3 percent of other races and ethnicities.

### Treat Residents Fair & Courteous



The pie chart above shows that over 79 percent of residents living in the city strongly agree or agree that police officers treat them in a fair and courteous manner. LAPD received high marks in the Valley (83.1 percent) and the West (80.4 percent) Bureaus. Over three-quarters of

residents living in Central Bureau (75.9 percent) and 71.4 percent in South Bureau strongly agree or agree.

In terms of race and ethnicity, 86.5 percent of white residents responded that they strongly agree or agree that the police treat residents in a fair and courteous manner. These are followed by 80.8 percent of Asians, 75.9 percent of Latinos/Hispanics, 76 percent of other races and ethnicities, and 63.3 percent of Black /African Americans.

**Treated Fairly** – When asked whether Los Angeles Police Officers treat people of all races and ethnicities fairly, less than half of Los Angeles residents strongly agree or agree (49.7 percent) that LAPD officers treat people of all races and ethnicities fairly. Nearly 37 percent strongly disagree or disagree with the statement. In other words, over one-third of residents do not believe that officers treat people of all races and ethnicities fairly. The percentages of those who strongly agree or agree are consistent across the LAPD Bureaus – Valley (52.5 percent), Central (51.7 percent), West (47 percent), and South (45.6 percent).

**Using Force Only When Absolutely Necessary** – When asked whether Los Angeles Police officers use force only when absolutely necessary over one-half of Los Angeles residents believe that LAPD officers use force only when absolutely necessary (53.3 percent strongly agree or agree). Responses of strongly agree and agree vary from a high of 57.1 percent in Central, to 55.4 percent in the Valley, to 51.1 percent in South, to 48.4 percent in West Bureau. Over 38 percent of respondents in South Bureau strongly disagree or disagree, followed by residents in West Bureau with 33.3 percent.

Only 31.6 percent of Black/African Americans strongly agree or agree that LAPD officers use force only when absolutely necessary. These percentages are much lower when compared to Asian (62.3 percent), Latino/Hispanic (59.3 percent), and White (51.4 percent) respondents.

**Stopping and Searching Too Many People** – When asked whether Los Angeles Police officers "stop and search" too many people in my neighborhood 63.4 percent of residents strongly disagree or disagree. In the Valley over 71 percent strongly disagree or disagree in contrast to South Bureau residents where 48.9 percent strongly disagree or disagree.

When examining the results by race and ethnicity, there is a wider disparity of opinion compared to other questions. About 43.4 percent of Black/African Americans strongly disagree or disagree compared to 76.8 percent of white residents, 54.3 percent of Latinos, 61 percent of Asians, and 59 percent of others who strongly disagree or disagree.

### **Analysis of Results and Recommendations by the Independent Researchers**

As evident from the data obtained from this first-ever attempt to measure public perceptions of the LAPD, there are many areas where the community, across geographical, ethnic, and racial categories, believe the Department is effective, professional, and responsive to their needs. This

is also evident when compared to research conducted nationally where attitudes toward police among communities of color are often much lower.<sup>12</sup>

There are, however, several identifiable areas in need of improvement given the disparity of perceptions between racial and ethnic groups such as White residents versus Black/African American residents in Los Angeles. In addition to many of the programs identified in this report which are designed to reduce bias and the perception of bias to build public trust, the Department adopted several recommendations of the researchers who analyzed the data from these survey. The recommendations include the following:

*1. Maintaining and increasing the overall approval rating of the Department and continue to act professionally.*

The Department attained high marks from residents overall and specifically with its professionalism. Officers should be made aware of these achievements and applauded for their efforts.

*2. Continue to improve relationships with residents in South Bureau and with Black/African Americans; overcome the perception that the Department does not treat people of all races and ethnicities fairly.*

Less than 50 percent of residents perceive that LAPD officers treat people of all races and ethnicities fairly. This perception is consistent across the city, but most pronounced in South and Central Bureaus. This perception is also influenced, in part, by nation-wide events. Changing this perception takes time and commitment across all levels of the Department. But programs

---

<sup>12</sup> For example, the recently released Gallup Poll on *Americans' Confidence in the Police*, measured significant disparities among White and Black/African American populations. (2012-2013 Blacks gave a confidence rating of police of 36 percent in 2012 -2013 which dropped to 30 percent in 2014-15. Meanwhile, Whites gave a confidence rating of 60 percent in 2012-13 and 57 percent in 2014-15). A TIME magazine article similarly identified survey data findings that reveal that non-white Americans are less likely to feel that the police serve and protect them. The "results . . . show that 60% of white Americans surveyed last month said they trust the police, while 49% of non-whites felt similarly. Despite the disparity, the 11-point gap is actually smaller than its average of 14 points since 1985."

The Pew Research Center's report entitled *The Racial Confidence Gap in Police Performance*, Morin and Stepler, September, 2016, stated that Blacks are less confident than whites in their police. "Just 14% of blacks say they have a lot of confidence in their local police, and 41% say they have some confidence. By comparison, about four-in-ten whites (42%) say they have a lot of confidence in their police, and another 39% say they have some confidence." Also, in this article, "Blacks are about half as likely as whites to have a positive view of police treatment or racial and ethnic groups or officers' use of force."

Finally, an LA Times article by Kate Mather on May 31, 2016 references a poll conducted by the Center for the Study of Los Angeles at Loyola Marymount University which "revealed mixed reviews of law enforcement in Los Angeles County, with the greatest skepticism coming from African Americans." While about half of the 2,225 LA residents who were polled rated the quality of police service (including conduct and professionalism) as good, only a quarter of African Americans polled considered the conduct and professionalism of officers as good.

exist that have demonstrated success, and those should be continued and expanded, including the Community Safety Partnership program and Collective Efficacy in Foothill and Hollywood Divisions.

The LAPD developed the Community Safety Partnership (CSP) program in 2001 and has seen major changes in its relationships with residents in South Los Angeles, particularly in seven of the most violent public housing projects. The best elements of this program should be expanded to neighborhoods with similar needs.<sup>13</sup> In particular, CSP could be used in hot spots of violence in 77<sup>th</sup> Street, Newton, Southeast, and Southwest Divisions.

In Hollywood and Foothill Divisions, the concept of “collective efficacy” is being implemented by community groups through the Youth Policy Institute. Similar to CSP, collective efficacy emphasizes building trust between the police and residents and between residents and neighbors. Within a neighborhood, the way in which people interact, share common goals and values and trust one another are associated with levels of crime – high levels of collective efficacy result in lower crime.

Residents living in neighborhoods with close social ties tend to watch out for each other and their property. For example, they will make sure their kids are not getting into trouble, monitor people hanging out in the neighborhood, and generally provide a sense of safety within the neighborhood. Collective efficacy refers to the degree to which you trust your neighbors to provide this sense of safety, and to intervene if something problematic happens. Intervening can include things like calling the police, asking questions of strangers, notifying parents if their children are misbehaving, forming community groups to address problems, or at a higher level, attending city council meetings to request assistance from government.

*3. Proactively educate the public about use of force, especially when it is appropriate and when it is not.*

Respondents across the city are conflicted about LAPD officers and use of force. While a majority of residents (53 percent) believe that officers use force only when absolutely necessary, 33percent do not agree, and 14 percent are not sure. Part of this perception could be attributed to a misunderstanding about what is appropriate and what is not. While the Department has trained officers on 'categorical and non-categorical' uses of force, 'de-escalation' training, and emphasizes the use of the firearms simulator at all patrol divisions, the public has very little understanding of these terms and concepts. Recently, the Department provided the media with a lengthy demonstration of what it does with respect to an officer-involved shooting. Similar

---

<sup>13</sup> Charlie Beck and Connie Rice, “How Community Policing Can Work,” The New York Times, August 12, 2016, <http://www.nytimes.com/2016/08/12/opinion/how-community-policing-can-work.html>, November 10, 2016.

demonstrations about appropriate uses of force to community groups and individuals would help to explain why officers do certain things during encounters with citizens.

*4. Reduce fear of crime among women and Black/African Americans.*

Women and Black/African Americans reported that they did not feel safe walking alone in their neighborhoods at night. Making people feel safe is a primary function of any police agency. But fear of crime emanates from many different sources, making it a difficult concept to conquer. For example, prior research has shown that environmental factors – abandoned vehicles, vacant houses and lots, litter, and other conditions create an aura of fear. Similarly, prior victimization, people hanging out, panhandlers, drug trafficking, and other social conditions lead to a perception of fear.

This translates into a number of interventions ranging from enforcement to crime prevention, depending upon the nature of the crimes and conditions and fear that emanates from those crimes and conditions. Captains in their Divisions could engage in different techniques such as crime prevention education programs within their communities, high visibility patrols, foot patrols, and problem solving methods. But prior to creating a program and interventions, Captains and Bureau Commanders should meet with their constituencies to determine appropriate action that would get at the heart of the fear of crime. Meetings via focus groups, Community Policing Advisory Boards (CPAB), and through schools and recreation centers could facilitate and assist in gathering information.

*5. Increase police responsiveness to community concerns and interact more with residents.*

While these measures are relatively high in West and Valley Bureaus, in Central and South Bureaus more could be accomplished. Responding to community concerns routinely and having officers interact more with residents via programs noted above would lead to improvements in these attitudes.

The data provided by this first survey will provide a baseline to measure whether ongoing and future efforts to improve perceptions of the police are having a positive effect and building trust among communities, especially those living in underserved neighborhoods, that have traditionally had unfavorable perceptions of law enforcement and the LAPD. It is part of a long-term effort to rely on empirical data rather than anecdotal evidence of success or failure.

## **PART TWO**

### **IV. Recruitment and Workplace Diversity**

#### **Recruitment**

Each year approximately 17,000 people submit applications to become a Los Angeles Police officer. After a rigorous employment screening process that includes a written test, in-person interviews, a full background investigation, psychological and medical screening, a polygraph



examination, and a physical agility test, approximately 500 applicants are selected for the full-time recruit academy. Of those recruits, approximately 350 successfully complete both the recruit academy and the probationary period in the field.

The Department attempts to screen applicants for bias through its interview process, background investigations, psychological screening, and other information submitted during the application process.

The LAPD's Recruitment and Employment Division (RED) works in partnership with the City's Personnel Department process applicants through a seven step selection process:

Step 1. Preliminary Background Application and Job Preview Questionnaire

Step 2. Personal Qualification Essay

Step 3. Background Investigation and Polygraph Examination

Step 4. Physical Abilities Test

Step 5. Department Interview

Step 6. Medical Evaluation and Psychological Evaluation

Step 7. Certification and Appointment

Throughout this process, LAPD and Personnel Department employees interact with applicants and monitor whether any disqualifying behavior is identified including evidence of bias. In addition, the following procedures are in place which specifically include mechanisms to screen for potential bias:

- 1) Personal History Statement - Candidates who successfully complete the Personal Qualification Essay are then subject to an initial background interview and must complete a Personal History Statement (PHS) which includes three specific questions intended to identify potential bias.<sup>14</sup> The PHS is reviewed by LAPD investigators and then the candidate is interviewed regarding the information provided. If a candidate provides any indication of impermissible bias, the investigator will further examine the issue and determine, in coordination with a supervisor, whether the candidate is suitable for employment. The results of the PHS interview are submitted, discussed, and reviewed with an LAPD background supervisor. In conjunction with the investigators, the supervisor forms an opinion as to the hiring viability of the candidate. A recommendation is made for the candidate to be Continued in the Process (CIP), Hard Deny, Soft Deny, or potentially remedy the concern. Any obvious issues related to bias would be cause for a "Hard Deny" recommendation. The recommendations are then reviewed by the Personnel Department for concurrence, and, if there is a disagreement, it is then reviewed by a joint committee of LAPD and Personnel Department supervisors.

---

<sup>14</sup> The Personal History Statement contains three questions which are confidential and not disclosed to the public.

- 2) Polygraph – If the candidate is selected to continue in the process, he or she receives a polygraph examination with LAPD to verify the validity of the information obtained during the selection process. *Any issues related to bias that are uncovered are documented and forwarded for further investigation in the background process.* However, questions regarding bias would be included in the polygraph examination only if there was some indication of bias from reviewing the PHS.
- 3) Department Interview - The interview is conducted by a panel of two LAPD officers and one Personnel Department Interview Specialist. The objective of the interview is to assess personal accomplishments, job motivation, instrumentality, interpersonal skills, continuous learning orientation, and oral communication skills. *Although the oral interview is not specifically designed to identify bias, any concerns of bias would reflect in the scoring and subsequent passing or failing of the interview.*
- 4) Background Investigation - Candidates are assigned a background investigator who compiles extensive biographical information, fingerprints, and conducts interviews of family, friends, neighbors, co-workers and past employers of the candidate. The investigation also includes checks of employment, police, financial, education, and military records. Any indicia of bias discovered is thoroughly investigated, documented, and submitted to a supervisor for review.<sup>15</sup>
- 5) Psychological Testing - After the candidate has passed the background investigation, the completed case is scheduled for a psychological and medical evaluation conducted by the Personnel Department. The psychological evaluation consists of an individual oral interview and examination by a City psychologist on factors related to successful performance in the difficult and stressful job of police officer. The information evaluated includes written psychological tests as well as the background findings. The examination covers issues of bias, discrimination, building community trust, and dealing with vulnerable populations.<sup>16</sup>

The psychological evaluation also includes an assessment of the Peace Officers' Standards and Training (POST) Dimension on Social Competence.<sup>17</sup> This dimension entails "communicating with others in a tactful and respectful manner, and showing sensitivity and concern in one's daily interactions." It also includes examining social awareness, empathy, tolerance, social self-confidence, and conflict management.

This phase of the applicant process also includes administering the California Psychology Inventory which measures empathy, tolerance, and psychological mindedness; the Minnesota Multiphasic Personality Inventory-2-RF which measures cynicism, anger proneness, aggression, and disaffiliation; and, the Interpersonal Relationships Questionnaire – which is about experiences with different cultures/ethnicities and views on homosexuality, etc.

---

<sup>15</sup> This information is not disclosed to the public.

<sup>16</sup> This information is not disclosed to the public.

<sup>17</sup> POST refers California's Commission on Peace Officers Standards and Training, which functions under the direction of an Executive Director appointed by the Commission. The POST program is voluntary and incentive-based, whereby participating agencies agree to abide by the standards established by POST. More than 600 agencies participate in the POST Program and are eligible to receive the Commission's services and benefits. POST also awards professional certificates to recognize peace officer achievement and proficiency.

Finally, candidates are interviewed by the City psychologist to discuss family history, relationships, anger expression, conflict resolution and any other issues identified after completing the battery of tests.

Any issues of bias identified at any previous point, up to and including the psychological interview, are thoroughly evaluated by the psychologist. Based on the aggregate information the psychologist renders an opinion as to the mental fitness of the candidate.

- 6) Certification and Appointment - Upon completion of the first six steps of the Police Officer Selection Process the final package and recommendations are presented to the Commanding Officer, RED (Hiring Authority as designated by the Chief of Police). At this point all known factors of the candidate's background receive final evaluation for a hiring decision. Any issues of bias that have been revealed during the hiring process would be made available to the Hiring Authority for assessment.

## **Workforce Diversity**

### *The Importance of a Diverse Workforce*

The LAPD serves one of the most diverse cities in the United States and many years ago realized that it's lack of diversity created challenges in building public trust. When a police agency does not reflect the diversity of the communities it serves, it creates perceptions of bias and builds barriers between the institution and the public. Moreover, a more diverse work force that includes officers from different ethnic, racial, religious, and other backgrounds are less likely to harbor explicit or implicit biases against similar groups. Officers who have similar characteristics and a broader array of positive experiences with a particular group will likely have a more sophisticated view of similar communities and are less likely to rely on inaccurate stereotypes and inherent biases.

In a recently released report entitled "Advancing Diversity in Law Enforcement," the U.S. Department of Justice recognized that while "increasing diversity in law enforcement agencies alone cannot solve the myriad challenges in policing or address every concern about public trust in law enforcement, enhancing diversity must be part of the conversation about improving relations between law enforcement and communities."<sup>18</sup>

### *LAPD's Success in Developing a Diverse Workforce More Reflective of the Community*

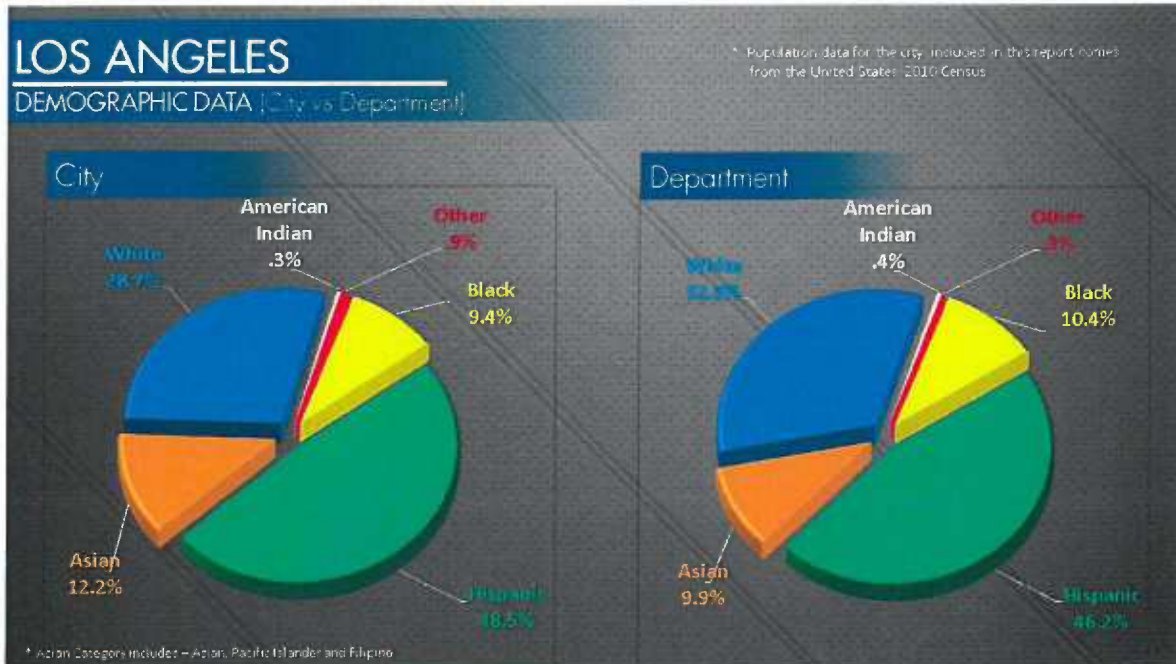
Fortunately, the LAPD has aggressively and successfully recruited highly-qualified new officers from traditionally underrepresented communities so that it nearly mirrors the current racial and ethnic composition of the four million residents of Los Angeles. As depicted in the graphic below, approximately 9.4% of the City's residents are African-American as of the 2010 Census. Approximately 10.4% of current LAPD officers are African-American.<sup>19</sup> Approximately 48.5% of City residents are Hispanic while 46.2% of the sworn workforce are Hispanic. Asian-American officers are under-represented by approximately 2.7% and White officers are over-

---

<sup>18</sup> U.S. Department of Justice, Equal Employment Opportunity Commission. *Advancing Diversity in Law Enforcement*, October 2016. p. 2.

<sup>19</sup> The U.S. Census Bureau uses the category "Black" to represent the African-American population. This report will continue using "African-American" to reflect the general terminology in Los Angeles.

represented by approximately 4.2% but these relatively minor disparities are significantly less than the traditionally white male-dominated workforce of the past.



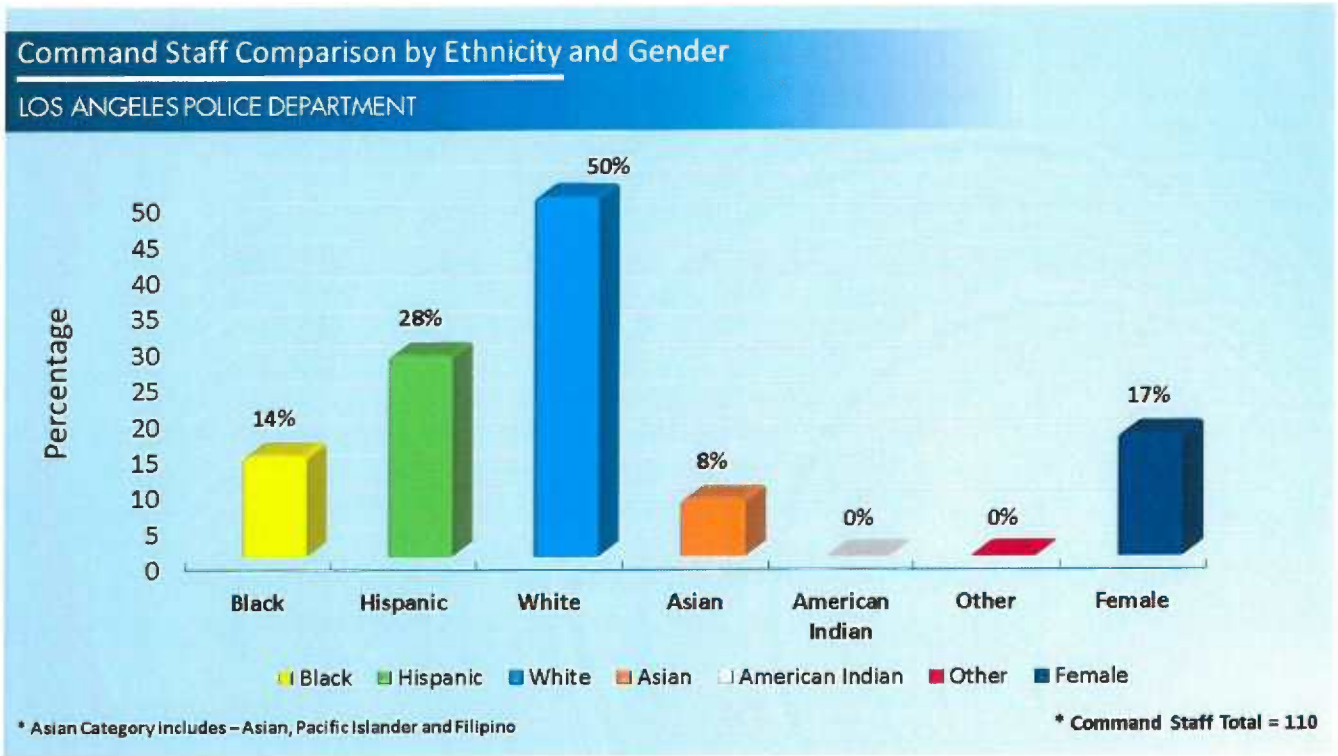
### *Gender Diversity in the LAPD*

The Department has also made significant strides to recruit more women to join the ranks of the LAPD and achieve a goal of representing at least 20% of the sworn work force. Over the past several years, the Department has successfully recruited many highly-qualified women who now comprise 18.5% of LAPD's sworn officers and continues to promote targeted recruitment of women to further diversify the work force.

A diverse workforce, of course, does not guarantee that bias will be eliminated from any organization. Discrimination and bias occur in every culture, group, ethnicity and community, and a police force's effort to mirror its community may not completely replace the biases of individual officers. But the LAPD's diversity certainly has enabled dialogue, established trust, and empowered residents that may not have approached a police officer because of a language barrier. Internally, diversity in the ranks has created inclusion, introspection, and made the LAPD more open to different ways to solve community-related issues.

### *LAPD's Diverse Supervisory Personnel and Command Staff*

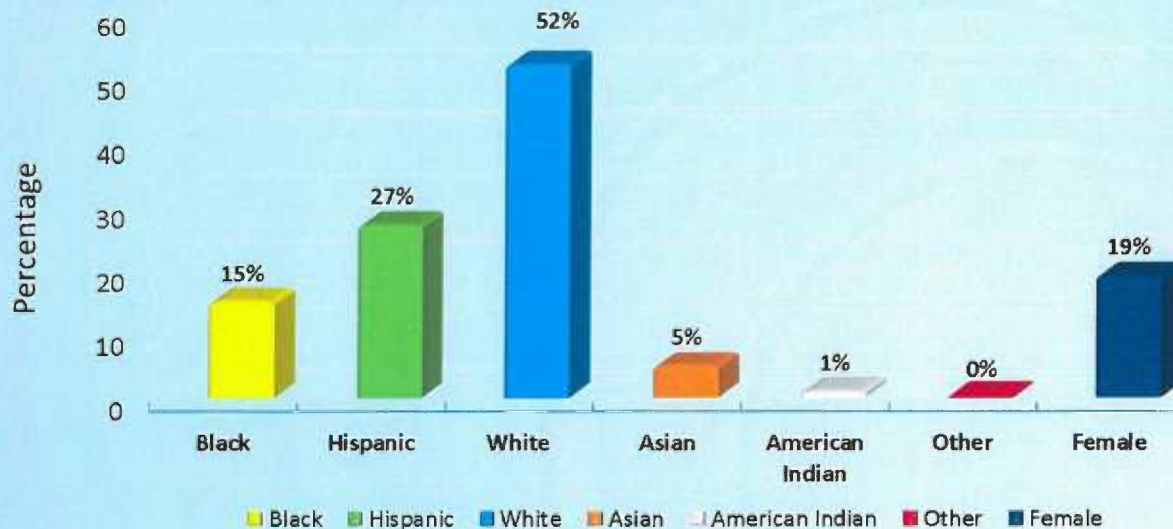
The Department is committed to ensuring that the diverse group of officers recruited and hired are also represented throughout the various ranks. The charts below depict the ethnicity by rank and gender of sworn command staff personnel.



[This portion of the page is intentionally left blank.]

### Lieutenant Comparison by Ethnicity and Gender

LOS ANGELES POLICE DEPARTMENT

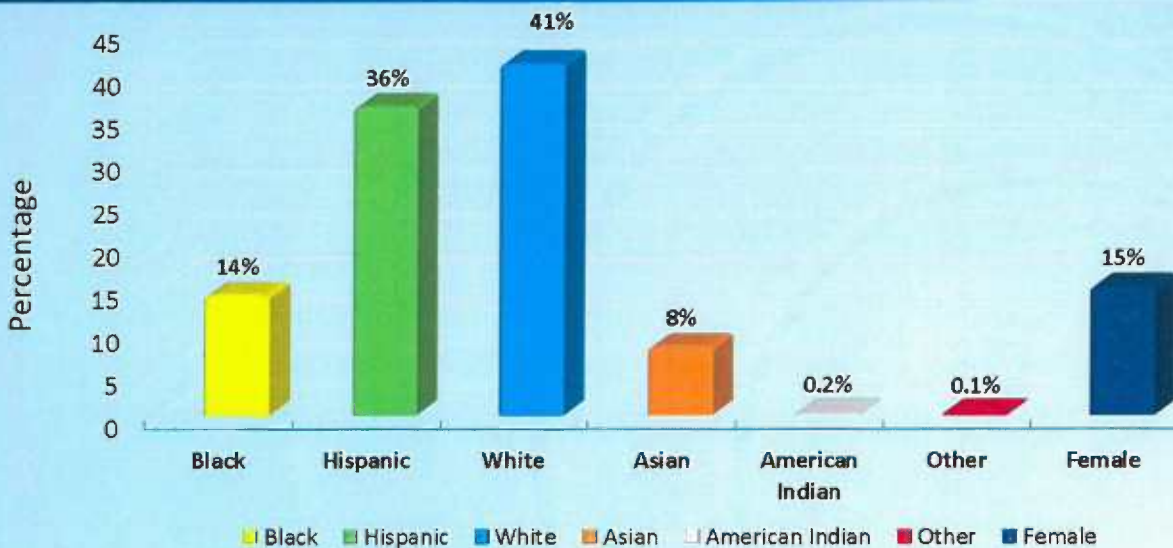


\* Asian Category includes – Asian, Pacific Islander and Filipino

\* Lieutenant Total = 262

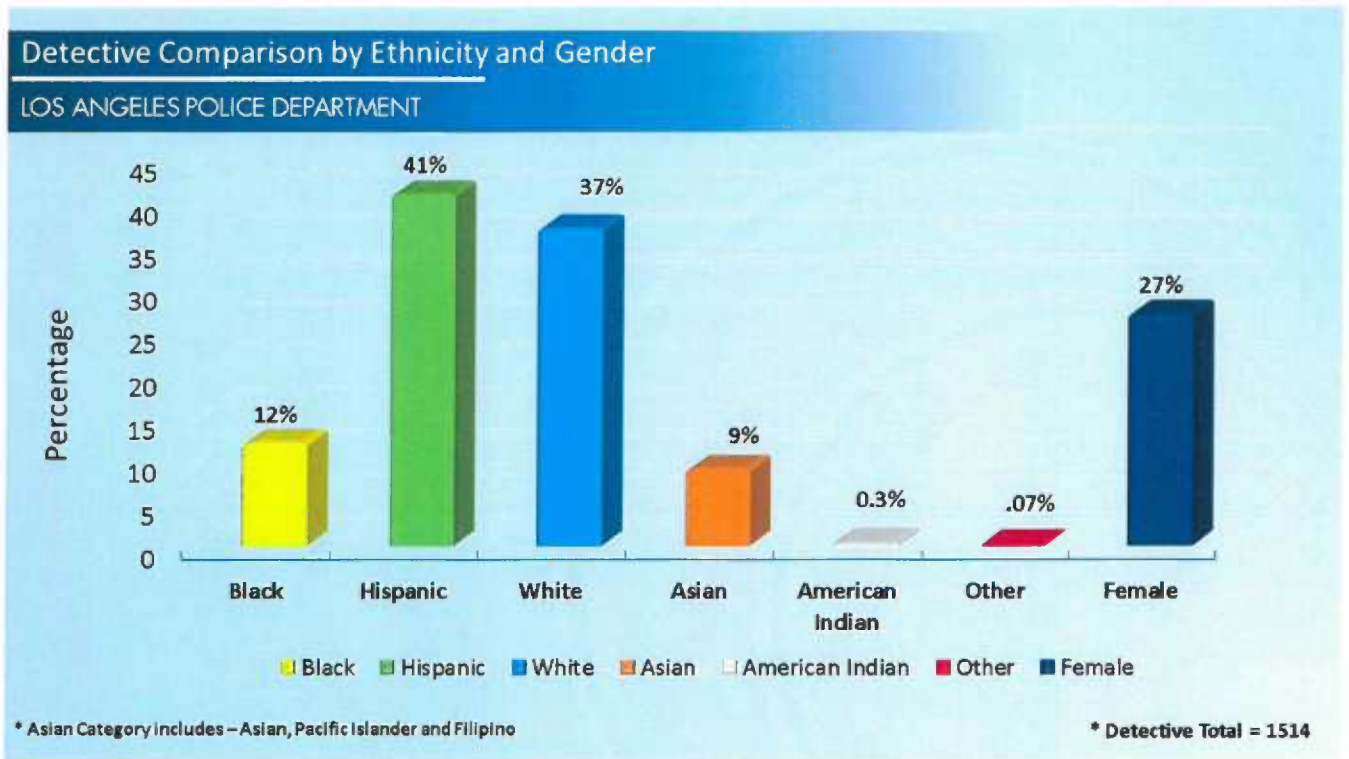
### Sergeant Comparison by Ethnicity and Gender

LOS ANGELES POLICE DEPARTMENT



\* Asian Category Includes – Asian, Pacific Islander and Filipino

\* Sergeant Total = 1245



In the command officer and lieutenant ranks White sworn personnel continue to be overrepresented, although less so than in the past. In addition, Hispanic officers are currently under-represented in the command staff and lieutenant ranks despite an overall workforce that more closely reflects the overall Hispanic population of the City. Several factors contribute to this current situation including the recent recruitment of many Hispanic officers who have less time with the LAPD than current command staff (Captain and above) who have 20 or more years of service. However, just as the diversity of the command staff has improved over the past twenty years, these disparities are highly likely to improve as the Hispanic population of officers accrue more time and experience with the Department. A review of the lower ranks of Sergeant and Detective show that the ethnic make-up is more reflective of the City's composition which is likely to reduce the disparities of the command staff over time.

Within the LAPD, there are various organizations that assist officers in preparation for and guidance through the promotional process including:

- Latin American Law Enforcement Association (LALEY);
- Association of Black Law Enforcement Executives (ABLE);
- Los Angeles Women Police Officers Association (LAWPOA);
- Law Enforcement Association of Asian Pacific (LEAAP);
- Los Angeles City Employees Chicano Association (LACECA); and,
- Oscar Joel Bryant Foundation (OJB).

Diversity is an important component of the LAPD's steadfast commitment to serving its diverse communities fairly and effectively. Its diverse workforce with varying experiences, cultural understanding, and communication skills enables officers to build stronger relationships with under-represented communities, reduce implicit bias through positive experiences, and collaborate more effectively to reduce crime and fear of crime in Los Angeles. It is the LAPD's belief that a rigorous, unflinching dedication to maintaining a diverse workforce will continue to improve understanding and effectiveness in the communities it serves.

#### *Recruitment and Hiring of Diverse Candidates*

The LAPD seeks to recruit the very best candidates -- service-minded men and women who will faithfully perform the duties of police officer for the City of Los Angeles and Department's commitment to diversity has been significantly expressed through its recruitment efforts and hiring practices.

A key aspect of the LAPD's recruitment strategy is to ensure that the Department is casting a wide net that reaches our diverse communities. Outreach efforts by the LAPD specifically seek communities and groups where relations may be strained. As an example, the LAPD's efforts to form meaningful and impactful relationships with the Los Angeles LGBT community can be found, in part, in our recruiting efforts at various events including:

- Long Beach Pride Booth;
- Long Beach Pride Event;
- LA Pride Booth;
- LA Pride Parade;
- Palm Springs Pride;
- Community Relationship Division (CRD) Resource and Health Fair; and,
- Recruitment Seminar at the Ahmanson Recruit Training Center (ARTC).

In the African-American communities of Los Angeles, the LAPD Recruitment and Employment Division (RED) attends luncheons, church services, health fairs and community events such as Taste of Soul sharing fliers, and pamphlets, and answering questions. These recruitment efforts have resulted in a LAPD whose population of African-American officers (10.4 %) is slightly over representative of the city's population which consists of approximately 9.6 % African-American.

Likewise, through recruitment the LAPD attempts to reach groups who may have limited exposure to the opportunities a law enforcement career provides. As detailed earlier in this report, Asians are underrepresented in the LAPD's ranks when compared to the Asian population in Los Angeles. To address this phenomenon, RED attends several events throughout the city's diverse Asian communities including:

- Job Fair Korea;
- Bangladesh Parade;
- Asian Pacific Heritage Job Fair;



- Moon Festival;
- Thai Cultural Day Festival;
- Korean Festival; and,
- Asian Pacific Islander Forum.

#### V. Academy Recruit Training, In-Service Training, and Leadership Development

The LAPD has a long history of training that originally began with cultural diversity training and progressed into diversity and discrimination training. Today, LAPD training includes cultural diversity, discrimination, biased policing, procedural justice, and fair and impartial policing topics. The LAPD learned through error that such training should not be developed in isolation. Since the early 1980s and continuing through today, the LAPD has collaborated with various advocacy groups, professionals, community members, educators, and other law enforcement agencies when designing this type of critical training. It is not enough to simply prohibit biased policing in policy. Constitutional policing and the emphasis on the LAPD's Core Values must be taught and reinforced throughout the Recruit Basic Course, In-Service Training, and all supervisor and management schools.

It is the LAPD's position that there is no articulated time line for training all employees on implicit bias because officers are in different stages of their careers. Beyond the POST-mandated requirement of Biased Police Training every five years, officers receive implicit bias training in many courses including Police Sciences Leadership (PSL) I and Field Training Officer (FTO) School. The LAPD Supervisor Update Course and Civilian Supervisor Course both have learning domains on understanding and investigating complaints bias policing complaints. Likewise, the identification of biased policing is taught in Watch Commander School and Command Development courses.

Throughout their six months in the Academy, police recruits receive 33.5 hours of training on biased policing and fair and impartial policing spread over twelve different courses. The eight hours of training from the Museum of Tolerance is specific to this subject; however, these concepts are reinforced throughout the Academy training during scenario debriefs and specifically during the 3.5 hour pedestrian stops segment. The LAPD sent 25 officers through the "Train the Trainer" class. These officers are now part of a cadre that teaches anti-bias and fair and impartial policing in a variety of classes including FTO School and PSL I.

Today, the LAPD's curriculum includes cultural diversity, discrimination, biased policing, procedural justice, and fair and impartial policing topics. The LAPD suggests that training must evolve and be integrated and reinforced throughout the Recruit Basic Course, In-Service Training, and all supervisor and management schools.<sup>20</sup>

---

<sup>20</sup>POST sets the standards for law enforcement in California in areas such as recruit training, in-service topics, and supervisor schools. The LAPD follows these POST standards. In addition to POST standards, curricula have been

## Training History Background

The United States Department of Justice's Consent Decree with the LAPD included verbiage which addressed the need for training on race, bias, and policing diverse communities. The Consent Decree also mandated training on topics including persons with mental illness, retaliation, and community relations.

Specifically, Paragraph 117 of the Consent Decree states:

The LAPD shall continue to provide all LAPD... with regular and periodic training on police integrity. Such training shall include and address:

- Cultural diversity, which shall include training on interactions with persons of different races, ethnicities, religious groups, sexual orientations, persons of the opposite sex and persons with disabilities, and also community policing.
- Fourth Amendment and other constitutional requirements, and the policy requirements set forth in paragraphs 102-103, governing police actions in conducting stops, searches, seizures, making arrests and using force; and
- Examples of ethical dilemmas faced by LAPD officers and, where practicable given the location, type and duration of the training, interactive exercises for resolving ethical dilemmas shall be utilized.

The LAPD designed a program to deliver training to all 12,000 employees in an expedient and effective manner, which included adding components from Paragraph to 117. The Continuing Education Delivery Program (CEDP) delivered eight, eight-hour courses over a period of four years. The concepts of procedural justice were a core concept taught in CEDP sessions. A list of topics covered during the delivery of CEDP included:

- CEDP-1 topics included compliance with constitutional law, cultural diversity, and ethical dilemmas within law enforcement.
- CEDP-2 focused on managing persons with mental illness.
- CEDP-3 included traffic stop scenarios which included constitutional policing, specifically regarding issues of race and proper application of the 4<sup>th</sup> and 14<sup>th</sup> Amendments.
- CEDP-4 included crime scene management, 4<sup>th</sup> and 14<sup>th</sup> amendment, racial bias and cultural diversity.
- CEDP-5 specifically addressed work place conflict, biases and prejudice.
- CEDP-6 included topics of complaints, both internal and external.

---

designed and are still being utilized today based upon state and federal laws, the McCone Report, the Christopher Commission Report recommendations, The United States Department of Justice Consent Decree, and various other court settlements.

- CEDP-7, issues of constitutional policing, use of force, laws of arrests, detentions, and Policy prohibiting racial profiling, ethics and integrity, valuing diversity, and cultural and community issues were addressed again. The case studies involve people with mental issues, people from different cultures, different genders, and different religious beliefs.
- CEDP-8 was specifically on the topic of discrimination and retaliation.

Since 1996, the LAPD has been sending officers to the Museum of Tolerance for an eight-hour course on diversity, discrimination, bias, community conflict, hate crimes, and tolerance. Prior to 1996, the Director of Training and Education and the Officer-in-Charge of the Human Relations Unit at the Academy worked closely with the Museum of Tolerance to develop a law enforcement specific course which ultimately was approved by POST. Officers from all over the state have attended the course. In 2001, the LAPD again worked with the Museum of Tolerance to create a new course which included two segments: Beyond Diversity and Racial Profiling. Since 1996, the LAPD has sent approximately 22,330 officers to the various courses offered by the Museum of Tolerance.

### **Racial Profiling Policy**

In 2001, the LAPD created policy prohibiting racial profiling. This policy was integrated into a number of in-service training classes. The term racial profiling was used interchangeably with the term “biased policing.” In 2010, the LAPD adopted a policy replacing the term “biased policing” with the term “constitutional policing” which included violations of constitutional law. Constitutional policing was then integrated in LAPD training within numerous courses. The concept of constitutional policing continued to evolve based on research and national trends on the subject matter. The LAPD currently addresses the topic of biased policing under the umbrella of fair and impartial policing.

To further improve the LAPD’s response to concerns from the community regarding fair and impartial policing, in 2003, the LAPD created the Diversity Training Review Committee. The LAPD sought input from external stakeholders, including a variety of affiliates from a range of organizations. Those organizations included, but were not limited to the following groups:

- City of Los Angeles, Human Relations Commission
- City of Los Angeles, Mayors Office
- City of Los Angeles, Department on Disability
- Greater Los Angeles Association for the Deaf
- National Association for the Advancement of Colored People
- University of California School of Public Policy
- Los Angeles Unified School District
- Museum of Tolerance
- Anti-Defamation League
- California State University of Northridge
- First African Methodist Episcopal Church
- Los Angeles Times

- University of Southern California
- Los Angeles Urban League

The committee provided community and special interest input, including the recognition that the LAPD had “silo” based training and recommended integration and cross referencing of certain topics throughout training. It was emphasized that training on single blocks of instruction was an outdated form of teaching complex topics to adult learners and that LAPD training needed to evolve further in its methodology.

The topic of constitutional and biased policing was presented at Direct Reports<sup>21</sup> and at the Senior Staff<sup>22</sup> meeting on September 18, 2010. Additionally, the topic was presented to the command staff at the General Staff meeting on November 9, 2010. The Chief of Police then recorded a video on constitutional and biased policing on December 9, 2010, and required that all employees view the video.

A COP Notice addressing constitutional policing and biased policing was issued to all employees for review via the Learning Management System on September 18, 2010. Additionally, during 2010, the LAPD held a department-wide Police Officer III+I meeting where customer service and issues of biased policing and leadership were discussed. Training was also provided to all command officers and sworn supervisors on the adjudication of biased policing complaints.

### **Fair and Impartial Policing Training**

Fair and impartial policing provided the next generation of progress in LAPD training by including scientific research and clarification of the differences between implicit and explicit bias, as well as discussions on strategies to minimize the impact of implicit bias through contact theory and counter stereotype exposure.

An executive level course was delivered by Dr. Lorie Fridell and her staff to all command officers (sworn and civilian) in December of 2014. The focus was twofold: first on individual awareness and then on understanding how bias can influence management practices and systems. The training was well received and it was determined that the LAPD would invest in a Train-the-Trainer (TTT) course so the LAPD could deliver the course on fair and impartial policing in an efficient and cost effective manner to all employees. Given the national high demand of the curriculum, the first TTT was for September 2015. Twenty-five cadre members were selected from 95 applications of sworn and civilian LAPD employees. After the training was completed, the cadre met numerous times to address the ongoing training needs at different levels of the organization (Academy, PSL I, FTO, supervisors, civilian, and command officers).

Academy staff ensured that the fair and impartial policing concepts were addressed thoroughly in academy curriculum and in the PSL I training course.

---

<sup>21</sup> Direct Reports are command officers who are accountable to the COP.

<sup>22</sup> A Senior Staff meeting consists of captains and above.

The next group the cadre focused on was FTOs who are required by POST to attend 24 hours of specific training every two years. Given the current national discussion in policing on the topic of fair and impartial policing, the LAPD determined there was a need to add additional topics to the FTO Update Course to emphasize fair and impartial policing mental illness, and interactions with the lesbian, bi-sexual, transgender, and questioning (LGBTQ) community. Four hours are now dedicated to fair and impartial policing in the updated 32-hour FTO course.

The LAPD Supervisor Update Course and Civilian Supervisor Course both have an existing block on understanding and investigating complaints with a particular focus on biased policing complaints. This existing curriculum will be evaluated and updated as soon as the curricula for PSL I and FTO Update Courses have been completed.

Finally, a new eight-hour civilian training will be piloted this fall. This course incorporates two hours on fair and impartial policing followed by two hours of Conflict Resolution. It will be critical for civilian employees who are often directing calls for service from the community to be in alignment with the training provided throughout the rest of the LAPD.

**[This portion of the page is intentionally left blank.]**

**Current Curriculum Content**

The following section describes what is taught relative to fair and impartial policing (including biased policing and racial profiling) at the various levels within the LAPD.

Class Name	Event	Week	Hours	Description
Transition from Civilian to Sworn	Event 1 / Police Sciences	1	1	Discussion on Officers' transition to Sworn
You as a Culturally Diverse Community	Cult Diversity/Police Science	1	3	Discussion on Community Diversity
"C" is CAPRA	Event 1 / Police Science	1	1	CAPRA Discussion / Problem Solving
Sexual Harassment	Event 1 / Police Science	1	3	Cultural Diversity / Discrimination
Basic Racial Profiling/Biased Policing	PED Stop	3	3.5	POST 1070 Course
Communications Skills	Traffic Enforcement	5	1	8 - Step / 5 - Step Scenarios
Traffic Stop-Male provides female I.D.	Traffic Enforcement	5	1	5 - Step / Scenarios
Traffic Stop-Scenarios	Traffic Enforcement	7	2	8 - Step / 5 - Step Scenarios
LGBTQ	Crimes Against Persons	7	4	Case Studies
MOT + Hate Crimes	Crimes Against Persons	11	8	Case Studies and Museum of Tolerance
Scenarios DV-COP-Ethical dilemma	Family Violence	13	3	Domestic Violence Studies
Police in Transition	Event 1 / Police Sciences	21	3	Recruit Officers Transitioning to Police Officer
* Tutorials				
* Additional Test Remediation LD28				
			Total	
			33.5	

- Regular Basic Course (recruit training):** Police recruits in the Academy receive 33.5 hours of biased policing and fair and impartial policing content throughout their six-month academy training. The eight hours of training from the Museum of Tolerance is specific to this subject however these concepts are reinforced throughout the academy training during scenario debriefs and the three and half hour pedestrian stops segment. During this segment the instructor defines biased policing, teaches the history of the Civil Rights movement, includes legal considerations, and discusses the negative impact of biased policing on individuals in the community. The below chart identifies several areas where biased policing and fair and impartial policing is integrated into the basic Academy course.

- **Police Sciences and Leadership I:** The LAPD fully implemented the PSL I training course in January of 2016 (piloted in November, 2015). This course is taught to all new officers who have graduated the academy and are in their eleventh month of their 12-month probationary field training program. This course is designed to build on the basic Academy training and integrate experiences from the field. The course includes education on fair and impartial policing concepts, leadership, emotional intelligence, and investigative skills.

Day one includes four hours specifically focused on fair and impartial policing. The module defines bias and biased policing with an academic discussion that includes how humans establish bias, the difference between implicit and explicit bias, stereotypes, policing's negative history, and how people tend to judge themselves by their intentions but typically judge others by their actions. Empathy and contact theory are introduced as ways in which to overcome the negative impact of bias.

Day two includes a five-hour module called Care of Victims and Witnesses. This portion focuses on the victim and the victim's fears. The concept of "suspending one's own frame of reference" is introduced. This is intended to prevent an officer from becoming desensitized to the trauma victims experience due to overexposure to crime and trauma throughout an officer's career. Bias is again discussed.

Day three includes a 1.5-hour Procedural Justice module. Procedural justice is the concept that involved parties are more likely to accept police legitimacy, irrespective of the outcome, as long as the process is deemed "fair." The discussion of bias is again discussed.

Additionally, blocks of instruction called Use of Force Philosophy and Use of Force Mindfulness include additional teachings on bias and its impact on police-community contacts. These modules together are 5.5-hours.

- **Various In-Service Training:** As part of the ongoing training and education efforts required by POST, all officers must complete updated training on biased policing every five years. Currently, sworn employees undergo updated training through ten hours of training at the Museum of Tolerance (Beyond Diversity: Integrity as a Tool for Building Community Trust and Racial Profiling Update). This training enhances an officer's understanding of biased policing, the Civil Rights movement, and legal, ethical, and community considerations. The integration of *fair and impartial policing* into training by the Museum of Tolerance is currently underway.

[This portion of the page is intentionally left blank.]

- **1996 to present:** The Museum of Tolerance courses used by the LAPD are described in the following chart:

<u>Museum of Tolerance Course</u>	<u>Description</u>
<p><b>OT208 Cultural Diversity Integrity Tool</b> MUSEUM OF TOLERANCE COURSE</p> <p>CONTROL #4890-23289 UPDATE 2/5/09</p>	<p>This course can also give credit for Part I of the 2-part course: Beyond Diversity: Integrity as a Tool for Building Community Trust: COURSE 1 The Beyond Diversity: Integrity as a Tool for Building Community Trust (6 Hour) (4890-23289) advances the tools introduced in the Tools for Tolerance® Cultural Diversity Program. Law enforcement personnel examine the efficacy of respect and trust as tools for building productive relationships with diverse communities. Integrity is introduced as a fundamental element in building trust and respect. Participants explore the concept of integrity and how to build integrity to ensure ethical decision-making.</p>
<p><b>OT232 Cultural Diversity Tools for Tolerance</b></p>	<p>This course is a diversity of awareness workshop and utilizes the dynamics of a highly interactive technology based Museum of Tolerance facility to promote understanding of prejudice and intolerance for both in-service and basic academy law enforcement agency personnel in public contact positions.</p>
<p><b>OT233 Tools for Tolerance for Supervising Line Staff</b></p>	<p>This course covers instruction on effective relationship/supervision in a diverse workplace environment as well as in contacts with the communities that have diverse backgrounds, values and viewpoints.</p>
<p><b>OT234 Tools for Tolerance Command Staff</b></p>	<p>This course includes the Tools for Tolerance Program and leadership principles, personal values, trends in leadership, and the relationship of tolerance to leadership.</p>

- **January 2012:** The LAPD mandated all personnel assigned to geographical areas and traffic divisions to attend a mandatory Vehicle Stops Constitutional Law/Biased Policing training. The training consisted of a two-hour block of instruction conducted by area training coordinators. The LAPD recognized the majority of biased policing complaints were generated during traffic stops. The training emphasized the need for communication skills, customer service and education during those encounters. In 2013, a 92 percent compliance rate was attained, with over 6,257 field personnel attending.
- **January 2012:** For many years, the LAPD had civilians attend the Sworn Supervisor School. In 2012, the LAPD implemented a week long, Civilian Supervisor School. The curriculum for this course is currently under review to further integrate fair and impartial policing concepts. Currently, instructors from Internal Affairs Group provide a four-hour block of instruction on Internal Affairs, which is primarily comprised of complaint investigations focused on biased policing. The content addresses biased policing as it relates to civilian positions, identifies what biased policing is, reinforces the policy, and helps students to identify biased policing situations.



- **September 2014:** The LAPD's Mental Health Intervention Training 40-hour course which teaches officers effective interactions with people with mental illness and developmental disabilities is now required training for all patrol officers. The course addresses the American Disabilities Act (ADA) and the need for equal application of the law to people protected by the ADA. Further, the topic of stigma and/or bias related to mental illness is explored as it is related to potential referrals, treatment, family involvement and calls for police service.
- **July 2015:** The LAPD created a 5-hour block of instruction on *Preservation of Life and Building Public Trust*. This training was delivered to the entire LAPD and contained segments focused on constitutional policing and the prohibition of biased policing.
- **June 2016:** In the *Field Training Officer (FTO) Update*, FTOs must understand their own bias and be able to effectively address bias in a new officer; therefore, a module on fair and impartial policing has been added to the 32-hour course.
- **Under revision in Fall 2016:** The curriculum for all supervisors will be reviewed to determine where *fair and impartial policing* concepts can best be further integrated into the Basic Supervisor and/or Supervisor Update courses.
- **Supervisory Development Course:** Internal Affairs teaches a two-hour block of instruction on constitutional policing, which teaches how to conduct biased policing investigations. This includes identifying what biased policing is and reinforcement of the policy prohibiting it.
- **Watch Commander School Course:** The concepts of anti-bias are discussed in segments about public scrutiny, public distrust of law enforcement, detentions and arrests, and the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> amendments. Additionally, the course covers the following:
  - Reinforces that detentions shall not be based on race, color, ethnicity, or national origin;
  - How to recognize at risk behaviors;
  - The National Institute of Justice Report –Early Warning Systems- Responding to the Problem Police Officer (NIJ/July 2001). This elaborates on identifying racial, gender or sexual orientation bias. This is further flushed out when discussing setting expectations; and,
  - Complaint investigations and the need to identify if there is invidious discrimination (e.g. on the basis of race, ethnicity, gender, religion, national origin, sexual orientation or disability), including improper ethnic remarks and gender bias.
- **Command Development:** The curriculum for the Command Development course, presented to those on the Captain and Police Administrator lists, has a module on cultural diversity and discrimination which has been taught since 1992. This module includes bias, stereotypes, impacts internally and externally, diversity and unlawful discrimination. This class has had numerous revisions over the years as the LAPD has incorporated lessons learned from

various lawsuits, legal updates, and nationwide trends. Presently, this block is being reviewed to identify where the concepts of *fair and impartial policing* can complement the curriculum with the next class scheduled to start in January, 2017.

The Director of the Office of Constitutional Policing and Policy, Mr. Arif Alikhan, teaches the block of instruction on constitutional Policing at Command Development, which is focused on policy prohibiting biased policing and the constitutional enforcement of the law during public contacts. Additionally, senior command officers teach classes on building public trust, the LAPD's challenges with the minority communities, and the need to build public trust.

It is critically important that the LAPD remains focused on continuous improvement in the design, development and delivery of courses that educate employees on these most important subjects. Currently the LAPD enjoys an exceptional reputation in terms of its expertise in training design, development and delivery. The LAPD will continue to partner with external resources, including community members and academics to continue the evolution of such training so that it may better serve the community of Los Angeles. For additional information on the LAPD training rosters, see Appendix B.

## **VI. Community Policing's Role in Reducing Bias**

Community Policing and other relationship-based policing strategies are important components in reducing biased policing and building public trust. These strategies emphasize that all officers and components within the Department must forge meaningful, open, and honest relationships and constructive community partnerships to promote mutual understanding, respect, and creative problem solving. Not only do these efforts assist in reducing bias and perceptions of bias but enable more effective crime reduction and greater legitimacy of enforcement actions.

In particular, when officers engage the community under positive circumstances there is an opportunity for learning about each other and developing an understanding of different human experiences and concerns. Moreover, these positive experiences help reduce generalizations and false stereotypes that contribute to biases that may influence decision making. These opportunities for open and honest dialogue between the public and the police enable participants to recognize the very human nature of crime, policing, and the concerns of the public. Therefore, the Department has been firmly dedicated to pursuing community-based policing strategies over the past several years with great success.

The LAPD does not isolate community policing efforts within a single program, division or group of officers. Rather, the principles of community policing are incorporated throughout the Department and are expected in every officer and police executive within the LAPD. Therefore, this institutionalization of community engagement, partnership building and communication has become part of the fabric of the LAPD and will continue into the future.

The following summarizes many of the Department's ongoing community engagement and partnership efforts.

### **Community Safety Partnerships**

In an effort to improve the sometimes strained relationships between police and residents of South Los Angeles, the LAPD in partnership with the Housing Authority of the City of Los Angeles developed Community Safety Partnerships (CSP). This program assigns housing developments with specific groups of officers who spearhead non-traditional, community-based policing efforts. Most importantly, it provided both the LAPD and the community an opportunity to establish a non-existent dialogue. It recognizes that no one person is right or wrong in this relationship and emphasizes that both sides must work together to better the community.

Beginning in 2010, officers walked foot beats within the housing projects to enhance relationships with community members, listening to their concerns, fears, and joys, and partaking in everyday conversation. Their initial work soon developed into the Safe Passage Program where officers provided high-visibility foot beats and campus programs at every elementary, middle, and high school within the community.

Moving beyond mere foot beats, officers have worked to engage the youth of the community breaking down barriers that were once antagonistic. Officers coach football teams (Watts Bears), lead Girl Scout troops, run tutoring labs, facilitate support groups for parents who have lost children to gang violence, and take young girls who are fatherless to father/daughter dances. This active participation between the community and officers allows for open and honest dialogue no matter the circumstance as well as reducing the perception or cycle of bias.

To continue these efforts beyond South Los Angeles, CSP has expanded to include seven housing projects within three geographic areas and now serves over 7,000 Angelenos. The newest CSP began in July 2016 at the Pueblo Del Rio housing development in Newton Area. Officers conduct regular community meetings, and foot beats. They also host community events such as Games with Cops, gardening clubs, various workout programs, and movie nights.

### **Community Relationship Division**

In August of 2015, the Chief of Police formed a new Community Relationship Division (CRD). CRD's aim is to build trust and relationships between the LAPD and the diverse communities in Los Angeles through outreach, coordinating community policing efforts, training, and digital media.

Community Relationship Division is comprised of two sections. The Digital Media and Crime Prevention Section handles social media accounts, crime prevention programs and special events. The Community Engagement Section fosters relationships with community-based organizations, leaders, groups and stakeholders while simultaneously educating the public of the LAPD functions and mission at community meetings, fairs, and summits. In addition, CRD assists divisions throughout the department with training and support to expand community engagement efforts within their geographic or functional area.

Recently, CRD has participated in city-wide events including the Transgender Walk to Remember, the Hispanic Clergy Peace March, Muslim Forum, Interfaith Prayer Breakfast, South LA Peace and Unity Conference, and Stop the Violence Summit.

To enhance its outreach, CRD has appointed various liaisons to partner with community groups. The division's Latino Liaison has been committed to strengthening relationships with immigration advocates, Latin American consulates, and street vendors. The Latino Liaison serves on the Council for Immigration Integration and the board for USC Immigration Policies. Additionally, the Latino Liaison has presented at various domestic violence and driver's license forums as well as other events to help minimize the potential fear of law enforcement that undocumented residents may have.

Community Relationship Division also collaborates with patrol divisions and geographic bureaus on community outreach and relationship-based policing issues by conducting foot beats within increased crime areas as well as areas where tensions may be a concern. Officers assist the community in neighborhood clean-ups, allowing its inhabitants to take back their streets from narcotics use and gang graffiti.

### **Days of Dialogue**

Days of Dialogue is perhaps the most open and honest conversation between community members and officers. It is not held in an open forum with a panel, there is no divide between community members and officers; instead it is a forum of small group conversations. This open dialogue allows individuals to ask specific questions in a one-on-one setting. It also provides officers with the ability to be honest and share their own experiences with community members.

Most recently, officers from CRD, Community Policing and Policy Group, Pacific Area, and Operations-West Bureau met with students from Loyola Marymount University to address the topic of biased policing. During this time, officers, students, and faculty carried on dialogue about perceptions of bias, training provided to officers, the use of firearms and less-lethal options, community perceptions, active participation within communities, and youth programs. While each small group conversation was different, the end of the forum showed pictures being taken, information being exchanged, and promises for further discussion. It is these conversations that not only allow for open dialogue, but also the ability to tear down the barriers that may exist between community members and officers.

### **Summer Night Lights**

In coordination with Gang Reduction and Youth Diversion and the Office of the Mayor, the LAPD has participated in Summer Night Lights (SNL) since its inception. This year SNL hosted programming at 32 local parks throughout the City. This is an opportunity for families to come to their local parks and participate in fun activities, sporting events, music, and movies. Most importantly, Area officers and CRD officers go to each of the 32 local parks and participate in the programming.

## **Youth Programs**

Our City's youth face unique challenges and obstacles, and it is the mission of the LAPD to provide these young men and women the ability to achieve their dreams and become contributing members of society.

First established in 1962, the Cadet program continues to develop our communities' youth by fostering leadership and ethical decision-making skills, while grooming youth participants to be responsible and productive citizens through education and community service. Since 2013, nearly 8,000 Cadets have successfully completed the 18-week Cadet Leadership Academy, where they learn a variety of leadership skills, participate in community events, and cultivate social bonds that will last a lifetime.

Designed for youth ages 13-20, the Cadet program training primarily involves lessons which emphasize the importance of the program's four cornerstones: leadership, academic excellence, ethical and wise decision-making, and community service or volunteerism. Due to the diverse makeup of the cadet population, focus is placed on the value of respect for and acceptance of others with discussions facilitated on the topic of our zero tolerance policy against any form of harassment, bias, discrimination, bullying, or hazing.

Through the focused attention on scholastics and positive social engagement, the LAPD is proud to boast 90 percent of Cadet program participants have successfully graduated from high school. Many of these graduates have gone on to further their education at universities such as University of Southern California, Massachusetts Institute of Technology, California State University, Long Beach, and University of Oregon receiving scholarships provided through the LAPD.

## **Restorative Justice Programs**

The LAPD has expanded its restorative justice diversion program to Operations-Valley Bureau (OVV) to rehabilitate juvenile arrestees in hopes of preventing recidivist behavior among young offenders. The Juvenile Arrest Diversion Program (JADP), a collaborative effort between non-profits and justice stakeholders, allows law enforcement to refer juvenile arrestees to JADP before they are booked. Southeast and 77<sup>th</sup> Street Area piloted the program for the LAPD in 2013 before it expanded throughout Operations-South Bureau. So far, OVV has launched JADP in Mission, Foothill, and Van Nuys Divisions.

Criminal citations are held in abeyance until the juvenile successfully completes the three to six-month program. During this time, the juvenile is exposed to various community resources that include counseling, anger management, mentoring, tutoring, parenting classes, substance abuse treatment, and victim-offender mediation and/or family mediation. The program provides tools and resources, and allows the juvenile to reflect on his or her criminal actions and even have a face-to-face meeting with his or her victim. This mediation also serves as a safe space for the victim's voice to be heard and for possible reparations to be made.

In addition to keeping the offense off their criminal record, juveniles who complete JADP have a recidivism rate of 11 percent, compared to 30-60 percent recidivism for those who go through the traditional juvenile justice court system. Thus, JADP can be a powerful tool to potentially reduce future crime by rehabilitating young, non-violent offenders while also building trust within the communities we serve.

### **Homeless Outreach and Proactive Engagement Teams**

In partnership with the Office of the Mayor, Los Angeles LAPD of Sanitation (LASAN), and the Los Angeles Homeless Services Authority (LAHSA), the LAPD has developed the Homeless Outreach and Proactive Engagement (HOPE) Teams in an effort to change the outcomes for some of the City's most disadvantaged population, unsheltered homeless individuals.

The purpose of HOPE Teams is to provide homeless individuals with services that are appropriate for their needs, increase public safety, and provide clean, safe, and accessible communities throughout the City. The teams are comprised of officers who provide safety for workers and community members; LAHSA employees who focus on linking individuals with the services; LASAN workers who assist in bulk item clean-up as well as community clean-ups; and other external partners such as the Los Angeles Fire Department, Department of Mental Health, and non-profit and community-based organizations.

Operation-Valley Bureau (OVV) is the first of the four geographic bureaus to deploy this coordinated effort. Their work has had a significant impact on the communities throughout the valley. Between May and September 2016, OVV HOPE Teams successes include:

- 159 Sanitation Clean-ups;
- 226 referrals for various individual services;
- 71 links to mental illness treatment;
- 127 links to substance abuse assistance;
- 27 Veterans were provided services;
- 9 individuals were reunited with family members; and,
- 4 individuals were provided transitional/long-term housing.

It is through these coordinated efforts with external partnerships the LAPD is able to successfully engage a portion of the population that may be resistant to the uniform. However, after positive engagement and providing needed services, HOPE Teams have proven to be instrumental in engaging some of the most vulnerable without fear of becoming a part of the criminal justice system.

### **Expansion of the Mental Evaluation Unit**

Persons suffering from mental illness are among the most vulnerable populations, and, sadly, the mentally ill are far more likely to be involved in a deadly conflict involving law enforcement than other populations. The LAPD recognizes that specially trained officers accompanied by trained clinicians have incredible value in providing the best possible service when responding to calls involving the mentally ill. As such, this year the LAPD expanded the Mental Evaluation

Unit's (MEU) staffing levels by four sergeants and 30 officers and hired 16 new clinicians and four supervisors who are deployed with officers in the field. In June 2016, System-wide Mental Assessment Response Team (SMART) initiated an AM watch which provides 24-hour SMART response, bringing the total SMART teams deployed per day to 17, effectively doubling response capacity.

Mental Health Intervention Training, a 40-hour course, was provided to field personnel who work in communities with large populations of mentally ill persons. Additionally, 40 hours of PSL I is dedicated to MHIT. Finally, an abbreviated four-hour version of mental health training will be provided in FTO Update School. The Regular Basic Course (RBC) in the Academy receives 15 hours of mental health training.

### **Family Liaison Section**

Recognizing the need to establish dialogue with the family members subject to violence, the LAPD embarked on a new program in October 2016 to provide assistance to the families of those who are subject to officer-involved shootings and in-custody deaths. The newly formed Family Liaison Section (FLS) is currently comprised of supervisors and officers who have experience in community engagement efforts and crisis management.

Deployed in teams of two, the FLS officers meet with family members after an incident occurs to provide support and communication between the LAPD and the family. Understanding the circumstances and the emotions families may be undergoing, the officers first and foremost provide assistance. In doing so, they help coordinate efforts with the Mayor's Crisis Response Team which provides grief counseling, funeral arrangements, and long-term support. In addition, the liaisons assist families communicate with the Coroner's officer as well as the LAPD. While, the FLS cannot provide families information regarding the investigation, it is able to provide details on the status of the investigation so that families are not left questioning if the case is being investigated.

While this program is in its early stages and will evolve to incorporate a larger cadre to respond city-wide, the early feed-back from the program suggests families are appreciative of the LAPD's efforts to have an open dialogue in such tragedy.

### **Los Angeles Police Department's Baseline Community Survey Results**

While the LAPD has various means to measure crime within the City, it is often difficult to fully understand the perceptions and opinions of the various communities we serve. The LAPD conducted its first community survey in early 2016. More than 2,000 Angelenos were asked questions regarding fear of crime, public trust in the police, and satisfaction with police services. Survey findings show that Angelenos generally have a good impression of public safety in Los Angeles. Nearly three-fourths of respondents approved of the LAPD's performance, and about two-thirds of respondents thought the LAPD was doing well preventing crime and apprehending criminals.

A total of 57 percent of respondents agreed with the statement “Los Angeles is safer compared to other large cities,” while 70 percent of Angelenos said they felt safe walking alone in their neighborhoods at night. However, data indicated that women and Black/African Americans felt unsafe walking alone in their neighborhoods at night. Additionally, the respondents across the City were conflicted about LAPD officers and use of force.

The survey also measured public attitudes toward LAPD interactions with the community. While the data suggests that the LAPD has the confidence and trust of a large cross section of the community, there are some geographic Areas that expressed a distrust of police. The LAPD and CRD are addressing this through community outreach strategies such as foot beats and convening regular Days of Dialogue community meetings. The LAPD hopes to have another survey conducted in November 2016 to continually gauge customer satisfaction and ultimately strengthen the bond between the LAPD and the community we serve through strategic, conscientious deployment and targeted outreach.

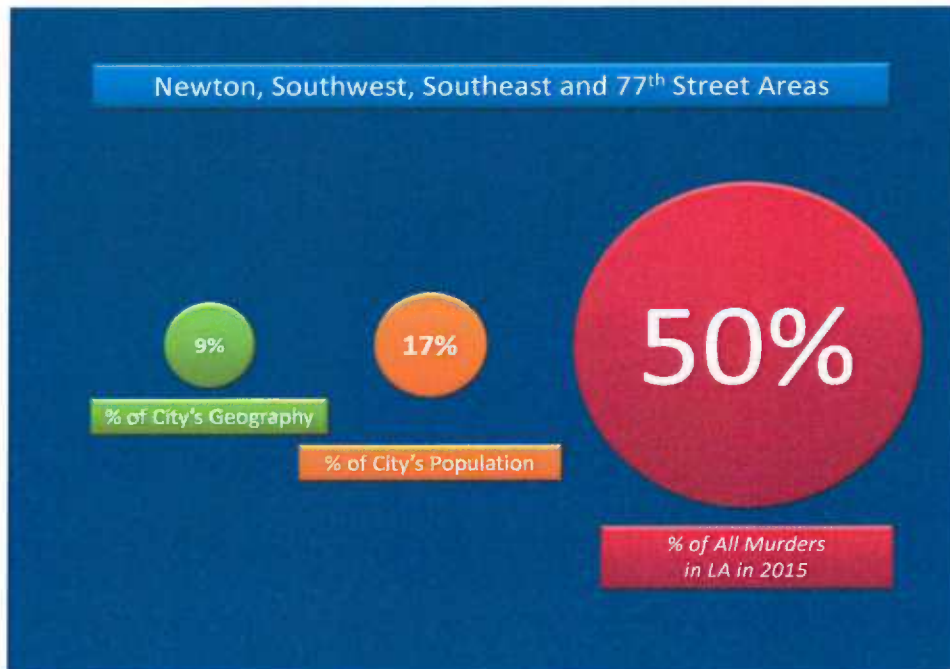
### **Incorporation of Community Engagement in Targeted Crime Reduction Strategies**

Violent crime in Los Angeles is not evenly distributed across the diverse communities in Los Angeles. Poorer communities and ethnic communities including Hispanic and African American neighborhoods are ravaged by gang crime, gun violence, homicides, robberies, and aggravated assaults at a higher rate than other parts of the City. Because reverence for human life is the LAPD’s guiding principle suppression of violent crime is prioritized over all other kinds of crime reduction efforts. The LAPD expresses this prioritization through its deployment of patrol and specialized resources in both traditional and innovative methods blending enforcement and engagement.

**[This portion of the page is intentionally left blank.]**



In 2015, violent crime throughout the City increased by 21 percent compared to 2014. During the first two months of 2016, violent crime continued to rise with over 38 people killed in gun and gang violence and 185 people shot. In 2015, in a 43-square mile area of Los Angeles, criminals murdered 135 people. This community of mostly poor and underprivileged residents constitutes only 17% of the City's population and only 9% of the City's geography yet experienced 48% of all gun-related crimes in the City and half of all the murders in Los Angeles. These figures are set forth in the following chart:



From March through September of 2016, the LAPD focused its violent crime reduction in four geographic Areas in South Los Angeles: Newton, Southwest, 77<sup>th</sup> Street, and Southeast divisions utilizing a structure referred to as the Community Safety Operations Center (CSOC). Increased deployment of Metropolitan Division officers coupled with motor officers worked the City's most violent corridors, parks, and neighborhoods to reduce violent crime, particularly homicides, gang and gun violence.

The CSOC model was successful in reducing violent crime, capping a growing homicide rate, and reducing the number of victims shot in the four affected Areas. Hundreds of handguns were taken off the streets, out of cars, out of residences, and out of the hands of criminals. Violent, predatory criminals were taken off the streets. However, experience has shown that the presence of officers in a neighborhood in an enforcement posture may have the undesired effect of increasing residents' fear of crime in the neighborhood even though the heightened deployment is designed to reduce the incidence of crime.

To increase understanding and facilitate community engagement in our collective efforts to make neighborhoods safe, the LAPD also deployed CRD in the CSOC Model. Officers from CRD

mirrored deployment enforcement groups but instead of working in cars on violent corridors, CRD officers deployed in parks, recreation centers and housing developments conducting foot beats and engaging citizens with a non-confrontational, non-enforcement posture. In community meetings, churches, and town halls, CRD officers addressed concerns about crime spikes and, at times, the siege mentality that some residents perceived as a result of increased law enforcement visibility. Community Relationship Division officers attended the Summer Night Lights events throughout the City, engaging youth and families in outdoor activities, and they participated in over 30 Days of Dialogue sessions.

As set forth above, the Department's community policing strategies are a critical component in reducing biased policing and building public trust. These strategies emphasize that meaningful, consistent, open, and honest relationships and constructive community partnerships are essential to promote mutual understanding, respect, and solve complex social problems. Not only do these efforts assist in reducing impermissible bias and negative stereotypes that may affect police actions, but enable more effective crime reduction and promotes positive perceptions of the police and its essential mission of enforcing the law.

## VII. Commitment to Constitutional Policing

The Police Executive Research Forum defines constitutional policing as “policing that operates within the parameters set forth by the U.S. Constitution, state constitutions, and the body of court decisions that have interpreted and spelled out in greater detail what the text of the Constitution means in terms of everyday practices of policing.”<sup>23</sup> The report maintains that constitutional policing is the platform for legitimacy with the community and addresses the criticality of strong leadership to ensure an entire police department, from managers and supervisors to detectives and officers, commits to an organizational culture that places community policing and the protection of constitutional rights in the highest regard. Within the LAPD, a commitment to constitutional policing has not only influenced our hiring practices and training, but is expressed in policies, procedures, LAPD structure, promotional processes, crime reduction strategies, and technological investments.

Shortly after being sworn in as Chief of Police in 2009, Charlie Beck produced his five goals for the LAPD. The first goal, Commitment to Constitutional Policing, was described by Chief Charlie Beck through memos, staff meetings, at promotional ceremonies, recruit graduations, and roll calls, as the most important of all goals because it legitimized all subordinate goals and gave them a context for policing. For example, the second goal of Crime Reduction and Community Engagement would not have the same value if police were to reduce crime but do so in a way that violated the Constitution. While crime reduction and community engagement reflect the LAPD Mission, Motto, and Vision, Chief Beck opined that in law enforcement the process is more important than the results. Whereas Chief Beck's predecessor, William Bratton, likened crime reduction to a police department's bottom line, Chief Beck argued that constitutional policing is the foundation of police legitimacy and protects everyone's civil liberties and provides equal protection under the law. Similarly, the LAPD's commitment to

---

<sup>23</sup> Police Executive Research Forum. 2015. *Constitutional Policing as a Cornerstone of Community Policing: A Report by the Police Executive Forum, April, 2015*. Washington, DC: Office of Community Oriented Policing Services. p. 1

counterterrorism would be meaningless if our actions in doing so violated the rights of Los Angelenos prescribed in the 4<sup>th</sup> and 14<sup>th</sup> Amendments. Likewise, the Chief's goal to maintain the size of the LAPD could only be defined by an adherence to the Equal Employment Opportunity guidelines supported by Title VII of the Civil Rights Act.

### **Policy, Procedure, and LAPD Structure Relative to Constitutional Policing**

In 2010, within a year of Chief Beck taking office, the LAPD published an Office of the Chief of Police Notice titled, *Constitutional Policing and Biased Policing*, reminding employees that policing in a constitutional manner is the responsibility of each and every sworn member of the LAPD. Chief Beck reaffirmed his commitment to constitutional policing, reiterated the anti-bias policy and communicated his expectations of sworn personnel, as well as stating the seriousness with which the LAPD takes issues of bias. Additionally, the published LAPD Goals for each calendar year include the LAPD's commitment to these principals. In 2010, the Office of Operations mandated that every oral interview for a lateral or paygrade- advancement position needed to include a question on biased-based policing or constitutional policing. In the same year, Consent Decree Bureau was deactivated and the Special Assistant for Constitutional Policing (SACP) was activated. Other significant documents that codified policy and procedure respective to constitutional policing are as follows:

- On January 1, 2014, the LAPD and the City Attorney's Office-Dispute Resolution Program, launched the Biased Policing Complaint Mediation Program. The program was a 36-month pilot program designed to mediate select complaints of biased policing as an alternative to the traditional, adversary-oriented investigation procedure;
- On December 12, 2014, Biased Policing Complaint Mediation Program training was mandated to all employees through the LAPD's Learning Management System;
- On September 9, 2015, the Biased Policing Complaint Mediation Program was further expanded to include discourtesy complaints;
- On October 1, 2015, the Policy Prohibiting Biased Policing was further revised by Special Order No. 18, which clarified that all law enforcement activities, including contacts initiated by the public, such as calls for service and community member "flag downs," as well as activities following lawful stops and detentions, have the potential to be based on bias; and,
- On April 15, 2015, the SACP was deactivated and replaced by the newly activated Office of Constitutional Policing and Policy (OCP). The Director, OCP, is a direct report to the COP and is responsible for ensuring the constitutionality of LAPD policies and procedures.

### **Technology Advancements Relative to Constitutional Policing**

The LAPD's commitment to constitutional policing is supported by its investment in technologies that record police/public interactions. Every patrol and traffic division in three of four bureaus are outfitted with Digital In-Car Video (DICV).<sup>24</sup> The LAPD has effectively utilized DICV as to increase officer safety, provide evidence for criminal prosecutions, resolve biased policing complaints, and foster positive relations with the community. The LAPD is the first large police LAPD in the nation to begin the process of outfitting every field officer and supervisor with Body-Worn Video (BWV). Today, 1,313 police officers in six divisions wear BWV cameras to record all public interactions.

As important as the video evidence from DICV and BWV is for criminal prosecutions, the symbiotic technologies of DICV and BWV are powerful tools to maintain officer accountability for their actions, words, and attitudes. The videos are routinely viewed by various LAPD entities at the divisional and bureau level. They are also viewed by Audit Division, Professional Standards Bureau, and Use of Force Review Division to ensure consistency with written reports and adherence to LAPD policies and procedures relative to inspections, complaints, and uses of force.

### **VIII. Complaint Investigations, Adjudication, Disciplinary Actions, and Mediation**

The LAPD's definition of biased policing addresses law enforcement activities based on bias. Although engaging in biased policing is distinctly unconstitutional, if and when it does occur, it is likely to be hidden in the accused officer's beliefs rather than conspicuous or overt. Therefore, sustaining an allegation of biased policing is very difficult under the due process requirement to prove the allegation with a preponderance of the evidence.

The Department, however, has proven cases alleging other misconduct directly related to discriminatory bias. Some occur in a law enforcement setting, such as an ethnic remark uttered during a traffic stop, a suggestion to a violator to "up her meds," or ordering a caller to the police station to speak English.<sup>25</sup> Other types of sustained misconduct include making racial slurs, disparaging comments about women, and other offensive and unacceptable conduct.

Unlike bias policing allegations, these types of allegations often involve readily available proof such as recorded statements or eye witnesses, which provide more evidence to substantiate allegations that may indicate bias. Although they are not alleged as biased policing per se, they are taken seriously and, when the standard is met, the allegations are sustained and discipline is imposed.

**[This portion of the page is intentionally left blank.]**

---

<sup>24</sup> Currently, Operations-Valley Bureau is in the process of having their vehicles prepared for DICV.

<sup>25</sup> The Department also conduct stings regarding biased-related misconduct.

Specified allegations that indicate possible bias have been identified for this report and are presented below along with the range of penalties imposed. This includes allegations of Discourtesy,<sup>26</sup> Ethnic Remarks,<sup>27</sup> Improper Remarks,<sup>28</sup> Unbecoming Conduct, and Discrimination/Unequal Treatment.<sup>29</sup>

For Specified Allegation Types, Total Allegations Closed, Total Sustained, and Number of Those Sustained Allegations That Indicate Possible Bias (By Year Allegation Initiated)*															
Year Initiated:	2015			2014			2013			2012			2011		
Allegation Type:	Total Closed	Total Sustained	Sustained Possible Bias**	Total Closed	Total Sustained	Sustained Possible Bias	Total Closed	Total Sustained	Sustained Possible Bias	Total Closed	Total Sustained	Sustained Possible Bias	Total Closed	Total Sustained	Sustained Possible Bias
Discourtesy	1,276	16 (1.3%)	4 (0.3%)	1,629	31 (1.9%)	2 (0.1%)	1,608	48 (3.0%)	0 (0.0%)	1,702	43 (2.5%)	3 (0.2%)	1,940	44 (2.3%)	2 (0.1%)
Ethnic Remarks	8	0 (0.0%)	0 (0.0%)	62	4 (6.5%)	4 (6.5%)	62	5 (8.1%)	5 (8.1%)	45	2 (4.4%)	2 (4.4%)	57	6 (10.5%)	6 (10.5%)
Improper Remarks	68	6 (8.8%)	4 (5.9%)	133	13 (9.8%)	1 (0.8%)	106	25 (23.6%)	8 (7.5%)	92	24 (26.1%)	15 (16.3%)	145	37 (25.5%)	28 (19.3%)
Unbecoming Conduct	1,896	103 (5.4%)	0 (0.0%)	2,143	188 (8.8%)	10 (0.5%)	2,110	206 (9.8%)	1 (0.05%)	2,136	182 (8.5%)	3 (0.1%)	2,239	263 (11.7%)	12 (0.5%)
Discrimination/ Unequal Treatment	81	0 (0.0%)	0 (0.0%)	39	0 (0.0%)	0 (0.0%)	22	0 (0.0%)	0 (0.0%)	22	0 (0.0%)	0 (0.0%)	25	0 (0.0%)	0 (0.0%)
<b>Total</b>	<b>3,329</b>	<b>125 (3.8%)</b>	<b>8 (0.2%)</b>	<b>4,006</b>	<b>236 (5.9%)</b>	<b>17 (0.4%)</b>	<b>3,908</b>	<b>284 (7.3%)</b>	<b>14 (0.4%)</b>	<b>3,997</b>	<b>251 (6.3%)</b>	<b>23 (0.6%)</b>	<b>4,406</b>	<b>350 (7.9%)</b>	<b>48 (1.1%)</b>

\* This table provides data on closed allegations, sorted by the year they were initiated. Because of the time it takes to investigate, complaints do not always close in the year they are initiated, and many close in the following year or in subsequent years. As a result, there is more data on the allegations associated with complaints initiated in 2011 than there are for allegations associated with complaints initiated in 2015.

\*\* The column **Sustained Possible Bias** provides data on the number of Sustained allegations that indicated possible bias. For example, of the allegations initiated in 2015 and that have now closed, 1,276 were Discourtesy allegations; 16 of the 1,276 closed Discourtesy allegations were Sustained, and of those 16 Sustained Discourtesy allegations, four allegations indicated possible bias.

<sup>26</sup> Used for Discourtesy with the public and outside entities.

<sup>27</sup> This allegation type changed to Discourtesy-Ethnic in 2016.

<sup>28</sup> Used for allegations of inappropriate comments between Department employees.

<sup>29</sup> Allegations of Unequal Treatment Violation-Workplace (previously categorized as Discrimination) were included in the queries, but none were found to be sustained in the time period.

Penalties Imposed for Closed Complaints That Had Sustained Allegations Indicating Possible Bias (By Year Complaint Initiated)					
Year Initiated:	2015	2014	2013	2012	2011
Complaints Sustained:	7	10	6	8	16
Penalty Imposed:					
Admonishment	3	3			
Demotion					1*
No action (unknown employee)					1
Official Reprimand	2	1		1	7
Suspension: 21 days or less	1	5	3	2	4
Suspension: 22 days or more	1			2	1
Termination			1	1	1
Resigned/Retired in Lieu of Termination		1	2	2	2

### Definition of Biased Policing

The LAPD policy on biased policing is found in Department Manual Section 1/345:

345. POLICY PROHIBITING BIASED POLICING. Discriminatory conduct on the basis of race, religion, color, ethnicity, national origin, gender, gender identity, gender expression, sexual orientation, or disability while performing any of law enforcement activity is prohibited. 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.

Department personnel may not use race, religion, color, ethnicity, national origin, gender, gender identity, gender expression, sexual orientation, or disability (to any extent or degree) while conducting any law enforcement activity, including stops and detentions, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by their race, religion, color, ethnicity, national origin, gender, gender identity, gender expression, sexual orientation, or disability may rely in part on the specified identifier

or description only in combination with other appropriate identifying factors and may not give the specified identifier or description undue weight.

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 procedure.

California Assembly Bill 953 modified the state's definition of racial profiling and expanded requirements pertaining to the collection and reporting of Citizens' Complaints Against Peace Officers, effective January 1, 2016. To be consistent with the state's definition of racial and identity profiling and comply with the reporting requirements, the LAPD's policy prohibiting biased policing is being amended to include age as a prohibited bias category. The updated policy is currently in the administrative review process.

### **Complaint Intake Process**

Department Manual Section 3/810.05 describes the requirements for complaints of misconduct:

- Complaints may be from any source: written or verbal; in person at any Area station or substation, at the offices of the Board of Police Commissioners, the Office of the Inspector General (OIG), or at any other police facility that is accessible to the public; or by telephone, mail, facsimile transmission, email, or online;
- Complaints may be anonymous; there are no restrictions against third parties or witnesses filing complaints;
- There are no time limits or deadlines for the filing of complaints; and,
- Complainants are not required to use the complaint form and are not required to sign under penalty of perjury.

Under Department Manual Section 3/813.10, a complaint investigation will be initiated against an employee who fails to inform any member of the public who indicates a desire to file a complaint of the means by which a complaint may be filed, attempts to dissuade a member of the public from filing a complaint, or refuses to accept a complaint.

Supervisors who receive complaints must conduct a preliminary investigation and enter the complaint into the Complaint Management System for tracking. If a complaint involves allegations of biased policing, the supervisor is required to ask the complainant specific questions to document the details surrounding the allegations. The complaint is reviewed by the watch commander, and then the commanding officer, who determines whether the complaint should be classified as Disciplinary or Non-Disciplinary. While several requirements must be met for a complaint to be classified as Non-Disciplinary, in general, the commanding officer must determine that the misconduct alleged, even if true as stated, would not result in discipline against the employee. If the commanding officer determines the complaint is Non-Disciplinary, the commanding officer meets with the employee to discuss the complaint and investigation results; the complaint is forwarded to the bureau level and Internal Affairs Group (IAG) for

review.<sup>30</sup> The complaint is then closed by IAG, subject to review by the OIG.<sup>31</sup> Complaints alleging biased policing cannot be classified as Non-Disciplinary unless the preliminary investigation clearly proves that the allegation did not occur, such as where video evidence captured the entire incident and conclusively shows the employee did not commit the alleged misconduct.<sup>32</sup>

All complaints are submitted to IAG for review and classification. Based on IAG's review, a complaint may be assigned to the chain-of-command for investigation, or the complaint may be investigated by IAG. When fully staffed, IAG is responsible for investigating the following types of complaints:

- All civil suits or claims for damages involving on-duty conduct by Department employees;
- All civil suits or claims for damages involving off-duty conduct that allege physical violence, threats of physical violence or domestic violence by an employee;
- An employee who has been arrested or criminally charged with a felony or high grade misdemeanor;
- Any unauthorized use of force;
- Discrimination based on race, ethnicity, gender, religion, national origin, sexual orientation, or disability, including improper ethnic remarks and gender bias;
- Unlawful search;
- Unlawful seizure (including false imprisonment and false arrest);
- Dishonesty;
- Improper behavior involving narcotics or drugs;
- Sexual misconduct;
- Domestic violence;
- Theft;
- Acts of retaliation or retribution against an employee or the public; and,
- Incidents in which a member of the public is charged by an officer with interfering, resisting arrest (California Penal Code Section 148), assault on an officer, or disorderly conduct, and the prosecutor's office notifies the LAPD either that it is dismissing the charge based upon officer credibility, or a judge dismissed the charge based upon officer credibility.

---

<sup>30</sup> If the bureau or IAG disagrees with the commanding officer's classification of a complaint as Non-Disciplinary, the commanding officer will be notified of the reason and instructed on how to proceed.

<sup>31</sup> Non-Disciplinary complaints may be closed with the following classifications: Policy/Procedure, Employee's Actions Did Not Rise to the Level of Misconduct, Employee's Actions Could Have Been Different, Demonstrably False, Department Employee Not Involved, and Resolved through Alternative Complaint Resolution.

<sup>32</sup> Similarly, the following allegations cannot be classified as Non-Disciplinary: unauthorized force; unlawful search/seizure; dishonesty; domestic violence; improper/illicit use of alcohol, narcotics, or drugs; sexual misconduct; theft; or retaliation.



Additionally, IAG will investigate all incidents in which the LAPD receives written notification from a prosecuting agency in a criminal case when there has been:

- An order suppressing evidence because of any constitutional violation involving potential misconduct by an employee;
- A judicial finding of employee misconduct made in the course of a judicial proceeding; and,
- A request by a federal or state judge, magistrate, or prosecutor that a misconduct investigation be initiated against an employee, pursuant to information developed during a judicial proceeding before a judge or magistrate, or during the course of an official proceeding in which that judge or prosecutor has been involved.

The OIG has access to all complaint information.

### **Mediation of Complaints**

Complaints alleging biased policing may also be mediated under the LAPD's Biased Policing Complaint Mediation Program (Program), which began in 2014 as a pilot program. In conjunction with the Los Angeles City Attorney's Office (LACA), selected complaints of biased policing are mediated as an alternative to the traditional complaint investigation procedure. Beginning September 9, 2015, discourtesy complaints also became eligible for mediation. Generally, biased policing and discourtesy complaints with no additional allegations of misconduct, or additional minor allegations of misconduct, may be considered for mediation.

Between January 1, 2014 and June 30, 2016, 80 complaints were mediated. The Program has been well received by both community members and officers. Based on surveys received from 162 of the Program's participants:

- 84.0 percent reported being Very Satisfied or Somewhat Satisfied with the Program;
- 91.4 percent believed the Program was Very Fair or Somewhat Fair;
- 67.3 percent reported that their understanding of the other party increased after mediation; and,
- 86.4 percent said that would recommend the mediation to others.

### **Investigation Process/Investigative Protocol for Biased Policing Complaints**

When investigating biased policing complaints, IAG investigators use a Biased Policing Investigation Protocol. The protocol provides investigators with the relevant law and a policy related to biased policing, and details the strategy to be used in conducting the investigation, and lists the type of questions that must be asked during interviews with complainants and officers to ensure that subtle details surrounding bias are probed.

### **Adjudication Process**

The LAPD's adjudication process begins with the accused employee's commanding officer and goes through multiple levels of review. Upon completion of a disciplinary complaint

investigation, the employee's commanding officer is responsible for reviewing the investigation, determining whether misconduct occurred, and recommending the disposition and penalty, if applicable. Consistent with the LAPD's adjudication standards, commanding officer must determine by a preponderance of the evidence whether misconduct occurred. Preponderance of the evidence means the weight of evidence on one side is greater than the evidence presented for the other side. The Department manager's determination must be based on factual, reasonable consideration of the evidence and statements presented in the investigation.

In evaluating witness statements, LAPD commanding officers take into consideration the credibility of a witness or involved party when deciding if misconduct has been proven by a preponderance of the evidence. In determining credibility, no automatic preference is given to an officer's statement over the statement of any other witness or complainant. An evaluation of credibility must be based on evidence. If evidence shows that a witness or involved party lacks credibility (e.g., false statements or misrepresentation of facts) a determination may be made that the evidence weighs in favor of the other side. When a complaint involves conflicting statements from either side, if credibility cannot be determined, then the commanding officers manager must rely on other evidence to adjudicate and recommend a disposition for each allegation in the complaint.

Possible disciplinary allegations include: Sustained, Unfounded (the act did not occur), Exonerated (the act occurred but was justified, lawful and proper), Not Resolved (when evidence does not clearly prove or disprove the allegation), Insufficient Evidence to Adjudicate, or Withdrawn by the COP (used only by the COP when an allegation would be better adjudicated by a court; imposing discipline is legally prohibited; the alleged act is minor misconduct and significant time has passed; or evidence has been lost or destroyed).

Non-Disciplinary allegation dispositions include: Policy/procedure (facts revealed indicate the allegation relates to Department policy/procedure and not to a specific employee's actions), Employee's actions did not rise to the level of misconduct, Employee's actions could have been different, Demonstrably false, Department employee(s) not involved, Resolved through alternative complaint resolution, and Mediated.

The commanding officer submits the adjudication disposition recommendation up the chain of command to the bureau chief. The bureau chief can concur with the recommendation, or if the bureau chief disagrees with the recommended adjudication, the bureau chief will prepare correspondence to IAG explaining the disagreement, the bureau's recommended adjudication, and the rationale for the bureau recommendation.<sup>33</sup> With biased policing complaints, if IAG disagrees with the chain of command's recommended adjudication, IAG forwards the complaint to the office director in the employee's chain of command for a final disposition.<sup>34</sup> For complaints in which the recommended adjudication is Sustained with a penalty of an official reprimand or greater, there is an additional level of review. With such complaints, IAG submits the completed investigation and recommendation to the COP for final adjudication and penalty consideration.

---

<sup>33</sup> This is referred to as a Military Endorsement.

<sup>34</sup> While this is generally the Director of the Office of Operations, when an employee is assigned to Metropolitan Division, for example, the complaint would be forwarded to the Director, Office of Special Operations.

For Sustained complaints, the discipline imposed by the COP ranges from Sustained-No Penalty to Termination. The appeal process varies, depending on the penalty imposed:

- If no penalty is imposed but the complaint is Sustained, if the complaint is Sustained with a penalty of Admonishment or Official Reprimand, or if the complaint is determined to be Not Resolved, the officer may request an Administrative Appeal to be held before a civilian hearing officer selected from BOPC list of approved hearing officers. The standard used is a preponderance of the evidence. The hearing officer's recommendation is provided to the COP for consideration. The decision of the COP is final.
- If the penalty imposed is a demotion and/or suspension of one to 22 days, the officer may either appeal using the Administrative Appeal procedure, or opt for a Board of Rights (BOR).
  - If the officer elects an Administrative Appeal, the officer is admitting guilt, and the only issue to be appealed is the degree of penalty. The hearing officer's report is submitted as a recommendation to the COP who makes the final determination. An administrative appeal may result in a lower level of discipline but may not result in a higher penalty.
  - If the officer opts to appeal to a BOR,<sup>35</sup> the officer may appeal both the Sustained finding and the penalty imposed or may complete a "plea and submittal" admitting to the charges and arguing just the penalty. The BOR can impose a penalty of:
    - Suspension for a definite period not exceeding 65 working days with total loss of pay, and with or without reprimand; or
    - Demotion in rank, with or without suspension or reprimand or both; or
    - Reprimand without further penalty; or
    - Removal.

The COP shall either uphold the recommendation of the BOR or may, at his discretion, impose a penalty less severe than that ordered by the BOR, but may not impose a greater penalty.

- If the COP desires to impose a suspension of greater than 22 days, or if the COP believes termination is appropriate, the COP must direct the officer to a BOR.

If a complaint proceeds to a BOR, the BOR will determine by majority vote if the officer is Guilty or Not Guilty. If the BOR finds the officer Not Guilty, the complaint concludes and the COP may not impose any penalty. If the officer is found Guilty, the BOR recommends a penalty

---

<sup>35</sup> A BOR is composed of two sworn Department members (at the rank of Captain or above), and one civilian member from the BOPC's list of approved hearing officers.

which is considered by the COP. However, while the COP has the authority to impose a lesser penalty than recommended, he or she may not impose a higher penalty.

### Discipline for Biased Policing Violations

Under the LAPD's Penalty Guide, knowingly engaging in biased policing will result in the officer being directed to a BOR.

### Complaint Data

Data on the total number of complaints received by the LAPD, the number of biased policing complaints, and the disposition of biased policing allegations are provided in the table below.

LOS ANGELES	2015	2014	2013	2012	2011
<b>Total All Complaints Received/Initiated<sup>36</sup></b>	3,522	4,003	3,709	3,927	4,054
<b>Biased Policing Complaints Initiated</b>	211 (6.0%)	283 (7.1%)	281 (7.6%)	225 (5.7%)	263 (6.5%)
<b>Biased Policing Complaints Closed</b>	264	283	213	270	254
<b>Biased Policing Allegations Closed</b>	434	493	381	486	479
<b>Disposition of Biased Policing Allegations Closed</b>					
<b>Demonstrably False</b>					1 (0.2%)
<b>Exonerated</b>					
<b>Guilty</b>					
<b>Insufficient Evidence to Adjudicate</b>	34 (7.8%)	25 (5.1%)	32 (8.4%)	32 (6.6%)	54 (11.3%)
<b>Mediated</b>	51 (11.8%)	27 (5.5%)			
<b>No Department Employee</b>				2 (0.4%)	1 (0.2%)
<b>No Misconduct</b>			1 (0.3%)		1 (0.2%)
<b>Not Guilty</b>			2 (0.5%)		
<b>Not Resolved</b>	8 (1.8%)	14 (2.8%)	15 (3.9%)	39 (8.0%)	66 (13.8%)
<b>Out of Statute</b>	2 (0.5%)		5 (1.3%)	1 (0.2%)	
<b>Sustained</b>					
<b>Sustained - No Penalty</b>					
<b>Unfounded</b>	339 (78.1%)	427 (86.6%)	326 (85.6%)	412 (84.8%)	356 (74.3%)

The LAPD Sustained two biased policing allegations (from one complaint), but the findings were overturned in 2013 when a BOR found the officer Not Guilty of the biased policing allegations. The complaint involved a third party witness who called to report that, for three months, he had observed an officer conducting traffic stops on only Hispanic drivers. The investigation included

<sup>36</sup> The total number of complaints includes complaints from the public and Department-initiated complaints.

a review of more than 2,500 citations and showed the officer had reasonable suspicion for the stops, but also found:

- During a 15-month period, which included the time period observed by the complainant, 63 percent of the officer's citations were issued to Hispanic drivers. However, 30 percent of the officer's citations misidentified the ethnicity of Hispanic drivers as White, so the percentage of citations issued to Hispanic drivers was higher;
- The officer said Hispanic drivers were misidentified on the citations because he used the driver's race/ethnicity based on his initial impression of the driver, before approaching and making contact.<sup>37</sup> The officer claimed he had been doing this for years and did not realize he was required to document the driver's actual race/ethnicity on the citation;
- A sample of citations issued by the officer after the date he said he began using the incorrect standard showed the officer had been correctly identifying the race/ethnicity of drivers until shortly before the biased policing complaint was initiated;
- The sample of citations showed the officer only misidentified the race/ethnicity of Hispanic drivers; drivers who were not Hispanic were correctly identified as to their race/ethnicity; and,
- A review of citations issued by other officers in the same division showed that none of the accused officer's peers misidentified the race/ethnicity of drivers.

Two allegations of biased policing and one allegation of making false statements were Sustained, and the officer was directed to a BOR. The BOR found the officer Not Guilty of biased policing but found the officer Guilty of making false statements. The officer was terminated for making false statements.

### **Reviews of Bias Policing Complaint Investigation and Adjudication Process by the OIG**

In its two most recent published reviews of the LAPD's biased policing complaints, the OIG found no substantive issues with the investigations or adjudications.<sup>38 39</sup> Both reports evaluated whether the LAPD properly investigated and adjudicated biased policing complaints. For the report, dated December 15, 2015, the OIG reviewed 137 complaints and wrote that it "found the Department's investigation, adjudication, and internal review of biased policing completes to be generally thorough, complete, and performed in compliance with policy."<sup>40</sup>

---

<sup>37</sup> While the Field Data Report (which documents the reason for initiating a stop) requires officers to record race/ethnicity based on initial impression, when issuing citations, officers must accurately document the driver's actual race/ethnicity.

<sup>38</sup> Office of the Inspector General, Review of the Department's Biased Policing Reports, August 21, 2013.

<sup>39</sup> Office of the Inspector General, Review of Biased Policing Complaints, December 15, 2015.

<sup>40</sup> Office of the Inspector General, Review of Biased Policing Complaints, December 15, 2015.

## **IX. How the LAPD Compares to the Nation**

### **Disciplinary Process Relative to Biased Policing**

Every police department researched had a biased policing or racial profiling policy, and every policy prohibited taking law enforcement action based solely on a prohibited bias policy, but all policies allowed officers to rely on such identifiers in seeking a person if used in combination with other identifying factors.

Each department identified different groups of protected classes. While LAPD's policy includes identifies 11 protected classes, Dallas Police Department only identifies seven. Meanwhile, Washington D.C.'s Metro PD identifies 13 protected classes including "political affiliation" and "place of residence." Similarly, Chicago adds "marital status" and "military discharge status" as protected classes, but does not include "gender expression."

Collecting complaint data sought by the Police Commission from 2011 to 2015 for the ten departments researched posed some challenges:

- Only LAPD, San Francisco, Washington D.C., San Jose, and Dallas Police Departments could provide five years of data on biased-policing complaints initiated and sustained;
- Baltimore Police Department and Baltimore's Civilian Review Board could not provide the information, and both entities required a public information request. Neither entity has responded to the LAPD's formal request at the time of this writing;
- Chicago Police Department provided data on the total number of complaints received by department for the years 2011 through 2014, but information on biased policing complaints was not readily available;
- The NYPD only began tracking biased policing complaints data in October, 2014;
- Philadelphia PD and the Police Advisory Commission provided some preliminary data regarding complaints initiated, but have not responded at the time of this writing to Department requests for biased-policing complaint data;
- San Diego PD and the Citizens' Review Board on Police Practices (CRB) could provide information dating back to 2013, and San Diego PD advised that it does not routinely generate reports focusing on the race/ethnicity of complainants and officers for biased policing complaints; and,
- Seattle PD did not provide data on biased-policing complaints initiated in the last three years, and did not provide data on sustained biased-policing complaints for the last five years. A request for additional complaint data is pending.

In addition to the LAPD, only three departments had sustained biased policing complaints between 2011 and 2015: San Diego (1), San Jose (1), and Washington D.C. (2).

- The LAPD Sustained two biased policing allegations (from one complaint), but the findings were overturned in 2013 when a BOR found the officer Not Guilty of the biased policing allegations.

The chart below depicts the number of initiated and sustained biased-policing complaints by department.

### Biased Policing Complaints and Dispositions City Comparison

	Complaints Initiated	Sustained	Complaints Initiated	Sustained	Complaints Initiated	Sustained	Complaints Initiated	Sustained	Complaints Initiated	Sustained
2015	211	0	N/A	N/A	N/A	N/A	14	0	478	0
2014	283	0	N/A	N/A	N/A	N/A	15	0	15	0
2013	281	0	N/A	N/A	N/A	N/A	18	0	N/A	0
2012	225	0	N/A	N/A	N/A	N/A	18	0	N/A	0
2011	263	0	N/A	N/A	N/A	N/A	18	0	N/A	0
	Los Angeles		Baltimore		Chicago		Dallas		New York	

	Complaints Initiated	Sustained	Complaints Initiated	Sustained	Complaints Initiated	Sustained	Complaints Initiated	Sustained	Complaints Initiated	Sustained	Complaints Initiated	Sustained
2015	N/A	N/A	N/A	1	79	0	50	1	N/A	N/A	9	1
2014	N/A	N/A	N/A	0	79	0	46	0	N/A	N/A	9	0
2013	N/A	N/A	N/A	0	61	0	46	0	N/A	N/A	7	0
2012	N/A	N/A	N/A	0	71	0	33	0	28	N/A	9	1
2011	N/A	N/A	N/A	N/A	88	0	45	0	30	N/A	7	0
	Philadelphia		San Diego		San Francisco		San Jose		Seattle		Metropolitan (Washington D.C.)	

Of the police departments researched, none has a broader complaint intake policy than that of the LAPD. Of the 11 cities reviewed, only Los Angeles, New York, San Diego, and San Francisco will accept a complaint by any means without any time limits.

- Five departments will not accept anonymous complaints;
- Three departments require complaints to be submitted on the correct form;
- Five departments require complaints to be signed;
- Four departments require signature under penalty of perjury; and,
- Two departments require complaints be notarized.

The chart below indicates the manners in which complaints may be reported to the 11 police departments.

<b>Agencies That Accept Community Member Complaints When:</b>	<b>Los Angeles</b>	<b>Baltimore</b>	<b>Chicago</b>	<b>Dallas</b>	<b>New York</b>	<b>Philadelphia</b>	<b>San Diego</b>	<b>San Francisco</b>	<b>San Jose</b>	<b>Seattle</b>	<b>Metropolitan (Washington D.C.)</b>
In Writing	●	*	*	*	●	●	●	●	●	●	●
Provided Verbally	●				●	●	●	●	●	●	●
in Person	●	*	*	*	●	●	●	●	●	●	●
By Telephone	●		*		●	●	●	●	●	●	●
by Mail	●	*	*	*	●	●	●	●	●	●	●
by Facsimile Transmission	●			*	●	●	●	●	●	●	●
by Email	●				●	●	●	●	●	●	●
Submitted Online	●	*			●	●	●	●	●	●	●
Submitted Anonymously	●				●	●	●	●	●	●	●
Provided by Third Party Witness	●	*	*		●	●	●	●	●	●	●
At any time (No Time Limit)	●		●		●	●	●	●	*	*	●
Without Specific Form	●		●	●	●	●	●	●	●	●	●
Not signed under penalty of perjury	●			●	●	●	●	●	●	●	●
Mediation Process available	●	●	●		●			●	●	●	●



Asterisks indicate that a department accepts a complaint in the described fashion but there are conditions to the complaint's acceptance:

- In Baltimore, complaints are accepted in person, by mail or online, but the complainant must submit the complaint form signed and notarized;
- In Chicago, complaints are accepted in writing, in person, by phone or mail, but they must be submitted on complaint form signed by the complainant;
- In Dallas, complaints are accepted in person, by mail, or fax, but they must be submitted on a complaint form signed by the complainant; and,
- Both San Jose and Seattle have no time limits to accept a complaint; however, both agencies have stipulations. The Chief of Police in San Jose may decline a complaint if it is submitted over a year after the alleged act, and in Seattle any complaint filed after three years will not result in discipline, even if sustained.

The Department research determined other noteworthy comparisons and contrasts between the eleven police departments:

- Only the LAPD, San Francisco, and Seattle PD have confirmed procedures specifically used for biased policing investigations. Notably, San Francisco's Office of Citizen Complaints (OCC) uses protocol drafted from the LAPD biased-policing complaint intake procedure;
- All 11 police departments and/or civilian entities authorized to determine findings use a "preponderance of evidence" standard; and,
- Only four departments, including the LAPD, have a penalty guide that mentions biased policing.

The Department reviewed population data for each of the cities in this report using statistics from the United States 2010 and compared them to the race/ethnicity of officers for the respective law enforcement agencies.<sup>41</sup> For the purposes of this report, the Department compared percentages of Asian, African American, Hispanic, and White officers to the percentages of the same ethnicities in each City. Some of most significant findings are detailed below:

- Every police department was under-representative of its city's Asian population:
  - The LAPD is approximately 4.5 percent under-representative of the Los Angeles Asian population. Seven other departments had a greater under-representation of Asians when compared to their respective city.

---

<sup>41</sup> Because of time limitations, and to ensure the consistency of the data to allow for comparisons, data on the number and the race/ethnicity of officers for the law enforcement agencies included in this report come from the United States Department of Justice, Bureau of Justice Statistics, Law Enforcement Management and Administrative Statistics for 2013 (published May, 2015).

- Six of the 11 departments were over-representative of African-Americans when compared to their respective city population.
  - The LAPD is approximately 1.0 percent over-representative of the Los Angeles African American population.
- Eight of the eleven police departments had percentages of Hispanic officers that closely resembled (+/- 5 percent) the Hispanic makeup of their respective cities.
  - The LAPD is comprised of 46.2 percent Hispanics while the population of LA is approximately 48.5 percent Hispanic.
- Except for Washington D.C.'s Metropolitan PD, every police department was over-representative of Whites.
  - While LAPD was approximately 4.2 percent over-representative of Whites, the remaining departments ranged between 9.0 percent and 26 percent over-representative of Whites.

### Percent Difference Between Police Agency and Resident Population

	Black	Hispanic	White	Asian	American Indian	Other
<b>Los Angeles</b>	+1.0%	-2.4%	+4.2%	-2.3%	+1%	-6%
<b>Baltimore</b>	-23.0%	+2.9%	+23.7%	-7%	-1%	-1.9%
<b>Chicago</b>	-7.70%	-10.1%	+20.4%	-2.4%	-2%	0%
<b>Dallas</b>	+6%	-24.1%	+24.8%	-1%	+5%	-8%
<b>New York</b>	-6.7%	-2.5%	+18.9%	-7.1%	-1%	-2.5%
<b>Philadelphia</b>	-8.8%	-4.1%	+19.8%	-4.8%	-1%	-2%
<b>San Diego</b>	+2%	-9.2%	+20.5%	-8.4%	+3%	-3.4%
<b>San Francisco</b>	+3.2%	+6%	+10.4%	-10.9%	0%	-3.3%
<b>San Jose</b>	+1.7%	-9.4%	+26.1%	-18.5%	+4%	-3%
<b>Seattle</b>	+9%	-1.4%	+9.0%	-5.5%	+1.7%	-4.7%
<b>Metropolitan (Washington D.C.)</b>	+9.3%	-2.2%	-3.2%	-1.2%	-2%	-2.4%

The Department also reviewed the percentages of females in each of the 11 police Departments. Females comprise 18.49 percent of the sworn ranks of Los Angeles Police officers.

Police Department	No. of Female Officers and Percent of Female Officers by Department	
Los Angeles	1819	18.49%
Baltimore	459	15.6%
Chicago	2819	23.4%
Dallas	598	17.2%
New York	5824	16.9%
Philadelphia	1484	22.8%
San Diego	274	15.0%
San Francisco	336	15.6%
San Jose	100	9.8%
Seattle	178	13.9%
Washington D.C.	889	23.0%

**PART THREE**

**X. National Data on Biased Policing**

**BALTIMORE POLICE DEPARTMENT**

**Demographic Data and Number of Officers in Police Department**

The demographic data for the City of Baltimore and the officers of the Baltimore Police Department (BPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

Race/Ethnicity	City of Los Angeles		City of Baltimore	
American Indian	11,495	0.3%	1,884	0.3%
Asian	454,438	12.0%	14,397	2.3%
Black	358,212	9.4%	392,938	63.3%
Hawaiian/Pacific Islander	6,508	0.2%	192	0.0%
Hispanic/Latino	1,839,896	48.5%	25,960	4.2%
Multiple Race	23,621	0.6%	10,528	1.7%
Other Race	14,532	0.4%	942	0.2%
White	1,088,468	28.7%	174,120	28.0%
<b>Total Population</b>	<b>3,797,170</b>		<b>620,961</b>	

	<b>LAPD</b>		<b>BPD</b>	
<b>Number of Officers</b>	<b>9,920</b>		<b>2,949</b>	
American Indian	36	0.4%	6	0.2%
Asian	702	7.1%	48	1.6%
Black	1,149	11.6%	1,189	40.3%
Hawaiian/Pacific Islander	211	2.1%	0	0.0%
Hispanic/Latino	4,301	43.4%	210	7.1%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	0	0.0%
White	3,504	35.3%	1,496	50.7%
Male	8,021	80.9%	2,490	84.4%
Female	1,899	19.1%	459	15.6%

Department of Justice involvement: On May 8, 2015, the United States Department of Justice (DOJ), at the request of the City of Baltimore, opened a formal investigation into the BPD. On August 10, 2016, the DOJ released its report, “Investigation of the Baltimore Police Department”<sup>42</sup> (DOJ Report). At the same time, the City of Baltimore entered into an agreement in principle with the DOJ to reform the BPD, including changing to BPD’s policies, procedures, and processes for collecting and analyzing data. As a result of the changes underway, information relating to the BPD’s policies, procedures, and complaint statistics was not readily available when the BPD was contacted for this Report. Some information about the BPD policies has been posted on its website, though complaint data is not currently available. Much of the information below comes from the DOJ Report.

**Definition of Biased Policing**

According to the DOJ Report, prior to 2015, the BPD only had a general prohibition against discrimination.<sup>43</sup> The BPD has now issued Policy No. 317, “Fair and Impartial Policing,” with a publish date of July 1, 2016. The three-page document prohibits BPD members from engaging in bias-based policing<sup>44</sup>, and defines biased-based policing as “the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well as other discernible characteristics of an individual.” The following categories are listed as examples of discernible personal characteristics: Age, Disability Status, Economic Status, Familial Status, Gender, Gender Identity, Homelessness, Mental Illness, National Origin, Political Ideology, Race, Ethnicity or Color, Religion, Sexual Orientation, Veteran Status, and Social Status.

<sup>42</sup> U.S. Department of Justice, Civil Rights Division, “Investigation of the Baltimore City Police Department,” August 10, 2016 (<https://www.justice.gov/opa/pr/justice-department-announces-findings-investigation-baltimore-police-department>), November 9, 2016.

<sup>43</sup> DOJ Report, at page 68.

<sup>44</sup> Bias-based policing is used interchangeably with bias policing.

### **Complaint Intake Process**

Citizen complaints of police officer misconduct may be filed with the BPD or with the Civilian Review Board (CRB), an independent citizen board made up of nine community members. The CRB has its own civilian investigators and the authority to investigate certain complaints of police misconduct. Officers are required to accept citizen complaints, and the BPD Disciplinary Matrix lists failure to do so as misconduct. Regardless of where a complaint is filed, there are time limitations and requirements that must be met:

- Complainants may not be anonymous;
- Third parties/witnesses to misconduct may file complaints;
- Complaints of excessive force must be filed within 90 days of the incident. For the CRB, all other complaints must be filed within one year of the date of the incident;
- The complaint must be in writing and must be on the required complaint form;
- The complaint must be signed under penalty of perjury;
- The complaint must be witnessed by a notary public; and,
- On the BPD website, complainants are reminded that filing a false complaint “is punishable by a fine of \$500 or 6 months imprisonment, or both, under Article 27, Section 150.”

In the DOJ Report, there was concern that the intake process did not allow for anonymous complaints, and that the intake process required complaints to be filed in person, signed under penalty of perjury, and notarized.<sup>45</sup> The DOJ Report noted that BPD would need to reform its complaint intake procedures and make them accessible to the public.<sup>46</sup> It is unclear if the above requirements reflect the current complaint intake process as the BPD index of directives indicates that directives relating to processing of complaints and discipline are currently under revision. As of September 29, 2016, the website for the CRB still lists many of the above as requirements for filing a complaint.

### **Complaints Filed With CRB**

The CRB has jurisdiction to investigate only certain types of police misconduct, specifically those complaints involving abusive language, harassment, or excessive force. There does not appear to be a separate category for biased policing, but the CRB defines abusive language to include language meant to demean an individual based on actual or perceived race, color, religion, sex, national origin, sexual orientation, or gender identity.

If the CRB receives a complaint that is not within its jurisdiction, the CRB refers the complaint to the BPD for investigation, after which the CRB has no more involvement. If a complaint falls within the CRB’s jurisdiction, the CRB forwards a copy of the complaint to the BPD for investigation, but the CRB retains jurisdiction over the complaint until the BPD investigation is complete and the complaint is sent back to the CRB for review. For complaints that fall within

---

<sup>45</sup> DOJ Report, at page 140.

<sup>46</sup> DOJ Report, at page 141.

its jurisdiction, the CRB also has the option of conducting its own, separate investigation into the complaint, parallel with the BPD investigation.

### **Complaints Filed With BPD**

Information on the complaint intake and assignment process for the BPD was not available, but the DOJ Report provided a general description of the complaint process within the BPD.<sup>47</sup> The following information comes from the DOJ Report.

The BPD's Internal Investigation Division (IID) investigates complaints of officer misconduct, whether initiated internally by the BPD or submitted by a citizen. Within the IID, "Ethics" detectives investigate complaints alleging criminal activity or that implicate officer integrity or truthfulness. General internal affairs detectives investigate all other allegation of serious officer misconduct. Outside of IID, each of the BPD's nine patrol districts and each specialized unit within the BPD Operations Bureau has an independent Command Investigation Unit (CIU) responsible for investigating minor misconduct. Commanders of the patrol districts and specialized units have authority to impose minor discipline. As of January 2016, all the CIU's have been centralized under IID.

With respect to complaints alleging racial discrimination, the DOJ Report noted that such complaints were misclassified, so it is unclear if biased policing complaints would be investigated by IID, or if they were assigned to the individual CIUs. In its report, the DOJ found only one biased policing complaint that had been properly classified. That complaint was investigated at the command level.<sup>48</sup> If, as noted in the DOJ report, all individual CIUs are now centralized under IID, then it would appear that biased policing complaints are now investigated by IID instead of by the unit where the officer is assigned.

### **Mediation of Complaints**

Under the BPD Disciplinary Matrix, minor violations of rules may be mediated, but the BPD directives index indicates that the mediation policy is currently under revision.

### **Investigation Process/Investigative Protocol for Biased Policing Complaints**

#### CRB Investigations

As stated above, if a complaint falls within its jurisdictions, the CRB may wait until the BPD completes the investigation and submits it to the CRB for review, or the CRB may elect to conduct a concurrent investigation. When the CRB was contacted about whether its investigators used any specific procedures or protocols when investigating biased policing complaints, the CRB public information officer asked that a formal public information request be submitted for review.<sup>49</sup> The CRB's website does not contain any information on the investigation protocols used by the CRB's investigators when investigating biased policing complaints.

---

<sup>47</sup> DOJ Report at page 139.

<sup>48</sup> DOJ Report, at page 70.

<sup>49</sup> A public information request was submitted to the CRB pursuant to Maryland's Public Information Act, which allows the CRB 30 days to provide an initial response. At the time of writing, the CRB had not responded.

### BPD Investigations

If a citizen complaint is accepted, the BPD conducts the investigation, even if the complaint falls within the jurisdiction of the CRB. When the BPD investigates a complaint that falls within the jurisdiction of the CRB, BPD is required to submit the findings to the CRB for review. As noted above, the policies and procedures for the BPD are undergoing revision, and when the BPD was contacted regarding whether its investigators use any investigative protocols or procedures when conducting biased policing complaints, the BPD requested that a public information request be submitted for review. The DOJ Report contains a discussion of the concerns regarding the BPD investigation process, but does not provide information on whether BPD investigators use any special protocols or procedures in investigating biased policing complaints.

### **Adjudication Process**

#### CRB Adjudication

If a complaint falls within the CRB's jurisdiction, the CRB reviews the BPD investigation (and the CRB's own investigation if one was conducted) to determine if a complaint should be sustained. Prior to the board review of the complaint, the CRB may also opt to hold an Inquiry Panel hearing in which three board members hear testimony from witnesses in closed session. After considering all the information, the CRB, by majority vote, makes a finding regarding the complaint (Sustain, Not Sustain, Exonerate), or the CRB may request that IID investigate further. Under the CRB rules, "Sustain" means "that the allegation is supported by sufficient evidence."

If the CRB votes to Sustain an allegation, the CRB also recommends appropriate disciplinary action. The CRB findings and recommendation are sent back to the BPD Police Commissioner for final disposition.

#### BPD Adjudication

When a complaint investigation is completed by the BPD, the BPD investigator is responsible for making a finding on the allegations contained in the complaint, based on a preponderance of the evidence. The possible findings include: Sustained, Not Sustained, Unfounded, or Exonerate. Findings of Not Sustained, Unfounded, or Exonerated terminate the complaint process.

If a complaint is Sustained, one of two processes follow:

- If the Sustained complaint was investigated by the CIU (involving minor misconduct), the commander of the patrol district or specialized unit may impose minor discipline if the officer agrees to accept the discipline. If the officer declines to accept the proposed discipline, the officer is entitled to a hearing before a BPD commander; and,
- If the Sustained complaint was investigated by IID (involving serious misconduct), the officer is entitled to a hearing before a trial board composed of two commanders and one BPD member of the same rank as the accused officer.

In either case, if a trial board finds the officer Not Guilty, the complaint concludes. If a trial board finds the officer Guilty, the trial board must consider mitigating circumstances and recommend a penalty to the BPD Police Commissioner. The Police Commissioner makes the

final determination as to the penalty and may impose a lesser or a greater penalty. If a greater penalty is imposed, the officer may appeal to the state courts in Maryland.

**Discipline for Biased Policing Violations**

Under the BPD Discipline Matrix, published August 2, 2016, the first violation of the fair and impartial policing policy may result in a Severe Letter of Reprimand, and/or 15 day suspension, and/or demotion, and/or involuntary transfer, or termination. A second violation would result in termination.

**Complaint Data**

CRB Complaints

Data was not available on the number of complaints received by the CRB for the years 2011 through 2015, the number biased policing complaints received, and the disposition of those complaints. When contacted, the CRB indicated that such information could not be released unless a formal public information request was submitted and approved.<sup>50</sup>

BPD Complaints

Similarly, data on the number of complaints received by the BPD was not available. When contacted, the BPD also asked that a public information request be submitted.<sup>51</sup> The BPD website indicates that complaint data will be made available at a later time, but that information was not available at the time of writing. The DOJ Report did not include complaint data, but the DOJ determined that there was systemic misclassification of complaints received by the BPD.<sup>52</sup>

BALTIMORE	2015		2014		2013		2012		2011	
	CRB	BPD	CRB	BPD	CRB	BPD	CRB	BPD	CRB	BPD
Agency										
<b>Total All Complaints Received/Initiated</b>	Not Available		Not Available		Not Available		Not Available		Not Available	
<b>Total All Allegations Made</b>	Not Available		Not Available		Not Available		Not Available		Not Available	
<b>Biased Policing Complaints Initiated</b>	Not Available		Not Available		Not Available		Not Available		Not Available	
<b>Disposition of Biased Policing Complaints</b>	Not Available		Not Available		Not Available		Not Available		Not Available	

<sup>50</sup> A public information request was submitted to the CRB pursuant to Maryland’s Public Information Act, which allows the CRB 30 days to provide an initial response. At the time of writing, the CRB had not responded.

<sup>51</sup> A public information request was also submitted to the BPD. At the time of writing, the BPD had not responded.

<sup>52</sup> The DOJ Report noted that between 2010 and 2016, BPD internal affairs recorded one complaint related to racial discrimination, but the data was flawed in that there was systemic misclassification of complaints by the BPD. The DOJ Report stated that when a smaller sampling of BPD complaints was reviewed, the DOJ found more than 100 complaints in which the incident summary described officers allegedly using racial slurs, and 60 allegations that were written to include that officers allegedly using racial slurs, but none of the complaints were correctly classified as complaints involving the use of racial slurs. (DOJ Report, pages 66-67).



## CHICAGO POLICE DEPARTMENT

### Demographic Data and Number of Officers in Police Department

The demographic data for the City of Chicago and the officers of the Chicago Police Department (CPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

Race/Ethnicity	City of Los Angeles		City of Chicago	
American Indian	11,495	0.3%	4,097	0.2%
Asian	454,438	12.0%	144,903	5.4%
Black	358,212	9.4%	872,286	32.4%
Hawaiian/Pacific Islander	6,508	0.2%	557	0.0%
Hispanic/Latino	1,839,896	48.5%	778,862	28.9%
Multiple Race	23,621	0.6%	35,949	1.3%
Other Race	14,532	0.4%	4,227	0.2%
White	1,088,468	28.7%	854,717	31.7%
<b>Total Population</b>	<b>3,797,170</b>		<b>2,695,598</b>	

	LAPD		CPD	
<b>Number of Officers</b>	<b>9,920</b>		<b>12,042</b>	
American Indian	36	0.4%	0	0.0%
Asian	702	7.1%	39	0.3%
Black	1,149	11.6%	2,970	24.7%
Hawaiian/Pacific Islander	211	2.1%	324	2.7%
Hispanic/Latino	4,301	43.4%	2,263	18.8%
Multiple Race	0	0.0%	166	1.4%
Other Race	17	0.2%	1	0.01%
White	3,504	35.3%	6,279	52.1%
Male	8,021	80.9%	9,224	76.6%
Female	1,899	19.1%	2,818	23.4%

### Definition of Biased Policing

The CPD’s policy relating to biased policing is contained in General Order G02-04, “Prohibition Regarding Racial Profiling and Other Bias Based Policing,” revised December 31, 2015. The two-page document expressly prohibits racial profiling and other bias based policing. The policy states, “In making routine or spontaneous law enforcement decisions, such as investigatory stops, traffic stops and arrests, Chicago Police Department officers may not use race, ethnicity, color, national origin, ancestry, religion, disability, gender, gender identity, sexual orientation, marital status, parental status, military discharge status, financial status, or lawful source of income, except that officers may rely on the listed characteristics in a specific suspect description.”

## **Complaint Intake Process**

The Independent Police Review Authority (IPRA), an independent agency of the City of Chicago and separate from the CPD, is responsible for the intake function for all allegations of misconduct made against members of the CPD.<sup>53</sup> Complaints may also be filed with the CPD, but they are forwarded to the IPRA for review. The IPRA, headed by a civilian administrator and staffed with civilian investigators, is directly responsible for conducting investigations into allegations of the use of excessive force, domestic violence, verbal abuse based on bias, and coercion. Complaints alleging misconduct outside of those areas are referred to the CPD for investigation. All complaints must meet certain criteria:

- Complainants may not be anonymous unless the complaint alleges criminal misconduct;
- Third parties/witnesses to misconduct may file complaints;
- There are no time limits or deadlines for the filing of complaints;
- Under state law, the complainant must sign an affidavit certifying that the allegations made in the complaint are true and correct. Complaints not accompanied by a sworn affidavit are not investigated.<sup>54</sup> Though a complaint may be investigated without a sworn affidavit if both the IPRA and the CPD Superintendent of Police agree to waive the requirement, such waivers are rare; and,
- On the CPD website, complainants are reminded that filing a false complaint is considered perjury, and that under Chicago ordinance, a person committing perjury may be subject to a civil penalty of no less than \$500 and no more than \$1000, in addition to triple damages.

### Complaints Filed with The IPRA

While the IPRA is responsible for all complaint intakes, it investigates only those complaints within its jurisdiction. Complaints outside of its jurisdiction are referred to the CPD for investigation. With respect to biased policing, IPRA retains and investigates complaints involving “verbal abuse based on bias,” but that category does not cover biased policing complaints in which verbal abuse was not involved.

### Complaints Filed With CPD

Complaints may also be filed with the CPD. The department’s policies mandate that officers accept complaints. Failure to do so is considered misconduct. The CPD forwards all complaints to the IPRA for review. Complaints outside of the IPRA’s jurisdiction are referred back to the CPD for investigation, including allegations of biased policing that do not involve verbal abuse.

---

<sup>53</sup> On October 5, 2016, the City of Chicago passed an ordinance creating a new agency, the Civilian Office of Police Accountability (COPA), to replace the IPRA effective in 2017. It appears that the COPA will operate in much the same way as the IPRA, but with slightly expanded jurisdiction to also investigate complaints of improper searches and seizures, and denial of access to counsel. The ordinance also created a new deputy inspector general for public safety to monitor the COPA and the CPD. As details regarding the transition have not yet been worked out, the description of the complaint process reflects the current procedure under the IPRA.

<sup>54</sup> The Police Accountability Task Force, appointed by the Mayor of Chicago, released a report in April, 2016 about the CRD. In its executive summary, the Task Force estimated that 40 percent of complaints received by the IPRA and the CPD were declined because they did not have a sworn affidavit. City of Chicago Police Accountability Task Force, “Recommendations for Reform,” April, 2016, at page 10.

The CPD Internal Affairs Division investigates allegations of misconduct that generally carry more serious consequences for the employee, the department, or community confidence in the police, including allegations of biased policing not involving verbal abuse. Complaints with less serious consequences are forwarded to an employee's immediate supervisor for investigation.

#### Mediation of Complaints

Both the IPRA and the CPD have a mediation program as an alternative to the traditional complaint investigation process. Neither the IPRA nor the CPD have written guidelines regarding which complaints can be mediated. Because the CPD is in the process of formalizing its mediation guidelines into a written document, that information was not provided.

### **Investigation Process/Investigative Protocol for Biased Policing Complaints**

#### IPRA Investigations

The IPRA does not use any special protocol when investigating biased policing complaints.

#### CPD Investigations

The CPD does not use any special protocol when investigating biased policing complaints.

### **Adjudication Process**

#### IPRA Adjudication

Upon completion of the investigation, the IPRA makes an assessment as to whether there is sufficient evidence to prove or disprove the alleged misconduct. To sustain an allegation, the IPRA must find that there is a preponderance of evidence showing the misconduct occurred. Possible findings include: Sustained, Not Sustained, Unfounded, and Exonerated. If the IPRA Sustains an allegation, the IPRA also makes a recommendation as to discipline. The investigation findings and any disciplinary recommendation are sent to the CPD Superintendent of Police.

For sustained complaints, the Superintendent of Police must notify the IPRA of the discipline that will be imposed. If the discipline to be imposed by the Superintendent is less than what the IPRA has recommended, the IPRA and the Superintendent must meet and come to an agreement regarding the discipline. If agreement cannot be reached, the IPRA forwards the matter to the Police Board, an independent, nine-member board made up of citizens who make the final determination.

#### CPD Adjudication

When a complaint investigation is completed by the CPD, the investigator is responsible for making a finding on the allegations contained in the complaint, based on a preponderance of the evidence. The possible findings are the same as those for the IPRA: Sustained, Not Sustained, Unfounded, or Exonerated. The investigator's report is routed through the accused officer's chain of command for review, and ultimately to the CPD Superintendent of Police. For complaints adjudicated as Not Sustained, Unfounded, or Exonerated, the complaint process ends. For Sustained complaints, the chain of command reviews the results and recommends discipline.

to the Superintendent. Depending on the discipline recommended, one of four processes follows:

- If a suspension of one to ten days is recommended and the accused employee disagrees, the employee may appeal using the summary opinion process, an arbitration process in which written briefs are submitted to an arbitrator who makes a final and binding decision based solely on the documents submitted. No hearing is held;
- If a suspension of 11 to 30 days is recommended and the accused employee disagrees, the employee may appeal, though the process differs depending on the employee's rank.<sup>55</sup> If the accused employee is a supervisor (sergeant or above), the appeal is to an arbitrator and a full hearing is held. If the accused employee is not a supervisor, the officer may request the matter be decided pursuant to the summary opinion process, or invoke the grievance procedures, which may result in full arbitration. If the union declines to take the matter to arbitration, the officer may request a review of the matter by the Police Board. A suspension reviewed by the Police Board is a review of the investigation file only and not a full hearing;
- If a suspension of 31 to 365 days is recommended and the accused employee disagrees, the employee may appeal, though again, the process differs depending on the employee's rank.<sup>56</sup> If the accused employee is a supervisor, the Superintendent must first file written charges with the Police Board. If the supervisor chooses to appeal the suspension, the matter will be considered by the Police Board, which reviews the investigation files only without conducting a full hearing. If the accused employee is not a supervisor, the officer may elect to have the appeal heard by an arbitrator at a full hearing. The officer may also appeal to the Police Board, which conducts a review of the suspension based on the investigation file only, and not through a full hearing; and,
- If termination is proposed, the matter is submitted to the Police Board for a full evidentiary hearing.

The Police Board, in reviewing discipline cases, decides by majority vote whether the accused employee is Guilty or Not Guilty, based on a preponderance of the evidence. If the Police Board finds the officer Guilty, it must also decide on the discipline to be imposed. Decisions of the Police Board are final; any appeal of the Police Board's decision is made through the courts.

#### Discipline for Biased Policing Violations

The CPD is in the process of drafting a penalty guide, and was not able to provide information on the range of discipline that might result if an officer was found to have violated the biased policing policy.<sup>57</sup>

---

<sup>55</sup> The different appeal processes are the result of collective bargaining agreements negotiated between the City of Chicago and the unions representing the CPD's sworn employees.

<sup>56</sup> The Superintendent has authority to suspend a supervisor for up to 30 days; to suspend a supervisor for more than 30 days, the Superintendent must first file written charges with the Police Board. For employees who are not supervisors, the Superintendent may suspend officers for up to 365 days without going through the Police Board.

<sup>57</sup> According the Police Accountability Task Force, there is no disciplinary matrix or schedule that guides the IPRA, the CPD, and the Police Board in determining the appropriate discipline. City of Chicago Police Accountability Task Force, "Recommendations for Reform," April, 2016, at page 84.

**Complaint Data**

IPRA Complaints

While data on the number of complaints received by the IPRA between 2011 and 2015 is available through its annual reports, information on the number of biased policing complaints received and their disposition was not available. When the IPRA was contacted regarding the biased policing complaint data, the IPRA stated that its complaint management system includes data on which complaints might allege verbal abuse based on bias, and the data includes the race of the complainant and the police officer, but it could not easily retrieve statistical data on such complaints without an extensive review of the records. As a result, the statistical data on complaints presented in the table below only provide the total number of complaints investigated by the IPRA each year; the IPRA data does not include complaints that were declined or referred to the CPD for investigation.

CPD Complaints

Similarly, data on the total number of complaints received by the CPD each year was available for the years 2011 through 2014 through CPDs annual reports, but information on biased policing complaints was not readily available. Data on the number of complaints received in 2015 has not been published, so it was also not available for release. When contacted about biased policing complaints, the CPD similarly stated that while its complaint management system includes data on the race/ethnicity of complainants and accused officers, identifying those complaints alleging biased policing would not be possible without an extensive review of the records. As a result, the data on complaints presented in the table below only provide the total number of complaints investigated by the CPD from 2011 through 2014; it does not include complaints that were declined or were investigated by the IPRA.

<b>CHICAGO</b>	<b>2015</b>		<b>2014</b>		<b>2013</b>		<b>2012</b>		<b>2011</b>	
<b>Agency</b>	IPRA	CPD	IPRA	CPD	IPRA	CPD	IPRA	CPD	IPRA	CPD
<b>Total All Complaints Received/Initiated</b>	2,963	NA	3,179	2,932	3,349	3,187	3,575	3,414	3,739	3,314
<b>Total All Allegations Made</b>	Not Available		Not Available		Not Available		Not Available		Not Available	
<b>Biased Policing Complaints Initiated</b>	Not Available		Not Available		Not Available		Not Available		Not Available	
<b>Disposition of Biased Policing Complaints</b>	Not Available		Not Available		Not Available		Not Available		Not Available	

[This portion of the page is intentionally left blank.]

## DALLAS POLICE DEPARTMENT

### Demographic Data and Number of Officers in Police Department

The demographic data for the City of Dallas and the officers of the Dallas Police Department (DPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

Race/Ethnicity	City of Los Angeles		City of Dallas	
American Indian	11,495	0.3%	3,167	0.3%
Asian	454,438	12.0%	33,609	2.8%
Black	358,212	9.4%	294,159	24.6%
Hawaiian/Pacific Islander	6,508	0.2%	311	0.0%
Hispanic/Latino	1,839,896	48.5%	507,309	42.4%
Multiple Race	23,621	0.6%	12,232	1.0%
Other Race	14,532	0.4%	1,824	0.2%
White	1,088,468	28.7%	345,205	28.8%
<b>Total Population</b>	<b>3,797,170</b>		<b>1,197,816</b>	

	LAPD		DPD	
<b>Number of Officers</b>	<b>9,920</b>		<b>3,478</b>	
American Indian	36	0.4%	28	0.8%
Asian	702	7.1%	62	1.8%
Black	1,149	11.6%	875	25.2%
Hawaiian/Pacific Islander	211	2.1%	0	0.0%
Hispanic/Latino	4,301	43.4%	636	18.3%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	14	0.4%
White	3,504	35.3%	1,863	53.6%
Male	8,021	80.9%	2,880	82.8%
Female	1,899	19.1%	598	17.2%

### Definition of Biased Policing

The DPD does not have a general policy related to biased policing, but there are two sections within the DPD's General Orders manual where the issue of biased policing is addressed.

- Section 431.07, "Racial Profiling," states that racial profiling is "strictly prohibited. At no time will a sworn employee rely upon racial profiling in any probable cause or reasonable suspicion determination." The same section defines racial profiling as "as any law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity." This racial profiling section lists three prohibited bias categories: race, ethnicity, and national origin; and,

- Section 330.00, “Consensual and Non-Consensual Search Procedures” also addresses biased policing. Section 330.01, defines “bias-based searches” to mean “[a]ny search of an individual, object, or place that is solely based upon any person’s race, age, gender, or sexual orientation.” Section 330.08 expressly prohibits bias-based searches. For searches, the DPD expands prohibited bias categories to include: race, age, gender, or sexual orientation.

### **Complaint Intake Process**

Complaints of police officer misconduct are filed with the DPD, in person or by mail or fax. Complaints may also be filed with the Dallas Citizens Review Board (CRB), a 15-member citizen board that acts as advisor to Chief of Police, the City Manager, and the City Council. The CRB also reviews completed DPD complaint investigations in order to make suggestions and recommendations to the Chief of Police or the City Manager regarding the outcome of complaints investigated by the DPD. Because the CRB does not investigate complaints on its own, all complaints received by the CRB are referred to the DPD for investigation. All complaints, regardless of where filed, must meet certain criteria:

- Complaints may not be anonymous;
- Third parties/witnesses to misconduct may not file a complaint. The complaint must be filed by the person directly aggrieved; witnesses may only file statements in support of a complaint;
- Complaints must be filed within 60 days of the incident, unless criminal misconduct is alleged, in which case the criminal statute of limitations applies; and,
- Under state law, complaints must be in writing and signed by the person making the complaint. Complainants who call the CPD to make a complaint will be required to submit a signed form, either in person, by mail or fax.

The DPD requires officers to refer citizen complaints to a supervisor who must conduct an initial interview and inform the complainant of the requirements for filing a complaint. If the complainant does not wish to initiate a formal complaint, and the violation alleged is minor, a formal complaint is not initiated. In such cases, supervisors may initiate a supervisory review of the incident and administer Summary Discipline, which may include “Advice and Instruction, Documented Counseling, or Supervisor’s Report (Correction).” The complaint is not entered into the DPD’s complaint tracking system, but corrective actions taken are tracked.

Under the DPD’s complaint intake guidelines, more serious complaints, including racial profiling complaints, are assigned to the DPD’s Internal Affairs Division (IAD) for investigation. Less serious complaints are referred to the employee’s division of assignment for investigation.

### Mediation of complaints

In the past, DPD had a mediation program which started in 2005 but ended in 2012. The program was limited to minor complaints of misconduct, such as discourtesy or improper investigation.

## **Investigation Process/Investigative Protocol for Biased Policing Complaints**

The DPD does not use any special investigation protocol or procedures when investigating biased policing complaints, but they are prioritized for investigation.

### **Adjudication Process**

Completed complaint investigations are reviewed by the IAD commanding officer (if IAD conducted the investigation, such as with racial profiling complaints), or by the division commanding officer (if it was assigned to the division for investigation). The commanding officer reviewing the complaint investigation makes a finding regarding the complaint; possible findings include: Unfounded, Exonerated, Not Sustained, or Sustained. For complaints alleging racial profiling, this means that the IAD commanding officer makes the recommendation as to whether the complaint should be sustained.

If the complaint is Sustained based on a preponderance of the evidence, the employee's chain of command will recommend a penalty to the Assistant Chief, who meets with the employee and determines the discipline to be imposed. Depending on the discipline imposed, the employee may appeal the finding and penalty:

- If counseling or a written notice is recommended as a result of an IAD investigation, there is no appeal. However, if counseling or a written notice is recommended as a result of a divisional investigation, the employee may appeal the matter to the Summary Discipline Appeal Board, composed of three command level officers who review the complaint file and make a recommendation to the Chief of Police. The Chief of Police makes the final determination, and there is no further appeal;
- If a written reprimand is recommended, the officer may appeal the discipline to the First Assistant Chief, and then to Chief of Police. The decision of the Chief of Police is final and cannot be appealed any further;
- If a suspension is recommended, the officer may appeal the discipline to the Chief of Police, and then to the City Manager; and,
- If demotion or discharge is recommended, the appeal is directly to the City Manager, and then to the Civil Service Board. In appealing to the Civil Service Board, the employee may ask the Civil Service Board to hear the appeal, or request that an administrative trial be held before an administrative law judge.

A citizen who is dissatisfied with the outcome of a complaint investigation may request to meet with an IAD supervisor to review the matter. If the complainant is still not satisfied, the complainant may request that the CRB review the matter. If the CRB disagrees with the finding and/or discipline imposed, the CRB may request that the City Manager review the matter.

### **Discipline for Biased Policing Violations**

The DPD policy on racial profiling states that a sustained violation of the policy will result in discipline ranging from Summary Discipline to Discharge. For the DPD, Summary Discipline includes Advice and Instruction, Documented Counseling, and Supervisor's Report of Corrections.



**Complaint Data**

The number of complaints received by the DPD between 2011 and 2015, including the number of biased policing complaints, and their disposition, are summarized in the table below. While the DPD collects data on the race/ethnicity of complainants and accused officers, and has the ability to generate reports comparing the race/ethnicity of complainants and accused officers for biased policing complaints, it does not routinely generate reports focusing on the race/ethnicity of complainants and officers for those complaints.

<b>DALLAS</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
<b>Total All Complaints Received/Initiated</b>	687	962	913	770	853
<b>Biased Policing Complaints Received</b>	14 (2.0%)	15 (1.6%)	18 (2.0%)	18 (2.3%)	18 (2.1%)
<b>Total All Allegations Initiated</b>	906	1,048	1,430	1323	1,322
<b>Biased Policing Allegations Initiated</b>	22 (2.4%)	20 (1.9%)	26 (1.8%)	29 (2.2%)	27 (2.0%)
<b>Disposition of Biased Policing Allegations</b>					
<b>Exonerated</b>					3 (11.1%)
<b>Not Sustained</b>	5 (22.7%)	6 (30.0%)	12 (46.2%)	17 (58.6%)	14 (51.9%)
<b>Sustained</b>					
<b>Unfounded</b>	10 (45.5%)	14 (70.0%)	14 (53.8%)	12 (41.1%)	10 (37.0%)
<b>Pending</b>	7 (31.8%)				

[This portion of the page is intentionally left blank.]

## NEW YORK POLICE DEPARTMENT

### Demographic Data and Number of Officers in Police Department

The demographic data for the City of New York and the officers of the New York Police Department (NYPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

Race/Ethnicity	City of Los Angeles		City of New York	
American Indian	11,495	0.3%	17,427	0.2%
Asian	454,438	12.0%	1,028,119	12.6%
Black	358,212	9.4%	1,861,295	22.8%
Hawaiian/Pacific Islander	6,508	0.2%	2,795	0.0%
Hispanic/Latino	1,839,896	48.5%	2,336,076	28.6%
Multiple Race	23,621	0.6%	148,676	1.8%
Other Race	14,532	0.4%	57,841	0.7%
White	1,088,468	28.7%	2,722,904	33.3%
<b>Total Population</b>	<b>3,797,170</b>		<b>8,175,133</b>	

	LAPD		NYPD	
<b>Number of Officers</b>	<b>9,920</b>		<b>34,454</b>	
American Indian	36	0.4%	41	0.1%
Asian	702	7.1%	1,885	5.5%
Black	1,149	11.6%	5,557	16.1%
Hawaiian/Pacific Islander	211	2.1%	0	0.0%
Hispanic/Latino	4,301	43.4%	8,992	26.1%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	0	0.0%
White	3,504	35.3%	17,979	52.2%
Male	8,021	80.9%	28,630	83.1%
Female	1,899	19.1%	5,824	16.9%

### Definition of Biased Policing

The current NYPD policy on biased policing, Procedure No. 203-25, “Department Policy Prohibiting Racial Profiling and Bias-Based Policing,” was issued June 2, 2016. The three-page policy prohibits officers from intentionally engaging in bias-based profiling, which is defined as “an act of a member of the force of the police department or other law enforcement officer that relies on actual or perceived” bias categories “as the determinative factor in initiating law enforcement action against an individual, rather than an individual’s behavior or other information or circumstances that links a person or persons to suspected unlawful activity.” The bias categories include: race, national origin, color, creed, age, alienage or citizenship status, gender, sexual orientation, disability, or housing status.

## **Complaint Intake Process**

Complaints of police officer misconduct may be filed with the NYPD or with the Civilian Complaint Review Board (CCRB).<sup>58</sup> The CCRB is an independent New York City agency with an all-civilian staff that investigates, mediates, and prosecutes certain types of complaints filed by the public against NYPD officers. The requirements for filing a complaint are summarized below:

- Complaints may be submitted in person, by letter, phone, or online;
- Complaints may be filed anonymously, by a third party or witness to misconduct;
- There are no time limits or deadlines for the filing of a complaint; and,
- Complainants are not required to use the complaint form or sign under penalty of perjury.

### Complaints Filed with the CCRB

The CCRB has jurisdiction over four types of complaints: force, abuse of authority, discourtesy, and offensive language. If a complaint falls within its jurisdiction, the CCRB retains the complaint and conducts its own complaint investigation. If the complaint falls outside of those four areas, it is referred to the NYPD for investigation. Additionally, because allegations of biased policing are outside the CCRB's jurisdiction, if it receives a complaint within its jurisdiction, which also involves a biased policing allegation, the biased policing allegation is referred to the NYPD. For example, if a complainant alleges that an officer used excessive force, and that the excessive force was motivated by bias, the CCRB will investigate the underlying conduct (the use of force), but will refer the biased policing allegation to the NYPD for investigation.

### Complaints filed with the NYPD<sup>59</sup>

Employees of the NYPD are required to accept citizen complaints, and failure to do so may be considered misconduct. Complaints filed with the NYPD are reviewed to determine if they fall within the jurisdiction of the CCRB. If the NYPD receives a complaint within the CCRB's jurisdiction, those complaints are referred to the CCRB for investigation. All other complaints are retained by the NYPD for investigation. Complaints retained by the NYPD are reviewed by the Internal Affairs Bureau (IAB) and assigned for investigation based on the seriousness of the allegations. The IAB investigates the most serious allegations (classified as "C" or "Corruption"); less serious complaints are assigned to a Borough or Bureau investigation unit

---

<sup>58</sup> In addition to the CCRB, two other entities provide oversight of the NYPD, including the Commission to Combat Police Corruption (CCPC) and the Office of the Inspector General (OIG). The CCPC does not accept complaints but provides oversight of the NYPD's anti-corruption efforts by conducting audits and studies of the NYPD's Internal Affairs Bureau. Because the OIG is focused on broad, systemic issues within the NYPD, it accepts only complaints about broader policy issues; the OIG does not accept complaints about individual officer misconduct.

<sup>59</sup> In August, 2013, a federal court ruled the NYPD's practices relating to its stop, frisk, and question were unconstitutional and required the NYPD to make changes to its policies and procedures under the oversight of a monitor. A second lawsuit dealing with trespass enforcement on private property resulted in additional remedies being required of NYPD. A third lawsuit dealing with trespass enforcement on property owned by the New York Housing authority resulted in a settlement agreement, and the court ordered further remedies and the appointment of the same monitor to oversee NYPD's compliance with the court-ordered remedies from all three lawsuits. To date, the monitor has released two progress reports (<http://nypdmonitor.org/resources/reports/>). Much of the information regarding NYPD's complaint processes and IAB's complaint data comes from the monitor's reports.

(classified as “M” or “Misconduct” cases); and the least serious complaints are assigned to the command (precinct) level (classified as “OG” or “Outside Department Guidelines”).

Prior to October 2014, the NYPD classified profiling complaints as “OG” cases and assigned the investigation to the precinct where the accused officer was assigned. Because profiling complaints were not specifically identified in NYPD’s complaint tracking system, data regarding profiling complaints could not be retrieved for analysis.

In October 2014, NYPD began tracking profiling allegations as a separate category within its complaint system. In January, 2015, NYPD began classifying profiling complaints as “M” cases. Consequently, profiling complaints are now assigned to the Borough or Bureau level for investigation instead of the precinct level. Profiling complaints that have serious allegations of misconduct are classified as “C” cases to be investigated by the IAB.

#### Mediation of Complaints

Complaints against NYPD officers may be mediated, though not all complaints qualify for mediation, such as those in which criminal charges or lawsuits are pending, or incidents which resulted in injury or damage to property.

### **Investigation Process/Investigative Protocol for Biased Policing Complaints**

#### CCRB Investigations

Because the CCRB does not investigate allegations of biased policing, it does not have or use any special investigative protocol or procedure related to biased policing.

#### NYPD Investigations

The NYPD is in the process of drafting investigative protocols for biased policing investigations. They must be approved by the court prior to publishing and are not currently available.

### **Adjudication Process**

#### CCRB Adjudication

Although the CCRB does not investigate biased policing allegations, its review process is summarized to provide context to the NYPD process. For complaints that fall within its jurisdiction, the completed investigation is presented to a three-member panel of CCRB board members. The panel reviews the case, and based on a preponderance of the evidence standard, makes a finding with respect to each allegation. Possible findings include: Substantiated, Exonerated, Unfounded, Unsubstantiated (insufficient evidence to decide), Officer Unidentified, and Miscellaneous (when the officer is no longer with the NYPD).

If an allegation is Substantiated, the panel will also make a recommendation as to corrective action or discipline, and the recommendation falls into one of three categories:

- Instruction: Instruction is often recommended for officers who misunderstand policy; it requires officers be provided additional training;

- **Command Discipline:** Discipline in this category ranges from a warning to forfeiture of up to ten vacation days, depending on whether the misconduct falls into Schedule A (up to five vacation days may be forfeited for violations such as failing to maintain uniform or equipment), or Schedule B (up to ten vacation days may be forfeited for violations such as failing to safeguard a prisoner); and,
- **Charges and Specifications:** The most serious disciplinary measure is imposed for serious misconduct. This is judicial punishment in that it results in an administrative prosecution and trial to determine guilt. The penalty ranges from the forfeiture of vacation days to suspension or termination.

If the CCRB findings and recommendation are for Instruction or Command Discipline, the complaint is sent to the NYPD's Department Advocate's Office (DAO). The DAO conducts a review of the CCRB investigation, findings, and recommendations in order to make its own recommendation to the Police Commissioner. If the DAO disagrees with the CCRB's findings or recommendations, the recommendations from both the CCRB and the DAO are presented to the Police Commissioner. Only the Police Commissioner has the authority to impose discipline, and the final discipline imposed may differ from the discipline recommended by the CCRB.

If the CCRB panel recommends Charges and Specifications, the CCRB will prosecute the case itself at an administrative trial before a Trial Commissioner. The Trial Commissioner's findings and recommendation are presented to the Police Commissioner. Again, because only the Police Commissioner has the authority to impose discipline, the final discipline imposed may differ from the CCRB recommendation and from the Trial Commissioner's recommendation.

In either case, if the Police Commissioner intends to impose discipline that is lower than what was recommended by the CCRB or by the Trial Commissioner, the Police Commissioner must notify the CCRB and explain the rationale for the deviation. The CCRB has an opportunity to respond to the Police Commissioner's rationale, and the Police Commissioner must take the CCRB's response into consideration before making a final determination as to discipline.

#### NYPD Adjudication

Completed investigations are sent to accused officer's Commanding Officer for review. If the investigation was conducted at the precinct level, the Commanding Officer must make a finding as to each allegation. If the investigation was conducted by the IAB, or a by a Borough or Bureau investigation unit, the findings (penalty recommendation if applicable), will have been made by IAB or the Borough or Bureau investigating unit. Findings are based on a preponderance of the evidence standard. Possible findings for NYPD investigations include: Substantiated, Unsubstantiated, Exonerated, Unfounded, and Information & Intelligence (the same as Unsubstantiated, but used to denote that the officer and the alleged misconduct are being tracked by IAB).

Depending on the misconduct Substantiated, the Commanding Officer may recommend the same range of penalties as described under the CCRB adjudication process. The officer's right to appeal depends on the penalty imposed.

- **Command Discipline:** The Commanding Officer will meet with the accused officer in an informal hearing. The officer has one of three choices: accept the finding and penalty, accept only the finding and request an administrative review of the proposed discipline to determine appropriate penalty (the penalty determination made after the administrative is final and there is no further appeal), or request that formal charges be prepared; and,
- **Charges and Specifications:** If formal charges are to be filed, an administrative trial is held before a Trial Commissioner. If the officer is found Guilty by the Trial Commissioner, the penalty recommendation is sent to the Police Commissioner for final discipline.

Discipline for Biased Policing Violations

The types of misconduct that result in Command Discipline and Charges and Specifications are listed in the NYPD Patrol Guide. The penalty for violations of the NYPD biased policing policy is not currently listed.

**[This portion of the page is intentionally left blank.]**

## Complaint Data

The CCRB publishes statistical data on the total number of complaints received within its jurisdiction in its annual reports, and those numbers are reflected in the table below. With respect to biased policing complaints, the CCRB does not investigate those complaints and refers them to the NYPD. While the NYPD compiles monthly and annual complaint statistics, that information is not made public,<sup>60</sup> though the NYPD reported that it is in the process of making such data available.<sup>61</sup> As a result, the actual number of complaints received by the NYPD between 2011 and 2015 is not available.<sup>62</sup> As to biased policing complaints, the NYPD only began tracking data on such complaints in October 2014 and reported that data to the monitor; information for 2014 and 2015 comes from the monitor's report.

NEW YORK	2015		2014		2013		2012		2011	
Agency	CCR B	NYP D	CCR B	NYPD	CCR B	NYPD	CCR B	NYPD	CCR B	NYPD
<b>Total All Complaints Received/Initiated</b>	4,460	NA	4,777	NA	5,388	NA	5,742	NA	5,969	NA
<b>Biased Policing Complaints Initiated</b>		338		15		NA		NA		NA
<b>Biased Policing Allegations</b>		478 <sup>63</sup>		15		NA		NA		NA
<b>Disposition of Biased Policing Allegations</b>										
<b>Unsubstantiated</b>	39 (8.2%)		8 (53.3%)		Not Available		Not Available		Not Available	
<b>Unfounded</b>	83 (17.4%)		5 (33.3%)		Not Available		Not Available		Not Available	
<b>Exonerated</b>			2 (13.3%)		Not Available		Not Available		Not Available	
<b>Pending</b>	345 (72.6%)				Not Available		Not Available		Not Available	

<sup>60</sup> Commission to Combat Police Corruption, "Sixteenth Annual Report of the Commission," October, 2014, at page 9, footnote 21.

<sup>61</sup> Commission to Combat Police Corruption, "Seventeenth Annual Report of the Commission," November, 2015, at page 5 and 6. A request for the data was made to the NYPD Office of Legal Affairs; a response is still pending.

<sup>62</sup> In its annual reports, the CCRB provides the number of complaints referred to the NYPD for investigation because they fell outside CCRB's jurisdiction and within NYPD's jurisdiction: 2011: 9,924; 2012: 8,723; 2013: 5,970; 2014: 7,621; 2015: 6,092. Between 2011 and 2015, the CCRB referred an average of 7,665 complaints to the NYPD. This averages includes only complaints referred to NYPD by the CCRB; it does not include complaints filed directly with the NYPD and not seen by the CCRB.

<sup>63</sup> The data for 2014 and 2015 comes from the monitor's second report dated February 6, 2016. For 2015, there appears to be a discrepancy in the total number of allegations reported by the monitor (478) and the total number of allegations when summed up by their disposition categories (467). The report does not explain the discrepancy.

## PHILADELPHIA POLICE DEPARTMENT

### Demographic Data and Number of Officers in Police Department

The demographic data for the City of Philadelphia and the officers of the Philadelphia Police Department (PPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

Race/Ethnicity	City of Los Angeles		City of Philadelphia	
American Indian	11,495	0.3%	3,498	0.2%
Asian	454,438	12.0%	95,521	6.3%
Black	358,212	9.4%	644,287	42.2%
Hawaiian/Pacific Islander	6,508	0.2%	457	0.0%
Hispanic/Latino	1,839,896	48.5%	187,611	12.3%
Multiple Race	23,621	0.6%	27,942	1.8%
Other Race	14,532	0.4%	4,105	0.3%
White	1,088,468	28.7%	562,585	36.9%
<b>Total Population</b>	<b>3,797,170</b>		<b>1,526,006</b>	

	LAPD		PPD	
<b>Number of Officers</b>	<b>9,920</b>		<b>6,515</b>	
American Indian	36	0.4%	8	0.1%
Asian	702	7.1%	97	1.5%
Black	1,149	11.6%	2,174	33.4%
Hawaiian/Pacific Islander	211	2.1%	0	0.0%
Hispanic/Latino	4,301	43.4%	532	8.2%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	9	0.1%
White	3,504	35.3%	3,695	56.7%
Male	8,021	80.9%	5,031	77.2%
Female	1,899	19.1%	1,484	22.8%

### Definition of Biased Policing

The PPD policy on biased policing appears in various department directives and manuals.

- Directive 8.11, “Race, Ethnicity, and Policing,” was issued on February 28, 2011 and updated on June 10, 2016. In the three-page document, the PPD prohibits officers from making “investigative detentions, traffic stops, arrests, searches, frisks and property seizures” based on solely on race or ethnicity. An “officer may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). However, race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion.” This document lists only race and ethnicity as prohibited bias categories;



- Directive 12.8, “Live Stop Program,” issued September 4, 2015, requires officers to enforce the state of Pennsylvania’s impoundment provisions in a “reasonable and equitable manner without regard to race, religion, ethnicity, disability, financial status, or sexual orientation.” This directive expands the prohibited bias categories beyond race and ethnicity; and,
- Disciplinary Code, Section 1-022-10, effective from 2014 through 2017, adds additional prohibited bias categories by classifying as misconduct behavior or action that constitutes discrimination or harassment based on “race, color, gender, religion, national origin, age, ancestry, sexual orientation, disability, or gender identity.”

### **Complaint Intake Process**

Complaints of police officer misconduct may be filed with the PPD or with the Police Advisory Commission (PAC). The PAC is composed of 15 members appointed by the mayor and acts as an oversight agency. In addition, the PAC conducts complaint investigations if a complaint falls within its jurisdiction. Depending on whether complaints are filed with the PPD or with the PAC, different requirements apply, as discussed below.

#### Complaints filed with the PAC<sup>64</sup>

The PAC has jurisdiction over four types of complaints: excessive or unnecessary force, abuse of authority, and verbal abuse (if related to race, ethnicity, national origin, skin color, sex, gender, gender preference, physical or mental status). Complaints filed with the PAC must meet the following criteria:

- Complaints may not be anonymous but may be filed by a third party. The PAC website states that to formally file a complaint, complainants “must complete the forms and bring them, with a photo ID, to the Commission office;”
- Complaints must be filed within 180 days of the incident; and,
- Complainants must sign a separate complaint declaration acknowledging that if the complaint contains a materially false statement, the complainant may be subject to a charge and penalty for perjury. The complaint must be notarized, but the PAC provides that service free of charge.

If a complaint falls within the PAC’s jurisdiction and meets the administrative filing requirements, the PAC will conduct its own investigation into the complaint and forward a copy of the complaint to the PPD. With respect to biased policing allegations, in addition to investigating complaints of verbal abuse related to a bias category, the PAC also investigates, under the category of abuse of authority, complaints alleging discriminatory or selective law enforcement, including bias-based policing.

If a complaint is outside of the PAC’s jurisdiction, the PAC refers the complaint to the PPD for investigation.

---

<sup>64</sup> The PAC was contacted for information about its processes and complaints; a response is still pending. The description of the PAC processes comes from information posted on its website and from annual reports released by the PAC. The most recent published annual report, covering 2012 and 2013, was dated November 2014.

### Complaints filed with the PPD<sup>65</sup>

Complaints filed with the PPD may be in person, by phone, mail or email. Officers are required to accept citizen complaints, and failure to do so is considered misconduct. There are no time limits and the complainant may be anonymous or filed by a third party. The PPD does not require complaints to be signed, signed under penalty of perjury, or notarized, but the PPD website reminds complainants, “Anyone who willfully makes any false accusation for the purpose of discrediting a police officer may be prosecuted under Pennsylvania Crimes Code 4906.”

The Internal Affairs Division (IAD) reviews all complaints received by the PPD and determines whether the investigation will be conducted by IAD or at the divisional level.

- Certain complaints may be closed without a formal investigation, including: complaints that lack merit (the conduct alleged would not constitute misconduct); complaints that merely contest a traffic or parking ticket; and complaints about the denial of a public records request;
- Complaints about a lack of service or verbal abuse may be assigned to the officer’s division of assignment for investigation, or may be investigated by IAD, depending on how many such complaints the officer has received in the past two years. If the complaint is the officer’s first within a two-year period, the investigation is assigned to the division of assignment. Internal Affairs Division is directly responsible to investigate any subsequent similar complaints; and,
- For all other complaints, IAD is directly responsible for the investigation.

For complaints in which the PAC has jurisdiction, the PPD also conducts its own, separate investigation, concurrent with the PAC investigation.

### Mediation of Complaints

Currently, mediation of complaints is not an option. By executive order in 1994, the Mayor of Philadelphia established the PAC and directed the Commission to establish a mediation program as a way to resolve complaints. In its annual reports for 2009 through 2011, the PAC noted that the PPD, after discussion with the officers’ union, rejected the proposal to start a mediation program.

## **Investigation Process/Investigative Protocol for Biased Policing Complaints**

### PAC Investigations

The PAC was contacted regarding whether it used any special investigative protocol or procedure when it investigates allegations of biased policing. A response from the PAC is still pending.

---

<sup>65</sup> The PPD was contacted for information about its processes and complaint data. The PPD representative was able to provide some information during an initial conversation but indicated that he would need to call back with the remaining information; a response from the PPD is still pending. Most of the information about the PPD process comes from information published by the PPD on its website.

### PPD Investigations

While investigators at IAD have investigation protocols they follow, the PPD does not use any special investigative protocols or procedure when investigating complaints with biased policing allegations.

### **Adjudication Process**

#### PAC Adjudication

For complaints that fall within its jurisdiction, the completed investigations are reviewed by the PAC's Investigatory Review Committee (IRC). Using a preponderance of the evidence standard, the IRC may choose to administratively close the complaint, or refer the complaint to a Panel Hearing for further fact-finding. Administrative closure of a complaint by the PAC includes the following options: Exonerated, Unfounded, or Concurrence (when the PPD has already completed its investigation and the IRC agrees with the PPD findings and/or recommendations).

Complaints referred to a Panel Hearing undergo a public, administrative fact-finding inquiry. During the hearing, the complainant, witnesses, and accused officers testify under oath regarding the allegations framed in the complaint. The completed PPD complaint investigation is also submitted as part of the hearing. After the Panel Hearing, the PAC deliberates in closed session to make findings of fact using the preponderance of the evidence standard. The PAC then issues an opinion on the complaint with its factual findings and disciplinary recommendations.<sup>66</sup> The opinion is sent to the PPD Police Commissioner for consideration.

#### PPD Adjudication

Completed investigations are reviewed by the IAD commanding officer who determines, based on a preponderance of the evidence, whether the allegations should be sustained. Possible findings include: Unfounded, Exonerated, Not Sustained, and Sustained. Sustained complaints are forwarded the Police Board Inquiry Charging Unit (Charging Unit). After review of the complaint investigation, the Charging Unit determines whether formal disciplinary charges should be filed against the officer.

- **Counseling:** If the Charging Unit determines that the violation is best addressed through counseling, a counseling form is sent to the accused officer's commanding officer to serve the employee and provide the necessary training and counseling; and,
- **Formal Charges:** If the Charging Unit determines that formal charges should be filed, a disciplinary package is sent to the accused officer's commanding officer to serve the employee.

If the violation is minor (violations for which the Disciplinary Code indicates the penalty should be a suspension of five days or less), the accused officer may agree to plead guilty and accept the penalty as determined by the commanding officer (referred to as Command Discipline). If the

---

<sup>66</sup> Though such terms "Sustained" or "Not Sustained" are sometimes used in the PAC opinions, the findings contained in the PAC opinions are often phrased as factual findings. For example, in an opinion from 2011, the PAC wrote: "The Panel finds that the Police did not properly enter the Residence."

officer declines to accept the Command Discipline offered by the commanding officer, the officer may request the matter be reviewed by a Police Board of Inquiry.

If the violation is serious, or if the officer declines to accept the Command Discipline, a Police Board of Inquiry will review the matter and make a recommendation to the Police Commissioner as to the appropriate penalty. The Police Commissioner makes the final decision as to the penalty to be imposed and is not bound by the recommendation.

Discipline for Biased Policing Violations

The PPD’s Disciplinary Code provides that discrimination on the basis of race, color, gender, religion, national origin, age, ancestry, sexual orientation, disability, or gender identity will result in a penalty ranging from Reprimand to Dismissal.

**Complaint Data**

Both the PAC and the PPD were contacted regarding complaint data; responses from both agencies are still pending. The PAC has published on its website annual reports for 2011 through 2013, and the data from those reports were included in the table below.

PHILADELPHIA	2015		2014		2013		2012		2011	
	PAC	PPD	PAC	PPD	PAC	PPD	PAC	PPD	PAC	PPD
<b>Total All Complaints Received/Initiated</b>	Not Available		Not Available		57	NA	54	NA	90	NA
<b>Total All Allegations Made</b>	Not Available		Not Available		Not Available		Not Available		Not Available	
<b>Biased Policing Complaints Initiated</b>	Not Available		Not Available		Not Available		Not Available		Not Available	
<b>Disposition of Biased Policing Complaints</b>	Not Available		Not Available		Not Available		Not Available		Not Available	

[This portion of the page is intentionally left blank.]

**SAN DIEGO POLICE DEPARTMENT**

**Demographic Data and Number of Officers in Police Department**

The demographic data for the City of San Diego and the officers of the San Diego Police Department (SDPD) are provided in the tables below, along with data for the City of Los Angeles and LAPD.

<b>Race/Ethnicity</b>	<b>City of Los Angeles</b>		<b>City of San Diego</b>	
American Indian	11,495	0.3%	3,545	0.3%
Asian	454,438	12.0%	204,347	15.6%
Black	358,212	9.4%	82,497	6.3%
Hawaiian/Pacific Islander	6,508	0.2%	5,178	0.4%
Hispanic/Latino	1,839,896	48.5%	376,020	28.8%
Multiple Race	23,621	0.6%	42,820	3.3%
Other Race	14,532	0.4%	3,293	0.3%
White	1,088,468	28.7%	589,702	45.1%
<b>Total Population</b>	<b>3,797,170</b>		<b>1,307,402</b>	

	<b>LAPD</b>		<b>SDPD</b>	
<b>Number of Officers</b>	<b>9,920</b>		<b>1,831</b>	
American Indian	36	0.4%	11	0.6%
Asian	702	7.1%	79	4.3%
Black	1,149	11.6%	119	6.5%
Hawaiian/Pacific Islander	211	2.1%	60	3.3%
Hispanic/Latino	4,301	43.4%	358	19.6%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	2	0.1%
White	3,504	35.3%	1,202	65.6%
Male	8,021	80.9%	1,557	85.0%
Female	1,899	19.1%	274	15.0%

The below information was obtained from reports and other information currently available on the City of San Diego website.

**Definition of Biased Policing**

For the SDPD, allegations of biased policing or racial profiling are categorized as Discrimination, which is defined as “an allegation of unequal treatment due to a subject’s gender, race, color, national origin/ancestry, religion, physical or mental disability, medical condition (including cancer, HIV, and AIDS), age, political beliefs or affiliation, marital status, or sexual orientation.” Slur is a separate allegation category defined as “an allegation of a derogatory term

that a reasonable person would recognize as an inherent insult or degradation of another, based upon their gender, race, color, ancestry, religious creed, national origin, physical disability, mental disability, medical condition (including cancer, HIV, and AIDS), age, political beliefs, or sexual orientation.”<sup>67</sup>

### **Complaint Intake Process**

Complaints of police officer misconduct are accepted from anyone who experienced or witnessed what he or she believes to be misconduct. The requirements for making a complaint are summarized below:

- Complaints are accepted in writing (by letter, fax or email), in person, or by telephone;
- Complaints are accepted at any police facility, at the Citizens’ Review Board on Police Practices (CRB), the City Administration Building (Mayor’s Office), at several community-based organizations, or with any member of the SDPD; or by telephone, mail, facsimile transmission, email, or online;
- Complaints may be anonymous; there are no restrictions against third parties or witnesses filing complaints;
- There are no time limits or deadlines for the filing of complaints; and,
- Complainants are not required to use the complaint form and are not required to sign under penalty of perjury.<sup>68</sup>

The CRB, a 23-member board appointed by the Mayor, reviews and evaluates complaints brought by the public against the SDPD, the administration of discipline resulting from sustained complaints, officer-involved shootings, and in-custody deaths.

### **Mediation of Complaints**

In the past, SDPD had a mediation program, but it is unclear if the program is still in place. A response from the SDPD regarding its mediation program is still pending.

### **Investigation Process/Investigative Protocol for Biased Policing Complaints**

All complaints are sent to the SDPD’s Internal Affairs (IA) Unit for categorization. Category I complaints are investigated by IA and include all complaints against employees involving one or more of the following types of allegations: Arrest,<sup>69</sup> Discrimination, Slur, and Criminal Conduct.<sup>70</sup> Category I complaints are completed within 90 days and are reviewed and evaluated by the CRB.

---

<sup>67</sup> San Diego Police Department Procedure No. 1.10 Administration, Citizen Complaints, Officer-Involved Shootings, and In-Custody Deaths; Receipt, Investigation, and Routing, dated August 16, 2013. Receipt of the updated directive, revised in August 2015, is pending.

<sup>68</sup> San Diego Police Department Procedure No. 1.10 Administration, Citizen Complaints, Officer-Involved Shootings, and In-Custody Deaths; Receipt, Investigation, and Routing, dated August 16, 2013.

<sup>69</sup> Arrest includes allegations where the accused knew, or should have known, that there was insufficient probable cause for arrest and “bad faith” Fourth Amendment searches.

<sup>70</sup> The Professional Standards Unit, which oversees IA, conducts complaints with felony criminal allegations.

Category II complaints, involving allegations of Procedure, Courtesy, Conduct, and Service, are assigned to an SDPD supervisor and investigated within the employee's chain of command.<sup>71</sup> They are evaluated solely by the SDPD and not subject to review by the CRB unless they involve associated Category I allegations. Category II complaints are completed within 60 days of the date the complaint was received by the Department.

The SDPD does not use any special investigation protocol or procedures when investigating Discrimination or Slur complaints, but they are prioritized as Category I complaints.

### **Review and Adjudication Process**

It is the responsibility of investigating officers to obtain all information pertinent to the allegations in the complaint. Investigations are deemed complete when there are no further worthwhile avenues of inquiry. The investigator renders a final disposition, or finding, based on the facts of the investigation. The investigation must present clear findings as to whether the allegations occurred. The findings will be classified as follows:

- Sustained – The SDPD member committed all or part of the alleged acts of misconduct;
- Not Sustained – The investigation produced insufficient information to clearly prove or disprove the allegations made in the complaint;
- Exonerated – The alleged act occurred, but was justified, legal and proper, or was within policy;
- Unfounded – The alleged act did not occur; and,
- Other Findings – The investigation revealed a violation of a policy or procedure, which was not listed in the initial complaint.<sup>72</sup>

A three-member team of the CRB reviews the full investigative file and submits a recommendation to the entire CRB to either agree or disagree with IA's findings. At least two of the three members of the team must concur with the recommendation. In a closed session meeting, the CRB may agree with IA's findings; agree with comment that the incident could have been handled differently; disagree with IA's findings with comment on their differing conclusion; or refer the complaint to the CRB Policy Committee regarding policy or procedural issues that do not directly relate to the allegations of the case. The CRB may also suggest further investigation to resolve unanswered questions or other revisions to a case. However, IA is not bound to abide by the recommendations.

After the CRB votes on a case, the CRB chair sends correspondence to the complainants informing them of their review and findings.

The CRB has the authority to report its findings and concerns related to specific public allegations to the Mayor, District Attorney, Grand Jury, and any federal or state agencies constituted to investigate police policies and misconduct.

---

<sup>71</sup> The IA Unit may conduct Category II investigations when they involve more than one division and/or when the investigation would be too time consuming for field supervisors.

<sup>72</sup> City of San Diego Police Department, Discipline Manual for Sworn Personnel, November 2015.

When the SDPD takes disciplinary action for a Sustained complaint, the CRB team reviews the discipline and the officer's history for any prior sustained complaints of a similar nature. The CRB must either agree or disagree that the discipline was consistent with the SDPD Misconduct Related Discipline Matrix. Although the CRB reports its position in annual reports, the SDPD management has final authority on disciplinary decisions.

Officers have due process rights which vary depending on the level of discipline. A Reprimand or Reduction in Compensation may be appealed to the Mayor after an appeal to the Chief of Police. A Suspension, Demotion or Termination may be appealed to the Civil Service Commission. A Disciplinary Transfer imposed along with a Suspension or Demotion may also be appealed to the Civil Service Commission in conjunction with an appeal of the Suspension or Demotion.

#### Discipline for Biased Policing Violations

As indicated above, the SDPD uses a Misconduct Related Discipline Matrix. The matrix, which provides general guidelines, includes examples of offenses and the discipline to be imposed. However, Discrimination and Slur allegations are not listed as examples. The recommended discipline for Violation of Search and Seizure Procedures, another serious allegation which is listed, ranges from Reprimand to Termination for the first offense, and prescribes Termination for the third offense.<sup>73</sup>

**[This portion of the page is intentionally left blank.]**

---

<sup>73</sup> City of San Diego Police Department, Discipline Manual for Sworn Personnel, November 2015.



**Complaint Data**

The CRB publishes data on the Category I complaints it reviews and discipline related information in annual reports, which vary from year to year. The CRB calculates its data using a fiscal reporting period from July to June. The information currently available is summarized in the table below. While the SDPD collects data on the race/ethnicity of the complainants and accused officers, it does not routinely generate reports focusing on the race/ethnicity of complainants and officers for biased policing complaints. A request to the SDPD for additional complaint data is pending.<sup>74</sup>

SAN DIEGO – Per Fiscal Year	2016	2015	2014	2013	2012
<b>Total Complaints</b>	79	102	118	80	Not Available
<b>Total Category I Allegations</b>	406	284	405	228	Not Available
<b>Disposition of Discrimination Allegations</b>					
<b>Total</b>	40	18	16	1	Not Available
<b>Exonerated</b>		1 (5.6%)			Not Available
<b>Not Sustained</b>	1 (2.5%)	1 (5.6%)			Not Available
<b>Sustained</b>		1 (5.6%)			Not Available
<b>Unfounded</b>	39 (97.5%)	15 (83.3%)	15 (93.8%)	1 (100%)	Not Available
<b>Complainant Not Cooperative<sup>75</sup></b>	N/A	0	1 (6.3%)		Not Available
<b>Other Findings</b>	0	0			Not Available
<b>Total Slur Allegations</b>					
	6	2	3	Not Available	Not Available

**[This portion of the page has been intentionally left blank.]**

<sup>74</sup> Fiscal Year 2016 is included because the information was available. The data for Fiscal Years 2012 and 2011 were not available.

<sup>75</sup> This disposition category is no longer used though it is unclear when this change became effective. The Complainant Not Cooperative disposition was used when the complainant could not be located for an interview, refused to be interviewed, or failed to provide sufficient details to address the allegation.

**SAN FRANCISCO POLICE DEPARTMENT**

**Demographic Data and Number of Officers in Police Department**

The demographic data for the City of San Francisco and the officers of the San Francisco Police Department (SFPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

<b>Race/Ethnicity</b>	<b>City of Los Angeles</b>		<b>City of San Francisco</b>	
American Indian	11,495	0.3%	1,828	0.2%
Asian	454,438	12.0%	265,700	33.0%
Black	358,212	9.4%	46,781	5.8%
Hawaiian/Pacific Islander	6,508	0.2%	3,128	0.4%
Hispanic/Latino	1,839,896	48.5%	121,774	15.1%
Multiple Race	23,621	0.6%	26,079	3.2%
Other Race	14,532	0.4%	2,494	0.3%
White	1,088,468	28.7%	337,451	41.9%
<b>Total Population</b>	<b>3,797,170</b>		<b>805,235</b>	

	<b>LAPD</b>		<b>SFPD</b>	
<b>Number of Officers</b>	<b>9,920</b>		<b>2,158</b>	
American Indian	36	0.4%	5	0.2%
Asian	702	7.1%	480	22.2%
Black	1,149	11.6%	194	9.0%
Hawaiian/Pacific Islander	211	2.1%	6	0.3%
Hispanic/Latino	4,301	43.4%	339	15.7%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	5	0.2%
White	3,504	35.3%	1,129	52.3%
Male	8,021	80.9%	1,822	84.4%
Female	1,899	19.1%	336	15.6%

**Definition of Biased Policing**

The SFPD policy on biased policing is stated in General Order 5.17, “Policy Prohibiting Biased Policing.” The three-page document prohibits officers from engaging in biased policing, and states, “Department personnel may not use, to any extent or degree, actual or perceived race, color, ethnicity, national origin, religion, gender, age, sexual orientation, or gender identity in conducting stops or detentions, or activities following stops or detentions except when engaging in the investigation of appropriate suspect specific activity to identify a particular person or group.”

## **Complaint Intake Process**

Citizen complaints of police misconduct may be filed with the SFPD or with the Office of Citizen Complaints (OCC). The OCC is a city department separate from the SFPD. The OCC reports directly to the Police Commission and is staffed by civilians who have never been police officers in San Francisco.<sup>76</sup> The OCC is responsible for receiving and investigating all citizen complaints of police misconduct.<sup>77</sup> Citizen complaints filed with the SFPD must be forwarded to the OCC for investigation. The requirements for making a complaint are summarized below:

- Complaints may be submitted in person, by letter, by phone, or online;
- Complainants may be anonymous, and there are no restrictions against third parties/witnesses filing complaints;
- There are no time limits or deadlines for the filing of complaints;
- Complainants are not required to use the complaint form, and are not required to sign under penalty of perjury; and
- The OCC generally accepts only citizen complaints involving on-duty conduct or the officer acting under color of law.

### Complaints Received by the SFPD

The SFPD requires officers to accept citizen complaints and forward them to the OCC; failing to do so may be considered misconduct.

### Complaints Received by the OCC

All complaints of police misconduct are subject to a preliminary investigation, which consists of a review of the basic case-related materials. Complaints may be closed with no further action when the preliminary investigation clearly shows: the available evidence is insufficient to prove or disprove the complaint; the evidence proves that the alleged act did not occur; the accused is not a member of the SFPD; or the alleged act occurred but was justified, lawful, and proper. When complaints are closed after a preliminary investigation, the OCC forwards the preliminary investigation and its findings to the SFPD. No additional investigation is conducted by either the OCC or the SFPD.

If a complaint is not closed as a result of the preliminary investigation stage, it is assigned to an OCC investigator to conduct a Directed Investigation.

### Mediation of Complaints

The OCC also administers a mediation program. Complaints that allege biased policing may be resolved through mediation.

---

<sup>76</sup> The Police Commission is a volunteer civilian body of seven members that provides oversight of the SFPD and adjudicates discipline imposed on police officers.

<sup>77</sup> The SFPD has an Internal Affairs Division (IAD), but it does not investigate citizen complaints. The complaints investigated by IAD are department-initiated complaints, such as for failure to appear in court, the use or possession of illegal drugs, or off-duty offenses while intoxicated. Data on the number of department-initiated complaints was requested from SFPD; a response is pending.

## **Investigation Process/Investigative Protocol for Biased Policing Complaints**

### SFPD Investigations

The SFPD does not investigate biased policing allegations.

### OCC Investigations

The OCC representative stated that for investigations alleging biased policing, the OCC investigators use an investigative protocol based on the biased policing investigation protocol developed by the LAPD.

## **Adjudication Process**

In adjudicating complaints, the OCC uses the preponderance of the evidence standard when making its finding for each allegation. Possible findings include: Sustained, Not Sustained, Proper Conduct (the act occurred but was lawful and proper), Policy Failure (the act was in accordance with SFPD policy, though the OCC recommends the policy be modified), Supervision Failure, Training Failure, Unfounded, Information Only (no SFPD member was involved or the actions described were obviously imaginary), and No Finding/Withdrawal (the complainant failed to cooperate or asked to withdraw the complaint).

The initial findings made by the OCC are preliminary, and the OCC informs the complainant and officer of the preliminary disposition by letter. Both the complainant and officer may request to meet separately with the investigator to discuss the findings, the purpose of which is to determine if either has additional information to provide. If additional, relevant information is provided by either the complainant or the officer, the OCC re-opens the complaint for additional investigation.

After the meeting with the investigator, either the complainant or the officer may request that the OCC hold an investigative hearing on the matter. If the OCC determines such a hearing is appropriate, an informal hearing is held, conducted by an independent hearing officer who considers testimony from the complainant and the officer. The hearing does not determine whether the complaint should be sustained; rather the hearing is a fact-finding inquiry, and the hearing officer makes findings as to what transpired. The factual findings are then applied to the investigation and considered by the OCC Director who determines whether the complaint should be sustained.

If a complaint is Sustained, the OCC makes a recommendation regarding the level of discipline and notifies the COP.

- If the OCC recommendation is for discipline of ten days or less, the COP determines the discipline to be imposed. The COP may decline to accept the findings of the OCC and/or may decline to discipline the officer; or the COP may impose discipline of up to ten days of suspension. The officer is entitled to a hearing with the COP regarding the discipline to be imposed, and may appeal the COP's decision to the Police Commission, which is final.

- If the OCC recommendation is for discipline of more than ten days, the COP may file charges against the officer with the Police Commission, and a hearing is held before the Police Commission. If the COP declines to file charges, the OCC may file charges directly with the Police Commission. In either case, the OCC acts as the prosecutor.

#### Discipline for Biased Policing Violations

Biased policing is not specifically mentioned in the SFPD Disciplinary and Referral Guidelines. However, several other categories of misconduct closely related to biased policing are mentioned, such as acts of physical force or threat of force directed against a person motivated by hostility to the person's race, ethnicity, national origin, religion, political affiliation, disability, sex, or sexual orientation (Class A misconduct); or failure to treat members of the public with courtesy and respect by using racial, sexual, religious, homophobic, or ethnic slur (Class B misconduct). The guidelines provide that Class A misconduct generally results in suspension or termination, and Class B misconduct may result in suspension, fine (up to one month of pay), or termination.

#### **Complaint Data**

The number of complaints received by the OCC between 2011 and 2015, including the number of biased policing complaints, are summarized in the table below.<sup>78</sup> While the OCC tracks the race/ethnicity of complainants and officers in biased policing complaints, as well as the specific findings in such cases, the OCC indicated it would not be able to provide that level of detail for the five years being requested without developing a special query of its database. However, the OCC was able to provide the information on whether any of those complaints were sustained.

SAN FRANCISCO	2015	2014	2013	2012	2011
<b>Total All Citizen Complaints Initiated</b>	673	728	727	740	784
<b>Biased Policing Complaints Initiated</b>	79 (11.7%)	79 (10.9%)	61 (8.4%)	71 (9.6%)	88 (11.2%)
<b>Disposition of Biased Policing Complaints</b>					
<b>Sustained</b>	0	0	0	0	0

<sup>78</sup> As noted previously, the SFPD Internal Affairs Unit does not receive or investigate citizen complaints, but it does initiate administrative complaints for violations of department policy. To provide context to the data, the SFPD was contacted for information on the number of department-initiated complaints for the years 2011 through 2015. A response is still pending. Data in the table comes from the OCC's annual report, which includes only data on citizen complaints.

**SAN JOSE POLICE DEPARTMENT**

**Demographic Data and Number of Officers in Police Department**

The demographic data for the City of San Jose and the officers of the San Jose Police Department (SJPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

<b>Race/Ethnicity</b>	<b>City of Los Angeles</b>		<b>City of San Jose</b>	
American Indian	11,495	0.3%	2,255	0.2%
Asian	454,438	12.0%	300,022	31.7%
Black	358,212	9.4%	27,508	2.9%
Hawaiian/Pacific Islander	6,508	0.2%	3,492	0.4%
Hispanic/Latino	1,839,896	48.5%	313,636	33.2%
Multiple Race	23,621	0.6%	25,827	2.7%
Other Race	14,532	0.4%	1,820	0.2%
White	1,088,468	28.7%	271,382	28.7%
<b>Total Population</b>	<b>3,797,170</b>		<b>945,942</b>	

	<b>LAPD</b>		<b>SJPD</b>	
<b>Number of Officers</b>	<b>9,920</b>		<b>1,016</b>	
American Indian	36	0.4%	6	0.6%
Asian	702	7.1%	30	3.0%
Black	1,149	11.6%	47	4.6%
Hawaiian/Pacific Islander	211	2.1%	108	10.6%
Hispanic/Latino	4,301	43.4%	242	23.8%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	26	2.6%
White	3,504	35.3%	557	54.8%
Male	8,021	80.9%	916	90.2%
Female	1,899	19.1%	100	9.8%

**Definition of Biased Policing**

The SJPD policy on biased policing is contained in the SJPD Duty Manual at Section C-1306. It states:

Bias-Based Policing occurs when an officer engages in conduct based on a person’s race, color, religion (religious creed), age, marital status, national origin, ancestry, sex, sexual orientation, actual or perceived gender identity, medical condition, or disability.

Bias-Based Policing can occur not only at the initiation of a contact but any time during the course of an encounter between an officer and a member of the public.

Officers will not engage in biased and/or discriminatory-based policing as this undermines the relationship between the police and the public and is contradictory to the Department's mission and values.

### **Complaint Intake Process**

Citizen complaints of police misconduct may be filed with the SJPD or with the Office of the Independent Police Auditor (IPA). The IPA is an independent entity within the City of San Jose responsible for oversight of the SJPD complaint process and providing policy recommendations regarding the SJPD. The requirements for making a complaint are summarized below:

- Complaints may be submitted in person, by letter, facsimile, phone, email, or online;
- Complainants may be anonymous, and there are no restrictions against third parties/witnesses filing complaints;
- There are no time limits or deadlines for the filing of complaints, but for complaints filed more than one year after the date of the alleged misconduct, the Chief of Police may decline to accept the complaint if it is determined that the passage of time would make it difficult to complete a fair and thorough investigation; and
- Complainants are not required to use the complaint form, and are not required to sign under penalty of perjury.

#### Complaints Received by the IPA

If a complaint is received by the IPA, the information is entered into a complaint tracking system shared with the SJPD Internal Affairs Unit (IAU). The complaint is reviewed by IAU and goes through a pre-classification process that is subject to review by the IPA.

#### Complaints Received by the SJPD

The SJPD requires officers to accept citizen complaints; failing to do so may be considered misconduct. Complaints received by the SJPD are entered into the shared complaint tracking system. The IAU classifies the complaint, and the IPA reviews the classification to ensure accuracy. Categories used in the pre-classification stage include:

- **Non-Misconduct Concerns:** The complaint does not allege misconduct of any law, rule, policy, or procedure, or the alleged conduct does not rise to the level of misconduct. The IPA reviews this classification to ensure it is appropriate. If the IPA agrees, a supervisor discusses the concerns with the accused officer, after which the officer's name and allegations are removed from the system. This category also includes complaints that are identical to a prior complaint previously determined to be Unfounded, and complaints that do not involve a member of the SJPD;
- **Decline to Investigate:** The facts in the complaint are fantastical and clearly not based on reality. These complaints are not investigated but are tracked for statistical purposes;
- **Policy Complaints:** The complaint is not directed against any individual officer; rather it relates to SJPD policies or procedures, or the lack thereof. The complaint is researched by the Office of the Chief of Police to determine if any action or response is required. These complaints are tracked for statistical purposes; and,

- **Conduct Complaints:** The complaint alleges that a SJPD officer violated a law, rule, policy, or procedure. Complaints alleging biased policing are classified as Conduct Complaints. These complaints undergo an investigation by the IAU.

#### Mediation of complaints

The SJPD, in collaboration with the IPA, administers a mediation program. Complaints alleging discourtesy and biased policing may be resolved through mediation.

### **Investigation Process/Investigative Protocol for Biased Policing Complaints**

#### Complaints Received by the IPA

The IPA does not investigate complaints, but the IPA monitors complaint investigation conducted by the SJPD.

#### SJPD Investigations

SJPD investigators do not use any specific investigative protocol or procedure when investigating biased policing complaints.

### **Adjudication Process**

The preponderance of the evidence standard is used for adjudication findings. Possible findings include: Sustained, Not Sustained, Exonerated, Unfounded, No Finding (when the complainant fails to cooperate or provide the information promised, or when the officer is no longer with the SJPD), and Withdrawn (by the complainant).

The IAU makes a finding as to each allegation, except when it appears an allegation may be Sustained. In that case, the IAU sends the investigation to the bureau where the accused officer is assigned. The investigation is reviewed by the accused officer's chain of command. If the bureau determines that an allegation should be Sustained, the bureau reports its findings and disciplinary recommendation to the COP. The COP makes the final determination on all complaints. The COP may approve the finding and disciplinary recommendation of the bureau, or the COP may make a new and separate finding as to appropriate departmental action.

Whether Sustained or not, a report is prepared by SJPD regarding its findings and forwarded to the IPA for review. The IPA reviews both the investigation and the findings. If the IPA disagrees with the SJPD determination, the IPA meets with the COP to discuss the concerns and, if possible, resolve the differences. If agreement cannot be reached between the IPA and the COP, the complaint is presented to the City Manager for final resolution.

Officer appeals of discipline are governed by the grievance procedures contained in the collective bargaining agreement between the City of San Jose and the police officer's union. For suspensions, demotions, disciplinary transfers, and dismissals, officers may elect to have the appeal heard by either an independent arbitrator or by the civil service commission. The decision of the arbitrator and the civil service commission is binding on the COP.



Discipline for Biased Policing Violations

In 2015, the SJPD sustained one allegation of biased policing against an officer. In its annual report for 2015, the IPA provided a brief summary of the complaint, though information about the level of discipline imposed was not available.<sup>79</sup>

The complainant called SJPD to report that she was the victim of a home burglary. An officer arrived at the complainant's house to investigate. The complainant described her house as ransacked, but the officer stated that he did not believe her house had been ransacked. Rather, the officer concluded that the complainant was likely suffering from a mental illness and lived in disarray. He concluded that no burglary had occurred, thus, the officer did not take any photos or fingerprints at the scene. The complainant found the implement she believed was used to gain entry into the house. The officer took the object but did not handle it with care or preserve the crow bar for latent fingerprints.

Findings: Procedure allegation (failure to complete a thorough preliminary investigation) and Bias-Based Policing allegation (failure to complete a thorough investigation based upon the complainant's perceived mental illness) are SUSTAINED.

Information was requested from the SJPD regarding whether disciplinary guidelines were used to administer discipline, but that information was not available.

**[This portion of the page is intentionally left blank.]**

---

<sup>79</sup> The IPA noted that "discipline of officers is confidential and not even disclosed to the IPA."

**Complaint Data**

The number of complaints received by the SJPD between 2011 and 2015, the number of biased policing complaints, and the disposition of biased policing allegations are summarized in the table below.<sup>80</sup> While the SJPD collects data on the race/ethnicity of complainants and officers in biased policing complaints and has the ability to produce reports with that type of information, such a report would require a special query be built for the complaint system.

SAN JOSE	2015	2014	2013	2012	2011
<b>Total All Complaints Received</b>	356	387	370	364	410
<b>Total All Allegations Received</b>	741	888	816	682	853
<b>Biased Policing Allegations Received</b>	50 (6.7%)	46 (5.2%)	46 (5.6%)	33 (4.8%)	45 (5.3%)
<b>Biased Policing Allegations Closed</b>	54	34	41	49	38
<b>Disposition of Biased Policing Allegations Closed</b>					
<b>Sustained</b>	1 (1.9%)				
<b>Not Sustained</b>	1 (1.9%)	2 (5.9%)		1 (2.0%)	1 (2.6%)
<b>Exonerated</b>					1 (2.6%)
<b>Unfounded</b>	47 (87.0%)	29 (85.3%)	38 (92.7%)	39 (79.6%)	31 (81.6%)
<b>No Finding</b>	4 (7.4%)	1 (2.9%)	3 (7.3%)	3 (6.1%)	1 (2.6%)
<b>Withdrawn</b>	1 (1.9%)	1 (2.9%)		5 (10.2%)	
<b>Other</b>		1 (2.9%)		1 (2.0%)	4 (10.5%)

[This portion of the page is intentionally left blank.]

<sup>80</sup> Data from this table comes from the IPA. However, the IPA cautioned that because of officer appeals (through arbitration or to the Civil Service Commission), the final disposition may have changed.

**SEATTLE POLICE DEPARTMENT**

**Demographic Data and Number of Officers in Police Department**

The demographic data for the City of Seattle and the officers of the Seattle Police Department (SPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

<b>Race/Ethnicity</b>	<b>City Los Angeles</b>		<b>City of Seattle</b>	
American Indian	11,495	0.3%	3,881	0.6%
Asian	454,438	12.0%	83,537	13.7%
Black	358,212	9.4%	47,113	7.7%
Hawaiian/Pacific Islander	6,508	0.2%	2,246	0.4%
Hispanic/Latino	1,839,896	48.5%	40,329	6.6%
Multiple Race	23,621	0.6%	26,512	4.4%
Other Race	14,532	0.4%	1,464	0.2%
White	1,088,468	28.7%	403,578	66.3%
<b>Total Population</b>	<b>3,797,170</b>		<b>620,961</b>	

	<b>LAPD</b>		<b>SPD</b>	
<b>Number of Officers</b>	<b>9,920</b>		<b>1,285</b>	
American Indian	36	0.4%	30	2.3%
Asian	702	7.1%	110	8.6%
Black	1,149	11.6%	110	8.6%
Hawaiian/Pacific Islander	211	2.1%	0	0.0%
Hispanic/Latino	4,301	43.4%	67	5.2%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	0	0.0%
White	3,504	35.3%	968	75.3%
Male	8,021	80.9%	1,107	86.1%
Female	1,899	19.1%	178	13.9%

The below information was obtained from reports and other material currently available on the SPD website.

**Definition of Biased Policing**

The SPD’s Bias-Free Policing policy, effective August 1, 2015, states the SPD is “committed to providing services and enforcing laws in a professional non-discriminatory, fair, and equitable manner.” Bias-based policing is prohibited and defined as “the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well as other discernible personal characteristics of an individual.” Such “discernible personal characteristics” include, but are not limited to, the following: age, disability status, economic status, familial status, gender, gender identity, homelessness, mental illness, national

origin, political ideology, race, ethnicity, color, religion, sexual orientation, use of a motorcycle or motorcycle-related paraphernalia, and veteran status.<sup>81</sup>

Employees who “engage in, ignore, or condone” bias-based policing, and supervisors and commanders who fail to “respond to, document and review” allegations of bias-based policing, will be subject to discipline.<sup>82</sup>

### **Intake Process**

All complaints against the SPD and its employees are considered and fully investigated as appropriate. The requirements for making a complaint are summarized below:

- Complaints may be submitted by any means, e.g., in person, by letter, by phone, or online;
- Complainants may be from any source, including anonymous persons, witnesses, and third parties;
- Complainants are not required to use a particular form and are not required to sign under penalty of perjury; and,
- Although there are no time limits for the filing of complaints, for disciplinary action to be taken, complaints must be filed within three years of the date of the incident resulting in the complaint except in cases of criminal allegations, where the named employee conceals acts of misconduct, or for a period of 30 days following a final adverse disposition in civil litigation alleging intentional misconduct by an officer.<sup>83</sup>

Complaints are forwarded to the SPD’s Office of Professional Accountability (OPA), which manages complaints involving SPD employees. The OPA Director is a civilian appointed by the Mayor and confirmed by City Council. The SPD also accepts complaints referred by the Mayor’s Office, City Council, Seattle Customer Service Bureau, Seattle Office for Civil Rights, the criminal justice system, and other city and community referral agencies.

Retaliation, which includes discouragement, intimidation, coercion, and adverse action, is expressly prohibited. Seattle Police Department employees have a duty to report misconduct and a duty to assist any person who wishes to file a complaint.<sup>84</sup>

### Mediation of complaints

Some complaints, particularly those involving possible miscommunication or misperception between the complainant and employee, may be suitable for mediation as an alternative to the traditional means of handling complaints. During the intake process, mediation should be discussed as a potential option for resolving complaints not involving egregious allegations, uses of force, possible violations of law, or those otherwise inappropriate for mediation. For

---

<sup>81</sup> Section 5.140, Bias-Free Policing, Seattle Police Department Manual.

<sup>82</sup> Section 5.140, Bias-Free Policing, Seattle Police Department Manual.

<sup>83</sup> Mandated by the collective bargaining agreement for commissioned officers below the rank of assistant chief; Office of Professional Accountability, Internal Operations and Training Manual, Seattle Police Department, dated April 1, 2016, Pages 14-15.

<sup>84</sup> Section 5.002, Responsibilities of Employees Concerning Complaints of Possible Misconduct, Seattle Police Department Manual.

complaints involving an allegation of biased policing, a preliminary investigation must be conducted to determine whether it is reasonable to believe a violation of the Bias-Free Policing policy occurred. If the OPA Director determines that no prima facie case of biased policing exists, the case may be considered for mediation if otherwise suitable.<sup>85</sup>

### **Investigation Process/Investigative Protocol for Biased Policing Complaints**

Some complaints are resolved immediately. When the OPA receives a complaint involving potential misconduct by an SPD employee, a preliminary investigation is conducted. Allegations are noted and assessed to determine whether an administrative investigation, referral to a supervisor, mediation or criminal investigation is appropriate.

Complaints that are deemed to be most effectively handled by a supervisor, termed “Supervisor Action,” are referred to the employee’s chain of command with a memorandum including specific actions that must be taken to address the issue with the employee. Examples of such actions include reviewing performance expectations, counseling, and training. The supervisor takes the recommended action within 30 days, sends a report to the OPA; and the complainant is notified of the outcome and resolution.

Administrative investigations are conducted by the OPA for more serious and/or complex complaints where it appears there may be misconduct. The investigator conducts a comprehensive investigation, which includes identifying witnesses, obtaining related reports, collecting and reviewing evidence, in-depth interviews, gathering associated policies which may have been violated, and additional steps as necessary. The completed investigation is given to the OPA Director and Auditor for review and certification. If necessary, the investigation is returned for supplemental investigation.

The Bias-Free Policing directive also includes procedures for handling bias-based policing allegations.<sup>86</sup> These procedures predominantly address the requirements for notification and an at-scene response to gather all relevant information that may tend to explain, prove or disprove the allegations. No specific guidelines, questions or evidence to be gathered were included.

### **Review and Adjudication Process**

The Director recommends a finding for each allegation and issues a Director’s Certification Memorandum (DCM) to the chain of command and Chief of Police. If the preponderance of the evidence shows that misconduct did occur, the recommended finding will be Sustained, with one exception. Complaints involving allegations of dishonesty require the application of a clear and convincing standard of proof. When the preponderance of the evidence shows the misconduct did not occur, the finding will be Not Sustained. Not Sustained findings may be one of the following: Not Sustained – Unfounded, Not Sustained – Lawful and Proper, Not Sustained – Inconclusive, Not Sustained – Training Referral, or Not Sustained – Management Action. Management Action is used when it is found that a deficiency in policy or SPD procedures is

---

<sup>85</sup> Office of Professional Accountability, Internal Operations and Training Manual, Seattle Police Department, dated April 1, 2016, Page 20.

<sup>86</sup> Section 5.140-PRO-1, Handling a Bias-Based Policing Allegation, Seattle Police Department Manual.

responsible and no individual will be held accountable for the improper or undesirable act. This also includes recommendations to revise or improve department level policy, procedures, or training.

To impose discipline, the Seattle Police Officers' Guild collective bargaining agreement stipulates that the named employee must receive notice of any proposed discipline within 180 days of a complaint being filed with the OPA or otherwise received by a department sworn supervisor. Tolling provisions apply when the employee is being investigated criminally and when the employee is physically or medically unable to participate in the internal investigation.

When there are no sustained findings, the OPA closes the case. When allegations are sustained, a meeting between the OPA, the employee's chain of command and the SPD's legal advisor is held to summarize the OPA Director's recommended findings and discipline. The employee's chain of command provides concurring and/or dissenting finding recommendations along with suggested discipline to the Chief of Police. If the discipline includes suspension, demotion or termination, the employee has the right to meet with the Chief of Police and a representative to provide additional information to be considered. The meeting with the Chief of Police typically includes the Assistant Chief, the employee's chain of command, the OPA Director, and the Chief's legal advisor. The final decision on findings and discipline to be imposed is with the Chief of Police.

Once the OPA Director closes the case, the complainant and employee are notified of the case closure, findings and appeal processes available. The complainant may appeal to the OPA Director. The employee may appeal any disciplinary decision involving suspension, demotion, or termination to the Public Safety Civil Service Commission or the Disciplinary Review Board. In addition, the employee's bargaining unit may file a grievance asserting a claim of unfair practice or violation of the Labor Agreement as a result of the discipline and may challenge disciplinary decisions that are not suspensions, demotions, terminations or disciplinary transfers.

#### Discipline for Biased Policing Violations

The SPD does not have a discipline matrix or guidelines. The history of the accused employee is considered along with comparable outcomes of cases with similar circumstances.

**[This portion of the page is intentionally left blank.]**

### Statistical Data on Complaints

The OPA publishes statistical data on the number of complaints received in its annual reports, though the breadth of the reports varies considerably. The information currently available is summarized in the table below. While the SPD collects data on the race/ethnicity of the complainants and accused officers, it does not routinely generate reports focusing on the race/ethnicity of complainants and officers for biased policing complaints. A request to the OPA for additional complaint data is pending.

SEATTLE	2015	2014	2013	2012	2011
Total All Investigations	382	225	190	186	201
Total All Allegations Made	618	493	513	516	584
Total Supervisor Action	634	406	337	413	341
Total Contact Logs	905	695	681	568	864
Total Mediations	2	0	0	24	15
Biased Policing Complaints	Not Available	Not Available	Not Available	28	30
Disposition of Biased Policing Complaints	Not Available	Not Available	Not Available	Not Available	Not Available

[This portion of the page is intentionally left blank.]

**METROPOLITAN POLICE DEPARTMENT**

**Demographic Data and Number of Officers in Police Department**

The demographic data for the District of Columbia (the District) and the officers of the Metropolitan Police Department (MPD) are provided in the tables below, along with data for the City of Los Angeles and the LAPD.

<b>Race/Ethnicity</b>	<b>City of Los Angeles</b>		<b>District of Columbia</b>	
American Indian	11,495	0.3%	1,322	0.2%
Asian	454,438	12.0%	20,818	3.5%
Black	358,212	9.4%	301,053	50.0%
Hawaiian/Pacific Islander	6,508	0.2%	216	0.0%
Hispanic/Latino	1,839,896	48.5%	54,749	9.1%
Multiple Race	23,621	0.6%	12,650	2.1%
Other Race	14,532	0.4%	1,451	0.2%
White	1,088,468	28.7%	209,464	34.8%
<b>Total Population</b>	<b>3,797,170</b>		<b>601,723</b>	

	<b>LAPD</b>		<b>MPD</b>	
<b>Number of Officers</b>	<b>9,920</b>		<b>3,865</b>	
American Indian	36	0.4%	0	0.0%
Asian	702	7.1%	87	2.3%
Black	1,149	11.6%	2,292	59.3%
Hawaiian/Pacific Islander	211	2.1%	0	0.0%
Hispanic/Latino	4,301	43.4%	265	6.9%
Multiple Race	0	0.0%	0	0.0%
Other Race	17	0.2%	0	0.0%
White	3,504	35.3%	1,221	31.6%
Male	8,021	80.9%	2,976	77.0%
Female	1,899	19.1%	889	23.0%

**Definition of Biased Policing**

The MPD policy on biased policing is stated in General Order No. 304.15, “Unbiased Policing.” The six-page document prohibits biased policing, which is defined as:

The practice of a law enforcement officer singling out or treating differently any person on the sole basis of race, color, ethnicity, national origin, religion, age, gender, gender identity, sexual orientation, family responsibilities, disability, educational level, political affiliation, source of income, place of residence or business of an individual. More specifically, this applies when the practice is the determining factor



in deciding how to respond to requests for assistance or otherwise to provide services, or in selecting which individuals to subject to routine investigative activities, or in deciding upon the scope and substance of law enforcement activity.

Biased policing does not include reliance on such characteristics in combination with other identifying factors when the law enforcement member is seeking to apprehend a specific suspect and any of the above characteristics is part of the description of the suspect.

Additionally, the MPD has issued General Order 201.206, which cites the District of Columbia Human Rights Act (D.C. Official Code § 2-1401, et. seq.) in prohibiting discrimination in law enforcement and in the provision of public service on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity and expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense and place of residence or business.

### **Complaint Intake Process**

Complaints of police officer misconduct may be filed with the MPD or with the Office of Police Complaints (OPC). The OPC, staffed by civilian investigators, investigates complaints of police misconduct and reports to the Police Complaints Board (PCB), a five-member board responsible for adjudicating complaints and providing oversight of the MPD. The requirements for filing a complaint vary depending on whether it is filed with the OPC or the MPD.

#### Complaints filed with the OPC

The OPC has jurisdiction over complaints that allege the following: harassment, inappropriate language or conduct, retaliation, unnecessary or excessive force, discrimination, and officers failing to identify themselves when asked by complainants. A complaint filed with the OPC must meet the following requirements:

- Complaints may be submitted in person, online, by letter, facsimile, or email;
- Complaints cannot be submitted anonymously, but third parties or witnesses to misconduct may submit complaints;
- Complaints must be filed within 90 days of the incident, as of June 30, 2016. Previously, complaints had to be filed within 45 days of the incident. The time limits are based on the District of Columbia Code;
- Complaints must be filed using the OPC form;
- Complaints must be signed under penalty of perjury; and,
- Complaints must involve on-duty conduct or the officer acting under color of law.

Formal complaints received by the OPC undergo an initial review to ensure they meet administrative requirements and fall within the OPC jurisdiction. Complaints that do not meet administrative requirements are administratively closed while those outside the OPC's jurisdiction are referred to the MPD. Complaints may also be dismissed without investigation if it is determined that the complaint lacks merit or if the complainant refuses to cooperate.

### Complaints filed with the MPD

Employees of the MPD are required to accept all citizen complaints, and failure to do so may be misconduct. Complaints that fall within the jurisdiction of the OPC are forwarded to the OPC, unless the complainant prefers that the MPD investigate. Complaints filed with the MPD are not subject to the same restrictions as those filed with the OPC.

- Complaints may be submitted in person, online, by letter, facsimile, or email;
- Complaints may be submitted anonymously, and third parties or witnesses to misconduct may also submit complaints;
- There are no time limits for filing a complaint;
- Complaints do not have to be submitted on the official form;
- Complaints do not have to be signed; and,
- Complaints must involve on-duty conduct or the officer acting under color of law.

Complaints received by the MPD are processed through the Internal Affairs Bureau (IAB). Complaints alleging minor misconduct are investigated by the accused officer's chain-of-command, while complaints alleging serious misconduct are investigated by the IAB. The MPD guidelines classify biased policing as serious misconduct.

### Mediation of complaints

The OPC administers a mediation program, and biased policing complaints may be resolved through mediation.

## **Investigation Process/Investigative Protocol for Biased Policing Complaints**

### OPC Investigations

The OPC was contacted regarding whether its investigators use any special investigation procedure or protocol when investigating biased policing complaints. The OPC declined to release that information.

### MPD Investigations

The MPD was contacted regarding whether its investigators use any special investigation procedure or protocol when investigating biased policing complaints. The MPD advised that a formal request should be submitted for consideration. A request was sent to the MPD, and a response is pending.

## **Adjudication Process**

### OPC Adjudication

For complaints that fall within the OPC's jurisdiction, the completed investigation is reviewed by the executive director who may dismiss the complaint (if there is no reasonable cause to believe that a violation occurred), or send the complaint to a complaint examination (if there is reasonable cause to believe a violation occurred). If a complaint is referred to a complaint examination, the accused officer may submit objections to the investigative report to be considered by the hearing examiner.

Hearing examiners, selected from a pool of attorneys who live in the District, are responsible for reviewing the complaint investigation and issuing a written decision regarding the merits of the complaint. The hearing examiner may issue a decision based solely on the OPC investigative report (and any objections submitted by the officer), or the hearing examiner may conduct an evidentiary hearing to further develop the factual record. While the rules of evidence are not applicable to a complaint examination hearing, the evidentiary hearing resembles a formal hearing:

- Both complainants and accused officers are represented by attorneys at the hearing;<sup>87</sup>
- A preliminary hearing conference is held to facilitate the exchange of information, reach stipulations, authenticate documents, identify witnesses, and, if appropriate, discuss settlement through mediation. The complainant and the accused officer, or their attorney representatives, must attend the preliminary hearing or the complaint may be dismissed;
- Subpoenas may be issued by the OPC to compel appearances and evidence;
- Hearings are open to the public; and,
- The OPC regulations provide that the burden “shall be on the complainant to show by a preponderance of the evidence that the alleged misconduct actually occurred.”

Based on the complaint examination, the hearing examiner must make a finding for each allegation. Possible findings include: Unfounded, Sustained, Insufficient Facts, or Exonerated. In making findings for biased policing allegations, hearing examiners use a burden-shifting framework:

- Complainants initially bear the burden of proving unlawful discrimination by showing: (1) the complainant is a member of a protected class; (2) the complainant is entitled to equal treatment/service; (3) the complainant was denied equal treatment/service; and (4) the adverse action or decision was made under circumstances that give rise to the inference that it was based on unlawful discrimination;
- Upon showing the above, an inference arises that the accused officer’s actions were motivated by unlawful discrimination, and the burden shifts to the accused officer to articulate a legitimate, non-discriminatory reason for the action; and,
- If the accused officer can articulate a legitimate, non-discriminatory reason, the burden shifts back to the complainant to prove by a preponderance of the evidence that the officer’s reason is merely a pretext for intentional discrimination. The hearing examiner may base a finding of discriminatory intent on statements made by the accused officer, or evidence showing the accused officer deviated from orders, policies, procedures, practices, and training of the MPD.

If any allegation is Sustained, the OPC sends the investigative report and the decision of the hearing examiner to the MPD Chief of Police (COP) for appropriate action. The COP may reject the decision only if the COP believes the examiner “clearly misapprehended the record,” and that the decision was “not supported by substantial, reliable, and probative evidence.”<sup>88</sup> If the COP

---

<sup>87</sup> Currently, the OPC has arranged for volunteer attorneys from Howrey LLP, a firm of 600 attorneys based in Washington DC, to represent complainants; attorneys provided by the police union represent accused officers.

<sup>88</sup> District of Columbia Official Code, Section 5-1111(g).

so determines, the COP returns the decision to the OPC to be reviewed by a final review panel comprised of three hearing examiners, not to include the hearing examiner who prepared the original decision. If the final review panel reverses the decision in whole, the OPC dismisses the complaint. If the final decision sustains any allegation, the final decision is sent back to the COP for appropriate action. The COP is the final authority with respect to discipline.

### MPD Adjudication

Upon completion of a complaint investigation, the IAB investigator is responsible for proposing findings for each allegation based on a preponderance of the evidence. The possible findings are the same as the OPC process: Unfounded, Sustained, Insufficient Facts, or Exonerated. Sustained complaints are sent to the Human Resources Division to prepare a disciplinary recommendation of either Corrective Action or Adverse Action.

- **Corrective Action:** Corrective Action is considered to be lower-level discipline and includes Dereliction Reports, Letters of Prejudice, and Reprimands. The discipline is administered by the accused officer's commanding officer. Appeals of Corrective Action are heard by the COP whose decision is final; and,
- **Adverse Action:** Adverse Action, which includes suspension, demotion, and termination, is administered by the Human Resources Division. When termination is proposed, a Tribunal Hearing must be held, after which the Tribunal recommends findings and discipline for consideration by the Assistant COP. The Assistant COP determines the discipline to be imposed, and officers may appeal the Adverse Action to the COP. The COP may impose a higher or a lower level of discipline.

For Adverse Action, if the penalty imposed is greater than a five-day suspension, the officer may elect to appeal the discipline using the grievance procedures. When the penalty imposed is a suspension of more than nine days, demotion, or termination, the officer may appeal the COP's final decision to the District's Office of Employee Appeals.

### Discipline for Biased Policing Violations

Discrimination is considered to be serious misconduct by the MPD. Though the MPD penalty guide includes examples of offenses and the discipline to be imposed, biased policing is not listed as an example. Based on a prior sustained complaint of biased policing, discipline included a Letter of Prejudice.<sup>89</sup>

### **Complaint Data**

The number of complaints received by the OPC and the number of allegations of misconduct initiated by the MPD between 2011 and 2015 are summarized below.<sup>90</sup> While both entities collect data on the race/ethnicity of complainants and accused officers, neither agency generates reports that specifically isolate such data for biased policing complaints only. Additionally,

---

<sup>89</sup> The MPD describes a Letter of Prejudice as a "written notice to a member outlining specific misconduct and warning of future disciplinary action, considered as corrective action."

<sup>90</sup> The MPD reports its complaint data based on a calendar year (January 1 through December 31), while the OPC reports its complaint based on the District's fiscal year calendar (October 1 through September 30).

while both agencies track the disposition of the complaints and allegations, neither agency generates reports that provide the disposition only for biased policing complaints. However, the OPC was able to provide information regarding whether any of the biased policing complaints or allegations were sustained. When the MPD was contacted regarding sustained biased policing allegations, the MPD asked that a formal request for the information be submitted for consideration. A request has been submitted and a response is still pending. The available data is summarized in the table below.

DISTRICT OF COLUMBIA	2015		2014		2013		2012		2011	
Agency	MPD	OPC	MPD	OPC	MPD	OPC	MPD	OPC	MPD	OPC
<b>Total All Complaints Received</b>	327	407	410	359	358	440	301	574	386	558
<b>Total All Allegations Initiated</b>	NA	1,365	NA	1,032	NA	1,143	NA	1,534	NA	1,635
<b>Biased Policing Complaints Initiated</b>	9 (2.8%)	NA	9 (2.2%)	NA	7 (2.0%)	NA	9 (3.0%)	NA	7 (1.8%)	NA
<b>Biased Policing Allegations initiated</b>	NA	124 (9.1%)	NA	60 (5.8%)	NA	55 (4.8%)	NA	92 (6.0%)	NA	94 (5.7%)
<b>Total All Complaints Closed</b>	246	526	335	442	283	456	250	579	321	563
<b>Disposition of Biased Policing Complaints</b>										
<b>Sustained</b>	NA	1 (0.2%)	NA	0	NA	0	NA	1 (0.2%)	NA	0

As noted in the table, between 2011 and 2015, there were two sustained complaints involving biased policing. Summaries of the two complaints appear below.

Sustained finding in 2012: On the way home from work, the complainant walked through a park that was associated with illegal drugs and public alcohol consumption. The complainant saw an acquaintance sitting on a bench and sat down to speak with the acquaintance. Two officers exited their parked police car and approached the complainant. The accused officer asked the complainant and his acquaintance if they were using drugs or alcohol, conducted a pat down search of the men, and removed their licenses from their wallets. The accused officer's partner ran the men's names through police databases. Afterwards, the officers returned the licenses to the men and moved further into the park where they ran the names of six other men, five of whom were Black. Complainant alleged harassment and racial discrimination.

The hearing examiner determined the accused officer had no basis for the stop or the search because mere presence in the park was not enough to justify those actions. The hearing examiner noted that while there were others in the park who were not Black, the accused officer did not run their names through the police database.

Discipline: Letter of Prejudice.

Sustained finding in 2015: The accused officer responded to a radio call of a burglary in progress and arrested the complainant. At the time of his arrest, the complainant was wearing a kufi, described as a "religious head covering worn by Christians, African Jews, and Muslims in West

Africa and African Diaspora.” The officer removed the kufi from the complainant’s head but did not search it, holding it in his hand. The complainant alleged religious discrimination.

The hearing examiner cited the MPD’s special order relating to religious head coverings, which provided that when conducting a stop and frisk, an officer may pat down a religious head covering but, “absent articulable safety concerns or to retrieve evidence,” officers “shall not remove a religious head covering when conducting a frisk.” The MPD order requires that if an officer determines that it is necessary to remove a religious head covering “and the person objects or appears reluctant or upset, the officer is required to inquire whether the person requires special accommodations for religious reasons.”

The hearing examiner determined that the officer did not search the kufi or identify any reason that removal was necessary, and that the complainant became upset, but the officer did not make any inquiry as required by the special order. The hearing examiner did not doubt the officer’s statement that he was not trained to recognize a kufi. However, the MPD order set an objective standard prohibiting removal of religious head coverings; the order did not set a subjective standard that the officer must have actual knowledge that the head covering is worn for religious purposes. Because the officer should not have removed the complainant’s kufi, and because the officer did not make an inquiry after the complainant became upset, the hearing examiner sustained the discrimination allegation.

Discipline: Final disposition is still pending.

#### **PART FOUR**

#### **XI. Going Forward – The Need for Constant Improvement**

The LAPD recognizes that regular re-assessments are necessary in order to achieve the Department’s core value of Quality through Continuous Improvement. While the Department has significantly improved in diversifying its work force, expanded training to prevent and eliminate bias, developed strong and productive community partnership programs, and developed rigorous investigative capabilities to adjudicate bias-related misconduct, these efforts must continue to grow and improve. In addition, the Department must continue to look outward and learn from other police agencies and academic researchers to try new methods to deal with the complex issue of bias and the perceptions of bias in policing. Through this process, the LAPD expects to constantly evolve its strategies to prevent bias and eliminate discrimination so that the public’s trust in the Department is further strengthened.

The Department is steadfastly committed to adhering to the principles of constitutional policing which prioritizes community engagement, collective problem solving, and an absolute protection of the civil rights and liberties for all. The LAPD will continue to cherish the diversity of the communities it serves and embrace the strength that diversity brings to reduce bias and effectively protect and serve the people of Los Angeles.

## APPENDIX A

### **Perceptions of Safety and Police in Los Angeles *Results of a Survey of Los Angeles Residents***

#### ***Introduction***

The purpose of this survey was to measure residents' attitudes about crime, safety, and the Los Angeles Police Department ('LAPD' or 'the Department'). In particular, the survey addresses concerns about fear of crime, public trust in the police, and satisfaction with police services.

#### ***Background***

The LAPD is the third-largest municipal police department in the United States with approximately 9,900 sworn and 2,700 civilian personnel. The Department serves a population of about 3.9 million people and covers a service area of nearly 473 square miles.

The LAPD command structure consists of the Chief of Police, three (3) offices, ten (10) Bureaus and sixty-six (66) Divisions.

The Office of Operations (OO) is primarily responsible for patrol services and oversees 21 geographic area divisions, four traffic divisions, Los Angeles Airport services division, and the Criminal Gang and Homicide Division. The survey focused on the areas covered by the LAPD Patrol Bureaus and 21 geographic area divisions.

The four LAPD Patrol Bureaus include Central, South, Valley, and West. Central Bureau consists of five divisions – Central, Rampart, Hollenbeck, Northeast, and Newton. Central Bureau covers about 65 square miles of the city's 473 square miles and has a population of 776,094 (20 percent of the city). South Bureau includes four divisions – 77<sup>th</sup> Street, Harbor, Southeast, and Southwest. The Bureau covers nearly 60 square miles with a population of 688,072 (18 percent of the city). Valley Bureau is the largest both in square miles (226) and population (over 1.4 million or 38 percent of the city). The Valley Bureau includes seven divisions – Devonshire, Foothill, Mission, North Hollywood, Topanga, Van Nuys, and West Valley. West Bureau has five divisions – Hollywood, Olympic, Pacific, West Los Angeles, and Wilshire. It covers about 122 square miles and has a population of almost 900,000 (24 percent of the city).

A map of the city on the following page shows the boundaries, population, and square miles of the Bureaus and Division.

#### ***Survey Methodology***

The survey consisted of 28 items based on questions used in other similar community surveys across the country. Justice & Security Strategies, Inc. (JSS) and Hart Research Associates have conducted numerous surveys of residents and businesses across the country for a number of years. For this survey we sought and obtained input from the LAPD, reviewed over 30 surveys

from police agencies nationally, and also reviewed surveys conducted by JSS and Hart in Seattle, WA, Birmingham, AL, Oakland, CA, and Miami, FL. Questions were drawn from previously validated material.

### *Sample Size and Stratification*

The *Survey of Los Angeles Residents* was conducted from February 22-March 3, 2016, randomly selected among a listed telephone sample of 2,004 adults ages 18 and older residing in the City of Los Angeles, California.

The survey design was stratified by the four LAPD geographic bureaus (Central, South, Valley, and West). Four area stations (of 21 in the LAPD) -- Newton, 77<sup>th</sup>, Southeast, and Southwest were oversampled to provide a deeper analysis of those areas. They were selected for two reasons. First, residents have a historically higher level of distrust of the police. Second, they are part of a Bureau of Justice Assistance (BJA)-funded effort to reduce violent crime. Thus, the full sample includes an additional 100 respondents in the Newton Division, 101 in the 77th Street Division, 100 in the Southeast Division, and 100 in the Southwest Division. The results for all groups have been adjusted or weighted to reflect their actual population distribution.

A multi-stage weighting process was applied to ensure an accurate representation of the City of Los Angeles adult population. The first stage of weighting involved corrections for sample design, including a correction for the oversampling in the Newton, 77th Street, Southeast, and Southwest Divisions. Additionally, minimal weights were applied to the combined landline and cell phone sample to reflect estimates for the Los Angeles population based on data from the Census Bureau for sex, age, education, race, and Hispanic origin. All statistical tests of significance account for the effect of weighting.

Live telephone interviews conducted by landline (1,035) and cell phone (969) were carried out in English (1,787) and Spanish (217), according to the preference of the respondent. Within each landline household, one adult was designated by a random procedure to be the respondent for the survey. Cell phone interviews were conducted with the person who answered the phone.

Hart Research Associates conducted sampling, interviewing, and initial analysis for the survey (frequency distributions and cross-tabulations). JSS researchers constructed scales of specific concepts and conducted additional in-depth analyses.

The margin of sampling error (MOSE) including the design effect for the full sample is plus or minus 2 percentage points. Numbers of respondents and margins of sampling error for key subgroups are shown in Table 1 below. For results based on other subgroups, the margin of sampling error may be higher. Sample sizes and margins of sampling error for other subgroups are available by request. Note that sampling error is only one of many potential sources of error in this or any other public opinion survey.



**Table 1. Survey Demographics**

<b>Group</b>	<b>N (unweighted)</b>	<b>MOSE</b>
<b>Total</b>	2,004	±2 percentage points
<b>Race/Ethnicity</b>		
Non-Hispanic Black	265	±6 percentage points
Non-Hispanic White	582	±4 percentage points
Hispanic	823	±3 percentage points
Asian	193	±7 percentage points
<b>Bureau</b>		
Central	444	±5 percentage points
Valley	613	±4 percentage points
West	381	±5 percentage points
South	566	±4 percentage points

*Analyses*

The analyses consist of frequency distributions (percentages) for each question and cross-tabulations (crosstabs) to determine whether different attitudes exist because of age, gender, and race/ethnicity. In addition, we constructed four scales that combine specific questions into single concepts. The scales are:

- 1) Perceptions of Public Safety (Q5 and Q6a);
- 2) Perceptions of Police Effectiveness (Q6c, Q7a, Q7b, Q7c);
- 3) Perceptions of Police Satisfaction (Q8b, all seven sub-questions); and
- 4) Perceptions of Police Fairness and Integrity (Q9a and Q9b, all 10 sub-questions).

Appendix 1 provides the specific questions for the survey, frequencies for all of the responses, and the questions used to create the scales.

**Results**

The results of the survey are discussed in this section. First, we describe the respondents of the survey, including their demographic characteristics. Second we discuss results from eleven questions including approval of the police, citizen perceptions of safety, effectiveness of police, satisfaction with police, and trust in the police. Third, we describe citizen perceptions of safety and the police based on four scales that combined similar questions into singular measures.

**Survey Respondents**

The 2,004 survey respondents are a representative sample of residents in the city of Los Angeles. Thirty-nine (39) percent are white, 35 percent Latino/Hispanic, 9 percent Black/African American, 10 percent Asian, and 5 percent other races or ethnicities.

Fifty-one percent are female and 49 percent are male. Eighteen percent of the respondents are 18-29 years old, 17 percent are 30-39, 15 percent are 40-49, 18 percent are 50-59, 15 percent are 60-69, and 15 percent are over 70 years old.

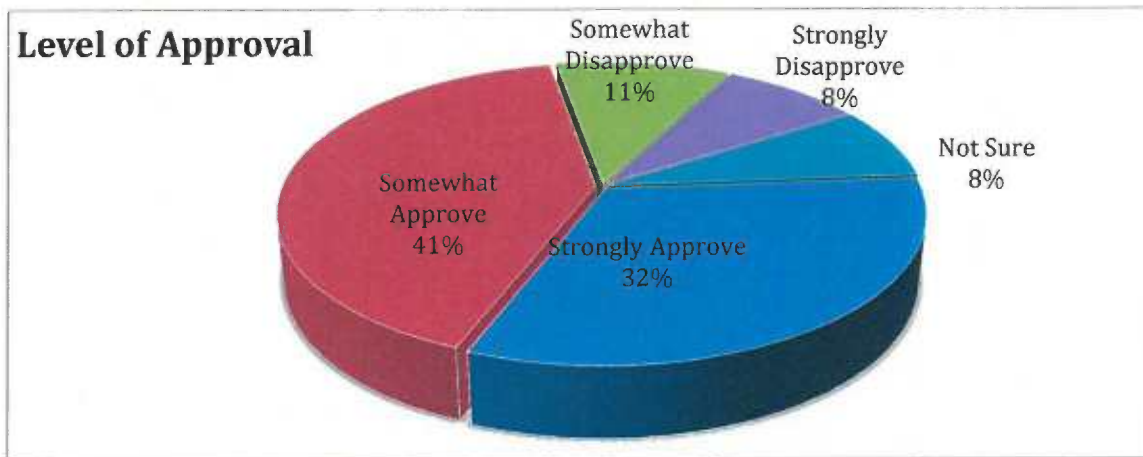
Almost two-thirds of the respondents have lived in Los Angeles for more than 21 years, 19 percent for 11-20 years, 11 percent for 4-10 years, 3 percent for 1-3 years, and only 1 percent for less than a year.

Most of the respondents (48 percent) own their home while 45 percent are renters. Five percent live with family members and 2 percent were not sure.

### ***Survey Results***

This section provides results from eleven (11) of the questions asked of residents in Los Angeles. For each question, we describe the results by Bureau, by race and ethnicity, and by age group, all of which are in percentages. We also show the chi-square values (Chi2), degrees of freedom (df), and the level of significance (Sig.) for each table. In all of the tables, the results show significant differences between the highest and lowest percentages.

***Survey Question: Please tell me whether you approve or disapprove of the job the Los Angeles Police Department is doing. (Answers: Strongly Approve, Somewhat Approve, Not Sure, Somewhat Disapprove, Strongly Disapprove.)***



The chart above and the table below (2a) show that across the city 73.4 percent of residents strongly approve or somewhat approve of the job that the Department is doing (Total Column). The Valley Bureau shows the highest approval with 76.8 percent, followed by West Bureau at 73.5 percent, Central with 72.8 percent, and South with 66.5 percent.

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Strongly Approve	29.7%	26.8%	39.6%	26.2%	32.1%	52.151*	12	.000
Somewhat Approve	43.1%	39.7%	37.2%	47.3%	41.3%			
Not Sure	8.0%	7.1%	6.8%	9.7%	7.8%			
Somewhat Disapprove	10.7%	12.6%	9.2%	10.5%	10.4%			
Strongly Disapprove	8.5%	13.7%	7.2%	6.3%	8.4%			

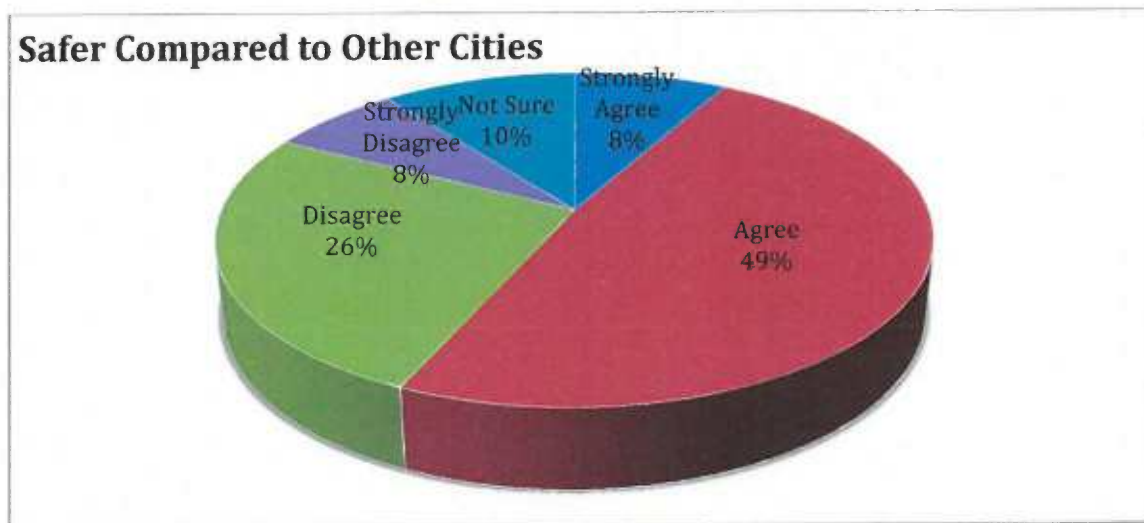
In terms of race and ethnicity (Table 2b), 78.7 percent of white residents strongly approve or somewhat approve of the job the Department is doing, followed by 73.7 percent of Latinos/Hispanics, 71.6 percent of Asians, 61 percent of other races and ethnicities, and 57.1 percent of Black /African Americans.

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Approve	35.9%	17.1%	33.0%	32.4%	25.0%	32.2%	80.241*	16	0.000
Somewhat Approve	42.8%	42.0%	40.7%	39.2%	36.0%	41.3%			
Not Sure	7.2%	8.3%	7.0%	13.2%	7.0%	7.8%			
Somewhat Disapprove	9.5%	13.8%	10.4%	9.3%	15.0%	10.4%			
Strongly Disapprove	4.7%	18.8%	8.9%	5.9%	17.0%	8.3%			

In terms of age categories (Table 2c), 78.5 percent of older residents (60 years and up) strongly approve or somewhat approve of the LAPD, followed by 75.4 percent of younger residents (18-29), 75.2 percent of those in their 30s, 74.5 percent of those in their 50s, and 69.8 percent of those in their 40s.

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Strongly Approve	34.9%	26.0%	29.3%	31.0%	36.5%	32.2%	37.399*	16	0.002
Somewhat Approve	40.5%	39.2%	40.5%	43.5%	42.0%	41.3%			
Not Sure	5.0%	8.8%	8.9%	7.3%	8.2%	7.7%			
Somewhat Disapprove	10.1%	13.9%	13.2%	10.3%	7.7%	10.5%			
Strongly Disapprove	9.5%	12.1%	8.2%	7.9%	5.5%	8.2%			

*Survey Question: Los Angeles is safer compared to other large cities. (Answers: Strongly Agree, Agree, Not Sure, Disagree, Strongly Disagree.)*



The chart above and the table below (3a) show that across the city 56.8 percent of residents strongly agree or agree that Los Angeles is safer compared to other large cities. Central Bureau shows the highest agreement with 59.9 percent, followed by West Bureau at 58.3 percent, Valley Bureau with 56.1 percent, and South with 50.8 percent.

**Table 3a. Los Angeles Compared to other cities by Bureau**

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Strongly Agree	8.8%	8.8%	8.8%	6.1%	8.1%	26.967*	12	.008
Agree	51.1%	42.0%	48.3%	52.2%	48.7%			
Not Sure	11.4%	8.5%	10.6%	10.7%	10.4%			
Disagree	24.6%	29.7%	25.1%	25.3%	25.9%			
Strongly Disagree	4.1%	11.0%	7.2%	5.7%	6.9%			

In terms of race and ethnicity (Table 3b), 58.8 percent of Latino/Hispanic residents strongly agree or agree that the city is safer than other large cities, followed by 57.7 percent of whites, 57.1 percent of Asians, 53.6 percent of Black /African Americans, and 45 percent of other races or ethnicities.

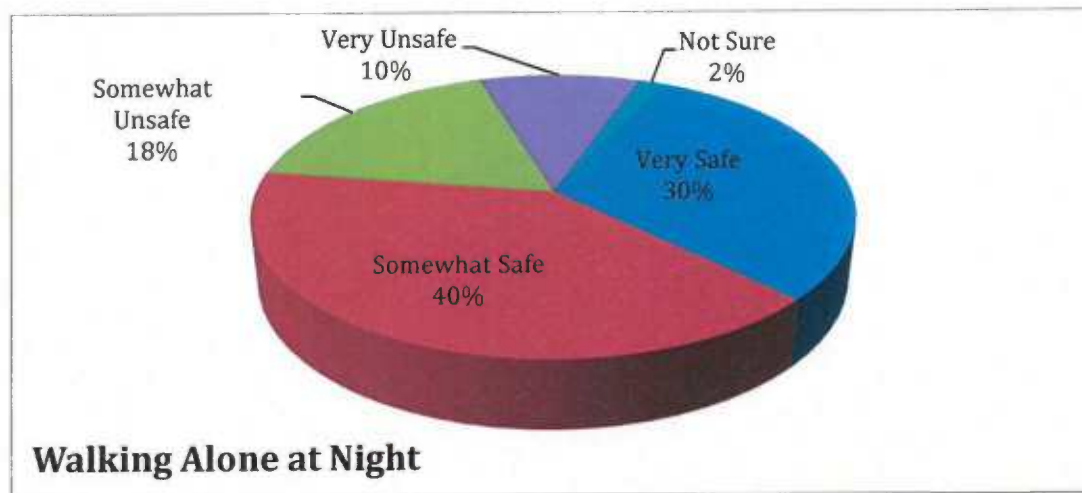
**Table 3b. Los Angeles Compared to other cities by Race / Ethnicity**

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Agree	5.2%	10.6%	10.1%	9.8%	9.0%	8.1%	51.364 <sup>a</sup>	16	0.000
Agree	52.5%	43.0%	48.7%	47.3%	35.0%	48.9%			
Not Sure	12.0%	8.4%	8.9%	9.8%	13.0%	10.4%			
Disagree	25.7%	25.7%	25.4%	25.9%	27.0%	25.7%			
Strongly Disagree	4.6%	12.3%	6.8%	7.3%	16.0%	6.9%			

In terms of age categories (Table 3c), 60.1 percent of young adults (18-29) and 58.9 percent of older residents (60 years and up) strongly agree or agree that Los Angeles is safer than other cities. These are followed by 56.8 percent of those in their 50s, 54.8 percent of those in their 30s, and 52.6 percent of those in their 40s.

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Strongly Agree	9.0%	7.9%	5.9%	10.1%	7.9%	8.2%	30.40*	16	0.016
Agree	51.1%	46.9%	46.7%	46.7%	51.0%	48.9%			
Not Sure	5.9%	8.2%	11.2%	11.4%	13.1%	10.3%			
Disagree	28.7%	28.2%	28.6%	24.2%	23.0%	26.0%			
Strongly Disagree	5.3%	8.8%	7.6%	7.6%	5.0%	6.6%			

**Survey Question: How safe would you feel walking alone in your neighborhood at night?**  
(Answers: Very Safe, Somewhat Safe, Not Sure, Somewhat Unsafe, Very Unsafe.)



One measure of safety is the perception of walking alone at night within your neighborhood. The table below (4a) shows that across the city 70.2 percent of residents feel somewhat safe or very safe in their neighborhoods at night. The West Bureau shows the highest perception with 79.5 percent, followed by the Valley Bureau at 75.2 percent, Central with 66.6 percent, and South with 53.3 percent. It should be noted that almost 45 percent of the residents in South Bureau feel somewhat or very unsafe when walking alone in their neighborhood at night.

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Very Safe	26.6%	18.7%	32.1%	38.8%	30.1%	106.381*	12	.000
Somewhat Safe	40.0%	34.6%	43.1%	39.7%	40.1%			
Not Sure	2.0%	2.2%	1.9%	1.1%	1.7%			
Somewhat Unsafe	19.5%	23.9%	16.0%	14.8%	17.9%			
Very Unsafe	12.0%	20.6%	6.9%	5.7%	10.1%			

In terms of race and ethnicity (Table 4b), 78.1 percent of white residents feel very or somewhat safe, followed by 72.6 percent other races or ethnicities, 69.2 percent of Asians, 63.8 percent of Latinos/Hispanics, 63 percent of Black /African Americans.

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Very Safe	38.0%	27.6%	23.2%	26.8%	30.4%	30.2%	73.861 <sup>a</sup>	16	0.000
Somewhat Safe	40.1%	35.4%	40.6%	42.4%	42.2%	40.2%			
Not Sure	1.4%	3.3%	1.8%	1.5%	1.0%	1.7%			
Somewhat Unsafe	15.3%	18.2%	21.0%	19.5%	13.7%	18.0%			
Very Unsafe	5.2%	15.5%	13.4%	9.8%	12.7%	9.9%			

In terms of age categories (Table 4c), 76.3 percent of residents in their 40s feel very or somewhat safe walking alone in their neighborhoods. These are followed by 74.5 percent of those in their 50s, 71.6% of those in their 30s, 68.1 percent of those over 60, and 63.5 percent of young adults (18-29 years old).

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Very Safe	25.1%	30.1%	33.9%	30.7%	31.2%	30.2%	63.575*	16	0.000
Somewhat Safe	38.4%	41.5%	42.4%	43.8%	36.9%	40.1%			
Not Sure	0.3%	0.3%	0.7%	1.6%	4.0%	1.7%			
Somewhat Unsafe	27.6%	18.4%	13.5%	14.4%	16.8%	18.1%			
Very Unsafe	8.6%	9.6%	9.5%	9.5%	11.2%	9.9%			

**Survey Question: How responsive are the police in your neighborhood to community concerns? (Answers: Very Responsive, Somewhat Responsive, Not Sure, Somewhat Unresponsive, Very Unresponsive.)**

One measure of police responsiveness is the perception of residents regarding how police respond to concerns in their community. Table 5a shows that across the city of Los Angeles, 72.3 percent of residents feel that the LAPD is somewhat or very responsive. Nearly 76 percent of residents in West Bureau feel that the police are very or somewhat responsive, followed by those in the Valley (74.1 percent), Central (69 percent), and South (67.4 percent).

	Central	South	Valley	West		Chi2 Value	df	Sig.
Very Responsive	26.3%	24.1%	34.4%	28.4%	29.5%	46.102*	12	.000
Somewhat Responsive	42.7%	43.3%	39.7%	47.4%	42.8%			
Not Sure	10.5%	6.6%	9.4%	11.4%	9.6%			
Somewhat Unresponsive	12.9%	15.1%	11.3%	8.2%	11.6%			
Very Unresponsive	7.6%	11.0%	5.2%	4.6%	6.6%			

In terms of race and ethnicity (Table 5b), 76.7 percent of white residents feel that the police are very or somewhat responsive, followed by 71.7 percent of Asians, and similar percentages for Latinos/Hispanics, Black /African Americans, and other races and ethnicities (about 69 percent).

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Very Responsive	34.5%	26.1%	25.0%	28.3%	29.0%	29.4%	62.213 <sup>a</sup>	16	0.000
Somewhat Responsive	42.2%	43.3%	44.4%	43.4%	40.0%	43.1%			
Not Sure	10.3%	8.9%	8.4%	13.7%	4.0%	9.5%			
Somewhat Unresponsive	10.2%	10.0%	13.9%	8.3%	15.0%	11.5%			
Very Unresponsive	2.8%	11.7%	8.4%	6.3%	12.0%	6.4%			

In terms of the break down by age (Table 5c), the older population categories (those over 40 years of age) feel that the police are very or somewhat responsive (72 to 78 percent). Nearly 70 percent of young adults age 18-29 and about two-thirds of those in their 30s felt similarly.



	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Very Responsive	24.3%	24.4%	22.1%	32.8%	37.4%	29.6%	62.437*	16	0.000
Somewhat Responsive	45.5%	42.6%	49.8%	42.0%	39.3%	43.1%			
Not Sure	7.0%	9.4%	9.6%	8.7%	11.1%	9.4%			
Somewhat Unresponsive	16.5%	15.0%	10.6%	10.0%	8.2%	11.6%			
Very Unresponsive	6.7%	8.5%	7.9%	6.5%	4.0%	6.4%			

*Survey Question: The Los Angeles Police Department does a good job of interacting with people in your neighborhood. (Answers: Strongly Agree, Agree, Not Sure, Disagree, Strongly Disagree.)*

Another measure of police responsiveness is the perception of residents that officers interact with people in their neighborhood (Table 6a). Across the city of Los Angeles, 62.4 percent of respondents strongly agree or agree that the Department does a good job of interacting with people. When broken down by Bureau, the Valley ranks the highest with 67.2 percent, followed by West Bureau with 63.3 percent, Central with 61 percent, and South with 53.2 percent.

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Strongly Agree	13.6%	13.7%	19.8%	17.7%	16.9%	43.451	12	.000
Agree	47.4%	39.5%	47.4%	45.6%	45.5%			
Not Sure	9.5%	7.4%	10.0%	10.8%	9.6%			
Disagree	21.4%	26.8%	16.7%	19.8%	20.3%			
Strongly Disagree	8.0%	12.6%	6.1%	6.1%	7.7%			

In terms of race and ethnicity (Table 6b), 68.9 percent of white residents strongly agree or agree that the police do a good job of interacting with them. These are followed by 61.9 percent of Asians, 61.2 percent of Latinos/Hispanics, and 53 percent of other races and ethnicities.

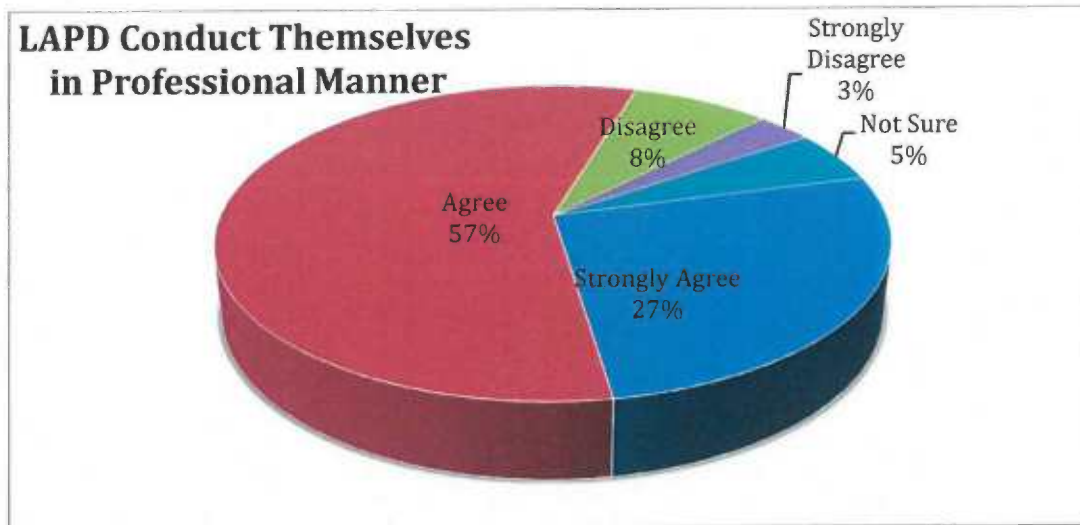
For Black /African Americans, however, less than 50 percent (46.4 percent) strongly agree or agree, while 42.4 percent strongly disagree or disagree.

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Agree	19.0%	16.8%	15.0%	14.6%	18.0%	16.9%	96.681 <sup>a</sup>	16	0.000
Agree	49.9%	29.6%	46.2%	47.3%	35.0%	45.7%			
Not Sure	11.7%	11.2%	7.8%	8.3%	5.0%	9.6%			
Disagree	16.4%	29.6%	21.1%	24.4%	23.0%	20.5%			
Strongly Disagree	3.1%	12.8%	9.8%	5.4%	19.0%	7.4%			

In terms of the break down by age (Table 6c), the older population (those over 60 years of age) strongly agree or agree that the police do a good job of interacting in their neighborhood. The younger adults (18-29) and those residents in their 30s perceive things differently. While a majority (57 percent aged 18-29 and 56 percent in their 30s) are in agreement, over one-third disagree or strongly disagree (36 and 37 percent, respectively). About 60 percent of those residents in their 40s and 50s see the LAPD as doing a good job of interacting.

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Strongly Agree	10.9%	14.4%	17.1%	21.1%	19.9%	17.1%	87.904 <sup>a</sup>	16	0.000
Agree	45.9%	41.5%	42.1%	42.8%	50.9%	45.5%			
Not Sure	6.4%	6.2%	10.2%	10.3%	12.4%	9.5%			
Disagree	27.5%	27.9%	20.4%	19.0%	12.1%	20.2%			
Strongly Disagree	9.2%	10.0%	10.2%	6.8%	4.7%	7.7%			

**Survey Question: Los Angeles Police Officers conduct themselves in a professional manner.**  
(Answers: Strongly Agree, Agree, Not Sure, Disagree, Strongly Disagree.)



A fundamental question about police officers is how the public views their professionalism. The pie chart above and Table 7a below show that nearly 84 percent of Los Angeles residents strongly agree or agree that officers conduct themselves in a professional manner. In the Valley, 87.3 percent of residents perceive this, followed by West (84.7 percent), Central (80.8 percent), and South (79 percent).

<b>Table 7a. Citizen Perceptions of Police Professionalism by LAPD Bureau</b>						<b>Chi2</b>		
	<b>Central</b>	<b>South</b>	<b>Valley</b>	<b>West</b>	<b>Total</b>	<b>Value</b>	<b>df</b>	<b>Sig.</b>
Strongly Agree	21.5%	19.2%	34.7%	23.4%	26.5%	56.922 <sup>a</sup>	12	.000
Agree	59.3%	58.8%	52.6%	61.3%	57.1%			
Not Sure	5.9%	6.3%	4.1%	6.1%	5.3%			
Disagree	8.8%	11.0%	6.2%	7.4%	7.9%			
Strongly Disagree	4.6%	4.7%	2.4%	1.9%	3.1%			

In terms of race and ethnicity (Table 7b), 88.5 percent of white residents strongly agree or agree that the police conduct themselves in a professional manner. These are followed by 84.4 percent of Asians, 81 percent of Latinos/Hispanics, 79.2 percent of other races and ethnicities, and 74.6 percent of Black /African Americans.

**Table 7b. Citizen Perceptions of Police Professionalism by Race / Ethnicity**

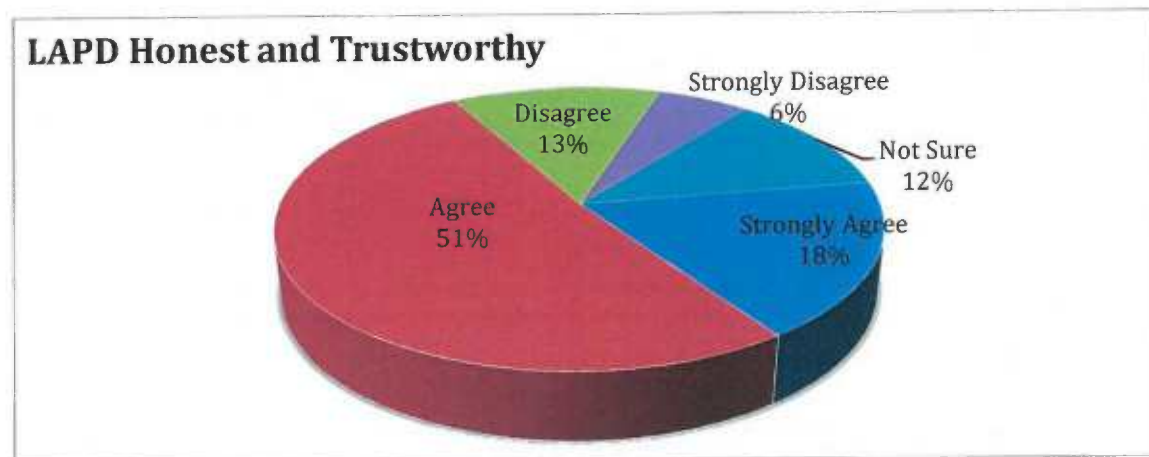
	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Agree	32.1%	21.0%	22.0%	22.0%	30.7%	26.4%	67.450 <sup>a</sup>	16	0.000
Agree	56.4%	53.6%	59.0%	62.4%	48.5%	57.3%			
Not Sure	4.5%	5.5%	6.2%	6.8%	2.0%	5.3%			
Disagree	5.5%	14.4%	9.4%	6.3%	9.9%	8.0%			
Strongly Disagree	1.5%	5.5%	3.4%	2.4%	8.9%	3.0%			

The results by age categories (Table 7c) are very similar and consistent across the board. They range from 78.9 percent for those in their 30s to 88.3 percent of the older population (those over 60 years of age) who strongly agree or agree that the police conduct themselves professionally.

**Table 7c. Citizen Perceptions of Police Professionalism by Age Category**

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Strongly Agree	22.6%	23.8%	24.0%	29.3%	30.4%	26.7%	63.837 <sup>a</sup>	16	0.000
Agree	58.1%	55.1%	58.9%	53.5%	57.9%	56.8%			
Not Sure	2.5%	4.4%	4.9%	8.7%	6.0%	5.4%			
Disagree	12.8%	11.7%	8.2%	6.5%	4.0%	8.1%			
Strongly Disagree	3.9%	5.0%	3.9%	1.9%	1.7%	3.0%			

**Survey Question: Los Angeles Police Officers are honest and trustworthy. (Answers: Strongly Agree, Agree, Not Sure, Disagree, Strongly Disagree.)**



Another fundamental question about police officers is how the public views them with respect to honesty and trustworthiness (Table 8a). For this measure we found that nearly 69 percent of Los Angeles residents strongly agree or agree that officers are honest and trustworthy. In the Valley, 73.3 percent of residents perceive this, followed by West (70.1 percent), Central (67.4 percent), and South (60 percent).

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Strongly Agree	15.60%	13.20%	21.90%	16.20%	17.70%	43.223a	12	0
Agree	51.80%	46.80%	51.40%	54.90%	51.50%			
Not Sure	12.20%	12.30%	10.20%	13.90%	11.90%			
Disagree	15.10%	18.60%	10.90%	10.90%	13.20%			
Strongly Disagree	5.40%	9.00%	5.60%	4.00%	5.80%			

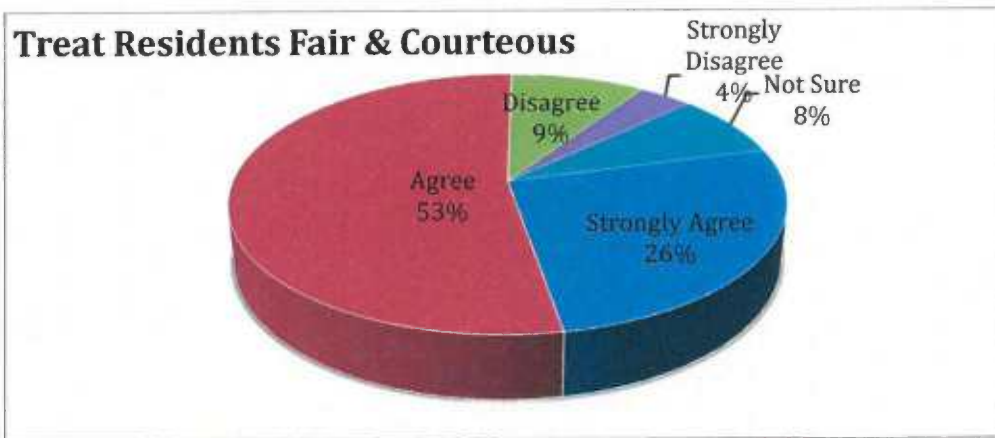
In terms of race and ethnicity (Table 8b), there is a large divide between Black/African Americans and whites, Hispanics, Asians and Others on this measure. Only 47.6 percent of Black/African Americans view officers as honest and trustworthy, while 74.4 percent of white residents strongly agree or agree that the police are honest and trustworthy. These are followed by 70.9 percent of Latinos/Hispanics, 68.2 percent of Asians, and 63.3 percent of other races and ethnicities.

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Agree	21.4%	12.2%	15.0%	14.7%	17.8%	17.4%	131.433a	16	0.000
Agree	53.0%	34.4%	55.9%	52.5%	45.5%	51.9%			
Not Sure	13.6%	16.1%	8.5%	14.2%	8.9%	11.8%			
Disagree	9.6%	22.2%	14.9%	14.7%	9.9%	13.2%			
Strongly Disagree	2.4%	15.0%	5.7%	3.9%	17.8%	5.7%			

Table 8c shows that the results by age categories are very similar and consistent across the board. They range from 65.9 percent for those in their 30s to 73.5 percent of the older population (those over 60 years of age) who strongly agree or agree that the police are honest and trustworthy.

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Strongly Agree	13.4%	17.4%	16.4%	18.8%	20.6%	17.7%	78.333a	16	0.000
Agree	56.4%	48.5%	50.0%	47.8%	52.9%	51.4%			
Not Sure	5.3%	8.2%	25.1%	14.1%	15.7%	12.0%			
Disagree	18.7%	16.8%	13.2%	12.6%	7.7%	13.0%			
Strongly Disagree	6.1%	9.1%	6.3%	6.8%	3.0%	5.8%			

*Survey Question: Overall, Los Angeles Police Officers treat residents in my neighborhood in a fair and courteous manner. (Answers: Strongly Agree, Agree, Not Sure, Disagree, Strongly Disagree.)*



The pie chart above and Table 9a show that over 79 percent of residents living in the city strongly agree or agree that police officers treat them in a fair and courteous manner. LAPD received high marks in the Valley (83.1 percent) and the West (80.4 percent) Bureaus. Over three-quarters of residents living in Central Bureau (75.9 percent) and 71.4 percent in South Bureau strongly agree or agree.

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Strongly Agree	18.3%	19.5%	33.3%	26.7%	26.2%	66.220 <sup>a</sup>	12	.000
Agree	57.6%	51.9%	49.8%	54.7%	52.9%			
Not Sure	8.8%	8.0%	6.9%	9.1%	8.0%			
Disagree	11.2%	14.3%	6.8%	7.6%	9.2%			
Strongly Disagree	4.1%	6.3%	3.2%	1.9%	3.6%			

In terms of race and ethnicity (Table 9b), 86.5 percent of white residents strongly agree or agree that the police treat residents in a fair and courteous manner. These are followed by 80.8 percent of Asians, 75.9 percent of Latinos/Hispanics, 76 percent of other races and ethnicities, and 63.3 percent of Black /African Americans. There is a significant difference between the perceptions of Whites and African Americans on this particular measure.

Another way to look at this is through those residents who strongly disagree and disagree: 26.7% of African American residents compared to 5.9% of white residents.

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Agree	32.5%	19.4%	20.6%	24.1%	32.0%	26.2%	122.500 <sup>a</sup>	16	0.000
Agree	54.0%	43.9%	55.3%	56.7%	44.0%	53.3%			
Not Sure	7.6%	10.0%	8.2%	8.4%	3.0%	7.9%			
Disagree	4.6%	15.6%	12.2%	8.9%	11.0%	9.1%			
Strongly Disagree	1.3%	11.1%	3.7%	2.0%	10.0%	3.5%			

The results by age (Table 9c) show that all age categories largely strongly agree and agree that officers treat residents fairly and courteously. They range from 84.3 percent of those over 60 to a 'low' of 76.2 percent for those residents in their 30s. When looking at those who strongly disagree or disagree, residents of age 18 to 29 show a higher percent than all other age groups – 19.4 percent.

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Strongly Agree	19.6%	24.1%	25.0%	27.9%	31.5%	26.4%	91.909 <sup>a</sup>	16	0.000
Agree	58.0%	52.1%	53.6%	49.1%	52.8%	53.0%			
Not Sure	3.1%	5.3%	7.9%	11.9%	10.1%	8.0%			
Disagree	14.6%	14.7%	8.9%	7.0%	3.7%	9.0%			
Strongly Disagree	4.8%	3.8%	4.6%	4.1%	2.0%	3.6%			

**Survey Question: Los Angeles Police Officers treat people of all races and ethnicities fairly.  
(Answers: Strongly Agree, Agree, Not Sure, Disagree, Strongly Disagree.)**

Less than half of Los Angeles residents strongly agree or agree (49.7 percent) that LAPD officers treat people of all races and ethnicities fairly (Table 10a). Nearly 37 percent strongly disagree or disagree with the statement. In other words, over one-third of residents do not believe that officers treat people of all races and ethnicities fairly.

The percentages of those who strongly agree or agree are consistent across the LAPD Bureaus – Valley (52.5 percent), Central (51.7 percent), West (47 percent), and South (45.6 percent).

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Strongly Agree	10.7%	10.7%	16.2%	9.7%	12.5%	43.823 <sup>a</sup>	12	.000
Agree	41.0%	34.9%	36.3%	37.3%	37.2%			
Not Sure	12.4%	7.7%	13.9%	17.3%	13.3%			
Disagree	22.4%	27.7%	21.9%	22.4%	23.2%			
Strongly Disagree	13.4%	19.0%	11.7%	13.3%	13.7%			

In terms of race and ethnicity (Table 10b), 58.9 percent of Black/African Americans strongly disagree or disagree with the statement, almost twice as high as whites (31.1 percent) and Asians (30.9 percent). Other races/ethnicities (45.6 percent) and Latino/Hispanics (38.3%) fall in the middle.

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Agree	13.3%	10.6%	11.6%	13.7%	11.9%	12.4%	92.143 <sup>a</sup>	16	0.000
Agree	37.5%	23.9%	39.9%	43.1%	33.7%	37.5%			
Not Sure	18.1%	6.7%	10.2%	12.3%	8.9%	13.2%			
Disagree	21.8%	31.7%	24.1%	20.6%	21.8%	23.4%			
Strongly Disagree	9.3%	27.2%	14.2%	10.3%	23.8%	13.5%			



In all of the age categories (Table 10c) the results range from 48 to 54 percent who strongly agree or agree that the police treat people of all races and ethnicities fairly. On the flip side, 45.7 percent of those in the 18-29-year category strongly disagree or disagree.

It appears that as one gets older, it becomes more likely that one will have a perception that police are treating people of all races and ethnicities fairly. At the same time, however, it appears that the older one gets the more 'not sure' they are about this race and ethnicity question – the pattern indicates that 'not sure' as a response increases by age category.

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Strongly Agree	9.5%	10.6%	10.5%	15.8%	14.9%	12.7%	83.828 <sup>a</sup>	16	0.000
Agree	38.9%	37.2%	36.8%	33.7%	38.9%	37.3%			
Not Sure	5.9%	9.1%	11.5%	15.5%	18.8%	13.0%			
Disagree	26.1%	25.8%	24.3%	21.7%	19.8%	23.0%			
Strongly Disagree	19.6%	17.3%	16.8%	13.3%	7.6%	13.9%			

**Survey Question: Los Angeles Police Officers use force only when absolutely necessary. (Answers: Strongly Agree, Agree, Not Sure, Disagree, Strongly Disagree.)**

Table 11a shows that over one-half of Los Angeles residents believe that LAPD officers use force only when absolutely necessary (53.3 percent strongly agree or agree). Responses of strongly agree and agree vary from a high of 57.1 percent in Central, to 55.4 percent in the Valley, to 51.1 percent in South, to 48.4 percent in West Bureau. Over 38 percent of respondents in South Bureau strongly disagree or disagree, followed by residents in West Bureau with 33.3 percent.

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Strongly Agree	8.3%	11.5%	15.0%	8.8%	11.5%	44.317 <sup>a</sup>	12	.000
Agree	48.8%	39.6%	40.4%	39.6%	41.8%			
Not Sure	12.1%	10.4%	13.2%	18.3%	13.7%			
Disagree	19.9%	25.8%	21.9%	26.1%	23.2%			
Strongly Disagree	10.9%	12.6%	9.4%	7.2%	9.8%			

Only 31.6 percent of Black/African Americans strongly agree or agree that LAPD officers use force only when absolutely necessary (Table 11b). These percentages vary sharply from Asian (62.3 percent), Latino/Hispanic (59.3 percent), and White (51.4 percent) respondents.

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Agree	11.7%	8.3%	11.5%	11.8%	12.9%	11.4%	105.611 <sup>a</sup>	16	0.000
Agree	40.7%	23.3%	47.8%	50.5%	28.7%	42.0%			
Not Sure	16.2%	14.4%	9.6%	13.7%	18.8%	13.6%			
Disagree	25.0%	30.0%	21.8%	16.7%	23.8%	23.4%			
Strongly Disagree	6.4%	23.9%	9.2%	7.4%	15.8%	9.6%			

In all of the age categories (Table 11c) the results range from 50 to 55 percent who strongly agree or agree that the police use force only when absolutely necessary.

On the flip side, 38.8 percent of those in the 18-29-year category strongly disagree or disagree; 35.5 percent of those in their 30s, 36.5 percent of those in their 40s, 32.2 percent of those in their 50s, and 25.1 percent of those in their 60s strongly disagree or disagree.

Also, it appears that as one gets older, the more likely it is that one will be 'not sure' about their perception of this particular issue.

	18-29	30-39	40-49	50-59	60+	Total	Chi2 Value	df	Sig.
Strongly Agree	11.7%	10.3%	12.2%	11.1%	12.4%	11.6%	60.853 <sup>a</sup>	16	0.000
Agree	43.3%	44.3%	37.8%	39.4%	42.9%	41.8%			
Not Sure	6.1%	10.3%	13.5%	15.2%	19.6%	13.8%			
Disagree	28.5%	22.6%	24.3%	25.0%	19.4%	23.4%			
Strongly Disagree	10.3%	12.6%	12.2%	9.2%	5.7%	9.4%			

**Survey Question: Los Angeles Police officers "stop and search" too many people in my neighborhood. (Answers: Strongly Agree, Agree, Not Sure, Disagree, Strongly Disagree.)**

We asked residents what they think about officers stopping and searching people in their neighborhoods. The question was worded as "officers stop and search too many people." Overall, 63.4 percent of residents strongly disagree or disagree. Table 12a shows that in the Valley over 71 percent strongly disagree or disagree in contrast to South Bureau residents where 48.9 percent strongly disagree or disagree.

	Central	South	Valley	West	Total	Chi2 Value	df	Sig.
Strongly Agree	5.80%	13.20%	3.10%	4.60%	5.80%	130.862 <sup>a</sup>	12	0
Agree	23.80%	25.80%	12.20%	12.70%	17.20%			
Not Sure	14.80%	12.10%	12.90%	14.80%	13.60%			
Disagree	44.30%	37.40%	48.60%	51.10%	46.30%			
Strongly Disagree	11.20%	11.50%	23.20%	16.90%	17.10%			

When we examine results by race and ethnicity (Table 12b) we find a wider disparity of opinion compared to other questions. About 43.4 percent of Black/African Americans strongly disagree or disagree compared to 76.8 percent of white residents, 54.3 percent of Latinos, 61 percent of Asians, and 59 percent of others who strongly disagree or disagree.

	White	Black/ African Amer.	Latino/ Hisp	Asian	Other	Total	Chi2 Value	df	Sig.
Strongly Agree	1.9%	16.1%	6.7%	7.3%	7.0%	5.7%	207.103 <sup>a</sup>	16	0.000
Agree	8.3%	24.4%	27.4%	9.8%	19.0%	17.3%			
Not Sure	13.0%	16.1%	10.6%	22.0%	15.0%	13.5%			
Disagree	54.7%	30.6%	41.1%	47.3%	45.0%	46.4%			
Strongly Disagree	22.1%	12.8%	14.2%	13.7%	14.0%	17.1%			

In all of the age categories (Table 12c) the results range from 60 to 70 percent who strongly disagree or disagree that the police stop and search too many people in their neighborhoods.

	18-29	30-39	40-49	50-59	60+	Total	Chi2	df	Sig.
Strongly Agree	8.4%	10.0%	4.6%	4.9%	3.5%	5.9%	77.769 <sup>a</sup>	16	0.000
Agree	23.8%	18.5%	14.1%	19.3%	13.6%	17.4%			
Not Sure	7.6%	11.4%	11.2%	12.8%	18.8%	13.2%			
Disagree	48.7%	42.8%	53.9%	42.9%	44.9%	46.3%			
Strongly Disagree	11.5%	17.3%	16.1%	20.1%	19.3%	17.2%			

***Perceptions of Safety and Police Services: Interpreting the Scales***

We created four scales of citizen safety, police effectiveness, satisfaction with police services, and fairness and integrity of police. These scales include the following survey questions:

Perceptions of Public Safety (Q5 and Q6a). These questions refer to Los Angeles being safer compared to other cities and how safe a person feels walking alone at night.

Perceptions of Police Effectiveness (Q6c, Q7a, Q7b, Q7c). These questions refer to how good a job the police are doing with victims of crime; how good the department is at preventing crime; apprehending criminals; and interacting with people in the neighborhood.

Perceptions of Police Satisfaction (Q8b, all seven sub-questions). These are based on respondents who had contact with the police (N=1527). If they said 'yes' then a series of seven questions were asked regarding feeling comfortable, professionalism, satisfaction, officer showing concern, officer expressed interest in helping, officer helped resolve the situation, and officer explained the incident and outcome.

Perceptions of Police Fairness and Integrity (Q9a and Q9b, all 10 sub-questions). These questions focused on perceptions of professionalism, fairness and courteousness, honesty and trust, welcoming input, treating people fairly, enforcing the law, complaints, using force, stop and search, and arrests.

In the tables below, for each of the scales, we provide the number of survey respondents (N), the mean score for each scale (mean), the standard deviation (Std. Dev.), the range of possible answers (minimum = 1 and maximum = 5), and a significance score (F or t value). Where the significance score has an asterisk (\*) this denotes that there is a statistical difference within the specific category. All of the tables except Table 13 are color-coded from red to green and highlight the distinctions within specific categories. Red indicates a negative perception and green indicates a positive perception.

Table 13 below shows the overall perceptions of safety and the police citywide. This indicates that respondents in Los Angeles have a relatively high level of satisfaction with police services (3.72); that they view the police as being somewhat fair (3.52); are somewhat safe (3.44); and that the police are somewhat effective (3.41).

**Table 13. Citizen Perceptions of Safety and Police, Summary of Scales  
Citywide, in Means**

	N	Mean	Std. Dev	Min	Max
Safety	2003	3.44	1.02	1.00	5.00
Effectiveness	2003	3.41	0.96	1.00	5.00
Satisfaction	1527	3.72	0.92	1.00	5.00
Fairness & Integrity	2003	3.52	0.76	1.00	5.00

Table 14 below shows citizen perceptions of safety and police within each of the four LAPD Bureaus. For each scale, the results indicate that there is a significant difference (F-test) within the categories. A large F ratio (greater than 1) means that the variation among group means is more than is expected by chance. For citizen perceptions of safety, South Bureau residents feel less safe (mean= 3.07) than those in the West Bureau (mean = 3.59). For police effectiveness, residents in South Bureau view the police as less effective than those residents in the Valley.

Satisfaction with police services is relatively high and similar across all four Bureaus. Residents in the Valley have the highest perception of police satisfaction, but the other three Bureaus are not far behind (the F-ratio is the lowest among the four scales).

Lastly, for residents' perceptions of police fairness and integrity, the Valley Bureau shows the highest, positive views followed by West and Central Bureaus. South Bureau shows slightly negative views compared to the other bureaus.

**Table 14. Citizen Perceptions of Safety and Police, Differences by LAPD Bureau, in Means**

Bureau		N	Mean	Std. Dev.	Min	Max	F
Safety	1.00 Central	411	3.43	1.03	1.00	5.00	21.61***
	2.00 West	475	3.59	0.90	1.00	5.00	
	3.00 Valley	753	3.52	0.99	1.00	5.00	
	4.00 South	364	3.07	1.11	1.00	5.00	
	Citywide	2003	3.44	1.02	1.00	5.00	
Effectiveness	1.00 Central	411	3.37	0.96	1.00	5.00	12.88***
	2.00 West	475	3.47	0.84	1.00	5.00	
	3.00 Valley	753	3.52	0.96	1.00	5.00	
	4.00 South	364	3.16	1.04	1.00	5.00	
	Citywide	2003	3.41	0.96	1.00	5.00	
Satisfaction	1.00 Central	299	3.63	0.92	1.00	5.00	4.18**
	2.00 West	366	3.71	0.87	1.00	5.00	
	3.00 Valley	579	3.82	0.94	1.00	5.00	
	4.00 South	283	3.63	0.91	1.00	5.00	
	Citywide	1527	3.72	0.92	1.00	5.00	
Fairness & Integrity	1.00 Central	411	3.45	0.76	1.00	5.00	17.22***
	2.00 West	475	3.53	0.68	1.00	5.00	
	3.00 Valley	753	3.64	0.78	1.00	5.00	
	4.00 South	364	3.31	0.78	1.00	5.00	
	Citywide	2003	3.52	0.76	1.00	5.00	

Table 15 shows the perceptions of residents based on gender. In three of the four scales related to police effectiveness, satisfaction with police, and police fairness, men and women have the same views. The t-values show that the differences between genders are not significant for these three scales. For perceptions of safety, however, women feel significantly **less safe** than men citywide.

**Table 15. Citizen Perceptions of Safety and Police, Differences by Gender in Means**

Gender		N	Mean	Std. Dev.	Std. Error Mean	t values
Safety	1 Male	985	3.60	0.96	0.03	7.23***
	2 Female	1018	3.28	1.05	0.03	
Effectiveness	1 Male	985	3.40	0.98	0.03	.714
	2 Female	1018	3.43	0.94	0.03	
Satisfaction	1 Male	780	3.71	0.95	0.03	.727
	2 Female	747	3.74	0.89	0.03	
Fairness & Integrity	1 Male	985	3.52	0.78	0.02	-.098
	2 Female	1018	3.51	0.74	0.02	

Table 16 shows citizen perceptions of safety and police by race and ethnicity. Not surprisingly, these findings mirror the individual survey results described earlier. All of the categories show significant differences between one category and another (F scores).

White residents feel safer than all other races and ethnicities in the city. Black/African Americans feel least safe, followed by other races and ethnicities, Latino/Hispanics, and Asians.

For the measures of police effectiveness and fairness and integrity, Black/African Americans view the LAPD in a more negative light than white residents. Other races and ethnicities, Latino/Hispanics, and Asians place themselves within the two extremes.

Despite the negative views of effectiveness and fairness/integrity, however, all races and ethnicities show high levels of satisfaction with police services. Whites, Latino/Hispanics, and Asians cluster around the mean (3.73), while Black/African Americans and other races and ethnicities are slightly lower (3.57 and 3.45, respectively).

Table 17 shows the perceptions of citizens based on age categories. Three of the four scales show significant differences within age categories. Perceptions of safety are relatively the same across all age categories and thus, do not demonstrate significant differences (F).

As with gender and race/ethnicity, all age groups are relatively satisfied with police services. Older residents, those who are 50 and above, show the highest satisfaction with police. Those who are 18 to 49 years old are clustered together (mean ~ 3.64/5) and positive.

For police effectiveness, residents who are 18 to 49 perceive the police to be less effective than the other age groups (mean = 3.26-3.34). Those residents over 60 years old have a more positive

**Table 16. Citizen Perceptions of Safety and Police, Differences by Race and Ethnicity in Means**

	Race/Ethnicity	N	Mean	Std. Dev.	Min	Max	F
Safety	1 White	784	3.59	0.89	1.00	5.00	7.63***
	2 Black/African American	180	3.28	1.09	1.00	5.00	
	3 Latino/Hispanic	705	3.35	1.07	1.00	5.00	
	4 Asian	204	3.42	1.06	1.00	5.00	
	5 Other	101	3.29	1.15	1.00	5.00	
	Citywide	1975	3.44	1.01	1.00	5.00	
Effectiveness	1 White	784	3.58	0.82	1.00	5.00	12.11***
	2 Black/African American	180	3.15	1.10	1.00	5.00	
	3 Latino/Hispanic	705	3.35	0.98	1.00	5.00	
	4 Asian	204	3.41	0.98	1.00	5.00	
	5 Other	101	3.14	1.16	1.00	5.00	
	Citywide	1975	3.42	0.95	1.00	5.00	
Satisfaction	1 White	616	3.80	0.85	1.00	5.00	4.28**
	2 Black/African American	148	3.57	1.02	1.00	5.00	
	3 Latino/Hispanic	515	3.72	0.92	1.00	5.00	
	4 Asian	145	3.78	0.75	1.00	4.43	
	5 Other	81	3.45	1.18	1.00	5.00	
	Citywide	1505	3.73	0.91	1.00	5.00	
Fairness & Integrity	1 White	784	3.67	0.67	1.00	5.00	26.27***
	2 Black/African American	180	3.08	0.88	1.00	5.00	
	3 Latino/Hispanic	705	3.48	0.75	1.00	4.90	
	4 Asian	204	3.57	0.68	1.00	5.00	
	5 Other	101	3.32	0.95	1.10	4.90	
	Citywide	1975	3.52	0.75	1.00	5.00	



view of the effectiveness of the LAPD (mean = 3.59).

Lastly, for perceptions of fairness and integrity, the pattern is similar to police effectiveness, but more positive. That is, residents over 60 years old have a more positive view (mean = 3.67) than those residents who are 18 to 49 years old (mean = 3.40-3.46).

**Table 17. Citizen Perceptions of Safety and Police, Differences by Age Category (Weighted), in Means**

	Age	N	Mean	Std. Dev.	Min	Max	F
Safety	1.00 18-29	358	3.37	1.01	1.00	5.00	.941
	2.00 30-39	340	3.41	1.05	1.00	5.00	
	3.00 40-49	304	3.46	0.99	1.00	5.00	
	4.00 50-59	368	3.49	1.03	1.00	5.00	
	5.00 60+	597	3.47	0.99	1.00	5.00	
	Citywide	1967	3.44	1.01	1.00	5.00	
Effectiveness	1.00 18-29	358	3.34	0.91	1.00	5.00	8.50***
	2.00 30-39	340	3.26	1.00	1.00	5.00	
	3.00 40-49	304	3.34	1.00	1.00	5.00	
	4.00 50-59	368	3.44	1.01	1.00	5.00	
	5.00 60+	597	3.59	0.87	1.00	5.00	
	Citywide	1967	3.42	0.96	1.00	5.00	
Satisfaction	1.00 18-29	286	3.65	0.95	1.00	5.00	3.25*
	2.00 30-39	286	3.64	0.95	1.00	5.00	
	3.00 40-49	226	3.65	1.00	1.00	5.00	
	4.00 50-59	296	3.77	0.93	1.00	5.00	
	5.00 60+	413	3.84	0.81	1.00	5.00	
	Citywide	1507	3.72	0.92	1.00	5.00	
Fairness & Integrity	1.00 18-29	358	3.42	0.79	1.00	5.00	9.72***
	2.00 30-39	340	3.40	0.86	1.00	5.00	
	3.00 40-49	304	3.46	0.78	1.00	5.00	
	4.00 50-59	368	3.52	0.75	1.00	5.00	
	5.00 60+	597	3.67	0.64	1.00	5.00	
	Citywide	1967	3.52	0.76	1.00	5.00	

### *Summary of Findings*

Overall, residents in Los Angeles approve of the job LAPD is doing (73 percent) and they find that officers conduct themselves in a professional manner (84 percent). Further, residents perceive that officers treat citizens in a fair and courteous manner (79 percent) and that officers are honest and trustworthy (69 percent).

Most residents (over 70 percent) feel safe walking in their neighborhood alone at night, but in South Los Angeles residents feel less safe (53 percent). A majority of respondents also feels that Los Angeles is safer than other large cities (57 percent).

In terms of police responsiveness, a majority of residents (72 percent) feel that officers are very or somewhat responsive to community concerns.

### *Treatment of All Races and Ethnicities, Use of Force and Stop and Search*

While the LAPD achieves a relatively high approval rating and a very high score for professionalism, residents in Los Angeles struggle with the Department's treatment of people of different races and ethnicities, use of force, and to some degree, stop and search tactics.

Less than half of survey respondents (49.7 percent) thought that the LAPD treats people of all races and ethnicities fairly. Nearly 60 percent of Black/African Americans believe that the LAPD does *not* treat races and ethnicities fairly, almost twice as high as whites (31.1 percent) and Asians (30.9 percent).

A small majority (53 percent) believes that officers use force only when absolutely necessary. But only 31.6 percent of Black/African Americans strongly agree or agree that LAPD officers use force only when absolutely necessary.

For stops and searches, 63 percent of residents believe that officers do *not* stop and search too many people, but this opinion varies depending on where the respondents live. In South Bureau less than 50 percent of residents share this view, while in the Valley over 71 percent share this belief.

### *Differences and Similarities by LAPD Bureau*

We created four scales of citizen safety, police effectiveness, satisfaction with police services, and fairness and integrity of police.

For citizen perceptions of safety, South Bureau residents feel less safe (mean= 3.07) than those in the West Bureau (mean = 3.59). For police effectiveness, residents in South Bureau view the police as less effective than those residents in the Valley.

Residents in Los Angeles are highly satisfied with police services. This viewpoint is relatively high and similar across all four Bureaus. Residents in the Valley have the highest perception of police satisfaction, but the other three Bureaus are not far behind.

For residents' perceptions of police fairness and integrity, the Valley Bureau shows the highest, positive views followed by West and Central Bureaus. South Bureau shows slightly negative views compared to the other bureaus.

#### *Differences and Similarities by Gender, Race and Ethnicity, and Age*

*Gender.* In three of the four scales related to police effectiveness, satisfaction with police, and police fairness, men and women have the same views. For perceptions of safety, however, women feel significantly *less safe* than men citywide.

*Race and Ethnicity.* White residents feel safer than all other races and ethnicities in the city. Black/African Americans feel least safe, followed by other races and ethnicities, Latino/Hispanics, and Asians.

For the measures of police effectiveness and fairness and integrity, Black/African Americans view the LAPD in a more negative light than white residents. Other races and ethnicities, Latino/Hispanics, and Asians place themselves within the two extremes.

All races and ethnicities show high levels of satisfaction with police services.

*Age.* Three of the four scales show significant differences within age categories. Perceptions of safety are relatively the same across all age categories. All age groups are relatively satisfied with police services. Older residents, those who are 50 and above, show the highest satisfaction with police. For police effectiveness, residents who are 18 to 49 perceive the police to be less effective than the other age groups.

#### *Interpreting the Survey Results*

Nationally and locally, during the last three years the public's trust in the police and criminal justice system has waned dramatically. The police involved fatalities of Laquan McDonald (Chicago), Michael Brown (Ferguson), Eric Garner (Staten Island), Freddie Gray (Baltimore) and Ezell Ford (Los Angeles) have led to protests and demands for change and reform. Both police and prosecutors have been vilified by the public for the perceived lack of accountability, integrity, and transparency of decisions.

It is within this context that this survey of residents in Los Angeles was undertaken.

LAPD Chief Charlie Beck requested an independent and objective survey -- one that was methodologically rigorous and one that would be analyzed independently of the police department. The Chief wanted to know what the residents of Los Angeles thought about the Department, good or bad. He also wanted a survey that would serve as a baseline from which to measure changes over time. Thus, this is the first of many surveys that will be conducted semi-annually or annually depending on funding sources.

The findings that resulted from the survey are somewhat surprising given the tenor of the country and the city of Los Angeles. Other findings were less surprising. Many of the findings are positive, others less so. If used properly, however, all of them can serve as building blocks for improving the department and its relationships with Los Angeles residents.

### ***Recommendations***

*1. Maintain and increase the overall approval rating of the Department and continue to act professionally.*

The Department attained high marks from residents overall and specifically with its professionalism. Officers should be made aware of these achievements and applauded for their efforts.

*2. Continue to improve relationships with residents in South Bureau and with Black/African Americans; overcome the perception that the Department does not treat people of all races and ethnicities fairly.*

Less than 50 percent of residents perceive that LAPD officers treat people of all races and ethnicities fairly. This perception is consistent across the city, but most pronounced in South and Central Bureaus. This perception is also influenced, in part, by nation-wide events. Changing this perception takes time and commitment across all levels of the Department. But programs exist that have demonstrated success, and those should be continued and expanded, including the Community Safety Partnership program and Collective Efficacy in Foothill and Hollywood Divisions.

The LAPD developed the Community Safety Partnership (CSP) program in 2001 and has seen major changes in its relationships with residents in South Los Angeles, particularly in seven of the most violent public housing projects. The best elements of this program should be expanded to neighborhoods with similar needs (see the op-ed article in the *New York Times* written by Chief Charlie Beck and Connie Rice 2016 in Appendix 2). In particular, CSP could be used in hot spots of violence in 77<sup>th</sup> Street, Newton, Southeast, and Southwest Divisions.

In Hollywood and Foothill Divisions, the concept of 'collective efficacy' is being implemented by community groups through the Youth Policy Institute. Similar to CSP, collective efficacy emphasizes building trust between the police and residents and between residents and neighbors. Within a neighborhood, the way in which people interact, share common goals and values and trust one another are associated with levels of crime – high levels of collective efficacy result in lower crime.

Residents living in neighborhoods with close social ties tend to watch out for each other and their property. For example, they will make sure their kids are not getting into trouble, monitor people hanging out in the neighborhood, and generally provide a sense of safety within the neighborhood. Collective efficacy refers to the degree to which you trust your neighbors to provide this sense of safety, and to intervene if something problematic happens. Intervening can include things like calling the police, asking questions of strangers, notifying parents if their

children are misbehaving, forming community groups to address problems, or at a higher level, attending city council meetings to request assistance from government (See Uchida, et al 2013 in Appendix 2).

*3. Proactively educate the public about use of force, especially when it is appropriate and when it is not.*

Respondents across the city are conflicted about LAPD officers and use of force. While a majority of residents (53 percent) believe that officers use force only when absolutely necessary, 33 percent do not agree, and 14 percent are not sure. Part of this perception could be attributed to a misunderstanding about what is appropriate and what is not. While the Department has trained officers on 'categorical and non-categorical' uses of force, 'de-escalation' training, and emphasizes the use of the firearms simulator at all patrol divisions, the public has very little understanding of these terms and concepts. Recently, the Department provided the media with a lengthy demonstration of what it does with respect to an officer-involved shooting. Similar demonstrations about appropriate uses of force to community groups and individuals would help to explain why officers do certain things during encounters with citizens.

*4. Reduce fear of crime among women and Black/African Americans.*

Women and Black/African Americans reported that they did not feel safe walking alone in their neighborhoods at night. Making people feel safe is a primary function of any police agency. But fear of crime emanates from many different sources, making it a difficult concept to conquer. For example, prior research has shown that environmental factors -- abandoned vehicles, vacant houses and lots, litter, and other conditions create an aura of fear. Similarly, prior victimization, people hanging out, panhandlers, drug trafficking, and other social conditions lead to a perception of fear.

This translates into a number of interventions ranging from enforcement to crime prevention, depending upon the nature of the crimes and conditions and fear that emanates from those crimes and conditions. Captains in their Divisions could engage in different techniques such as crime prevention education programs within their communities, high visibility patrols, foot patrols, and problem solving methods. But prior to creating a program and interventions, Captains and Bureau Commanders should meet with their constituencies to determine appropriate action that would get at the heart of the fear of crime. Meetings via focus groups, Community Policing Advisory Boards (CPAB), and through schools and recreation centers could facilitate and assist in gathering information.

*5. Increase police responsiveness to community concerns and interact more with residents.*

While these measures are relatively high in West and Valley Bureaus, in Central and South Bureaus more could be accomplished. Responding to community concerns routinely and having officers interact more with residents via programs noted above would lead to improvements in these attitudes.

**APPENDIX B**

**LAPD Training Rosters - Quick Reference Chart**

	<b>RECRUIT BASIC COURSE (RBC)</b>
<b>POST REQUIREMENTS</b>	<p>RACIAL PROFILING TRAINING – POST Administrative Manual, Section B - Regulations, Regulation 1081</p> <p>Regulation 1081 – Minimum Standards for Legislatively Mandated Courses Racial Profiling Training (Penal Code Section 13519.4f)</p> <p>PART I – Initial requirements met through LAPD-wide training established by POST. Upon review of the Commission-approved five-hour initial in-service racial profiling curriculum, a committee of subject matter experts determined that the curriculum should be added to <b>Learning Domain #42, Cultural Diversity/ Discrimination</b>. Therefore, as per POST, attendance in, and complete of the Recruit Basic Course after January 1, 2004, meets the requirements of PC 13519 et sec for the training of any California peace officer in the area of racial profiling/cultural differences.</p> <p>Adding legislatively mandated training curriculum to the Regular Basic Course has been a long-standing practice of the Commission in order to eventually eliminate the need for a mandated in-service training course.</p>
<b>BIAS BASED COURSES IN RBC</b>	<p>A total of 33.5 hours on Bias Based Courses is taught at the RBC:</p> <ul style="list-style-type: none"> <li>• 1 hour – Discuss Officers’ Transition from Civilian to Sworn</li> <li>• 3 hours- Community Diversity/Cultural Diversity Course Discussion</li> <li>• 1 hour – Problem Solving/CAPRA Concept and Discussion</li> <li>• 3 hours – Cultural Diversity/Discrimination</li> <li>• 3.5 hours – <i>Racial Profiling/Biased Policing – POST 1070 Course</i></li> <li>• 1 hour – Effective Communication-Traffic Enforcement Scenarios: 8-Step/5-Step</li> <li>• 1 hour – Traffic Stop Scenario: 5- Step Process</li> <li>• 2 hours – Traffic Stop Scenario: 8-Step/5-Step</li> <li>• 4 hours – LGBTQ Case Studies</li> <li>• 2 hours – Hate Crimes Case Studies</li> <li>• 6 hours - Museum of Tolerance (MOT) Case Studies</li> <li>• 3 hours – Domestic Violence Scenarios/Case Studies</li> <li>• 3 hours – Recruit Officers Transition to Police Officer</li> </ul>
<b>2011-2016 MUSEUM OF TOLERANCE TRAINING</b>	<p>From FY 11-12 through FY 15-16, a total of 1,794 recruits completed Cultural Diversity Training</p>

**APPENDIX B (continued)**

	<b>IN SERVICE TRAINING</b>
<b>POST REQUIREMENTS</b>	<p>RACIAL PROFILING TRAINING – POST Administrative Manual, Section B-Regulations, Regulation 1081</p> <p>Regulation 1081 – Minimum Standards for Legislatively Mandated Courses Racial Profiling Training (Penal code Section 13519.4f)</p> <p>Part II – Refresher – 2 Hours Included in Basic Course after January 1, 2004. To be completed every five years after initial training.</p> <p>The purpose of this training program is for officers to recognize Bias Based Policing and to understand that while all people have personal biases, – but that officers must remain fair and impartial in their discretion and decisions.</p> <p>The original training mandate titled “Racial Profiling” was taught throughout the state and contained a specific focus. That course is now part of the Basic Academy. Over time, the discussion of the topic has expanded to include all protected groups, so although both terms are used, Bias Based Policing reflects and expanded focus in this program. This program also provides scenario-based segments that provide a review of how an officer’s personal bias may affect his/her day- to- day work in law enforcement.</p> <p>This course meets the mandate for the two-hour “Racial Profiling” refresher training and fulfills the requirements of PC §13519.14(g) and POST Regulation 1081(a). Segments include:</p> <ul style="list-style-type: none"> <li>• Overview - Remaining Fair &amp; Impartial;</li> <li>• Legal Considerations;</li> <li>• Biases;</li> <li>• Decision-Making;</li> <li>• The Community; and,</li> <li>• Resources</li> </ul>
<b>BIAS BASED COURSES - IN SERVICE TRAINING</b>	<ul style="list-style-type: none"> <li>• Fair and Impartial Policing (32 Hour Update Course) – 5 classes have been conducted since June 6, 2016, with a total of 117 officers trained.</li> <li>• Three additional 32 Hour courses are scheduled in 2016- one in DP 11 and two in DP 13</li> <li>• Average number of students per course – 20-25 officers</li> <li>• Eighteen (18) 32 Hour Update Course is scheduled in 2017</li> </ul>